

# 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 ██████████ COL, 4th BDE CDR

(Appointing authority)

on 12 APR 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 FOB ██████████ at 1400 (Time)

on 12 APR 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.)  
██████████, MAJ, Investigating Officer

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 3-2 and 3-8a, AR 15-6.)  
 None

The (investigating officer) (board) finished gathering/hearing evidence at 1200 (Time) on 16 APR 05 (Date)  
 and completed findings and recommendations at 1700 (Time) on 16 APR 05 (Date)

## SECTION III - CHECKLIST FOR PROCEEDINGS

### A. COMPLETE IN ALL CASES

	YES	NO <sup>1</sup>	NA <sup>2</sup>
1. Inclosures (para 3-15, AR 15-6)			
Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)			
a. The letter of appointment or a summary of oral appointment data?	X		
b. Copy of notice to respondent, if any? (See item 9, below)			X
c. Other correspondence with respondent or counsel, if any?			X
d. All other written communications to or from the appointing authority?			X
e. Privacy Act Statement (Certificate, if statement provided orally)?			X
f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?			X
g. Information as to sessions of a formal board not included on page 1 of this report?			X
h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?			X

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

2. Exhibits (para 3-16, AR 15-6)		YES	NO	NA <sup>2</sup>
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 (para 4-1 and 5-2b, AR 15-6)?				X
<b>B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)</b>				
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 5-1, 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)?			
<b>C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)</b>				
9. Notice to respondent (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 advice 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)?				
<b>FOOTNOTES:</b> 1 Explain all negative answers on an attached sheet. 2 Use of the NA column constitutes a positive representation that the circumstances described in the question did not occur in the investigation or board.				

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

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

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

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

SECTION VI - AUTHENTICATION (para 2-17, 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)

\_\_\_\_\_  
MAJ, Investigating Officer  
(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)

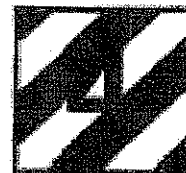
The findings and recommendations of the (investigating officer) (board) are approved (disapproved) (approved with following exceptions/ substitutions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)

- Soldiers' statements support their decision that these actions were a hostile act.
- The unit, by their procedures, put themselves in a position that increases the risk of escalation to warning shots. Unit will conduct retraining, and these lessons disseminated throughout the brigade combat team

\_\_\_\_\_  
COL, Commanding



DEPARTMENT OF THE ARMY  
HEADQUARTERS, 4TH BRIGADE  
BAGHDAD, IRAQ  
APO AE 09634



AFZP-VE-C

12 April 2005

MEMORANDUM FOR MAJ [REDACTED], HQ, 4th Brigade, 3ID(M)

SUBJECT: AR 15-6 Investigation Appointment

1. You are appointed to investigate the circumstances of a shooting and killing of a local national at 101720 APR 05 at the intersection of RTE [REDACTED] and RTE [REDACTED] in the

← *Karradah Peninsula*

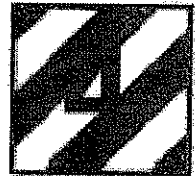
2. You will follow the procedures of AR 15-6. You will interview and take statements from all individuals who have information about the shootings as the tactical situation permits. Service members will be given Privacy Act information and make statements on DA Form 2823. If you suspect anyone of crimes in violation of the UCMJ, you will advise them of their Article 31(b), UCMJ, rights on DA Form 3881.

3. You have until the suspense to complete your investigation. You will get advice from the Brigade Judge Advocate before and throughout your investigation.

\_\_\_\_\_  
\_\_\_\_\_  
COL, EN  
Commanding



DEPARTMENT OF THE ARMY  
HEADQUARTERS, 4TH BRIGADE  
BAGHDAD, IRAQ  
APO AE 09634



AFZP-VE-C

16 April 2005

MEMORANDUM FOR CDR, 4<sup>th</sup> Brigade Combat Team, 3ID

SUBJECT: AR 15-6 Investigation Findings and Recommendations, D/1-184IN

1. I investigated the circumstances of the shooting and killing of a local national on 101720APR05 by 1<sup>st</sup> Platoon, Delta Company 1-184IN in the [REDACTED] Baghdad, Iraq. The following is a summary of events: *E Karraaddh Peninsula*

- a. 1<sup>st</sup> Platoon, Delta Company 1-184IN routinely conducts presence patrols in the [REDACTED] in [REDACTED], [REDACTED], and [REDACTED]. 1/D/184IN has operated in these zones since March 05. The platoon leader, 2LT [REDACTED], and the platoon understand the rules of engagement and the escalation of force. (See Exhibit C) Standard Operating Procedures for D/1-184IN habitually utilizes a 2 gun truck patrol in sector. SOP requires the patrol to depart FOB in 4 vehicle convoy, upon entering patrol area the convoy splits into two, two vehicle patrols. The intent is to produce a more visible presence in zone and cover more area. This method of patrolling in zone was adopted due to the low number of incidences in the [REDACTED]. SOP is for the Platoon Leader to lead one, two vehicle patrol and the Platoon Sergeant to lead the other two vehicle patrol. Communications between both patrols are constant.
- b. On 10 APR 05 2LT [REDACTED] platoon, consisting of 2 gun trucks, was conducting a routine presence patrol in [REDACTED] traveling westbound on RTE [REDACTED]. At approximately 101720APR05 at grid [REDACTED], the first vehicle (D-13) attempted to merge onto RTE [REDACTED] (25<sup>th</sup> Street) during heavy traffic. The gunner (SPC [REDACTED]) for D-13 and the driver (CPL [REDACTED]) used a combination of hand/ arm signals and a horn and siren to warn approaching vehicles of the US patrol. As 2LT [REDACTED]'s patrol merged, a Blue Opel hatchback (Car 1) tried to cut in front of 2LT [REDACTED] vehicle. The driver of Car 1 ignored the efforts of D-13 to stop and Car 1 continued to move forward in an attempt to avoid the US patrol. Both vehicles stopped before a collision. (See Exhibit A1) 2LT [REDACTED] and CPL [REDACTED] both dismounted their vehicle and approached Car 1. 2LT [REDACTED] section dismounted IOT conduct a search of the vehicle due to the car's erratic behavior and the driver's unwillingness to stop. Car 1 in the mean time still tried to pull away from the patrol. 2LT [REDACTED] went around to the front of the car and proceeded to bang on the hood of Car 1 trying force the driver to stop. CPL [REDACTED] stayed on the passenger side of the car and repeatedly hit the passenger windows, with his fist, trying to get Car 1 to stop. Car 1 continued to move forward and ignore the efforts of 2LT [REDACTED] and CPL [REDACTED]. CPL [REDACTED] continued to pound on the passenger side windows eventually breaking both of them. Car 1 got around D-13 and accelerated past 2LT [REDACTED].

██████████. While this was happening SGT ██████████ and SPC ██████████, second vehicle in the patrol (D-14) dismounted and provided over-watch to 2LT ██████████ and CPL ██████████

- c. As Car 1 attempted to flee the scene: CPL ██████████ did not know if 2LT ██████████ had been hit (See Exhibit E); SGT ██████████ lost sight of 2LT ██████████ and believed that the car was trying to hit 2LT ██████████ (See Exhibit G), and SPC ██████████ lost sight of 2LT ██████████ and believed that 2LT ██████████ was run over by the fleeing car. (See Exhibit I). The first warning shot was fired by CPL ██████████ into the rear bumper of Car 1. The warning shot failed to stop the car, SGT ██████████ and SPC ██████████ then engaged Car 1. 17 shots were fired in all. Car 1 traveled approximately 100-150m north on ██████████ and came to a stop on the side of the road.
- d. While 1/D/1-184IN engaged Car 1 a second vehicle, Car 2, traveling southbound on ██████████ was accidentally struck by a ricochet from the engagement of 1/D/1-184IN. Car 2 stopped in the middle of the road. 1/D/1-184IN moved forward to secure Car 1, CPL ██████████ treated the driver of Car 2 for a laceration on the right side of his face and then proceeded to treat the driver of Car 1. Both drivers were transported to the ██████████ hospital by the IP. The driver of Car 1 subsequently died at the hospital. (→ Al Nafis

e. Driver (deceased) Car 1: ██████████  
Address: Unknown  
Age: Unknown  
Vehicle: Opel Astra, Dark Blue  
License Plate #: ██████████

→ Hagi Ishmael Muhjeer

Harnid Humabi Alabi Al Esawi

f. Driver Car 2: ██████████  
Address: ██████████ Neighborhood  
Age: 35 → Filled  
Vehicle: Kia Sivia, Dark Blue  
License Plate: ██████████

- g. Summary of Police report was made by the Commander, LTC ██████████  
██████████ Police Station which verifies the identity of both drives. Translation of summary.  
(See Exhibit A6)

## 2. Findings:

- a. After reviewing all the facts and interviewing each soldier involved with this case there is no doubt that CPL ██████████, SGT ██████████, and SPC ██████████ acted in accordance with the Rules of Engagement and escalation of force prior to engaging with lethal fires. 2LT ██████████, CPL ██████████, SGT ██████████, and SPC ██████████ felt threatened by the erratic behavior of CAR 1 and dismounted their vehicles to investigate. SGT ██████████, CPL ██████████ and SPC ██████████ were further justified to engage CAR 1 when they believed that 2LT ██████████ had been hit by CAR 1 and attempted to flee the scene. At the time of the incident SGT ██████████, CPL ██████████, and SPC ██████████ has reason to believe that 2LT ██████████ had been hit by Car 1, because he was no longer in their field of view. (See Exhibits E, G, I) A reasonable person would have yielded the right of way to the US patrol after the first initial verbal and visual warnings issued by 1<sup>st</sup> Platoon. Furthermore a reasonable person would have heeded the warnings to stop after being approached and told both verbally and physically to stop.

## 907 - Blue 2 (Serious Incident Report)

PURPOSE: To report critical and time sensitive events to the BDE CP.

1. This report is intended to provide the BDE/DIV CDR with immediate notification of an incident involving this divisions soldiers and/or equipment. As much information as possible should be included in the initial report but immediate notification should not be delayed unnecessarily. Additional information should be provided as soon as possible.
2. Incidents to be reported include, but are not limited to the following
  - a. Suicide of a soldier
  - b. Aircraft accident
  - c. Vehicle accident resulting in death or serious injury to soldiers and/or civilians
  - d. Actual or possible compromise of classified equipment
  - e. Loss of weapon, ammunition, or sensitive item
  - f. Rape, kidnapping, or violent assault
  - g. Missing soldier
  - h. War crimes, including mistreatment of EPWs, Geneva Convention violations, or incidents of defection

### CIR FORMAT

LINE 1: Unit reporting: HQ 1-184 IN (TCC)

LINE 2: Incident: SHOTS FIRED

LINE 3: Date/time group incident occurred: 101720APRIL2005

LINE 4: Location of incident (grid): [REDACTED]

LINE 5: Personnel involved:

Name	Rank	Unit	SSN	Sex	Age	Race
[REDACTED]	2LT		[REDACTED]	M	29	Asian
[REDACTED]	SPC		[REDACTED]	M	30	White
[REDACTED]	SGT		[REDACTED]	M	35	Hispanic
[REDACTED]	SPC		[REDACTED]	M	28	Hispanic
[REDACTED]	CPL		[REDACTED]	M	34	White
[REDACTED]	SGT		[REDACTED]	M	25	Hispanic
[REDACTED]	SPC		[REDACTED]	M	22	White
[REDACTED]	SPC		[REDACTED]	M	25	Hispanic

LINE 6: Summary of incident: On 10 April 05, at approximately 1720, 2LT [REDACTED] vehicle was travelling westbound on RTE [REDACTED] 5. His HMMWV started to merge into traffic moving northbound on RTE [REDACTED]. As 2LT [REDACTED] vehicle approached the intersection, the siren and horn was sounding off as civilian traffic continued to move north on RTE [REDACTED]. The vehicle made its way into the intersection, when approximately 2 vehicles had already attempted to squeeze in front of the HMMWV. This is when, CAR 1, almost collided with the lead HMMWV. The HMMWV and CAR 1 stopped within a couple feet of each other. Everyone then proceeded to dismount from the HMMWV. The passenger of CAR 1 was still attempting to squeeze his vehicle past the HMMWV. This is when 2LT [REDACTED] approached the vehicle from the front yelling at him to stop and using hand gestures to stop. (Right hand closed with the back of the palm facing the person). 2LT [REDACTED] started banging on the front of the hood of CAR 1 to have CAR 1 stop. CAR 1 continued to jerk forward repeatedly while 2LT



██████████ was standing in front of the car, potentially hitting 2LT ██████████. Car 1 then accelerated and proceeded to move past 2LT ██████████ almost striking him with his vehicle. This is when 2LT ██████████ made it to the side of the vehicle and continued to hang on the car as CAR 1 passed 2LT ██████████ position. On the passenger side of CAR 1, CPL ██████████ was knocking on the window in attempts to have the vehicle stop. This is when the passenger side window of CAR 1 shattered. CAR 1 continued to flee the scene at an increasing speed. The soldiers on the ground were yelling at the vehicle to stop. At approximately 12 meters (which was later measured by the shattered glass on the pavement) the first shot was fired at CAR 1 by CPL ██████████ M-16. CAR 1 still did not slow down. This was followed up by additional shots fired from SPC ██████████ M-4 and later SGT ██████████ M-249, which ultimately ended with 17-shots being fired, total. (Shell casings found at the scene of the shooting.) Concurrently 2LT ██████████ was yelling and making hand gestures to cease fire to the soldiers on the ground. CAR 1 finally came to a rolling stop approximately 100-150 meters north on RTE ██████████. While the shots were being fired, another vehicle, named CAR 2, was hit by the gunfire while traveling south, opposite direction of CAR 1, on RTE ██████████. The male passenger of CAR 2 exited his vehicle and was on his hands and knees while holding his neck. The victim of CAR 2 was bleeding profusely from his neck. The victim in CAR 2 was approximately 75 meters from the initial stopping point of CAR 1. As 2LT ██████████ approached CAR 1, the driver was mumbling while looking up at the roof. The victim's skin was pale and he did not respond to any verbal commands. At this time CPL ██████████ immediately treated the victim of CAR 2, who was traveling southbound on RTE ██████████. CPL ██████████ also treated the victim of CAR 1, who attempted to flee the scene. This is when the IP's arrived on the scene. They immediately evacuated both casualties. According to CPL ██████████ the victims from CAR 1 and CAR 2, still had pulses. The victims were evacuated from the scene to a nearby hospital. CPL ██████████ felt he could have offered additional medical care, however, the IP's insisted that the victims be evacuated. At this time SPC ██████████, the I/O person, started taking pictures of the vehicles and IP's involved. Also observed were local civilians on the west side of RTE ██████████ yelling and arguing with the IP's. The IP's quickly quieted these individuals and took control of the situation. ██████████, CPT ██████████, arrived on scene and spoke to the IP Commander. An element from Reuters wire service were also on the scene. The Platoon Sergeant, SSG ██████████ who later arrived on scene, advised Reuters Press team that they are not allowed into the area and told them to move back. Soon thereafter, the reporters were observed taking pictures of the blood on the ground and interviewing locals. Reuters requested from CPT ██████████ a sound byte for the situation. CPT ██████████ gave the two individuals from Reuters an interview lasting approximately 30-60 seconds. An IP tow truck arrived on scene and removed the vehicles involved in the shooting. We departed the scene at approximately 1845.

LINE 7: Damage to government and/or civilian property: NO Damage to government property. Drivers of CAR 1 and CAR 2 were both injured by gunfire. The driver of CAR 1 received 6 rounds into the chest. CAR 1 suffered multiple bullet holes to the rear of the vehicle, broken rear windshield, and a broken passenger side window. The driver of CAR 2 received a laceration to the right side of his face just below the right earlobe from what we believe was the stray bullet. CAR 2 suffered a single bullet hole in the front windshield.

LINE 8: Commander reporting: FOR ██████████, LTC, IN (2LT ██████████ Platoon Leader)

FORMAT IAW 4 BDE VANGAURD TACSOP, 01 JAN 2005

## 907 - Blue 2 (Serious Incident Report)

PURPOSE: To report critical and time sensitive events to the BDE CP.

1. This report is intended to provide the BDE/DIV CDR with immediate notification of an incident involving this divisions soldiers and/or equipment. As much information as possible should be included in the initial report but immediate notification should not be delayed unnecessarily. Additional information should be provided as soon as possible.
2. Incidents to be reported include, but are not limited to the following:
  - a. Suicide of a soldier
  - b. Aircraft accident
  - c. Vehicle accident resulting in death or serious injury to soldiers and/or civilians
  - d. Actual or possible compromise of classified equipment
  - e. Loss of weapon, ammunition, or sensitive item
  - f. Rape, kidnapping, or violent assault
  - g. Missing soldier
  - h. War crimes, including mistreatment of EPWs, Geneva Convention violations, or incidents of defection

### CIR FORMAT

LINE 1: Unit reporting: HQ 1-184 IN (TOC)

LINE 2: Incident: SHOTS FIRED

LINE 3: Date/time group incident occurred: 101720APRIL2005

LINE 4: Location of incident (grid): [REDACTED]

LINE 5: Personnel involved:

Name	Rank	Unit	SSN	Sex	Age	Race
[REDACTED]	2LT		[REDACTED]	M	29	Asian
[REDACTED]	SPC		[REDACTED]	M	30	White
[REDACTED]	SGT		[REDACTED]	M	35	Hispanic
[REDACTED]	SPC		[REDACTED]	M	28	Hispanic
[REDACTED]	CPL		[REDACTED]	M	34	White
[REDACTED]	SGT		[REDACTED]	M	25	Hispanic
[REDACTED]	SPC		[REDACTED]	M	22	White
[REDACTED]	SPC		[REDACTED]	M	25	Hispanic

LINE 6: Summary of incident: On 10 April 05, at approximately 1720, 2LT [REDACTED] vehicle was traveling westbound on RTE [REDACTED]. His HMMWV started to merge into traffic moving northbound on RTE [REDACTED]. As 2LT [REDACTED]'s vehicle approached the intersection, the siren and horn was sounding of as civilian traffic continued to move north on RTE [REDACTED]. The vehicle made its way into the intersection, when approximately 2 vehicles had already attempted to squeeze in front of the HMMWV. This is when, CAR 1, almost collided with the lead HMMWV. The HMMWV and CAR 1 stopped within a couple feet of each other. Everyone then proceeded to dismount from the HMMWV. The passenger of CAR 1 was still attempting to squeeze his vehicle past the HMMWV. This is when 2LT [REDACTED] approached the vehicle from the front yelling at him to stop and using hand gestures to stop. (Right hand closed with the back of the palm facing the person). 2LT [REDACTED] started banging on the front of the hood of CAR 1 to have CAR 1 stop. CAR 1 continued to jerk forward repeatedly while 2LT

██████████ was standing in front of the car, potentially hitting 2LT ██████████. Car 1 then accelerated and proceeded to move past 2LT ██████████ almost striking him with his vehicle. This is when 2LT ██████████ made it to the side of the vehicle and continued to bang on the car as CAR 1 passed 2LT ██████████'s position. On the passenger side of CAR 1, CPL ██████████ was knocking on the window in attempts to have the vehicle stop. This is when the passenger side window of CAR 1 shattered. CAR 1 continued to flee the scene at an increasing speed. The soldiers on the ground were yelling at the vehicle to stop. At approximately 12 meters (which was later measured by the shattered glass on the pavement) the first shot was fired at CAR 1. CAR 1 still did not slow down. This was followed up by another single shot, which ultimately ended with 17-shots being fired, total. (Shell casings found at the scene of the shooting.) Concurrently 2LT ██████████ was yelling and making hand gestures to cease fire to the soldiers on the ground. CAR 1 finally came to a rolling stop approximately 100-150 meters north on RTE ██████████. While the shots were being fired, another vehicle, named CAR 2, was hit while travelling south on RTE ██████████. The male passenger of CAR 2 exited his vehicle and was on his hands and knees while holding his neck. The victim of CAR 2 was bleeding profusely from his neck. The victim in CAR 2 was approximately 75 meters from the initial stopping point of CAR 1. As 2LT ██████████ approached CAR 1, the driver was mumbling while looking up at the roof. The victim's skin was pale and he did not respond to any verbal commands. At this time CPL ██████████ immediately treated the victim of CAR 2, who was traveling southbound on RTE ██████████. CPL ██████████ also treated the victim of CAR 1, who attempted to flee the scene. This is when the IP's arrived on the scene. They immediately evacuated both casualties. According to CPL ██████████, the victims from CAR 1 and CAR 2, still had pulses. The victims were evacuated from the scene to a nearby hospital. CPL ██████████ felt he could have offered additional medical care, however, the IP's insisted that the victims be evacuated. At this time SPC ██████████, the I/O person, started taking pictures of the vehicles and IP's involved. Also observed were local civilians on the west side of RTE ██████████ yelling and arguing with the IP's. The IP's quickly quieted these individuals and took control of the situation. ██████████ CPT ██████████, arrived on scene and spoke to the IP Commander. An element from Reuters wire service were also on the scene. The Platoon Sergeant SSG ██████████ who later arrived on scene, advised Reuters Press team that they are not allowed into the area and told them to move back. Soon thereafter, the reporters were observed taking pictures of the blood on the ground and interviewing locals. Reuters requested from CPT ██████████, a sound byte for the situation. CPT ██████████ gave the two individuals from Reuters an interview lasting approximately 30-60 seconds. An IP tow truck arrived on scene and removed the vehicles involved in the shooting. We departed the scene at approximately 1845.

LINE 7: Damage to government and/or civilian property: NO Damage to government property. Victims vehicles were both damaged by gunfire. The victim's vehicle who fled the scene appeared to have a fuel leak, due to the gunshots to the vehicle.

LINE 8: Commander reporting: FOR ██████████, LTC, IN (2LT ██████████ Platoon Leader)

**FORMAT IAW 4 BDE VANGAURD TACSOP, 01 JAN 2005**

