

11566

Sir:

15-6 investigation into EOF by  
1-71 while emplacing barriers  
which resulted in the death  
of 1 LN. Good investigation by

EPF [REDACTED] (b)(6)

[REDACTED] (b)(6) ✓/r [REDACTED] (b)(6)

I have reviewed. I concur  
with findings & [REDACTED] [REDACTED]  
above. [REDACTED] (b)(6)

**Page 2 redacted for the following reason:**

(b)(1), (b)(2)Low, (b)(5), (b)(6)

## REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proponent agency is OTJAG.

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

## SECTION I • APPOINTMENT

Appointed by

LTC

(b)(6)

On

(Date)

(Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)

## SECTION II • SESSIONS

The (investigation) (board) commenced at

(b)(1)

(Time)

on (Date)

(If a formal board met for more than one session, check here . Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

The following persons (members, respondents, counsel) were absent: (Indicate brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at 2000 on 12 Oct 05  
(Time) (Date)and completed findings and recommendations at 1500 on 13 Oct 05  
(Time) (Date)

## SECTION III • CHECKLIST FOR PROCEEDINGS

## A. COMPLETE IN ALL CASES

## 1. Inclosures (para 3-15, AR 15-6)

Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)

YES	NO	NA <sup>2</sup>

- a. The letter of appointment or a summary of oral appointment data?
- b. Copy of notice to respondent, if any? (See item 9, below)
- c. Other correspondence with respondent or counsel, if any?
- d. All other written communications to or from the appointing authority?
- e. Privacy Act Statements (Certificate, if statement provided orally)?
- f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?
- g. Information as to sessions of a formal board not included on page 1 of this report?
- h. Any other significant papers (other than evidence), relating to administrative aspects of the investigation or board?

FOOTNOTES: 1. Explain all negative answers on an attached sheet.

2. Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

2 Exhibits (para 3-16, AR 15-6) YES NO <sup>Y</sup> <sup>NA</sup> <sup>2</sup>

- a. Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?
- b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?
- c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?
- d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?
- e. Are descriptions or diagrams included of locations visited by the investigating officer or board. (para 3-6b, AR 15-6)?
- f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?
- g. If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?

3 Was a quorum present when the board voted on findings and recommendations (para 4-1 and 5-2b, AR 15-6)?

**B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)**

- 4 At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?
- 5 Was a quorum present at every session of the board (para 5-2b, AR 15-6)?
- 6 Was each absence of any member properly excused (para 5-2a, AR 15-6)?
- 7 Were members, witnesses, reporter, and interpreter sworn, if required. (para 3-1, AR 15-6)?
- 8 If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?

**C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)**

- 9 Notice to respondents (para 5-5, AR 15-6):
  - a. Is the method and date of delivery to the respondent indicated on each letter of notification?
  - b. Was the date of delivery at least five working days prior to the first session of the board?
  - c. Does each letter of notification indicate
    - (1) the date, hour, and place of the first session of the board concerning that respondent?
    - (2) the matter to be investigated, including specific allegations against the respondent, if any?
    - (3) the respondent's rights with regard to counsel?
    - (4) the name and address of each witness expected to be called by the recorder?
    - (5) the respondent's rights to be present, present evidence, and call witnesses?
  - d. Was the respondent provided a copy of all unclassified documents in the case file?
  - e. If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?
- 10 If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):
  - a. Was he properly notified (para 5-5, AR 15-6)?
  - b. Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?

11 Counsel (para 5-6, AR 15-6):

- a. Was each respondent represented by counsel?
- Name and business address of counsel:

(If counsel is a lawyer, check here  )

- b. Was respondent's counsel present at all open sessions of the board relating to that respondent?
- c. If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?
- 12 If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):
  - a. Was the challenge properly denied and by the appropriate officer?
  - b. Did each member successfully challenge and cease to participate in the proceedings?
- 13 Was the respondent given an opportunity to (para 5-8a, AR 15-6):
  - a. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?
  - b. Examine and object to the introduction of real and documentary evidence, including written statements?

- f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?
- 14 If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?
- 15 Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?

FOOTNOTES: <sup>1</sup> Explain all negative answers on an attached sheet.

<sup>2</sup> Use of the NA column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

SECTION IV - FINDINGS (para 3-10, AR 15-6)

The (investigating officer) (board), having carefully considered the evidence, finds:

See attached memorandum.

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the (investigating officer) (board) recommends:

See attached memorandum.

SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)

(Recorder)

(b)(6)

(Member)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-13, AR 15-6)

To the extent indicated in Inclosure \_\_\_\_\_, the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

The findings and recommendations of the (investigating officer) board are (approved) (disapproved) (approved with following exceptions/ substitutions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)

(b)(6)

DEPARTMENT OF THE ARMY  
Headquarters and Headquarters Troop, 1" Squadron, 71" Cavalry Regiment  
1<sup>st</sup> Brigade Combat Team, 10<sup>th</sup> Mountain Division (Light Infantry)  
[redacted] (b)(1) Iraq 09376

[redacted] (b)(2) low

13. October 2005

MEMORANDUM FOR Commander, 1<sup>st</sup> BCT, 10<sup>th</sup> MTN, [redacted] (b)(1) Iraq

SUBJECT: AR 15-6 Informal Investigation Concerning the Fatal Shooting of a Local National (LN)

1. On 12 October 2005, I was appointed as the AR 15-6 Investigating Officer (IO) for the events surrounding the shooting that lead to the death of one LN and injuries to other LN. I have conducted a thorough investigation of the circumstances surrounding this incident. My observations, conclusions, and recommendations are provided in the following format: facts, findings, and recommendations.

2. FACTS.

A. On 12 October 2005, Barrier Teams A & C from 4-1 MiTT CAY lead by IS [redacted] was conducting barrier emplacement in support of the DIVISION polling site [redacted]. The patrol consisted of 2x M1114s, 1x HEMMT, eleven U.S. personnel and 1x Iraqi Army (IA) patrol vehicle. 1SG [redacted] (b)(6) was the NCOIC and informed the static IA checkpoint 300 meters west of the cordon, that Teams A and C were in the area. SSG [redacted] (b)(6) was the senior NCO. Additionally, one IA squad consisting of 10 personnel accompanied Barrier Team A & C.

B. Teams A & C emplaced barriers from 2000 to 2140 at vic [redacted] (b)(1). The barrier emplacement process took 10 to 15 minutes. Teams A & C set up "T" shaped security, emplacing two blocking positions consisting of one M1114 to the west and the other M1114 to the east. The HEMMT was located near the Iraqi Polling site on a side street within the cordon. Iraqi Army personnel were pulling security at the drop off point for the barriers. The IA also set up two TCP's at the eastern and western corners of the area, 300 meters from M1114s.

C. The incident occurred at approximately 1221150CT05 (see enclosure A, BCT Blue-2 Report). Civilian traffic was being directed by the Iraqi Army to head in opposite direction of the barrier emplacement onto the north/south road near the position. The white Volkswagen Passat bypassed the Iraqi Army checkpoint and headed east toward Team C, vehicle 5A-33. Team C's gunner used the laser pointer to warn the white Passat to stop. The vehicle turned off its headlights but continued to move towards Team C. Verbal orders in English and Arabic were issued to the white Passat over the Team C vehicle intercom, the

(b)(2)Low

SUBJECT: AR 15-6 Informal Investigation Concerning the Fatal Shooting of a Local National (LN)

vehicle driver ignored these warnings. The first warning shot was fired by SSG (b)(6) into the air. The vehicle then turned on its headlights and proceeded towards Team C. The second warning shot was fired in the direction of the vehicle on the ground. The white Passat continued and PFC (b)(6) along with SSG (b)(6) fired 5 shots total into the engine block and then into the windshield of the vehicle. The white Passat rolled to a stop. One local national (passenger) sustained a gunshot wound to his left arm and was taken to hospital after being evaluated by PFC (b)(6) (medic). The other local national (driver) was treated by Corporal (b)(6) (medic) but eventually died of wounds to his face and chest. The dead body was put into a body bag and was turned over to Iraqi Police. Team C took pictures and documented the evidence of the encounter. The white Passat was turned over to the IPs. Team C then collapsed the cordon and moved to next site. Shortly after they arrived at the next polling site they were directed to return to write statements.

3. FINDINGS. I find that the engagement and killing of the local national was in accordance with the current Theater Rules of Engagement (ROE), as stated in APPENDIX I (CONSOLIDATED ROE) TO ANNEX E (RULES OF ENGAGEMENT) TO (b)(2)Low TO (b)(2)Low SSG (b)(6) SSG (b)(6) and PFC (b)(6) identified a hostile act and responded with an escalation of force to eliminate the threat. The driver of the vehicle, for undetermined reasons, chose to ignore all warnings given.

4. RECOMMENDATIONS. The following recommendations are put into Issue, Discussion and Recommendation format:

Issue: Emplace barriers during non-curfew hours

Discussion: Emplacing barriers during daylight or non-curfew hours of the day adds to the complexity of the mission. The patrol leader of this mission needs to consider that civilian traffic will be an issue, especially when some of these barrier emplacements involve redirecting traffic or shutting down a lane of traffic.

(b)(5)

(b)(2)Low

SUBJECT: AR 15-6 Infonnal Investigation Concerning the Fatal Shooting of a Local National (LN)

5. POC for this memorandum is the undersigned at (b)(2)Low

(b)(6)

CPT,AR  
S-5

Enclosures:

- A. BCT Blue-2 Report
- B. DA Form 2823 - Sworn statement from SSG
- C. DA Form 2823 - Sworn statement from SOT
- D. DA Form 2823 - Sworn statement from PFC
- E. DA Form 2823 - Sworn statement from SPC
- F. DA Form 2823 - Sworn statement from SGT
- G. DA Form 2823 - Sworn statement from PFC
- H. DA Form 2823 - Sworn statement from ISG
- I. DA Form 2823 - Sworn statement from SSG
- J. DA Form 2823 - Sworn statement from (b)(6)
- K. Storybook presentation

(b)(6)

(b)(6)

# 1/10 BCT BLUE-2 [COMMANDER'S INCIDENT REPORT]

PURPOSE: TO REPORT CRITICAL AND TIME SENSITIVE EVENTS TO THE COMMANDING GENERAL fCG].

SCOPE: THIS TAB APPLIES TO ALL UNITS ASSIGNED OR TASK ORGANIZED TO 3ID (M).

PROCEDURES: COMMANDER'S INCIDENT REPORT [CIR] IS INTENDED TO PROVIDE THE CG WITH IMMEDIATE NOTIFICATION OF AN INCIDENT INVOLVING 3ID (M) SOLDIERS AND/OR EQUIPMENT. AS MUCH INFORMATION AS POSSIBLE SHOULD BE INCLUDED IN THE INITIAL REPORT BUT IMMEDIATE NOTIFICATION SHOULD NOT BE DELAYED UNNECESSARILY. ADDITIONAL INFORMATION SHOULD BE PROVIDED AS SOON AS POSSIBLE.

\*\* A COMPLETE REPORT ON THE INCIDENT WILL BE FORWARDED TO MTN \*\*

LINE 1: UNIT REPORTING:

1-71 CAV, (b)(4) MITT TM

LINE 2: INCIDENT:

1x LN KILLED AND 1x WALKING WOUNDED FOR ENDANGERING US AND IRAQI FORCES

LINE 3: DATE/TIME GROUP [DTG] INCIDENT OCCURRED:

12 2111 OCT 05

LINE 4: LOCATION OF INCIDENT:

(b)(1)

LINE 5: PERSONNEL INVOLVED:

NAME	UNIT	SSN	AGE	SEX	RACE
(b)(6)	SSG A TRP, 1-71 CAV	(b)(6)		M	(b)(6)
(b)(6)	SSG A TRP, 1-71 CAV	(b)(6)		M	(b)(6)

LINE 6: SUMMARY OF INCIDENT:

While providing security for barrier emplacement at polling sites in 5/1 IA AOR VIC (b)(1) a civilian vehicle (White, VW - Passat) approached their position at a steady rate of speed. The above mentioned soldiers initially attempted to signal the vehicle operator to stop using voice/hand signals. The driver then turned off its lights and continued forward; at this point the soldiers used a green laser. The vehicle proceeded to advance and turned on its high-beams. At this point the soldiers fired two warning shots into the hood of the vehicle. After the vehicle refused to stop the soldiers used lethal force firing six shots (5.56) into the windshield. After approaching the vehicle the soldiers found two wounded LN males age (b)(6). One LN was walking wounded the other critical urgent; the soldiers attempted to treat the critical urgent LN, but he died shortly after.

The patrol leader searched the dead LN then turned the body over to the IA for delivery to the (b)(1) Hospital. Currently (1222060CT05) the patrol leader is documenting the events with sworn statements and photographs. A complete search of the vehicle and individuals will be conducted prior to the release of the vehicle or wounded LN.

LINE 7: DAMAGE TO GOVERNMENT AND/OR CIVILIAN PROPERTY:

NONE

LINE 8: COMMANDER REPORTING:

TF 1-71 CAV [TF COBRA] BATTLE CPT

SIPR:

VOIP:

(b)(2) low

**SWORN STATEMENT**

For use of this form, see AR 190-45; the proponent agency is DDCSOPS

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 93.97 dated November 22, 1943. (SSN).

**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.

**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

**DISCLOSURE:** Disclosure of your social security number is voluntary.

**I. LOCATION**

5. LAST NAME, FIRST NAME, MIDDLE NAME, ME	(b)(6)
---	--------

6. ORGANIZATION OR ADDRESS	A tro 1-71 CAV
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9.	(b)(6)
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2. DATE (YYYYMMDD)	3. TIME
02-22-03	0030
6. SSN	(b)(6)

4. FILE NUMBER	ENCL 13
7. GRADE/STATUS	E-6

1. WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Around 2115 a night myself along w/ my crew PFC (b)(6) and Sgt (b)(6) proceeded to the main intersection made a left to block traffic while the weaker went out to do a u turn to back into the polling site street to place barriers that was our last set to finish there was a IA TCP in front of my vehicle about 150 meter w/ sides streets after it all the vehicles ie traffic was either turning to them or around I walk up to my vehicle to speak to SSG (b)(6) an and my driver they where in place 10 m from my hummvee that's when I saw a white vehicle pass the turning traffic and head towards our direction my lights where on I saw my gunner start lasering the vehicle w/ his laser pointer the white car turn off his headlights but kept moving towards us I decided to shoot a warning shot that's when the car turn back on his lights and sped up I shot a second round in front of the vehicle towards the engine my driver shot the engine and SSG (b)(6) also aim at the engine and then shot at the driver I immediately called "cease fire" so my gunner wouldn't engage w/ the m240B the vehicle rolled to a stop 10 meter from my hummvee I yelled for IA's and a medic to assit I instructed my Interpreter to tell the passenger to get out of the vehicle since he was moving inside

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

(b)(6)

PAGE 1 OF

3

PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF"

02-22 TAKEN AT

DATED

THE BOTTOM OF EACH ADDENDUM PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

(b)(6)

TAKEN AT

0030

DATED

12 Oct 2005

## 9. STATEMENT (Continued)

one IA Approached the vehicle to take the passenger out than another IA to drag the driver out to the curve on the side away from the car CPL (b)(6) started to treat the driver while the passenger was being watched by an IA. I got on the radio to call higher to inform them of the situation. At that time the other mitt team arrive from the other side to assist PFC (b)(6) treated the passenger from my hummvee I was trying to talk to higher and kept assing the situation on the ground making sure that I was documenting all the details of the event the driver was pronounce dead and we were going to put him in an ambulance but there was already a patient in it than we got a IA truck ready to take him but he was dead we got a body bag and gave him to the IP's along with the vehicle the walking wounded walk to the hospital that was close by when all this was accomplish including the pictures we mounted up and headed toward our next polling site nothing follows End of statement

(b)(6)

(b)(6)

(b)(6)

(b)(6)

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

PAGE 2 OF 3 PAGES

USAPA V1.00

STATEMENT OF

(b)(6)

TAKEN AT

(b)(1)

DATED

12 Oct

9. STATEMENT *(Continued)*

(b)(6)

(b)(6)

(b)(6)

Affidavit

I, [REDACTED] /b/s, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH B [REDACTED] I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT AWFUL INDUCEMENT.

(b)(6)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, on the 3 day of October

(b)(1)

(b)(6)

(b)(6)

ORGANIZATION OR ADDRESS

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

PAGE 3. DA FORM 2023, DEC 1998

PAGE 3

PAGES

**SWORN STATEMENT**

For use of this form, see AR 190-45; the proponent agency is DDCSOPS

**PRIVACY ACT STATEMENT**

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; EO. 9397 dated November 22, 1943 (SSM).

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of our social security number is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
	2007012	1030	Encl.
5. LEAD/ALIAS/THREAT NAME/EXCUSE NAME	6. APN	7. GRADE/STATUS	
(b)(6)	(b)(6)	(b)(6)	(b)(6)
8. A trooper 1-11 CAV			
9. (b)(6)	, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:		

I was in the turret of SSG (b)(6) M1114. A white Volkswagen Passat Passed through a checkpoint. It proceeded past where all other vehicles either turned off to the left or right, or they turned around, towards my location. After that point I started to make hand gestures and to stop the vehicles while using my laser pointer. It continued at a steady speed towards my location. I continued to use my laser pointer at the driver, but he continued to proceed towards my location. Around 100 meter SSG (b)(6) shot a warning shot and the driver flashed his head lights and continued at the same speed. SSG (b)(6) again shot another warning shot and he continued towards my location. then PFC (b)(6) and SSG (b)(6) engaged to dislodge the vehicle and then he still proceeded and I then seen I heard shot through the windshield and the driver stooped to the side, and the passenger ducked down, and the vehicle stopped.

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF	2	PAGES
(b)(6)			

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

(b)(6)

TAKEN AT

0030

DATED

2005/10/12

9. STATEMENT (Continued)

Someone called for the Medic. The passenger raised his hands over the dashboard. An interpreter then shouted at the 2 individuals to exit the vehicle. The Cpl [redacted] then arrived at our location. Then the passenger of the vehicle got out of the vehicle and the Iraqi Army pushed him to the side. I visually scanned the vehicle and noticed fluid draining from the vehicle and the driver was not moving. At that time someone shouted to get the driver out and I believe Sgt [redacted] had the Iraqi Army personnel drag the driver out of the vehicle to the sidewalk where Sgt [redacted] and Cpl [redacted] began giving aid to the driver. After a few minutes the other medic Pfc [redacted] came to the location and started to give me treatment to the passenger of the vehicle. After that I continued to pull security and nothing else follows —

(b)(6)

INITIALS OF

(b)(6)

B STATEMENT

PAGE 2, DA FORM 2823, DEC 1998

PAGE 2

Of 2 PAGES

STATEMENT OF

(b)(6)

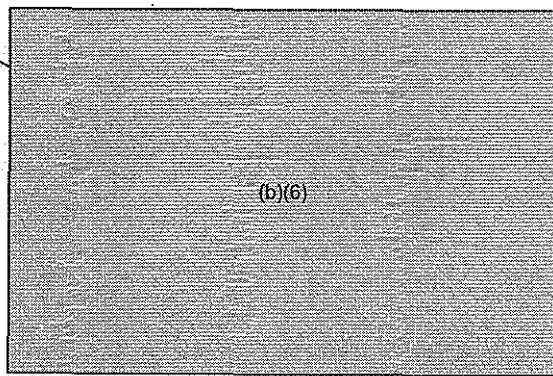
TAKEN AT

0830

DATED

2005/10/12

9. STATEMENT *(Continued)*



1. (b)(6)

AFFIDAVIT

I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT  
WHICH I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE  
BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, OR LINDUCEMENT.

(b)(6)

WITNESSES,

Subscribed and sworn to before me, a person authorized by law to administer oaths, on 2 October 2005.

ORGANIZATION OR ADDRESS

at: (b)(1) (b)(6)  
OPT (b)(6)

ORGANIZATION OR ADDRESS

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 1

PAGES

## SWORNSTATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSDPS

## PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 205; E.O. 9397 dated November, 22, 1943 (SSN).

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION

2. OATI IYYYYMMDDJ

20051012

3. TIME

00030

4. FILE NUMBER

Encl. 0

(b)(6)

(b)(6)

7. GRADE/STATUS

E-3

8. ORGANIZATION OR ADDRESS

A 117 CAV

9.

(b)(6)

, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

B+D were told by (b)(2) Low to leave the area of where the barriers were being moved, we went to follow the next closest site, we were on our way back when

Sgt (b)(6) asked the gunner did he hear gunfire,

Spc (b)(6) said no he did not, then someone came over the icon & said we needed to hurry up around the corner, we pulled up & I

looked down the street & saw Cpl. (b)(6)

& Sgt (b)(6) working on the individual who got shot, I ran to them w/ my aid bag

& Cpl (b)(6) & Sgt (b)(6) were

performing CPR on the guy, I put gloves on

& sealed for the GSW's to his chest & throat.

About 1 minute later the patient was not breathing

& he had no pulse. Then I ran across the street

& the passenger of the (b)(6) car was sitting

on the ground, He had a GSW to his (b)(6)

10. EXHIBIT

STATEMENT OF PERSON MAKING STATEMENT

PAGE 1 OF \_\_\_\_ PAGES

(b)(6)

ADDITIONAL PAGES MUST CONTAIN 111E HEADING "STATEMENT OF"

TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF 111E PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED. PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF

(b)(6)

TAKEN AT

(b)(1)

DATE

2005/10/12

9. STATEMENT (Continued)

I applied a pressure dressing & initiated an I.V.,  
the IP's took the man to the hospital. Nothing follows  
page 2 of 2

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

PAGE 2, DA FORM 2023, DEC 1998

PAGE 2 OF 2 PAGES

STATEMENT OF

(b)(6)

TAKEN AT

(b)(1)

DATED

2005 10 12

9. STATEMENT (Continued)

*nothing follows*

(b)(6)

AFFIDAVIT

I,  
W111CH B  
BY ME, THE STATEMENT IS TRUE. I HAVE INITIALED ALLCDRR  
STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT.

I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT  
FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE  
HAVE INITIALED THE SO F EACH PAGE INING THE STATEMENT. I HAVE MADE THIS  
CEMENT.

(b)(6)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to  
admini day of *October*, 2005  
at *150*

(b)(6)

*CPT*

(b)(6)

ORGANIZATION DR ADDRESS

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

PAGE

OF

PAGES

### SWORN STATEMENT

For use of this form, see AFM 1910.45: the proponent agency is ODCSOPS

### PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

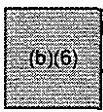
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of our social security number is voluntary.

1. LOCATION	2. DATE (YYYYMMDD) 20051013	3. TIME 0030	4. FILE NUMBER End B
5. (b)(6)	(b)(6)	(b)(6)	7. GRADE/STATUS E-4
8. ORGANIZATION OR ADDRESS A 1-71 Cav			
9. (b)(6)	, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:		

I was approximately 100 meters away from the scene of shooting by U.S. forces on a local national Iraqi. I did not see the event take place, however I heard the yelling and shots. I distinctly heard two shots fired within a few seconds of each other sounding like warning shots. Shortly after I heard a lot of shots fired together. I heard them <sup>(U.S. soldiers)</sup> yelling and ran to the scene to see a vehicle that had been shot. Then vehicle was checked and the local nationals were removed and began treatment. Nothing follows

10. EXHIBIT



1. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF

1 PAGES

OPTIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF



MAKENAT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

(b)(6)

MAKEN AT

0030

DATED

20051013

9. STATEMENT *(Continued)*

AFFIDAVIT

I, [REDACTED] WHICHB, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME, THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, CEMENT.

(b)(6)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 October, 2005  
at [REDACTED] (b)(1) [REDACTED] (b)(6)

OPT

(Type)

(b)(6)

ORGANIZATION OR ADDRESS

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

## SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

## PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section301; Title 5 USC Section2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION	2. DATE <u>MMYYDD</u> <u>2005/01/12</u>	3. TIME <u>1230</u>	4. FILE NUMBER <u>Encl. F</u>
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6)	6. CON (b)(6)	7. GRADE/STATUS <u>E-5</u>	
8. ORGANIZATION OR ADDRESS <u>A 1-71 CAU</u>			

9. I, (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I WAS ON THE STREET CORNER EXACTLY 50 METERS FROM THE ~~IN~~  
WHEN IT HAPPENED. I HEARD A WARNING SHOT FIRED FOLLOWED BY  
AN UNKNOWN NUMBER OF SHOTS. WHEN I TURNED I SAW SEVERAL  
ROUNDS STRIKE THE HOOD/ENGINE AREA AND THEN TWO MORE HIT  
THE WINDSHIELD. I APPROACHED THE CAR FROM THE VEHICLE'S NINE  
O'CLOCK AND TOLD TWO IRAQI SOLDIERS TO GET THE DRIVER  
OUT. AS SOON AS CPL ~~CAME~~ HE AND I STARTED CPR  
ON THE DRIVER. PFC ~~THEY~~ APPLIED DRESSINGS TO THE  
WOUNDS AS WELL AS AN IV. AFTER 5-7 MINUTES ~~CPR~~, CPL  
(b)(6) DETERMINED THE MAN WAS KIA. SGT. ~~AND I~~  
THEN PLACED THE MAN IN A BODY BAG AND TURNED IT OVER  
TO THE IP UNIT. NOTHING FOLLOWS -----

10. EXHIBIT

<u>1. NAME</u> OF PERSON MAKING STATEMENT (b)(6)
---

PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING 'STATEMENT OF'

TAKEN AT      DATE     

THE INITIALS OF EACH ADDITIONAL PAGE MUST BE THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b)(6) TAKEN AT

DATEO 13 OCTOS

**9. STATEMENT *(Continued)***

INITIALS OF  SIGNING STATEMENT

PAGE 2, DA FORM 2823, DEC 1998

PAGE OF PAGES  
USA PAY 1.00

STATEMENT OF

(b)(6)

TAKEN AT

DATEO

13 OCT 05

9. STATEMENT *(Continued)*

**AFFIDAVIT**

(b)(6)

WHICH

DIME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNI-  
EMENT.

WITNESSES:

administer oaths this 13 day of October, 2005  
at (b)(1)

(b)(6)

ORGANIZATION OR ADDRESS

CPT

*(Typed)*

(b)(6)

ORGANIZATION OR ADDRESS

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

**SWORN STATEMENT**

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

**PRIVACY ACT STATEMENT**

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2851; E.O. 13397 dated November 22, 1943/SSNI.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION	2. DATE (YYYYMMDD) 2005 10 12	3. TIME 21:15	4. FILE NUMBER Exch. G
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS E-3	
8. ORGANIZATION OR ADDRESS A Tree 1/71 car			

9. I, (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Charlie MITT Team which is My Truck, we Moved up on To The Main Road To Secure The Area while The wrecker Turned Around, I dismounted, SGT (b)(6) dismounted, The Interpreter and SGT (b)(6) was Next To The Truck. There was an I.A check point Approximately 100 Meters in Front of our location. They were Directing TRAFFIC TO TURN DOWN A SIDE STREET APPROXIMATELY 75 METERS IN FRONT OF US. There was A Vehicle That had its LIGHTS OFF And Turned Around The CAR'S TURNING DOWN THE SIDE STREET AND PROCEEDED TOWARDS our location. AT THAT TIME SGT (b)(6) THAT WAS IN OUR Turret Fired A Laser AT THE CAR THE CAR STILL PROCEEDED TOWARDS US. The Interpreter WAS YELLING STOP in ARABIC, I was waving my LEFT Hand AT THE THE VEHICLE AND IT DID NOT STOP IT STILL PROCEEDED TOWARD our location. AT THAT TIME The vehicle WAS ABOUT 40 TO 50 METERS IN FRONT OF US, we continued To yell, The vehicle had got TO ABOUT 35 TO 40 METERS IN FRONT OF US AND AT THAT TIME SGT (b)(6) Fired one warning shot in The Air. The vehicle Then Turned on its Head Lights and Speeded up, Then SGT (b)(6) Fired A Second warning shot the car STILL did not stop. AT THAT TIME I Fired 2 shots into The engine COMPARTMENT The vehicle did not stop so at that Time I TOOK 2 STEPS BACK and Reared At The driver AT THAT

10. EXHIBIT

11. INITIALS

(b)(6)

PAGE 1 OF

3

PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF"

0100 TAKEN AT 7005 DATED 10/12

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF

(b)(6)

TAKEN AT

0100

DATED 2005 10 12

9. STATEMENT *(Continued)*

Time SGT (b)(6) called Cease Fire so I lowered my weapon at that time I instead the vehicle had fluid leaking from the engine compartment, we then called for a medic and CPL (b)(6) came up 2 FA soldier's then came up and got the driver out and started working on him, there was a passenger and he got out and was searched, the (b)(6) THAT IS (b)(6) everything I know the medics treated the wounded and the 2 FA's checked the car then the EP's showed up and took over everything and we went to the next aid site AF station

(b)(6)

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

PAGE 2, SA FORM 2823, DEC 1993

PAGE 2 OF 3 PAGES

STATEMENT OF

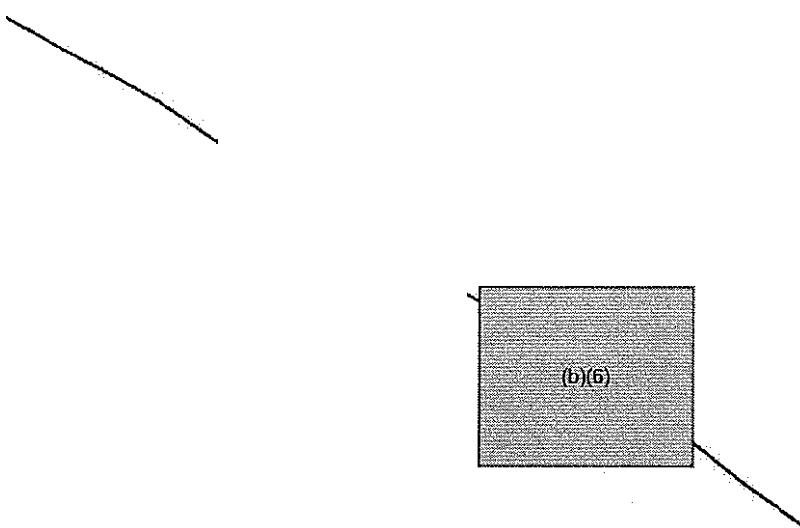
(b)(6)

TAKEN AT

0100

DATED 2005 10 12

9. STATEMENT *(Continued)*



(b)(6)

AfAOAVIT

WHICH *[Signature]* I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT  
BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE STATEMENT. I HAVE MADE THIS  
STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, OR UNLAWFUL INDUCEMENT.

(b)(6)

*(Statement)*

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to

administer

at

*October 1, 2005*

(b)(6)

(b)(6)

*CPT*

*(Type)*

ORGANIZATION OR ADDRESS

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN);  
PRINCIPAL PURPOSE, To provide commanders and law enforcement officials with means by which information may be accurately identified.  
ROUTINE USES; Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION 2. DATE (YYYYMMDD) 3. TIME 4. FILE NUMBER  
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6) 6. SSN 13060552 En. 16.  
7. GRADE/STATUS 1SG / Active.

8. ORGANIZATION OR BATTALION A-TROOP 1-71 CAV

9. 1SG (b)(6) • WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: On or about

12 Oct 05 at 2200hrs, while on patrol to reset Barriers an Iraqi Local national was shot. This person Fail to Follow all warning to Stop that was given to him. The First warning given was sound and Laser, winter Red. Once he fail to Stop a warning shot was given, SSG (b)(6) Fire. a warning shot into the sky. At that time he turn off his light and then returned them on but didn't Stop. The vehicle keep coming. AT that time a second shot was Fire at the Vehicle engine block. This didn't Stop the vehicle or did the Iraqi Local Stop either. He kept coming to the TEP set-up for the Hemmit to turn around. We made every possible change for the Local Iraqi national to stop. Once he fail to stop with all the warning, he was shot Five to eight times (b)(6)

Nothing Follows

ID.EXHIBIT

11. INITIALED

(b)(6)

MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF"

TAKEN AT

DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

156

(b)(6)

AKEN AT

1230 hrs. DATED 13 Oct 05

9. STATEMENT *(Continued)*

AFFIDAVIT

110  
J. WHICH BEGINS D  
I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT.  
BY ME, THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED  
STATEMENT FAEEIY WITHOUT HOPE OF BENEFIT, IIRAEWARD, WITHOUT THREAT OF PUNIS

(b)(6)

MENT.

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to  
administer oaths, on October, 2005  
at \_\_\_\_\_, \_\_\_\_\_

(b)(6)

ORGANIZATION OR ADDRESS

CPT

(b)(6)

*(Typed name of person administering oath)*

ORGANIZATION OR ADDRESS

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

**SWORN STATEMENT**

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

**PRIVACY ACT STATEMENT**

**AUTORITY:** Title 10 USC Section 301; Title 5 USC Section 2851; E.O. 9397 dated November 22, 1943 (SSNI).

**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.

**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION	2. DATE <i>mmmmMMDD</i> <b>2005/11/12</b>	3. TIME <i>APPROX 2115</i>	4. FILE NUMBER <i>Ends -</i>
(b)(6)		(b)(6)	
5. GRADE/STATUS <b>E-6 AD</b>			

6. ORGANIZATION OR ADDRESS  
**A 1-71 CAV**

7. **SSG** (b)(6) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 12 OCT 05 AT 2115 HRS, MYSELF, SSG (b)(6) PFC (b)(6) WERE PROVIDING SECURITY FOR THE NEXT WRECKER VEHICLE TO TURN AROUND FOR BARRIER POSITIONING. WE WERE NEXT TO VEHICLE 5A33 ON THE ROAD. APPROX 200 METERS IN FRONT OF US AN IF TCP WAS NOTING ALL VEHICLES TURN LEFT OR RIGHT OR TURN AROUND. A WHITE VW CAME THROUGH THE IF TCP AND CONTINUED STRAIGHT AT A CONSTANT RATE OF SPEED. WE RAISED OUR HANDS AND MOTIONED FOR THE VEHICLE TO STOP. HE THEN TURNED OFF HIS HEADLIGHTS AND CONTINUED TO MOVE TOWARD US. AS THE VEHICLE APPROACHED I RAISED MY HAND AGAIN AND YELLED "AWGAF" AND OF 5A33, FLASHED A LASER PONTER AT THE VEHICLE. TURNED HIS HEADLIGHTS ON BRIGHT AND CONTINUED FORWARD. SSG (b)(6) FIRED A WARNING SHOT AND THE VEHICLE INCREASED SPEED. AT THAT POINT I FIRED TWO SHOTS AT THE FRONT GRILL. THE VEHICLE KEPT MOVING AND I FIRED ONE SHOT AT THE DRIVER'S SIDE OF THE WINDSHIELD. DURING THIS ENGAGEMENT WE WERE ON A VERY WELL LIT STREET AND OUR INTERPRETER WAS ON THE LOUDSPEAKER TELLING THE VEHICLE TO STOP. MEDICAL TREATMENT WAS BEGUN IMMEDIATELY ON BOTH MEN IN THE VEHICLE.

SSG (b)(6) AND PFC (b)(6) ALSO FIRED SEVERAL SHOTS AT THE VEHICLE

10. EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF **3** PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING STATEMENT OF

TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF

556- [REDACTED] (b)(6)

TAKEN AT 5-1 TBC

DATED 2005/11/2 2015

9. STATEMENT *(Continued)*

AND THE VEHICLE CAME TO ~~TO~~ STOP ABOUT 10 FEET FROM US.

NOTHING FOLLOWS



INITIALS OF PERSON MAKING STATEMENT

[REDACTED] (b)(6)

PAGE 2, OA FORM 2823, DEC /998

PAGE 2 Of 3 PAGES

STATEMENT OF

556

(b)(6)

TAKEN AT

S-1 TIC

DATED 2005/11/12

9. STATEMENT *(Continued)*

I, 556

WHICH BEGINS ON P

. HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT  
WHICH BEGINS ON P . I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE  
BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS  
STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT  
OR LAWLESS INDUCEMENT.

(b)(6)

*(Signature of Person Making Statement)*

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to  
administer oaths, the 12 <sup>th</sup> day of October, 2005  
at \_\_\_\_\_ (b)(6)

(b)(6)

*CPT*  
*(Typed)*

(b)(6)

ORGANIZATION OR ADDRESS

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

PAGE 1 OF 3 PAGES

**Pages 33 through 34 redacted for the following reasons:**

(b)(1), (b)(2)Low, (b)(6)

# name of witness: [REDACTED]

(b)(6)

during the time that Collection forces stop. I tasks the Iraqi policemen ~~in the~~ chik point in front of the accident area and bring cars from 5 Battalion to stop the cars (civil cars) and change their way. Because there is Collection forces trucks. during that time I told the people by loud speaker to take attention because there's Collection forces cars (trucks) near you and tasks the people to change ~~the~~ their way and drive ~~the~~ the car very slow about five ~~hours~~ minutes. and after that I found many people didn't use the way that Collection forces use it. and I saw some people ~~say~~ and young guys try to speak with one of drivers and told him to not use this way because there is Collection forces trucks. during that time my Sergeant call me and told me to help him to gave people cards to call and gave information about the bad guys. I heard that some Soldier SCV me so I ran towards them. then I saw Civil car ~~with~~ whilst Bawazir came towards American truck. so I told him to stop but the driver ~~still~~ didn't stop. so one of the Soldier shoot bullet (warning shot). But the driver still drive his car towards the Soldier. so the other Soldiers shoot the car. and I don't know that the driver get kill. so Sergeant Samkees ask me to speak with driver and ask them to go out of the car. But I found the driver killed and the second person with him he injured and he can't ~~move~~ move. and I hear one of the Soldier is Green and call some Soldier to give ~~the~~ treatment to every person. so Sergeant [REDACTED] came and help him. so after that I tasks the bring to move the driver body and put him out ~~the~~ side

(b)(6)

the first person ~~who~~ who chick the driver Lt [REDACTED] from  
Charly Company. 4<sup>th</sup> batallion (A) [REDACTED] (b)(6) and he told me  
the driver killed after that the Soldier (American) as he  
madece [REDACTED] (b)(6) to see if the driver still alive, but the  
driver die. after that I ask the police men why they  
didn't told the driver [REDACTED] to chang his way and use another  
way. the police men told ~~me~~ me that we told the driver to use  
another way because there's Collation forces tricks. and they told  
me (police men) that I dont ~~know~~ know way this driver didn't chang  
his way. after that I ask the person with driver way.  
you and the driver didn't chang the way. you he told me

I didn't see any military tracks. and I ask him again ~~why~~  
did you hear the Shooting Sound. ~~and~~ he didn't answer me  
and he ask me to give him Smoke and help him to go and  
put him in [REDACTED] (b)(1) hospital to give him ~~the~~ treatment.

Enclosure K  
Story Book Presentation

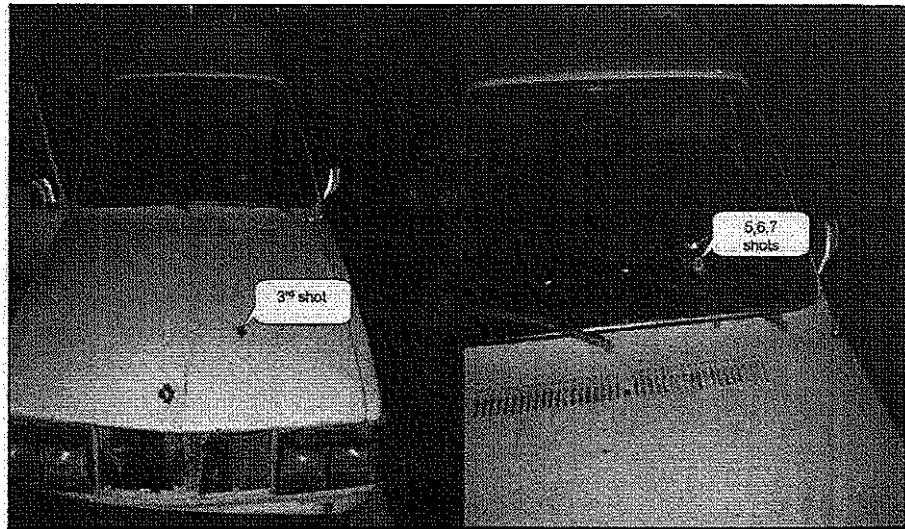
LN Shooting 12 **October** 2005  
Involving A TRP, **1-71 CAY**, 1stBCT 10th **MTN**



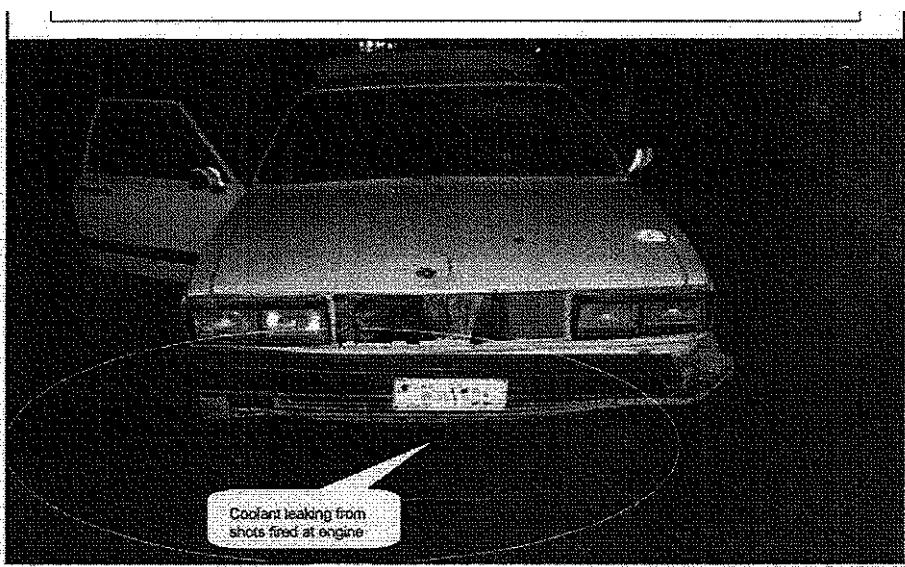
Pages 38 through 41 redacted for the following reasons:

(b)(1), (b)(6)

7 shots fired. One in the air, one to the ground, two **shots** fired at the engine, three shots to the windshield. Clear escalation of force.



Evidence of escalation of force



**Page 43 redacted for the following reason:**

(b)(6)