



FOUO

DEPARTMENT OF THE ARMY
HEADQUARTERS, TASK FORCE 1-41 INFANTRY
CAMP LIBERTY, BAGHDAD, IRAQ
APO AE 09303

REPLY TO
ATTENTION OF

AFZN-BB-MO

23 April 2005

MEMORANDUM FOR Commander, TF 1-41 IN, APO AE 09303

SUBJECT: AR 15-6 Investigation for accidental shooting of a civilian by 1-156 IN

1. On 23 April 2005, I was appointed as the AR 15-6 Investigating Officer (IO) for the circumstances surrounding an accidental shooting (ricochet) of an Iraqi civilian in vicinity of MB 3207 8785 (Lightning Alley) in Baghdad, Iraq on or about 22 APR 05. I have conducted a thorough investigation of the circumstances surrounding this incident. My observations, conclusions and recommendations are provided in the following format: facts, findings, and recommendations.

2. FACTS: On 22 April 2005 at approximately 1357 hours, a platoon (1st Platoon/Red Platoon) of M2 BFV's from C/1-41 IN accompanied by a platoon from 1-156th (3rd Platoon Charlie Company) began a joint patrol to facilitate a right/left-seat ride inside of Gazaliyha. At 1521, 1st Platoon established three (3) dismounted Ops. The first was at MB 3116 9067 with 5 Dismounts, the second was at MB 3110 9060 with 6 Dismounts, and the third at MB 3110 9079 with 10 Dismounts. (All were marked with a VS 17 panels.) At the same time the 1-156 Platoon was conducting dismount patrols approximately to the south-east, 500 meters away. At the end of the patrols in the center of Gazaliyha, both platoons moved south, [REDACTED] Both platoons were being monitored by the Stalwart TOC (1-41 IN). Both BN internal nets (1-41 and 1-156 IN) were being monitored at the time of the incident. Additionally the 1-41 IN PLT in sector monitors the 1-156 IN Platoon or Company net while joint patrols are being conducted.

Ex 1

At the time of the incident the 1-156 platoon was on the western edge of Lightning 2 over-watching the alley way while the 1-41 platoon was on the eastern side of Lightning 1 approximately, 600 meters apart. Both platoons had dismount OPs established and were in mutually supporting positions, [REDACTED] At approximately 1700 (all the statements vary) the 1-156 platoon was fired upon with (2) two RPGs and after the second RPG was fired, two of the platoon, SSG [REDACTED] (Squad Leader) and SGT [REDACTED] (Team Leader) were able to return fire with their rifles. A total of eight (8) rounds were fired at the RPG gunner and it is unknown at this time if any struck the AIF. Several of the rounds, based on the diagrams from the 1-156 Commanders Inquiry, went past the gunner and struck buildings and created shrapnel and ricochet hazards. Some of which struck the Iraqi citizen while she was in the kitchen. The civilian casualty at the time of the shooting was inside the house and unseen by the 1-156 PLT when

Ex 1

Ex 6

[REDACTED] F00

they returned fire. The unintentional victim was unobserved the entire time of the incident.

Initially the 1-41 platoon did not move based upon an unclear report from 1-156 who at the time were actioning on the RPG gunner. The C 1-41 platoon after receiving a clear concise report moved north and then west on Route Alpha to assist in the search for the gunner. Both units were situationally aware of each other but not of the exact location of the RPG gunner. After a general assessment of the location of the RPG Gunner was ascertained, a clear report given to both Battalions and BDE and a plan formed on how to best fix the AIF, the platoons patrolled through both Lightning Alley 1 and 2 for the next 30 to 45 minutes and rendered aid to the wounded Iraqi child. [REDACTED]

[REDACTED] Ex 1

General Timeline for the Patrol:

1345	SP Temple Gate
1400-1530	Patrol Sector
1530-1630	Dismount OPs (Both Platoons)
1636	C 1-41 IN PLT breaks down OP (Sent to BN)
1640-1700	Movement to Lightning Alley 1 & 2 (Both Platoons)
1700	OPs established in Lightning Alley 1 & 2 (Both Platoons)
1715	RPG Strike
1715	1-41 IN PLT sends report to BN
1715-1720	Charlie 6 from C/1-41 IN reports to BN of incident
	BN reports to BDE approximately 1 to 2 minutes later
1715-1730	C 1-41 PLT breaks down OPs and moves to support C 1-156 PLT
1730-1745	Both Platoons search Lightning Alley 1 & 2 for AIF
1800	Dismount Link-up with C 1-156 PLT
1800-1830	Dismount Patrol inside neighborhood between Lightning Alley 1 & 2

3. FINDINGS. Based on the facts presented and the evidence gathered I find no issues or concerns in either the actions of either unit during contact. Both BN nets are monitored during joint patrols and land line communication is also utilized. Both units link up before the patrol and after the patrol is complete. [REDACTED]

[REDACTED] Ex 1

[REDACTED] Additionally, communication is maintained between the platoons on the 1-156 IN internal platoon or company nets the entire time of the patrol.

4. RECOMENDATIONS: Based on my findings of the events that occurred on 22 April 2005, which resulted in the accidental shooting of one Iraqi Civilian, I have concluded that no soldier was at fault. The unit that was fired upon with the RPG acted in a manner that was proper and in the standing of the ROE. I do not believe that the unit in question arbitrarily or capriciously fired without just cause and that both units acted to support each other.



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DEPARTMENT OF THE ARMY
HEADQUARTERS, TASK FORCE 1-41 INFANTRY
CAMP LIBERTY, BAGHDAD, IRAQ
APO AE 09303

REPLY TO
ATTENTION OF

AFEN-BB-CDR

23 April 2005

MEMORANDUM FOR Commander 2nd Brigade Combat Team, 10th Mountain Division.

SUBJECT: AR 15-6 Investigation for the circumstances surrounding the wounding of one Iraqi
Civilian girl

As the Task Force Commander, I concur with the findings and recommendations of the
investigating officer.

1. I recommend no further action.
2. POC is [REDACTED] Task Force 1-41 Adjutant, DNV: 583-7201.

Ex 6

[REDACTED]

LTC, IN
Commanding



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DEPARTMENT OF THE ARMY
HEADQUARTERS, TASK FORCE 1-41 INFANTRY
CAMP LIBERTY, BAGHDAD, IRAQ
APO AE 09303

REPLY TO
ATTENTION OF

AFZN-BB-MP (15-6b)

23 April 2005

MEMORANDUM FOR: CPT [REDACTED] Task Force 1-41 Infantry, Camp Liberty,
Baghdad, Iraq APO AE 09303

SUBJECT: Appointment as Investigating Officer

1. Reference: AR 15-6, Procedure for Investigation Officers and Boards of Officers, 30 September 1996
2. You are hereby appointed as investigating officer for the circumstances surrounding the wounding of one Iraqi Civilian girl during an engagement in vicinity of MB 3207 8785, in Baghdad, Iraq on or about 22 Apr 05. Ex 6
3. When possible, all witness statements will be sworn. From the evidence, you will make findings and recommendations as to whether you believe there was any inappropriate conduct, and whether any individual or individuals should be punished administratively or under UCMJ.
4. In your investigation, use informal procedures under AR 15-6.
5. Submit your findings and recommendations on DA Form 1574 and in memorandum to the Battalion Commander.
6. The POC for this memorandum is 1LT [REDACTED] TF Adjutant, DSN 583-3002.

[REDACTED]
[REDACTED]
[REDACTED]
LTC, IN
Commanding

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 LTC [REDACTED] Ex 60
(Appointing authority)

on 23 APRIL 2005 (Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)
(Date)

SECTION II - SESSIONS

The (investigation) (board) commenced at CAMP LIBERTY at 1030
(Place) (Time)

on 23 APRIL (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 1530 on 23 APRIL 2005
(Time) (Date)
and completed findings and recommendations at 1700 on 23 APRIL 2005
(Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE ALL CASES

	YES	NO ^{1/}	NA ^{2/}
1. Inclosure 1: (See 3-15, AR 15-6)			
Are the following inclosures and numbered consecutively with Roman numerals: (Attached in order listed)			
a. The letter of appointment or a summary of oral appointment data?	X		
b. Copy of report to respondent, if any? (See item 9, below)	X		
c. Other correspondence with respondent or counsel, if any?	X		
d. All communications to or from the appointing authority?			X
e. Private 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		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)?			X
7 Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?			X
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)?			X
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?			X
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)?			X
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)?			X
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 ☐)			
b. Was respondent's counsel present at all open sessions of the board relating to that respondent?			X
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)?			X
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?			X
b. Did each member successfully challenged cease to participate in the proceedings?			X
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?			X
c. Object to the testimony of witnesses and cross-examine witnesses other than his own?			X
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)?			X
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)?			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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SECTION IV - FINDINGS (para 3-10, AR 15-6)

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

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

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

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SECTION VI - AUTHORITY (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)

Ex 6

(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.)

Ex 6



FDVO
DEPARTMENT OF THE ARMY
HEADQUARTERS, TASK FORCE 1-41 INFANTRY
CAMP LIBERTY, BAGHDAD, IRAQ
APO AE 09303

REPLY TO
ATTENTION OF

AFZN-BB-MO

23 April 2005

MEMORANDUM FOR Commander, TF 1-41 IN, APO AE 09303

SUBJECT: Index of exhibits for 15-6 investigation

1. Purpose. To provide an index for exhibits offered for consideration by the investigating officer.
2. The following are exhibits/evidence:
 - I. 1LT [REDACTED]
 - a. Privacy Act Statement
 - b. Sworn Statement DA 2823
 - II. SFC [REDACTED]
 - a. Privacy Act Statement
 - b. Sworn Statement DA 2823
 - III. CPT [REDACTED]
 - a. Privacy Act Statement
 - b. Sworn Statement DA 2823
 - IV. SSG [REDACTED]
 - a. Privacy Act Statement
 - b. Sworn Statement DA 2823
 - V. Copy of Commanders Inquiry from 1-156
 - a. Sworn statements from individuals involved
 - b. Graphic depiction of incident
 - c. Written Assessment and Recommendation of Investigating Officer
 - VI. Duty Log (electronic form) copy DA 1594
4. POC is the undersigned.

Exemption 6

[REDACTED]
CPT, IN
Investigating Officer

[REDACTED]
13699

FDVO



FOVO
[REDACTED]
DEPARTMENT OF THE ARMY
HEADQUARTERS, TASK FORCE 1-41 INFANTRY
CAMP LIBERTY, BAGHDAD, IRAQ
APO AE 09303

REPLY TO
ATTENTION OF

AFZN-BB-MO

23 April 2005

MEMORANDUM FOR Commander, TF 1-41 IN, APO AE 09303

SUBJECT: Timeline for 15-6 investigation

1. The following is the timeline of events for the 15-6 investigation for the accidental shooting between a 1-156 IN and an Iraqi civilian on 22 APR 05.

221718APR05- Approximate time of incident

230930APR05- Appointment as 15-6 investigating officer

231030APR05- Began gathering/hearing evidence, DA 1594 from TOC

231415APR05- Gathered/heard evidence from CPT [REDACTED]

Ex 6

231430APR05- Gathered evidence from 1-156 IN (POC MAJ [REDACTED])

231500APR05- Gathered/heard evidence from SSG [REDACTED] / 1LT [REDACTED]
SFC [REDACTED]

231530APR05- Finished gathering/hearing evidence

231700APR05- Completed findings and recommendations

231700APR05- Submitted findings and recommendations to Appointing Authority

FOC is the undersigned.

[REDACTED]
CPT, IN
Investigating Officer

[REDACTED]
15700

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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 <u>Camp Liberty, Iraq</u>	2. DATE (YYYYMMDD) <u>2005-04-23</u>	3. TIME <u>0900</u>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS <u>O-2E / PLATOON LDR</u>	
8. ORGANIZATION OR ADDRESS <u>C Co. 1-41 IN, Fort Riley, KS. 66442</u>			

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

That my platoon, 1st Platoon C Co. 1-41 IN, was not in the vicinity of the 2nd platoon 156 IN BN during the RPG and small arms incident on 22 Apr. 05 at approximately 1700 hours in AO Garaliyah. The C Co. 1-156 IN were located on the west side of Lightning 2 South of Route Alpha, North of Route Sword conducting MSR security, observation. This was only confirmed by radio traffic, as my platoon was located East of Lightning 1, South of Route Alpha, North of Route Sword conducting MSR security & observation. When 2nd PLT, C Co. 1-156 was attacked and returned fire, I mounted up my platoon to move to the site of the attack and support any/all actions. We had negative enemy contact, patrolling around the immediate vicinity, and finally set up near the 2nd PLT, C Co. 1-156 unit to get on the ground and help. All action/activity we had heard over the C Co. 1-156 company command net and did not visually see the action.

end of statement

10. EXHIBIT	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 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 OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

[Redacted] Fovs

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

[Large area with a large 'X' drawn across it, containing four blacked-out redacted blocks of text.]

AFFIDAVIT

_____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. 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] Exko
(Signature of Person Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS _____

ORGANIZATION OR ADDRESS _____

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

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [Redacted]

[Redacted] 03 Fovs

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 LIBERTY	2. DATE (YYYYMMDD) 2005 04 23	3. TIME 1000	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E7	
8. ORGANIZATION OR ADDRESS C Co 1/41 INF CAMP LIBERTY IRAQ 09303			
9. [REDACTED]			

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

EX C

AT APPROX 1700 RED 1 TOLD ME THAT ROCK HAD RPG CONTACT AT THEIR OP. WE COLLAPSED OUR OP'S AND MANUEVERED TO THEIR LOCATION. APOON ARRIVAL, MYSELF, 1LT [REDACTED] AND ONE SQUAD WENT TO THE LOCATION OF THE RPG FIRE. QUESTIONED LOCALS, WATCHED INJURED LOCAL NATIONAL FEMALE APPROX 17 YEARS OLD WALK ON HER OWN TO A PURPLE VAN AND GET TAKEN TO HOSPITAL, SHE LOOKED LIKE THE WOUNDS WERE MINOR. SINCE WE WERE MALES THEY WOULD LET US SEE WOUNDS. LOCALS SAID 4 INDIVIDUALS IN MASK DROVE OFF IN TWO VEHICLES, ONE BLACK IN COLOR OTHER UNKNOWN. STYLE UNKNOWN, MAKE UNKNOWN, DIRECTION WAS NORTH TO ALPHA - EAST TO ? WE SET IN ADDITIONAL OPS JUST EAST OF ROCK, NO FURTHER CONTACT. —

[REDACTED] NOTHING FOLLOWS - END OF STATEMENT [REDACTED]

10. EXHIBIT	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 BE INDICATED.

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

STATEMENT OF [REDACTED] TAKEN AT 1000 DATED 23 April 05

9. STATEMENT (Continued)

Ex Ce

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 2 PAGES

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STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

AFFIDAVIT

_____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. 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 _____ day of _____, _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

106 Fovd

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 BAGHDAD, IRAQ	CAMP LIBERTY	2. DATE (YYYYMMDD) 2005/04/23	3. TIME 1500	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]		6. SSN [REDACTED]		7. GRADE/STATUS O-3
8. ORGANIZATION OR ADDRESS HHC, 1-41 IN				

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

On 22 April 2005, I was the battle captain for Task Force 1-41 Infantry which was conducting left rides with TF 1-156 in order to relinquish control of the AO Stalwart battle space. During the relief in place phase, the two task forces conducted right seat/left seat rides in order to ensure a thorough hand-off and continuity of information at company, platoon, and squad levels. At 220700APR05 TF 1-156 assumed control of the sector as the left seat ride portion of the relief in place began. The 1-41 IN TOC tracked Stalwart elements located in sector by receiving reports from the respective 1-41 company via land-line. We did not track the location of the Geranimo units in sector. We did monitor the TF 1-156 net in order to maintain situational awareness, but we did not communicate on their net so all reports from 1-41 elements were rendered over the telephone from the company to us, the TF TOC. At 1655 we monitored Geranimo Mike receiving a report from their element in sector that one of the Geranimo M2 Bradleys was struck by an RPG at MB 3207 8785. The RPG struck the vehicles TOW launcher with no damage to personnel or equipment. At that point, I called C/1-41 in order to request any additional information that Charlie Red 1, LT [REDACTED] could provide. They had no additional information to relay. I called 2/10 MTN TOC to report the RPG fire; they acknowledged my report. At 1718 Geranimo Mike reports friendly element in the AO had an OP and returned fire on the RPG shooter, a ricochet struck a little girl in the leg. At that time I informed LTC [REDACTED], MAJ [REDACTED] and MAJ [REDACTED] of the wounded Iraqi girl. Additionally, I informed Commando TOC of the wounded Iraqi girl. I was relieved of my duties at 1800 by CPT [REDACTED]. I briefed him on the RPG incident and the circumstances surrounding the wounded Iraqi girl. ----Nothing follows-----

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF _____ PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

AFFIDAVIT

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

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(Signature of Person Making Statement)

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

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE _____ OF _____ PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
 PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately 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 Liberty	2. DATE (YYYYMMDD) 20050423	3. TIME 1420	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-6	
8. ORGANIZATION OR ADDRESS CCE, 1-41 IN			

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

At approximately 1655 on 22 Apr 05, I (SSN [REDACTED]) was on duty @ the CCE, 1-41 IN's CP as the CP NCOIC. I heard a call come over 1-156 Battalion's net that Rock 23 was hit by an RPG @ MB 3207 85 8785. ^{West of Lightning 2} No casualties & no damage was also reported by the Rock element. Also Rock reported it hit the TOW launchers. I then called Red 46 for a Sitrepon ~~at~~ the CCE, 1-41 IN Company Net. The Red Platoon @ the time was at ~~app~~ vicinity grid [REDACTED] (200m East of Lightning 1) setting up dismount OP's. They relayed Rock was hit with an RPG and had no casualties while setting up OP's. They stayed in place until Rock 6 maneuvered them to action on the RPG gunner. Rock 6 then called up to Geronimo Mic that it came from [REDACTED] ~~and~~ which was east of Rock's position. ~~He~~ Rock 6 then called Geronimo Mic saying his OP ID'd the RPG shooter running on foot and his OP returned fire with small arms. They couldn't identify whether they hit the shooter. Rock 6 then called to Geronimo Mic that a rocket went into a house and

Ex 6

Ex 1

Ex 1

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

TAKEN AT

DATED

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

FOUO

STATEMENT OF

TAKEN AT

1470

DATED

20050423

9. STATEMENT (Continued)

had struck a 12 year old girl in a limb. ~~They~~ Rock 6 had
a medic look at the girl and ~~they~~ ^{HEM} Rock 6 reported that she was
stable. The family then took her to the hospital was also reported
by Rock 6. This is the end of my statement.

Nothing Follows

AFFIDAVIT

I, ~~_____~~, 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.

~~_____~~
(Signature of Person Making Statement)

WITNESSES:

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

ORGANIZATION OR ADDRESS

~~_____~~
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

~~_____~~
(Typed Name of Person Administering Oath)

~~_____~~
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

Ex 1

FOUO

CO C 3-156 IN BDE (M)
TF-1 256 BCT
CAMP TIGERLAND, IRAQ

LANG-BDZ-C3

23 APRIL 2005

MEMORANDUM FOR: Commander HQ 1-156 AR, LTC [REDACTED]

SUBJECT: Commanders Inquiry for RPG attack 22 April 2005

1. The following investigation was conducted by this command. On 22 April 2005 at approx 1700 hrs., 2nd platoon, C/3-156th IN (M) was establishing a OP vic RPG ALLEY 2, [REDACTED]. The patrol was attacked with two RPGs from vic [REDACTED]. Rock 23 was engaged by two RPGs. [REDACTED] The second RPG shot hit Rock 23 vic the tow launcher. The dismounted OP vic [REDACTED] which was SSG [REDACTED] the squad leader and SGT [REDACTED] at team leader, identified and engaged the RPG shooter. SSG [REDACTED] shot 5ea. 5.56 rounds at the shooter and SGT [REDACTED] shot 3ea. 5.56 rounds at the shooter. Ricochets from the shooting wounded a LN at vic [REDACTED] which was directly behind the RPG Shooter. The LN a 12 year old girl was injured in her right leg, right arm and abdomen. The LN was washing dishes in front of a window were the ricochet 5.56 rounds entered the house. Elements of 2nd Platoon cordon off the area and begin to search the area for the RPG shooter as well as administer medical aid to the LN. This higher also requested IP support. Once the LN was stable her family took her to the hospital. The IP secured the area and begin to search for the RPG Shooter. 2nd Platoon continued mission.

Ex 1

Ex 6

Ex 1

2. It's this commands determination that C/3-156th soldiers were conducting proper patrol TTPs in accordance of this commands guidance. Also, it's this commands determinations that C/3-156th soldiers followed proper ROE, [REDACTED]

Ex 1

3. The point of contact for this memorandum is the undersign at 242-4220.

[REDACTED]
CPT, IN, LAARNG
Commanding

Ex 6

FOUO
[REDACTED]
ROCK 23, C/3-156th IN, RPG Hit 22 1715 APRIL 2005

RPG Shooter, shot two
RPGs at Rock 23

LN injured from
ricochet

ROCK 23, engaged
with two RPGs, one
hit BFV, other shot
over BFV and OP

Dismounted OP

Identified and engaged
RPG Shooter. Shot 9
total 5.56 rounds.

FOUO
[REDACTED]

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
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 DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION	2. DATE (YYYYMMDD) 22 APR 2005	3. TIME Approx 1700	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-4	
8. ORGANIZATION OR ADDRESS Co C 3-150 INF			
9. 1. 33G [REDACTED] Ex 6			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

At approx 1700, on 22 APR 2005, 2nd platoon was in the process of setting up an OP vicinity RPG Alley 2 when my R-23 vehicle was engaged by AIF w/ 2 RPG's from a side alley the first of which missed high and the second impacted the tow launcher causing only cosmetic damage to the vehicle itself.

Nothing follows

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT
[REDACTED]

PAGE 1 OF _____ PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT

TAKEN AT _____ DATED _____

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

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

13713

USAPA V1.00

STATEMENT OF SSG [REDACTED] TAKEN AT ExCo DATED 13 APR 2005 Ex

9. STATEMENT (Continued)

AFFIDAVIT

I, SSG [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.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of APR, 2005 at Camp Tice Island, Iraq ExC

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
(Typed Name of Person Administering Oath)

CDR
(Authority To Administer Oaths)

[REDACTED] SSG
[REDACTED] SSG
C 3-156 INF (M)
ORGANIZATION OR ADDRESS

[REDACTED] SSG
CCO 7/156 INF Vn 1
ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

550

[REDACTED]

600 K-10

DL

7 3700

