

DEPARTMENT OF THE ARMY
TASK FORCE 1, 4TH BRIGADE, INFANTRY DIVISION
FORWARD DEPLOYED TO THE BALKANS
FORWARD DEPLOYED TO THE BALKANS

MEMORANDUM

10 JULY 2005

MEMORANDUM FOR THE COMMANDER, 4TH BRIGADE, INFANTRY DIVISION

SUBJECT: Investigation of a shooting incident involving A Co, 4-64 AR, on or about 19 July 2005.

1. You are hereby appointed as an investigating officer pursuant to Army Regulation (AR) 15-6, Procedures for Investigating Officers and Boards of Officers, to conduct an informal investigation to determine the facts and circumstances of a shooting incident involving A Co, 4-64 AR, on or about 19 July 2005.

2. You will conduct a thorough investigation of the matter to determine the circumstances surrounding the loss of the property. Your investigation should focus on, but not necessarily be limited to, the following:

a. Personnel involved

b. Tactical Situation

c. Weapons control measures (mechanical safes, fire commands, etc.)

3. Prior to the beginning of your investigation, you must make an appointment with the Administrative Law Division of the Staff Judge Advocate's Office. An attorney at the Administrative Law Division will be your legal advisor.

4. In conducting your investigation, use informal procedures under AR 15-6. Make specific findings as to the allegations above. The evidence you gather should support your findings. Make recommendations consistent with your findings to address any perceived or actual improper or criminal conduct.

5. In your investigation, all witness statements will be sworn and written on DA Form 2823, Sworn Statement. If, in the course of your investigation, you come to suspect that any individuals have committed a criminal offense, then use DA Form 3881, Rights Warning/ Procedure Waiver Certificate, to advise them of their rights under Article 31, Uniform Code of Military Justice, or the Fifth Amendment (if interviewing a civilian), as appropriate. In addition, provide witnesses with a Privacy Act Statement before you interview them (See AR 15-6, Appendix B).

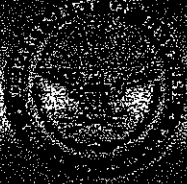
6. I direct you to keep compile a daily chronology of all investigative activities and encourage you to consult with a legal advisor whenever and as often as necessary. In the case of any alleged criminal misconduct, you must consult with a legal advisor.

7. Submit your findings and recommendations to MAJ [redacted] on DA Form 1574 within 10 working days of receipt of this appointment order. Should you require additional time, coordinate with him.

FOR THE COMMANDER:

[Redacted Signature Block]

CPT AR
[Redacted]



DEPARTMENT OF THE ARMY
INTELLIGENCE DIVISION
FOR [REDACTED]

MEMORANDUM FOR RECORD

SUBJECT: AR 15-8 Investigation Followup

1. Based on the findings from the AR 15-8 investigation, regarding a shooting incident on or about 191235D JUL05, involving elements of Alpha Company, Task Force 4-64 Armor as implemented a Standard Operating Procedure (SOP) on the use of Escalation of Force (EOF). All policies and procedures inherent to the SOP are effective immediately for all elements of TF 4-64 AR.

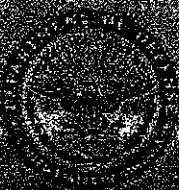
Point of Contact for this memorandum is [REDACTED]
[REDACTED] or [REDACTED]

Encl

1. EOF SOP for Convoy Operations

CPT. FA
Investigating Officer

TAB B



DEPARTMENT OF THE ARMY
HEADQUARTERS 1ST INFANTRY DIVISION
3RD INFANTRY BRIGADE (MOSBY)

AFZ/BA/ST

21 JUL 2005

MEMORANDUM FOR RECORD

SUBJECT: AR 15-6 Investigation Document Adoption Certificate

1. The undersigned coordinated with the all personnel involved in the AR 15-6 investigation, regarding a shooting incident on or about 191235D JUL05, involving elements of Alpha Company, and determined the statements were substantially the same as at the time they were written; no changes were required. The investigating officer is adopting these statements as part of the investigation.

- A. Sworn Statement of PFC [REDACTED] dated 191230 JUL05
- B. Sworn Statement of SSG [REDACTED] dated 191230 JUL05
- C. Sworn Statement of SGT [REDACTED] dated 191230 JUL05
- D. Sworn Statement of PFC [REDACTED] dated 191230 JUL05
- E. Sworn Statement of SSG [REDACTED] dated 191230 JUL05
- F. Sworn Statement of PFC [REDACTED] dated 191230 JUL05
- G. Sworn Statement of PFC [REDACTED] dated 191230 JUL05
- H. Sworn Statement of PFC [REDACTED] dated 191230 JUL05
- I. Patrol Detail conducted by 1st [REDACTED] BN A/C2, dated 191230 JUL05

2. Point of contact for this memorandum is the undersigned at [REDACTED]
[REDACTED] or Iraqna [REDACTED]

[REDACTED]

CPT, PA
Investigating Officer

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AF 150-20; the proponent agency is ODCSOPS

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 GJAR Operations Office, FOB [REDACTED] Iraq	2. DATE 21 JUL 85	3. FILE NO. [REDACTED]
4. NAME (Type or Print) [REDACTED]	5. ORGANIZATION OR ADDRESS AND PHONE [REDACTED]	6. SIGNATURE OF INTERVIEWER [REDACTED]
7. NAME (Type or Print) [REDACTED]	8. ORGANIZATION OR ADDRESS AND PHONE [REDACTED]	9. SIGNATURE OF INVESTIGATOR [REDACTED]

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

I have been advised that I am entitled to the following rights:

1. I do not have to answer any question or say anything.

2. Anything I say or do can be used as evidence against me in a criminal trial.

3. If I am a person subject to the UCMJ, I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. If I cannot afford a lawyer, one will be appointed for me before any questioning if I cannot afford one.

4. If I am not a person subject to the UCMJ, I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. If I cannot afford a lawyer, one will be appointed for me before any questioning if I cannot afford one.

5. I have the right to stop answering questions at any time. If I stop answering questions, I will not be punished for not answering questions.

6. If I choose not to answer questions, I will not be punished for not answering questions.

7. If I choose to answer questions, I will not be punished for not answering questions.

8. If I choose to answer questions, I will not be punished for not answering questions.

9. If I choose to answer questions, I will not be punished for not answering questions.

10. If I choose to answer questions, I will not be punished for not answering questions.

Section B. Waiver

Have you been advised of your rights within the last 6 months and required an attorney? ☒ Yes ☐ No

Section C. Non-waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without

1a. NAME (Type or Print) [REDACTED]	4. SIGNATURE OF INTERVIEWER [REDACTED]
1b. ORGANIZATION OR ADDRESS AND PHONE [REDACTED]	4. SIGNATURE OF INVESTIGATOR [REDACTED]
2a. NAME (Type or Print) [REDACTED]	5. TYPED NAME OF INVESTIGATOR [REDACTED]
2b. ORGANIZATION OR ADDRESS AND PHONE [REDACTED]	5. ORGANIZATION OF INVESTIGATOR HHC/4-64AR

Section D. Non-waiver

I do not want to give up my rights
☐ I want a lawyer
☐ I do not want to be questioned or say anything

SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

For use of this form, see AF 150-20, 11th Edition. Agency is DDCS016

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Your Social Security Number is used as an additional alternate means of identification for processing and retrieval. Disclosure of your Social Security Number is voluntary.

*Disclosure of your Social Security Number is voluntary.

LOCATION

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

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THE UNIVERSITY OF CHICAGO

Figure 1

Section A. Results

HHC 464AR 4BCT 3ID

I do not have to answer any question or say anything.

2- Anything I say or do can be used as evidence against me in a criminal trial.

The Government has been asked to provide information on the following questions and to provide a written response to the questions. The Government has been asked to provide a written response to the questions and to provide a written response to the questions.

~~Not entitled not subject to the UCMJ. I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with~~

_____ speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

Have you been advised of your rights within the last 6 months and a signature on abstract?

THE UNIVERSITY OF CHICAGO

I understand my rights as stated above. I am willing to discuss the information under my name and make a statement and sign it to a lawyer first and without

IN.	NAME	TYPE OF CRIME
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ORGANIZATION OR ADDRESS AND PHONE

1000

2a. NAME (Type or Print)

ORGANIZATION OR ADDRESS AND PHONE NO.

100

... ..

Section C. Non-volatile

1. I do not want to give up my rights

[illegible]

☐ I do not want to be questioned or say anything

SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2833) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

DA FORM 3887, NOV 88

EDITION OF NOV 84 IS OBSOLETE

THE

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