

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proponent agency is OTJAG.

FOOD
IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

SECTION I - APPOINTMENT

Appointed by [REDACTED]

(Appointing authority)

Ex-6

on 5 May 05

(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, Bldg 68

(Place)

0900

(Time)

on 6 May 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

1100

(Time)

9 May 05

(Date)

and completed findings and recommendations at

1700

(Time)

10 May 05

(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		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.

DA FORM 1574, MAR 83

EDITION OF NOV 77 IS OBSOLETE.

Page 1 of 4 pages

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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 style="width: 10px; height: 10px; border: 1px solid black;" 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)?			

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 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

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

The (investigating officer) (b) (2), having carefully considered the evidence, finds: Soldiers of Scout Platoon, HHT 1/11 ACR, correctly followed all Multi-National Force-Iraq Rules of Engagement (ROE), when they engaged two local nationals and killed them, the night of 4 May 05. The Soldiers correctly escalated the use of force prior to engaging the two local nationals.

The area of operation along RTE (b) (2) had five IEDs found or exploded during last several months (Exhibit VI). Sniper Teams from HHT/1/11ACR Platoon were emplaced to over watch a recent active Mortar Point of Origin (POO) and the Improvised Explosion Device red zones near the Al Muthanba Bridge. A Quick Reaction Force (QRF) was positioned locally to respond.

042210May05, Sniper Team observed two vehicles stopped for three minutes at Vicinity (b) (2) on RTE (b) (2). One of the same vehicles returned ten minutes later. The occupants used a rock to lean a tire against the guard rail. There were no broken down vehicles in the area. The occupants returned to the vehicle. The sniper team could not establish positive identification or hostile intent and the QRF team deployed to investigate the suspicious activity. The QRF team arrived at the scene and the civilian vehicle started backing up going the wrong way on RTE (b) (2). The QRF lead vehicle moved past the vehicle and blocked the vehicle in. The HHT platoon leader, CPT (b) (2) moved his vehicle parallel to the civilian vehicle and dismounted. He gave the command to stop and come here "Tai". The driver opened his door and stood up outside, behind the vehicle door. He looked back at the passenger and said something.

(b) (2)

(b) (2)

(b) (2)

The Platoon attempted to put the fire out and get the passengers out of the vehicle. However, the fire grew quickly and the Soldiers pulled back to a safe distance (Exhibit XI, XII, & XIII). Several secondary explosions went off with one shooting flare like streamers into the air. The area was secured and EOD notified. EOD arrived and could not verify any bomb residue.

(b) (2)

(b) (2)

(b) (2)

The local national's suspicious actions and the historical enemy activity in the area led all members of the platoon present to believe the occupants in the vehicle were a legitimate military target. When the occupants fled and would not stop, it confirmed these beliefs.

Prior to every mission the 1/11 ACR conducts review of ROE and practices with vignettes. All Soldier Members understood and knew the current ROE and did not fire until hostile intent was shown by not stopping as ordered (Exhibit X). The unit strictly follows the Multi-National Force-Iraq ROE as its SOP for engaging local nationals. There were no law of war violations found.

There is one contributing factor that if changed may have altered the outcome of the combat action. The platoon fired 134 rounds of several different types of ammunition. Several 50 Caliber rounds to the engine block would have disabled the vehicle. The platoon could have possibly disabled the vehicle without killing the occupants with prior rehearsed firing handover lines.

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

In view of the above findings, the (investigating officer) (b) (2) recommends:
No further action taken against individuals involved in this incident.

Include fire control measures in both unit level SOP and rehearsals. Prior to each mission elements down to crew level conduct rehearsal of an engagement. Ensure crews understand and know their firing handover lines. The weapon system's left and right limits of fire in correlation to its position in all movements, ambush, or other combat operations. This action ensures only the required fire power is used to disable and stop future possible threats.

Continue the 3BCT, 1AD, 3ID requirement to train and cover ROE prior to each mission. This activity seemed to help Soldiers make the right decision quickly. They all were very confident concerning ROE and situations they should and could fire on the enemy.

The civilians killed demonstrated hostile intent. I recommend no future restitution for any family members.

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) (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.)

Recommend adopt investigating officer's findings and recommendations.

3/1/88

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INDEX OF EXHIBITS

- I. Letter of Appointment
- II. Timeline of Investigation
- III. TF 1/11 ACR Commander's Incident Report
- IV. CPT ██████████ Statements
- V. Map of Area of Operation
- VI. Enemy Activity Template/Danger Area Map
- VII. Sketch of Incident Site with Timeline/Sequence of events
- VIII. View of Engagement site
- IX. Views from Engagement site
- X. Rules Of Engagement For US Forces (Appendix 5 to Annex C to MNF-Framework OPORD)
- XI. SSG ██████████ Statements
- XII. SSG ██████████ Statements
- XIII. SGT ██████████ Statements
- XIV. SGT ██████████ Statements
- XV. SGT ██████████ Statements
- XVI. PFC ██████████ Statement
- XVII. SPC ██████████ Statement
- XVIII. SPC ██████████ Statement
- XIX. SPC ██████████'s Statement
- XX. PFC ██████████ Statement
- XXI. SGT ██████████ Statement
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- XXIII. PFC ██████████'s Statement
- XXIV. SPC ██████████ Statement
- XXV. 3BCT, 1AD Sigact

Ex 6

Fwd



DEPARTMENT OF THE ARMY
3rd BRIGADE COMBAT TEAM
1ST ARMOR DIVISION
TAJI, IRAQ 09378

Foro

REPLY TO
ATTENTION OF

AFZN-BB-CO

5 May 2005

Ex 6

MEMORANDUM FOR Major [REDACTED] 25th FSB, 3rd BDE 1st AD, Taji, Iraq 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 subsequent deaths of two local nationals by elements of 1/11th ACR on 4 May 2005.
2. Although there may be misconduct, the initiation of this investigation in no way implies or insinuates misconduct or failure on the part of any of the leaders or soldiers. This investigation has two expressed purposes. First, encapsulate all the facts and circumstances surrounding the event so that a report is available. Second, to determine lessons learned from the event that can be disseminated. Therefore, the investigation involves specific procedures and the asking of particular substantive questions to meet the requirements expressed.
3. Your primary duties as the investigating officer are to ascertain and consider all available evidence. You must be thorough and impartial during your investigation; you are not building a case against those involved in the incident. Your task is to determine the facts of the situation. You will make findings and recommendations based on the facts you have ascertained.
4. **Procedure:** 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.
5. **Substantive Questions:** The following questions are required in an investigation concerning any shooting of local nationals:
 - a. What was the sequence of events that led up to the incident?
 - b. Did the soldiers involved properly escalate the use of force?

Foro

Exhibit I

[REDACTED] *Focus*

AFZN-BB-CO
SUBJECT: 15-6 Appointment Orders

- c. Did the patrol have Positive Identification (were they reasonable certain that the object of attack was a legitimate military target) before engaging the local national?
- d. What is the unit's Standard Operating Procedure (SOP) prior to engaging local nationals?
- e. What led the patrol to believe that the local nationals posed a threat justifying the use of deadly force?
- f. Were there any Law of War violations?
- g. What can the unit do to decrease the number of shooting involving local nationals?
- 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?

6. 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.

7. You may obtain assistance from CPT [REDACTED] the Command Judge Advocate for 3rd BCT, 1st AD. CPT [REDACTED] will serve as your legal counsel. Prior to starting your investigation, you should contact him at the Brigade Tactical Operation Center (TOC) for legal guidance concerning your investigation. *Ex 6*

8. Submit your findings and recommendations on DA Form 1574 to CPT [REDACTED] legal review no later than 11 May 2005.

[REDACTED]
COL, AR
Commanding

TIMELINE OF INVESTIGATION

5 May 2005 Notified of duty as investigating officer

6 May 2005 Began Investigation

6 May 2005 Interviewed CPT [REDACTED] and SGT [REDACTED] and SGT [REDACTED]

9 May 2005 Re-interviewed CPT [REDACTED] and the unit's Battle CPT's

9 May 2005 Completed Investigation

10 May 2005 Completed Recommendations and Findings

Ex 6

COMMANDER'S INCIDENT REPORT:

LINE 1: Unit reporting: TF 1/11 ACR

LINE 2: Incident: Local Nationals Killed

LINE 3: Date/time group (DTG) incident occurred: 052220MAY05 DTG RPTD: 032228MAY05

LINE 4: Location of incident: RTE BREWERS (MB 407964)

LINE 5: Personnel involved

Ex 6

Name	Rank	Unit	SSN	Sex	Age	Race
[REDACTED]	CPT	1/11 ACR	[REDACTED]	M	25	[REDACTED]

LINE 6: Summary of incident:

At 042210MAY05 a sniper team from TF 1/11 observed a vehicle stop for 3 minutes vicinity [REDACTED] on RTE [REDACTED] south of the Al Muthanha Bridge. The vehicle departed and returned approximately 10 minutes later in the same area. The Sniper team was overwatching a recently active Mortar Point of Origin (POO) and a historically established Improvised Explosion Device (IED) red zone. A second sniper team was deployed overwatching a recently active IED red zone, on and West, of Al Muthanha Bridge. A Quick Reaction Force (QRF) was positioned locally to respond to either sniper team. The vehicle occupants were observed using a rock to lean a tire that was taken from the vehicle against a guard rail on the side of the road. There were no broken down vehicles in the area. The occupants were then observed returning to the vehicle which matches the tactics of the IEDs previously laid in the area. The snipers reported this as suspicious activity but could not establish PID or confirm hostile intent so the 3 M1114 QRF team deployed within 4 minutes. When the QRF arrived, the vehicle attempted to back up RTE [REDACTED] in the wrong direction. The QRF blocked their path and told the two LN military aged males (MAM) in the vehicle to exit the vehicle.

When the two LN MAMs got out of their vehicle the soldiers yelled in English and Arabic for the occupants to come towards them and away from their vehicle. At that point the two men looked at each other, said something, then dashed back to their vehicle confirming to the soldiers on the ground that they in fact were either the mortar or IED team they had been waiting for. [REDACTED]

Ex 1

The unit attempted to extinguish the fire using their on board hand held fire extinguishers and tried to extract the LNs from the wreckage, but the fire was too hot. The vehicle then continued to burn for over an hour. The IPs were brought to the scene by another patrol approximately 20-30 minutes after the incident and assisted with setting up security. They

C-1-1

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Exhibit III

Fwd
CIR REPORT

identified the vehicle as being from Jordan. The Squadron Commander is conducting a commander's inquiry.

LINE 7: Damage to government and/or civilian property: No damage to US personnel or equipment. Two local nationals KIA. One civilian automobile destroyed by fire.

LINE 8: Commander reporting: LTC

Ex 4

C-1-2

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SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 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 Cooke, Tai, Iraq	2. DATE /YYYYMMDD/ 05 MAY 2005	3. TIME 4:11	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS CPT / USAR	
8. ORGANIZATION OR ADDRESS HHT, YII ACR	9. [REDACTED]		

Ex 6
, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On or about 042210 MAY 05 AKinci sniper team Reaper reports two vehicles, one white sedan and one 4 door red sedan stationary on the south bound lane of Rte [REDACTED] VIC [REDACTED]. The persons in the vehicles got out of the cars and placed 2 large items on the shoulder of the road. AKinci QRF responded but was not able to catch the vehicles that continued south on [REDACTED]. At 2225 hrs Reaper reports the same red vehicle at the same location the above mentioned items where placed. AKinci QRF was only 800m south of the location traveling north on route Brewers. Reaper reports that persons are back in vehicle and are backing up on the southbound lane of Rte [REDACTED]. AKinci QRF arrives and stops vehicle at 2230. I got out of my vehicle and yelled to stop, then come here or "Tai" to the persons (2 males) in the vehicle. My [REDACTED] identified the items they placed prior as a tire which was wedged against the shoulder by a large concrete block. This block was no more than 50m from where the red car was now stopped. Upon my command to come here the driver got about half way out of the vehicle and looked back at the passenger in his vehicle. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Ex 1

10. EXHIBIT IV	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

(MF)
STATEMENTTAKEN AT Camp Cooke DATED 5 MAY 2005

9. STATEMENT (Continued)

The vehicle burst into flames in a matter of seconds which initiated me calling a size fire. Realizing the vehicles flames were minimal PFC [REDACTED] and SGT [REDACTED] attempted to extinguish the driver and SSG [REDACTED] attempted to pull him out of the flames. Because fuel was on the ground the flame grew quickly and all US soldiers were pulled back. We continued to observe. It appeared the passenger was dead and the driver was out of the vehicle and burnt to death in flames. He expired in the location we attempted to pull him out at. When all soldiers were back behind cover there were at least 2 secondary explosions, one of which was very loud and threw a bright explosion (flare like) about 30 ft in the air. The scene was secure and was turned over to Iraqi Police.

NOTHING FOLLOWS

Ex1
Ex6

INITIALS OF PERSON MAKING STATEMENT

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STATEMENT

TAKEN AT Camp Cooke

DATED 5 MAY 2005

9. STATEMENT (Continued)

Ex 6

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE [REDACTED]. 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:

Camp Cooke, Taji, Iraq
[REDACTED]
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of MAY, 2005
at Camp Cooke, Taji, Iraq

[REDACTED]
(Signature of Person Administering Oath)

Camp Cooke, Taji, Iraq
[REDACTED]
ORGANIZATION OR ADDRESS

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

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SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 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 Bldg 60	2. DATE (YYYYMMDD) 20050506	3. TIME 1100	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS EPT / USAR	
8. [REDACTED]			
9. [REDACTED]			

Ex 6

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: Your observation team observed a vehicle in placing items on the side of the road. What did you believe they were doing initially?

A: In placing an IED.

Q: When the same vehicle came back what did you believe their intent was?

A: Again to in place an IED. It led me to believe the first stop ^{was} the ~~the~~ ^{initial} stage to place concealment of future IED.

Q: Why do you believe the vehicle at the site began to back up after they returned to the site?

A: They saw U.S. military vehicles coming toward them.

Q: You believed the correct ROE was used in this situation?

A: Yes.

Ex 1

Ex 2

10. EXHIBIT IV (cont)	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>3</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE BE INDICATED.

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

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STATEMENT OF

TAKEN AT Camp Tai.

DATED 6 MAY 2005

Ex 62

9. STATEMENT (Continued)

Q: How much ROE training have you received?

A: We review our CFTLC ROE cards daily as per SQDN SOP. We have had the entire platoon review vignettes twice. One time in Kuwait and a update version which encompassed the Kuwait vignettes and added more scenarios. My entire platoon also had training at home station twice prior to deployment. We also practiced ROE at/during our NTC rotation.

Q: Do you go over the ROE before each mission?

A: Yes, ROE is reviewed at the section level daily even when there is no mission.

Q: Do you believe the two personnel engaged were ^{conducting} enemy operations?
A: Yes B: No

A. Yes. Based on the observed actions and the historical IED

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

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STATEMENT OF

TAKEN AT Camp Taji DATED 0 MAY 05

9. STATEMENT (Continued)

emplacements on Rte Brewers I have more than reasonable certainty that they were AIF.

Q: Do you believe there lessons learned and new TTPs for future operations concerning situations like this one?

A: Yes. We need to reinforce sectors of fire and make sure people do not deviate from these sectors. By doing this we will be able to conserve ammo and only used the required ammo to destroy the target. In regards to TTPs I think we did well and have no further recommendations.

Q: Do you have anything else to add to this investigation?

A: NO

XXXXXXXXXX END of Statement XXXXXXXXXXXX

Not Used

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10th day of MAY, 2005
at Camp Taji, Iraq, Bldg 68

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Article 136B4

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES



Focus Exhibit IV



[REDACTED]

Fouo

Exhibit VI

13320

1. Position of suspect vehicle
2. Scout Sniper Position (Reaper)
3. Tire placed by LN's against guard rail
4. Scout (Akinci) QRF vehicles & dismounts

Timeline:
042210MAY05 - sniper team (2) observed
LN vehicle (1) stopped on RTE
BREWERS south of the Al Muthanna
Bridge vicinity MB406962.
2220 - Same vehicle observed in area
again. Occupants lean tire against guard
rail. Snipers report suspicious activity to
QRF. (3)
2223 - QRF responds with 3 trucks. (4)

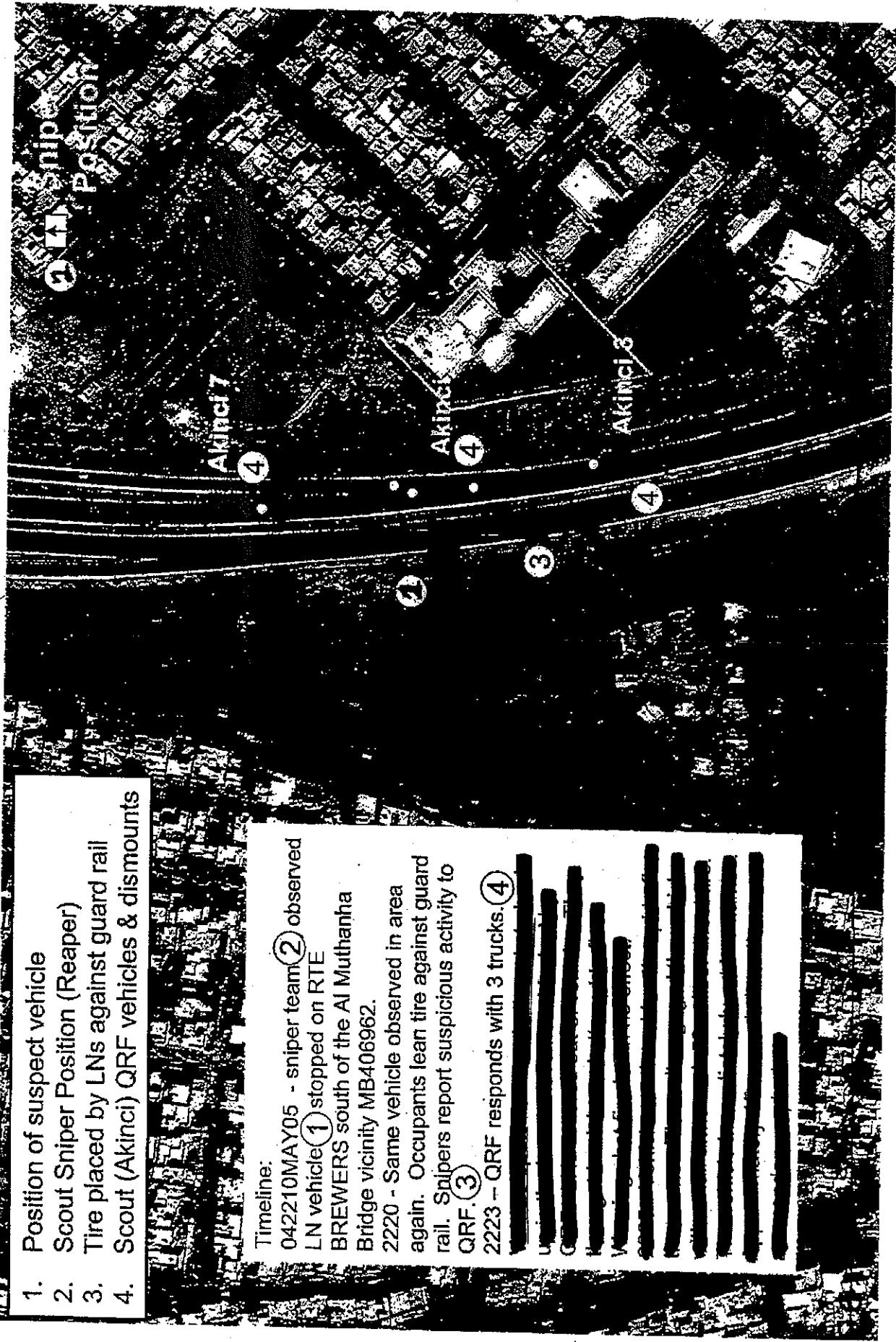
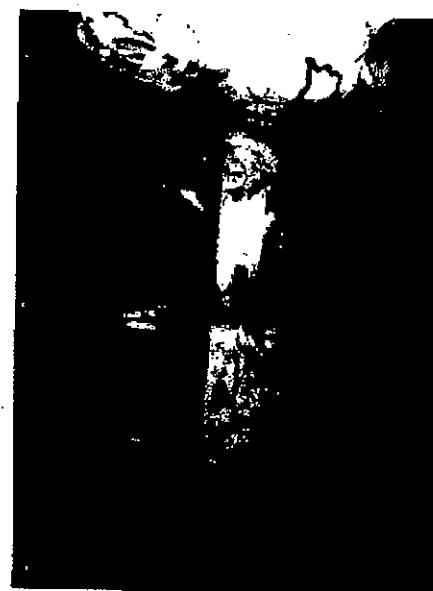


Exhibit VII

Scout Engagement 4 MAR 05

FOO0

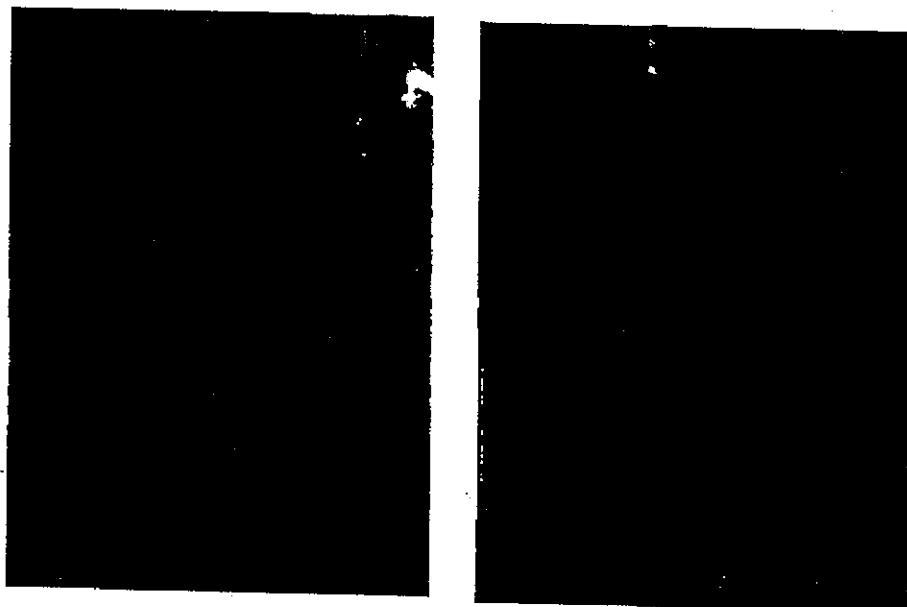
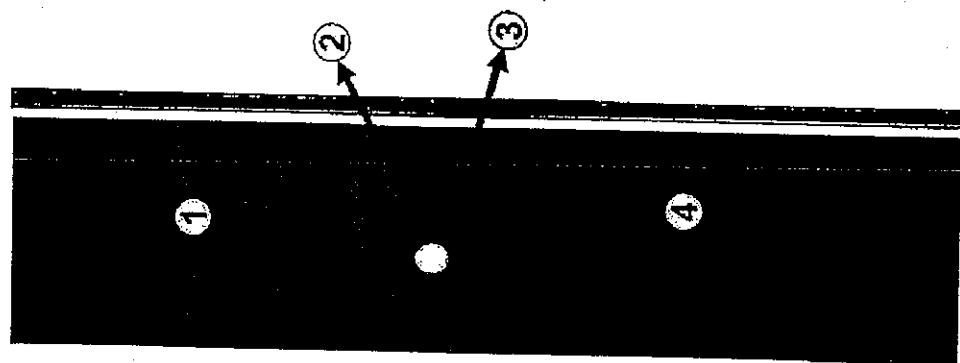
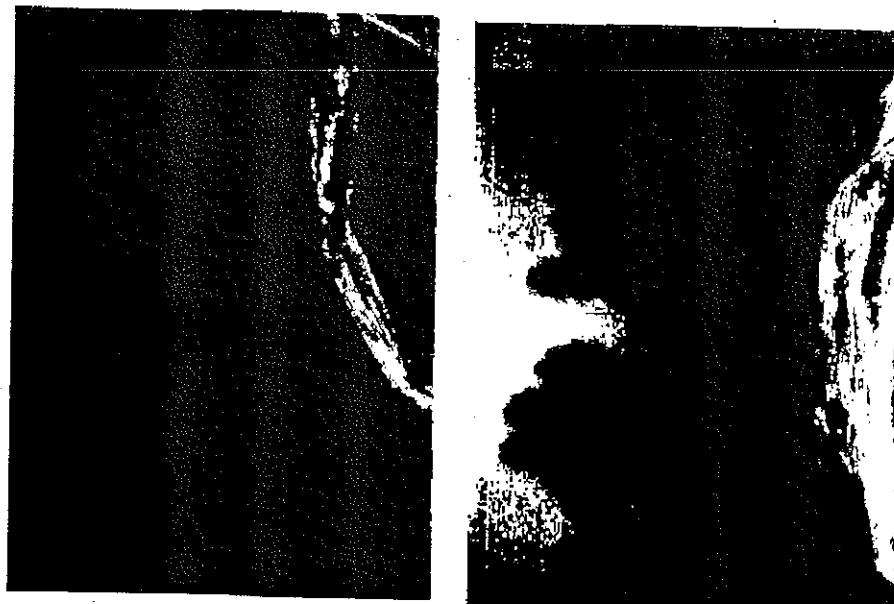


FOO0

Exhibit VIII

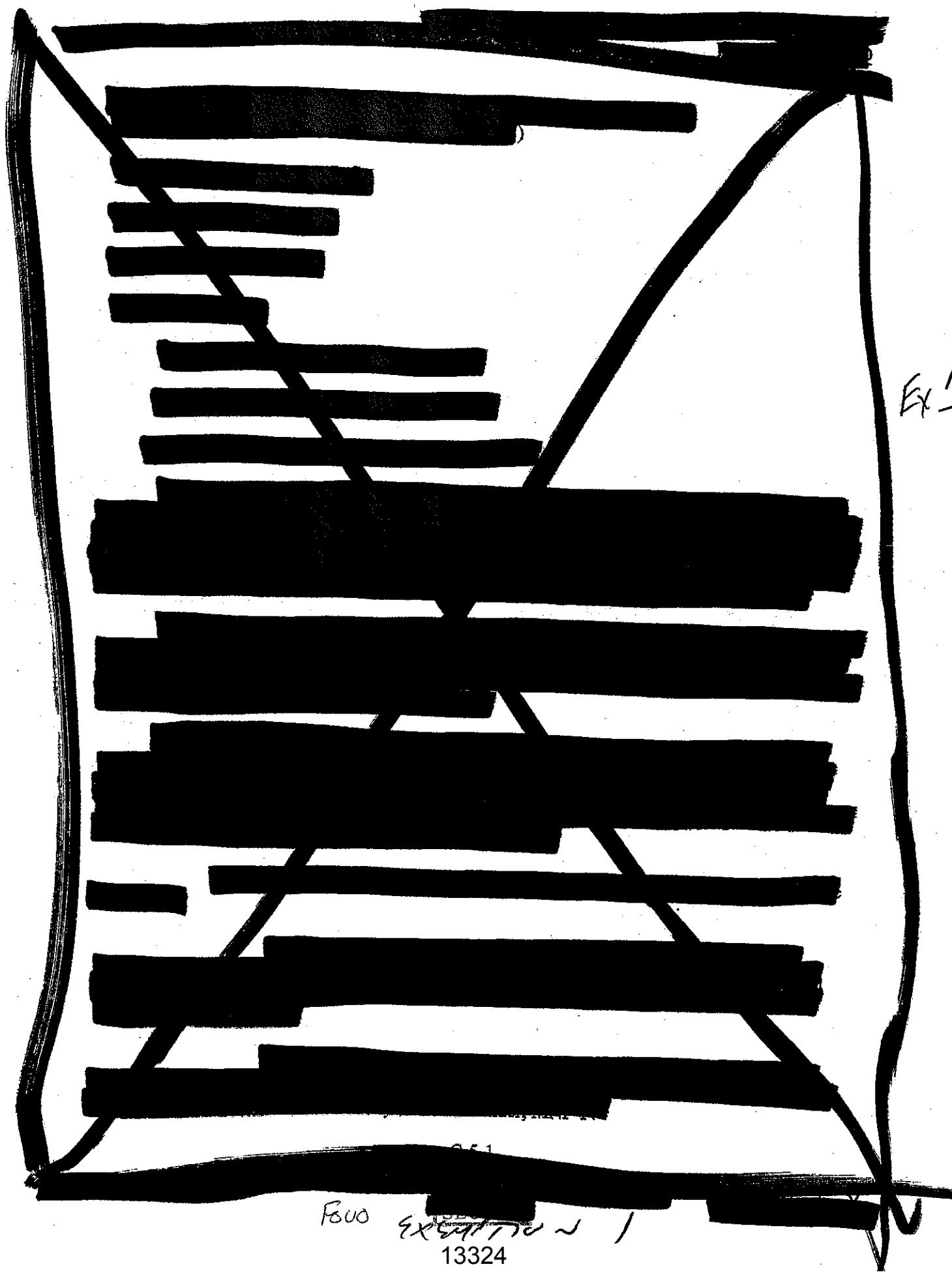
Scout Engagement 4 MAR 05

Focus

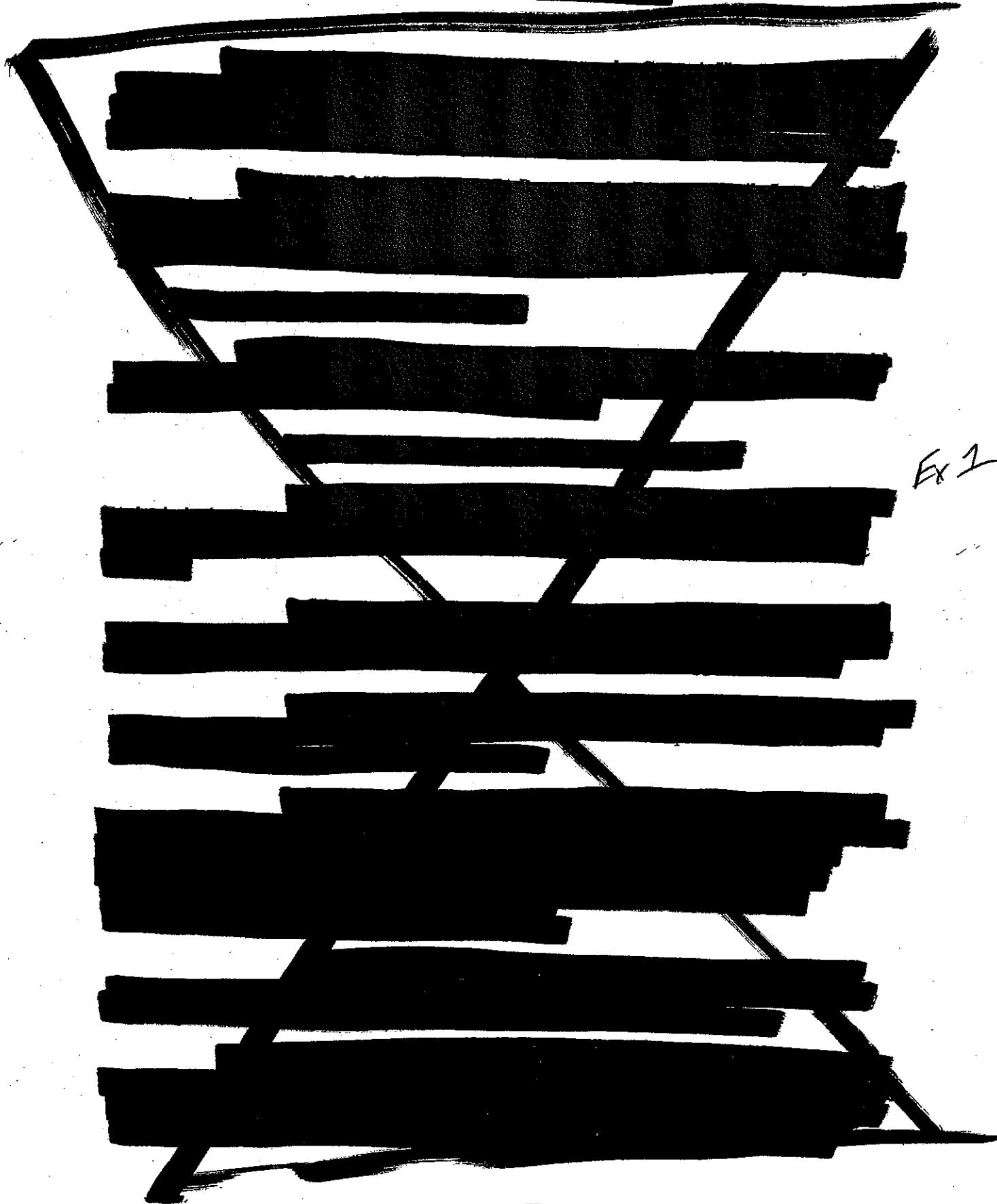


Focus

Exhibit IX



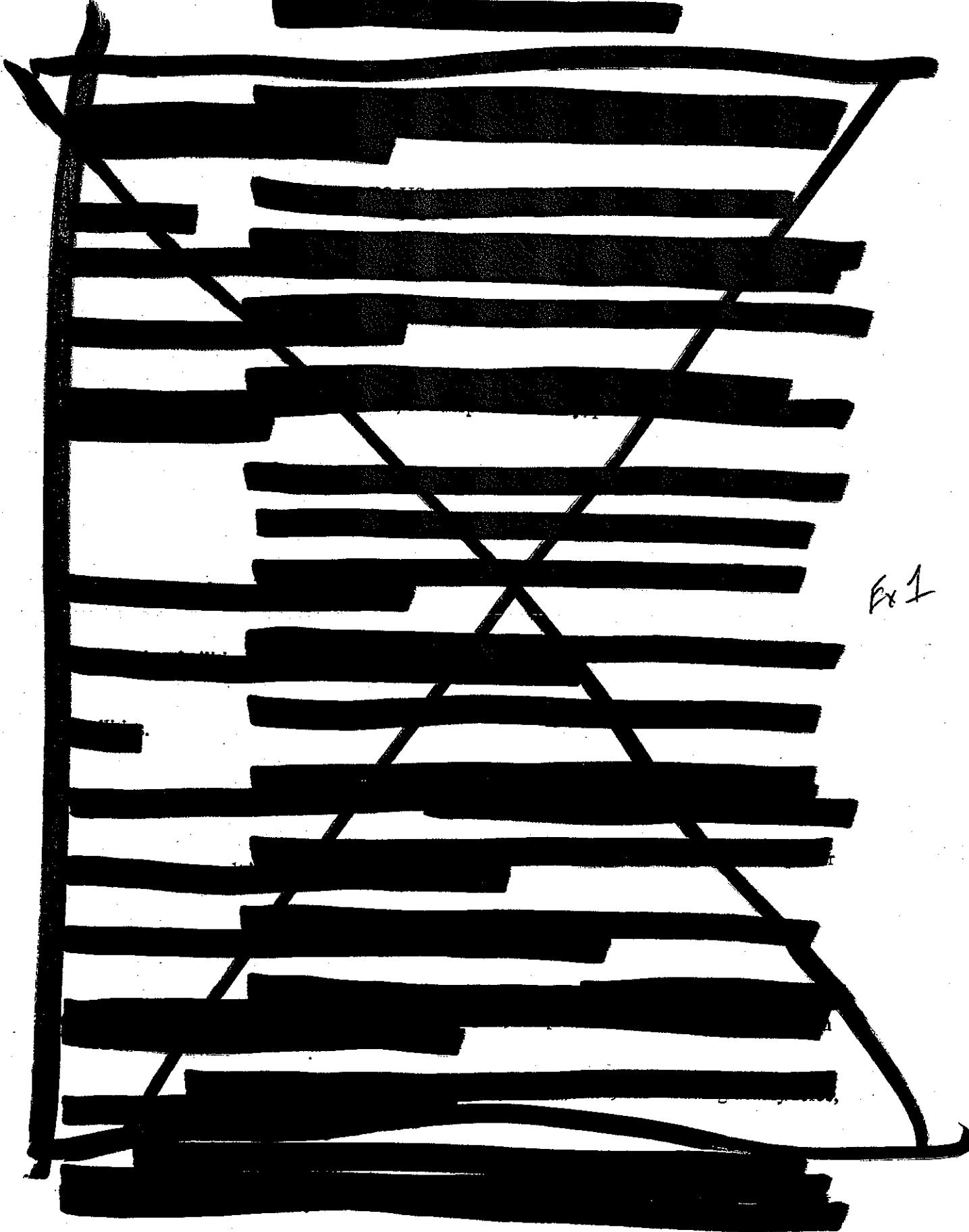
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13324



Ex 1

Exhibit 1

Exhibit



Ex 1

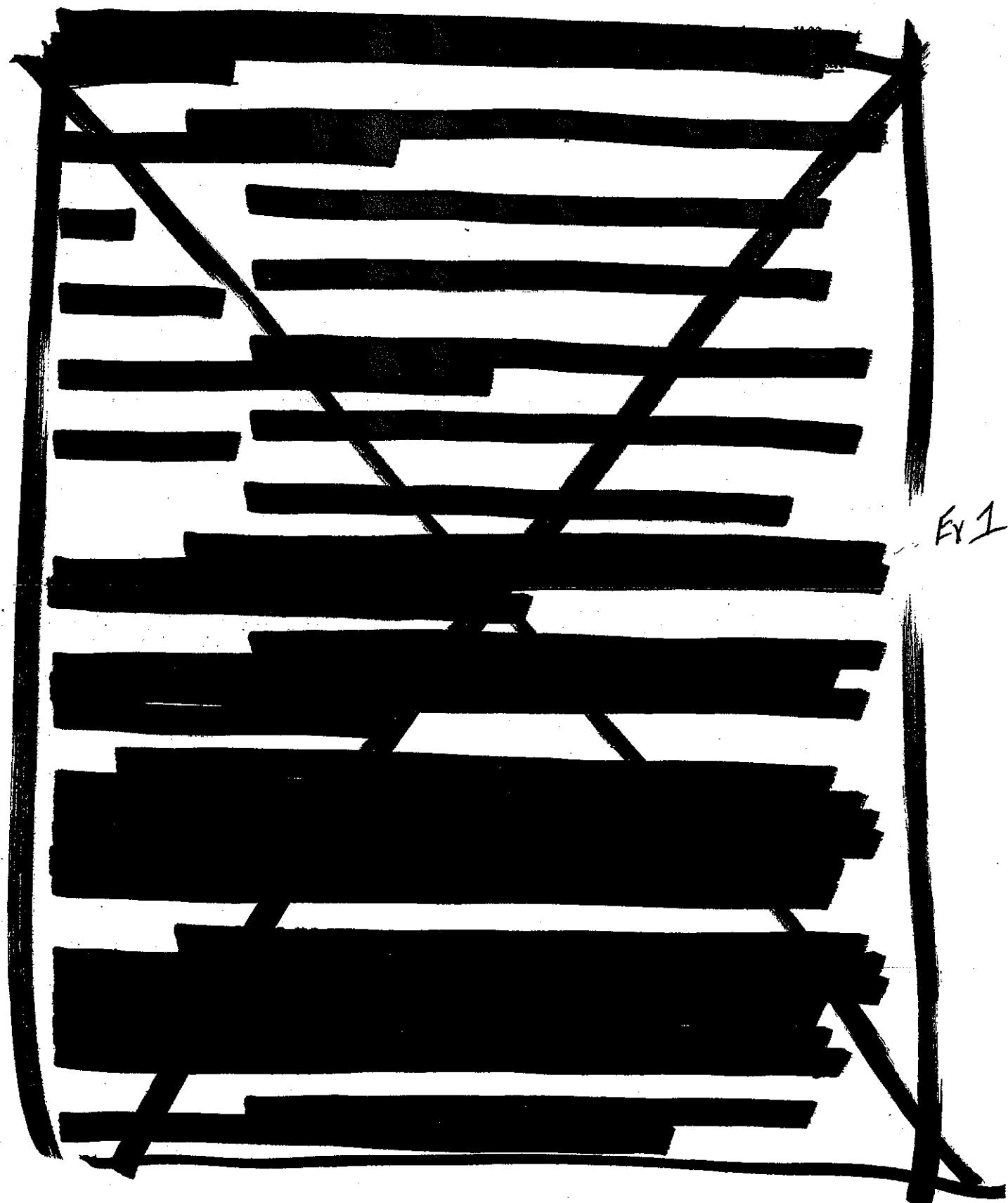
C-5-3

EXCERPT

FOUO

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13326



C-5-4

EX-1

FOOO

13327

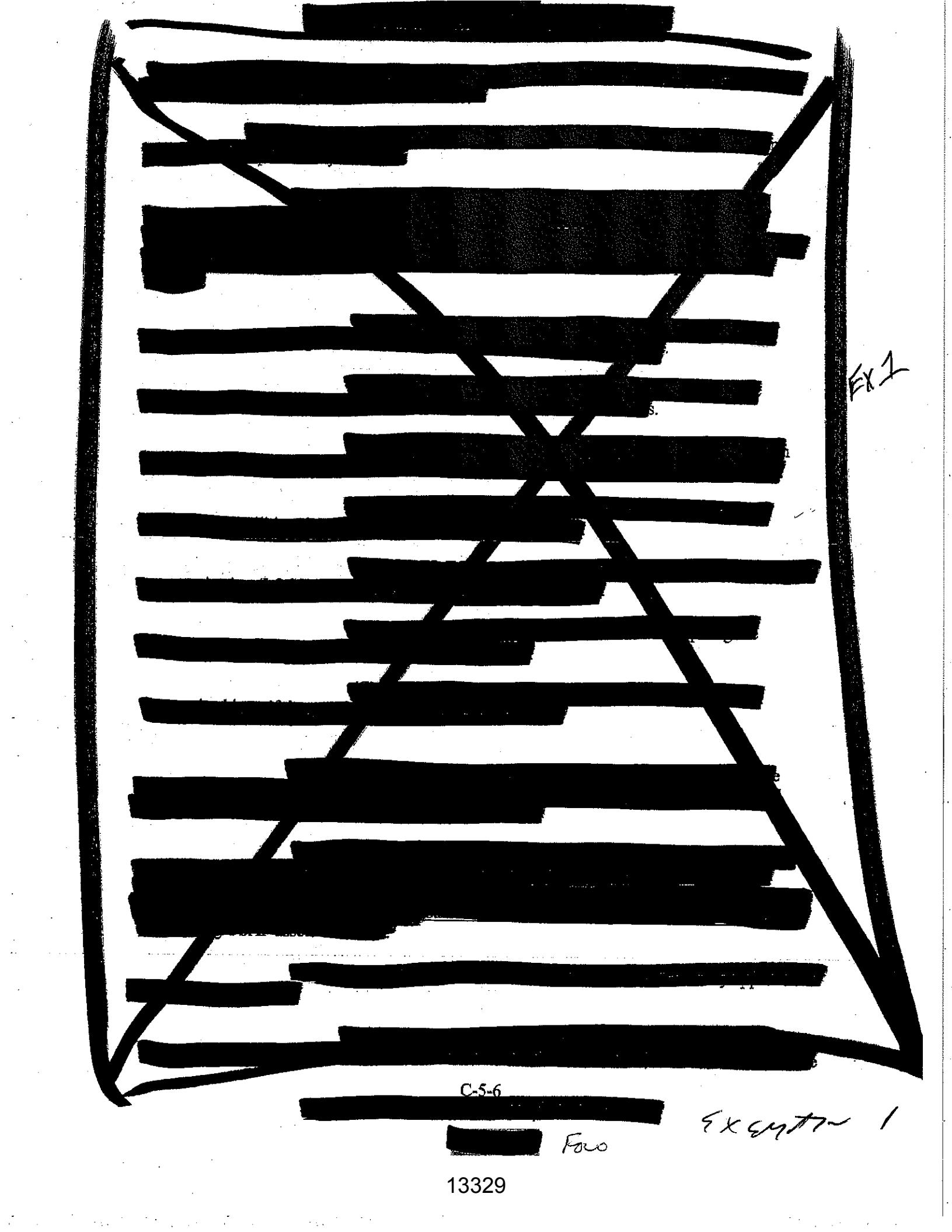
EX 1

C-5-5

Food

13328

EX CYPTR 1



Ex 1

C-5-6

Foto

Ex 5477 ~ 1

13329

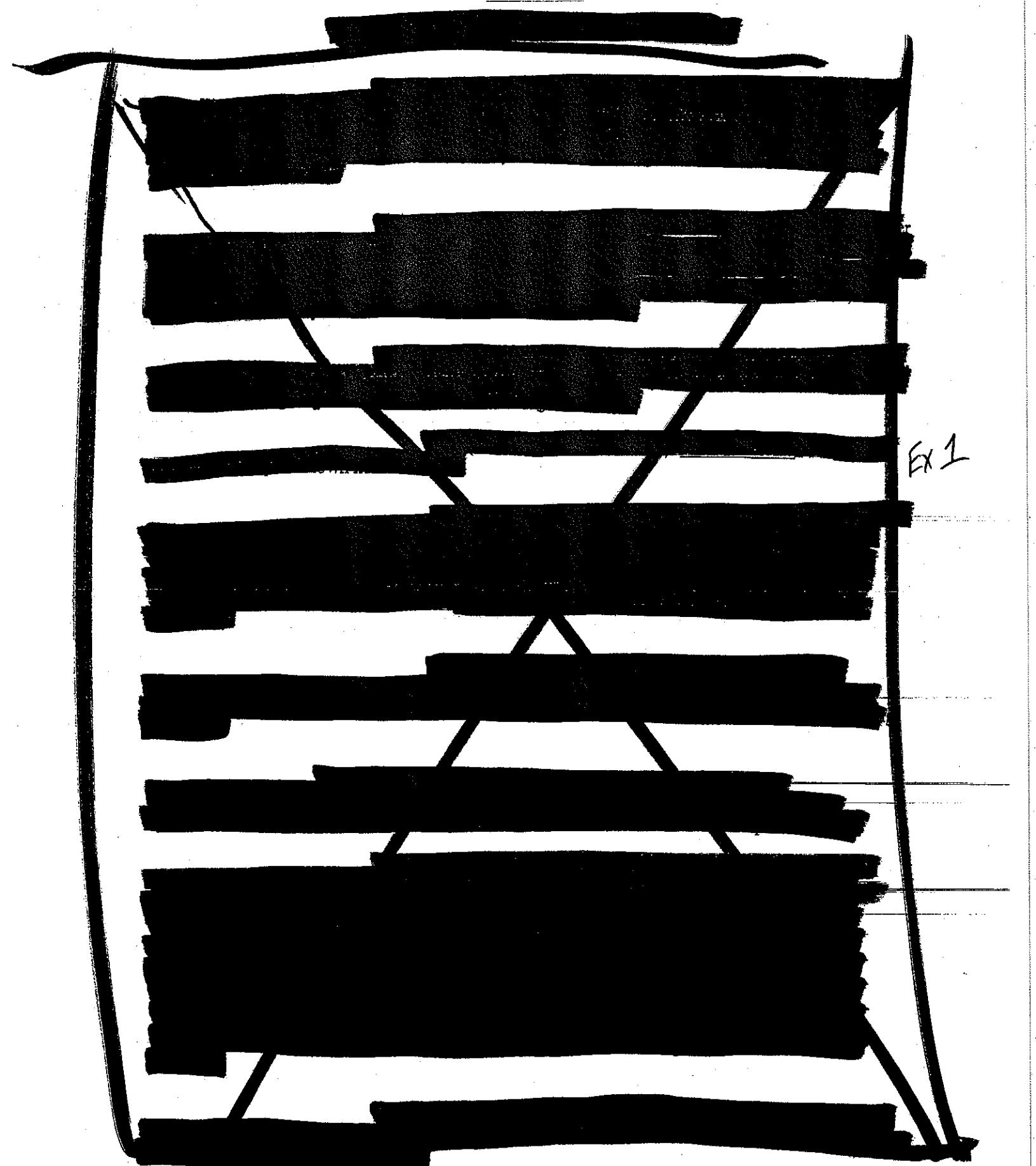
EX 1

057

Food

13330

EX 1



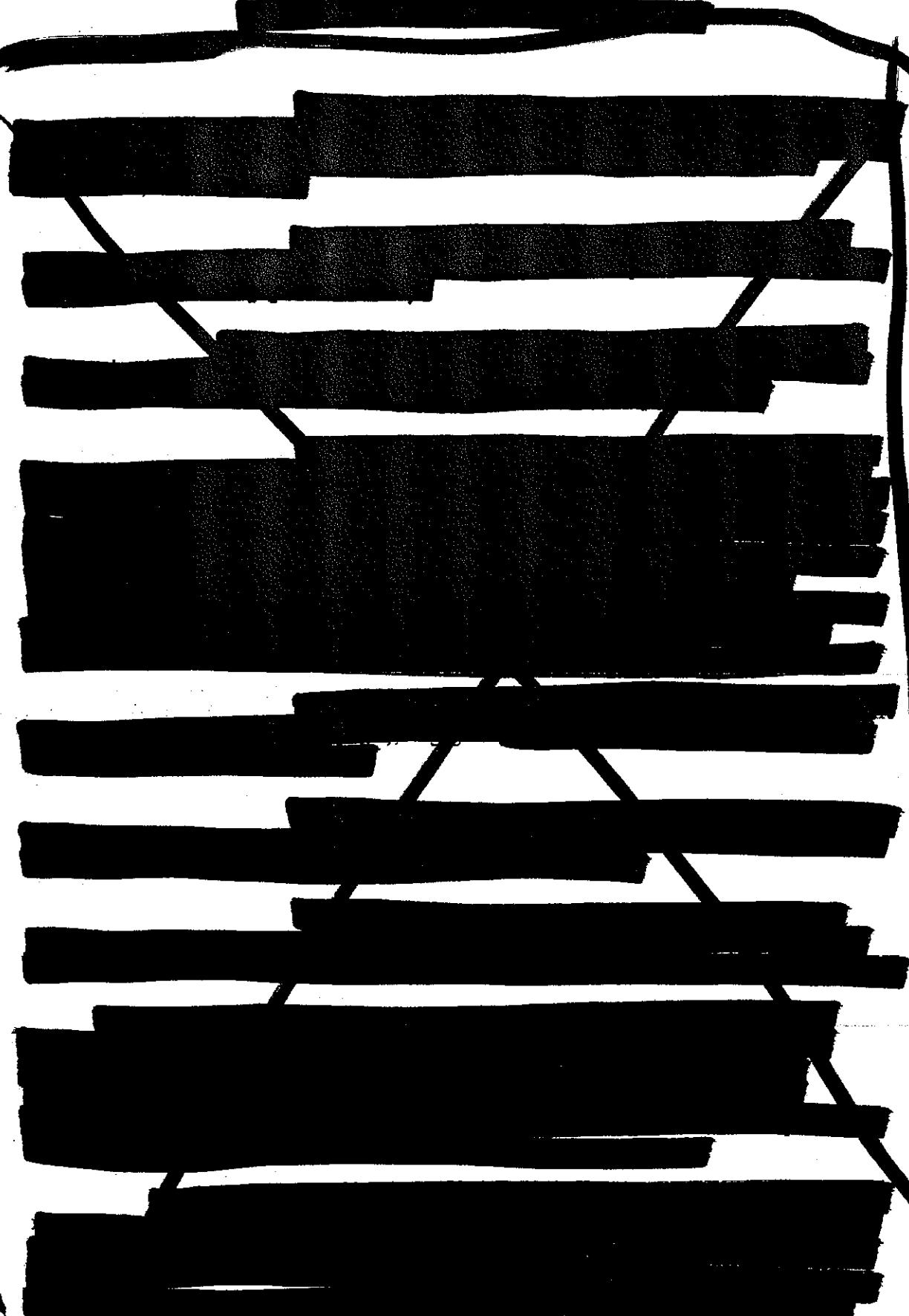
Ex 1

C-5-8

Four

Ex. 1

13331



Ex 1

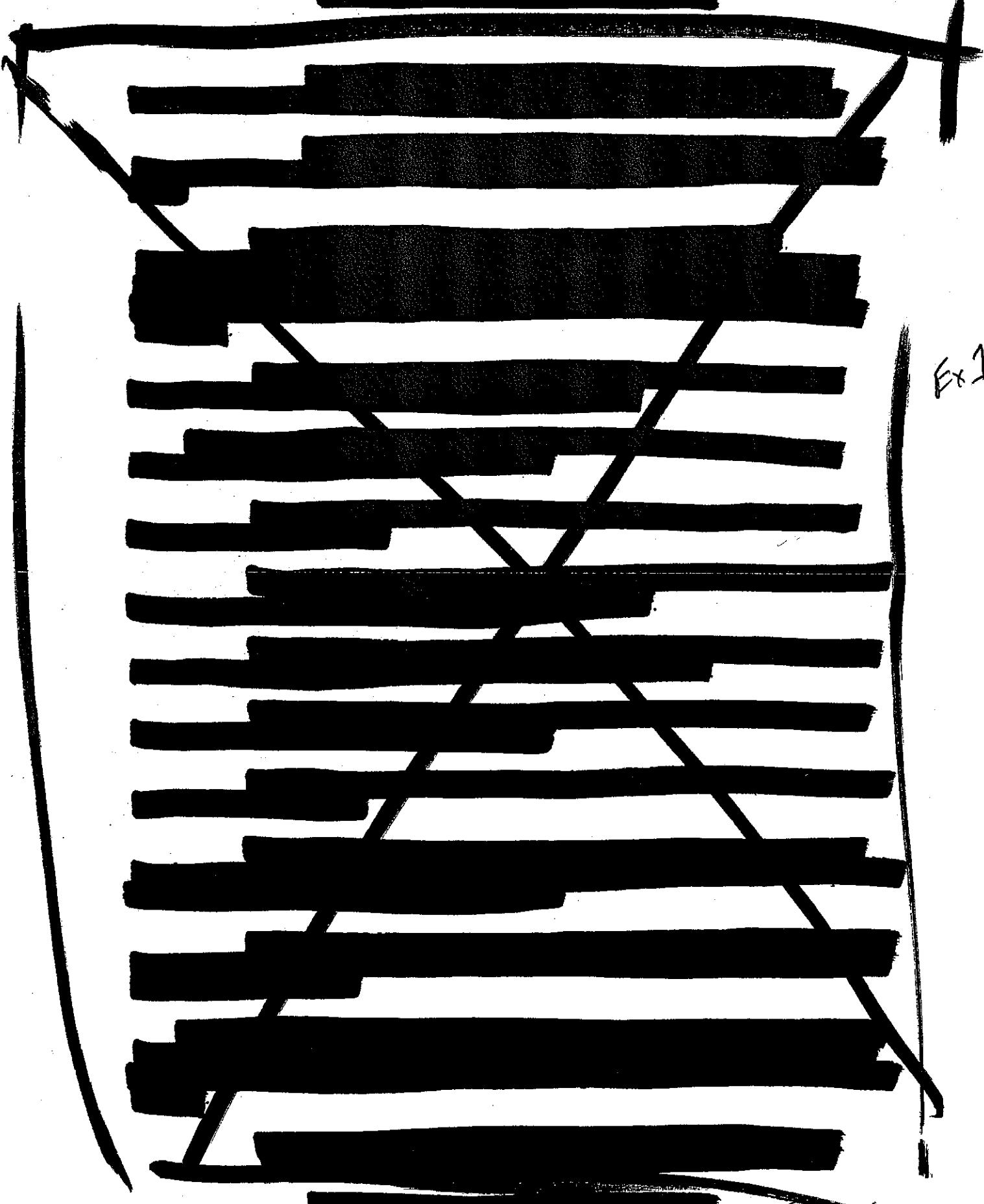
C-5-9

Ex 1



600

13332



Ex 1

Ex 1

13333

FOOO

Ex 1

C-5-11

Ex 1

13334

FOOO

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Ex 2

Ex

13335

5

Ex 1

Ex 1

F008

13336

FOUD

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	2. DATE /YYYYMMDD/	3. TIME	4. FILE NUMBER
Camp Cooke, Taji, Iraq	05 May 2005	0403	
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	
		SSG/USAR	

8. ORGANIZATION OR ADDRESS

HHT 1-11 ACR

9. NEIGHBORHOOD

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

At approximately 2120 hrs. My scout platoon emplaced the Reaper Sniper team consisting of SGT [REDACTED] and SPC [REDACTED]. From this location they were to overwatch a possible Mortar launch site for AIF. activity. It also happened that they could over look Rte. [REDACTED]. After the sniper team had been emplaced we being the HHT-17, HHT-11, and HHT-13 scout HMMV's began to patrol the area around the sniper team to include Rte. Brewers. At approximately 2210 Reaper 1 SGT [REDACTED] called saying a red sedan and a white sedan were stopped on the right hand side of the South-bound lanes on Rte Brewers. Reaper 1 informed us that the occupants of the vehicles dropped off what appeared to be a block or box and a car tire. We pushed our vehicles out to Rte [REDACTED] South in an attempt to stop the two cars. We were unable to catch them. So we continued South on Rte Brewers until we found an exit ramp that would allow us to return North. As we headed North on Brewers at which time it was approximately 2230 hrs. Reaper 1 SGT [REDACTED] again called to say that the red sedan had again returned to the same location sitting stationary on the right hand side of the South bound lane of Rte. Brewers. At that time we were about 800 meters from that location. We increased our speed in order to arrive before the vehicle left the area, so we might ascertain what they were doing. The HHT-17 truck was leading followed by HHT-11 and HHT-13, before stopping. HHT-11 stopped almost directly across the median from the red sedan and HHT-13 stopped approximately 75m behind the HHT-11 truck.

CP [REDACTED]. The passenger of the vehicle started to get out of the car.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <input type="text"/> PAGES
X		

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" [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 BE INDICATED.

Ex 6

Ex 1

FOUD

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF

TAKEN AT Camp Cooke, Taji Iraq DATED 05 May 2005

8. STATEMENT (Continued)

9. STATEMENT (Continued)
but appeared to say something to the driver. Then the passenger immediately jumped back into the car and the car began to drive away.

I passed the cease fire call on to the HHT-13 truck to our rear as well. At this time we could see that the driver was still moving around in the car and we yelled for him to come out as the car was on fire. The driver opened the door and attempted to get out but fell back inside. We yelled for him to get out as the fire was spreading out around the car. He then lunged up and out holding on to the door but fell down int the fire. I ran over to the median and jumped the rail. and the driver of HHT-11

... and the driver of HHT-11
and attempted to fight back the fire so that I could get a hold
of the man and possibly pull him away from the car. As I grabbed
his arm the skin that was already burned came off in my
hand. The fire forced me back and my extinguisher was empty.
I was then joined by SGT [REDACTED] from the HHT-13 truck
with another extinguisher as he fought the flames I again
attempted to get to the man but the heat was to intense
and it forced us back CPT [REDACTED] and some of the others
where yelling for us to get back as the car could explode
at any minute. As we returned to our side of the median and
the HHT-11 truck something exploded in the trunk of the car.
The car and the man became engulfed in flame. At some point
there I believe he had died there in the flames of the fire. ~~10/10~~

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF [REDACTED]

TAKEN AT Camp Cooke, Taji, Iraq DATED 05 May 2005

STATEMENT (Continued)

Ex 10

AFFIDAVIT

[REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 5. 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.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of May, 2005 at Camp Cooke, Taji, Iraq

[REDACTED]

[REDACTED]

[REDACTED]

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

[REDACTED]

[REDACTED]

[REDACTED]

(Typed Name of Person Administering Oath)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 3 OF 3 *1/2*

PAGES

FOUO

1000
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 Crook, Taji, Iraq	2. DATE (YYYYMMDD) 06 May 2005	TIME 1212	4. FILE NUMBER
5. LASTNAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS SSG / USAR	
8. ORGANIZATION OR ADDRESS HHT- I-11 ACR			

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

Q: What is your duty position and where were you during the firing incident on the night of 4 May 2005. Ex 6

A: I'm the Headquarters Section in the Scout platoon I handle the section sergeants duties. On the night of 4 May 2005 I was riding in the Seat behind CPT [REDACTED] I dismounted the truck immediately after CPT [REDACTED]

Q: Did CPT [REDACTED] tell the vehicle (red car) to halt and what happened after that?

A: The car was stopped on the side of the road as we pulled up and stopped. After CPT [REDACTED] Exited the truck followed by me. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Q: Did you believe the men in the car were conducting enemy operations? When they started to drive away did you feel any threat against yourself?

A: Yes I did believe the men in the car were conducting enemy ops.

[REDACTED]

[REDACTED]

[REDACTED]

Ex 1

Ex 1

10. EXHIBIT

X1 (cont.)

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE INDICATED.

SECRET

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9. STATEMENT (Continued)

Q Did you witness the shot CPT [REDACTED] fired next?
Where did it go? [REDACTED]

A: The next shot that CTR [REDACTED] fired was into the left front tire of the red car.

Q: What did the driver of the car do next?

A: The driver continued to accelerate has he had not stopped the car's movement. The car from the point of where it was stopped originally moved approximate 30 to 50 feet before it stopped.

Q: Do you believe there were exposures in the car? Why?

H. I believe there where explosives in the car. There was an explosion after the Firing stopped and the car was burning. The explosion from the rear of the car was kind of like a fire works display like sparklers falling to the ground.

Q: Do you cover ROE daily and what kind of ROE training have you had?

A: We cover ROE daily using the ROE cards that were given to us. We've also used the different ROE scenarios given to us by the brigade. We also have had a couple of classes on ROE prior to our deployment. [REDACTED] [REDACTED]

XXXXXX END of Statement XXXXXX

AFFIDAVIT

WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT 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 IMPERSONATION.

(Signature of Person making statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6th day of May, 2005
at Camp Taji Bldg. 68

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

typed Name of Person

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 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.

Ex6

9. , WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 4 MAY 2005 ALPHA TEAM OF THE SCOUT PLATOON WAS CONDUCTING A ROLLING QRF ALONG RTE [REDACTED]. AS WE MADE OUR WAY SOUTH ON BREWERS IN THE NORTH BOUND LANE OUR SNIPER TEAM (REAPER) CALLED UP A SUSPICIOUS VEHICLE VICINITY MB 906 962. I THEN TURNED AROUND TO HEAD NORTH ON BREWERS. AS I ROLLED NORTH ON [REDACTED] I OBSERVED THE STATIONARY RED HATCH BACK CAR IN THE SOUTH BOUND LANE. I PULL PAST IT ABOUT 100METERS AND STOPPED THE PATROL IN THE NORTH BOUND LANE. I [REDACTED] [REDACTED] [REDACTED] [REDACTED]

Ex/

10. EXHIBIT XII 11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] PAGE 1 OF 34 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.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT TAKEN AT Chap Cookie DATED 05 MAY 2005

TAKEN AT Camp Cooke DATED 05 MAY 2005

9. STATEMENT (Continued)

CEASE FIRE WAS CALLED UP ON THE NET AND ALL VEHICLE RUNNERS STOPPED FIRING. ONCE THE CAR WAS ON FIRE THE 3 ACTUAL AND 1 OSCAR RAN TO THE VEHICLE BEFORE IT WAS FULLY IN FLAMES. THE 1 OSCAR REACHED OUT TO GRAB THE DRIVER OF THE VEHICLE BY THE ARM AND WAS UNSUCCESSFUL. WHILE THE 1 OSCAR (SGT [REDACTED]) IS TRYING TO PULL THE DRIVER AWAY FROM THE BURNING CAR, THE 3 ACTUAL (SGT [REDACTED]) HAD A FIRE EXTINGUISHER AND TRIED TO PUT IT OUT. THE FIRE GOT OUT OF CONTROL AND EVERYONE PULL BACK. ONCE THAT HAPPENED A EXPLOSION WENT OFF FROM THE REAR OF THE VEHICLE THAT WAS ON FIRE. SOON AFTER THAT THE DRIVER OF THE VEHICLE STOPPED MOVING AROUND AND WAS CONSUMED BY FLAMES. THE AREA WAS SECURED AND A TEAM REMAINED ON SIGHT UNTIL THE IRAQI POLICE SHOWED UP. FROM THE TIME WE FIRST DROVE UP ON THE SUSPICIOUS VEHICLE AND OBSERVED THE SITUATION I LOOKED AT MY WATCH AND IT WAS AROUND 2300 HRS [REDACTED]

MANHATTAN HILL HOLLOW CLOTHING FOLLOWS // 1800'S 1850'S 1860'S 1870'S 1880'S 1890'S 1900'S

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF

TAKEN AT

Chris Cooke

DATED 15 MAY 2001

9. STATEMENT *(Continued)*

A black and white photograph of a road intersection. Two roads, one curving from the bottom left and another from the top right, meet at a central intersection point marked by a small, dark, rectangular object. The image is framed by a thick black border.

AFFIDAVIT

[REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 34. 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.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of May, 2005
at CAMP COOKE, TAH, TAH.

HHT 1/11 ACR
CAMP COOK TRAIL
ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

HAT HAT ACR
CAMP COKE, TAJI, Iraq
ORGANIZATION OR ADDRESS

Typed Name of Person Administering Oath

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

PAGE 3, DA FORM 2823, DEC 1998

USAPA V1.00

PAGE 3, DA FORM 2823, DEC 1998 USAFA V1.00

Digitized by srujanika@gmail.com

13344

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 COOKE, TAJI IROQ	2. DATE (YYYYMMDD) 06 MAY 05	3. TIME 1335 AM	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	[REDACTED]		7. GRADE/STATUS E6 / USAR
8. ORGANIZATION OR ADDRESS HHT 111 ACR			

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

Q: On the night of 4 May 05, where were you located at during the shooting incident concerning the red car?

A: MY VEHICLE WAS THE LEAD TRUCK IN THE FRONT OF THE PATROL

Q: What was your distance from the Platoon Leaders Vehicle and the red car?

A: MY VEHICLE WAS ABOUT 75 METERS FROM THE PLATOON LEADERS VEHICLE AND 100M FROM THE RED CAR.

Q: Could you hear the platoon leaders commands to the red car's driver and what did he say?

A: YES I DID HEAR THE PL'S COMMANDS. THE PL YELLED TO THE DRIVER OF THE VEHICLE TO STOP AND EXIT THE CAR. THE PL ALSO USED HAND GESTURES TO JAIL THE DRIVER TOWARD HIM.

Q: When the driver jumped back into the vehicle what did the PL do? what did you do?

A: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Ex1

10. EXHIBIT

XII (cont.)

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 3 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 BE INDICATED.

STATEMENT [REDACTED] TAKEN AT CAMP TAN DATED 06 MAY 05

9. STATEMENT (Continued)

Q: Why did you tell your gunner to fire? Ex 6

A: I GAVE MY GUNNER THE COMMAND TO FIRE BASED ON MY ASSESSMENT OF THE CURRENT SITUATION OF THE DRIVER EXITING THE VEHICLE AND THEM JUMPING BACK IN A TRYING TO FLEE THE SCENE. ALSO BECAUSE THE CURRENT INTEL OF THE AREA AS WELL AS RECENT VBIED ATTACKS IN THE AREA. MY FIRST THOUGHT WAS THAT THE RED CAR WAS A VBIED WAITING TO DETONATE AND THEY WERE FLEEING THE SCENE BECAUSE THEIR ATTEMPT WAS COMPROMISED BY US CATCHING THEM. [REDACTED]

Q: Had your section covered the ROE prior to this mission? What kind of training of ROE have you and your section have? Ex 1

A: YES MY SECTION COVERED THE ROE PRIOR TO THIS MISSION. EVERY DAY MY SECTION COVERS ROE SCENARIOS AND REVIEW 10 ITEMS. IT IS PART OF OUR DAILY FOUR WHICH HAVE TO BE COMPLETED AT 12 NOON EVERYDAY.

Q: Do you have anything else you would like to add to this statement or investigation? [REDACTED]

A: NO

XXXXXXEND of Statement XXXXXX

NOT

4520

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 3 PAGES

USAFPA V1.00