

DEPARTMENT OF THE ARMY
1ST BRIGADE SPECIAL TROOPS BATTALION
10TH MOUNTAIN DIVISION (LIGHT INFANTRY)
(b)(1)(demo) IRAQ 09376

(b)(2)Low(demo)

8 September 2005

MEMORANDUM FOR Commander, 1st BCT, 10th MTN, (b)(1)(demo) Iraq

SUBJECT: AR 15-6 Informal Investigation Concerning the Fatal Shooting of a Local National (LN)

1. On 5 September 2005, I was appointed as the AR 15-6 Investigating Officer (IO) for the events surrounding the destruction of LN property, the wounding of a LN and the fatal shooting of a LN in two engagements that occurred within 25 minutes of one another. I have conducted a thorough investigation of the circumstances surrounding this incident. My observations, conclusions, and recommendations are provided in the following format: facts, findings, and recommendations.

2. FACTS. On 050545SEP05 1st Platoon, A Company, 1st BSTB led by 1LT (b)(6)(demo) conducted a Left Seat Ride with 1LT (b)(6)(demo) and SFC (b)(6)(demo) of A Company, 1088 EN BN. The mission was to conduct a route clearance IOT ensure routes (b)(1)(demo) and (b)(1)(demo) were cleared of improvised explosive devices (IED) and unexploded ordnance (UXO). Prior to conducting the mission 1LT (b)(6)(demo) conducted a Patrol Brief where he covered Rules of Engagement (ROE)/Escalation of force IAW TF (b)(2)Low(demo) TACSOP (see enclosure H & R). The TACSOP provides the following guidance regarding escalation of force: beyond 100m out, use hand and arm signals during daylight hours or white light during nighttime hours to alert traffic to stop or keep distance. Within 100m, warning shot (first five rounds in magazine to be tracers). Within 50m, disable vehicle. Within 30m, use deadly force when VBIED is suspected.

The first incident occurred at approximately 0650 (see enclosure F). Vehicle #1 (see exhibit A) was traveling East on MSR (b)(1)(demo) A11 (M1114) was on the North side of the West bound lane facing to the West. The gunner of A11 was SPC (b)(6)(demo) who had a M240B mounted. Four cars complied with SPC (b)(6)(demo) hand and arm signals by pulling off to the side of the road (see enclosure M). Vehicle #1 drove past the stopped vehicles and ignored SPC (b)(6)(demo) hand and arm signals. SPC (b)(6)(demo) then fired a warning shot (see enclosure I, J, L, and M), which was ignored by vehicle #1. SPC (b)(6)(demo) then engaged vehicle #1 in an attempt to disable the vehicle by firing at the radiator and tires bringing the truck to a halt (see enclosure I & N). US personnel approached vehicle #1 to assess the threat and potential injury to the driver. After determining that the LN no longer posed a threat he was treated for some minor injuries (see enclosure P) and given a claims card (see enclosure G); he was then released to the Iraqi Police (IP) (see enclosure G).

The second incident occurred at approximately 0715 (see enclosure F). Vehicle #2 a white Mercedes-Benz was traveling north on a side road (see enclosure B) that intersected with MSR (b)(1)(demo). A11 and A12 pulled forward and now A11 was able to cover the street that intersected with MSR (b)(1)(demo). SSG(b)(6)(demo) who was dismounted in front of A11 first noticed vehicle #2. SSG(b)(6)(demo) and SPC(b)(6)(demo) shouted and used hand and arm signals to get the attention of vehicle #2's driver. (see enclosure I & K) When vehicle #2 was approximately 80 m away, SSG(b)(6)(demo) fired a disabling shot with his M4 at the vehicle's grill. (see enclosure I) Vehicle #2 continued traveling north towards the inner cordon at a high rate of speed. SPC(b)(6)(demo) felt that vehicle #2 was within 30m and dangerously close to his gun truck (see enclosure K). He then fired a burst from his M240B machine gun into the front of vehicle #2 which stopped the vehicle from traveling north. (see enclosure C) SGT(b)(6)(demo) the medic on the scene came forward and attempted to perform first aid on the driver of vehicle #2. At that time he made the determination that the driver of vehicle #2 was dead.

3. FINDINGS. I find the personal injury and property damage to vehicle #1 was in accordance with (LAW) the ROE. SPC(b)(6)(demo) identified a hostile act and responded with an appropriate escalation of force to eliminate the threat.

I find that property damage and the fatal shooting of the LN driving vehicle #2 to be IAW the ROE. After identifying a hostile act or demonstration of hostile intent SSG(b)(6)(demo) and SPC(b)(6)(demo) responded with an appropriate escalation of force. Both SSG(b)(6)(demo) and SPC(b)(6)(demo) shouted and used visual signals in an attempt to stop vehicle #2. (I, J, K and L). SSG(b)(6)(demo) then fired a disabling shot at vehicle #2 with his M4 but the car did not slow down. SPC(b)(6)(demo) then fired at vehicle #2 with his M240B machine gun. The car was struck several times with at least one bullet striking the driver in the head (see enclosure P).

4. RECOMMENDATIONS. The following recommendations are put into Issue, Discussion and Recommendation format.

Issue: Leader positioning within Buffalo patrol.

Discussion: During this event, the platoon leader was the TC in A18 and the platoon sergeant was in A17 which were the last two vehicles in the patrol. An argument could be made that the Buffalo platoon should reassess positioning of platoon leadership to gain better situational awareness of the forward vehicles which could be as much as 100 - 150 meters forward of their position during routine route clearance missions. This distance makes it difficult for the platoon leadership to gain rapid situational awareness as well as position critical crew served weapons during cordon operations for temporary halts to interrogate possible IEDs. However, the TCs in the first two vehicles are critical to spot potential IEDs. A platoon leader or sergeant controlling the convoy and maintaining contact with multiple higher headquarters, and operating (b)(2)Low(demo) while keeping a journal cannot perform both functions as spotter and C2 element well. Passengers in the back seats of the lead two M1114s do not have as good of a field of view as the TC and are not effective spotters.

Recommendation.

(b)(5), (b)(2)Low(demo)

(b)(2)Low, (b)(5)(demo)

Issue: Shouting, blowing whistles and using hand and arm signals as a first measure under an escalation of force to warn approaching traffic to stop was step .

Discussion: Although using hand and arm signals to stop four civilian vehicles traveling east on MSR (b)(1)(demo) were effective, similar attempts made to warn the drivers of vehicles #1 and #2 were not effective. Time of day, positioning of the sun, noise pollution as well as driver inattentiveness all could have contributed to the driver of vehicle #2 not seeing the gunner of A11 in an M1114 directly in front of him.

Recommendation:

(b)(5)(demo)

(b)(5)(demo)

Issue: Establishing blocking positions during Short Halts

Discussion: On average, the Buffalo makes 15 – 30 short halts to interrogate possible IEDs during a route clearance mission. Each interrogation takes approximately 3 – 5 minutes to complete. Upon coming to a halt, M1114s assume blocking positions in the road approximately 100m from the (b)(2)Low(demo) to better protect themselves from fragmentation if the IED detonates and to provide (b)(2)Low(demo) coverage to the (b)(2)Low(demo). In this case A11 established a blocking position in the West bound lane. The alternate location in the East bound lane would have caused A11 to cross the raised median. Although the alternate location may have provided greater ability to block traffic on the East bound lane, the soldiers weighed the potential damage to the M1114 from crossing the raise median and selected to remain in place.

Recommendation:

(b)(5)(demo)

(b)(5)(demo)

(b)(5)(demo)

Issue: Establishing blocking positions during long halts.

Discussion: On average, the (b)(2)Low(demo) makes 0 - 2 long halts to interrogate and then confirm the existence of an IED during a route clearance mission. Each interrogation takes approximately 3 - 5 minutes to complete. After confirming an actual IED, the time required for land owning units to establish outer cordons as well as the time required for EOD to arrive to render safe the device can take hours. During long halts, the (b)(2)Low(demo) patrol could establish a more deliberate cordon to block traffic from all directions using warning cones, concertina wire, road fangs, sirens, and spot lights to provide adequate warning to civilian traffic and keep it a safe distance from fragmentation hazards

Recommendation:

(b)(5)(demo)

(b)(2)Low, (b)(5)(demo)

Issue: SOP review and assessment for the Escalation of Force:

Discussion: The (b)(2)Low(demo) mission TACSOP recommends Escalation of Force as: beyond 100m out, use hand and arm signals during daylight hours or white light during nighttime hours to alert traffic to stop or keep distance. Within 100m, warning shot. Within 50m, disable vehicle. Within 30m, use deadly force when VBIED is suspected. According to analysis conducted at the scene of the incident, SPC (b)(6)(demo) shot the driver of the vehicle at approximately 53.7 meters which is 23.7 meters greater than the escalation of force rules suggest for the use of deadly force. However,

A vehicle traveling at 40kph is moving at 11.1 meters/second.

A vehicle traveling at 50kph is moving at 13.8 meters/second.

A vehicle traveling at 60kph is moving at 16.6 meters/second.

The VBIED threat is real in Iraq. Vehicle #1 had already bypassed 4 stopped vehicles that heeded the warnings of the inner cordon on MSR (b)(1)(demo). His actions appeared to be a hostile act. In response, SPC (b)(6)(demo) fired a disabling shot. Minutes later, SPC (b)(6)(demo) was approximately 53.7 meters away from the white Mercedes, traveling at a high rate of speed. Given the vehicle's speed, US forces had only 23.7m or two seconds to make a decision. The driver of the white Mercedes did not heed visual warning or a warning shot fired by SSG (b)(6)(demo). The ATF Vehicle Bomb and Evacuation Distance Tables (ATF I 5400.1 (01-99)) states a full size sedan has a maximum explosives capacity of 1000 lbs giving it a lethal air blast range of 38 meters. SSG (b)(6)(demo) was exposed standing outside the vehicle and would have been injured by potential fragmentation. SSG (b)(6)(demo) and SPC (b)(6)(demo) both stated that the white Mercedes was traveling at a high rate of speed. Given the limited resources available to this investigating officer, I was unable to determine with an degree of certainty the actual speed which vehicle #2 was traveling.

Assuming the vehicle was moving at 40kph, it was 2.1 seconds from reaching the 30m line or 1.4 seconds from reaching the 38 meter lethal air blast range. Assuming the vehicle was moving at 50kph, it was 1.7 seconds from reaching the 30m line or 1.1 seconds from reaching the 38 meter lethal air blast range. I believe that given these circumstances, it is reasonable that SPC(b)(6)(demo) believed his life to be in danger and especially the life of SSG(b)(6)(demo) who was dismounted at the time attempting to signal the white Mercedes to stop prior to the warning shot. Perhaps a review of the set 100m, 50m, 30m EOF standards is necessary to incorporate factors of METT-TC. A TTP does not apply to all situations. Soldiers must consider all the variables to include: the threat level, type of vehicle, speed of vehicle, the angle of the sun, dismounted Soldiers and civilians before making a decision to engage with deadly force.

Recommendation:

(b)(5)(demo)

(b)(5)(demo)

Issue: Incorporation of Iraqi Police into (b)(2)Low(demo) missions.

Discussion: The Iraqi Police may be a resource to assist with traffic control during (b)(2)Low(demo) missions especially in IA sectors. Combined operations demonstrates the willingness of US and Iraqi forces to work together to protect the Iraqi people. If approved, recommend providing the Iraqi police with an up armored capability and the (b)(2)Low(demo) an interpreter capability.

Recommendation:

(b)(5), (b)(2)Low(demo)

(b)(5)(demo)

Issue: Post incident interview(s):

Discussion: This incident occurred over a 30 – 45 minute timeframe while the (b)(2)Low(demo) platoon interrogated a possible IED, initiated an escalation of force with vehicle #1, provided first aid to the driver of vehicle #1, initiated escalation of force with vehicle #2, attempted to provide first aid to the driver of vehicle #2, attempted to engage the IP on site and then identified another possible IED approximately 50m west of the lead vehicle. The unit immediately addressed the second IED given the potential threat to civilian and military traffic on MSR (b)(1)(demo). Unfortunately, the complexity of the situation did not allow the platoon leadership to gather detailed personal information (names, phone numbers and addresses) of the drivers of vehicles #1 and #2. By the time EOD detonated the second IED, the white Mercedes and its driver had been removed from the scene (NFI).

Recommendation:

(b)(5)(demo)

(b)(5)(demo)

Issue: Taking digital pictures of the incident site.

Discussion: Although the platoon took digital pictures of the incident site, the photographs should encompass perspectives from multiple angles (to include right angles) and incorporate as much of the vehicles involved as possible. Acute angles can distort depth and the perspective of line of sight relative to other vehicles involved. If possible, pictures capturing the perspective of each individual directly involved are helpful in determining field of view of each.

Recommendation:

(b)(5)(demo)

(b)(5)(demo)

Issue: Date Time Group (DTG) option with Digital Camera Photography.

Discussion: Although the unit leadership took pictures of the incident site, the Soldiers taking the photographs did not have the DTG option on cameras to aid in capturing timelines of specific events.

Recommendation:

(b)(5)(demo)

5. POC for this memorandum is the undersigned.

Redax Demo (b)(6)(demo)

CPT, AR
Commanding

Enclosures:

- A. Position of vehicles during engagement with vehicle 1 (White Pickup)
- B. Position of vehicles during engagement with vehicle 2 (White Mercedes Benz)
- C. Picture of final resting place of vehicle 2
- D. Picture of Median dividing road
- E. View of looking East down MSR (b)(1)(demo) approx 0900
- F. Daily Staff Journal DA Form 1594
- G. DA Form 2823 – Sworn statement from 1LT (b)(6)(demo)
- H. DA Form 2823 – Questions answered from 1LT (b)(6)(demo)
- I. DA Form 2823 – Sworn statement from SSG(b)(6)(demo)
- J. DA Form 2823 – Questions answered from SSG (b)(6)(demo)
- K. DA Form 2823 – Sworn statement from SPC(b)(6)(demo)
- L. DA Form 2823 – Questions answered from SPC(b)(6)(demo)
- M. DA Form 2823 – Sworn statement from PFC (b)(6)(demo)
- N. DA Form 2823 – Sworn statement SGT (b)(6)(demo)
- O. Weather Data for 5 September 2005
- P. DA Form 2823 – Sworn statement from SGT(b)(6)(demo)

Q. 1st BSTB Patrol Form 1 for (b)(2)Low(dem) Mission
R(b)(2)Low(dem) mission TACSOP
S. Storybook presentation

Redax Demo

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 - APPOINTMENTAppointed by COL (b)(6)(demo)
(Appointing authority)on 5 Sept 2005 (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 LSA West, (b)(1)(demo) Iraq at 5 AUG 05
(Place) (Time)on 9 AUG 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.)

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at 0800 on 8 Sept 05
(Time) (Date)and completed findings and recommendations at 2300 on 8 SEPT 05
(Time) (Date)**SECTION III - CHECKLIST FOR PROCEEDINGS**

A. COMPLETE IN ALL CASES		YES	NO ^{1/}	NA ^{2/}
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 Statements (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 N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

	YES	NO ^{1/}	NA ^{2/}
2 Exhibits (para 3-16, AR 15-6)			
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 (paras 4-1 and 5-2b, AR 15-6)?			X
B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)			
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)?			X
6 Was each absence of any member properly excused (para 5-2a, AR 15-6)?			X
7 Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?			X
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)?			X
C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)			
9 Notice to respondents (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?			X
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)?			X
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)?			X
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?			X
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)?			X
12 If the respondent challenged the legal advisor 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?			X
b. Did each member successfully challenged cease to participate in the proceedings?			X
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?			X
b. Examine and object to the introduction of real and documentary evidence, including written statements?			X
c. Object to the testimony of witnesses and cross-examine witnesses other than his own?			X
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)?			X
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)?			X

FOOTNOTES: 1/ Explain all negative answers on an attached sheet.

2/ Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

SECTION VI - AUTHENTICATION (para 3-17, 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.)

(b)(6)(demo)

(Recorder)

(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.)

Although it is unfortunate that this incident resulted in the death of a local national, after a careful review of all the statements, I agree with the findings and recommendations of the Investigating Officer. I have already discussed the recommendations enclosed with Ba Commander and we will analyze + when feasible put these recommendations into effect.

(b)(6)(demo)

COL, IN, 9 Sep 05

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

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

See Memorandum

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

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

See Memorandum



DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST BRIGADE COMBAT TEAM
1ST BRIGADE COMBAT TEAM
(b)(1)(demo) APO AE 09376

REPLY TO
ATTENTION OF:

(b)(2)Low(demo)

MEMORANDUM FOR Captain (b)(6)(demo), Headquarters and Headquarters
Company, 1st Brigade Special Troops Battalion, 1st Brigade Combat Team, Multinational
Division Baghdad, (b)(1)(demo) Iraq APO AE 09376

SUBJECT: Appointment as AR 15-6 Investigating Officer

1. You are hereby appointed as an investigating officer, pursuant to AR 15-6, to conduct an informal investigation into the facts and circumstances surrounding an escalation of force resulting in property damage to two vehicles, minor injury to one local national and death of another local national.
2. You will:
 - a. Make findings as to whether Soldiers from the BSTB complied with the Rules of Engagement and used proper escalation of force;
 - b. Make findings as to whether there was property damage and personal injury that resulted from the actions of US Soldiers;
 - c. Make any other findings you deem appropriate in connection with the above matters.
3. You will make recommendations based upon your findings.
4. All witness statements will be sworn on DA Form 2823, if possible. If written statements cannot be obtained, you will summarize the content of any conversations and attach them to your report. If during the course of your investigation, you develop information suggesting a person has violated the Uniform Code of Military Justice, you will advise the person of his or her Article 31 UCMJ rights before questioning the person. Use DA Form 3881 to conduct any such rights advisement.
5. Use the informal procedures set out in AR 15-6 in your investigation. You will submit the findings and recommendations, original and two copies, of your report as exhibits to the Staff Judge Advocate on DA Form 1574 within ten days of receipt of this appointment. Any requests for extensions should be made through your legal advisor to me.

AFZS-LI-Z

SUBJECT: Appointment as AR 15-6 Investigating Officer

6. This investigation takes priority over all other duties. You should contact MAJ (b)(6)(demo) (b)(6)(demo) 1st Brigade Combat Team, for a procedural briefing prior to initiating your investigation. If you have any questions, MAJ (b)(6)(demo) can be reached at the 1BCT TOC.

(b)(6)(demo)

Commanding

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Pages 14 through 31 redacted for the following reasons:

(b)(1), (b)(2)Low
(b)(1), (b)(2)Low, (b)(5), (b)(6)
(b)(1), (b)(2)Low, (b)(6)
(b)(1), (b)(6)

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DAILY STAFF JOURNAL OR DUTY OFFICER'S LOG					PAGE NO.		NO. OF PAGES	
For use of this form, see AR 220-15; the proponent agency is Office of The Deputy Chief of Staff for Operations & Plans					1		2	
ORGANIZATION OR INSTALLATION			LOCATION		PERIOD COVERED			
1 ST BSTB			(b)(1)(demo) IRAQ		FROM		TO	
					HOUR	DATE	HOUR	DATE
					0000HRS	06SEPY05	1200HRS	06SEP05
ITEM NO.	TIME		INCIDENTS, MESSAGES, ORDERS, ETC.	ACTION TAKEN	INL			
	IN	OUT						
1.	0001		CONDUCTED SHIFT CHANGE AND BRIEF	Informed TOC				
2.	0045		RECEIVED MESSAGE FROM SGT (b)(6)(demo) FROM REAR D THAT SFC (b)(6)(demo) SHOULD CONTACT HIS (b)(6)(demo)	Notified S-3 and C co. Commander. Passed all info.				
3.	0545		1 ST PLT A/CO origination sp time for rte clearance	Contacted 1088 th TOC and BDE TOC				
4.	0554		A/CO E. ON (b)(1)(demo)	CONTACTED BDE				
5.	0639		A/CO W. ON	CONTACTED BDE				
6.	0650		A/CO W. ON (b)(1)(demo) SUSPECTED IED. SET UP CORDON, CAR APPROACHED AND DID NOT STOP. WARNING SHOTS FIRED CAR TRIED TO BLOW BY. OPEN FIRE ON CAR AND INJURED DRIVER. DRIVER IS OK	CONTACTED BDE AND LTC (b)(6)(demo)				
7.	0715		2 ND CAR APPROACHED ON A/CO CORDON. DID NOT STOP, WARNING SHOT FROM A/CO. CAR TRIED TO BLOW BY. A/CO OPEN FIRE, DRIVER KIA.	CONTACTED BDE AND LTC (b)(6)(demo)				
8.	0822		POSS. IED WHITE BAGS ON SIDE OF ROAD. PROPANE TANK ON OTHER SIDE. ABOUT 40M FROM HIS 5 O'CLOCK (b)(1)(demo)	CONTACTED BDE				
9.	0830		(b)(2)Low(demo) ON THE WAY TO TAKE OVER THE CORDON. THEN (b)(2)Low(demo) WILL CHECK OUT POSS. IED	CONTACTED A/CO				
10.	0836		EOD ESCORT PREPARING TO SP	UPDATED 1 ST BSTB NCOIC	(b)(6)(demo)			
11.	0836		MEDIC OBSERVED SOMEONE WALKING IN TREE LINE BETWEEN THERE POSITION ON THE LEFT SIDE.					
12.	0840		HHC (b)(1)(demo) ZONE ORGINATION SP TIME	UPDATED 1 ST BSTB NCOIC				
13.	0856		EOD ESCORT LINKED UP W/ RIGHT SEAT RIDERS TIME NOW	UPDATED 1 ST BSTB NCOIC				
14.	0901		WE GOT A FIRP THAT HHC DESTINATION RP (b)(1)(demo) ZONE	UPDATED MISSION TRACKER				
15.	0920		EOD ESCORT ORGINATION SP TIME NOW	UPDATED MISSION TRACKER				
16.	0919		A/CO. SMALL ARMS FIRE FROM WHERE EOD ESCORT WILL BE COMING FROM. 7 62 AK-47 ROUNDS FIRED AT LOC (b)(1)(demo)	UPDATED 1 ST BSTB NCOIC				
17.	0942		RECEIVED ANOTHER 9 LINE FROM BDE. 2 ND IED.	SENT 9 LINE TO A/CO				
18.	0937		EOD DESTINATION RP TIME					
19.	1000		IED DETONATED ON EOD ESCORT ROBOT WHILE ROBOT WAS MOVING TO INTERIGATE IED. EOD IS TRYING TO RECOVER ROBOT.					
20.	1020		RECEIVED 3 RD 9 LINE					
21.	1024		LIGER 7 ORGINATION SP TIME NOW	UPDATED 1 ST BSTB NCOIC				
TYPED NAME AND RANK OF OFFICER OR OFFICIAL ON DUTY					SIGNATURE			

DAILY STAFF JOURNAL OR DUTY OFFICER'S LOG For use of this form, see AR 220-15: the proponent agency is Office of The Deputy Chief of Staff for Operations & Plans					PAGE NO. 2		NO. OF PAGES 2	
ORGANIZATION OR INSTALLATION			LOCATION		PERIOD COVERED			
1 ST BSTB			(b)(1)(demo) IRAQ		FROM		TO	
					HOUR 0000HRS	DATE 06SEP05	HOUR 1200HRS	DATE 06SEP05
ITEM NO.	TIME		INCIDENTS, MESSAGES, ORDERS, ETC.	ACTION TAKEN	INL			
	IN	OUT						
22.	1036		VEHICLE APPROACHED A/CO. A/CO FIRED WARNING SHOTS, CAR TURNED AROUND AND LEFT	UPDATED 1 ST BSTB NCOIC				
23.	1042		BOTH VEHICLE CLEARED FROM INCIDENT @ 0650 A/CO WILL STAY ON SIGHT.					
24.	1104		EOD ESCORT FINALLY DESTINATION SP	UPDATED 1 ST BSTB NCOIC AND 1088 TH TOC				
25.	1114		EOD ESCORT RETURNED (b)(2)Low(demo) WILL BE AT EOD BASE TO GET ANOTHER 9-LINE AND THEN GO OUT AGAIN.	UPDATED 1 ST BSTB NCOIC AND 1088 TH TOC				
26.	1119		1 ST PLT A/CO DESTINATION SP TIME NOW	UPDATED 1 ST BSTB NCOIC AND 1088 TH TOC				
27.	1123		(b)(1)(demo) TIME NOW					
28.	1132		SP INTERSECTION (b)(1)(demo)	UPDATED 1 ST BSTB NCOIC				
29.	1136		MP UNIT SAID POSS. IED IN MEDIAN ON (b)(1)(demo) SET UP OUTER CORDON (b)(2)Low(demo) WILL INTERIGATE IT IF NOT AN IED AND JUST TRAFFIC THEY WILL FINISH CLEARING THROUGH (b)(2)Low(demo)	UPDATED 1 ST BSTB NCOIC AND 1/10 BCT				
30.	1204		MP RETURNED BACK INTO THE WIRE TIME NOW	UPDATED 1 ST BSTB NCOIC AND BDE				
31.	1207		(b)(2)Low(demo) CAME ACROSS (b)(2)Low(demo) TURNING AROUND TOWARDS (b)(1)(demo) S.	UPDATED 1 ST BSTB	(b)(6)(demo)			
32.	1210		(b)(2)Low(demo) STARTED S. ON (b)(1)(demo)	CONTACTED BDE AND APE				
33.	1208		EOD ON SITE TIME NOW	CONTACTED APE AND 1088 TH TOC				
34.	1229		(b)(2)Low(demo) STARTED W ON (b)(1)(demo)	NOTIFIED ABE AND BDE TOC				
35.	1300		RECEIVED MESSAGE FROM A Co STATEING THEY COULD NOT CONTACT THE 2-22 ELELMENT AT IED SITE (b)(1)(demo) (b)(1)(demo)	CALLED 2-22, AND GOT CORRECT FREQ AND CALL SIGN, (b)(2)Low(demo) AND CALLSIGN (b)(2)Low(demo)				
36.	1306		CALLED A Co WITH CORRECT LINK UP FREQ FOR 2-22	CALLED A Co TOC				
37.	1322		(b)(2)Low(demo) LAW ENTERED (b)(2)Low(demo)	NOTIFIED TOC				
38.	1334		WAS INFORMED BY BDE THAT THEY NEED THE SNL, AGE, RACE AND SEX OF SM'S INVOLVED IN THE SHOOTING OF A LN	CALLED A Co TOC AND INFORMED THEM TO BRING ME A LIST WITH THE INFO NEEDED				
39.	1348		RECEIVED CALL FROM BDE THAT THE BSTB NEEDED TO SEND SOMEONE TO THE (b)(2)Low(demo) TMC TO PICK UP A SOLDIERS WEAPON.	CALLED A CO TO CONFIRM IF THEY HAD LT (b)(6)(demo) WEAPON.				

TYPED NAME AND RANK OF OFFICER OR OFFICIAL ON DUTY	SIGNATURE

DAILY STAFF JOURNAL OR DUTY OFFICER'S LOG For use of this form, see AR 220-15: the proponent agency is Office of The Deputy Chief of Staff for Operations & Plans					PAGE NO. 3	NO. OF PAGES 2		
ORGANIZATION OR INSTALLATION			LOCATION		PERIOD COVERED			
					FROM		TO	
1 ST BSTB			(b)(1)(demo) IRAQ		HOUR 0000HRS	DATE 06SEPY05	HOUR 1200HRS	DATE 06SEP05
ITEM NO.	TIME		INCIDENTS, MESSAGES, ORDERS, ETC.	ACTION TAKEN	INL			
	IN	OUT						
40.	1352		WAS INFORMED BY A Co THAT THEY HAVE LT (b)(6)(demo) WEAPON AND SENSITIVE ITEMS	CALLED BDE AND TALKED TO RTO (SPC LEE) AND INFORMED THEM THAT IT WAS NOT LT (b)(6)(demo) WEAPON				
41.	1354		EOD TEAM FOUND A POSS GRENADE, AND RECEIVED ANOTHER GRID TO GO TO	CALLED BDE				
42.	1400		SGT (b)(6)(demo) CALLED TO NOTIFY US TO SEND UPDATES TO 1 ST BDE TOC NOW, NOT TO 256	NOTIFIED TOC				
43.	1401		(b)(2)Low(demo) CALLED TO SAY THEY ARE PREPARING TO SP, WILL CALL WHEN THEY ARE LEAVING GATE	NOTIFIED TOC				
44.	1427		RECEIVED INFO FROM BDE THAT THE WEAPON IN QUESTION WAS NOT A BSTB WEAPON	INFORMED ALOCN IN BSTB TOC				
45.	1426		EOD TEAM RETURNED TO (b)(1)(demo)	NOTIFIED BDE TOC				
46.	1430		PSD TEAM RETURNED TC (b)(1)(demo) TIME NOW	NOTIFIED TOC AND BDE TOC				
47.	1440		DISCOVERED THAT BFTID IS WRONG FOR (b)(2)Low(demo) AND ALSO CANNOT GET THEM ON FM	NOTIFIED MAJ (b)(6)(demo)				
48.	1443		BDE CALLED TO SEE IF WE ARE UP ON MERC	NOTIFIED TOC	(b)(6)(demo)			
49.	1618		(b)(2)Low(demo) SENT FIPR SAYING THAT THEY ARE LEAVING	CALLED BDE				
50.	1627		(b)(2)Low(demo) SENT FIPR GIVING US THEIR SP TIME, AND THEIR ARRIVAL TO DESTINATION TIME	CALLED BDE				
51.	1655		BDE NET CALLED AND SAID THAT WE NEED TO SEND THEM OUR INFORMATION TO THEM ABOUT EVERY ONE WHO GOES OUTSIDE THE WIRE	LOGGED				
52.	1744		(b)(2)Low(demo) HAS RETURNED	NOTIFIED BDE				
53.	1800		NET CALL FROM BDE RE ORANGE AND WHITE CAR TRAVELLING EAST ON ROUTE (b)(1)(demo) IMMEDIATELY STOP	NOTIFIED TOC				
54.	2148		5 MORTARS HIT 3 INSIDE GATE, 2 OUTSIDE GATE AT GRID (b)(1)(demo)	LOGGED				
55.	2305		RECEIVED IED 9-LINE					
56.	2358		EOD ESCORT ORGINATION SP	CONTACTED BDE				
57.	1239		Sent air clearenc to brigade	Notified TOC and called brigade				
58.	1241		Got air clearance let a/co know	Notified TOC				
59.								
60.								
61.								

TYPED NAME AND RANK OF OFFICER OR OFFICIAL ON DUTY	SIGNATURE

Enclosure b

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 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 (b)(1)(demo)	2. DATE (YYYYMMDD) 20050905	3. TIME APX 0650	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6)(demo)	6. SSN (b)(6)(demo)	7. GRADE/STATUS 02/Active	
8. ORGANIZATION OR ADDRESS 1st PLT A Co 1st BSTB			

9. I, 1LT (b)(6)(demo), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 I was traveling with my Platoon of 25 soldiers (including soldiers from ACO 108th) 4 M114s, ~~USMC~~ and 1 (b)(2) Low (demo) west on Route (b)(1)(demo). The Platoon halted to interrogate a suspected IED. While halted I recieved a radio transmission from A11 that a vehicle had approached the convoy at a high rate of speed and shots were fired. I radiod my higher with a SITREP. I then dismounted and proceeded to the scene. 1 LN male appeared to be leading and after the medic checked him out it appeared that it was confirmed he was bleeding from glass particles from his windshield. I directed my PSR to give him a claim card, and IPS took him to the hospital eventually. About the time ~~the medic~~ my PSR gave the medic the claim card a second vehicle a white mercedes sped toward RT (b)(1)(demo) from an intersecting Road at a high rate of speed. I heard the engine but did not have a visual on the vehicle. When I turned my head I heard yelling from multiple individuals and two sets of shots fired. On the first set of rounds was 10/2 S.56 mm rounds. I saw the M240 gunner at the point he engaged in a APX ground burst. When I saw the round impact the vehicle was less than 30M from A11's position I then used the radio in A12 to send a SITREP to higher. I then ordered two soldiers to stack against a wall and get a visual on the vehicle for possible IEDs or UXOs. When the two soldiers acknowledged the sight was clear I kept them in overwatch while the medic and 1 soldier for security moved to asses if there were any casualties. The medic confirmed the casualty was KIA from a gun shot to his head. I again radiod my higher with a sit REP.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6)(demo)	PAGE 1 OF 2 (b)(6)(demo) PAGES
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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 BE INDICATED.

STATEMENT OF 1LT

(b)(6)(demo)

TAKEN AT

(b)(6)(demo)

06 0010 56105

DATED

06 56105

9. STATEMENT

after my SITREP after I had moved back to my vehicle I was radioed by A12 that he had "spotted a suspected IED Apx 150m forward from his position." I dismounted and proceeded forward to his position at which time I asked A11, who was in the vicinity to detain the LNs we wanted. He informed me that I1s had taken him away. I then ordered soldiers to link up with I1s, and close to IED (b)(6)(demo) move to a safe start off position. I ordered A11 and A12 to blow by it and secure the far-side to avoid any LNs or coalition forces from driving into the suspected IED and to interrogate it. There was no way for my M114's to cut over to the non suspected IED side of the lane because the median was too high. The only safe turnaround point was 500 m to our east. Once the (b)(2) Low(demo) interrogated we confirmed the presence of 2 artillery rounds and an RC device. It is my assessment, that it is possible, one or both of the LNs (the WIA and KIA) were trying to distract us or test our TTRs. It is also possible the IED was placed while we were static dealing with the WIA and KIA. No effort was made to conceal the IED, it was placed in a previous IED crater.

1. 1LT

(b)(6)(demo)

AFFIDAVIT

WHICH BEGINS (b)(6)(demo) AND ENDS ON PAGE (b)(6)(demo), 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.

(b)(6)(demo)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of Sept, 2010, at Camp (b)(1)(demo) T.

(b)(6)(demo)

(Signature of Person Administering Oath)

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE

OF

PAGES

Enclosure H

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 HHC/1st BSTB Trailer, (b)(1)(demo)	2. DATE (YYYYMMDD) 2005, 09, 06	3. TIME 11:00	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6)(demo)	6. SSN (b)(6)(demo)	7. GRADE/STATUS E-2/Active	
8. ORGANIZATION OR ADDRESS			

9. I, _____ (b)(6)(demo) _____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: What do you cover in your Patrol Brief?

A: Trip Ticket, 72 hour threat brief, mission, route, Convoy formation (diagram), Sweep formation (diagram), Action on confirmed IED react to IED (No damage to vehicles or injuries), react to IED (vehicle immobilized), react to IED vehicle damaged but able to move, task to maneuver vehicles (chase vehicles, CASEVAC/RECOVER vehicles), ROE/escalation of force slide, weapons status slide (Red, Amber, Green), Moment of silence. For ROE and escalation of force I referred to TFC TAGSOP which (b)(6)(demo) (b)(6)(demo) which states 100m or less use verbal and hand and arm signals to push people back 50-100m fire a warning shot, 30-50m fire a disarming shot, 30m or less fire kill shots.

Q: What is the definition of a warning shot?

A: A warning shot is a shot used to get the attention of a driver who is approaching your convoy at a dangerous speed and has crossed into an area ~~where~~ ^{they} ~~is~~ ^{is} deemed danger close. This is based off the ROE.

Q: What traffic control measures did you use and when?

A: The formation was stopped for a long halt to interrogate a suspected IED. The point and trail vehicles were told to have there ^{(b)(6)(demo)} ~~own~~ ^{gunners} block of East and west bound traffic. ~~using~~ ^{using} laser pointers, hand and arm signals, shouting, and if necessary warning shots are used based on our TFCs and ROE/escalation of force.

10. EXHIBIT	11. INITIALS OF (b)(6)(demo)	STATEMENT	PAGE 1 OF 3 PAGES
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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.

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

STATEMENT OF

(b)(6)(demo)

TAKEN AT

061100-0105

DATED

063640

9. STATEMENT (Continued)

(b)(6)(demo)

(b)(6)(demo)

Redax Demo

(b)(6)(demo)

(b)(6)(demo)

INITIALS OF PERSON MAKING STATEMENT

PAGE

2 OF 3

PAGES

STATEMENT OF (b)(6)(demo) TAKEN AT (b)(6)(demo) 100 DATED 06 SEP 05

9. STATEMENT (Continued)

(b)(6)(demo)

(b)(6)(demo)

(b)(6)(demo)

(b)(6)(demo)

Redax Demo

AFFIDAVIT

I, (b)(6)(demo) 1LT, EN, 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.

(b)(6)(demo)

1LT, EN

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of September, 2005 at (b)(1)(demo)

(b)(6)(demo)

(Signature of Person Administering Oath)

(b)(6)(demo)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

Enclosure I

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, 1993 (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 (b)(1)(demo)	2. DATE (YYYYMMDD) 2005 09 05	3. TIME 1500	4. FILE NUMBER
5. IDLE NAME (b)(6)(demo)		6. SSN (b)(6)(demo)	7. GRADE/STATUS E-6 / SGT LDR

A Co 1st BSB

9. I, SSG (b)(6)(demo), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was in the lead vehicle of the convoy doing route clearance on Route (b)(1)(demo) going West. The (b)(2) Low (demo) was called to interrogate a suspected IED, I had PFC (b)(6)(demo) pull up to where the was an alley to my left so my gunner SPC (b)(6)(demo) could secure that alley way and the oncoming traffic at the same time. We had a Toyota Pick-up truck speeding towards our convoy traveling East on Route (b)(1)(demo) the gunner (b)(6)(demo) SPC (b)(6)(demo) hollered at the truck to stop 2 or 3 times fired a warning shot at the truck and the truck proceeded toward the convoy SPC (b)(6)(demo) fired a 3-5 round burst at the tires and grill of the truck and disabled the vehicle, and the LN driving the vehicle got a scratch on his left side. I called a medic forward to treat the LN, I then continue to pull security at the front of my vehicle. As the medic SGT (b)(6)(demo) was treating the LN we had a car coming down the alley at high rate of speed towards the convoy I had my team leader SGT (b)(6)(demo) take a position at the hood of the HMMV aiming at the car. My gunner SPC (b)(6)(demo) and myself hollered at the vehicle to stop 3 or 4 times, the driver disregarded the shouting and hand signals and continued speeding towards the convoy I fired a warning shot at the grill of the vehicle the driver ignored the warning shot and continued toward the convoy. Once the vehicle hit the 30m line between us and the vehicle my gunner SPC (b)(6)(demo) engaged the vehicle with the M240B and started at the front of the hood of the vehicle and worked up to the windshield and killed the LN that was driving.

END of Statement

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6)(demo)	PAGE 1 OF 1 PAGES
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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 _____

DATED _____

9. STATEMENT *(Continued)*

(b)(6)(demo)

(b)(6)(demo)

(b)(6)(demo)

(b)(6)(demo)
Redax Demo

AFFIDAVIT

I, SSG (b)(6)(demo), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 1. 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.

(b)(6)(demo)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of September, 2015 at (b)(1)(demo)

(b)(6)(demo)

ORGANIZATION OR ADDRESS

(b)(6)(demo)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6)(demo)

PAGE

OF

PAGES

Enclosure J

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 (b)(1)(demo)	2. DATE (YYYYMMDD) 2005 09 06	3. TIME 1100	4. FILE NUMBER
5. ME, MIDDLE NAME (b)(6)(demo)	6. SSN (b)(6)(demo)	7. GRADE/STATUS E-6/SQD LDR	

8. A Co 1st BSBT

9. I, SSG (b)(6)(demo), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: What is briefed during the Patrol Brief?

A: The route, Actions on contact, Actions on recovery ops. and ROE
 100m - shout and use hand signals
 50m - warning shot
 30m - Kill line

Q: Where do you aim warning shots?

A: Towards the tire of the vehicle

Q: What traffic control measures were used after the first incident with the white Pickup?

A: Between the time of the Pickup and the Mercedes car no time ³⁵⁰ to implement a different TTP for traffic control. We did use IP's to stop traffic further down (b)(1)(demo) but just oncoming traffic

Q: When did you first notice the white pick up truck.

A: I saw the pickup truck coming down Route (b)(1)(demo) at a high rate of speed about 240m from my vehicle

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6)(demo)	PAGE 1 OF 1 PAGES
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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.

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

STATEMENT OF

(b)(6)(demo)

TAKEN AT

DATED

9. STATEMENT (Continued)

(b)(6)(demo)

(b)(6)(demo)

(b)(6)(demo)

Redax Demo

(b)(6)(demo)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

(b)(6)(demo)

(b)(6)(demo)

(b)(6)(demo)

(b)(6)(demo)

Redax Demo

AFFIDAVIT

I, SSG (b)(6)(demo), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS _____. 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.

(b)(6)(demo)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of September, 2005 at _____ (b)(1)(demo)

ORGANIZATION OR ADDRESS

(b)(6)(demo)

Oath)

ORGANIZATION OR ADDRESS

(b)(6)(demo)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STAT

(b)(6)(demo)

PAGE / OF / PAGES

Enclosure K

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).
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DISCLOSURE: Disclosure of your social security number is voluntary.

1. IDENTIFICATION (b)(1)(demo) <u>Iron</u>	2. DATE (YYYYMMDD) <u>08050905</u>	3. TIME <u>1456</u>	4. FILE NUMBER
NAME (PRINT NAME) (b)(6)(demo)		6. SSN (b)(6)(demo)	7. GRADE/STATUS <u>E-4</u>

8. ORGANIZATION OR ADDRESS
1st PLT, A co. 1st BSTB, 1BCT

9. I, SFC(P) (b)(6)(demo), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 05 SEP 05 at approximately 0645, 1st Platoon, A co. 1st BSTB were conducting a (b)(2)Low(demo) mission. We, as an engineer platoon, were convoying at route (b)(1)(demo) going west bound when the convoy stopped for the (b)(2)Low(demo) to interrogate a possible IED. I was the gunner for the lead humvee along with PFC (b)(6)(demo) as the driver, SSG (b)(6)(demo) as the TC, SGT (b)(6)(demo) as the rear-right passenger, and SSG (b)(6)(demo) from A co. 1088th Engineers as the rear-left passenger. At the time of the (b)(2)Low(demo) interrogation, I was pulling security at an intersection approximately 800 meters east from the Route (b)(1)(demo) intersection. At 0700, a white pick-up truck with red trim drove up to my sector of fire, which I was covering the south-bound and west bound intersections. The local national, male, did not stop within 100 meters from my position, which led me to shoot a warning shot at the local national. That driver persisted to drive closer, and within 50 meters I shot his front-left tire and the radiator with my M40 machine gun. The local national stopped, backed up away from the traffic control point and parked on the side of the road. 1LT (b)(6)(demo) radioed SSG (b)(6)(demo) to investigate the vehicle that had been shot. SSG (b)(6)(demo) and SGT (b)(6)(demo) dismounted from the humvee to investigate the local national and the downed pick-up truck. Upon SSG (b)(6)(demo)

10. EXHIBIT (b)(6)(demo)	11. INITIALS OF PERSON MAKING STATEMENT (b)(6)(demo)	PAGE 1 OF <u>2</u> PAGES
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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 SPC(P) (b)(6)(demo) TAKEN AT (b)(1)(demo) DATED 05 SEP 05

9. STATEMENT (Continued)

investigation, SSG (b)(6)(demo) requested the medic, SGT (b)(6)(demo) to tend the local national's wound. It turns out that the injury was minor, perhaps a bullet graze near the right side of the local national's torso. At 0710 there was another vehicle driving north bound towards the traffic control point. The vehicle is a white Mercedes-Benz. As this male local national drove 100 meters closer to the traffic control point, myself and SSG (b)(6)(demo) shouted and used hand gestures with our weapons to get the driver's attention. At approximately 50 meters, SSG (b)(6)(demo) fired a warning shot at the vehicle's radiator, and the driver persisted in driving into the traffic control point. About 3 to 4 seconds later, I fired at the vehicle as it was driving dangerously close to the humvee. I shot at the vehicle's tire, the driver side headlight, the radiator, and finally the driver of that Mercedes-Benz. The local national was less than 30 meters when I opened fire, and was considered a hostile action according to OPORD 05 SEP 05. SSG (b)(6)(demo) and SGT (b)(6)(demo) went up to the downed Mercedes-Benz to check on the local national. The local national was pronounced dead at approximately 0710. 1LT (b)(6)(demo) then contacted the Iraqi Police to handle the situation, and continued the mission at approximately 0715. END OF STATEMENT

AFFIDAVIT

I, SPC(P) (b)(6)(demo), 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, OR UNLAWFUL INDUCEMENT.

(b)(6)(demo)

(Signature)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of September, 2005 at (b)(1)(demo)

(b)(6)(demo)

(Signature)

ORGANIZATION OR ADDRESS

(b)(6)(demo)

(Typed name or person administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(6)(demo)

PAGE 2 OF 2 PAGES

Enclosure L

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
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6)(demo)	6. SSN (b)(6)(demo)	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS			

9. I, _____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: In your statement you mentioned the local national did not stop within 100 meters. What were you briefed about Warning Shots?

A: Warning shots are fired when shooting does not work, and when a vehicle is within 50 meters.

Q: Where did you aim your warning shot?

A: The front tires or the engine block.

Q: How was the traffic control point marked?

A: The traffic control point is marked by orange cones.

Q: Before shooting at the white Pick up what steps did you take in the escalation of force? with hand signals

A: I started shooting to get the driver's attention, and when that didn't work, I fired a warning shot when it got close at 50 meters; the vehicle wouldn't stop after that so I engaged the vehicle to immobilize when it was within 50 meters of the traffic control point.

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

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

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT *(Continued)*

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

(b)(6)(demo)

(b)(6)(demo)

(b)(6)(demo)

(b)(6)(demo)

Redax Demo

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 INDUCEMENT.

(b)(6)(demo)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of September, 2008 at _____

(b)(1)(demo)

(b)(6)(demo)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(b)(6)(demo)

(Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

Enclosure 00

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 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 (b)(1)(demo) <u>Daghdad</u>	2. DATE (YYYYMMDD) 2005 08 05	3. TIME 1505	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6)(demo)	6. SSN (b)(6)(demo)		7. GRADE/STATUS E-3

Aco 1st BSTB 1/10 MTN

9. I, PRC (b)(6)(demo), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the morning of 05 Sept. 2005 the following personnel were in my ~~the~~ 1114 Humv, Pfc(b)(6)(demo) driver, Ssgt(b)(6)(demo) TC, Ssgt(b)(6)(demo) and sgt(b)(6)(demo) passengers in the back, and spc(b)(6)(demo) as gunner. During route clearance operations headed west on (b)(1)(demo) we were at a long halt because of a possible IED. Our truck was the lead truck stopping traffic coming from the east. At this time 4 cars were pulled off the side of the road in front of us about 75 to 100 meters in front of us. A white pickup truck approached us speeding very fast. The gunner was shouting, he did not slow down then the gunner fired a warning shot and he still did not slow down. Then the gunner engaged on the white pickup into the grill and the truck stopped. About 25 meters out the white pickup then backed up. At this time the 4 cars turned around and left the area. The white pickup pulled his truck down to the left at an intersection. He then got out and signaled for help. Ssgt(b)(6)(demo) and the TC from vehicle 2 and Ssgt(b)(6)(demo) approached him cautiously, searched him and Ssgt(b)(6)(demo) called for the medic to come up and check him out. I then pulled my vehicle up to the intersection. The medic checked him out and sent him on his way.

While sitting at the intersection, from the left avenue of approach to Michigan, a white mercedes was approaching us ~~from the left~~ at a very high rate of speed. The gunner shouted to stop but the car did not slow down. The gunner fired at Ssgt(b)(6)(demo) at this time was outside of our truck and fired a warning shot and the car did not slow. At this time the car dangerously close 25 to 35 meters, still speeding. The gunner spc(b)(6)(demo) engaged on the car and it stopped. As the result the LN was killed.

End of Statement

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6)(demo)	PAGE 1 OF <u>1</u> PAGES
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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.

Enclosure N

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 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 (b)(1)(demo)	2. DATE (YYYYMMDD) 20050905	3. TIME 1456	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6)(demo)	6. SSN (b)(6)(demo)	7. GRADE/STATUS E-5	

8. ORGANIZATION OR ADDRESS
Aco 1 BSB 1 Bct 10th MTN.

9. I, (b)(6)(demo), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

At approximately 0730 on September 5 2005 the truck I was in began establishing ~~the~~ a cordon while the (b)(2)Low(demo) interrogated a possible IED. I was riding directly behind the TC, SSG (b)(6)(demo) was the TC, Pfc (b)(6)(demo) was the driver SPC. (b)(6)(demo) was the gunner and SSG (b)(6)(demo) was riding behind the driver. I had moved off of MSR (b)(1)(demo) to an auxiliary road to prevent traffic from traveling down it. About 200 meters down (b)(1)(demo) I saw a small white pick up approaching the cordon at a very high rate of speed. After 2 warning shots from SPC. (b)(6)(demo) M-16, he then fired a 6 round Burst from the M-40B. It appeared he struck the ground and the hood of the vehicle, which came to a screeching halt. The sole occupant of the vehicle exited and indicated he was not armed by lifting his shirt. It was noted that the LN was bleeding slightly from his left side, the medic was called forward, he treated the LN and the LN left. We moved forward about 10 feet in order to allow better fields of fire for SPC. (b)(6)(demo). At approximately 0830, while I was walking away from the lead vehicle, I heard repeated yelling of the word "Kitt", and 2-3 warning shots, I do not know who was yelling or who fired the warning shots. I turned back that direction from the back of the truck, in time to see SPC. (b)(6)(demo)

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6)(demo)	PAGE 1 OF 2 PAGES
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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

(b)(6)(demo)

TAKEN AT

(b)(1)(demo)

DATED

5 Sep 05

9. STATEMENT (Continued)

fire a 6-9 round burst from an M-240B. It appeared the rounds struck the ground the front grill, the ~~passenger~~^{Driver} side headlight and the windshield. After the incident SSG (b)(6)(demo) and myself moved to a small Brick wall closer to the vehicle in order to observe the occupant. SSG (b)(6)(demo) observed through his weapon optic that the occupant of the white Mercedes-Benz was not moving. We then called forward the medic and SSG (b)(6)(demo) and myself moved to the far side of the vehicle to provide security, the medic made a quick assessment that the CW was dead, SSG (b)(6)(demo) and myself then moved back to the MSR.

Redax Demo

AFFIDAVIT

I, (b)(6)(demo), 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, UNDUE INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6)(demo)

Statement

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of September, 2005

at

(b)(1)(demo)

ORGANIZATION OR ADDRESS

(b)(6)(demo)

Signature of Person Administering Oath

(b)(6)(demo)

Typed name of person administering Oath

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6)(demo)

PAGE

OF

PAGES

Page 54 redacted for the following reason:

(b)(2)Low, (b)(1)

Redax Demo

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 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 A Co CP 1B5TB	2. DATE (YYYYMMDD) 20051005	3. TIME 20:00	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6)(demo)	6. SSN (b)(6)(demo)	7. GRADE/STATUS SGT/medic	

8. (b)(1)(demo) Iraq

9. I, SGT (b)(6)(demo), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

SGT (b)(6)(demo) was sitting in vehicle A17, Behind the Driver we all were in a security formation for checking for IED's. When we all stopped (we all is the IED Patrol) to interrogate the Area for IED's (Grid (b)(1)(demo) location with the (b)(2)Low(demo) about 10mins into checking the Area. I heard warning shots followed by more what I thought at the time was more warning shots. About 2mins later SFC (b)(6)(demo) said Medic we need you to check out a guy who was injured in a shooting. I jumped out of the vehicle and opened the cargo hatch, pulled out my Medical bag. I then started running to the location with SFC (b)(6)(demo) of the injured man. The injured man was standing in the passenger's side of vehicle A11. I was still with SFC (b)(6)(demo) I then looked at the man with minimal amount of bleeding on his left side. I then looked at SSG (b)(6)(demo) and asked him where is the vehicle the injured man was in. The SSG (b)(6)(demo) pointed to a white truck with no real damage that I could see. I made the determination to look further into his injuries. I put BSI gloves on so I could touch the injuries of the man all were minor injuries from glass. (b)(6)(demo) I then asked the man if he had any other injuries. The man spoke in English No I'm OK, I'm not hurt anywhere else. I then said to SFC (b)(6)(demo) this man is OK, he is good to be released. (b)(6)(demo)

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6)(demo)	PAGE 1 OF 3 PAGES
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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 SGT (b)(6)(demo) TAKEN AT Acc CP 1BSTD DATED 25 Sept 85

9. STATEMENT (Continued)

SFC (b)(6)(demo) got a card from SFC (b)(6)(demo) SFC (b)(6)(demo) started filling out statement help Card for Injured man. When all of a sudden SGT (b)(6)(demo) yelled 'stop' and he started to raise his weapon. I then heard SFC (b)(6)(demo) yell 'stop' with his hand up. I was now standing at the rear of Vehicle A11. I then looked at the car which was white in color and coming towards us at a high rate of speed, the engine revved. SGT (b)(6)(demo) shot a warning shot and the vehicle was within a 100m and closing in on us, still at a high rate of speed. SFC (b)(6)(demo) started firing warning shot in the ground in front of the white BMW, which was within 50m and still moving ~~fast~~ at a high rate of speed. SFC (b)(6)(demo) stopped firing. The white BMW still moving towards us at a high rate of speed. SFC (b)(6)(demo) started firing again the round hit the ground the front of the white BMW and one round in the windshield. The rounds also hit in the Drivers side head light and grill area. The vehicle then rolled to a stop. Danger close to us, within 25m. Two soldiers from 1088 and two from Acc 1BSTD checked to see if the area was secure behind the white BMW. I put my BSI gloves on while waiting for rear secure. I then ran up to the car (white BMW) and observe one round in the windshield. I then observed a wounded male with a large amount of blood on his mouth, neck and chest area. The man was in the Drivers side of the white BMW. I reached in and checked for a pulse in the Corodid Area could not feel anything. I then opened the door and shot off the white BMW. I then looked for Breathing and checked for a pulse again.

INITIALS OF PERSON MAKING STATEMENT

(b)(6)(demo)

PAGE 2 OF 3 PAGES

STATEMENT OF SGT (b)(6)(demo) TAKEN AT ACCP 105TB DATED 05 Sept 05

9. STATEMENT (Continued)

Their was Two more beats and then like a weak beat then Nothing at all. I was feeling the Corodid Artery and his chested. I then Pulled the Man out of the car half way to see what kind of an airway he had hoping to do an advanced airway Entabation tube. When I looke there was a large hole were the chin and neck was the Mandable was split in-half. I open the Mouth to look fother inside the Throat area and I could see Brain Matter at the Base of the head inside the Mouth. I Then made the decision to Ball the Man in the white BMW Dead at the sence. I then Put the man Back into the white BMW. and (b)(6)(demo) Told The security element the man is dead. The only Person on the security element I can remember was SSG (b)(6)(demo) I Then told LT (b)(6)(demo) as I walked back to his location. The man is Dead. He Then Told IPS and I went back to my vehicle to do security for the IED that was found.

AFFIDAVIT

I, SGT (b)(6)(demo), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS 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 REFINET OR REWARD WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAW

WITNES:

(b)(6)(demo)

2LT
ALC

(b)(1)(demo)

Iraq

(b)(6)(demo)

ACCP 105TB
ORGANIZATION OR ADDRESS

(b)(1)(demo)

Iraq

(b)(6)(demo)

Subscribed and sworn to before me, a person authorized by law to administer oaths, on 05 Sept 2005 at ACCP (b)(1)(demo) IRAQ

(b)(6)(demo)

(Signature of Person Administering Oath)

(b)(6)(demo)

(Typed Name of Person Administering Oath)

1LT, USA

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6)(demo)

PAGE 3 OF 3 PAGES

Pages 58 through 61 redacted for the following reasons:

(b)(1), (b)(2)Low, (b)(6)
(b)(2)Low

Redax Demo

مرکز سہ ماہی و زراعت

۱۹۱۵ء

السید قاضی کبیر الدین السید

استیجاریہ نامہ ایف آئی بی کے لئے
نظم کو شوال کے درمیان میں لکھنا
جما سہ ماہی و زراعت کے لئے
معارفہ کے لئے ایف آئی بی کے لئے
معارفہ کے لئے ایف آئی بی کے لئے
۱۹۵۵ء
بغداد مارسیہ / بغداد
معارفہ کے لئے ایف آئی بی کے لئے

السید

السید

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السید

Number 2

To Khark investigator judge.

We were informed by the patrol that there is a murder incident at (b)(1)(demo) neighborhood. When we got there, we found the body of – (b)(6)(demo) who is a doctor at (surgery specialization center). He was exposed to shooting by American forces while he was inside his Mercedes (LIC Plate #(b)(6)(demo) Baghdad).

Signed.

Signed -4 people

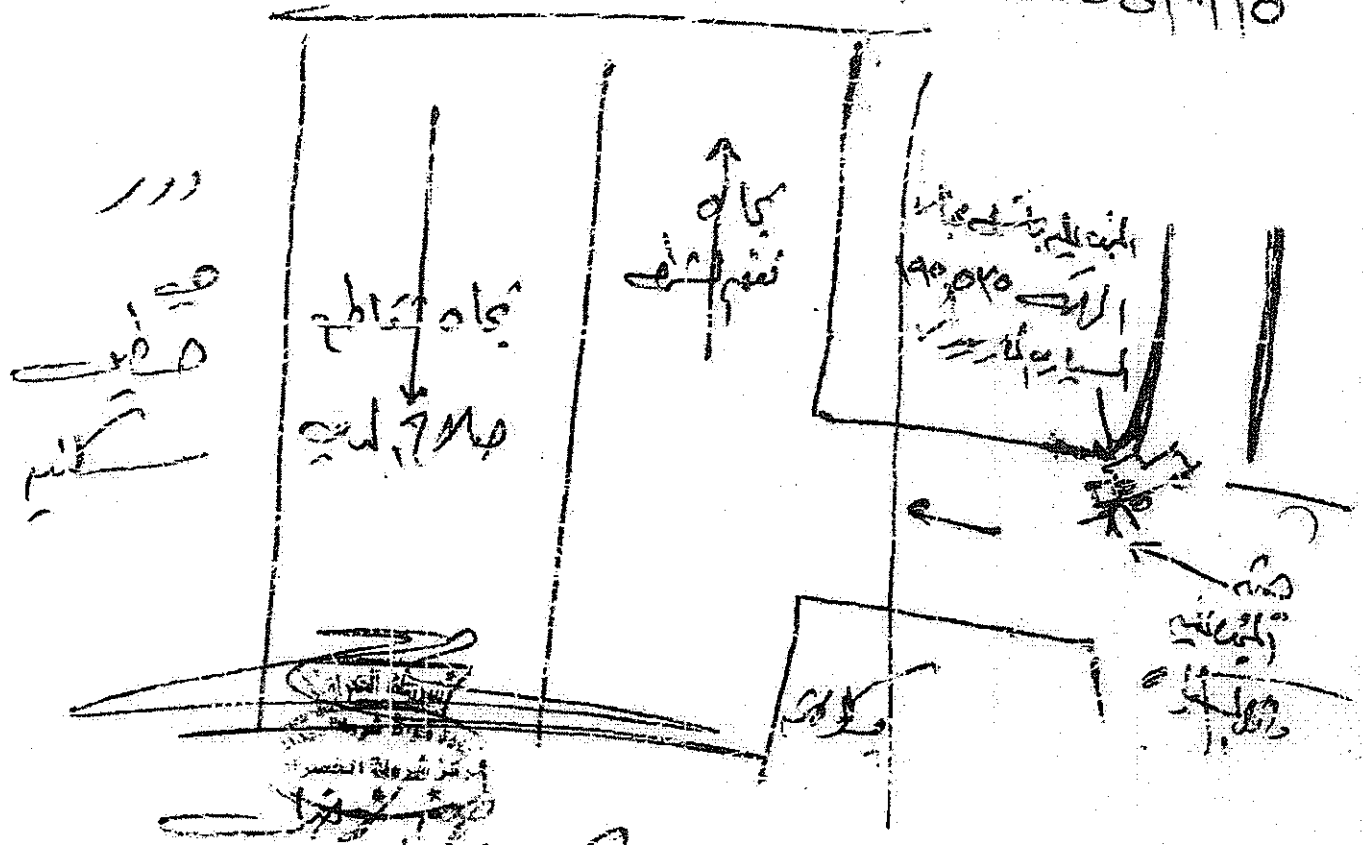
Major (b)(6)(demo)

Redax Demo

فرکھ منٹ
انٹرنل

الکسندریہ علیہ السلام

۱۹۱۵ء



۱۵ محلہ بکارت پورہ کے لئے اکم ۹۵۰

۱۶ محلہ بکارت پورہ کے لئے اکم ۹۵۰ / فیڈ مارکٹ / ۱۹۰۵ء / فیڈ مارکٹ / ۱۹۰۵ء

۱۷ کاتے بارہ قدر قیمت ہے اہلکارانہ سارا الزام ہے کہ ماسک لائے
والا ہے کہ تیار ہے کہ سیر

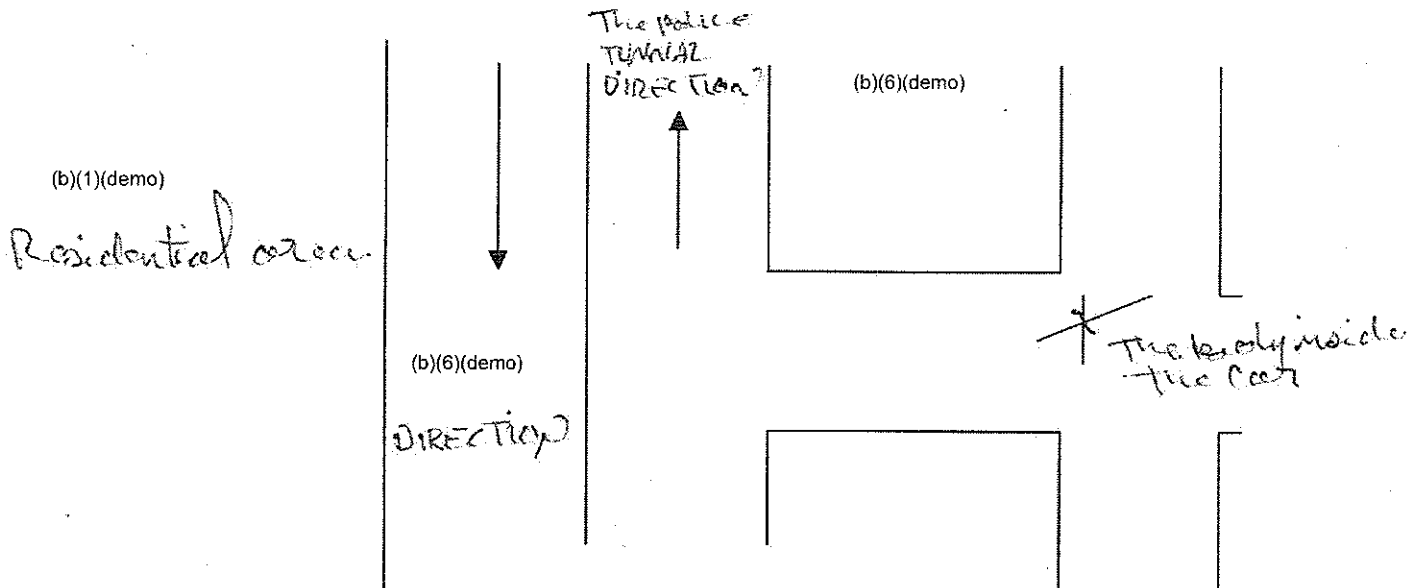
۱۸ کچھ راقل سیر و صواب باطلان سے تیار ہے
۱۹ کچھ راقل سیر و صواب باطلان سے تیار ہے

Number 4

(b)(1)(demo) police station

Sketch of the location;

September-05-2005



Redax Demo

- 1- The incident was about one kilometer away from the police station.
- 2- The location of the incident was on (b)(1)(demo) neighborhood, where the victim was driving in his Mercedes (plate # (b)(6)(demo)), and got exposed to the shooting.
- 3- The vehicle was shot in the windshield and front-left light.
- 4- The body was inside the vehicle, hit by several shots.
- 5- Nothing else to report for the benefit of the investigation.

اتسفن في سورية لاستهداف الكفاءات الطبية
العراقية».

رئيس الكنيسة الكاثوليكية في
بريطانيا يعبر عن قلقه بشأن
الدمج العراقي

وأشار الشمرى إلى أن مجموع من قتل من الأطباء
العراقيين وصل إلى أكثر من 30 طبيباً في حين بلغ
عدد العراقيين من العراق بعد التهديدات الموجهة اليهم
من الجماعات المسلحة المغامرة البلاد 220 طبيباً.

الشاب عثمان الهادي يتحول إلى
رمز للوطنية بفرقه بعد أن فقد
الشخص

عندما بدأت قبل تغير القوي والكتاب
بطريقة انتقادية عن هشام والفرد

مضيف جيل طار... مقبرة
المهاجرين

الطبيب

سامي توفيق، NL 06/09/2005

هناك ثلاث احتمالات لتفسير قتل هذا الطبيب

الشبيبة، أولاً الرعب الذي جعل جنود الاحتلال

يخافون من أي شيء ويطلقون النار ومن ثم

ينظرون في الواقعة، ثانياً أعداء العراق أعطوا

معلومة خاطئة بجنود الاحتلال من أجل هدر

أرواح الذين هم قادرون على إنقاذ العراق

والعراقيين، ثالثاً جنود الاحتلال قتل هذا الطبيب

عمداً لأنه رفض عرضاً منهم لمغادرة العراق

والعمل لحسابهم، هل سيتم إجراء تحقيق؟ طبعاً

لأنهم لا يريدون تجريم أنفسهم، ومستل القتل

مستمر ومبتمر!

طلال الشوبى، SA 06/09/2005

رحم الله الدكتور ياسر عباس، منذ بداية الاحتلال

وكثير من العلماء العراقيين تعرضوا للقتل أو

الاختطاف أو طاب منهم السفر للخارج وكل هذا

تم على أيدي مجنولين والزوم يدكث اسم أحد

المجنولين ألا وهو القوات الاميركية.

مجلس الوزراء السعودي يحدد
وقوف السعودية مع أميركا في قضية
الإصدار ويؤكد العراق في صحاحها
خلاف جسر الامة

الملك عبد الله يتسلم رسالة من
الرئيس الأمريكي

عصاف ابو تين يرفع شكوى القيادة
السعودية بتهمة تروته إلى
المرتبة 15

الكرين: تاجيل محاكمة سعودي
التحاري كلفه الزرقاوي بقتل
مركز الكرامة السعودي

أحمدى تحارب عين امرأة لتوفي
مقتبس نقيب الرئس الشون البينة
خلفا لاكتل

تخترطوم : الحركة الشعبية تد تجس
المعارضة بشارته في حكومة
«الوحدة الوطنية»

اختلافات داخل «الوقف» حول
الاء الف مع قانون الجنسية
شعبية في البحرين

معدون كالمسي يسوشرق
الأمم مع المطالبة بالسجود ليس مجرد
استعراضات احتفالية فوشتها
لقاطعات سياسية

في اوضة صغيرة في فتح، يرفض
بقاء السلاح والمطلة تغير تشر
اسماء قادة بسعين والسفر إلى

الأمن يدعو تركيا للضغط على
الأمم لعل الدلائل حول السغير

بين غزة ومصر

عاشقو يتحدثون عن زيارة مبارك
لغزة التي مررت في خلال في تدمير
والأثرين على القواعد القريبة

أسر الولا تسمع لضباط فلسطينيين
بالشمال في مستوطنات قطاع غزة
أقول مرة

الرئيس التونسي يدعو والد وزير
الشباب جبهة الاسر التي الزيادة بلدها
الأم

الحراق منازل في قرية بالضفة على
خاضعة «مضيفة لمصر»

تقويض حرية السفن المصرية
والأجنبية في العبور بعد غرق سفينة
اسر الحرة

مبارك تعارضية: عار ضيق ولا
تفعل... وشارك في الانتخابات لا
تنتهي

الاقوان والمليون النافذين بالتفصيل
عن العملية والمخرج في سيناريو
الاقتراع

وقد أصر على بعد لقائه مبارك
الانتخابات الرئاسية خطوة تاريخية
في حد ذاتها

التوقيع الجديد دعوة لمشاركة
التصويت لـ «مساءلة» العربية عن
الانتخابات

الداخلية المصرية تعذر «من قيام
المظاهرات أو أعمال العنف أثناء
عملية الاقتراع»

ثلاثة ملايين مسجون وعقرب لن
يشركوا في الانتخابات

المنظمة المصرية لحقوق الإنسان
تدعم الاقتراع بحكم القضاء بمرحلة
الانتخابات «جريمة»

شوقي عيسى يفتد «الضرائب
الضريبة» في لبنان وموجة المنظمة
يرحل نحو

مستشار لثانية كذا في من مفاجئة

جائدت دورها في جبهة التحرير
 التحريري
 لقاءات ليلية - قاعة تدريبية تشدد
 على الحوار والتسويق
 لحدود يتشاور مع المنبجورة ومصاهرة
 تؤكد دعمه لزال الشد العنيفة بقتلة
 التحرير
 بعد التحرير بظمتين على مسحة
 البقاء عون - ولقاء في باريس
 تكريماً للحوار بين تيارين
 قيادة المقاومة الفلسطينية تنقل
 عنانها باستشراك مسلح مع الجيش
 في شمال لبنان
 دمشق تؤكد: الأسد لم يعد عن
 زينة نيويورك
 خير كآب عن وجود قليل في
 مدرسة أميركية ببيروت
 كعرب فضائي بين لبنان وقطر
 نقابة الصحفيين السورية تهدد
 باضراب داخل الصحف إذا لم تطبق
 الاتفاقية الجماعية
 العقاب المشوي يستقبل رئيس
 البرلمان الصيني
 العقيد صالح ولد حنا، أوجه شبه
 كثيرة بين انقلابي 2003
 والانقلاب الأخير
 عائلة زعيم الجماعة المسلحة
 الجزائرية تدعو إلى الاستفادة من
 ميثاق السلم والمصالحة
 أول لقاء بين رئيس وزراء الهند
 وفصلين من كشمير في نيودلهي
 صليبات التجار بين رجال الشرطة
 والمطباء في نيو أورلينز - خبراء
 11 سبتمبر للتعرف على ضحايا
 كاترينا
 مقتل 137 في أعظم ظاهرة ركاب
 اندونيسية ونجاح ركاب كانوا
 يجلسون في المائدة الخلفية

THE MOST FAMOUS HEART IRAQI DOCTOR, KNOCKED DOWN BY AMERICAN BULLETS IN BAGHDAD.

Yesterday morning, The American forces killed doctor (b)(6)(demo) the famous specialist of heart diseases while he was going to his work at the Iraqi Center for Heart Diseases at (b)(1)(demo) district, west of Baghdad.

The deputy of Iraqi Health Ministry Mr. (b)(6)(demo) said to (b)(1)(demo), (b)(1)(demo) newspapers that killing the doctor (b)(6)(demo) is a dangerous incident that would have negative impacts on the Iraqi doctors because they are the ones who are more vulnerable for assassinations (liquidation) in this blood shed episode that Iraq is witnessing right now.

(b)(6)(demo) has explained that American forces had poured down bullets on the car that doctor (b)(6)(demo) was driving on the express-way which he used every day to go his work. He died before Iraqi authorities could have a chance to take him to (b)(1)(demo) hospital.

(b)(6)(demo) stressed that the liquidation of Iraqi cadets and doctors will not stop as long as there are people out side and inside of country – didn't mentioned names - wants to do the most damage in the lines of Iraqi cadets, especially the medical ones. He has confirmed the increase in numbers of doctors who fled the country and gone to neighboring countries to work. He pointed specifically to the hospital that was built in Syria to magnetize (attract) Iraqi medical cadets. (b)(6)(demo) has pointed out that the total number of killed doctors has reached more than 30; while the number of deserted Iraqi has reached 220 after the threat they received from armed groups asking them to leave the country.

Redax Demo

Comments 1

There are three possibilities to explain the killing of this doctor, the martyr:

- 1- The dismay that made the occupation soldiers to panic and to shoot at anything, and then they examine the incident.
- 2- The enemies of Iraq had give occupation forces false information to waste souls of those whom are able to rescue Iraq and Iraqis.
- 3- Occupation soldiers had killed this doctor intentionally because he refused their offer to leave Iraq and work for them.

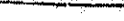
Will they conduct an investigation? Of course, because they don't want to incriminate themselves. The episodes of killings are continuing and will continue.

Comments 2

God's mercy to Dr (b)(6)(demo) – since the begging of occupation, the Iraqi seculars (scientists) have been killed or kidnapped, or they were ask to leave Iraq. All this has happened by unknown hands. Today, one of the unknown hands has been known. They are the American forces.

ترکین سے مختار

001910



Ed. Ship

مجلس شورى العلماء
مجلس شورى العلماء
مجلس شورى العلماء

0/9/0

Number 5

(b)(1)(demo) police station

September- 05-2005

The examination of the body

- 1- The body belongs to (b)(6)(demo) -Born in 1954.
- 2- He was wearing light brown trousers, light brown shoes, light brown belt, shirt (word unreadable).
- 3- There was a bullet in the front of his mouth.
- 4- There was a bullet in his neck.
- 5- Nothing else to report to benefit the case.

Redax Demo