

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], AR, Commander, 3 BCT, 1st Armored Division

(Appointing authority)

6/6

on 29 June 05 (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 Camp Taji, Iraq (Place) at 1100 hrs (Time)

on 30 June 05 (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: (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 1130 (Time) on 15 July 2005 (Date)
and completed findings and recommendations at 2100 (Time) on 15 July 2005 (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

	YES	NO ¹⁾	NA ²⁾
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?			
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 N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

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		YES	NO ^{1/}	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 challenged 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 N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.				

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

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

- Conclusions. Members of 2/H/1 Cav acted within the Rules of Engagement and used proper escalation of force in the shooting of a local national while on a mounted patrol on 27 June 2005.
- Sequence of Events. The sequence of events that led to the incident follows. At approximately 271030 JUN 05, 2/H/1 Cav was on patrol on Rte Avalanche when they identified a PIED. As they stopped, secured and investigated the site, a second IED detonated near one of their dismounts (SFC [redacted]) who received minor wounds to one hand. Immediately after detonation, the patrol identified a Blue Bongo truck fleeing from the scene to the southwest. [redacted] Upon searching the vehicle, the platoon could not find the detonating device. The platoon could not thoroughly search the canal for discarded contraband due to its depth and the density of the vegetation. (see also exhibit B)
- [redacted]
- The patrol had positive ID of the subject vehicle and its occupants. The Blue Bongo was the only vehicle that fled the area and it did so at a high rate of speed immediately after the detonation of the IED. No other vehicles fled, nor was there any other identifiable triggerman. This led the platoon to believe that these were in fact the triggermen and had committed a hostile act. [redacted] They also positively identified all three occupants as they exited the vehicle.
- In the minds of the platoon members, the local national did commit a hostile act by detonating an IED on the platoon. [redacted]
- The on scene commander did attempt to minimize collateral damage. While firing at the vehicle, the platoon only shot out a tire. No other vehicles or structures were damaged. No personnel or structures other than the intended target were hit with direct fire.
- Unit SOP. The platoon follows the standard "shout, show, shove, shoot a warning shot, shoot a disabling shot, shoot to kill" SOP for engagements of location nationals.
- There were no Law of War violations. The patrol engaged a legitimate military target and minimized collateral damage. (See Continuation Page)

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

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

1. No individuals be punished under the UCMJ for this shooting. The soldiers acted within the ROE.
2. The operational lesson to be learned is that Coalition Forces must continue to inform the Iraqi population that if they flee the sight of a significant act, they put themselves at more risk than if they stay in place and cooperate with the coalition forces on the ground. The Iraqi people must understand that coalition forces are here to help them and innocent Iraqis have nothing to fear from CF. Fleeing the scene of an attack on CF only makes them look suspect. Recommend as part of the IO campaign, that LNs are informed not to flee CF forces. It is in their best interests to work with CF and help identify the AIF.

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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)

 646
(Investigating Officer) (President)

(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.)

Concur with IO. No further action taken. Based on all witness statements, the men in the Blue Day Truck were likely participating in the IED attack against AFICAN. Recommend no action taken against anyone involved except the two remaining AFICAN detainees.



Continuation sheet to Form 1574, Section IV (Findings)

9. The other contributing factors that, if changed, could have altered the outcome are as follows. First, the unit could have elected to simply not engage the fleeing suspect. However, at that time, in the minds of the soldiers on the ground, the suspect had just attacked them and failure to engage him would have enabled the individual to escape and conduct future AIF activity on coalition forces. The other factor that, if changed, could have altered the outcome is that the individual could not have fled the site, either in the vehicle or on foot. However, given the resources the platoon had at the time, they could have done nothing differently to prevent the individuals from fleeing. If they had aviation on site, aviation could have tracked the individual and vectored the platoon in on him. This was not the case



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS
3RD BRIGADE, 1ST ARMORED DIVISION
CAMP TAJI, IRAQ
APO AE 09378

AFZN-BB-CO

29 June 2005

MEMORANDUM FOR MAJ [REDACTED] 10th EN Bn, 3 BCT, 1st AD, APO
AE 09378

SUBJECT: Appointment as Investigating Officer

1. Pursuant to AR 15-6, paragraph 2-1, you are hereby appointed as an investigating officer to investigate the shooting and killing of a local national by elements of H Troop, 1st Cavalry, which occurred on 27 June 2005.
2. In your investigation, use procedures under AR 15-6, Chapter 4, for an informal board of officers. All witness statements will be sworn, and you will follow the procedures in AR 15-6, paragraph 3-7e for Privacy Act statements. If the person you are interviewing states that he/she does not know anything about the allegations, prepare a sworn statement to that affect for the witness to sign. If, in the course of your investigation, you suspect a soldier has committed an offense under the UCMJ, you must advise and read him/her their rights under the UCMJ, Article 31, or the Fifth Amendment, as appropriate, prior to conducting any interview.
3. During your investigation, answer the following questions:
 - a. What was the sequence of events that led up to the incident?
 - b. Did the soldiers involved properly escalate the use of force?
 - c. Did the H Troop soldiers have Positive Identification (were they reasonable certain that the object of attack was a legitimate military target) before engaging the local national?
 - d. Did the local national pose a threat by committing a hostile act or by demonstrating hostile intent?
 - e. Did the On Scene Commander attempt to minimize collateral damage?
 - f. What is the unit's Standard Operating Procedure (SOP) prior to engaging a Local National?
 - g. Were there any Law of War violations?

[REDACTED] F500

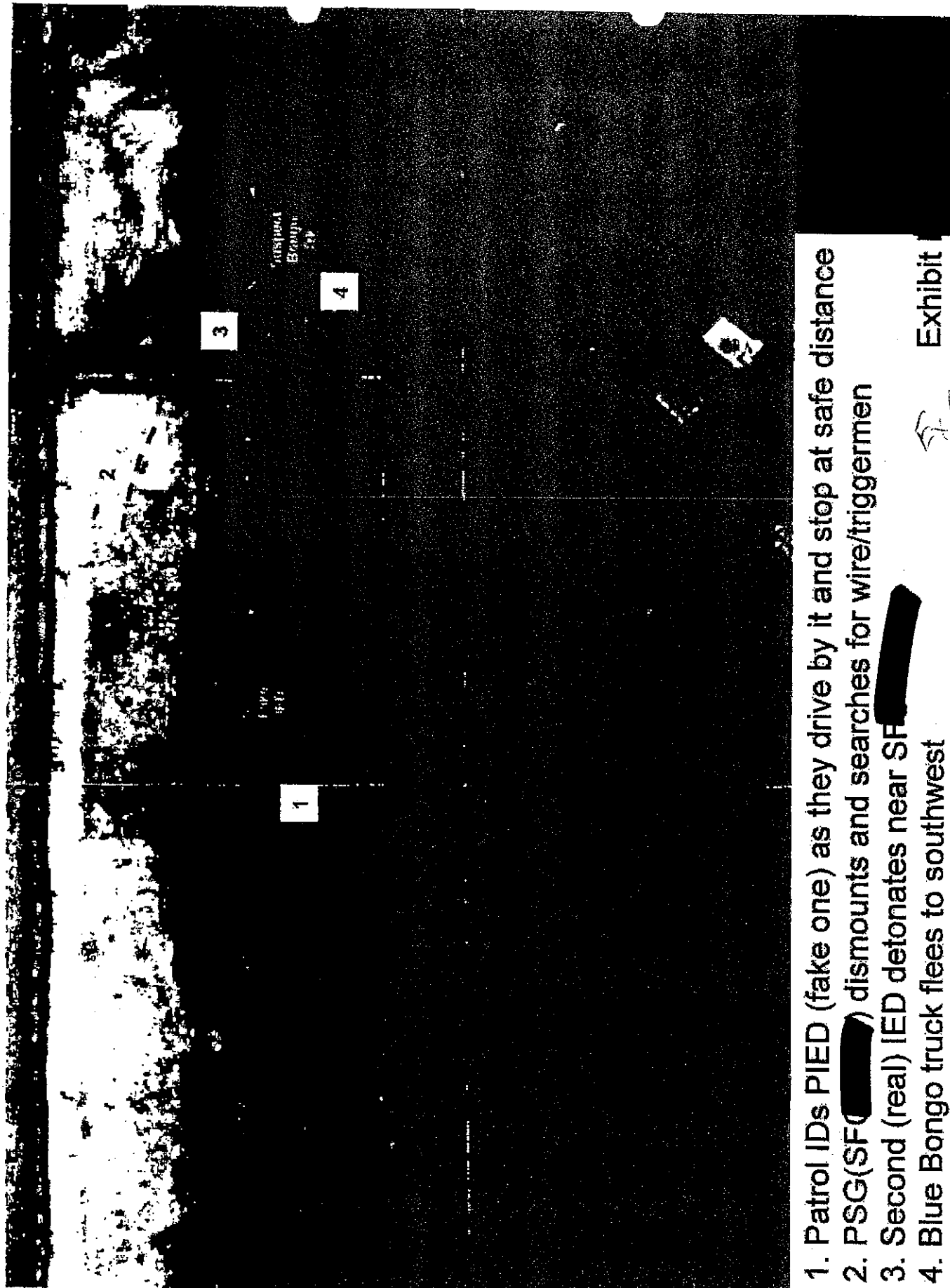
AFZN-BB-CO

SUBJECT: Appointment as Investigating Officer

- h. Are there any operational lessons that should be captured and disseminated?
- i. Were there any other contributing factors that, if changed, could have altered the outcome?
- 4. If it becomes evident that there is possible misconduct outside the scope of your investigation, notify the appointing authority immediately. If during your investigation you become aware of information that needs command attention, immediately notify the appointing authority for guidance.
- 5. Contact the Command Judge Advocate, CPT [REDACTED], for legal guidance prior to starting your investigation. CPT [REDACTED] located in Bldg 72 and his phone number is VOIP: 242-6045.
- 6. Submit your findings and recommendations on DA Form 1574 to CPT [REDACTED] for legal review no later than 7 July 2005. b7c

[REDACTED]
COL, AR
Commanding

Bob



1. Patrol IDs PIED (fake one) as they drive by it and stop at safe distance
2. PSG(SF[REDACTED]) dismounts and searches for wire/triggersmen
3. Second (real) IED detonates near SF[REDACTED]
4. Blue Bongo truck flees to southwest

Exhibit

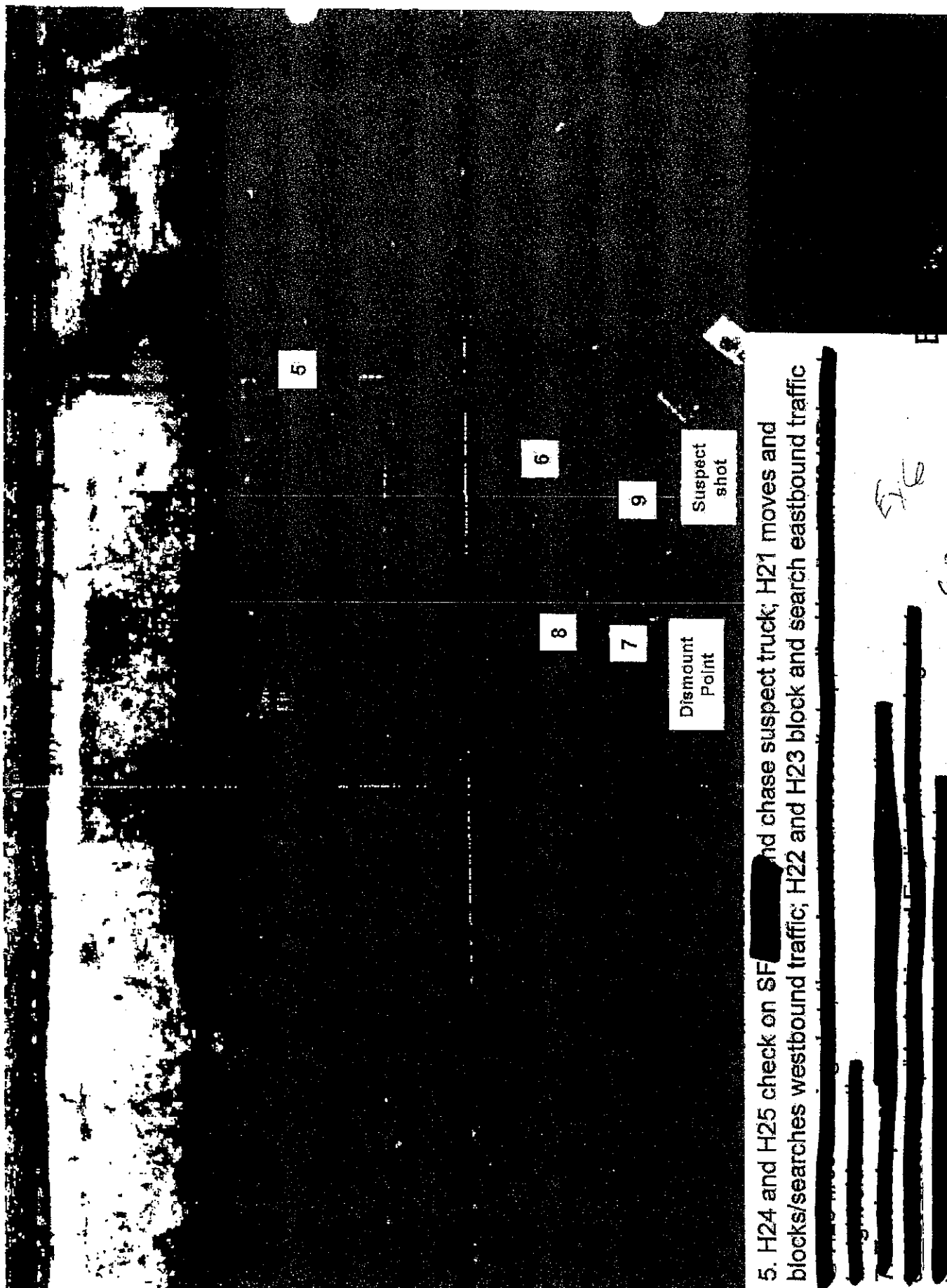
5-6

Fbu



B

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5. H24 and H25 check on SF [redacted] and chase suspect truck; H21 moves and blocks/searches westbound traffic; H22 and H23 block and search eastbound traffic

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EX

B2

IED DETONATION SITE
ON ASR LINCOLN

F200

C

IED DETONATION SITE

FOUO

FOUO

F500



F500



IED DETONATION SITE

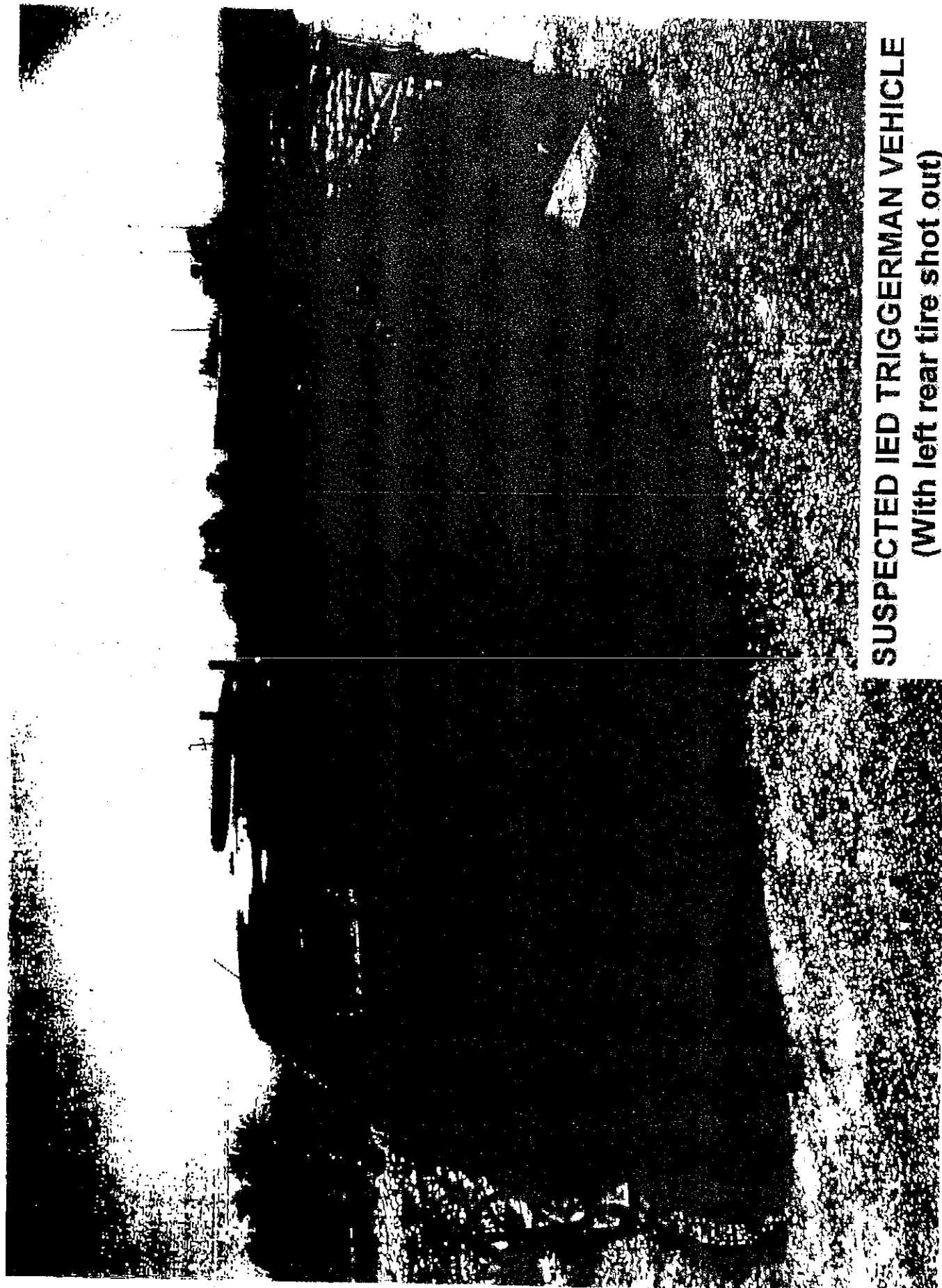
C3

IED BLAST SEAT

F00

C4

F000



SUSPECTED IED TRIGGERMAN VEHICLE
(With left rear tire shot out)

F000

SUSPECTED IED TRIGGERMEN / DID NOT RUN

F50

C6

F50



SUSPECTED IED TRIGGERMAN / RAN

F50



C7

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 CAMP COOKE, TAJI, IRAQ	2. DATE (YYYYMMDD) 2005/07/02	3. TIME 1900	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS O-2/1LT	

8. ORGANIZATION OR ADDRESS
H/1 CAV, 3BCT, 1AD CAMP COOKE, TAJI, IRAQ APO

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

At approximately 1030 hours on 27 June 2005, 2nd Platoon H/1 CAV was moving west on RTE Avalanche in a 5 vehicle patrol. The order of march was H-22 (TC [REDACTED]), H-23 (TC [REDACTED]), H-21 (TC [REDACTED]), H-25 (TC-SGT [REDACTED]), and H-24 (TC [REDACTED]). H-23 called up an initial contact report for an IED on the north shoulder of the road, of which all vehicles identified as they rolled by. By the time each truck had stopped, all 5 vehicles were west of the suspected IED, with the final vehicle, H-24, being about 200 meters away. I had two warlock ice systems (on H-25 and H-25) and one warlock green (H-23) and all three were on. At this time I tried to raise Thunder Oscar on the 2-70 AR net to send up a contact report and a 9-line IED report. [REDACTED] and SFC [REDACTED] dismounted and used binoculars to confirm that the object was an IED, which comprised of an old, cubic oil can with a white 220-watt electrical wire coming out of the top and running to the north shoulder. [REDACTED] and SGT [REDACTED] then cleared the area north and south of the route looking for a triggerman or spotter and found no one. I could not reach anyone on the higher net because we were so far west, so I planned to move two vehicles east of the IED to finish the cordon and set up my COM-201 to reach higher. At this time I dismounted and linked up with SFC [REDACTED] to find the easiest and safest way to move H-24 and H-25 east of the IED and establish security. [REDACTED] was at the road intersection at vic MC 096041 and looked to be dealing with the traffic that had accumulated there. We decided to move them through the flat area south of RTE Avalanche and the IED to SFC [REDACTED] position, while H-22 and H-23 maintained security on the west. I relayed instructions to the crew of H-24 to follow [REDACTED], who had returned to his truck to begin movement. As soon as I returned to my truck I heard and saw a large explosion in the area SFC [REDACTED] had been standing. Immediately H-25, H-24, and H-21 moved south of the unexploded, suspected IED to SFC [REDACTED] position, while H-22 and H-23 maintained security on the west. Right after the explosion I saw a blue Kia "Bongo" truck take off along the southern route at a high rate of speed. As H-25 approached SFC [REDACTED] my Platoon Sergeant yelled and motioned south and H-25 and H-24 took off after the "Bongo" truck. Since two of my vehicles went to stop the fleeing truck, I quickly moved vehicle to the north shoulder on a berm to find a possible trigger man and found nothing. I then moved to SFC [REDACTED] to make sure he was okay and saw that he had minor cuts to his hand and had reopened a cut on his face, which he received in an IED attack on our last mission approximately 3 days prior. Being the only truck west of both the suspected and actual IED sites, I moved 150 meters east along RTE Avalanche to cordon off the area and seal in any potential trigger men in their vehicles. I dismounted and helped my driver search the nearest local national vehicle and driver, and SFC [REDACTED] came to my position to search. I then proceeded to set up my COM-201 to establish radio contact with higher when my gunner told me shots had been fired. I got on the net and talked with H-25 gunner, [REDACTED].

[REDACTED] request for the local national when I was told that the man had died. At 1100 hours 2 Bradley Fighting Vehicles from the Warrior element serving as 2-70 AR's Quick Reaction Force showed up at my location to facilitate our cordon. The Warrior vehicles also had an interpreter, and we moved him to H-25's location so we could begin tactical questioning of the men on the "Bongo" truck. I coordinated with the Warrior Platoon Leader to use some of his dismounts to help us sweep the immediate area for a triggering device and other evidence. There was a very deep canal, thick with vegetation, which ran along the southern route the fleeing truck utilized, which provided a good area to lose or discard any evidence. The search, led by SFC [REDACTED] began in vicinity of the IED site, where we found 20 meters of copper wire going north, and continued down the southern route along the canal. The deep water and thick vegetation prevented us from finding a trigger mechanism. I had one of the Bradleys maintain security on the western cordon and I moved my vehicle to H-25's position. Once at the scene, I found my NCOs and the interpreter conducting tactical questioning with the 2 truck passengers. Shortly after arriving, the Warrior element notified me that they needed their interpreter back, as they had a follow on mission. I consolidated my forces, the body, and the detainee and moved them closer to RTE Avalanche to maintain security of the site. EOD still had to conduct a post blast analysis. EOD arrived at approximately 1300 hours and determined that the IED was a 155mm round buried under some loose gravel, while the initial IED was a decoy. I coordinated with 2-70AR for recovery of the [REDACTED].

10. EXHIBIT D	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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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.

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STATEMENT OF [REDACTED] TAKEN AT CAMP COOKE DATED 2005/07/02

9. STATEMENT (Continued)

Iraqi Police forces to the IP station in Saba Al Boor. [REDACTED]

Ex1

AFFIDAVIT

I, [REDACTED], 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.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

[REDACTED]
[REDACTED]
H/1 CAV, 3BCT, 1AD
CAMP COOKE, TAJI, IRAQ
ORGANIZATION OR ADDRESS

[REDACTED]
H/1 CAV, 3BCT, 1AD
CAMP COOKE, TAJI, IRAQ
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2 day of JULY, 2005 at 1900hrs

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
ART 136 (B) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT
[REDACTED]

PAGE 1 OF 2 PAGES

FOUO

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 Camp Taji, Iraq	2. DATE (YYYYMMDD) 2005/07/15	3. TIME 1020	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS O2 / RA	
8. ORGANIZATION OR ADDRESS H/1 CAV, 3rd BCT, 1 AD			

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

Q: Did any other vehicles or individuals attempt to flee after the IED detonated?

A: I did not witness any other vehicles or individuals attempt to flee after the IED detonated.

Q: Did you search the other stopped vehicles for indications that they had initiated the IED?

A: Yes. My vehicle, H2-1, searched all vehicles East of the blast site (with SFC [REDACTED] assisting my driver, P [REDACTED] and H2-3 and H2-2 searched all traffic stopped west of the blast site. We found nothing significant on any of the people or vehicles.

Q: Did you X-spray any of the individuals in the suspect vehicle?

A: Yes. My Senior Scout, H2-2, SSG [REDACTED] ensured the individuals in the suspect vehicle were X-sprayed. He reported that the individuals came up negative.

Q: What is your unit SOP prior to engaging local nationals?

A: The unit SOP for engaging local nationals is to utilize the escalation of force, consistent with the Rules of Engagement and Law of War, [REDACTED]. Additionally, all soldiers carry the ROE card on their persons at all times.

Q: Was there any other collateral damage due to the incident?

A: The only collateral damage I saw was on the suspected vehicle, the Blue Kia truck. I saw and took pictures of the tire that SFC [REDACTED] (H2-5 gunner) had disabled with his M240B.

10. EXHIBIT D	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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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.

FOVO
STATEMENT OF [REDACTED] TAKEN AT Camp Taji, Iraq DATED 15 JULY 2005

9. STATEMENT (Continued)

Q: Did you have any aviation support on site?

[REDACTED] No, we did not have Aviation support on site. This IED attack occurred very near the time an AH-64 went down near Mushada. ER6

Q: Is there anything you'd like to add to your statement?

[REDACTED] No. I do not wish to add to my statement. The above statement is true and accurate to the best of my knowledge. [REDACTED]

AFFIDAVIT

I, [REDACTED], 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.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

[REDACTED]
[REDACTED]
SFC, USA
H Troop 1st Cav BCT, 1AB CAMP TAJI
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15 day of JULY, 2005 at Camp Taji, Iraq

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
(Typed Name of Person Administering Oath)

[REDACTED]
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 2 PAGES