



UNITED STATES MARINE CORPS
15TH MARINE EXPEDITIONARY UNIT
BOX 555361
CAMP PENDLETON, CA 92055-5361

MEUO 3460.1B
S-3/ATFP
04 JUL 2010

MARINE EXPEDITIONARY UNIT ORDER 3460.1B

From: Commanding Officer
To: Distribution list

Subj: STANDARD OPERATING PROCEDURES FOR DETAINEE OPERATIONS (SHORT
TITLE: SOP FOR DETAINEE OPS)

Ref: (a) MCO 3461.1
(b) JP 3-63 (2008)

1. Situation. To publish policy and procedures for the handling of detainees within the 15th Marine Expeditionary Unit (MEU) and its major subordinate elements (MSEs) per references (a) and (b).
2. Cancellation. MEUO P3460.1A
3. Mission. This Order establishes the minimum standards for all persons captured, detained, interned, or otherwise held in the custody of the 15th MEU during the course of a conflict in order to ensure the humane care and treatment from the moment detainees fall into the hands of U.S. forces until their final release or repatriation.

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. During military operations, combat or otherwise, the need to capture, detain or otherwise take into custody detainees may become necessary to continue military operations. All 15th MEU subordinate commanders will ensure all detainees are protected, safeguarded, and accounted for per this Order and references (a) and (b). These requirements apply from the time of capture until release or evacuation to a designated holding facility. Commanders at all levels are responsible for ensuring that their personnel are properly trained in the handling of detained personnel.

(2) Concept of Operations. This command will comply with the provisions of the Geneva Conventions and references (a) and (b) which address the handling of detainees from the time they are captured until they are released or repatriated. When a detainee is captured, even in the heat of battle, the detainee must be given the protection to which he or she is entitled as a detainee. Capture or detention may occur on an objective, during a raid, at sea, near an air base, during a cordon and search mission, at a traffic control point, at border crossing points, or in base camps. Proper detainee handling commences with training, therefore, subordinate commanders will ensure that during pre-deployment all personnel receive instruction and complete training in advance of conducting, participating in, or supporting detainee operations, and annually thereafter. Subordinate commanders will incorporate detainee handling procedures in all operational

04 JUL 2011

orders and establish unit specific handling procedures incorporating the requirements of this Order and the references.

b. Tasks

(1) Command Element

(a) S-1

1. Provide administrative oversight of detainee operations to include in-processing, accountability, creation and maintenance of detainee records.

2. Develop a detainee identification system using identification (ID) cards or bracelets and detainee processing folders.

(b) S-2

1. The Human Exploitation Team (HET) is the sole agency authorized to conduct intelligence gathering interrogations within the 15th MEU.

2. Analyze and exploit information obtained from detainee property.

3. Coordinate with external agencies for resources required for complete analysis and exploitation of detainee property.

4. Act as primary liaison with external intelligence organizations requesting information obtained from detainees or requesting access to detainees for intelligence collection.

5. Receive all photos from detaining unit intelligence representatives and coordinate with S-1 to ensure that copies of any releasable documents are included in detainee records.

(c) S-3

1. Coordinate detention operations training for all 15th MEU personnel.

2. Ensure documentation of MSE training.

3. Be prepared to provide a commissioned officer to act as the detention facility OIC for any detention facility operated and maintained by the 15th MEU.

4. Ensure the military police (MP) detachment is prepared to accomplish the following tasks:

a. Conduct training for 15th MEU personnel on proper detainee handling procedures, to include use of force requirements.

b. Conduct training for 15th MEU personnel on proper evidence collecting procedures. Subordinate commands can also receive training from battalion level Law Enforcement Professionals (LEP) assigned to

04 JUL 2011

the Battalion Landing Team (BLT) or the Naval Criminal Investigative Service (NCIS) Agent afloat while deployed.

c. Provide additional training to in-lieu-of MP personnel assigned to act as shift noncommissioned officers (NCOs) and guards or detainee collection point and/or detainee holding facility Officer in Charge (OIC) or NCO in Charge (NCOIC).

d. Provide oversight and guidance on detainee handling to 15th MEU personnel to include observing and reporting on procedures, identifying deficiencies, and working with 15th MEU personnel to correct any identified deficiencies.

(d) S-4

1. Coordinate logistical support and participate in planning for detention operations, provide all necessary guard force equipment in paragraph 5a of this Order.

2. Provide the detention facility guard force with less-than-lethal ammunition for use with the 12-gauge pump action shotgun.

3. Ensure medical personnel perform regular inspection, monitoring, treatment and reporting of detainee health which includes reception and discharge physicals, as well as regular inspections of individual detainees and detainee facilities.

(f) S-6. Be prepared to augment the guard force's organic communications capability with additional communications platforms necessary to accomplish the mission.

(g) Staff Judge Advocate

1. Provide the 15th MEU Commanding Officer with operational law advice and support regarding detainee operations and the interpretation of the Geneva Conventions.

2. Provide legal oversight and review of the detainee operations process.

3. Review detainee paperwork and initial screening of detainees. Ensure that capture tags, statement forms and medical paperwork are included in the detainee processing folders.

4. Receive, process, and properly investigate any allegations of detainee mistreatment.

5. Act as the primary liaison with the International Committee of the Red Cross (ICRC) or other U.S. nongovernmental organizations (NGOs) and foreign government agencies requesting information regarding detainees.

6. Ensure detainee review procedures are implemented in accordance with references (a) and (b).

(h) Maritime Raid Force (MRF) OIC. Ensure all personnel in the MRF receive training in tactical site exploitation and detainee operations

04 JUL 2011

during pre-deployment training. Additional training can be coordinated with the command element MP detachment LEPs or NCIS.

(i) BLT

1. Identify and train personnel to augment 15th MEU detainee facility as guards.

2. Identify and train squad and platoon sized elements in detainee handling operations. Selected personnel must have the temperament, patience and experience to act as detainee escorts and guards.

3. Identify and train squad and platoon representatives to conduct tactical questioning, identify likely sources of information with possible intelligence value, document and collect relevant evidence, take official photographs, and establish a chain of custody for any detainee property seized during military operations.

(j) Combat Logistics Battalion-15. Be prepared to construct an expeditionary detainee collection point and/or a detainee holding facility as dictated by the mission and in accordance with reference (b).

c. Coordinating Instructions

(1) 5 S's and T. Upon detention, each detainee will be searched, silenced, segregated, safeguarded, sped to the rear, and tagged in accordance with reference (a).

(2) Training. All members of the guard force and raid forces will be trained in proper search procedures, escalation of force, use of force, non-lethal weapons, movement techniques, and tactical site exploitation.

(3) Communication techniques. Guard forces and raid forces will be equipped with appropriate communications equipment to maintain positive communication with higher headquarters. They will also receive training in both verbal and non-verbal communication techniques from military police, LEPs, or NCIS agents.

(4) Authority to detain. Subject to any higher orders, 15th MEU personnel are authorized to detain only the following categories of persons:

(a) Persons who pose a threat to the safety or security of U.S. forces.

(b) Persons entering, or attempting to enter, without proper authority, any 15th MEU controlled area.

(c) Persons whose detention is necessary to accomplish mission objectives.

(d) The On-Scene Commander (OSC) has the authority to determine whether one of these criteria has been met.

(5) Treatment of Detainees. Detainees will be treated with dignity and respect in accordance with Common Article 3 of the Geneva Conventions at all times.

0 4 JUL 2011

(6) Detainee Procedures. Due to uncertainty regarding mission specifics, general guidelines for detainee holding and processing found in reference (b) will be followed. These guidelines apply in the absence of higher-headquarters regulations or orders regarding detainee handling and processing. The intent is to hold detainees for a limited period of time to the extent possible. At the earliest possible opportunity, the detaining unit will complete the forms identified in paragraph 5b of this SOP. These forms will be completed prior to the detaining unit transferring custody of the detainee to any external agency.

(a) Transport all detainees in closed vehicles to screen them from public observation. Any detainee initially transported from their residence and released will either be returned to their residence or another location of their choice, within reason. If possible, segregate men and women during transportation, but do not separate pre-teen children from their parents.

(b) There will be a minimum of two guards trained on detainee handling when transporting between one to eight detainees. These guards will be armed with both lethal and non-lethal force options. Additional personnel may be required when transporting detainees who have been blindfolded or restrained to ensure positive control and their safety. The only acceptable method for restricting vision is the use of blindfolds or black-out goggles. Vision restriction will only be used when transporting detainees. If more than eight detainees are being transported, the OSC will add additional guards to ensure positive control and constant observation of detainees.

(c) Tag all detainees using DD Form 2745 capture tag. Field expedient tags are permitted if necessary. Ensure all items found on a detainee are recorded and safeguarded, along with a capture tag. Do not allow detainees to "sterilize" themselves by throwing away notebooks, money, cell phones, etc. Place one capture tag on the detainee's flex cuffs or zip ties, one with the detainee's gear, and retain one for records. This will also serve as a temporary receipt for the confiscated gear. Ensure the capture tag is filled out according to the reference (a)

(d) Photographs will include at a minimum the detainee with a placard showing the date-time group, detainee number, location of capture, and 8-digit grid.

(e) The detainee number is an internal number used to track detainees that are processed by subordinate commands. Detainee numbers will be created as follows: 1X (if using Bn 1/X as an example), A, B, C, H or W (for the companies), and 00# for the order in which that particular detainee was detained. For example, the sixth detainee taken by Charlie Company would be listed as 1XC006. The fourteenth detainee taken by H&S Company would be designated as 1XH014.

(f) It is imperative that the basis for detention be recorded in as much detail as time and circumstances permit. Photographs with placards must be taken of all seized evidence in its original state as it appeared at the time of detention. Take all reasonable measures to also include photographs of the scene that the OSC, LEP, or NCIS agent deems relevant, including photographs displaying the relationship between the evidence and important features such as the detainee's property or house. To the maximum extent possible, evidence collection should be done by personnel who have received training from the MP detachment, the BLT LEP, or an agent from NCIS.

Use DA form 4137 to document all evidence/property confiscated from the detainee.

(g) U.S. Service members and LEPs are authorized to conduct tactical questioning only. Tactical questioning is limited in duration and is used to obtain basic information regarding identity and status, and to determine whether the detainee(s) pose any threat to U.S. Forces. The authority to question ends when the detainee stops providing voluntary responses to questions.

1. When detainees are held for potential prosecution relating to violations of national or international criminal laws, NCIS agents are authorized to conduct criminal based detainee interviews.

2. The 15th MEU S-2 will coordinate with intelligence-collecting agencies outside the 15th MEU regarding interrogations of detainees. Prior to making detainees available to any intelligence-collecting agency outside of the 15th MEU, all detainees will be given a medical evaluation and photographed. Another medical evaluation will be conducted immediately upon return and any deficiencies immediately reported to the Commanding Officer, 15th MEU.

(7) Special considerations

(a) Religious or tribal leaders, women and children under 18 will not be detained without approval from the Commanding Officer, 15th MEU, unless apprehended while committing hostile acts or demonstrating hostile intent against U.S. Forces.

(b) If mothers with small children are detained, mothers will not be separated from their children.

(c) Detainees who are wounded or injured will be given appropriate medical treatment before being delivered to the next higher holding facility.

(8) Detainee release procedures. All detainees will be either transferred from the detainee collection point (DCP) to the detainee holding area (DHA) or released within 72 hours of detention. In certain circumstance the MEU S-2 may recommend maintaining control of a detainee(s) based on potential actionable intelligence value. In no case will the 15th MEU hold a detainee longer than 14 days unless specifically authorized by higher.

5. Administration and Logistics

a. Equipment. Before departing Naval shipping and/or conducting a mission during which persons might be detained, each mission commander will ensure the following minimum equipment is on hand, however, mission commanders are encouraged to develop more robust kits as required:

(1) Bags of various size, composition (paper, plastic) for evidence handling;

(2) Gags, Flex cuffs, hand irons or zip ties;

(3) Blackout goggles or blindfolds;

(4) Digital camera, permanent marker, chem lights.

b. Administrative Forms. In order to successfully create a chain of custody for both the detainee and associated evidence the following forms will be utilized during detainee operations. Each form will be completed and compiled in the detainee's record jacket until transfer or repatriation.

(1) DD 2745, this form is not available electronically; hard copies must be requested via the DoD Forms Management Program at <http://www.dtic.mil/whs/directives/infomgt/forms/>.

(2) NAVMC 11130, Statement of Force/Use of detention Space, available electronically at <http://192.156.19.109/ar/mcefs.nsf>.

(3) DA 4137 Evidence/Property Custody Form, available electronically at <http://armypubs.army.mil/eforms/>.

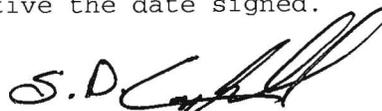
(4) DA Form 2328, Sworn Statement, available electronically at <http://armypubs.army.mil/eforms/>.

(5) SF 600, Chronological Record of Medical Care, available electronically at <http://www.gsa.gov/portal/forms/type/TOP>.

6. Command and Signal

a. Command. This Order is applicable to all 15th MEU personnel, assigned or attached, and subordinate commands at the time of the 15th MEU's composition for deployment.

b. Signal. This Order is effective the date signed.


S. D. CAMPBELL

Distribution: A