



**VADM Church
Detainee Ops /
Detainee Interrogation
Techniques**

C-001P -- Standardization of Interrogation Policy Guidance

(U) RECOMMENDATION/OBSERVATION

Lack of specific guidance, clarity, and consistency on interrogation techniques among Afghanistan, Iraq, and GTMO interrogation operations. Standardize interrogation guidance under a single policy (specific and unambiguous) for all areas of operations.

(U) CURRENT ASSESSMENT:

- DoDD 3115 issued Nov 4, 2005.
- Recommend Green.

OPR: USD (I)
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: Issue common guidance.

**Action: OUSD(P) and USD(I)
coordination of policy**

Change:

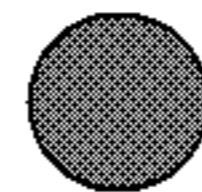
C-004 / MP/MI Doctrine/TSP

(U) RECOMMENDATION/OBSERVATION

- Clarify and reconcile doctrine for MP and MI detention and interrogation operations
- HQDA DODOIP Task: D3

(U) CURRENT ASSESSMENT:

OPR: Army
OCR: None



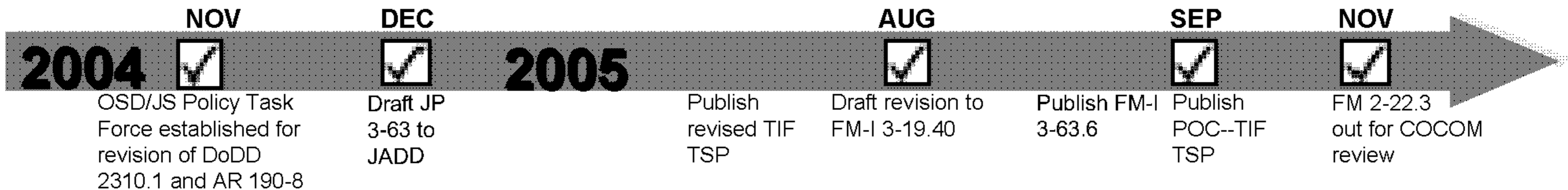
(U) FIX/ACTION/CHANGE:

Fix: Review, expand, revise detainee operations doctrine as appropriate

Action: Doctrine should address MP/MI detention and interrogation operations

Change:

- Publish FMI 3-63.6
- Publish FM 2-22.3
- Publish DO POC—TIF TSP
- Revise TIF TSP



C-005 / Leadership

(U) RECOMMENDATION/OBSERVATION

- Put in place more specific procedures and direct guidance to prevent further abuse. Emphasize stronger leadership, greater oversight, and enforcement of good military discipline to lessen the likelihood of abuse
- HQDA DODOIP Task: T2.1/T5.2/3/L2

(U) CURRENT ASSESSMENT: ●

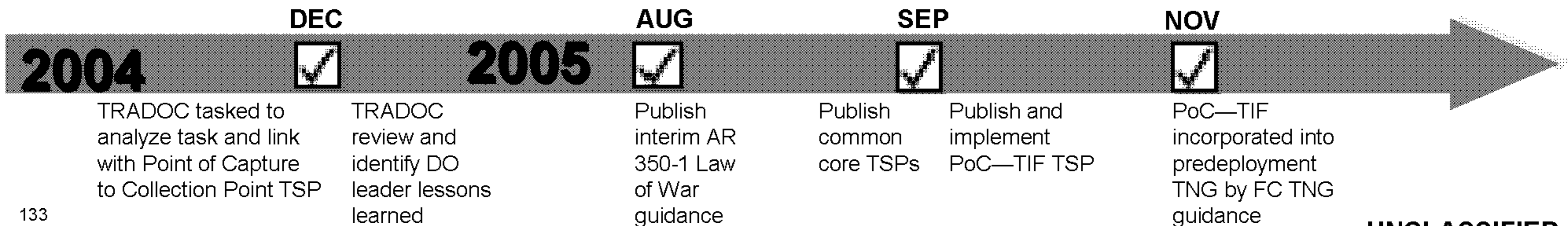
OPR: Army
OCR: None

(U) FIX/ACTION/CHANGE:

Fix: Revise Training

Action: Develop / implement a train-the-trainer package that strongly emphasizes leaders' responsibilities to have adequate supervision and control processes in place to ensure the proper treatment of detainees, and the immediate reporting of detainee abuse

Change: Develop DO LDR Train-the-Trainer Package



C-006P -- Standardization of Interrogation Policy re: OGA's

(U) RECOMMENDATION/OBSERVATION

Coalition and IA policies governing interrogation needs developing. Policies need specificity as to whom applicable, approved methods, with approved standards of supervision and enforcement.

(U) CURRENT ASSESSMENT:

- DoDD 3115 Issued Nov. 4, 2005.
- Recommend Green.

OPR: USD (I)
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: Issue more specific guidance for OGA's involved in interrogation.

Action: OUSD(P) and USD(I) coordination of policy

Change:

C-009P -- Participation of Medical Personnel re: Interrogations

(U) RECOMMENDATION/OBSERVATION

DoD Policy-level review needed to ensure that medical personnel are practicing with proper safeguards, including clarifying the status of medical personnel (i.e., behavioral scientists supporting interrogators) who do not participate in patient care.

(U) CURRENT ASSESSMENT:

- ASDHA has issued a policy directly on this issue. BSCT policy issued.
- DoDI will make BSCT policy top-level.
- **Recommend closure.**

OPR: OUSD(P)
OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Issue policy for medical personnel clarifying roles of those providing medical care, and those serving as behavioral scientists.

Action: ASDHA and Policy to coordinate.

Change:

C-010P -- Interrogators Access to Detainee's Medical Files

(U) RECOMMENDATION/OBSERVATION

DoD policy-level review necessary in order to properly balance competing concerns.

(U) CURRENT ASSESSMENT:

- ASDHA has issued a policy directly on proper use of medical information and medical records.

- **Problem addressed, recommend closure.**

OPR: OUSD(P)

OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Issue policy clarifying roles of those providing medical care, those serving as behavioral scientists, and those serving as interrogators.

Action: ASDHA and Policy to coordinate.

Change:

C-011P -- DoD Detention and Interrogation Policy/Doctrine

(U) RECOMMENDATION/OBSERVATION

Develop master DoD-level detention and interrogation policy and doctrine, including approved interrogation techniques.

(U) CURRENT ASSESSMENT:

- DoDD 3115 issued Nov 4, 2005.
- FM 2.223 under development.
- Recommend Closure.

OPR: OUSD(P)

OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Develop master DoD-level detention/interrogation policy and doctrine, including approved interrogation techniques.

Action: USD(I) handling.

Change:

C-012 / Unit Activations/Accelerations

(U) RECOMMENDATION/OBSERVATION

- There are not enough interrogators and linguists to meet the demands of the GWOT. Significant efforts are underway to address and rectify the shortfall
- HQDA DODOIP Task: Pe2.02/Pe2.03

(U) CURRENT ASSESSMENT: ●

OPR: Army

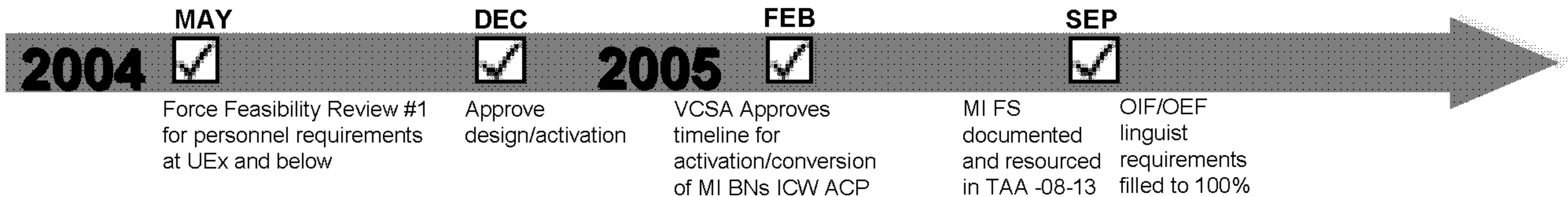
OCR: None

(U) FIX/ACTION/CHANGE:

Fix: Military Intelligence Force Structure to meet interrogator and linguist requirements

Action: Refine and implement Military Intelligence Force Structure changes

Change: Redesign and align HUMINT units and linguist requirements



C-013P -- DoD Developed Definitions for Providing Humane Treatment

(U) RECOMMENDATION/OBSERVATION

Develop DoD level definitions for providing humane treatment of all detainees.

(U) CURRENT ASSESSMENT:

- OGC is working with ODA/USD(P) to develop a standard of care that would be the minimum requirement for “humane treatment.”
- Also working with 2310.1 DoDD coordination to develop definition for inclusion in the DoDD.

OPR: OUSD(P)

OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Develop higher level definition of “humane treatment” to decrease confusion in the field.

Action: OGC handling and 2310.1 DoDD being coordinated in near term.

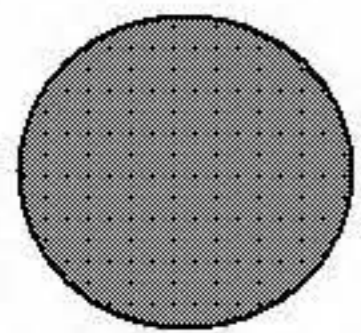
Change:

C-014, Special Interrogation of ISN 760

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- Relevant evidence – testimonial and documentary - has been collected and reviewed. No further investigative effort is necessary.



OPR: Navy

OCR:

FIX/ACTION/CHANGE:

Fix: (U) Collect all evidence necessary to accurately determine if the specific interrogation tactics used during the interrogation of detainee 760 constituted a threat under the UCMJ.

Action:(U) Reviewed, along with NCIS, the AR 15-6 conducted by BG John T. Furlow, USA, which investigated, among other things, the interrogation tactics used on detainee 760.

Change: (U) NCIS and NAVINSGEN agree that further investigative work is unnecessary and unwarranted. All relevant witnesses have been interviewed and relevant documents obtained and reviewed. There is sufficient evidence for the appropriate convening authority to consider and use in deciding if disciplinary action is warranted.

C-016 Sleep Deprivation at GTMO

(b)(1),(b)(5)

FIX/ACTION/CHANGE:

(b)(1),(b)(5)

OPR: SOUTHCOM
OCR:

C-017 Sexual Acts or Mock Sexual Acts at GTMO

(U) RECOMMENDATION

- **(U)** Sexual Acts or Mock Sexual Acts (GTMO): A female interrogator made inappropriate contact with a detainee by running her fingers through the detainee's hair, making sexually suggestive comments and body movements, including sitting on the detainee's lap. ... [W]e used the Manual for Courts-Martial definition of sexual assault, referred therein as "Indecent Assault," to characterize any potential sexual assault case. Consequently, we did not consider this case to be a sexual assault because the interrogator did not perpetrate the act with the intent to gratify her own sexual desires.
- **(U)** We refer the discussion of techniques employed that clearly violate any standard of "humane" treatment to JTF-GTMO for further investigation, as appropriate. The female interrogator was given a written admonishment for her actions. This incident was identified and summarized in the May 2004 Church Review [highlighted by Sen. Feinstein 16 Feb 05 letter to SECDEF].

(b)(1),(b)(5)

FIX/ACTION/CHANGE:

Fix: (U) Investigate allegations.

(b)(1),(b)(5)

142 **OPR: SOUTHCOM**
OCR:

UNCLASSIFIED

JS GHOST DOCS 911

C-028P -- Standard Reporting/Investigating of Claims of Detainee Abuse

(U) RECOMMENDATION/OBSERVATION

Establish standard reporting and investigating procedures for handling claims of detainee abuse.

(U) CURRENT ASSESSMENT:

- Revised DoDD 5100.77 sets forth reporting requirements.
- Issued DoD 3115 sets forth reporting for interrogation personnel.
- Draft 2310 also has reporting requirement.
- Orders/Directives of SECDEF and COCOMS issue requirements for reporting.
- Recommend closure.

OPR: OUSD(P)
OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Need for standard procedures for identifying and reporting detainee abuse and investigating allegations that are legitimate.

Action: DoDD directives, training, doctrine, CENTCOM FRAGO's all address mandatory reporting and identification of legitimate abuse allegations.

Change: Completed

C-031P -- Clarifying Roles/Limits of Interpreters in Interrogations

(U) RECOMMENDATION/OBSERVATION

Doctrine should more clearly define the roles and limits of interpreters in interrogations (i.e., contract interpreters).

(U) CURRENT ASSESSMENT:

- DoDD 3115 issued.
- FM 2.223 under development.

OPR: OUSD(P)
OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Need for clear definition of roles and limits of interpreters in the conduct of interrogations.

Action: USD(I) addressing with specific policy document.

Change: Completed

C-032P – Dissemination and Applicability of US Guidance to Coalition

(U) RECOMMENDATION/OBSERVATION

Need to clarify the applicability, coordination, dissemination, implementation of, and compliance with USG interrogation policy in Multi-National and Coalition Force operations.

(U) CURRENT ASSESSMENT:

- USD(I) has issued HUMINT collection DoDD.
- USD(P) negotiated bi-lat agreements with coalition partners.
- DSD signed Iraqi detention policy setting forth treatment standards.
- FM 2.223 under development.

(U) FIX/ACTION/CHANGE:

Fix: Need for clarity, coordination, dissemination, and compliance by all Multi-National and Coalition Forces.

Action: USD(I) addressing with specific policy document.

Change: In progress

OPR: OUSD(P)
OCR: OUSD(P)

C-034P – Training Contractors in DoD Interrogation/Detention Operations

(U) RECOMMENDATION/OBSERVATION

Establish DoD policy detailing minimum training requirements and standards for contractors supporting DoD interrogation and detention operations, including theater-specific knowledge, GC, and Law of Armed Conflict.

(U) CURRENT ASSESSMENT:

- DoDD 3115 sets for minimum standards for treatment during interrogation.
- FM 2.223 under development.
- Underlying policies can be developed to support 3115 and the FM.
- Recommend closure.

(U) FIX/ACTION/CHANGE:

Fix: Need for DoD policy regarding Training for contractors supporting DoD interrogations and detention operations.

Action: Review assignment of OUSD(P) as lead OPR, suggest matter is operational and legal concern not best addressed through policy alone.

Change: In progress

**OPR: OUSD(P)
OCR: OUSD(P)**

C-035 – Prosecution Loopholes for DoD Contractors

(U) RECOMMENDATION/OBSERVATION

Possible loopholes exist for foreign contractors employed by non-DoD agencies that do not appear to fall under USG criminal jurisdiction purposes where it may be necessary to investigate and prosecute them for detainee abuse.

(U) CURRENT ASSESSMENT:

- OSD disagrees with task to Policy as OPR and does not believe loopholes exist.
- Training for contractors in theater is operational.
- Policy discussed with LC, JS, and contractors arguably fall under Title 18 USCriminal Code) and UCMJ if offenses committed against detainees.
- Recommend Army as lead agency (Det Ops) with LC, JS input on legal matters.

(U) FIX/ACTION/CHANGE:

Fix: Need for close alleged loopholes for foreign contractors employed by non-DoD agencies that may not fall under USG criminal jurisdiction.

Action: Review assignment of OUSD(P) as lead OPR, suggest matter is operational and legal concern.

Change: In progress

**OPR: OUSD(P) (OSD-GC)
OCR: OUSD(P)**

C-036P – Prosecution Loopholes for DoD Contractors

(U) RECOMMENDATION/OBSERVATION

Possible loopholes exist for foreign contractors employed by non-DoD agencies that do not appear to fall under USG criminal jurisdiction purposes where it may be necessary to investigate and prosecute them for detainee abuse.

(U) CURRENT ASSESSMENT:

- • OSD disagrees with assigned task to Policy as OPR and does not believe loopholes exist.
- Policy discussed with OGC & JS/LC, and agree no loophole exists.
- Recommend closure.

(U) FIX/ACTION/CHANGE:

Fix: Need for close alleged loopholes for foreign contractors employed by non-DoD agencies that may not fall under USG criminal jurisdiction.

Action: Review assignment of OUSD(P) as lead OPR, suggest matter is operational and legal concern.

Change: In progress

**OPR: OUSD(P)
OCR: OUSD(P)**

C-037P – Standard Contract Clauses for Detention-Related Operations

(U) RECOMMENDATION/OBSERVATION

DoD directed development of an appropriate standard clause (or set of clauses) for detention related contracts needed to ensure widespread understanding of exactly “how” DoD must exercise control over contractors in order to prevent potential detainee abuse.

(U) CURRENT ASSESSMENT:

- Requirements set forth in DoDD 3115 and draft DoDD 2310.
- Already written in contracts according to AT&L/P&R.
- Contract language cannot “prevent abuses” only specify terms of conduct expected and provided for remedy for breaches of contract.
- Recommend closure.

(U) FIX/ACTION/CHANGE:

Fix: Need for standard contract clauses for contractors involved in detention-related operations in order to prevent potential detainee abuse.

Action: Review assignment of OUSD(P) as lead OPR, suggest matter is mainly a legal concern.

Change: In progress

**OPR: OUSD(P)
OCR: OUSD(P)**

C-038P – Formalize Inter-agency Procedures re: DoD Support to OGA’s

(U) RECOMMENDATION/OBSERVATION

Identify and, as required, develop formal inter-agency procedures to codify or formalize the process of DoD support to OGA’s re: operations overseas.

(U) CURRENT ASSESSMENT:

- Interagency satisfied that they are operating within appropriate policy guidance.
- Recommend closure.

**OPR: OUSD(P)
OCR: OUSD(P)**

(U) FIX/ACTION/CHANGE:

Fix: Develop formal inter-agency procedures to formalize DoD support to OGA’s during overseas operations.

Action: Inter-agency matter raised with Deputy, NSA.

Change: Addressed

C-039P – Develop Guidance DoD-CIA Relationship

(U) RECOMMENDATION/OBSERVATION

Develop guidance and implementing instructions governing the DoD-CIA relationship and cooperative intelligence gathering efforts.

(U) CURRENT ASSESSMENT:

- All HUMINT activities conducted on DoD bases or by DoD employees is governed by DoDD 3115 – issued November 4, 2005.
- Recommend closure

OPR: OUSD(P)

OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Develop guidance and implementing instructions governing DoD-CIA relationship and cooperative intelligence gathering efforts.

Action: Inter-agency problem raised with Deputy, NSA.

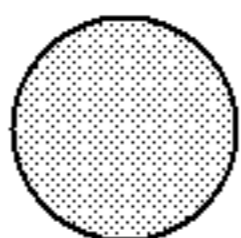
Change: Addressed

C-044 “Feedback on Punishments for Detainee Abuses”

(x) RECOMMENDATION/OBSERVATION

- (U) Therefore, I recommend that the Military Department OGCs and JAGs be engaged to examine and provide feedback on the punishments for detainee abuses to date. Though sentencing and non-judicial punishment are the prerogative of the appropriate judicial and command authorities, such a review would enable DoD to more effectively respond to inquiries related to the release of investigative records pursuant to FOIA Requests.”

- (x) CURRENT ASSESSMENT:



OPR: Joint UCMJ Working Grp (OSD-GC)
OCR:

(x) FIX/ACTION/CHANGE:

Fix:

Action:

Change:

2005



LtGen Schmidt & BG Furlow Report

SF-02 “Lap Dance” Gender Coercion

(U) RECOMMENDATION

- (U) “That a female military interrogator performed a “lap dance” on a detainee during an interrogation. I have expanded this allegation to “That female military interrogators performed acts designed to take advantage of their gender in relation to Muslim males.”
- (U) Command action was effective and sufficient with respect to the individual interrogators. AR 15-6 recommends that the approval authority for the use of gender coercion as futility technique be withheld to the JTF-GTMO CG.

FIX/ACTION/CHANGE:

Fix: (U) Investigate allegations.

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT

(b)(1),(b)(5)

OPR: SOUTHCOM
OCR: USD(I)

(U) RECOMMENDATION

- (U) “That DoD interrogators improperly played loud music and yelled at detainees.”
- (U) The allegation should be closed.
Recommend JTF-GTMO develop specific guidance on the length of time that a detainee may be subjected to futility music. Placement of a detainee in the interrogation booth and subjecting him to loud music and strobe lights should be limited and conducted within clearly prescribed limits.

FIX/ACTION/CHANGE:

Fix: (U) Investigate allegations.

Action: (U) The investigation found that, on numerous occasions between July 2002 and October 2004, detainees were yelled at or subjected to loud music during interrogation.

~~(S)~~ CURRENT ASSESSMENT

(b)(1),(b)(5)

**OPR: SOUTHCOM
OCR: USD(I)**

(b)(1),(b)(5)

SF-06 Cell Moves and Sleep Deprivation

(U) RECOMMENDATION

- (U) “That military interrogators improperly used sleep deprivation against detainees.”
- (U) The allegation should be closed.
Recommend USSOUTHCOM clarify policy on sleep deprivation.

~~(S)~~ CURRENT ASSESSMENT

(b)(1),(b)(5)

OPR: SOUTHCOM
OCR: USD(I)

FIX/ACTION/CHANGE:

Fix: (U) Investigate allegations.

Action: (U) The investigation found that, during 2003 and 2004, some detainees were subjected to cell moves every few hours to disrupt sleep patterns and lower the ability to resist interrogation. Upon assuming command in March 04, MG Hood stopped the practice.

(b)(1),(b)(5)

SF-07 Use of Duct Tape

(U) RECOMMENDATION

- (U) “That military interrogators used duct tape to cover a detainee’s mouth and head.”
- (U) Command action was inadequate with respect to the ICE Chief. He should be formally admonished or reprimanded for directing an inappropriate restraint to be used on a detainee.

FIX/ACTION/CHANGE:

Fix: (U) Investigate allegation.

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT

(b)(1),(b)(5)

OPR: SOUTHCOM
OCR:

SF-12 Special Interrogation Plan and Gender Coercion

(U) RECOMMENDATION

- **(U)** First Special Interrogation Plan: “That a female military interrogator performed a “lap dance” on a detainee during an interrogation. I have expanded this allegation to “That female military interrogators performed acts designed to take advantage of their gender in relation to Muslim males.”

(b)(1),(b)(5)

FIX/ACTION/CHANGE:

Fix: (U) Investigate allegations.

(b)(1),(b)(5)

OPR: SOUTHCOM
OCR:

SF-15 Special Interrogation Plan and Sleep Deprivation

(U) RECOMMENDATION

- **(U)** First Special Interrogation Plan: “That military interrogators improperly used sleep deprivation against detainees.”
- **(U)** The allegation should be closed. Recommend USSOUTHCOM clarify policy on sleep deprivation.

~~(S)~~ CURRENT ASSESSMENT

(b)(1),(b)(5)

OPR: SOUTHCOM
OCR: USD(I)

FIX/ACTION/CHANGE:

Fix: (U) Investigate allegation.

(b)(1),(b)(5)