



*Issue Title (MOH Health Care System):
R-079 Ryder Near-term, Item 1d, pg 39*

(U) RECOMMENDATION / OBSERVATION:

Conduct a hiring action retaining the services of a process action team (PAT) as discussed above. (MOH Health Care System)

(U) FIX / ACTION / CHANGE:

Army Surgeon General and ASD(HA) are reviewing – final report pending.

~~(S)~~ CURRENT ASSESSMENT:

● Being reviewed by Army OTSG, ASD(HA), final report pending.

**OPR: OSD
OCR: OSD**



*Issue Title (Health Care Consultant):
R-080 Ryder Near-term, Item 1e, pg 40*

(U) RECOMMENDATION / OBSERVATION:

Hire a full time corrections health care consultant to provide a correctional framework for the provision of health care, safety, and sanitation of the facilities. This individual would serve on the senior leadership team for the Department of Prisons.

(U) CURRENT ASSESSMENT:

- Being reviewed by ASD(HA), Army OTSG, final report pending.

OPR: CENTCOM
OCR:

(U) FIX / ACTION / CHANGE:

Army Surgeon General and ASD(HA) are reviewing – final report pending.



*Issue Title (Report/Review Program Progression):
R-092 Ryder Long-term, Item 3c, pg 41*

(U) RECOMMENDATION / OBSERVATION:

Annual review and report of program progression to the Ministry of Justice Department of Prisons and the Ministry of Health.

(U) CURRENT ASSESSMENT:

- Army and ASD(HA) reviewing, final report pending.

(U) FIX / ACTION / CHANGE:

None at this time.

**OPR: OSD
OCR: OSD - Justice**



*Issue Title (Detainee Training Program):
R-108 Ryder Long-term, Item 3a, pg 45*

(U) RECOMMENDATION / OBSERVATION:

Vocational and educational training programs should be initiated to assist detainees gain marketable skills and their transition back into society.

(U) CURRENT ASSESSMENT:

○ USD(P) disputes validity of finding and employing this program. Believe this is a nation building issue that must be addressed best addressed by the ITG.

OPR: USD(P)

OCR: USD(P)

(U) FIX / ACTION / CHANGE:

None at this time.



*Issue Title (Hire Juvenile Programs Expert):
R-116 Ryder Near-term, Item d, pg 50*

(U) RECOMMENDATION / OBSERVATION:

CPA should hire a Juvenile Probation/Programs consultant/expert to assist in the development of a model juvenile probation program, placement program, placement options, treatment options and other related services and training therein.

(U) CURRENT ASSESSMENT:

● Initial intent met. OSD continues to track.

**OPR: OSD
OCR: OSD**

(U) FIX / ACTION / CHANGE:

Justice is addressing in it's National Strategy for Iraq.



*Issue Title (Develop Court Admin Dept.):
R-124 Ryder Mid-term, Item a, pg 52*

(U) RECOMMENDATION / OBSERVATION:

Develop a Court Administration Department within the Ministry of Justice, with sufficient assets to serve as a liaison between the courts and the Ministry of Justice with respect to all court administration.

(U) CURRENT ASSESSMENT:

● Justice is working with USAID, State INL to develop a solution.

**OPR: OSD
OCR: OSD - Justice**

(U) FIX / ACTION / CHANGE:

Justice addressing in it's national strategic plan to improve the overall functioning of the Iraqi Criminal and Civil Court systems.



*Issue Title (Establish a Technology TF):
R-126 Ryder Mid-term, Item c, pg 52*

(U) RECOMMENDATION / OBSERVATION:

Establish a Technology Task Force composed of the Court Administrator or his representative, a representative or representatives from the Iraqi Judges, from among the Iraqi Prosecutors, from the Juvenile Division, from the Bureau of Prisons, and any other interested stakeholders to determine the short term and long term technology needs of the courts and their interface with the jails and prisons and to move the Iraqi Criminal Courts from typewriters and carbon copies to computers and docket management systems. The danger of delaying this process will result in different courts being at different stages with different resources and systems. There is no problem with development being at different stages, given a gatekeeper.

(U) CURRENT ASSESSMENT:

- Justice working with MOJ to address.

(U) FIX / ACTION / CHANGE:

Justice working closely on a daily basis with Iraqi MOJ to improve all aspects of court, MOJ (Judges, Prosecutors, etc), and prison operational functioning.

OPR: OSD

OCR: OSD – Justice/State



*Issue Title (Educational Requirements):
R-128 Ryder Mid-term, Item e, pg 52*

(U) RECOMMENDATION / OBSERVATION:

Establish educational requirements for all Juvenile Detention Facilities and secure appropriate educational services.

(U) CURRENT ASSESSMENT:

- The National Strategy to rebuild the Iraqi criminal justice system includes a program for dealing with juvenile offenders.

**OPR: OSD
OCR: OSD**

(U) FIX / ACTION / CHANGE:

Justice working with MOJ to address all aspects to improve the Iraqi Juvenile Justice System.



Issue Title (Amend Iraqi Juvenile Law)
R-129 Ryder Mid-term, Item f, pg 52

(U) RECOMMENDATION / OBSERVATION:

Consider amending Iraqi Juvenile law to allow for the transfer or waiver of juveniles accused of serious offenses into the adult criminal court. Once established this could serve as an alternative disposition to trying Iraqi juveniles for committing serious crimes against coalition forces in a Commission forum.

(U) CURRENT ASSESSMENT:

● Part of the National Strategy to rebuild the Iraqi criminal justice system includes a program for dealing with juvenile offenders.

(U) FIX / ACTION / CHANGE:

Justice discussing all aspects of the Iraqi Juvenile Justice System (i.e., improvements, changes, needs, etc.) with the Iraqi MOJ. National Strategy to address all aspects of Iraqi Juvenile Justice.

OPR: OSD
OCR: OSD - Justice



*Issue Title (Lack of Adult Probation Service):
R-130 Ryder Mid-term, Item g, pg 52*

(U) RECOMMENDATION / OBSERVATION:

Establish an Adult Probation Services Division within the Prison Department with a liaison with the Courts.

(U) CURRENT ASSESSMENT:

● National Strategy – Justice is addressing.

**OPR: OSD
OCR: OSD – DoJ/State**

(U) FIX / ACTION / CHANGE:

Justice national strategy.



*Issue Title (Failure of Bond/Bail Process):
R-131 Ryder Mid-term, Item h, pg 52*

(U) RECOMMENDATION / OBSERVATION:

Consider revising the current "bond"/"bail" procedures in order to facilitate the release of Criminal Detainees awaiting appearance before the Investigative Courts or awaiting trial when their risk of flight is minimal and they pose no real threat to the community. This would decrease the detainee population.

(U) CURRENT ASSESSMENT:

● To the extent Justice believes bail-bondsmen are appropriate, they will address in their development efforts.

(U) FIX / ACTION / CHANGE:

Justice working with the Iraqi MOJ to determine necessity of having bail bondsmen. National Strategy and Plan will address this recommendation if needed.

OPR: OSD

OCR: OSD – DoJ/State



*Issue Title (Criminal System):
R-160 Ryder Mid-term, Item d, pg 63*

(U) RECOMMENDATION / OBSERVATION:

Continue to use BATs for the criminal system until CPA/IRAQ decides which system they will implement.

(U) CURRENT ASSESSMENT:

- USDP continues to request closure. Not in policy's purview to tell Iraqi government which tracking system to use for criminal justice system.

**OPR: OSD
OCR: OSD - Justice**

(S) FIX / ACTION / CHANGE:

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



Issue Title: F-011 Inadequate Linguists

(U) RECOMMENDATION / OBSERVATION:

This shortage negatively affected every level of detainee operations from point-of-capture through detention facility... Linguists were a critical node and limited the maximum number of interrogations that could be conducted at any time to the number of linguists available.

(U) CURRENT ASSESSMENT:

- P&R is working with the services to better identify their needs and articulate those needs in advance. P&R has developed a system for planning and identifying gaps and will be testing that system May 2 with EUCOM.

OPR: USD(P&R)

OCR: USD(P)

(U) FIX/ACTION/CHANGE:

None at this time.



F-019 Contracting Shortfalls to Training

(U) RECOMMENDATION/OBSERVATION

- The contracting system failed to ensure that properly trained and vetted linguist and interrogator personnel were hired to support operations at Abu Ghraib.

(U) CURRENT ASSESSMENT:

- Issue will be addressed by the Joint Task Force Policy Charter between OSD and ARMY
- Issue has been discussed with P&R to develop a plan for training and vetting linguists in contract work.
- Intelligence contracting issues – intel being competitively bid through private sector competing with USG efforts to hire for Army.

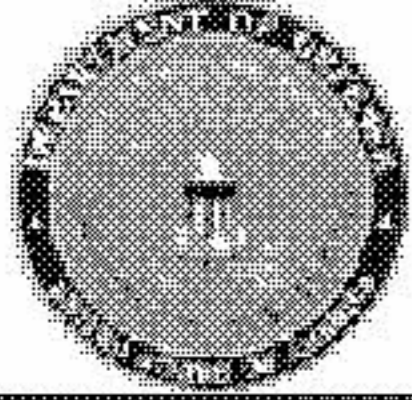
OPR: Joint Policy Task Force
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: DoD should establish policy on the use of contract interrogators for all services

Action: Working w/ ASAALT to establish clear standards in SOW

Change: Policy/Training



F-023 DoD Enforcement of Procedures Conducted by OGA

(U) RECOMMENDATION/OBSERVATION

- DoD must enforce adherence by OGA with established DoD practices and procedures while conducting detainee interrogation operations at DoD facilities

(S//NF) CURRENT ASSESSMENT:

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



(U) FIX/ACTION/CHANGE:

Fix: DoD Policy Emphasis

Action: Issue Policy guidance and update existing MOUs

Change: Clearly defined OGA role in interrogation of DoD detainees

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



F/J-007 Impact on Interrogation Operations

(U) RECOMMENDATION/OBSERVATION

- DoD should assess the impact of current policies on Detention and interrogation operations...

~~(S//NF)~~ CURRENT ASSESSMENT:

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

(U) FIX/ACTION/CHANGE:

None at this time.

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




F/J-014 Adherence to DoD regulations at facilities

(U) RECOMMENDATION/OBSERVATION

- DoD review the inter-agency policies to ensure all parties in a specific TOA adhere to the same guidance and rules.

(S//NF) CURRENT ASSESSMENT:

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

A large rectangular area of the document is redacted with a solid grey fill, covering the content of the "CURRENT ASSESSMENT" section.

(U) FIX/ACTION/CHANGE:

None at this time.

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



F/J-016 Responsibility for Interrogation

(U) RECOMMENDATION/OBSERVATION

- DoD review the responsibilities for interrogations...

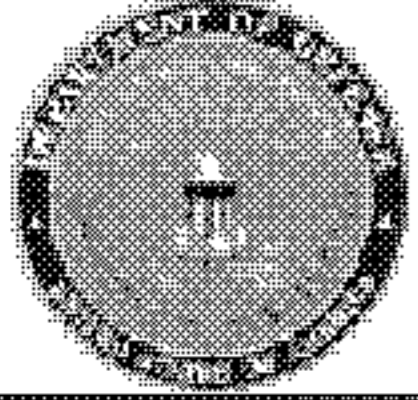
~~(S//NF)~~ CURRENT ASSESSMENT:

- USD(I) is conducting a review of all policies relating to interrogation for the purposes of identifying gaps/seams and to draft policy as they feel appropriate.
- USD(P) has already reviewed all policies and has revised 2310.1 as it believed was appropriate. 2310.1 USDP is incorporating comments and will be entering final coordination July 2005.

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

(U) FIX/ACTION/CHANGE:

None at this time.



F/J-017 Impact of Policies on Interrogation

(U) RECOMMENDATION/OBSERVATION

- DoD assess the impact of current policies and guidance on unlawful combatants in the conduct of Detention and Interrogation operations.

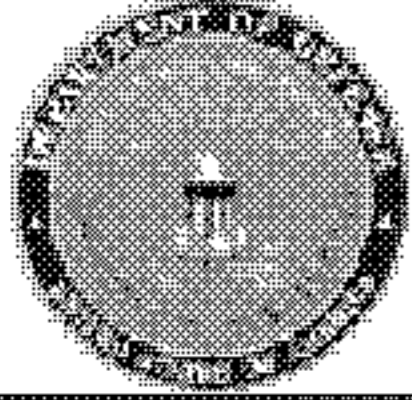
(U) CURRENT ASSESSMENT:

- USD(I) is conducting a review of all policies relating to interrogation for the purposes of identifying gaps/seams and to draft policy as they feel appropriate.
- USD(P) has already reviewed all policies and has revised 2310.1 as it believed was appropriate. 2310.1 USDP is incorporating comments from SD106 coordination.
- USD(P) 2310.1 requires adherence to DoD regulations at DoD facilities/sites.

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

(U) FIX/ACTION/CHANGE:

None at this time.



F/J-019 Detainee Message

(U) RECOMMENDATION/OBSERVATION

- How do we communicate what we were doing to inspire confidence in our soldiers?
- Is the broader message of what happened in the investigations getting out?

(U) CURRENT ASSESSMENT:

- • Council needs to address the validity of this recommendation.
- US leadership from the President down (SecDef, CJCS, & Congress) publicly (TV & visits to bases) acknowledge our soldiers contributions and sacrifices.

OPR: OSD(PA)/USD(P)

OCR: USD(P)

(U) FIX/ACTION/CHANGE:

Fix: Need to better communicate the changes we have made and the actions taken.

Action: Develop communications plan?

Change:



S-001 Policy Alignment w/ Geneva

(U) RECOMMENDATION/OBSERVATION

- **Need to further define policy for DoD and other government agencies to align with Geneva Conventions**

~~(U//FOUO)~~ CURRENT ASSESSMENT:

- Report begins with a false premise – that DoD/USG is not in compliance/alignment. DoD in how it fights GWOT is *fully* aligned with GC. To the extent changes in DoDD's needed to be made to reflect GWOT realities - DoDD 2310 now reflects those changes and is in formal staffing with departments/components.
- Schlesinger recommendation essentially asks for DoD to “redefine” policy to adhere to what USG critics assert are our obligations.
- DoD and DoS officials continue to work with the international community on the issues of LOAC and DoD/USG application of it in GWOT.
- Issues of national policy changes are being discussed by the PC and DC committees. ODA has raised the issue with the NSC directly.
- Recommend closure – recommendation is satisfied – DoD policies are GC compliant.

(U) FIX/ACTION/CHANGE:

Fix: Develop DoD Policy or NSPD.

Action: Form team to examine specific policy issues regarding GC and detention operations. Draft DoD Policy, DoDD, and NSPD (along with inter-agency) to address specific issues.

Change: Development of “grand strategy” for detention that is GC compliant and addresses national security objectives.

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



S-003 Filling Personnel Requirements

(U) RECOMMENDATION/OBSERVATION

- Need more professional linguists, interrogators, human intelligence, counter-intelligence, corrections police and behavioral scientists

(U) CURRENT ASSESSMENT:

- ODA assisting ASD(HA) in development of hiring program/track for Behavioral scientists.
- Intelligence contracting issues – intel being competitively bid through private sector competing with USG efforts to hire for Army.
- Procurement of personnel being addressed by plans of P&R through services.

OPR: USD (P&R)

OCR: USD(P)

(U) FIX/ACTION/CHANGE:

Fix: Develop action plan to recruit more linguists, intelligence analysts, and other personnel to support detention operations.

Action: Develop action plan for recruiting and retaining people with necessary skill.

Change: GWOT mission will be better staffed and provide for efficacy in intel and interrogation missions.

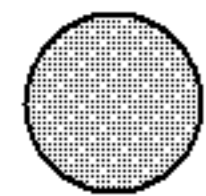


S-006 Interrogation Policy

(U) RECOMMENDATION/OBSERVATION

- Well-documented policy and procedures on approved interrogation techniques

(U) CURRENT ASSESSMENT:



- USD(I) has designated their Policy and Strategy office to develop DoD Interrogation Policy.
- They are currently reviewing all policy for the purposes of identifying gaps and seams. Deadline for such is April 30, 2005.
- USD(I) intends to propose new policy based on this analysis.
- USD(I) is staffing DoDD.

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

(U) FIX/ACTION/CHANGE:

Fix: Issue DOD Interrogation Policy

Action: USD(I) designated their Policy and Strategy office to develop and coordinate DoD Interrogation Policy

Change: USD(I) policy will serve as policy guidance for interrogation – recommendation satisfied in developing “well documented” policy.



S-008 DOD/OGA Guidelines

(U) RECOMMENDATION/OBSERVATION

- Clearer guidelines for the interaction of OGA's with the Department of Defense in detention and interrogation operations must be defined

(U) CURRENT ASSESSMENT:

- • USD(I) is reviewing in development of the DoD policy.
- Promulgation of interrogation policy under development. Policy will address relationships of OGA's and DOD directorates and agents.

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

(U) FIX/ACTION/CHANGE:

Fix: Issue DOD Interrogation Policy

Action: USD(I) will promulgate policy that defines relationships between OGA's and DOD agents.

Change: Ambiguity resolved.



S-009 Customary International Law

(U) RECOMMENDATION/OBSERVATION

- USG needs to redefine its approach to customary and treaty international humanitarian law....

(U) CURRENT ASSESSMENT:

- NSC has established a PCC/Working Group on “public diplomacy” to address the “gap” between USG positions on LOAC and international community.
- 2310 Draft recognizes non-traditional combatants and describes treatment.
- NSC/DoD/WH not in favor of “renegotiating” Geneva Conventions or adopting Protocols – seen as adequate.
- Issue is being actively discussed by the DC and PC’s with respect to changing policies.
- Rejected in part – satisfied in part.

(U) FIX/ACTION/CHANGE:

None to date.

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