

ESCALATION OF FORCE (EOF) INVESTIGATION REPORT

101ST AIRBORNE DIVISION (AIR ASSAULT)

TASK FORCE BAND OF BROTHERS

IN ACCORDANCE WITH FRAGO 132 TO OPERATIONS ORDER 01-06, THE FOLLOWING REPORT IS TO BE COMPLETED AND FORWARDED TO THE OFFICE OF THE STAFF JUDGE ADVOCATE OF TASK FORCE BAND OF BROTHERS NO LATER THAN 24 HOURS FOLLOWING COMPLETION OF ANY EOF INVESTIGATIONS.

UNIT: B/3-187 IN, 3 BCT, 101ST ABN DIV (AASLT)

ESCALATION OF FORCE DATE TIME GROUP: 301501MAY2006

LOCATION OF ESCALATION OF FORCE INCIDENT: AO RAKKASAN (VIC 38S LC 96998473, SAMARRA, IRAQ)

TYPE OF INVESTIGATION: INFORMAL AR 15-6

FACTS AND FINDINGS OF INVESTIGATION

EX2
EX2
FACTS: THERE WAS AN ESCALATION OF FORCE (EOF) INITIATED BY B/3-187 IN THE SALAH ABIDIN PROVINCE OF IRAQ IN SAMARRA. THE B/3-187 [REDACTED] OBSERVATION POST (OP) [REDACTED] OF SOLDIERS WERE MANNING [REDACTED] OP THAT OBSERVE THE ENTRANCE OF A [REDACTED] ONE ROAD [REDACTED] NECESSARY AS A SECURE ACCESS INTO THE CITY OF SAMARRA BY CP AND IS [REDACTED] THE ROAD HAS BEEN CLOSED TO LN TRAFFIC FOR OVER 12 MONTHS AND IS MARKED WITH SIGNS INDICATING IT IS CLOSED TO LN TRAFFIC. THE SOLDIER OBSERVED A WHITE FOUR DOOR SEDAN DRIVING AT A HIGH RATE OF SPEED ALONG AN INTERSECTING ROAD THAT SUDDENLY TURNED NORTH ON [REDACTED] TOWARDS [REDACTED] OP (LOCATED ALONG THE SECURE ROAD 250 METERS TO THE NORTH). [REDACTED] OP IS HEAVILY FORTIFIED AND THE TWO OPS COMBINED HAVE BEEN ATTACKED 45 TIMES WITHIN THE LAST 6 MONTHS. AFTER REMEMBERING THE OP ONLY ROAD, THE SOLDIER FIRED A DISABLING SHOT FROM HIS M14 AT A RANGE OF 700 METERS TO GET THE VEHICLE TO STOP AND TURN AROUND. THE VEHICLE INSTEAD CROSSED OVER THE ROCKS AND DEBRIS BLOCKING THE [REDACTED] LINE AND INCREASED ITS SPEED. ONCE THE SOLDIER OBSERVED THAT THE VEHICLE FAILED TO STOP AFTER HIS INITIAL DISABLING SHOT, HE FIRED A SECOND DISABLING SHOT FROM A RANGE OF 120 METERS. INSTEAD OF STOPPING, THE VEHICLE SPEEDED UP AFTER THE SECOND DISABLING SHOT AND CONTINUED TO WITHIN 100 METERS OF [REDACTED] OP DUE TO THE VEHICLE APPROXIMATELY 50 METERS FROM [REDACTED] OP AND SPEED OF TRAVEL. THE SOLDIER FIRED TWO AIMED SHOTS AT 100 METERS INTO THE REAR WINDOW OF THE VEHICLE IN AN ATTEMPT TO KEEP THE VEHICLE FROM CLOSING ON [REDACTED] OP. THE VEHICLE THEN TURNED WEST OUT OF HIS LINE OF VISION AND PROCEEDED, ACCORDING TO MP REPORTS, TO THE HOSPITAL. THE TWO LNS IN THE VEHICLE WERE SHOT DURING THE EOF AND DIED FROM THE RESULTING INJURIES.

EX2
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EX2
FINDINGS: THE INVESTIGATING OFFICER CONCLUDED THAT THE ENGAGEMENT WAS IAW THE MNC-I, MND-N, AND 3RD BCT ROE. HISTORICALLY, THERE HAS BEEN A VIABLE AND ACTUAL THREAT OF ATTACKS ON THE OPS ALONG [REDACTED] (45 WITHIN THE LAST 6 MONTHS). ADDITIONALLY, THERE HAD BEEN NUMEROUS VBIEDS WITHIN THE AO PRIOR TO THIS INCIDENT AND THREE IEDS HAD BEEN PLACED AT THE ENTRANCE TO [REDACTED]. THE INVESTIGATION ALSO REVEALED THAT THE SOLDIERS MANNING THE OP RARELY SAW A VEHICLE ENTER THE ROAD. WHEN THE VEHICLE BYPASSED THE WARNING SIGN AND ENTERED THE ROAD, WARNING/DISABLING SHOTS WERE FIRED AND THE VEHICLE QUICKLY EXITED [REDACTED]. BASED ON THESE CIRCUMSTANCES, THE SOLDIERS MANNING OP [REDACTED] REASONABLY PERCEIVED THE VEHICLE DEMONSTRATED AN IMMINENT USE OF FORCE AGAINST OP [REDACTED]. THE SOLDIER IN OP [REDACTED] THEN ENGAGED THE VEHICLE IN DEFENSE OF HIS FELLOW SOLDIERS IN OP [REDACTED] DUE TO THE LIMITED ABILITY OF THE SOLDIERS TO CONDUCT ADDITIONAL

AS OF 01 MARCH 2006

EX2
EOF PROCEDURES ONCE A VEHICLE HAS ENTERED THE CF-ONLY ROAD, THE SOLDIER REASONABLY BELIEVED IT WAS NECESSARY TO FIRE A WARNING/DISABLING SHOT AT THE VEHICLE IN ORDER TO PERSUADE IT TO TURN AROUND. ALTHOUGH THE SOLDIER RECEIVED ORDERS TO DEFEND THE ROAD WITH DEADLY FORCE, HE FOLLOWED THE ROE BY MAKING HIS OWN INDEPENDENT DECISION REGARDING HOSTILE INTENT/ACT.

RECOMMENDATIONS: ALTHOUGH THE INVESTIGATING OFFICER FOUND THAT THE SOLDIER ENGAGED THE VEHICLE IAW THE ROE, HE MADE SEVERAL RECOMMENDATIONS TO HELP PREVENT SIMILAR EOFs INCIDENTS FROM OCCURRING AT THIS LOCATION IN THE FUTURE. BECAUSE THERE IS LIMITED OPPORTUNITY TO CONDUCT EOF PROCEDURES ONCE A VEHICLE HAS ENTERED [REDACTED] UNIT LEADERS MUST EMPHASIZE THE USE OF EARLY WARNING MEASURES AT THE ENTRANCE OF THE ROAD TO PREVENT VEHICLES FROM ENTERING. THERE WAS SOME CONFUSION ABOUT THE LOCATION, EXISTENCE, AND WORDING ON THE SIGNAGE THAT MARKED THE ENTRANCE TO THE CF-ONLY [REDACTED]. THE INVESTIGATING OFFICER DID FIND THAT THERE WAS A SIGN WARNING LN TRAFFIC NOT TO ENTER. HE RECOMMENDED THAT LEADERS ENSURE THAT THE SIGNS ARE MARKED IN ARABIC AND ENGLISH AND INCLUDE GRAPHIC REPRESENTATIONS FOR THOSE WHO CAN NOT READ. DUE TO THE FACT THAT THE SIGNS WERE REPLACED AND MOVED ON MULTIPLE OCCASIONS, THE IO RECOMMENDED PERIODIC CHECKS ON THE SIGNS TO ENSURE PRESENCE AND PROPER PLACEMENT. THE INVESTIGATING OFFICER RECOMMENDED THAT THE COMMAND CLARIFY THE ORDER TO DEFEND THE ROAD WITH DEADLY FORCE TO REQUIRE THAT EACH SOLDIER ANALYZE EACH SITUATION INDEPENDENTLY AND MAKE A DETERMINATION OF HOSTILE INTENT/ACT. THE INVESTIGATING OFFICER ALSO RECOMMENDED THAT THE INTERSECTION BE RECONFIGURED WITH ADDITIONAL BARRIERS TO SLOW TRAFFIC IN AN EFFORT TO HELP LN VEHICLES NOTICE THE SIGNS. FINALLY, THE INVESTIGATING OFFICER RECOMMENDED CONTINUED COORDINATION WITH LOCAL OFFICIALS TO ENSURE DISSEMINATION OF INFORMATION TO THE LOCAL POPULATION ABOUT THE CF-ONLY STREET.

PREPARED BY: [REDACTED]

DATE 12 JUN 06.

TASK FORCE BAND OF BROTHERS

THE RENDEZVOUS CONTINUES... DESTINY AWAITS

101ST AIRBORNE DIVISION (AIR ASSAULT)
OPERATION IRAQI FREEDOM



DEPARTMENT OF THE ARMY
HEADQUARTERS, 3rd BRIGADE COMBAT TEAM
101st AIRBORNE DIVISION (AIR ASSAULT)
COB SPEICHER, IRAQ 09349



REPLY TO
ATTENTION OF

AFZB-KC-CE

12 June 2006

MEMORANDUM FOR Commander, 3rd BCT, 101st ABN DIV (AASLT), COB Speicher, IRAQ
APO AE 09349

SUBJECT: AR 15-6 Informal Investigation into the Escalation of Force (EoF) by B/3-187 IN on
301450MAY06 in Samarra, Iraq

EX 6 1. The purpose of this memorandum is to present the findings from the AR 15-6 Investigation into B/3-187 IN Escalation of Force (EOF). [REDACTED] served as the Investigating Officer (IO).

2. The appointment memorandum outlines the requirements for the IO to specifically investigate to determine the answer to three questions. The bottom line answer to each is below, with amplifying information in the subsequent paragraphs.

a. What are the facts and circumstances surrounding the EOF by B/3-187 on 301450MAY06?

EX 2 (1) B/3-187 operates three Observation Posts (OP) and two Patrol Bases (PB) within Samarra. A car driven by a local national (LN) drove onto [REDACTED] marked as Coalition only, directly in front of one of the OPs. The car was engaged with disabling shots fired by [REDACTED] manning a bunker in the [REDACTED] OP. After the car failed to respond he fired rounds meant to stop the car from approaching the OP located 250 meters north on the road.

(2) After the incident IPs reported to the Samarra JCC that two LN women, one pregnant, were killed in the incident.

b. Was the engagement IAW MNC-I EoF guidelines and procedures? Was the engagement IAW MNC-I and 3 BCT Rules of Engagement (ROE)?

EX 4 (1) The Soldier who used deadly force was [REDACTED] assigned to 2/B/3-187 IN. Based on all currently completed interviews and investigation, the Soldier acted in accordance with applicable MNC-I and 3 BCT Rules of Engagement.

EX 2 (2) [REDACTED] was acting under orders to protect the tactically necessary Coalition only [REDACTED]. Based on the car's speed and entrance onto the coalition only road the Soldier thought the car was a danger to [REDACTED] OP.

c. What recommendations should be made to prevent similar EoFs in the future?

(1) Unit leaders must emphasize the use of early warning measures at the entrance of the road to prevent vehicles from entering.

(3) Conduct periodic checks on the signs to ensure presence and proper placement.

(4) Construct serpentine barriers to slow traffic in an effort to help LN vehicles notice the signs.

(5) Continued coordination with local officials to notify residents the road is off limits.

3. Facts. The following are the facts and circumstances surrounding the Escalation of Force conducted by [REDACTED], 2/B/3-187 IN, that resulted in two local national (LN) deaths on 30 May 2006.

EX4 a. [REDACTED] killed two Iraqi women, one who was pregnant, with 4 rounds fired from an M-14 rifle while performing security overwatch from a bunker on [REDACTED] Observation Post (OP). EX 2

EX2 b. The incident occurred vicinity grid [REDACTED] during the second day of [REDACTED] three day rotation at the six man OP. [REDACTED] was one of three Soldiers in bunkers on the roof of [REDACTED] OP. He was manning the bunker that observes north by north-east onto the intersection of [REDACTED] and [REDACTED] or [REDACTED] (Exhibit 36). [REDACTED] is EX4 closed to local national (LN) travel. [REDACTED] observed a white four door sedan driving at a EX2 high rate of speed heading west on [REDACTED] that suddenly turned [REDACTED] towards [REDACTED] OP (located 250 meters to the north, Exhibit 36). [REDACTED] fired a disabling shot from his M14 at a range of 70 meters to get the vehicle to stop and turn around. The vehicle instead crossed over the rocks and debris blocking the left lane and increased its speed. Once [REDACTED] EX6 observed that the vehicle failed to stop after his initial disabling shot, he fired a second disabling shot from a range of 120 meters. Instead of stopping, the vehicle sped up after the EX2 second disabling shot and continued to within 100 meters of [REDACTED] OP. Due to the vehicle's EX4 proximity to [REDACTED] OP and speed of travel, [REDACTED] fired two aimed shots at 150 meters into the rear window of the vehicle in an attempt to keep the vehicle from closing on [REDACTED] OP. The vehicle then turned west out of his line of vision and proceeded, according to IP reports, to the hospital. The Soldiers at [REDACTED] OP, due to their recessed position from the road, could not observe the incident; only hear it. [REDACTED] OP cannot acquire northbound traffic on [REDACTED] until EX2 traffic is within 60 meters away.

c. Since B/3-187 began its mission in late December 2005 to provide security in Samarra and man the OPs and Patrol Base (PB) [REDACTED], the OPs along [REDACTED] were attacked 45 times. The PBs and OPs are a vital facet of security in Samarra as evidenced by the MNC-I Commander's repeated decisions to leave PB [REDACTED] open (Exhibit 5). Manning PB [REDACTED] necessitates a secure route into Samarra, where PB [REDACTED] is centrally located. OPs [REDACTED] each provide interlocking fields of fire and, along with PB [REDACTED], provide overwatch to secure the entire length of [REDACTED]. [REDACTED] is vital to the US presence there because it readily allows resupply, ground evacuation, and tactical access for Coalition and ISF forces into Samarra, and specifically to PB [REDACTED]. Noting the importance of [REDACTED] Anti-

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EX2 Coalition Forces (AIF) have attacked Lakers OP three times, [REDACTED] 26 times (including one US KIA and two US WIA) and [REDACTED] OP 17 times. Due to its tactical importance, the various military units in Samarra have closed [REDACTED] to LN travel for at least the last 15 months.

EX2 d. Over the previous five months, B/3-187 has added to and improved the warning markings and blocked side road access onto [REDACTED] to prevent LNs from accidentally using the route (Exhibit 31 and 32). Additionally the company has informed the city through requested Mosque messages and by having IPs and MOI Commandos warn and inform the populace of the road's status. The road is somewhat blocked with wire and debris at most side roads, and is only accessible at points where CF need to move from [REDACTED] out into other areas of the city. Signs (in Arabic, English or both) posted at each access point warn LNs not to use the route, and that the road is protected with the use of force. The signs have been updated, repainted, replaced and repaired as necessary by the platoon (Exhibit 32, and 49).

EX4 e. Two days before the incident MOI posted signs both east and west of the intersection, then according to [REDACTED] (Exhibit 49), someone removed them. Immediately after the incident, 2/B/3-187 improved the signs to enhance the warning markings. Several hours after that, MOI Commandos also added a sign. The storyboards produced four hours after the incident from both the company and battalion included the new signs. The Platoon Leader stated that he requested a picture of the signs for the storyboard and his platoon took photos of the new signs. The sworn statements support that the signs in the photos marked Exhibit 3 and 4 were new. All interviewees were asked about the signs. Statements regarding the location and confirming the presence of the signs are contentious and differ amongst the interviewees. A summary of all interviewees follows:

1. One SPTT Sergeant stated that there were no signs present in the intersection in an answer to one question, the Soldier then agreed that there was at least one existing sign two questions later (Exhibit 22). He is the only Soldier interviewed who stated there were no signs, then changed his response;

EX6 2. 14 sworn statements from Soldiers each state there had always been signs marking the area, including 12 B/3-187 Soldiers, the Special Police Training Team (SPTT) Staff Sergeant who changed his mind, and one 978th MP Sergeant (Exhibits 16, 17, 18, 20, 22, 25, 30, 31, 32, 33, 39, 43, 46, and 47). These statements all agree there was one sign north of the circle and four remember the signs east and west of the traffic circle. [REDACTED] (Exhibit 40) stated he over watched the emplacement of the new signs and the old sign was still present when the new ones went in. The three Soldiers who were on shift in the OP during the incident each stated that the MOI moved the old sign 10 meters south after the incident (Exhibit 40, 41, and 48) although the signs were not present when I arrived;

3. Four SPTT team members could not remember if signs were present or not (Exhibits 19, 27, 28, and 29) and that other signs were small, and only in English;

4. Four Iraqi Police Liaison Officers (IPLO) prepared statements (Exhibits 21, 23, 24, 26 and 44) only going so far as to say the signs present were new. The IPLO statements say that the signs were new and adding that the IPs said the road was not previously marked where the new signs currently are located. Due to this fact, the IPLO brought the issue up through MOI channels. After I read the IPLO prepared statements and

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EX 2 then questioned them in person, each agreed that while the current signs were new, they could not say for sure that there had not been signs present previously. Only the IPs insisted the signs were never present. When I arrived on 30 May, there were only the new signs in place. [REDACTED] OP Platoon Leader and Sergeant on shift pointed out that the IPs took pictures of the new signs the evening of the incident, and might have taken down the old signs, however the IPLO statement says this did not happen when he was there. The pictures of the new signs ended up in an overtly anti-coalition local news article. The platoon leader believes the signs were taken down incidentally, or as an overt effort to discredit CF by the IPs (Exhibit 31, and 49). It is noteworthy that B/3-187's No. 3 HVT was an IP, and that they have intelligence and informants, confirmed by the 3-187 S2, that IPs are involved with attacks on CF, corruption, releasing AIF from jail, and that the photos taken by the IP ended up in an anti-coalition news article. When asked if they observed the IPs remove the signs, Soldiers on guard did not see them removed. The OP's NCOIC (Exhibit 17) stated, "there were supposed to be signs to the east and west of the intersection, I could not see them from my position." The Soldier who shot the car (Exhibit 30, and 48) stated, "I remember a sign on Coalition Road before the incident." The description and location match the sign visible in the photo Exhibit 8, taken 4 JAN 06. Four Soldiers (Exhibits 40, 41, 48 and 49) saw the MOI place signs north of the intersection on 28 May 06.

5. The commander's statement (Exhibit 33) and follow-on sworn telephone interview (Exhibit 50) reflect that the Battalion S3 checked on the sites most frequently checking the PBs 2-3 times a week and the OPs weekly. The 1SG checked each site approximately weekly. The Company Commander checked Yates every ten days, the rest monthly. The Battalion CSM checked the sites monthly, and the Battalion Commander checked every 6-8 weeks.

4. Findings. The following are the findings into the 2/B/3-187 IN Escalation of Force on 301450MAY06.

a. This engagement was in accordance with MNC-I EOF guidelines and procedures. It was also in accordance with MNC-I, TF Band of Brothers EOF Frago 158, and 3 BCT ROE.

(1) Hostile intent is defined as [REDACTED]

EX 2 Before this incident there had been reports of multiple VBIED's and SVBIED's within 3-187 IN's AO, and that four VBIED's/SVIED's had exploded in Samarra in the two months preceding the incident (See Exhibit 35). The vehicle was moving north on Coalition Road towards a CF stationary OP showing no intent to stop on a road off limits to LN traffic. The vehicle did not stop and instead sped up upon receiving or hearing the disabling shots.

EX 2 (2) TF Band of Brothers Information Paper on Self-Defense and Determination of Hostile Intent dated 14 DEC 05 states, [REDACTED] The previous 4 VBIED's/SVIED's in March and April, and 3 IEDs dropped by cars in that intersection in May

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alone, provide the historical data and enemy TTPs employed. TF Band of Brothers Information Paper on Self-Defense and Determination of Hostile Intent, para 3.b states, "[REDACTED]"

EX 2
2 [REDACTED] The vehicle, under these circumstances, demonstrated hostile intent. At this point, there was reasonable certainty that the vehicle was a legitimate military target.

(3) [REDACTED] followed TF BoB ROE paragraph 3.G.1, [REDACTED]

EX 2
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EX 4 [REDACTED] After each shot [REDACTED] observed the car to determine its reaction. [REDACTED] perceived a threat, based on the vehicle's; entry onto a Coalition only road, speed, proximity to the next OP (less than 100 meters), the vehicle's failure to stop after two separate and distinct disabling shots, that the vehicle posed a threat against his fellow Soldiers at [REDACTED] OP. TF BoB Frago 158 states, [REDACTED]

EX 2
2 [REDACTED] The ROE clearly permits use of force, once intent is established, [REDACTED] EX 2
[REDACTED] was justified in using lethal force to prevent what he was reasonably certain was an attack on [REDACTED] OP. Although [REDACTED] received orders to use deadly force to keep vehicles off the road, he was required to and did make an independent decision concerning PID (whether or not he was reasonably certain that the vehicle committed hostile act/intent toward him or his fellow Soldiers in [REDACTED] OP). EX 2

b. The questions as to the presence, visibility, language, and position of the signs raise concerns that the command partially failed to position the Soldiers on guard for success. However, I am convinced there was at least one sign north of the intersection, and that the car drove past the sign onto Coalition only [REDACTED] EX 2

EX 2 (1) At the time I photographed the intersection on 31 May, there were no signs on the eastern approach of Route [REDACTED] warning drivers not to turn north on [REDACTED] There were no barriers, serpentine, or chicanes requiring a vehicle to slow down to navigate the turn. The former sign marking the intersection described in statements was even further north than the existing signs (Exhibit 8, 40, 41, 46 and 48), providing drivers with a warning only after they entered the off limits route, and could potentially be engaged. The left lane where the car was when the final shots were fired was open to emergency vehicle traffic as a short cut to the hospital up to two weeks before the incident. Two weeks before the incident [REDACTED] was blocked for a week because three IEDs were emplaced in the intersection by stopped cars in the traffic circle. This previously open lane was not blocked at the time of the incident except with small debris until after the incident, when concertina wire was added. The only escalation system afforded the Soldier in the bunker to affect a car driving north onto [REDACTED] away from him, was to fire his weapon. The Soldier received orders (Exhibits 17, 18, 30) to use deadly force to keep cars off the road, as the road is tactically necessary as a safe route between PBs and Ops and has been the scene of multiple attacks on the OPs. EX 2

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EX2 (2) Improvements can be made to help prevent an accidental casualty. Once a LN makes an error by driving onto a Coalition only road a situation arises where the result may be fatal, so warnings have to be apparent to absolutely deter all but a committed AIF. A LN shot at from behind, or not able to see the shooter might accelerate in fear of being shot at by AIF. The LN's act of acceleration keyed the Soldier's engrained escalation response that the Iraqi was ignoring the disabling or warning shots and proceeding to attack OP [REDACTED]. In a very complex situation the Soldier, in the act of obeying his orders to protect the secure route and acting to protect [REDACTED] OP, reasonably perceived the speeding vehicle as a threat and was authorized to fire the disabling shots. The driver's response after disabling shots was to take the shortest unblocked route, and arguably, accelerate when shot at. The fact that the southern approach to [REDACTED] OP on [REDACTED] is visually obscured until within 60 meters further complicates the situation. The inherent responsibility of each level of leadership is to minimize this complexity to protect the Soldier, and help the Soldier make appropriate split second decisions.

EX2 (3) Statements and photos (Exhibits 8, 9, 10, 11, 40, 41, 48 and 49) do reflect a sign was there previously, located north of the intersection on [REDACTED] after a car enters the engagement area, but not necessarily east and west on [REDACTED] to give cars advance warning. In respect to whether or not there had been some markings in place showing the road was off limits, I am convinced there was one sign north of the intersection, and that the car drove past the sign onto Coalition only [REDACTED]. The platoon leader states, "A day or so before the shooting, [REDACTED] reported that the IP were emplacing signs to the east and west of the traffic circle. Then a few days later the signs were gone and the only CF near (were) the IP..." The platoon and company definitely felt the intersection was adequately marked, but the signs should be in Arabic and reinforced with obstacles.

EX4
EX2 (4) I am not convinced that the senior leaders provided a reasonable level of oversight as to; the road markings, [REDACTED] order to deny the route from the south or rear when traffic would logically turn and head north, and finally to the emplacement of very basic obstacles to prevent an accidental right hand turn. The methodology appears to have been fire a disabling shot into the car after it turned north onto [REDACTED], something that occurred three times over the previous four days (Exhibit 49). Each time in the past, the cars turned around after disabling shots. Statements indicate that some of the signs marking the off limits route were in English, not Arabic (Exhibit 18, 19). Although I am convinced by the lengthy time period the road was closed and the efforts that have been made to notify the LN population that most Samarra citizens knew of the road closure, some likely still do not know of the closure. It is an understandable necessity for the command to encourage an aggressive stance towards AIF activity, but they must emplace basic control measures to allow Soldiers ample opportunity to differentiate the average citizen's day-to-day activities from those of the AIF.

5. Recommendations. Recommendations to the 3-187 Chain of Command to prevent EOFs of a similar nature:

EX2 a. Ensure any route marked as Coalition only, and defended with force, up to and including deadly force, is checked periodically and documented to ensure adequate warning systems are in place to reduce the likelihood of LNs placing themselves in danger. Periodically re-examine each sign marking the "Coalition Only [REDACTED]" to ensure that they are present and written in clear Arabic and English writing, with a locally recognizable symbol for LNs that cannot read.

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b. Continue to enlist and employ the IP and MOI Commandos in the sector, and utilize Mosque messages, newspapers, or other methods to remind all Samarra residents that [REDACTED] is off limits. EX 2

c. Place serpentine barriers on the north side of [REDACTED] at the [REDACTED] intersection that stretches out from the eastern street corner across most of the road. With a barrier, a vehicle entering from the south or east will have to slow down. Also add a similar barricade to the south, set up to prevent cars traveling east on [REDACTED] do not inadvertently turn right onto [REDACTED]. These barriers would provide additional locations to place Arabic warnings, and due to the decrease in speed necessary to navigate the obstacles, provide ample time to read the warnings and protect both LNs and CF. The Soldier's manning the OP would benefit through a clearer expression of intent to harm when the enemy is present, and further reduce the likelihood of civilian casualties. EX 2

EX 4 d. Because [REDACTED] acted in accordance with the ROE, I recommend that no action be taken against him.

e. Continue to conduct ROE training at all levels of command to reemphasize the need for PID on each and every engagement. Clarify the orders for use of force along [REDACTED] to reinforce the requirement that each engagement requires an independent analysis of whether the target displays a hostile act or intent. EX 2

EX 4 4. Point of contact is [REDACTED] VoIP 673-0028, [REDACTED]

EX 4 [REDACTED]
MAJ, SC
AR 15-6 Investigating Officer

Enclosure 1 – Appointment Orders
Exhibit 1 – 3-187 Storyboard
Exhibit 2 – B/3-187 Storyboard
Exhibit 3 – Photo Looking NE from OP
Exhibit 4 – Photo Looking North from Intersection
Exhibit 5 – B/3-187 CO MFR
Exhibit 6 – IP Report
Exhibit 7 – Translated IP Report
Exhibit 8 – JAN 06 Photo Looking NE from OP
Exhibit 9 – FEB 06 Photo Warning Sign
Exhibit 10 – FEB 05 Photo Warning Sign
Exhibit 11 – JAN 06 Photo Looking NW from [REDACTED]
Exhibit 12 – Photo rear of Car
Exhibit 13 – Photo Front of Car
Exhibit 14 – Photo Car Windshield
Exhibit 15 – Photos of Car Interior
Exhibit 16 – SS [REDACTED]

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Exhibit 17 - SS [REDACTED]
Exhibit 18 - SS [REDACTED]
Exhibit 19 - SS [REDACTED]
Exhibit 20 - SS [REDACTED]
Exhibit 21 - SS [REDACTED]
Exhibit 22 - SS [REDACTED]
Exhibit 23 - SS [REDACTED]
Exhibit 24 - SS [REDACTED]
Exhibit 25 - SS [REDACTED]
Exhibit 26 - SS [REDACTED]
Exhibit 27 - SS [REDACTED]
Exhibit 28 - SS [REDACTED]
Exhibit 29 - SS [REDACTED]
Exhibit 30 - SS [REDACTED]
Exhibit 31 - SS [REDACTED]
Exhibit 32 - SS [REDACTED]
Exhibit 33 - SS [REDACTED]
Exhibit 34 - B/3-187 [REDACTED] OP SIGACTS
Exhibit 35 - Samarra VBIED List
Exhibit 36 - 15-6 Diagram
Exhibit 37 - SS [REDACTED]
Exhibit 38 - SS [REDACTED]
Exhibit 39 - SS [REDACTED]
Exhibit 40 - SS [REDACTED]
Exhibit 41 - SS [REDACTED]
Exhibit 42 - SS [REDACTED]
Exhibit 43 - SS [REDACTED]
Exhibit 44 - SS [REDACTED]
Exhibit 45 - SS [REDACTED]
Exhibit 46 - SS [REDACTED]
Exhibit 47 - SS [REDACTED]
Exhibit 48 - SS [REDACTED]
Exhibit 49 - SS [REDACTED]
Exhibit 50 - [REDACTED] Telephone Interview

EX 4

EX 4