

Training and Evaluation Outline Report

Status: Approved

11 Apr 2018

Effective Date: 22 May 2018

Task Number: 27-SEC-1800

Task Title: Provide Legal Advice to Detention Operations: Point of Capture to the Detainee Holding Area (DHA)

Distribution Restriction: Approved for public release; distribution is unlimited.

Destruction Notice: None

Foreign Disclosure: FD1 - This training product has been reviewed by the training developers in coordination with the DAJA-G2, TJAGLCS foreign disclosure officer. This training product can be used to instruct international military students from all approved countries without restrictions.

Supporting Reference(s):

Step Number	Reference ID	Reference Name	Required	Primary
	AR 190-8	Enemy Prisoners of War, Retained Personnel, Civilian Internees, and Other Detainees	Yes	No
	AR 27-1	Legal Services, Judge Advocate Legal Services (*RAR 001, 09/13/2011)	Yes	No
	AR 27-26	LEGAL SERVICES: RULES OF PROFESSIONAL CONDUCT FOR LAWYERS	Yes	No
	ATP 4-02.46	ARMY HEALTH SYSTEM SUPPORT TO DETAINEE OPERATIONS	Yes	No
	DODD 2310.01E	DOD Detainee Program.	Yes	No
	DODD 3115.09	DOD INTELLIGENCE INTERROGATIONS, DETAINEE DEBRIEFINGS, AND TACTICAL QUESTIONING	Yes	No
	DoD Law of War	Department of Defense Law of War Manual	Yes	Yes
	FM 1-04	Legal Support to the Operational Army	Yes	No
	JP 3-63	Detainee Operations	Yes	No
	LOW SUPPLEMENT	Law of War Documentary Supplement	Yes	No
	TJAGLCS 17th Edition	Operational Law Handbook	Yes	No

Conditions: Supported unit receives a deployment order or is already deployed. Supported unit commander directs the Judge Advocate Legal Services (JALS) supervisor to provide legal support and advice to detention operations during the execution of decisive action. JALS personnel operate in support of the unit under the technical supervision of a Staff Judge Advocate. Task occurs at any time and performed under all environmental conditions. The unit may be attacked. The task is performed by divisions within an Office of the Staff Judge Advocate (OSJA), brigade legal sections, legal operations teams, or by a combination of JALS personnel as directed by the Staff Judge Advocate. Some iterations of this task should be performed under METT-TC identified constraints. Some iterations of this task should be performed in MOPP 4.

Standards: JALS personnel provide legal support in accordance with applicable laws, policies, and regulations listed in supporting references, and within technical chain guidance as established by the supervising Staff Judge Advocate. JALS personnel perform all necessary performance steps listed in this T&EO.

Live Fire: No

Objective Task Evaluation Criteria Matrix:

Plan and Prepare		Execute						Assess	
Operational Environment	Training Environment (LV/C)	Training/Authorized	% of Leaders Present at	% of Soldiers Present at	External Eval	% Performance Measures 'GO'	% Critical Performance Measures 'GO'	% Leader Performance Measures 'GO'	Task Assessment
SQD & PLT									
Dynamic (Single Threat)	Night	IAW unit CATS statement.	>=85%	>=80%	Yes	>=91%	All	>=90%	T
			75-84%			80-90%		80-89%	T-
Static (Single Threat)	Day		65-74%	75-79%	No	65-79%	<All	<=79%	P
			60-64%	60-74%		51-64%			P-
			<=59%	<=59%		<=50%			U

Remarks: None

Notes: Some steps and subtasks have performance steps which are specifically prescribed by law or regulation (i.e. courts-martial and administrative separations). These tasks will not be further defined in the task outline. Evaluators should assess whether the unit is proficient at the task in accordance with the laws and regulations governing the specific task.

Safety Risk: Low

Task Statements

Cue: None

DANGER

Failure to follow correct procedures in this task does not pose additional risk of personal injury or damage to equipment.

WARNING

Task does not pose additional risk of personal injury or damage to equipment.

CAUTION

None

Performance Steps and Measures

NOTE: Assess task proficiency using the task evaluation criteria matrix.

NOTE: Asterisks (*) indicate leader steps; plus signs (+) indicate critical steps.

STEP/MEASURE	GO	NO-GO	N/A
* 1. Upon receipt of the mission, JALS supervisor identified the supported unit (jurisdiction), technical chain, and relevant decision makers.			
2. Through participation in the operations process, JALS personnel understood the operational environment, the unit's mission, capabilities, and assets available to support detainee capture, movement, holding, interrogation, and treatment.			
+ 3. JALS personnel provided legal advice on the detainee capture, evacuation, and holding plan under the LOAC, US law, applicable regulations, and the ROE.			
a. Advised commanders and staff on evidentiary collection procedures to adjudicate later status and disposition decision.			
b. Ensured evacuation plan complies with Geneva Convention III, Art 19.			
c. Ensured planned detainee holding area (DHA) is situated in a secure location for both detainees and the security force, adequately protected, and suitable for short-term detainee care.			
d. Ensured planned initial processing at the DHA, to include completed capture documents, medical evaluation, and segregation.			
e. Reviewed contemplated detainee operations planning COAs for compliance with LOAC, national law and policy, and applicable regulations.			
4. JALS personnel participated in regular inspections of detention holding areas to ensure compliance with LOAC, national policy and law, and applicable regulatory guidelines.			
5. JALS personnel reviewed and advised on detainee interrogations for compliance with LOAC, national policy and law, and applicable regulatory guidelines.			
* 6. JALS personnel briefed the commander on residual legal risk with the detainee plan.			
+ 7. JALS personnel monitored execution of the detainee plan to ensure situational understanding and identified, processed, and submitted reports in response to any detention related legally significant events.			
8. JALS personnel processed and reviewed capture documents and detention packets for accuracy, completeness, and legal sufficiency, or in preparation for a tribunal under Geneva Convention III, Art. 5.			
9. JALS personnel recommended initiation of, advised on, and reviewed investigations, to include allegations of detainee abuse.			
10. JALS personnel monitored detainee transfers to the Theater Internment Facility (TIF) in accordance with prescribed timelines and SOPs.			
11. JALS personnel coordinated with other relevant staff sections to facilitate International Committee of the Red Cross, or other non-governmental organization, inspections and engagements.			
12. JALS personnel advised on custody of all capture documentation and evidence associated with potential violations of the LOAC or local law.			
* 13. JALS supervisor ensured JALS personnel complied with applicable laws, regulations, and rules of professional conduct with appropriate oversight.			
a. Ensured personnel were adequately trained and professionally competent in the relevant practice area.			
b. Ensured personnel work product complied with lawful command and technical chain guidance.			

TASK / PERFORMANCE EVALUATION SUMMARY BLOCK

Training Unit			ITERATION							
			1		2		3		4	
Date of Training per Iteration:										
Day or Night Training:			Day / Night		Day / Night		Day / Night		Day / Night	
			#	%	#	%	#	%	#	%
Total Leaders Authorized		% Leaders Present								
Total Soldiers Authorized		% Soldiers Present								
Total Number of Performance Measures		% Performance Measures 'GO'								
Total Number of Critical Performance Measures		% Critical Performance Measures 'GO'								
Live Fire, Total Number of Critical Performance Measures		% Critical Performance Measures 'GO'								
Total Number of Leader Performance Measures		% Leader Performance Measures 'GO'								
MOPP LEVEL										
Evaluated Rating per Iteration T, T-, P, P-, U										

Mission(s) supported: None

MOPP 4: Sometimes

MOPP 4 Statement: None

NVG: Never

NVG Statement: None

Prerequisite Collective Task(s): None

Supporting Collective Task(s):

Step Number	Task Number	Title	Proponent	Status
	27-SEC-1020	Train Rules of Engagement, Rules for the Use of Force, Law of Armed Conflict, and Code of Conduct	27 - Judge Advocate (Collective)	Approved
	27-SEC-1120	Provide Legal Advice in Development and Application of the Rules of Engagement and/or Rules for the Use of Force	27 - Judge Advocate (Collective)	Approved
	27-SEC-1220	Identify, Report, and Track Legal Significant Incidents	27 - Judge Advocate (Collective)	Approved
	27-SEC-1310	Provide Legal Advice to Public Affairs and Command Messaging	27 - Judge Advocate (Collective)	Approved
	27-SEC-1520	Conduct a Legal Engagement	27 - Judge Advocate (Collective)	Approved
	27-SEC-1620	Provide Legal Advice to the Command on Protected Persons and Targets	27 - Judge Advocate (Collective)	Approved
	27-SEC-2200	Provide Legal Support to Intelligence Activities	27 - Judge Advocate (Collective)	Approved
	71-CO-5100	Conduct Troop Leading Procedures	71 - Combined Arms (Collective)	Approved

OPFOR Task(s): None

Supporting Individual Task(s): None

Supporting Drill(s): None

Supported AUTL/UJTL Task(s):

Task ID	Title
ART 5.5.1.3	Provide Operational Law Support
SN 4.2.8	Establish Detainee Control Policy
OP 4.4.7	Provide for Legal Services
ART 6.12	Conduct Detention Operations

TADSS

TADSS ID	Title	Product Type	Quantity
No TADSS specified			

Equipment (LIN)

LIN	Nomenclature	Qty
No equipment specified		

Materiel Items (NSN)

NSN	LIN	Title	Qty
No materiel items specified			

Environment: Environmental protection is not just the law but the right thing to do. It is a continual process and starts with deliberate planning. Always be alert to ways to protect our environment during training and missions. In doing so, you will contribute to the sustainment of our training resources while protecting people and the environment from harmful effects. Refer to the current Environmental Considerations manual and the current GTA Environmental-related Risk Assessment card. Task does not pose any environmental concerns.

Safety: In a training environment, leaders must perform a risk assessment in accordance with current Risk Management Doctrine. Leaders will complete the current Deliberate Risk Assessment Worksheet in accordance with the TRADOC Safety Officer during the planning and completion of each task and sub-task by assessing mission, enemy, terrain and weather, troops and support available-time available and civil considerations, (METT-TC). Note: During MOPP training, leaders must ensure personnel are monitored for potential heat injury. Local policies and procedures must be followed during times of increased heat category in order to avoid heat related injury. Consider the MOPP work/rest cycles and water replacement guidelines IAW current CBRN doctrine.