

STATEMENT OF

TAKEN AT

FOB

DATED

25 OCT 05

9. STATEMENT (Continued)

8) IF THERE WERE NO OBSTACLES, WHY? SINCE THE IA HAD A CHECKPOINT AT THE ENDS OF THE ROAD, AND OUR FORMATION WAS MOVING, I DID NOT THINK IT WAS NECESSARY

9) CAN YOU DRAW A PICTURE OF THE SCENE? YES.

10) WHAT TYPE OF VEHICLE WAS IT? A DARK (BLUE OR BLACK) PEUGEOT 4-DOOR.

11) HAVE YOU RECEIVED AN ROE BRIEF? YES, I WAS GIVEN ONE IN KUWAIT BY IAG AND ONE IN IRAQ BY CPT [REDACTED]

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5 day of October, 2005 at Camp [REDACTED]

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
(Typed Name of Person Administering Oath)

15-6 Officer

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

# SWORN STATEMENT

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

## PRIVACY ACT STATEMENT

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

|                                                     |                                  |                        |                |
|-----------------------------------------------------|----------------------------------|------------------------|----------------|
| 1. LOCATION                                         | 2. DATE (YYYYMMDD)<br>2003 10 05 | 3. TIME<br>1504        | 4. FILE NUMBER |
| 5. LAST NAME, FIRST NAME, MIDDLE NAME<br>[REDACTED] | 6. SSN<br>[REDACTED]             | 7. GRADE/STATUS<br>E-5 |                |
| 8. ORGANIZATION OR ADDRESS<br>A TRP 1-71 Cav        |                                  |                        |                |

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

On 05 OCT 05 while ~~re~~implacing barriers around a local school, we had set up security on both sides of the HMMT's. When the HMMT moved to another st we moved also. Around 1000 hrs a blue grey colored sedan bypassed the line of cars (4 Deep) that was stopped ~~about~~ 1 block (approx 100m) away, ~~being~~ waiting to turn left. The car was moving very fast and had driven up on the curb to pass the line. I ~~was~~ was the gunner in A23 and yelled for the car to stop and held up my hand, the car continued toward us, as I was lowering my M4 I fired a warning shot in the air, I could see my driver who was to the right of me lower his weapon <sup>-yell stop and they</sup> ~~and they~~ fire as shot also. ~~The driver~~ The driver continued toward us. Immediately I fired a shot center mass of the head of the vehicle, the shot missed and hit center and low <sup>on</sup> the windshield, at this time the vehicle was 20m from my position. I then fired 6-7 shots with my M4 into the vehicle, the vehicle continued toward us and finally stopped 5-10 ft from our vehicle. I then yelled ~~at~~ at my driver and told him to move up away from the vehicle. The ING's and IP's immediately ran to the ~~car~~ car and checked the driver, they then wanted ~~our~~ medic (SPC [REDACTED]) to

|                  |                                                       |                   |
|------------------|-------------------------------------------------------|-------------------|
| 10. EXHIBIT<br>D | 11. INITIALS OF PERSON MAKING STATEMENT<br>[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.

STATEMENT OF

TAKEN AT

1504

DATED

205 E 05

9. STATEMENT (Continued)

move up to help, as SPC [redacted] ran up an IP pickup pulled up and took the driver to the Hospital. ~~but the~~ The INCs and IP's began yelling and shouting and 1LT [redacted] and SSG [redacted] spoke to them, I was unaware of what they discussed, we then continued our mission and returned to ~~the~~ camp [redacted] to pick up more barriers.

1. I am not for certain how long we were in position, possibly 1-1½ hrs.

2. we had no cones or wine set up due to the fact that we moved down the st every 10 min.

3. measures taken prior to using deadly force ~~is~~ were, the paddle/sign that says "stop" in english and arabic was displayed, I and my driver both yelled stop and held up our hands, I fired a warning shot over the vehicle, and I attempted to disable the vehicle before firing at the driver.

4. I fired ~~approx~~ 6-7 rds plus 1 warning shot, ~~I am~~ I do not know for sure how many my driver fired.

5. we left the scene to continue the mission.

6. Nobody took pictures that I am aware of

7. There were no obstacles because we had a kind of "floating" security set up that moved every 10-15 min.

7. The car was traveling very fast, 40-45 mph on a 2 lane st.

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF

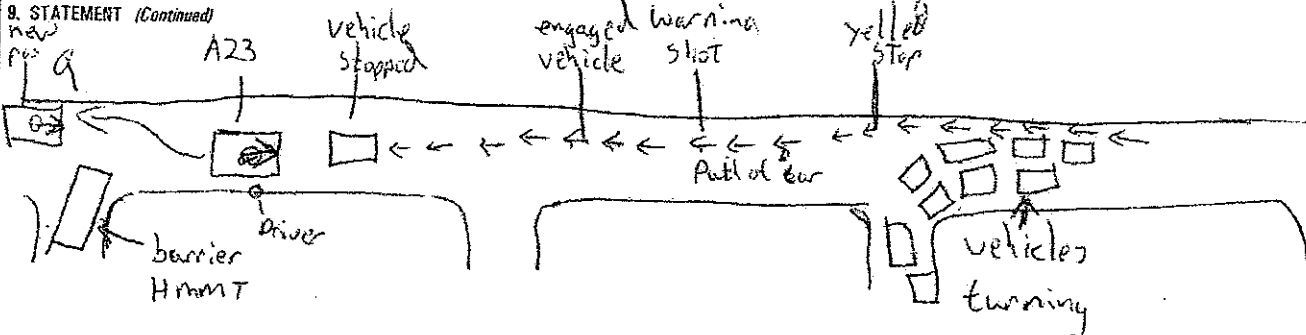
TAKEN AT

1504

DATED

2005 10 05

## 9. STATEMENT (Continued)



10. the vehicle was a blue grey colored sedan.

11. I have had 3 RDE briefs, 1 in Kuwait, ~~one~~ 1 at camp liberty by 1LT ~~\_\_\_\_\_~~ and 1 including vignettes by SFC ~~\_\_\_\_\_~~ at camp ~~\_\_\_\_\_~~

Nothing Follows

## AFFIDAVIT

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

~~\_\_\_\_\_~~  
(Signature of Person Making Statement)

## WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this

at ~~CAMP~~ ~~\_\_\_\_\_~~ day of October, 2005

~~\_\_\_\_\_~~  
(Signature of Person Administering Oath)

~~\_\_\_\_\_~~  
(Typed Name of Person Administering Oath)

IS-6 OFFICER

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

# SWORN STATEMENT

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|                                                     |                                |                        |                |
|-----------------------------------------------------|--------------------------------|------------------------|----------------|
| 1. LOCATION<br>Camp [REDACTED]                      | 2. DATE (YYYYMMDD)<br>20051005 | 3. TIME                | 4. FILE NUMBER |
| 5. LAST NAME, FIRST NAME, MIDDLE NAME<br>[REDACTED] | 6. SSN<br>[REDACTED]           | 7. GRADE/STATUS<br>SSG |                |
| 8. ORGANIZATION OR ADDRESS<br>A T2P 1-71 LAV        |                                |                        |                |

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

THAT ON THE DAY OF 20051005 ON OR AROUND 1100 HRS WHERE SETTING UP BARRICADE VIC OF A SCHOOL IN PREPERATION FOR THE COMING ELECTIONS. WE WERE WORKING IN A TIE OF ROLL GOING FROM ONE CORNER OF THE STREET THEN FLEW TO THE NEXT. WE WERE SPRED OUT IN TOTAL OF ABOUT 4 BLOCKS IN THE BACK, NORTHERN PART OF THE STREET WAS AN IA VEHICLE WHIT PERSONEL PROVIDING BLUCKING + SECURITY. THE NEXT VEHICLE WAS A-13 AND WE WERE POLING SECURITY WHIT MY BUNNER PFL VOUNG IN THE CREW SERVO AND ME POLING GROUND SECURITY NEXT AND AROUND THE VICTOR. THE NEXT BLCK IS 2 PLS TRUCK PLUS THE CREW WORKING TO SET THE AMBICA ON THE GROUND ALSO SEVERAL IA PERSONEL WHERE HELPING TO KEEP THE PEOPLE AWAY AND PROVIDE SECURITY AROUND THE PLS TRUCKS. AT THE SAME TIME THE 23 ELEMENT SSG [REDACTED] WAS SUPPORTING SECURITY AND 1LT [REDACTED] DOING COMMAND AND CONTROL ON THE GROUND IN COMPANY OF A T2P. NEXT BLOCK OVER WAS THE A-23 VICTOR WHIT SGT [REDACTED] ON THE CREW SERVO (240B WEAPON) AND HIS MAJ OVER WATCHING THE MAIN AVENUE OF APPROACH IN COMPANY OF PFL [REDACTED], ON THE GROUND PROVIDING SECURITY AND PEOPLE CONTROL THAT WOULD BOTHER AROUND [REDACTED]. FROM ONE MOMENT TO ANOTHER I HEARD SMALL ARM FIRE COMING FROM THE A23 VICTOR I TURNED AND SAW THAT THE PERSONEL WERE ENGAGING DOWN TOWARDS THE MAIN AVENUE, I DID NOT REALIZE WHAT THE WERE ENGAGING BUT MY RESPOND WAS TO MY FANNER TO MAINTAIN ECTOR, AND STAY LOW. AFTER IT WAS OVER THE IA FLEX FORWARD TO FIND OUT WHAT HAPPEN AS WELL AS ISG [REDACTED] AND 1LT [REDACTED] BEGAN REPORTIN HIGHER WERE REQUESTED FOR A MEDIC TO BE BROUGHT UP FROM THE OTHER T2P WORKING ON THE OTHER SIDE OF THE SCHOOL, UPON ARRIVAL THE MEDIC

|                  |                                                       |                   |
|------------------|-------------------------------------------------------|-------------------|
| 10. EXHIBIT<br>E | 11. INITIALS OF PERSON MAKING STATEMENT<br>[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.

STATEMENT OF SS6 [REDACTED] TAKEN AT S-1 FOLK DATED 20051005

9. STATEMENT (Continued)

SPL [REDACTED] MOVED FORWARD AND PRONOUNCED THE CIVILIAN KIA TWO OTHER IA TRUCKS ARRIVED IN CENEN AS WELL AS IP PERSONEL AND CARRY THE BODY TO THE NEAREST HOSPITAL EVEN THOUGH IT WAS TO LATE. OUR RESPONSE WAS SHOCKING BUT WE CONTINUE MISSION, AND AFTER THE IA SECURED THE AREA, AND EVERYTHING WAS UNDER CONTROL WE REPORTED BACK TO THE FOB AND MADE PREPARATIONS TO GO BACK OUT.

Q1. HOW LONG WERE YOU IN POSITION?  
A. IN THAT SPECIFIC CORNER WHERE THERE WERE ABOUT 15 MINUTES BUT IN THE AREA THE ENTIRE MORNING SINCE 0840.

Q2. WAS THERE CONVENTIONAL WIRE, OR CONES OR ANYTHING PRESENT?  
A. THERE WAS SOME LAYING AROUND, BUT THE GUNNERS HAVE PADLES THE FORM OF A STOP SIGN, BRIGHT RED ALSO IN IN IRAQI LAMPGS, AS WELL AS WHISTLES, AND SIRENS, AND THE US ARMY TRUCK IN THE STREET BLOCKING THE AVENUE OF APPROACH.

Q3. WHAT MEASURES WERE USED BEFORE DEADLY FORCE?  
A. WE USE THE 5 S's SHOUT, SHOW, SHOVE, SHOT WARNING SHOTS, THEN SHOOT TO KILL.

Q4. HOW MANY ROUNDS WERE FIRED?  
A. I DO NOT KNOW EXACTLY, BUT IT WAS AROUND 10 OR SO.

Q5. WHY DID YOU LEAVE THE SCENE?  
A. WE LEFT THE SCENE BECAUSE THE SITUATION WAS UNDER CONTROL AND WE NEEDED TO GO ON WITH THE MISSION.

Q6. DID YOU TAKE ANY PICTURES?  
A. UPON RETURN TO AREA WHO STOPPED IN DAMAGE AND ACQUIRED PICTURES, ALSO THE IA PERSONNEL ALSO TOOK PICTURES.

Q7. HOW FAST WAS THE VEHICLE MOVING?  
A. I DO NOT KNOW

Q8. NO OBSTACLES WHY?  
A. BECAUSE WE WERE OPERATING IN A ROLL MISSION, OUR VICTORS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF

SS6 [REDACTED]

TAKEN AT

9-1 TOLK

DATED

20051005

## 9. STATEMENT (Continued)

WER BLOCKING POSITIONS.

Q9. CAN YOU DRAW A PICTURE OF THE SCENE?

A.



Q10. WHAT TYPE OF VEHICLE WAS IT?

A. A BLACK VAN IT LOOKS LIKE AN OPEL.

Q11. HAVE YOU RECEIVED AN ROE BRIEF?

A. SEVERAL TIMES, THE LAST TIME WAS BY CPT [REDACTED]

END OF STATEMENT

I, SS6 [REDACTED]

## AFFIDAVIT

WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5 day of Oct 2005 at CAMP [REDACTED]

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

IS-6 OFFICER

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

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|-----------------------------------------------------|--------------------------------|------------------------|----------------|
| 1. LOCATION<br>CAMP [REDACTED]<br>5/1 MZTT Team TOL | 2. DATE (YYYYMMDD)<br>20051005 | 3. TIME<br>1508        | 4. FILE NUMBER |
| 5. LAST NAME, FIRST NAME, MIDDLE NAME<br>[REDACTED] | 6. SSN<br>[REDACTED]           | 7. GRADE/STATUS<br>E-6 |                |
| 8. ORGANIZATION OR ADDRESS<br>2nd PIT ATRP 1-71 CAW |                                |                        |                |

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

AT about 1000 I WAS Guarding soldiers down Loading BARRIERS. We had been on Location 2 hours. I heard 1-2 Rounds and moved around The corner To my Truck. AS I came Around The corner The CAR WAS Still moving And SGT [REDACTED] Shot 6-8 rounds INTO The CAR. I yelled For him To STOP Firing which he did. I called For Ing To check The Driver And AT Time IP's moved Forward And Removed The Driver From The CAR. A call went out on The Icom For our medic. By The Time he Arrived The IP's were Loading The Driver INTO Thier Truck To move him To The Hospital. LT [REDACTED] And I Talked To The Ing And they Told us To leave. We had Finished down Loading BARRIERS so LT [REDACTED] called Right Back To them we were leaving And gave them A SITREP. I moved SGT [REDACTED] To The Driving position And PFC [REDACTED] To The Gunner position and then started our move back To BASE.

### Questions.

1. we were on location About 2 hours
2. We did not use wire or BARRIERS To block The street because we were moving in and out To much. So we used Soldiers And Trucks.
3. The Gunners used Stop sign verbal And warning shots before Deadly Force
4. The were 2 shots than 6-8 shots but I am not sure
5. we moved From The Area BECAUSE The Ing Soldiers were yelling And Asked us To leave. ALSO Because we had Finished mission And needed To RETURN

|                  |                                                       |                   |
|------------------|-------------------------------------------------------|-------------------|
| 10. EXHIBIT<br>F | 11. INITIALS OF PERSON MAKING STATEMENT<br>[REDACTED] | PAGE 1 OF 2 PAGES |
|------------------|-------------------------------------------------------|-------------------|

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"  
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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF

TAKEN AT

1508

DATED

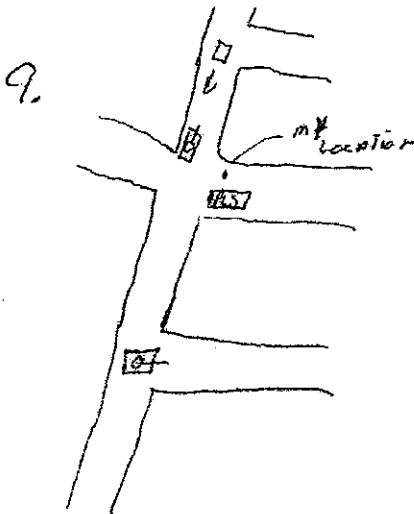
2445 1005

9. STATEMENT (Continued)

6. When I first seen the car it was moving between 5 and 10 mph and it stop about 5 feet from my truck

7. We did not use obstacles because we were using the street to move from place to place.

8. No pictures were taken because the Irb secured the car and we did not want to move around the car



10. Four Door Sedan, Black

11. I have had two and I have given three or four

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF PAGES

STATEMENT OF

TAKEN AT

1508

DATED

24451445

9. STATEMENT (Continued)

Nothing Follows

AFFIDAVIT

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[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5 day of Oct 2005 at Camp [REDACTED]

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
(Typed Name of Person Administering Oath)

15-6 OFFICER

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

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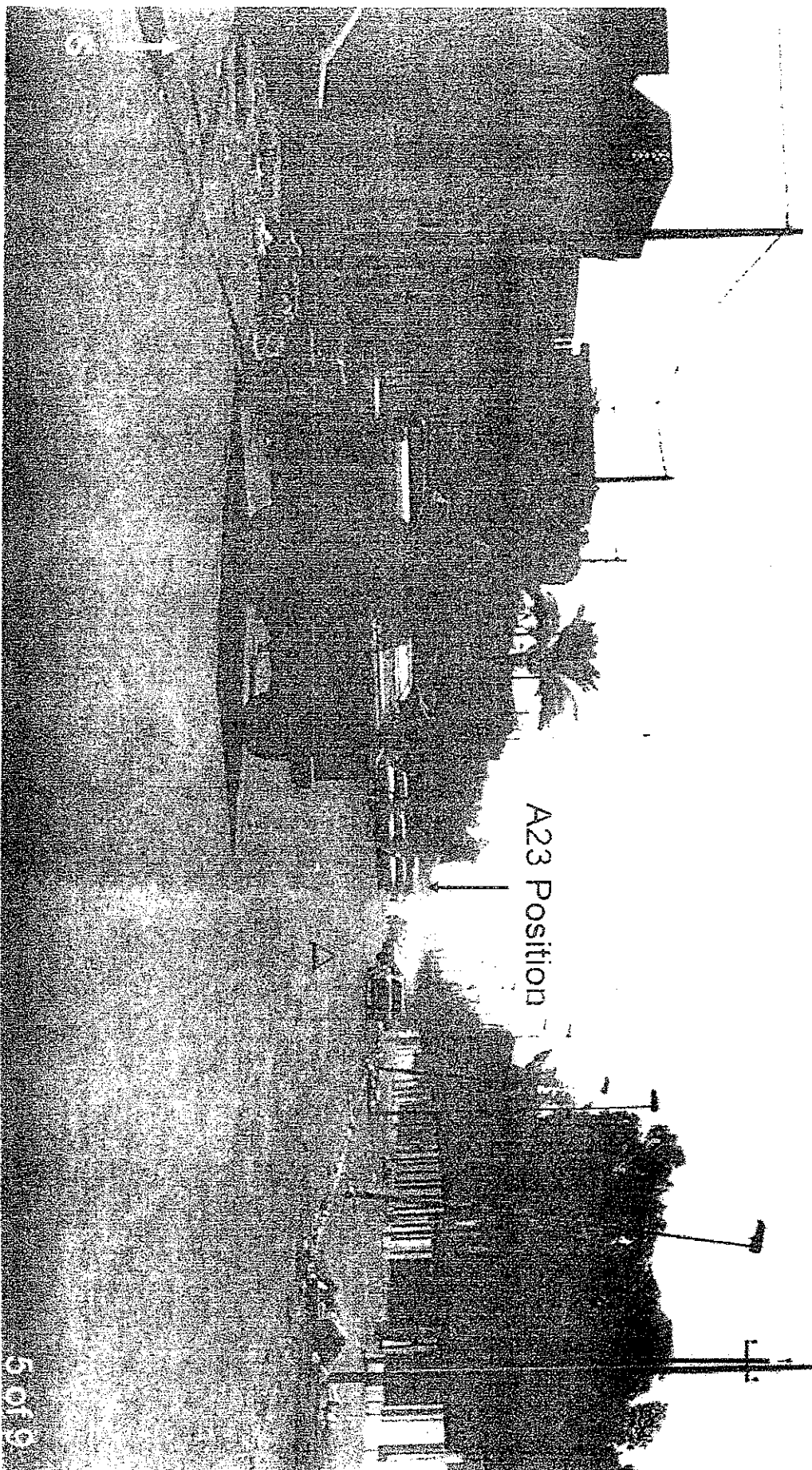
INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

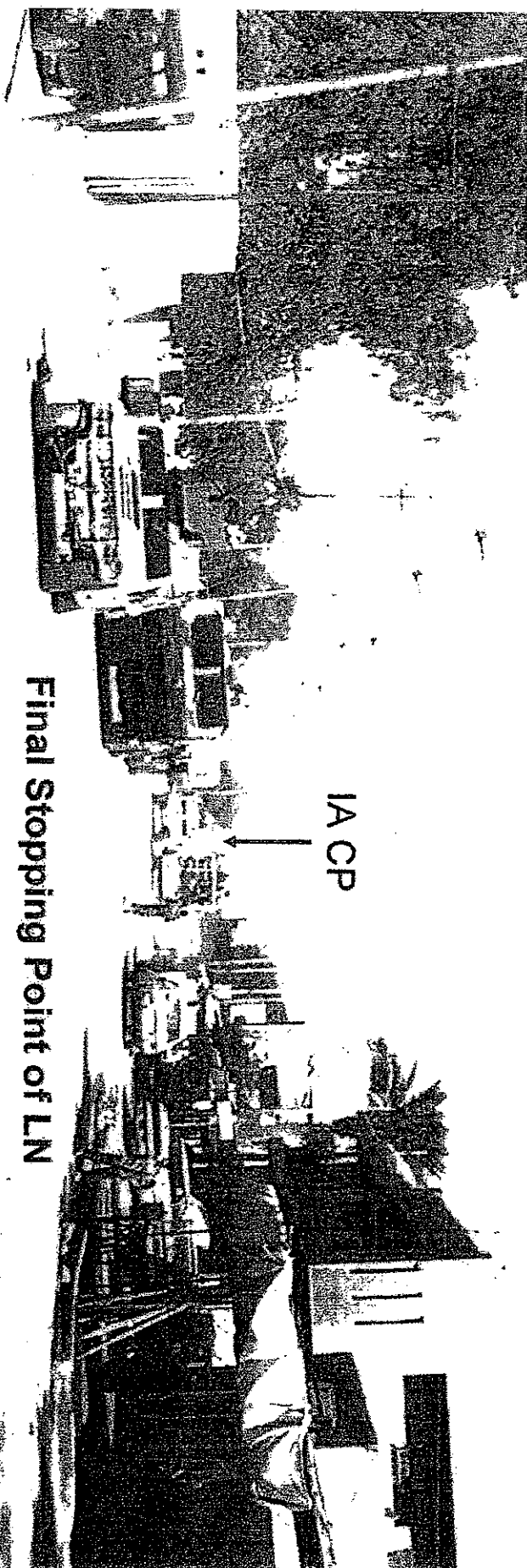
View looking South (direction of travel of LN Driver) at SGT [REDACTED] position.

Photo taken day after the incident.

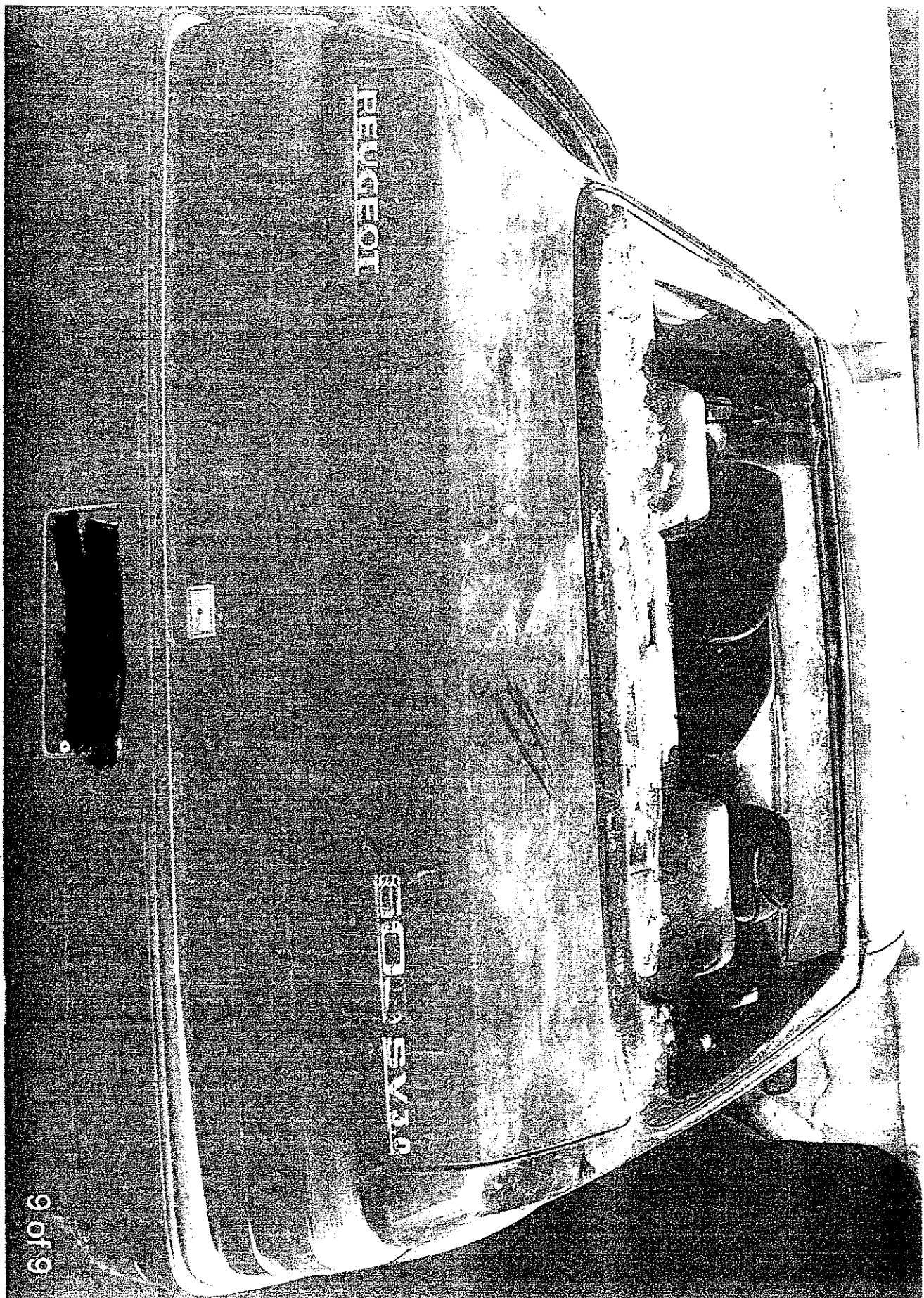
DTG: 060900OCT05



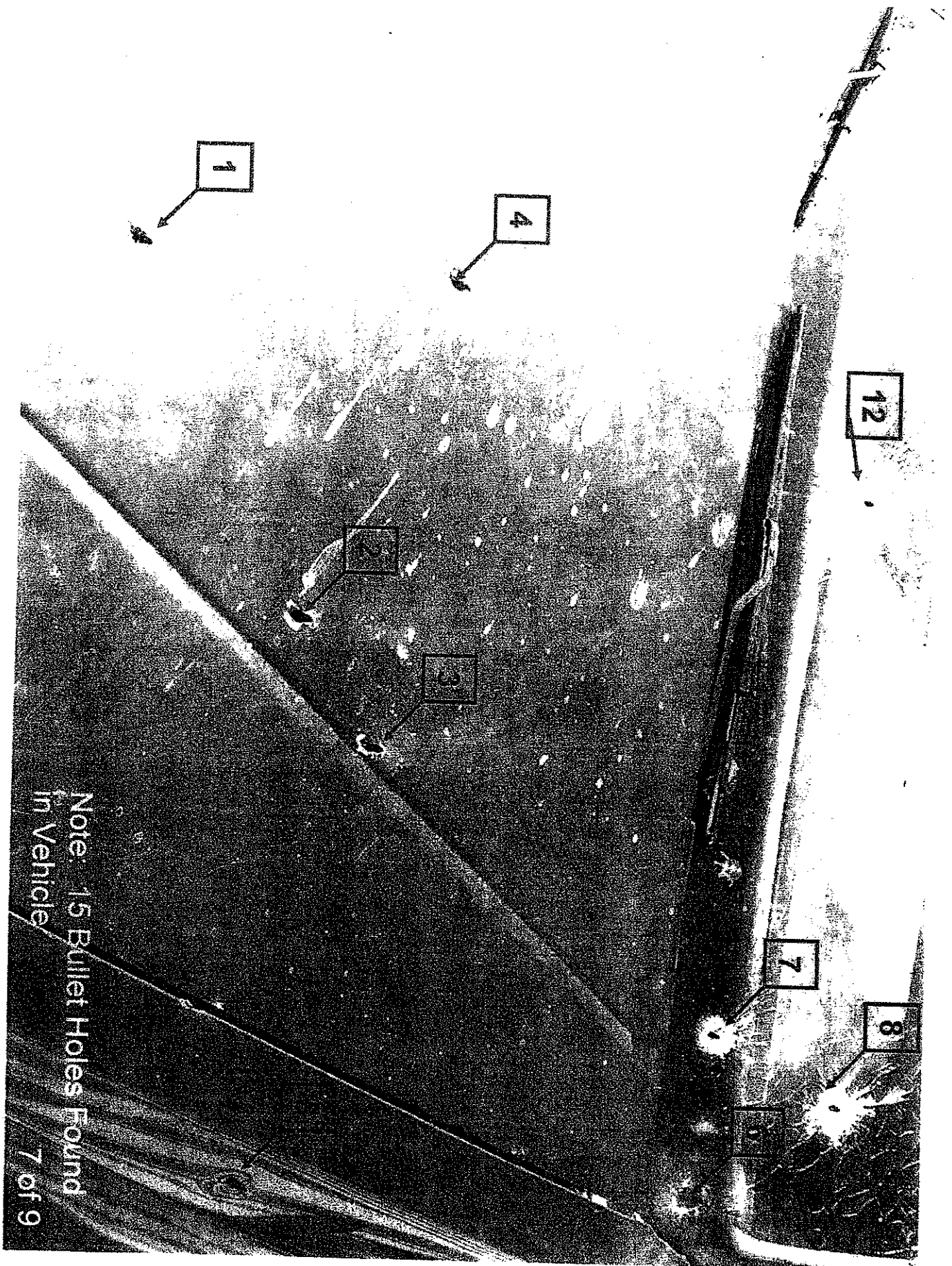
View from SGT [REDACTED] position towards the direction the LN was coming from. Wire was put up at the site by IP or IA afterwards.  
Photo taken day after the incident.  
DTG: 060915OCT05



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9019





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