

STATEMENT OF SS6 (b)(6) TAKEN AT S-1 FOLK DATED 20051005

B. STATEMENT (Continued)

SPL (b)(6) MOVED FORWARD AND PRONOUNCED THE CIVILIAN KIA TWO OTHER IA TRUCKS ARRIVED IN LENEN AS WELL AS IP PERSONNEL AND LATERLY THE BODY TO THE (b)(1) HOSPITAL EVEN THOUGH IT WAS TO LATE. OUR RESPONSE WAS SHOCKING BUT WE CONTINUE MISSION, AND AFTER THE IA SECURED THE AREA, AND EVERYTHING WAS UNDER CONTROL WE REPORTED BACK TO THE FOB AND MADE PREPARATIONS TO GO BACK OUT.

Q1. HOW LONG WERE YOU IN POSITION?
A. THAT SPECIFIC CORNER WHERE THERE ABOUT 15 MINUTES BUT IN THE AREA THE ENTIRE MORNING SINCE 0840.

Q2. WAS THERE CONSENTING WIRE, OR CONES OR ANYTHING PRESENT?
A. THERE WAS SOME LAYING AROUND, BUT THE HUNTERS HAVE PADLES THE FORM OF A STOP SIGN, BRIGHT RED ALSO IN IN IRAQI LAWNS, AS WELL AS WHISTLES, AND SIRENS, AND THE US ARMY TRUCK IN THE STREET BLOCKING THE AVENUE OF APPROACH.

Q3. WHAT MEASURES WERE USED BEFORE DEADLY FORCE?
A. WE USE THE 5 S's SHOUT, SHOW, SHOVE, SHOT WARNING SHOTS, THEN SHOOT TO KILL.

Q4. HOW MANY ROUNDS WHEN FIRE?
A. I DO NOT KNOW EXACTLY, BUT IT WAS AROUND 10 OR SO.

Q5. WHY DID YOU LEAVE THE SCENE?
A. WE LEFT THE SCENE BECAUSE THE SITUATION WAS UNDER CONTROL AND WE NEEDED TO GO ON WITH THE MISSION.

Q6. DID YOU TAKE ANY PICTURES?
A. UPON RETURN TO AREA WHO STOPPED IN GARAGE AND ACQUIRED PICTURES, ALSO THE IA PERSONNEL ALSO TOOK PICTURES.

Q7. HOW FAST WAS THE VEHICLE MOVING?
A. I DO NOT KNOW

Q8. NO OBSTACLES WHY?
A. BECAUSE WE WERE OPERATING IN A ROLL MISSION, OUR

(b)(2) Low

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

PAGE 2 OF 3 PAGES

STATEMENT OF SS6 (b)(6) TAKEN AT 31 TOLK DATED 20051005

9. STATEMENT (Continued)

WERE BLOCKING POSITIONS.

Q9. CAN YOU DRAW A PICTURE OF THE SCENE?
A. 1A A13 CUS A23 CIVILIAN VICTIM



Q10. WHAT TYPE OF VEHICLE WAS IT?

A. A BLACK VEHICLE IT LOOKS LIKE AN OPEL.

Q11. HAVE YOU RECEIVED AN ABB BRIEF?

A. SEVERAL TIMES, THE LAST TIME WAS BY CPT (b)(6)

END OF STATEMENT

AFFIDAVIT

I, SS6 (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. 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, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5 day of Oct, 2005 at (b)(1)

ORGANIZATION OR ADDRESS

(b)(6)

ORGANIZATION OR ADDRESS

(b)(6)

(Typed Name of Person Administering Oath)

IS-6 OFFICER

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

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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, 1993 (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 (b)(1) 5/L MITI team TOL	2. DATE (YYYYMMDD) 20051005	3. TIME 1508	4. FILE NUMBER
5. (b)(6)	6. (b)(6)	7. GRADE/STATUS E-6	

8. ORGANIZATION OR ADDRESS

2nd PIT ATRP 1-71 CAD

9.

I, _____

(b)(6)

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

AT about 1000 I was guarding soldiers down loading BARRIERS. We had been on location 2 hours. I heard 1-2 rounds and moved around the corner to my truck. AS I came around the corner the car was still moving and SGT (b)(6) shot 6-8 rounds into the car. I yelled for him to stop firing which he did. I called for INg to check the driver and at time IP's moved forward and removed the driver from the car. A call went out on the Icom for our medic. By the time he arrived the IP's were loading the driver into their truck to move him to the hospital. LT (b)(6) and I talked to the INg and they told us to leave. We had finished down loading BARRIERS so LT (b)(6) called night and told them we were leaving and gave them a SITREP. I moved SGT (b)(6) to the driving position and PFC (b)(6) to the gunner position and then started our move back to base.

QUESTIONS:

1. we were on location about 2 hours
2. we did not use wire or BARRIERS to block the street because we were moving in and out to much. So we used soldiers and trucks.
3. The gunners used stop sign verbal and warning shots before deadly force
4. There were 2 shots than 6-8 shots but I am not sure
5. we moved from the area because the INg soldiers were yelling and asked us to leave. ALSO BECAUSE we had finished mission and needed to return

10. EXHIBIT

F

WITTING STATEMENT

(b)(6)

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

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

1508

DATED

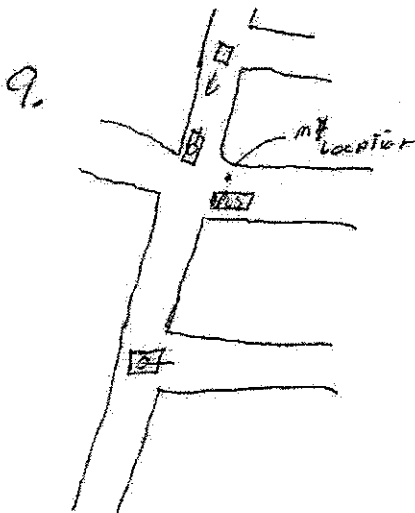
2445 1005

9. STATEMENT (Continued)

6. When I first seen The car it was moving Between 5 and 10 mph and it stop About 5 feet from my Truck

7. We did not use obstacles because we were using The street To move from place To place.

8. No Pictures were taken because The Irb secured The car And we did not want To move Around The car



10. Four Door sedan, Black

11. I have had Two And I have given Three or Four

(b)(6)

(b)(6)

(b)(6)

(b)(6)

INITIALS OF PERSON MAKING ST

(b)(6)

PAGE

2

OF

PAGES

STATEMENT OF

(b)(6)

TAKEN AT

1508

DATED

20051005

9. STATEMENT (Continued)

Nothing Follows

AFFIDAVIT

(b)(6)

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(b)(6)

Signature of Person Making Statement

WITNESSES:

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

administer oaths at

5

Oct

2005

(b)(1)

(b)(6)

Signature of Person Administering Oath

(b)(6)

(Typed Name of Person Administering Oath)

15-6 OFFICER

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

Enclosure G

Story Book Presentation

LN Shooting 5 October 2005

Involving A TRP, 1-71 CAV, 1st BCT 10th MTN

This slide depicts the LN bypassing traffic by swerving into the opposite lane on a collision course with A23 (SGT (b)(6) and PFC (b)(6) 1. At this point the LN actually drives on the sidewalk to pass the traffic so he could continue southbound. Distance from LN to A23: 200m

(b)(1)

At this point A23 uses "STOP" paddles and hand and arm signals to include yelling in attempt to stop the LN Driver. The LN Driver ignores and continues south.

Distance from LN to A23: 150m to 100m

(b)(1)

SGT (b)(6) and PFC (b)(6) fire warning shots in an attempt to force the vehicle to stop. A few seconds go by and the LN is still moving towards them. SGT (b)(6) and PFC (b)(6) fire a few disabling shots into the engine. LN still continues at a high rate of speed toward A23.

Distance from LN to A23: 75m warning Shots; 50m shots into engine block

(b)(1)

SGT (b)(6) makes decision to use deadly force as a last resort to stop threat to his personnel and equipment.

Distance from LN to A23: 30m to 40m deadly force; vehicle comes to a stop 5m to 10m from A23

(b)(1)

View looking South (direction of travel of LN Driver) at SGT

(b)(6)

position.

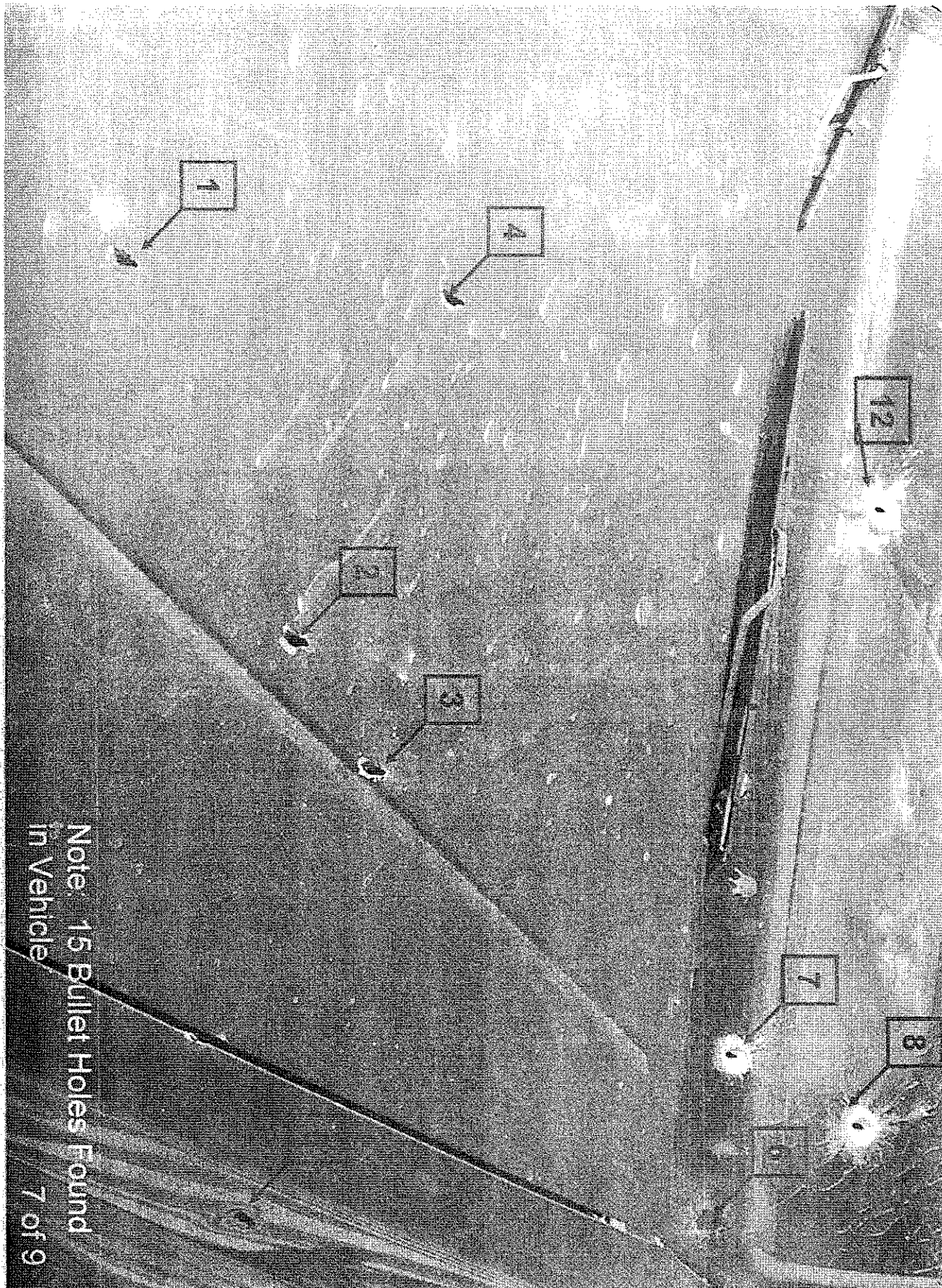
Photo taken day after the incident.

DTG: 060900OCT05

(b)(1)

View from SGT (b)(6) position towards the direction the LN was coming from. Wire was put up at the site by IP or IA afterwards. Photo taken day after the incident.
DTG: 060915OCT05

(b)(1)



Note: 15 Bullet Holes Found
in Vehicle
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