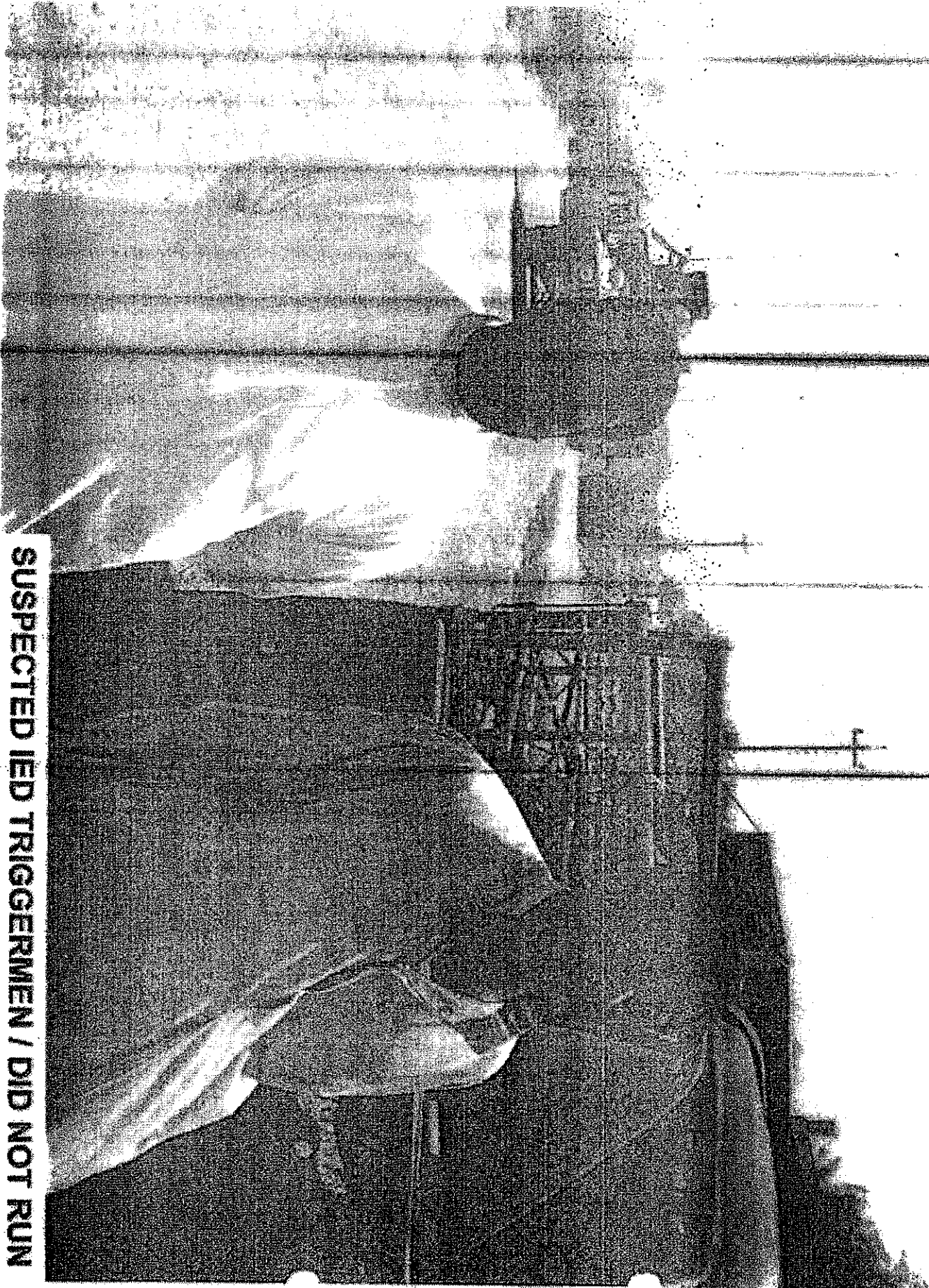




SUSPECTED IED TRIGGERMEN / DID NOT RUN



SUSPECTED IED TRIGGERMAN / RAN

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2851; 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 [REDACTED] IRAQ	2. DATE (YYYYMMDD) 2005/07/02	3. TIME 1900	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS O-2/ILT	

8. ORGANIZATION OR ADDRESS
H/1 CAV, 3BCT, 1AD CAMP [REDACTED] IRAQ APO

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

At approximately 1030 hours on 27 June 2005, 2nd Platoon H/1 CAV was moving west on RTE [REDACTED] in a 5 vehicle patrol. The order of march was H-22 (TC-SSG [REDACTED]), H-23 (TC-SGT [REDACTED]), H-21 (TC-ILT [REDACTED]), H-25 (TC-SGT [REDACTED]), and H-24 (TC-SFC [REDACTED]). H-23 called up an initial contact report for an IED on the north shoulder of the road, of which all vehicles identified as they rolled by. By the time each truck had stopped, all 5 vehicles were west of the suspected IED, with the final vehicle, H-24, being about 200 meters away. I had two warlock ice systems (on H-23 and H-25) and one warlock green (H-23) and all three were on. At this time I tried to raise [REDACTED] on the 2-70 AR net to send up a contact report and a 9-line IED report. SFC [REDACTED] and SGT [REDACTED] dismounted and used binoculars to confirm that the object was an IED, which comprised of an old, cubic oil can with a white 220-watt electrical wire coming out of the top and running to the north shoulder. SFC [REDACTED] and SGT [REDACTED] then cleared the area north and south of the route looking for a triggerman or spotter and found no one. I could not reach anyone on the higher net because we were so far west, so I planned to move two vehicles east of the IED to finish the cordon and set up my COM-201 to reach higher. At this time I dismounted and linked up with SGT [REDACTED] to find the easiest and safest way to move H-24 and H-25 east of the IED and establish security. SFC [REDACTED] was at the road intersection at vic [REDACTED] and looked to be dealing with the traffic that had accumulated there. We decided to move them through the flat area south of RTE Avalanche and the IED to SFC [REDACTED] position, while H-22 and H-23 maintained security on the west. I relayed instructions to the crew of H-24 to follow SGT [REDACTED] who had returned to his truck to begin movement. As soon as I returned to my truck I heard and saw a large explosion in the area SFC [REDACTED] had been standing. Immediately H-25, H-24, and H-21 moved south of the unexploded, suspected IED to SFC [REDACTED] position, while H-22 and H-23 maintained security on the west. Right after the explosion I saw a blue Kia "Bongo" truck take off along the southern route at a high rate of speed. As H-25 approached SFC [REDACTED] my Platoon Sergeant yelled and motioned south and H-25 and H-24 took off after the "Bongo" truck. Since two of my vehicles went to stop the fleeing truck, I quickly moved vehicle to the north shoulder on a berm to find a possible trigger man and found nothing. I then moved to SFC [REDACTED] to make sure he was okay and saw that he had minor cuts to his hand and had reopened a cut on his face, which he received in an IED attack on our last mission approximately 3 days prior. Being the only truck west of both the suspected and actual IED sites, I moved 150 meters east along RTE [REDACTED] to cordon off the area and seal in any potential trigger men in their vehicles. I dismounted and helped my driver search the nearest local national vehicle and driver, and SFC [REDACTED] came to my position to search. I then proceeded to set up my COM-201 to establish radio contact with higher when my gunner told me shots had been fired. I got on the net and talked with H-25 gunner, SFC [REDACTED], and then SGT [REDACTED] and found out that SGT [REDACTED] had to use escalated force to stop the "Bongo" truck. I was told that a local national had been shot and that our medic, SFC [REDACTED], was working on him. I was preparing to call up a 9-line MEDEVAC request for the local national when I was told that the man had died. At 1100 hours 2 Bradley Fighting Vehicles from the Warrior element, serving as 2-70 AR's Quick Reaction Force showed up at my location to facilitate our cordon. The Warrior vehicles also had an interpreter, and we moved him to H-25's location so we could begin tactical questioning of the men on the "Bongo" truck. I coordinated with the Warrior Platoon Leader to use some of his dismounts to help us sweep the immediate area for a triggering device and other evidence. There was a very deep canal, thick with vegetation, which ran along the southern route the fleeing truck utilized, which provided a good area to lose or discard any evidence. The search, led by SFC [REDACTED], began in vicinity of the IED site, where we found 20 meters of copper wire going north, and continued down the southern route along the canal. The deep water and thick vegetation prevented us from finding a trigger mechanism. I had one of the Bradleys maintain security on the western cordon and I moved my vehicle to H-25's position. Once at the scene, I found my NCOs and the interpreter conducting tactical questioning with the 2 truck passengers. Shortly after arriving, the Warrior element notified me that they needed their interpreter back, as they had a follow on mission. I consolidated my forces, the body, and the detainees and moved them closer to RTE [REDACTED] to maintain security of the site. EOD still had to conduct a post blast analysis. EOD arrived at approximately 1300 hours and determined that the IED was a 155mm round buried under some loose gravel, while the initial IED was a decoy. I coordinated with 2-70AR for recovery of the

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"

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

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

9. STATEMENT (Continued) Saba Al Baw
Iraqi Police forces to the IP station in [REDACTED]. I believe that the driver and passengers of the "Bongo" truck made very poor decisions in their suspicious reaction to the IED explosion by fleeing at a high rate of speed, by attempting to out run II-25 and forcing II-25 to use an escalation of force to stop the truck. The driver made a very terrible mistake by running from the truck even after being told to stop in English and Arabic, as well as disregarding warning shots from SGT [REDACTED]. Considering the situation and all of the facts, I believe that the crew of II-25 acted as a normal, rational person would act. The above statement is true and accurate to the best of my knowledge. Nothing follows. [REDACTED]

AFFIDAVIT

I, ILT [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

[REDACTED]
H/1 CAV, 3BCT, IAD
CAMP [REDACTED], IRAQ
ORGANIZATION OR ADDRESS

[REDACTED] CPT, AR
H/1 CAV, 3BCT, IAD
CAMP [REDACTED], IRAQ
ORGANIZATION OR ADDRESS

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

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED] CPT, AR
(Typed Name of Person Administering Oath)
ART 135 (B) UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT
[REDACTED]

PAGE 1 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.

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

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

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

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

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

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

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

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

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

A: The unit SOP for engaging local nationals is to utilize the escalation of force, consistent with the Rules of Engagement and Law of War (Shoot, show, show, shoot a warning shot, shoot a disabling shot, shoot to kill). Additionally, all soldiers carry the ROE card on their person at all times.

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

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

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

STATEMENT OF LAT [REDACTED] TAKEN AT Camp [REDACTED], ID DATED 15 JULY 2005

9. STATEMENT (Continued)

Q: Did you have any aviation support on site?

A: No, we did not have aviation support on site. This IED attack occurred very near the time the AH-64 went down near [REDACTED].

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

A: No. I do not wish to add to my statement. The above statement is true and accurate to the best of my knowledge. Mushada

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

SFC UNA

Organization or Address

Organization or Address

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

at Camp [REDACTED], ID

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED] MSG 01
(Typed Name of Person Administering Oath)

[REDACTED]
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT
[REDACTED]

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 2051; 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 [REDACTED], IRAQ	2. DATE (YYYYMMDD) 2005/06/27	3. TIME 1900	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-7/SPC	

8. ORGANIZATION OR ADDRESS
H/I CAV, 3BCT, IAD CAMP [REDACTED], IRAQ APO

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

Approximately 1030 hours on June 27, 2005 while traveling west on Route [REDACTED] H-23, second of the five-vehicle patrol, identified a possible IED on the north shoulder of the MSR. As the last vehicle, H-24, I received the initial contact report from H-23 as my vehicle was passing the suspected IED. Our patrol established security on the west side of the possible IED. I immediately dismounted to attempt to confirm or deny, with the use of binoculars, by moving further south paralleling the road, discovered a 220-watt white electrical cord protruding from the top of the can leading into the brush just south of the can. With the assistance of another dismount, we began searching the area east of the possible IED in preparation to cordon off the possible IED site west and east of the possible IED site along Route Avalanche. As I approached the intersection at [REDACTED], I instructed my dismount to bring both mine and H-25's vehicle to the intersection to establish a cordon for EOD. As I reached the intersection, I identified a blue "Bongo" truck, which had been trailing us for the last 5-7 kilometers after we passed it on the road earlier on the route, among the six vehicles that had stopped just east of the intersection. After a quick scan of all the vehicles and their occupants, I became aware that the right side passenger of the blue "Bongo" truck looked very uneasy / nervous and avoided eye contact with me. This caused me to conduct another search of the intersection in which I identified another possible IED hidden under a pile of finished rock located just on the north side of the road above a culvert. I immediately attempted to move from the vicinity of the rocks and yelled to two Iraqi nationals (drivers of two dump trucks closest to me) to get into their vehicles, for I knew they would be in the blast area. When it was apparent that I was aware of the IED, the "trigger man" detonated the IED; twelve feet from my position. I was hit with the concussion of the blast, strapped to the right hand, and asphalt from the blast. It took me ten to fifteen seconds to get my bearing. When I did, the only vehicle I saw moving was the suspicious blue "Bongo" truck, which was traveling at a high rate of speed south down the unimproved road, near a deep canal bordered by heavy vegetation, that lead away from the intersection. Approximately twenty seconds after the blast H-25 (SGT [REDACTED] vehicle) and H-24 (my vehicle) arrived at my location. I instructed both vehicles to stop the blue "Bongo" truck heading south because their actions were suspicious in nature: trailing our convoy, avoiding contact, and speeding away from the scene of the blast. H-25 and H-24 caught up with the vehicle a couple hundred meters south of the explosion. During this period, H-21 (1LT [REDACTED] vehicle) moved one hundred meters east of the site and searched the remaining vehicles and their occupants finding no weapons, cellphones, or electronic devices. H-22 (SSG [REDACTED] vehicle) and H-23 (SGT [REDACTED] vehicle) maintained their overwatch position west of the initial (later to be determined as a fake) IED and searched all the vehicles in their vicinity with the same results - no items found. I, along with another dismount, searched the berm south of the site identifying no dismounted activities. After completing my search of the local surroundings of the blast site, I walked south along the southern route to reconfirm the identity of vehicle and their occupants. When I arrived at H-25's vehicle, I was instructed that SGT [REDACTED] had to use escalated force to stop the vehicle. I identified the corpse as the far right passenger of the truck that avoided visual contact with me. At the time of my arrival the two other occupants were bound and sitting together near their "Bongo" truck, being guarded by one of our dismounts. SGT [REDACTED] realized that they were talking to each other and had them separated. A search of the vehicle and the occupants did not produce any evidence that may have been used as a triggering device. There were 15+ propane bottles and what appeared to be part of an air conditioning unit in the bed of the truck. Following the results of the search, I immediately had several dismounts search the canal and heavy brush that paralleled the west side of the road for it was an excellent place for the passenger to quickly dispose of any evidence as they traveled down the road. The thickness of the brush and depth of the canal prevented us from determining if something was discarded into it. At approximately 1100 hrs, elements of the Warrior element from 4/1 PA arrived with an interpreter. The interpreter was able to spend ten minutes questioning one the two surviving occupants with my presence. Initially the driver (dressed in white) stated he did not hear the explosion of the IED and was unaware of the situation. His second statement stated that he heard the explosion, but did not hear the warning shots or the shouts from the crew of H-25 for him to stop. Again, after being questioned further, he stated that he heard the warning shots, but was too scared to stop. After a couple more questions, we were instructed that the Warrior element had to move out and needed their interpreter. We had the interpreter ask the drivers of the dump trucks, who

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"

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

STATEMENT (Continued)

and pulled over to the side of the road. They also stated that they heard the coalition forces yell at the running suspect to stop and heard the warning shots before the individual was engaged after refusing to stop running and was shot. The shot appeared to enter on one side of the chest and exited the opposite side. Our medic, SFC [REDACTED] administered living saving measures for 20 - 30 minutes with no avail. After EOD, who arrived on site approximately 1900hrs, determined that the IED consisted of at least one 155mm round camouflaged by rocks was placed to destroy coalition forces or EOD elements reacting to the false IED placed to the west. One copper wire leading north in the culvert approximately 20 yards was the only other evidence near the IED site. Coordination was made with [REDACTED] (2/70th AR BN) to have the blue "Bongo" truck towed by the local Iraqi Police. In reviewing and collecting all the information concerning the IED explosion, the contact with the blue "Bongo" truck, and the eventual death of the Iraqi individual I conclude that it is possible that the suspects named in the Multi-National Forces-Iraq Forces Apprehension Form concerning this event made some extremely careless and suspicious actions that appeared to be criminal in nature and resulted in the escalation of force that caused the death of the passenger who ran from the scene. I also believe that under the circumstance of events, the actions of the crew of H-25 were consistent to the actions a normal person would have made in their situation. The above statement is true and accurate to the best of my knowledge. Nothing Follows.....

AFFIDAVIT

I, SFC [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

[REDACTED] ISG, USA

H/1 CAV, 3BCT, 1AD

CAMP [REDACTED], IRAQ

ORGANIZATION OR ADDRESS

[REDACTED] CPT, AR

H/1 CAV, 3BCT, 1AD

CAMP [REDACTED], IRAQ

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27th day of JUNE, 2005 at 1900hrs

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED] CPT, AR

(Typed Name of Person Administering Oath)

ART 136 (D) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT
[REDACTED]

PAGE 2 OF 2 PAGES