



Escorting The Insurgent

Situation: Our unit was less than 60 Days from redeployment back to CONUS. Insurgent activity was naturally increasing as they attempt to rattle or challenge the election process that is about to happen, as well our capabilities and authority within our sector of South East Baghdad. An engineer platoon that was attached to our company for the majority of the rotation was conducting normal patrols and right seat rides when it encountered an I.E.D. next to a market area. The result of the blast kills the Section Leader within the patrol and within minutes and due to my platoon's location, we are able to vector Soldiers to cordon the area and attempt to exploit the site to gain any information on who placed and or detonated the I.E.D. After 18 + hours of intensive searches we detained over 10 suspects. Out of the 10, 3 appeared to have direct involvement with the I.E.D. and its placement and or detonation.

The 3 main suspects were a 14 year old boy, his father and uncle. We processed the suspects into our Brigade Detention Facility and the preliminary evidence indicated that the father and the uncle had been paid to place a "Box" at a particular point at a specific time. They then gave the "Box" containing the I.E.D. to the 14 year old boy with instructions to place it along the road by a dumpster. We appeared to have captured people directly involved with the incident within 48 hours of it happening, not the norm at this stage of the campaign. It appeared that justice would be served and a Soldier did not die in vain.

Ethical Dilemma: I received a call two days after placing the suspects in custody to report for a prisoner escort. This was a routine detail and when I arrived at the facility I saw that the 14 year boy was being released and was stunned. We had a confession from the boy that he knew what the "Box" was and that he placed it along the road. This should have been one of the easiest cases but for some reason he was being released and was to be escorted by a platoon from the same company as the Soldier he just killed.

How was I going to control my Soldiers if they attempted to seek revenge or something worse? How was I going to control myself? Tensions were high, most of us personally knew the Section Leader, knew his family, played with his son and promised them like all Soldiers do that we will bring your Dad back alive and well soon. Worst of all, why are they asking an internal platoon emotionally attached to the killed Soldier, to take back one of what appeared to be the main suspects involved? All of this appeared to be because of the political issues of processing a 14 year old boy. At this time the fallout from Abu Gharib had heightened the restriction on processing potential insurgents and none of the legal systems personnel wanted to create another situation for our government by processing a 14 year old.

Was I going to return home, approach the section leaders spouse and his son and say that I let go one of the people who killed your dad? Or say that the ones responsible will never hurt someone again, we "took care of it" and did not let him die in vain?

I know what should have happened.

1. You as a leader should never place your Soldiers in a situation where their emotions can overcome their ability to function as a professional. This is like asking a father to escort the pedophile that just raped his 10 year old daughter. You are setting him up for failure.
2. If you must do it, place soldiers from other elements with little or no knowledge as well as senior leadership to mitigate the potential for retaliation.

CONCLUSION: I lost so much that day. I took the 14 year old home myself. I had my platoon stand down and used other elements from our camp to assist me and told them to help me keep my head on straight. My soldiers never respected me for letting him go without some kind of justice. My friend was dead, and a little boy that will never really understand what happened is fatherless. Being a professional Soldier, it is never as easy as one sees on the news. I still see in my head, in my sleep where I have him tied up and ready to render My verdict, upon the banks of the Tigris and still am not sure if what I did by letting him go was right. Uphold the law, the regulations and the Creed we live by or Honor the fallen, and never let there loss be for nothing.

I think we lost more than one Soldier that day.

QUESTIONS TO DISCUSS WITH YOUR SOLDIERS...

1. As an American Soldier, how does this incident make you feel?
2. What factors **would** you consider as you consider your courses of action?
3. Discuss how the units' climate and culture will influence this situation.
4. Discuss this vignette solely from a rules based point view.
5. Discuss this vignette solely from an outcomes based point of view.
6. Discuss this vignette solely from a personal value based point of view.