

SWORN STATEMENT

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

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
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) Iraq	2. DATE (YYYYMMDD) 2005 10 14	3. TIME 1130	4. FILE NUMBER
(b)(6)	(b)(6)	(b)(6)	7. GRADE/STATUS 2LT

5. ORGANIZATION OR ADDRESS
ACB LBSTB 1/10 MTN

9. I, 2LT (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

At approximately 1400 on October 13 while on site with 500, an escalation of force incident occurred. My platoon was staged in a box formation on the south end of the exit ramp from (b)(1) to North bound (b)(1). Soldiers reported seeing a local national (LN) approach our location from the north on the same exit ramp as the IED. He entered the exit ramp from the east where a local road provides access to a residential area. At this point he was already between our location and that of the IED and well within the outer cordon located 2-300m past him to the north. The soldiers with security on the North side of the inner cordon including SGT (b)(6) a dismount and PFC (b)(6) a turret gunner began yelling and waving immediately to get the LN to leave the area and move east, however he continued towards them. They then pointed their weapons at him in a show of force and the Buffalo, which was parked between the inner cordon and the IED used its air horn, but the LN continued. At approximately 40m from the inner cordon, SGT (b)(6) fired a warning shot to the side of the LN, but he just acknowledged it with a look and continued. At this point everyone realized that something was wrong and continued to yell & wave to get him away. PFC (b)(6) then used a laser range finder to verify the distance to the LN. When he reached 29m from the inner cordon and thus approximately 15m from the buffalo he let out a short burst with the saw. The LN dropped immediately. After waiting approximately 30 seconds to see any movement or reaction, I sent 2 dismounts, SGT (b)(6) and SFC (b)(6) to bring the LN back to our location for treatment. At this point, the LN was only about 20m from the IED.

10. EXHIBIT D	11. INITIALS OF PERSON MAKING STATEMENT (b)(6)	PAGE 1 OF 4 PAGES
------------------	---	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ 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

(b)(1)

Iraq DATED 17 OCT 2005

9. STATEMENT (Continued)

and in the open, so he was brought back for treatment by medics from both EOD escort and the (b)(2)LOW patrol. I also contacted (b)(2)LOW to request an ambulance for a wounded LN. (b)(6) and (b)(6) brought him to a covered location at the rear of our box formation and the medics began treatment. I then noticed a large group of military personnel that entered my area and realized that it was B6 (b)(6) with his Personal Security Detachment (PSD). They arrived on foot, and I did not see their vehicle at any time. He immediately recognized me as the platoon leader and began questioning me, however I was not able to answer most of his questions because I was focused on current operations including treatment of the wounded LN and destruction of an active IED, and had not yet questioned my gunner or squad leaders. IPs arrived on the scene quickly and wanted to transport immediately in the back of a pick-up truck, however B6 (b)(6) ~~refused~~ refused them saying that the LN needed an ambulance and that he would "bleed out" if moved by truck.

The IPs asked me through the General's interpreter for my unit's contact information & it took me some time to figure out what they wanted, but eventually I gave them an Iraqi Claim Card filled out with our unit information. At this point B6 (b)(6) conceded to allow the LN to move by truck, but demanded one of my medics to ride in the back of the truck with the LN to provide care in-route. While moving the LN into a stretcher, the

AFFIDAVIT

I, (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. 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.

(b)(6)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

PAGE 2 OF 4 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
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. (b)(1) <u>Iraq</u>	2. DATE (YYYYMMDD) <u>2005 10 14</u>	3. TIME <u>1130</u>	4. FILE NUMBER
5. (b)(6)	6. (b)(6)	7. GRADE/STATUS <u>2LT</u>	
8. ORGANIZATION OR ADDRESS <u>A Co 1B5TB 1/10 MTN</u>			

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

IV came out of his arm, and after 2 attempts to replace it, B6 (b)(6) Horst made the call to transport with No IV and determined that if no IV was in place then a medic did not need to move with the CAS to the hospital.

As the (b)(6) IPs left with the wounded LV, a fire fight erupted to the north and radio traffic confirmed a small arms engagement. I noticed a group of soldiers at the guard rail protecting vehicles from the drop to Rt (b)(1) below, and out in the open, but I did not recognize them and realized they were B6 (b)(6) Horst and his PSD.

At this time EOD was ready to conduct the blast, however CAS for the battle to the North had canceled our air clearance and (b)(6) I began working on air clearance again. Looking around, B6 (b)(6) Horst and his PSD could no longer be found, and presumably they walked back out of the cordon. I also received a radio call from (b)(2) Low 3-7, the outer cordon element stating that "The general ordered us to move north and support the fight." I responded, "Negative. You must remain in place until EOD operations are complete," (b)(6) and they responded "Roger." At this time I requested Emergency/ immediate air clearance so that I could move EOD and any soldiers to a safe location and also free up the outer cordon. Air clearance came quickly and we conducted a controlled Detonation of the IED. At this point the outer cordon was gone leaving some areas unsecured, and I began movement as soon as EOD had policed up their shock tube. We then returned to (b)(1) Nothing follows

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6)	2 (b)(6) PAGES OF 4 PAGES
-------------	---	---------------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ 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.

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
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)	2. DATE (YYYYMMDD) 20051014	3. TIME 1701	4. FILE NUMBER
5. MIDDLE NAME (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS O-2/Active	

1st ALT/ALCO/1st BSLB

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

On the afternoon of 13 OCT of my element had found an IED on the (b)(1) intersection we had cordoned off the area with the assistance of 4 gun trucks from (b)(2) Low (1-87) and 3 gun trucks from an unknown element. The cordon went without incident until EOD arrived. EOD set up behind the Buffalo and deployed its robot on (b)(1) just south of the merge that puts you on (b)(1) north, 50-75m from the IED. I did not see (b)(6) the firing on the shots that hit the local national but I did see two 2nd PLT (b)(6) soldiers risk their lives by getting within 35m from the suspected IED to drag the local national behind the buffalo. I radioed for my medic and he began applying first aid (b)(6) to the wounded local national. On or about this time BG (b)(6) arrived on sight he told my company commander who told me to CASEVAC the local national to a local hospital. I recalled to vehicles from my northern cordon but when the vehicles arrived my commander told me to disregard. I then returned these to vehicles to the northern portion of the cordon. A little while after (b)(6) I received radio traffic from (b)(2) Low that all combat units were being ordered up North! and he wanted to know when the IED would be blown. I told him to standby and about 3-10 mins later EOD blew the IED when I went to check on

10. EXHIBIT E	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF _____ PAGES
------------------	---	-----------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" _____ 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

14 OCT 05

(b)(1)

9. STATEMENT (Continued)

(b)(2) Low

they had departed by cordon and left the South of my cordon un-protected without my knowledge. Somewhere in this time frame BB (b)(6) Horst told me to have the Bradleys in contact stop firing into the building to the north firing on one of my vehicles that had returned to its cordon position because his PSD was going to enter the building.

(b)(6)

AFFIDAVIT

I, (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. 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.

(b)(6)

(Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(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

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
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) IEAQ	2. DATE (YYYYMMDD) 10051013	3. TIME 1649	4. FILE NUMBER
5. NAME (LAST, FIRST, MIDDLE) (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS E-6	
8. ORGANIZATION OR ADDRESS A Co 1st BSB			

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

ON 13 OCT 05, SHORTLY AFTER 1520, A LOCAL NATIONAL APPROACHED OUR SECURITY CORDON. APPROXIMATELY 15-20 MINUTES PRIOR, THIS SAME INDIVIDUAL APPROACHED THE CORDON FROM THE EAST. ESCALATION OF FORCE WAS USED UP TO 1 WARNING SHOT BEING FIRED BY SPC (b)(6). THE LOCAL NATIONAL TURNED AROUND AND WALKED AWAY. WHEN WE SAW HIM AGAIN, HE WAS WALKING TOWARD US, FROM THE NORTH, ON THE EXIT RAMP TO THE NORTH BOUND LANE OF RTE (b)(1). AGAIN, THE RULES OF ENGAGEMENT AND ESCALATION OF FORCE WERE FOLLOWED. SPC (b)(6) WAS YELLING "IMCHEE" AND MOTIONING FOR THE INDIVIDUAL TO MOVE AWAY. AT THE SAME TIME SGT (b)(6) SPC (b)(6) AND MYSELF WERE ALSO MOTIONING AND YELLING TO THE INDIVIDUAL AS HE CONTINUED TO WALK TOWARD US, SGT (b)(6) AND SPC (b)(6) POINTED THEIR WEAPONS AT THE INDIVIDUAL. AS THIS WAS GOING ON, THE BUFFALO WAS BLOWING ITS AIR HORNS AND SOMEONE WAS YELLING OVER A P.A. SYSTEM IN AN MH4. THE INDIVIDUAL CONTINUED TO APPROACH AND SGT (b)(6) FIRED 1 WARNING SHOT AT THE LOCAL NATIONAL'S FEET, WHICH STRUCK THE CURB A COUPLE OF FEET IN FRONT OF HIM. THE INDIVIDUAL CONTINUED TOWARD US FOR A COUPLE OF SECONDS WHEN SPC (b)(6) FIRED A 4-5 RD. BURST FROM HIS M249. THE INDIVIDUAL CRUMPLED TO THE GROUND AND LAYED THERE. I WENT OVER TO CPT (b)(6) WHO WAS BEHIND THE TRAIL MH4, TOLD HIM THE LOCAL HAD BEEN SHOT. I ASKED IF WE NEEDED TO GET OUR MEDIC TO TREAT HIM. CPT (b)(6) SAID YES AND I GOT PFC (b)(6) OUT OF THE VEHICLE AND READY TO TREAT THE INDIVIDUAL. PFC (b)(6) SPC (b)(6) AND SGT (b)(6) BROUGHT THE INDIVIDUAL INSIDE OUR CORDON AND PFC (b)(6) AND ANOTHER MEDIC BEGAN TREATING HIS WOUNDS. THE DISTANCE AT WHICH THE INDIVIDUAL WAS SHOT WAS 29M AS CONFIRMED BY A LAZER RANGE FINDER PRIOR TO MOVING HIM INSIDE OUR CORDON.

13 OCT 05
 NOTHING FOLLOWS

10. EXHIBIT F	11. INITIALS OF PERSON MAKING STATEMENT (b)(6)	PAGE 1 OF 2 PAGES
------------------	---	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" 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.

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
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)	2. DATE (YYYYMMDD) 2005 10 13	3. TIME 1709	4. FILE NUMBER
5. NAME (b)(6)	6. GRADE/STATUS (b)(6)		7. GRADE/STATUS E-5

8. ORGANIZATION OR ADDRESS

A Co 185TB

9. I, SGT (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 On the day of 13 OCT 2005 my EOD escort Team was at the intersection of (b)(1) north, where a local national walked from the east 2-5 meters in front of our position. SPC (b)(6) & I yelled I see to word him off he kept moving toward, (b)(6) shot a warning shot in front of him. he turned around & quickly walked around the east side of the line of houses down an alley way. about 10 to 15 mins later he walked directly at us on the same road. the IED (b)(6) and we were on. We yelled again several times then our siren sound, and then the Buffalo sounded the air horn. I shot a warning shot to his right. he kept walking toward the my gunner SPC (b)(6) shot a 4 to 5 round burst from his saw. he hit the local national in the gut. PFC (b)(6), SPC (b)(6) an I went out to recover the wounded local national when we got up to him. There was a roll of 20 dollar bills in Iraqi money around his body, he was clean shaven and in a white man dress. we carried him back to the vehicles where PFC (b)(6) (our medic) start treatment on The local national. End of Statement.

(b)(6)

10. EXHIBIT G	11. PERSON MAKING STATEMENT (b)(6)	PAGE 1 OF 2 PAGES
------------------	---------------------------------------	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" 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.