RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
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	2. DATE	3. TIME	4. FILE NO
4-64 AR, Operation Office, [redacted], Iraq	24 SEP 23	0145	

5. NAME (Last, First, MI)	6. ORGANIZATION OR ADDRESS
[redacted]	Company 4-64 AR, 4BCT, 3ID FOB [redacted], Iraq APO, AE
6a. SSN: [redacted]	7. GRADE/STATUS: E-4 (SPC)

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army HHC 4-64 AR 4BCT, 3ID conducting 15-6 investigation and wanted to question me about the following offense(s) of which I am suspected/accused: shooting vic ([redacted]) on or about 222251JUL05, resulting in 1xLN KIA, 2xLN WIA

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have 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. *(For personnel 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. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

(For civilians 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 me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

8. COMMENTS *(Continue on reverse side)*
Have you been advised of your rights within the last 6 months, requiring an attorney? Yes (SSG [redacted])

Section B. 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 having a lawyer present with me.

WITNESSES *(If available)*	
1a. NAME *(Type or Print)*: SSG [redacted]	3. SIGNATURE OF INTERVIEWEE: [redacted]
b. ORGANIZATION OR ADDRESS AND PHONE: HHC 4-64 AR, 4BCT, 3ID	4. SIGNATURE OF INVESTIGATOR: [redacted]
2a. NAME *(Type or Print)*	5. TYPED NAME OF INVESTIGATOR: [redacted]
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR: HHC 4-64 AR 4BCT, 3ID

Section C. Non-waiver

1. I do not want to give up my rights.
   - ☐ I want a lawyer
   - ☐ I do not want to be questioned or say anything
2. SIGNATURE OF INTERVIEWEE

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

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

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DISCLOSURE: Disclosure of your Social Security Number is voluntary.

1. LOCATION	2. DATE	3. TIME	4. FILE NO.
4-64 AR, Operation Office, [redacted], Iraq	23 JUL 05	0145	

5. NAME (Last, First, MI)	9. ORGANIZATION OR ADDRESS
[redacted]	Company 4-64 AR, 4BCT, 3ID FOB [redacted], Iraq APO, AE
6. SSN: [redacted]	7. GRADE/STATUS: E-4

PART I - RIGHTS WARNING/WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army HHC 4-64 AR 4BCT, 3ID conducting 15-6 investigation and wanted to question me about the following offense(s) of which I am suspected/accused: shooting vic [redacted] on or about 222251JUL05, resulting in 1xLN KIA, 2xLN WIA

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have 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.
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- or -

(For civilians 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 me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or 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, required an attorney? Yes No

Section B. 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 having a lawyer present with me.

WITNESSES *(If available)*	3. SIGNATURE OF INTERVIEWEE
1a. NAME *(Type or Print)* [redacted] SSN [redacted]	[redacted]
b. ORGANIZATION OR ADDRESS AND PHONE: HHC 4-64 Engr [redacted]	4. SIGNATURE OF INVESTIGATOR: [redacted]
2a. NAME *(Type or Print)*	5. TYPED NAME OF INVESTIGATOR: [redacted]
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR: HHC 4-64 AR, 4BCT, 3ID

Section C. Non-waiver

1. I do not want to give up my rights
   - ☐ I want a lawyer
   - ☐ I do not want to be questioned or say anything
2. SIGNATURE OF INTERVIEWEE

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

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
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ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

1. LOCATION	2. DATE	3. TIME	4. FILE NO
4-64 AR, Operation Office, [redacted], Iraq	23 July 2005	0147	

5. NAME (Last, First, MI)	8. ORGANIZATION OR ADDRESS
[redacted]	Company 4-64 AR, 4BCT, 3ID FOB [redacted], Iraq APO, AE
6. SSN: [redacted]	7. GRADE/STATUS: E-5 / JA-T

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army HHC 4-64 AR 4BCT, 3ID conducting 15-6 investigation and wanted to question me about the following offense(s) of which I am suspected/accused: shooting vic [redacted] on or about 222251JUL05, resulting in 1xLN KIA, 2xLN WIA

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have 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.
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-or-

(For civilians 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 me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or 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, required an attorney? Yes / No [redacted]

Section B. 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 having a lawyer present with me.

WITNESSES *(If available)*	3. SIGNATURE OF INTERVIEWEE
1a. NAME *(Type or Print)* [redacted] SSG	[redacted]
b. ORGANIZATION OR ADDRESS AND PHONE: HHC 4-64 Comp [redacted]	4. SIGNATURE OF INVESTIGATOR: [redacted]
2a. NAME *(Type or Print)*	5. TYPED NAME OF INVESTIGATOR: [redacted]
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR: HHC 4-64 AR, 4BCT, 3ID

Section C. Non-waiver

1. I do not want to give up my rights.
   - ☐ I want a lawyer
   - ☐ I do not want to be questioned or say anything
2. SIGNATURE OF INTERVIEWEE

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

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY:	Title 10, United States Code, Section 3012(g)
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	2. DATE	3. TIME	4. FILE NO.
4-64 AR, Operation Office [redacted] Iraq	22Jul05	0145	

5. NAME (Last, First, MI)	8. ORGANIZATION OR ADDRESS
[redacted]	Company 4-64 AR, 4BCT, 3ID FOB [redacted], Iraq APO, AE
6. SSN: [redacted]	7. GRADE/STATUS: E-3/PFC

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army HHC 4-64 AR 4BCT, 3ID conducting 15-6 investigation and wanted to question me about the following offense(s) of which I am suspected/accused: shooting vic [redacted] on or about 22225JUL05, resulting in 1xLN KIA, 2xLN WIA

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have 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. *(For personnel 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. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

   - or -

   (For civilians 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 me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or 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, required an attorney? Yes (No) [redacted]

Section B. 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 having a lawyer present with me.

WITNESSES *(If available)*	3. SIGNATURE OF INTERVIEWEE
1a. NAME *(Type or Print)*: SSG [redacted]	[redacted]
b. ORGANIZATION OR ADDRESS AND PHONE: HHC 4-64 AR, 4BCT, 3ID	4. SIGNATURE OF INVESTIGATOR: [redacted]
2a. NAME *(Type or Print)*	5. TYPED NAME OF INVESTIGATOR: [redacted]
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR: HHC 4-64 AR, 4BCT, 3ID

Section C. Non-waiver

1. I do not want to give up my rights
   - ☐ I want a lawyer
   - ☐ I do not want to be questioned or say anything
2. SIGNATURE OF INTERVIEWEE

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

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
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	2. DATE	3. TIME	4. FILE NO.
4-64 AR, Operation Office, [redacted], Iraq	23JAN05	01:41	

5. NAME (Last, First, MI)	6. ORGANIZATION OR ADDRESS
[redacted]	Company 4-64 AR, 4BCT, 3ID FOB [redacted], Iraq APO, AE
8. SSN: [redacted]	7. GRADE/STATUS: E-4

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army HHC 4-64 AR 4BCT, 3ID conducting 15-6 investigation and wanted to question me about the following offense(s) of which I am suspected/accused: shooting vic [redacted] on or about 222251JUL05, resulting in 1xLN KIA, 2xLN WIA.

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

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

(For civilians 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 me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

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5. COMMENTS *(Continue on reverse side)*
Have you been advised of your rights within the last 6 months, required an attorney? (Yes) / No

Section B. 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 having a lawyer present with me.

WITNESSES *(If available)*	
1a. NAME *(Type or Print)* [redacted] SSG	3. SIGNATURE OF INTERVIEWEE [redacted]
b. ORGANIZATION OR ADDRESS AND PHONE: HHC 4-64 Camp [redacted]	4. [redacted]
2a. NAME *(Type or Print)*	5. TYPED NAME OF INVESTIGATOR [redacted]
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR: HHC 4-64 AR, 4BCT 3ID

Section C. Non-waiver

1. I do not want to give up my rights
   - ☐ I want a lawyer
   - ☐ I do not want to be questioned or say anything
2. SIGNATURE OF INTERVIEWEE

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

CIR

Line 1: Unit Reporting: C/4-64 AR

Line 2: Incident: Escalation of force resulting in local national injuries and death

Line 3: Date/time Group incident occurred: 222300July05

Line 4: Location of incident: [redacted]

Line 5: Personnel involved: Will be included in a follow-up report

Line 6: Summary of incident: A three-M1114 patrol from C/4-64 had just torn down a flash TCP on Bridge [redacted]. As the patrol began its movement from the bridge, two vehicles broke out of the pack of cars observing the 100m buffer and rapidly approached the patrol. Soldiers from the patrol tried to get the cars to stop and after attempting other methods, fired warning shots. One of the cars stopped, but the other continued to advance. A soldier fired rounds into the vehicle which resulted in the death of a 25 year old female (GSW to the throat), the wounding of an 18 year old female (GSW to the jaw) and the wounding of 60 year old male (GSW to shoulder). IPs at the scene transported the two WIA's to [redacted] Hospital. The TF Commander, LTC [redacted], appointed CPT [redacted] the investigating officer; CPT [redacted] is currently reviewing the facts surrounding the incident. LTC [redacted] has suspended all patrols until he has reviewed all current procedures and TTPs for patrols and escalation of force and TCPs with his company commanders. Said review is scheduled for 230730JUL05. This headquarters will provide updates as the facts become available.

Line 7: Damage to Government and/or civilian property: 1 LN KIA and 2 LN WIA

Line 8: Commander Reporting: [redacted], CPT, AR, Commanding

16761

GENERAL MISSION INFORMATION

MSN #:20S029
UNIT: C CO 4-64 AR BN
CONVOY COMMANDER: SSG [redacted]
CONVOY DESTINATION:

ORDER OF MARCH:
CONVOY INTERVAL: 50 METERS
CONVOY SPEED:
DTG:
INCIDENT LOCATION: [redacted]

AIR ACTIVITY

SIZE:
WEAPONS:
BDA:

ACTIVITY:

CIVILIAN ACTIVITY

DENSITY OF LOCAL POPULACE: Approximately 50-75 vehicles on bridge
ACTIVITIES: 1 x vehicle driving too close to convoy
BDA: 2 X LN WIA, 1 X LN KIA

ENEMY ACTIVITY

ACTIONS UP CONTACT: Engaged car with SRF

RDS FIRED: [redacted]

BDA: N/A

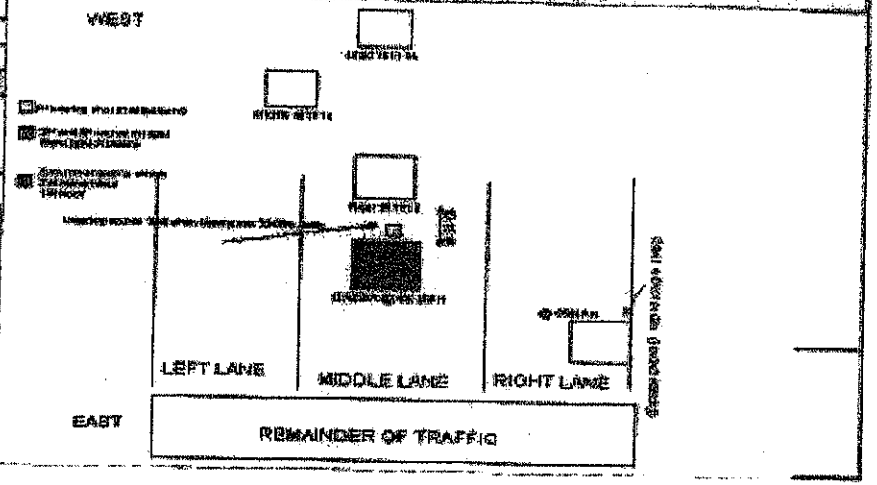
EQUIPMENT CONDITION: No damage to equipment

LESSONS:

Incident Summary

At approximately 2245, after clearing Bridge [redacted] of intoxicated civilians, 12 soldiers and 1 interpreter from C CO 4-64 were in a three-vehicle (M1114) convoy heading west on Bridge [redacted]. The distance between the military vehicles was [redacted] meters apart. There were approximately 50-75 vehicles behind the convoy, maintaining the [redacted] meter standoff and using all three lanes of the bridge. While the convoy was crossing the bridge, two 4-door sedans accelerated from the pack of vehicles and went in front of the traffic, heading toward the convoy at a high rate of speed. One sedan was in the right-hand lane, traveling at approximately 65 MPH, and a dark blue, 4-door Mazda 626 sedan, license plate [redacted], was in the middle lane traveling at approximately 65 MPH. After using hand, arm, and light signals to stop the cars from getting closer, and when the vehicles were about 20-25 meters from the convoy, SGT [redacted], the gunner in the rear vehicle, fired three initial warning rounds from his M4. One round hit the ground and the other two hit the front right light of the Mazda. The sedan in the right lane heeded the warning rounds, but th

Incident Sketch



SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY:	Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE:	To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES:	Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE:	Disclosure of your social security number is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
	2005 0723	0037	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
[redacted]	[redacted]	E6

8. ORGANIZATION OR ADDRESS
Co C 4/64 AR BN

9.

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

Approximately 2230 we were the lead vehicle on Bridge- [redacted] clearing vehicles parked on the bridge. The local people park on the bridge regularly and drink alcohol, socialize, look and take pictures of [redacted]. It is a normal routine on patrols to clear vehicles. we clear the vehicles by pulling up behind them, getting out of the hmmwv and telling them they are not allowed to park on the bridge. We cleared about 5 vehicles when we were done with the last one we proceeded to move out to Rt. [redacted] when we got a call on the radio to go back to the rear vehicle that they needed an interpreter "real bad." When we arrived at the rear two vehicles and got out I was told that someone in the Mazda 626 was shot. When I walked up to the vehicle I noticed there was two holes in the front windshield. There were people screaming and the medic, SPC [redacted], was treating a female that was shot in the face. There was what appeared to be a dead woman

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

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. [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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ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
	24 JULY 2005	0930	
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN		7. GRADE/STATUS
[redacted]	[redacted]		
8. ORGANIZATION OR ADDRESS			
[redacted] [redacted]			

9.

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

في الساعة العاشرة تقريباً على طريق كاديجة كان هناك
رتل امريكي من ثلاث سيارات همر كان يسير امامنا
وقد كانت اسير خلف للرتل الامريكي وكان يفصلني عدد
من السيارات وان احد السيارات قد تقدمها وزحل معها
سيارات اخرى وتقربت من الرتل الامريكي ولاكن ليس
مسافة قريبة جداً تستدعي الرمي وان كانت الشارع زحم اقلم
وكان سيارة نوع كولت سوداء يفصلني من السيارة المصابة
بالحادث اي يقرب السيارة مباشرتاً وانا خلفهم
وعندما سمعت اول اطلاقة قد توقفت مباشرتاً وانزلت
رأسي في دواسة السيارة وسمعت اطلاقات نار مرة اخرى

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

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. [redacted]

DA FORM 2823, DEC 1998 DA FORM 2823, JUL 72, IS OBSOLETE USAPA V1.00

Translation of Mr. [redacted] Statement

In the night around 10 pm I think it happened. It is very close to the [redacted] city. There was about three HMMWV's (American) that have misson or something like that. And some person he drive in front of me and the HMMWV in front of him they move and he move with the HMMWV and I stopped when I saw the HMMWV in front my car. They try to stop the car and he would not stop and the soldier tried to shot up to stop him and he would not stop. When all this happen I was keeping my head down in my car and I hear another shot. I don't see what happened I saw the person killed.

Translation by

[redacted]

SWORN STATEMENT

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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
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DISCLOSURE:	Disclosure of your social security number is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
	2005 07 23	0115	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
[redacted]	[redacted]	SSG / E6

8. ORGANIZATION OR ADDRESS
Co C 4/64 TF 4th IN 31D

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

On the evening of 22 July 2005 at about 2245 our patrol was heading westbound on bridge [redacted] clearing it of people hanging out. All of the sudden my gunner shouted Stop loudly then proceeded to fire a warning shot [redacted] He fired a seaond ~~shot~~ warning shot. Then Sgt [redacted] fired 3 more shots. I told the patrol to stop so as to ask the occupants why they failed to stop. Myself and PFC [redacted] the patrol medic heard screaming and crying from the car. I then shined my light into the car only to find people seriously wounded. PFC [redacted] started to initiate first aid while I flagged down IRAQI Police. The IRAQI Police then transported the wounded to the hospital

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [redacted] 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. [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).
PRINCIPAL PURPOSE:	To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES:	Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE:	Disclosure of your social security number is voluntary.

1. LOCATION	2. DATE (YYYYMMDD) 2005 OT [redacted]	3. TIME [redacted]	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [redacted]	6. SSN [redacted]		7. GRADE/STATUS E-5 / Team Leader
8. ORGANIZATION OR ADDRESS Coy 4/64			

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

At about 2200 my section and I left the FOB on a patrol of our sector. I was on the turret, SPC [redacted] was driving, SPC [redacted] was on the back [redacted] (MATC) and PVT [redacted] was behind the driver, all was already loaded when we left the FOB, we proceeded to other part of route [redacted]. Then proceeded to clear bridge [redacted], we entered the East side of the bridge leading West, (the lead vehicle in our convoy, about ¼ of the way over the bridge SSG [redacted] Right hand side of the bridge, in order to get them moving off the bridge. At that time a large group of cars (Iraqi) were stopped about 75-100m behind our convoy, this was about 2230, our vehicles stopped for about 45 seconds, the cars moved off the bridge and we proceeded on, Myself still the rear vehicle, we got about ½ way over the bridge when the lead car on the middle lane broke away from the main pack of vehicles at a high rate of speed, then the car in the far left lane followed that car, I could see that the car in the middle was heading towards us at a high rate of speed so I held my arm out high with my [redacted] finger all the way (this is how they recognize Stop) at this time I was also yelling at the top of my lungs Stop!!!, I did this 3 or 4 times, the car didn't slow down, at this time the lead car was about 25-30m away (a running foot he had left the other car far behind, At this time I normally would have used a high powered light to shine on the windshield of the car, but I did not have one in my vehicle, At this time I had nothing to shine through at the vehicle either. →

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [redacted]	PAGE 1 OF 3 PAGES

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.

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

STATEMENT OF [redacted] TAKEN AT [redacted] DATED [redacted]

9. STATEMENT (Continued)

The car stopped, and it started to cry. I told [redacted] to stop the truck because I had fears that was a vehicle, our truck stopped and my [redacted] and the medic SP. [redacted] went to assess the situation while I monitored the net. I feel I was justified in the actions I took. At the time I was positive the vehicle was a VBIED or it meant to do us harm, I feel I took all necessary precautions to avoid what happened tonight. I believe any good soldier/NCO would have done the same thing, I did what I was trained to do, and nothing more.

INITIALS OF PERSON MAKING STATEMENT [redacted]

PAGE 3 OF 3 PAGES

PAGE 2, DA FORM 2823, DEC 1998

USAPA V1.00

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1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
	20050723	0035	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
[redacted]	[redacted]	E-4

8. ORGANIZATION OR ADDRESS
C Co. / TF 4-64 AR

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

On the evening of 22 JULY 2005, while patroling on Bridge [redacted] at approximately 2230 hrs I was sitting in the rear HMMWV when I hear SGT [redacted] yell "Stop" towards following traffic. He yelled it a couple more times then fired a warning shot. I then heard 3 more shots fired. When the vehicle stopped. I dismounted with SSG [redacted] to investigate the vehicle. Upon reaching the vehicle, I could hear screams & cries from inside the car was full of people and I could see an female, approximately 16 to 18 yrs old, with her jaw being shattered. I could make out her tongue, and despite a lot of bleeding determined that her airway was clear. The interpreter arrived soon after and I asked him to tell her to raise her arm if she was breathing alright which she did. I applied and Israeli dressing around her jaw area & treated a gunshot wound on her right bicep by applying a field dressing. The female was taken by the police and I started treating the driver, a male in approximately his late 50's to mid sixties. He had a gunshot wound to the right shoulder. I exposed the wound & and assessed for an exit wound which I didn't see. I treated that with an Israeli dressing then went to examine a female lying in the backseat of the car. She had a gunshot wound centered immediately below the neck. I checked for a pulse at the jugular vein, and found no pulse. I put my hand near the nose and mouth to feel for signs of breath, and found none. I then used my flashlight to check her eyes for pupil dilation and found none. I determined that the female had died of wounds. I collected my things then took them back to the HMMWV. From there I took photos of the car as ordered by SSG [redacted] I waited with the other soldiers until our CO, CPT [redacted] arrived. From there we moved to FOB [redacted]

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

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. [redacted]

SWORN STATEMENT

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PRIVACY ACT STATEMENT

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1. LOCATION	2. DATE (YYYYMMDD) 20050722	3. TIME 2038	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME PV2 [redacted]	6. SSN [redacted]		7. GRADE/STATUS E-2 / PV2

8. ORGANIZATION OR ADDRESS
Co Test Force 4-64

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

That at approximately 21.65 on 22July2005 we were on a patrol and the following actions took place. We were driving our normal route and then we hit bridge [redacted]. I was in the last Humvee out of the 3 vehicular convoy. Spc. [redacted] was driving, I was sitting behind him, Sgt [redacted] was the TC, the medic (SPC [redacted]) was behind SSG [redacted] and Sgt [redacted] was in the turret on the gun. I heard Sgt [redacted] yell "Stop," and then heard 1 warning shot, Sgt [redacted] yelled "Stop" again, Then fired 2 more warning shots, following that I heard 3 shots and then Sgt [redacted] said "He got right on our ass dude," so the convoy stopped. SSG [redacted] myself, and the medic SPC [redacted] took a precautious approach to the car. Approximately 7 people were in the car. There was a male driver in his mid 50's to early 60's, an old lady sitting in the passenger seat, an older lady sitting in the back seat along with at least 4 other girls. When I approached I saw a girl between 15-20 who got shot in the face. The medic told me to get his bag so I ran to our humvee and got the medic's bag. He then treated the girl who had gotten shot in the face. I then noticed that the medic had been treating the male driver who had been shot near the bicep area on his right arm. A Commander went by and then we noticed a female in her mid-20's laying in the backseat who had been shot in the neck and was already dead. She might have been pregnant, not positive but it looked so. We proceeded to stay there until the IP's came and took the family to the hospital except for the dead girl in the back seat. We proceed to stay there until all the preceding actions were taken. When I looked at the car there were 2 bullet holes in the windshield, 1 in the right front headlight and another at the roof toward the front of the vehicle, in the middle. It appears that the vehicle not stopping in time effect that it could have been a HOSTILE and made his actions based on that. He gave them 2 verbal warnings and 3 warning shots with rounds being used.

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT ____ TAKEN AT ____ DATED ____"
[redacted]
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DA FORM 2823, DEC 1998 DA FORM 2823, JUL 72, IS OBSOLETE USAPA V1.00

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1. LOCATION	2. DATE (YYYYMMDD) 230510723	3. TIME 0030	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [redacted]	6. SSN [redacted]		7. GRADE/STATUS E4
8. ORGANIZATION OR ADDRESS CCO 4-64			

9.

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

We (4th platoon C.o.) were on a patrol in our sector on 23 July 05. The patrol SP time was 2200, We left the [redacted] from [redacted] continued on Rt [redacted], Cleared our section of Rt [redacted], turned onto Rt [redacted] and cleared one side of bridge [redacted] On our way back across bridge [redacted] approximately 2230 We stopped to clear the side of the road of all personal cars because [redacted] is right there. I was in the lead vehicle so once the patrol cars moved, I began to continue down Rt. [redacted]. I was about 400 meters down the road from where we had stopped when PFC [redacted], who was [redacted] manning the radio said to stop. He then told me that we needed to head back because [redacted], who was the last vehicle, [redacted] said he needed the interpreter. I turned around and went back to where [redacted] was. Once I stopped we were told a girl had been shot, [redacted] went to assist, I stayed with the vehicle with PFC [redacted] & Pfc [redacted] to maintain security.

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____, TAKEN AT _____, DATED _____"

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SWORN STATEMENT

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1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
[illegible]	2005[illegible]22	[illegible]	
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN		7. GRADE/STATUS
[redacted]	[redacted]		PFC / E-3
8. ORGANIZATION OR ADDRESS			
C co 4-64 AR			

9.

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

On or around 23.30 on July 22 we were route [redacted]
when we recieved a call on the radio when we were
about to move out. We were stopped getting cars off
the bridge. We were about to move when [redacted]
one told us to stop our move. Cause ~~there~~ was
an incident. He had stated they needed an interpreter.
Then we stopped I got out of the truck to see what
was wrong I moved to the location, I then witnessed
a female on the ground bleeding, [illegible] our medic was
tending to her [illegible]. Then I walked back to our
truck to [illegible] my [illegible] and [illegible] when I [illegible]
at the truck

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT [redacted]

PAGE 1 OF ____ PAGES

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

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DA FORM 2823, DEC 1998 — DA FORM 2823, JUL 72, IS OBSOLETE — USAPA V1.00

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1. LOCATION	2. DATE (YYYYMMDD) 20050723	3. TIME 0036	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [redacted]	6. SSN [redacted]		7. GRADE/STATUS E-5 /
8. ORGANIZATION OR ADDRESS Co C 4/64 AR			

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

AT around 2230 we were on Bridge [redacted] clearing cars off of it as we were leaving my gunner stoped us and said that the other Humvee was not coming. So we stopped and backed up to the rear Humvee. I got out and asked what was wrong then I heard a woman screaming behind us I looked back and saw a woman on the ground. I saw Wruck the medic go running over there, so I ran over with him and he started treating the a woman who had been shot in the chin. I then ask SSG [redacted] were the shots came from and he told me that the car had run up on them after warning shot was fired. So I started securing the area the medic was working at. After Wruck finish taking care of the woman who had got shot in the chin, he stard treating the driver of the car who had got shot in the shoulder. As [redacted] was treating the driver I looked in the back saw a woman laying in the back seat I knew she was hurt so I told the medic that there was a woman seriously hurt in the back seat. So after he treated the driver he came over to the back seat checked her pulse that is when I saw she was shot in the throat and Wruck said she was dead. That is when SSG [redacted] came and told SSG [redacted] to go get on the radio we finish securing the area as [redacted] finish treating the people and we sent them with the IP's to the hospital

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

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1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
FOB Lane 4-64 AR BN	20050722	0945	
5. LAST NAME, FIRST NAME, MIDDLE NAME	**6. SSN**		**7. GRADE/STATUS**
[redacted]	[redacted]		SPC/E-4

8. ORGANIZATION OR ADDRESS
FOB 4-64 AR BN

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

On 22 July 2005 at approximately 0945, We were on Border [redacted] doing a patrol. I was the gunner of the 2nd vehicle. I had glazed back at the rear [redacted] vehicle and saw that the cars were in a good tolerable distance. I continue to scan my sector of fire and about 2 mins later I heard a shot. I quickly looked to the rear and then 2 more shots was fired. The car then was at a dead stop about 75 [redacted] meter behind the vehicle. People got out the one screaming and yelling and I was like Oh my God!

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

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1. LOCATION	2. DATE (YYYYMMDD) 20050723	3. TIME 0115	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [redacted]	6. SSN [redacted]		7. GRADE/STATUS E-3/PFC

8. ORGANIZATION OR ADDRESS
C co 4/64 SAR FOB [redacted]

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

At Approx. 2230 I was riding in lead vehicle on a patrol convoy that my platoon was conducting. I was the Gunner on the Humvee. Approx 23:30 hrs we were clearing Bridge [redacted] and upon monitoring the net I was told to report to [redacted] to clear our vehicle while [redacted] truck stopped to investigate a car that had fired warning shots at the next transmission over the net was for me to inform them to be on guard ASAP to bring the Enterprise to their location. They had initially informed us that a female civilian was wounded in the face. from there we turned back to their location and secured the intersection. Our vehicle was positioned at that time. Approx 100 meters from [redacted] vehicle and Approx 150 meters from the civilians vehicle. Throughout the whole time from there I assisted in Cordoning off the scene. I did not hear nor see the shots that were fired at the vehicle.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [redacted]	PAGE 1 OF _____ PAGES

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