



UNITED STATES MARINE CORPS
15TH MARINE EXPEDITIONARY UNIT
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MARINE EXPEDITIONARY UNIT ORDER 3460.1C

From: Commanding Officer
To: Distribution list

Subj: STANDARD OPERATING PROCEDURES FOR DETAINEE OPERATIONS AND
TACTICAL SITE EXPLOITATION (SHORT TITLE: SOP FOR DETAINEE OPS
AND TSE)

Ref: (a) MCO 3461.1, Enemy Prisoners of War, Retained Personnel,
Civilian Internees, and Other Detainees
(b) Field Manual 2-22.3, HUMINT Collection Operations
(c) DoD Directive 3115.09 (2008), DoD Intelligence
Interrogations, Detainee Debriefings, and Tactical
Questioning
(d) DoD Directive 2310.01E (2006), The DoD Detainee Program
(e) Executive Order 13491 of 22 January 2009
(f) MCO 3300.4, Marine Corps Law of War Program
(g) JP 3-63, Detainee Operations, 30 May 2008

Encl: (1) Common Article 3, Geneva Convention III
(2) 15th MEU Initial Detainee 9-Line Brief

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) through (g).

2. Cancellation. MEUO 3460.1B.

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 a detainee falls 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) through (g). These requirements are applicable

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

(a) Detainee Operations. Proper detainee handling and humane treatment of all detainees by all personnel is essential for successful conduct of military operations. The impressions left on detainees and the general public of the host nation (HN) are crucial to our information operations and public affairs campaigns. Most detainees will rapidly be released, and their treatment while in the hands of 15th MEU personnel will have important and far reaching effects on the ability of the U.S. to achieve their objectives. Furthermore, this Order assigns primary responsibility and establishes basic policies and guidelines necessary for the successful planning and conduct of detainee operations.

(b) Tactical Site Exploitation (TSE). When persons are detained, evidence at the scene or on their person must also be collected for intelligence purposes or for use in probable criminal prosecutions. TSE includes the collection of this type of evidence as well as documentation of the scene through photographs and/or diagrams. The success of potential prosecutions is dependent on thorough and comprehensive TSE, therefore, this Order establishes basic policies and guidelines for 15th MEU personnel conducting TSE.

b. Tasks

(1) S-1

Provide administrative oversight of detainee operations in coordination with Combat Logistics Battalion 15 (CLB 15).

(2) S-2

(a) The Counter Intelligence (CI), Human Intelligence (HUMINT), CI-HUMINT Detachment (CHD) is the sole agency authorized to conduct intelligence gathering interrogations within the 15th MEU.

(b) Analyze and exploit information obtained from detainee property.

(c) Coordinate with external agencies for resources required for complete analysis and exploitation of detainee property.

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

(e) 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.

(3) S-3

(a) Coordinate detention operations training for all 15th MEU personnel.

(b) Ensure documentation of MSE training.

(c) Ensure all pertinent personnel, such as the Maritime Raid Force (MRF), receive training in tactical site exploitation and detainee operations. Additional training can be coordinated with the CLB-15 Military Police (MP) detachment, Law Enforcement Professional (LEP), or Naval Criminal Investigative Service (NCIS).

(4) S-4

(a) Coordinate logistical support and participate in planning for detention operations, provide all necessary guard force equipment in paragraph 6 of this Order.

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

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

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

(6) Staff Judge Advocate

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

(b) Provide legal oversight and review of the detainee operations process.

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

(d) Receive, process, and properly investigate any allegations of detainee mistreatment.

(e) 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.

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

(7) Battalion Landing Team

(a) Identify and train personnel to augment 15th MEU detainee facility as guards.

(b) 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.

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

(d) Ensure all pertinent personnel in the Battalion Landing Team (BLT) receive training in tactical site exploitation and detainee operations. Additional training can be coordinated with the Combat Logistics Battalion (CLB-15) MP detachment, LEP, or NCIS.

(8) Combat Logistics Battalion 15

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

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

(c) Be prepared to construct an expeditionary detainee collection point and/or a detainee holding facility as dictated by the mission and in accordance with the references.

(d) Be prepared to coordinate and assist with any logistical support.

(e) 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.

(f) Ensure the MP detachment is prepared to accomplish the following tasks:

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

2. Conduct training for all 15th MEU personnel on proper evidence collection procedures. All 15th MEU personnel can also receive training from the LEP assigned to the BLT or the NCIS Agent afloat while deployed.

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

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

c. Coordinating Instructions

(1) Training

Search. All pertinent personnel of the 15th MEU and its MSEs will be trained in proper search procedures, escalation of force, non-lethal weapons and movement techniques, and TSE. Augments to the raid force, such as combat camera personnel, will also receive training in TSE.

(2) 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 15th MEU forces, and certain third parties (U.S. civilians, DoD

civilians, U.S. Government contractors, etc.) Authority to detain persons who pose a threat to the safety and security of coalition partners will be dependent on applicable Rules of Engagement (ROE).

(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) On-scene commander (OSC) has the authority to determine whether one of these criteria has been met.

(3) Treatment of Detainees. All detainees, regardless of status or length of detention, will be treated with dignity and respect in accordance with Common Article 3 of the Geneva Convention at all times. Enclosure (1) pertains.

(4) Detention Procedures. Due to uncertainty regarding mission specifics, below are some general guidelines for detainee holding and processing. These guidelines apply in the absence of higher-headquarters regulations or orders regarding handling and processing. The intention is to hold detainees for as short a period of time as possible.

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

1. Search detainees for weapons, documents, and other items that may be used to escape or to commit a hostile act against U.S. forces or our allies. Detainees will be permitted to keep personal items such as protective clothing, rank (if any), shoes and laces, ID cards, wallets, jewelry, watches, luggage, and personal pictures. Provide all other items (such as maps, orders, diagrams, etc.) to S-2 for exploitation. Searches should be conducted in a private setting if possible. In most cases, a "pat down" type search is probably sufficient. If a woman must be searched, make every effort to obtain a female Marine/Sailor to conduct the search. If no females are available, search females with no less than two personnel using the back of hands and conduct the search out of sight of other detainees or personnel. Additionally, strip searches should only be conducted prior to induction into an established detention facility and with the permission of the detention facility OIC. Strip searches should only be conducted in exceptional circumstances. Only qualified personnel of the same sex as the detainee may conduct a strip search.

2. Silence detainees to prevent them from plotting resistance or escape, only gag detainees when necessary.

3. Segregate detainees by rank (if applicable), sex, clan, membership, religious belief, age, gender or any other factor

a. Date and Time of capture (1700 on 120110, for example);

b. Place of capture (grids, town, streets, specific bldg, etc.);

c. Circumstances of capture (gave up without a fight, fought bravely, ran away, confronted dying comrades, etc.)

d. Complete all additional required forms in a secure location as soon as possible. At least one Marine or Sailor who initially captured or directly observed the capture of the detainee must complete DA Form 2823, Sworn Statement. If local partner nation personnel observed the initial capture, at least one person from the partner nation should also complete DA Form 2823, Sworn Statement, because local/HN personnel are often preferred witnesses in HN courts.

(b) Photographs of Detainees

1. All official photographs will be taken on a SIPR or a government-issued camera by a designated command photographer, either combat camera, designated intelligence personnel, or a Marine identified for both aptitude and judgment. Do not allow media to film or interview detainees.

2. When possible, photograph:

a. The front side, back side, left side, and right side of the detainee's head/face;

b. The detainee with a place card showing the date-time group, detainee number, name of the location, and 8-digit grid;

c. The detainee with the seized evidence clearly displayed as well as the place card.

3. The detainee number is an internal number used to track detainees that are processed by respective units. Detainee numbers will be as follows: 35 (if using BLT 3/5 as an example), HS, I, K, L, or W (for the companies), and #00 for the order in which that particular detainee was detained. For example, the sixth detainee taken by Kilo Company would be listed as 35K006. Using this format, the twentieth detainee taken by CLB-15 MP detachment would be annotated as 15MP020. CLB-15 section designations in detainee numbers would correlate with the section detaining the individual.

4. No other detainee photographs are authorized, and Marines and Sailors will take all reasonable measures not to mix official detainee photographs with personal photographs. There will be no personal photographs taken of detainees at any time.

5. Ensure there are no U.S. service members present in photographs taken of detainees.

(c) Evidence collection. The basis for detention shall be recorded and forwarded in as much detail as time and circumstances permit. Take photographs of all seized evidence in its state as it appeared at the time of detention included with the place card. Take all reasonable measures to also include photographs of the scene that the OSC, LEP, or NCIS agent deem relevant including photographs displaying the relationship between the evidence and important features such as the detainee's property or house. If necessary and relevant for a potential prosecution or intelligence gathering, photographs of deceased persons should also be taken. The personnel reviewing the basis for detention are generally not on scene and need evidence to make an appropriate decision whether continued detention is warranted. The paperwork must adequately convey the reason for detaining each individual or they will be released. To the maximum extent possible, evidence collection should be done by personnel who have received training from the MP Detachment, the BLT LEP, an NCIS agent, or CHD personnel.

1. Photographs. See paragraph 4c(4)(b) of this Order for designated command photographer requirements and authorized camera equipment for TSE photographs. The designated command photographer will photograph the entire scene to the maximum extent possible, with particular emphasis on all identified contraband, documenting its location or position. Photographs of the detainee with any contraband are required by some nations in order to conclusively establish a connection between the detainee and the evidence. Take at least one photograph of the detainee with evidence found at the scene. However, do not move evidence until after it has been photographed in its original location.

2. Physical evidence. All personal property must be properly documented. All property with evidentiary value or contraband must be documented on one chain of custody form, DA Form 4137, Evidence/Property Custody Document. This document must be kept and maintained with the evidence at all times. Any break in the chain of custody will result in the evidence being inadmissible in any civilian hearing or court. If a detainee is released, he or she must complete the appropriate portion of the DA Form 4137, Evidence/Property Custody Document, to close out the chain of custody document.

3. Detention forms. When conducting any operation where there is a likelihood of detaining personnel, the unit commander must ensure that he has adequate copies of detainee forms. At the earliest possible opportunity, the detaining unit will complete a DD Form 2708, Receipt for Inmate or Detained Person; a DA Form 4137, Evidence/Property Custody Document; and at least two DA Form 2823, Sworn statements, from persons with firsthand knowledge of the basis

for detention for any detainee not being immediately released. These forms will be completed prior to the detaining unit transferring custody of the detainee to any external agency.

4. Questioning. U.S. service members and LEPs are authorized to conduct only tactical questioning. Tactical questioning is limited in duration and is used to obtain basic information regarding identity/status and to determine whether a detainee poses any threat to U.S. forces. The authority to question ends when the detainee stops providing voluntary responses to questions.

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

b. The only personnel authorized to conduct interrogations in support of intelligence collection operations within 15th MEU are members of CHD.

c. All coordination with intelligence-collecting agencies outside the 15th MEU regarding interrogations of detainees must be executed by the 15th MEU S-2. Prior to making detainees available to any intelligence-collecting agency outside of the 15th MEU, all detainees will be given a medical evaluation and they will be photographed. A second medical evaluation will be conducted immediately upon return and any discrepancies immediately reported to the 15th MEU CO.

5. Arrest. If detainees are suspected of violating national or international criminal laws, NCIS agents and members of the U.S. Coast Guard have the authority to arrest these detainees, (i.e. suspected pirates).

6. Special considerations

a. Religious or tribal leaders, women and children under the age of 18 will not be detained without approval from the 15th MEU CO, unless apprehended while committing hostile acts or demonstrating hostile intent against 15th MEU personnel.

b. If possible, segregate men and women during transportation, but do not separate children under the age of 15 from their parent(s). If mothers with children are detained, mothers will never be separated from their children.

c. Detainees who are wounded or injured will be given appropriate medical treatment before delivery to a detention facility or transport to naval shipping.

(d) Requirements Dependant on Length of Detention

1. Under 6 hours. If possible, detainees should be screened on site, and if there is not sufficient reason to restrain them, they should be released without movement.

a. Handling guidance. Short-term detainees should be evaluated closely to determine whether they require restraints. If there is limited or no threat to 15th MEU personnel, then detainees should not be restrained. Advise detainees of the reason for detention and also advise any family members or friends as soon as practicable.

b. Facility. Detainees should quickly be moved to a safe and secure area out of site from the local population. Steps should be taken to ensure detainee comfort to the maximum extent practicable, including shelter from direct sun, appropriate seating, portable water, and access to hygiene facilities.

c. Medical. Detainees will be given a quick medical exam by any available corpsman, keeping in mind any local sensitivities regarding gender. Complete SF 600, Chronological Record of Medical Care, if available. If not, then use space on either the capture tag or apprehension form to document condition and treatment. Special attention should be paid to detainees in restraints for an extended period of time.

d. Documentation. Detainees held for a short period of time when the OSC anticipates release should have their names taken and reported to higher headquarters. Any detainee who will not be released, but transferred will have DD Form 2745, Detainee Capture tag; DA Form 4137, Evidence/Property Custody Document; and DD Form 2708, Receipt for Inmate or Detained Person completed prior to transfer. If possible, all detainees should be documented using the Secure Electronic Enrollment Kit (SEEK) and cross-referenced or entered into the national database (requires SEEK trained personnel) as a background check source. For detainees being transferred, paperwork that complies with the receiving unit's requirements must also be completed.

2. 6 to 24 hours. When OSCs anticipate holding detainees longer than six hours, they must obtain authority from the 15th MEU CO and all paperwork must be complete before transferring detainees to the rear or to naval shipping. When transport to naval shipping is necessary, coordination must be made with Amphibious Squadron Three to determine which ship will house the detainees. Upon arrival aboard naval shipping, detainees will be turned over to the ship's Security Officer or the Chief Master-at-Arms.

a. Facility. If detainees are held ashore, they must be held in a safe and secure facility out of site from the local population. There must be adequate provision for comfort and hygiene; including, adequate space for detainees to lie down. Regular meals, as well as portable water, will be provided. Respecting cultural

dietary concerns will also be observed if the situation and mission allows.

b. Medical. Detainees will be thoroughly screened by medical personnel as soon as possible, and their condition documented.

c. Documentation. See paragraph 4c(4)(d)1.(d) of this Order for criteria and requirements regarding SEEK and national database entry for all detainees. If a detainee is going to be released, no additional paperwork beyond the medical screening and entry into the national database via the SEEK system is necessary. When detainees are being transferred to external agencies, all requirements for transfer must be completed prior to transfer. All detainees held for more than six hours will have detainee packages completed, including enclosure (2); DA Form 4137, Evidence/Property Custody Document; SF 600, Chronological Record of Medical Care; DD Form 2708, Receipt for Inmate or Detained Person; and DA Form 2823, Sworn Statement. NAVMC 11130, Statement of Use of Force/Use of Detention Space, will also be completed if applicable.

3. More than 24 hours. In most cases, detaining individuals for more than 24 hours will require transporting them to naval shipping. See paragraph 4c(4)(d)2 of this Order for Amphibious Squadron Three coordination requirements and personnel authorized to receive detainees aboard ship. If the 15th MEU anticipates the need to establish a detention facility, then the detention facility OIC will develop a detention facility letter of instruction during mission planning.

a. Facility. The construction and staffing of the detention facility will be included as part of any operational plan where receiving and holding detainees is expected. After the facility is established, no lethal weapons will be carried inside. Lethal weapons will only be carried by personnel conducting overwatch.

b. Medical. All detainees will be evaluated upon reception at the detention facility. Any injuries will be immediately reported to the detention facility OIC. Detainees will also be evaluated and their condition will be documented upon release. Medical reports will be included in detainee files.

c. Processing. All detainees held more than 24 hours must be in-processed, including completion of all listed documents in paragraph 6 of this Order, entry into the national database (via SEEK by SEEK trained personnel), and all other documentation required by theater or area commanders.

d. Review. Within 72 hours of detention, unless otherwise directed by other headquarters, all detainees will have their package reviewed by the 15th MEU detention review board. This board consists of the XO, SJA, and an S-2 representative. The

detention review board will make a recommendation to the CO, 15th MEU on whether a detainee should be released, continued in detention, or transferred.

e. Transfer. If the 15th MEU detention review board determines that a detainee should be transferred to higher authority or transferred to another government agency, the medical staff must complete a medical screening prior to transfer and DD Form 2708, Receipt for Inmate or Detained Person.

5. Detainee release procedures. Unless the detention review board votes for continued detention, or otherwise directed by higher headquarters, all detainees will be either transferred or released within a maximum of 72 hours of detention. The detention board will only authorize continued detention on an S-2 recommendation based on the potential intelligence value of continuing detention. In no case will the 15th MEU hold a detainee longer than specifically authorized by regulation or higher authority. Prior to release, the guard force must ensure a medical screening is completed for all detainees. All clothes and personal items not of a threatening nature will be returned to the detainee. The detainee will sign a DA Form 4137, Evidence/Property Custody Document, when all evidence and personal property is returned to the detainee. If the 15th MEU CO deems it appropriate for the maintenance of good will with the host nation, detainees may receive compensation for lost time upon coordination with the Comptroller and the 15th MEU Disbursing Officer. Written authorization from the CO must be obtained prior to providing compensation.

6. Administration and Logistics

a. Equipment. Before departing Naval shipping and/or conducting a mission which may require detention operations, each mission commander will obtain:

- (1) DD Form 2745, Detainee Capture Tags;
- (3) DA 4137, Evidence/Property Custody Document;
- (4) NAVMC 11130, Statement of Use of Force/Use of Detention Space;
- (5) SF 600, Chronological Record of Medical Care;
- (6) Multiple copies of DA Form 2823, Sworn Statement;
- (7) 15th MEU Initial Detainee 9-Line Form [Enclosure (2)];
- (8) Evidence Collection Bags of various size, and composition and marking tape;
- (9) Basic Prisoner Commands (local language);

- (10) Five Flex cuffs, zip ties, or hand and leg irons;
- (11) Five Gags (tourniquet) & blackout goggles or blindfolds (no sandbags);
- (12) SIPR or issued Digital camera (at least 1 per patrol leader);
- (13) Five sets of foam earplugs;
- (14) GTA 19-07-001 - Enemy Prisoner Basic Commands (in language of AOR);
- (15) Marking Pens, 3x5 place cards, ruler and measuring tape, sketch pad, and latex gloves.

b. Administrative Forms. In order to successfully create a chain of custody for both the detainee and associated evidence, and complete all required forms, the forms listed in the previous paragraph will be utilized during detainee operations. Each document from the previous paragraph will be completed and compiled in the detainee's record jacket until transfer or repatriation. The listed forms are available at <https://navalforms.documentservices.dla.mil/web/public/home>.

7. Command and Signal

a. Command. This Order is applicable to all 15th MEU personnel, permanently assigned or temporarily 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

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