

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 [REDACTED] COL, 172ND SBCT COMMANDER
(Appointing authority)on 24 JAN 06 (Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)
(Date)

SECTION II - SESSIONS

The (investigation) (board) commenced at FOB COURAGE/ MOSUL, IRAQ at 2000
(Place) (Time)on 28 JAN 06 (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: (Include 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 4 FEBRUARY 06
(Time) (Date)
and completed findings and recommendations at 2000 on 9 FEBRUARY 06
(Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

	YES	NO	NA
1 Inclosures (para 3-15, AR 15-6)			
Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)			
a. The letter of appointment or a summary of oral appointment data?	X		
b. Copy of notice to respondent, if any? (See item 9, below)	X		
c. Other correspondence with respondent or counsel, if any?	X		
d. All other written communications to or from the appointing authority?	X		
e. Privacy Act Statements (Certificate, if statement provided orally)?	X		
f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?	X		
g. Information as to sessions of a formal board not included on page 1 of this report?	X		
h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?	X		

FOOTNOTES: 1) Explain all negative answers on an attached sheet.
2) Use of the NA column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

DA FORM 1574, MAR 83

EDITION OF NOV 77 IS OBSOLETE.

Page 1 of 4 pages

USAPA V1 20

		YES	NO	NA ²
2	Exhibits (para 3-16, AR 15-6)			
a.	Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?			X
b.	Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?			X
c.	Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?			X
d.	Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?			X
e.	Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?			X
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?			X
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)?			X
3	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?			X
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 <input type="checkbox"/>)				
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 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?			
c.	Object to the testimony of witnesses and cross-examine witnesses other than his own?			
d.	Call witnesses and otherwise introduce evidence?			
e.	Testify as a witness?			
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: 1. Explain all negative answers on an attached sheet.

2. 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)

(Investigating Officer)

EX 4

(Member)

(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)

(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.)

- Chain of command will reinforce the condolence payment process to all leaders in the platoon.
- Company commander must determine the appropriate condolence payment with the assistance of the battalion S5 and make the payment to the injured local national.
- The company commander will report completion of the condolence payment through his battalion commander to the brigade commander.

EX 4



DEPARTMENT OF THE ARMY
ALPHA COMPANY, 2ND BN, 1ST INFANTRY REGIMENT
FOB COURAGE, MOSUL, IRAQ
APO AE 09319

APVR-WLBC-A

9 FEB 06

MEMORANDUM FOR RECORD

SUBJECT: Investigation of Circumstances involving a civilian injury

1. Facts: At approximately 0845 on 22 January 2006, Headquarters Platoon, Charlie Company 2-1 IN was traveling East on [REDACTED] because they had just finished a mission searching for a VBIED in the surrounding neighborhood. Because American forces had been in the neighborhood all morning there were few cars on the roads. The order of movement for the Charlie Company Headquarters element down [REDACTED] was C-66, C-78, and C-71. [REDACTED] was driving C-78, [REDACTED] was in the squad leader hatch of C-78, and [REDACTED] was in the vehicle commander hatch of C-78. The patrol passed an intersection at approximate grid vic [REDACTED] C-66 was the first vehicle to pass this intersection. C-78 then came upon the intersection and [REDACTED], who was standing in the vehicle commander hatch, noticed a red car approaching on the street perpendicular to [REDACTED]. [REDACTED] noticed if the car kept coming at its same rate of speed it would collide with C-78. [REDACTED] told his driver, [REDACTED], to "honk his air horn" to make the driver aware of their presence. [REDACTED] said the driver looked up at him and made eye contact, but did not slow down or alter his vehicle's course. [REDACTED] then pointed his weapon at [REDACTED] and got the same negative result. [REDACTED] then fired one round from his M-4 between him and the red car. The driver of the red car then hit his brakes and swerved to the right side of the road, stopping just before the intersection. C-66 and C-78 continued East on [REDACTED] towards [REDACTED]. C-71 then called C-66 and C-78 and told them a crowd was forming on the side of the road on [REDACTED]. C-66 and C-78 turned around to see why the crowd was forming and found that a boy, around 12 years old had been wounded. The boy was shot through the right bicep, then the bullet grazed his stomach, then traveled down and grazed his left thigh. [REDACTED] treated the boy and found the bullet flattened in the boy's clothes. [REDACTED] gave the bullet to the CSH when he delivered the boy. When the boy was released from the CSH [REDACTED] delivered the boy back to his family.

2. Findings: Prior to C-78 coming to the intersection, C-66 had already crossed it so C-78 was not the first vehicle to come into view of the car. Prior to engaging the vehicle [REDACTED] had his driver honk his horn to warn the driver to stop. The driver made eye contact with [REDACTED] and did not alter his speed or course. In the short amount of time [REDACTED] had, he took a second precautionary measure and pointed his weapon at [REDACTED]

EX 4

the car. Finally, [REDACTED] fired a warning shot on the road between his vehicle and the local national car. The bullet that struck the local national boy was flattened, because it hit the road and it ricocheted striking the boy in the right bicep and grazing his stomach and left thigh. The round would not be flattened if it had passed cleanly through the boy's bicep and then grazed him. The round was found in the boy's clothes so it did not hit the ground after the boy was shot. [REDACTED] and the crew of C-78 followed the ROE when coming to an intersection with an approaching car.

EX 4

3. Recommendations:

- a. No punitive actions should be taken on any of the individuals involved.
- b. All personnel conducting combat patrols should review the ROE regularly, specifically in reference to using warning shots and placement to eliminate threatening or hostile intent.
- c. Air guards need to be made aware of the effects of ricochets and the surrounding environment.
- d. Units should continue using the air horn as a method of warning oncoming traffic of their presence.

4. The POC for this memorandum is [REDACTED]

EX 4

[REDACTED]

CPT, IN

EX 4



DEPARTMENT OF THE ARMY
2nd Battalion, 1st Infantry Regiment
FOB Courage, Mosul, Iraq APO AE 09319



APVR-WLBC-CO

2nd Battalion, 1st Infantry Regiment
24 January 2006

MEMORANDUM FOR [REDACTED], Alpha Company, Task Force 2-11N
SUBJECT: Appointment as Investigating Officer

1. Appointment. You are hereby appointed as an investigating officer pursuant to AR 15-6, paragraph 4-1 to conduct an informal investigation of the circumstances surrounding the escalation of force that resulted in the wounding of a local national by Charlie Company on the 22nd of January 2006..

2. Legal Orientation. Before you begin your investigation, you must receive a briefing from the Office of the Staff Judge Advocate. [REDACTED] and [REDACTED], 172nd SBCT SJA, are your legal advisors. You should immediately contact either [REDACTED] or [REDACTED] (BDE SJA cell) to arrange for your legal briefing. You shall consult with them on all aspects of this investigation. Your legal advisors will brief you on the following areas: developing an investigation plan; determining whether witnesses need to be advised of their rights under UCMJ, Article 31, or the Fifth Amendment; special procedures for interviewing Department of the Army civilian employees, and preparing findings and recommendations. A copy of the Investigating Officer's Guide will also be provided to you by one of your legal advisors.

3. Procedures. You are to conduct this investigation using the informal procedures outlined in Chapter 4, AR 15-6. No individual has been named as a respondent at this time. You will thoroughly document all witness interviews in writing, preferably on DA Form 2823 (Sworn Statement). You will interview all witnesses in person, if practical. If, in the course of your investigation, you come to suspect any person may have committed criminal conduct, you must advise that person of their rights under Article 31, UCMJ, or the Fifth Amendment, as appropriate. Witness waivers of Article 31 or Fifth Amendment rights will be documented on a DA Form 3881 (Rights Waiver Procedure/Waiver Certificate). In addition, you may need to provide a witness with a Privacy Act statement before you solicit information. You are to maintain a written chronology of your actions on this investigation. You are to consult one of your legal advisors if you have any questions regarding these procedures. During the course of your investigation you should address the following issues:

- a. Detail the events surrounding the shooting, including chronology; identify those involved, including both civilian and military individuals and any relevant equipment/property, and the respective actions taken.
- b. Assess whether the rules of engagement were understood and followed.
- c. As needed, make any appropriate suggestions concerning ways to minimize occurrence of future incidents.

APVR-WLBC-CO

SUBJECT: Appointment as Investigating Officer

4. Suspense. This investigation takes priority over all other duties. Submit your findings and recommendations on DA Form 1574 through the Office of the Staff Judge Advocate to me no later than close of business **31 January 2006**. Immediately submit any requests for modification of this suspense or the scope of your investigation to me.

FOR THE COMMANDER:



CPT, IN
Adjutant



DEPARTMENT OF THE ARMY
ALPHA COMPANY, 2nd BN, 1st INFANTRY REGIMENT
FOB COURAGE, MOSUL, IRAQ
APO AE 09319

APVR-WLBC-A

9 FEB 06

MEMORANDUM FOR RECORD

SUBJECT: Index of Exhibits for Evidence

1. The following is an index of the exhibits presented as evidence for the investigation of a shooting that resulted in a civilian casualty:
 - a. Exhibit A: Original SIR
 - b. Exhibit B: Sworn Statement [REDACTED]
 - c. Exhibit C: Sworn Statement [REDACTED]
 - d. Exhibit D: Sworn Statement [REDACTED]
 - e. Exhibit E: Diagram showing incident
 - f. Exhibit F1: Diagram of intersection
 - g. Exhibit F2: Diagram of intersection
2. Point of Contact for this memorandum is the undersigned at [REDACTED]

CPT, IN

Serious Incident Report

Subject: SIR Number

1. Category: EOF
2. Type of Incident: Warning shot resulting in GSW
3. Date/Time of incident: 220906JAN2006
4. Location: [REDACTED]
5. Other information. This took place during a TF mission involving an SVBIED.
6. Personnel Involved

(1) Subject#1:

Name: [REDACTED]

Rank or Grade: SGT / E5

Social Security Number: [REDACTED]

Race: Caucasian

Sex: M

Age: 32

Position: Senior Medic

Security Clearance: N/A

Unit; Station of Assignment: C Co, 2-1 IN / FOB Courage, Mosul, Iraq

Duty Status: Active

EX 4

7. Summary of Incident: This SIR occurred when C Co was looking for an SVBIED (black 4 door opel vectra) during a TF mission. [REDACTED] was a part of C Co's Headquarters element which was acting as the Command and Control element for the mission. While HQ was traveling east on [REDACTED], a red car moved towards [REDACTED] MEV at a high rate of speed. [REDACTED] directed the MEV's driver to honk his horn to warn the red car. The driver of the red car continued to keep driving at [REDACTED] MEV. [REDACTED] fired a warning shot in the general area of the red car. The red car's direction of travel made him directly perpendicular to [REDACTED] MEV. The warning shot made the red car veer off to the side of the road and finally stop moving. HQ element along with [REDACTED] MEV continued moving east on Infiniti until HQ's trail vehicle reported that a crowd was gathering. HQ moved back towards the crowd and saw a young male approximately 12-14 years old lying on the ground. The young male had received a penetrating gunshot wound to the upper right arm, a grazing wound to the abdomen, and a second non-penetrating wound to the upper right thigh. The young male had a moderate amount of blood loss. [REDACTED] MEV loaded up the casualty and began working on his wounds as the MEV, 1-1 ICV, and 7-1 FSV moved to the Combat Support Hospital (CSH). In route to the CSH, [REDACTED] applied field dressings to each wound and wrapped him in a space blanket. The patient was alert and oriented when HQ brought him to the CSH.

EX 6

8. Remarks N/A

9. Publicity None expected

10. Command Reporting

[REDACTED] REL // TO USA AND MCFI // X1

12932

11. POC: [REDACTED] EX 6

12. Further action directed / recommended: N/A

13. Downgrading Instructions

14. Approved/Released By: [REDACTED] TF 2-1 IN XO EX 6

[REDACTED] REL // TO USA AND MCFI//X1

12933

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 NOSUL, IRAQ	2. DATE (YYYYMMDD) 20060122	3. TIME 0845	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME	6. SSN	7. GRADE/STATUS ES	
8. ORGANIZATION OR ADDRESS C CO 2-1 INF 172 ND SBCT			
9. [REDACTED]			

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

WE WERE TRAVELING EAST ON [REDACTED] DURING A BATTALION GROUNDS TO FIND AN SVBIED. A RED CAR TRAVELING FROM THE VEHICLE'S RIGHT SIDE MOVED TOWARD US AT A HIGH RATE OF SPEED. I DIRECTED THE DRIVER TO BLOW THE AIR HORN, AT WHICH TIME THE DRIVER SAW US AND CONTINUED TOWARD THE SIDE OF OUR VEHICLE. HIS DIRECTION OF TRAVEL RACED HIM DIRECTLY PERPENDICULAR TO OUR VEHICLE. I THEN FIRED A WARNING SHOT BETWEEN MY VEHICLE AND THE RED CAR. THE CAR THEN VEERED TO HIS RIGHT (THE VEHICLE HAD ONE OCCUPANT). THE ELEMENT THEN MOVED FURTHER EAST ON [REDACTED] WHEN OUR TRAIL VEHICLE REPORTED A CROWD WAS GATHERING AROUND A PERSON LYING ON THE GROUND AT THEIR LOCATION. WE MOVED TO THEIR LOCATION AND I LOADED AND BEGAN TREATMENT ON A YOUNG MALE PATIENT. THE PATIENT HAD RECEIVED A PENETRATING GUNSHOT WOUND TO THE UPPER RIGHT ARM, A GLOZING WOUND TO THE ABDOMEN, AND A SECOND NON-PENETRATING WOUND TO THE UPPER RIGHT THIGH WITH A MODERATE AMOUNT OF BLOOD LOSS. THE PATIENT WAS ALERT AND ORIENTED. I APPLIED FIELD BLESSINGS TO EACH WOUND AND PACKAGED HIM IN A SPACE BLANKET WHILE ENROUTE TO THE COMBAT SUPPORT HOSPITAL ON FOB D. M. D. M. B. A. U. C.

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

[REDACTED] PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]

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).
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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 **Mosul** **IRAQ** 2. DATE (YYYYMMDD) **2006 01 22** 3. TIME **0845** 4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME **[REDACTED]** 6. SSN **[REDACTED]** 7. GRADE/STATUS **E-5**

8. ORGANIZATION OR ADDRESS **C Co 2-1 INF**

9. **[REDACTED]** I, **[REDACTED]**, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On January 22nd 2006 myself, **[REDACTED]**, & **[REDACTED]** were riding on C-78, for the day's mission. While out in sector, we were patrolling through the Marketplace, eastbound on Route **[REDACTED]**, a Red car began to pull out from the intersection from the south. **[REDACTED]** observed the movement of the vehicle, and instructed the driver to blow the horn. The person in the Red Car backed up at the Stryker, but still kept on moving toward the Stryker. Shortly afterward, **[REDACTED]** called up warning shot, and fired a warning shot in the vicinity of the vehicle. The vehicle stopped, & our convoy kept driving. About 5-10 minutes later, we got a report of a kid that had gotten shot. Our convoy then backed the MEV to where the kid was, and began to treat his injuries. Shortly thereafter we took him to the CSH.

Nothing Else Follows

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT **[REDACTED]**PAGE 1 OF **1** PAGESADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF **[REDACTED]** TAKEN AT **[REDACTED]** DATED **[REDACTED]**

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 190-4G; 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 <i>mosu1</i>	2. DATE (YYYYMMDD) <i>20060122</i>	3. TIME <i>0845</i>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS <i>PFC/E-3</i>	
8. ORGANIZATION OR ADDRESS <i>CCO 2-1 INF.</i>			
9. [REDACTED]			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Ex2 On January 22 at 0845, myself, VC and Squad leader were driving on [REDACTED], East following our lead vehicle 66. The vehicle was coming off a Side Street towards me. my VC [REDACTED] then told me to honk my horn. At that time I began honking. Then I passed the vehicle and lost sight of the rest of the situation.

Nothing follows

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT
[REDACTED]

PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]

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

SWORN STATEMENT

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PRIVACY ACT STATEMENT

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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION FOB MOSUL, COURAGE	2. DATE (YYYYMMDD) 20060627	3. TIME 1910	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS E5	
8. ORGANIZATION OR ADDRESS C CO 2-1 INF 172 ND SBCT			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

↑ 46



[REDACTED] ↙ (RED) CAR2

↑ 78

↑ 71

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 1 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.

EX 2



N

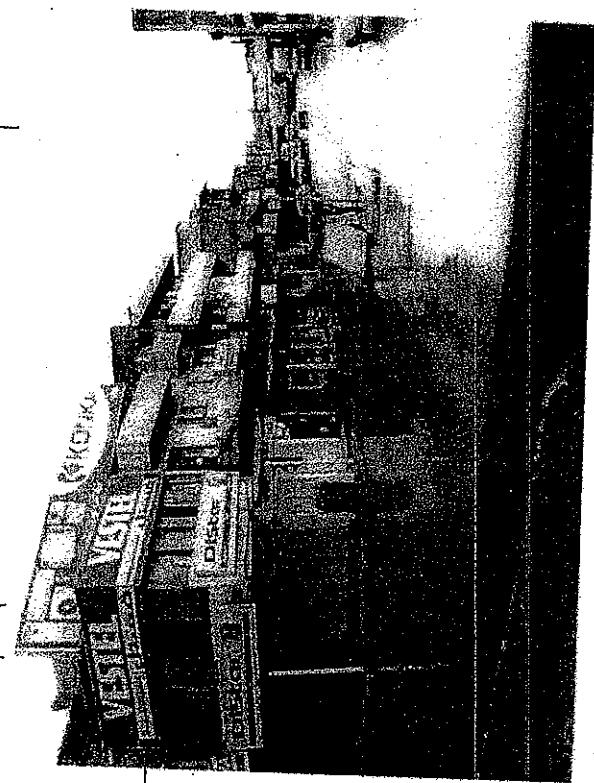
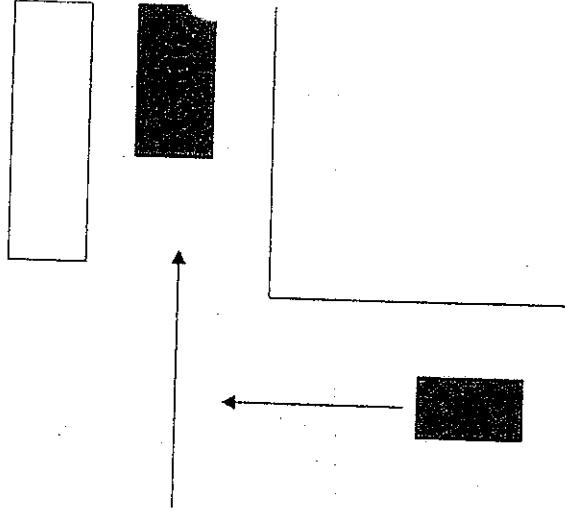


EXHIBIT F1

12938

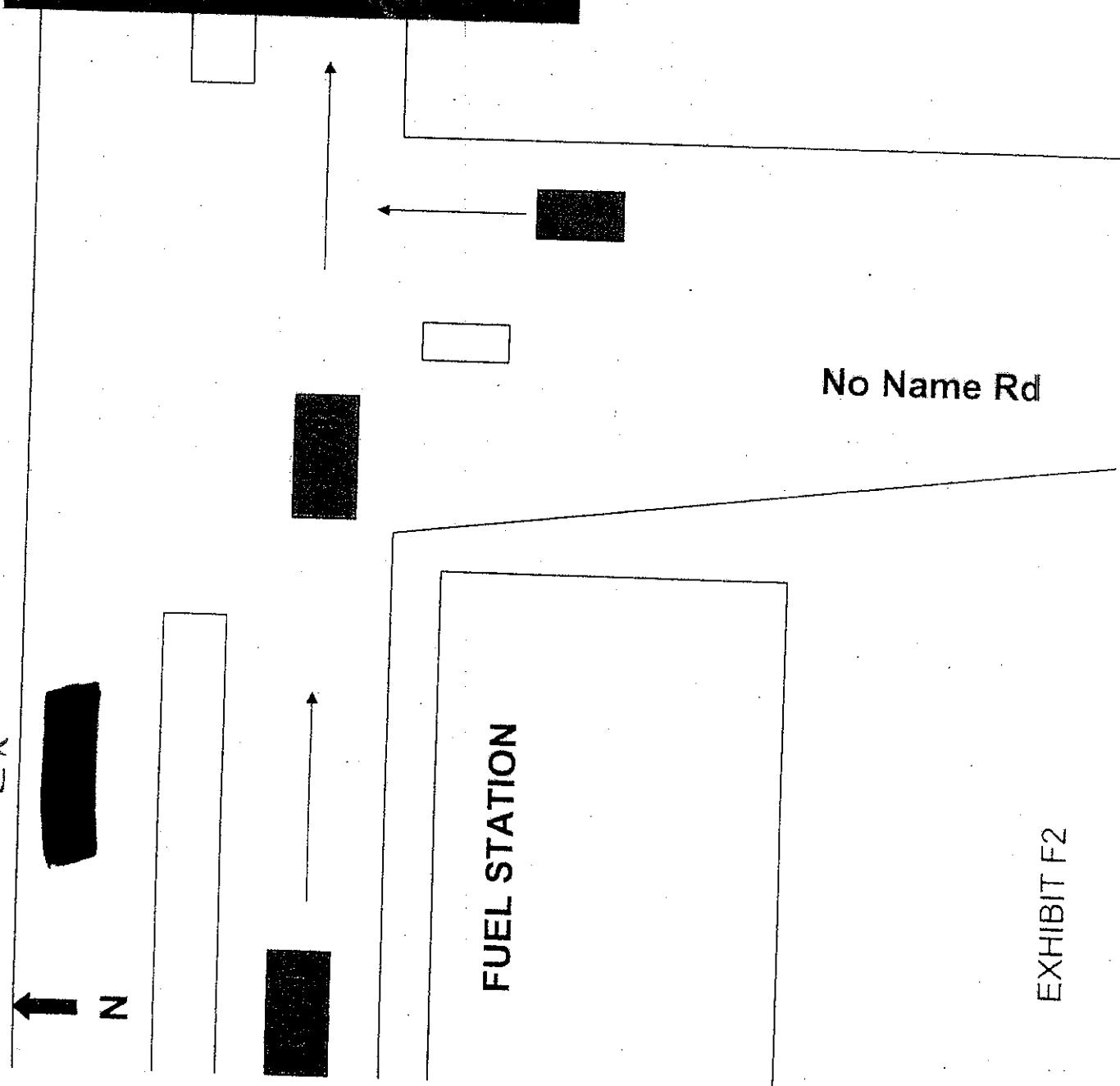


EXHIBIT F2

12939

AAR

12940

DISCUSSION

- All personnel conducting combat patrols should always review and know the ROE. Specifically in reference to warning shots and the use of the EOF.
- Personnel in the Squad Leader and Air Guard hatches should go to the range and fire from their platform on a monthly basis to ensure accuracy.
- Always maintain situational awareness before firing your shot. Make sure your area is clear and the surrounding areas are clear. This can reduce the possibility of a ricochet hitting a bystander.

RECOMMENDATIONS

- Ensure all Soldiers have conducted EOF training NLT 15FEB06
- Ensure all Leaders review MNC-I policy letter 15, reducing EOF incidents and ensure this information is passed down to Soldiers
- Ensure Soldiers read and understand the EOF smartcard

ISSUES

- The escalation of force against a perceived threat according to ROE and EOF procedures.