At approximately 0800 on October 13th, while on site with EOD, an escalation of force incident occurred. My platoon was staged in a box formation on the south end of the unit. At the exit ramp from [Redacted], we would begin to deploy in the north on the same exit ramp as the IED. We entered the exit ramp from the east where a local road provides access to a residential area. At this point, he was already between our location and that of the IED, and well within the outer corridor located 200 meters past him to the north. The soldiers with security on the south side of the inner corridor including [Redacted] a three-gunner began firing and moving immediately to get the LV to leave the area and move east, however, he continued toward them. They then pointed their weapons at him in a show of force and the battle, which was parked between the inner corridor and the IED, used its cover, but the LV continued. At approximately 0830, from the inner corridor, [Redacted] fired a warning shot to the north of the LV, but he just acknowledged it with a look and continued.

At this point, everyone realized that something was wrong and continued to yell to get him away. [Redacted] then used a laser range finder to verify the distance to the LV, when he reached 250 meters from the inner corridor, and then approximately 150 meters from the battle, he let out a short burst with the saw. The LV dropped immediately. After waiting approximately 10 seconds to see any movement or reaction, I sent a dismount, [Redacted] and [Redacted] to bring the LV back to our location for treatment. At this point, the LV was only about 100 meters from the IED.

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT
12. PAGE 1 OF 4 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT ____ DATED ____
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.
and in the open, so he was brought back for treatment by medics from both EOD and the patrol. I also contacted to request an ambulance for a wounded LN. I brought him to a covered location at the rear of our box formation and the medics began treatment. I then noticed a large group of military personnel that entered my area and realized that it was B Company of his Personal Security Detachment (PSD). They arrived on foot, and I did not see their vehicle at any time. He immediately recognized me as the platoon leader and began questioning me, however I was not able to answer most of his questions because I was focused on current operations including treatment of the wounded LN and destruction of an active IED and had not yet questioned my summer or squad leaders. IPs arrived on the scene quickly and wanted to transport immediately in the back of a pick-up-truck, however BG directed them saying that the LN needed an ambulance and that he would “Bleed out” if moved by truck. The IPs asked me through the general’s interpreter for my unit’s contact information to help me some time to figure out what they wanted, but ended up I gave them a contact card filled out with our unit information. At this point BG conceded to allow the LN to move by truck, but demanded one of my medics to ride in the back of the truck with the LN to provide care in-route. While moving the LN into a stretcher, the
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 2651; 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. NAME
   First Initial(Middle)(Last Initial)

2. DATE (YYYY-MM-DD)
   2005-10-17

3. TIME
   11:30

4. FILE NUMBER
   217

5. GRADE/STATUS
   2LT

6. ORGANIZATION OR ADDRESS
   A Co 1BSTB 11/10 MTN

7. WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
   IV came out of his arm, and after 2 attempts to replace it, BC made the call to transport with no IV and determined that if no IV was in place then a medics did not need to move with the CAV to the hospital. As the CAV left with the wounded LCT, a fire fight erupted to the north and radio traffic confirmed a small arms engagement. I noticed a group of soldiers at the guard rail protecting vehicles from the fire to our below and out in the open but I did not recognize them and realized they were BC and his PSD.

   AT THIS TIME EOD was ready to conduct the blast, however EOD for the battle to the North had canceled our air clearance and I began working on the clearance again. Looking around, BC and PSD could no longer be found, and presumably they walked back out of the cordon. I also received a radio call from 3-7, the outer cordon element, stating that
   "The general ordered us to move north and support the fight," I responded "Negative, you must remain in place until EOD operations are complete," and they responded "Roger." At this time I requested Emergency Immediate Air Clearance so that I could move EOD and any soldiers to a safe location and also free up the outer cordon. Air clearance came quickly and we conducted a controlled detonation of the IED. At this point the outer cordon was gone leaving some areas unsecured and I began movement as soon as EOD had policed up their shock tube. We then returned to

10. EXHIBIT
   (01)

11. INITIALS OF PERSON MAKING STATEMENT
   (01)

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

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE INDICATED.
SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY:
Title 10 USC Section 301; Title 5 USC Section 2901; 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. MIDDLE NAME
6. SSN
7. GRADE/STATUS

8. 1st platoon leader, B Company, 1st Battalion, 31st Infantry, 02-11 April 2003

9. I, (Name) (rank), , WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the afternoon of 13 Oct of my element had found an IED in the area with the assistance of 4 gun trucks from 1-87 and 3 gun trucks from an unknown element. The cordon went without incident until GOR arrived. GOR set up just south of the maze that puts you on the north and hit the local national but I did see two solders risk their lives by setting within 35m of the IED. I did not see any shots that hit the local national but I did see two

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT ______ TAKEN AT ______ DATED ______
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE INDICATED.

DA FORM 2823, DEC 1998

12218
they had departed by cordon and left the south of my cordon unprotected without my knowledge. Somehow in the time frame Bl[ERASED] Horst told me to have the Bradleys in contact stop trying to enter the building to the north firing on one of my vehicles that had returned to its cordon position because his PSD was going to enter the building.
SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2851; E.O. 9397 dated November 22, 1943 (SSN).

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately

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 (g) IRAQ

2. DATE (YYYYMMDD) 20050613

3. TIME 16:49

4. FILE NUMBER

5. ORGANIZATION OR ADDRESS

6. SSN (060)

7. GRADE/STATUS E-6

8. O.M.A. 1C BCTIN

9. W.I.S. [SSG 1C BCTIN ] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 13 OCT 05, Shortly After 1620, A LOCAL NATIONAL APPROACHED OUR SECURITY CORDON. APPROXIMATELY 15-20 MINUTES PRIOR, THIS SAME INDIVIDUAL APPROACHED THE CORDON FROM THE EAST ESCALATION OF FORCE WAS USED UP TO 1 WARNING SHOT BEING FIRED BY SPC (060) THE LOCAL NATIONAL TURNED AROUND AND WALKED AWAY. WHEN WE SAW HIM AGAIN, HE WAS WALKING TOWARD US, FROM THE NORTH, ON THE EXIT RAMP TO THE NORTH RAMP LINE OF R.T. (061) AGAIN, THE RULES OF ENGAGEMENT AND ESCALATION OF FORCE WERE FOLLOWED. SPC (060) WAS YELLING "INCHES" AND MOTIONING FOR THE INDIVIDUAL TO MOVE AWAY. AT THE SAME TIME SGT. (060) SPC. (060) AND MYSELF WERE ALSO MOTIONING AND YELLING TO THE INDIVIDUAL AS HE CONTINUED TO WALK TOWARD US, SGT (060) AND SPC (060) POINTED THEIR WEAPONS AT THE INDIVIDUAL. AS THIS WAS GOING ON, THE BUFFALO WAS BLASTING ITS AIR HORNS AND SOMEONE WAS YELLING OVER A P.A. SYSTEM IN AN MIHH, THE INDIVIDUAL CONTINUED TO APPROACH AND SGT. (060) FIRED 1 WARNING SHOT AT THE LOCAL NATIONAL'S FEET, WHICH STRUCK THE CURB A COUPLE FEET IN FRONT OF H.M. THE INDIVIDUAL CONTINUED TOWARD US, FOR A COUPLE OF SECONDS WHEN SPC (060) FIRED A 4-5 RD. BURST FROM HIS M249. THE INDIVIDUAL CRUMPLED TO THE GROUND AND LAYED THERE. I WENT OVER TO CPT. (060) WHO WAS BEHIND THE TRAIL MIHH, TOLD HIM THE LOCAL HAD BEEN SHOT. I ASKED IF WE NEEDED TO GET OUR MEDIC TO TREAT HIM. CPT (060) SAID YES AND I GOT PFC (060) OUT OF THE VEHICLE AND READY TO TREAT THE INDIVIDUAL. PFC (060) SPC (060) AND SGT. (060) BROUGHT THE INDIVIDUAL INSIDE OUR CORDON AND PFC (060) AND ANOTHER MEDIC BEGAN TREATING HIS WOUNDS. THE DISTANCE AT WHICH THE INDIVIDUAL WAS SHOT WAS 29M AS CONFIRMED BY A LAZER RANGE FINDER PRIOR TO MOVING HIM INSIDE OUR CORDON.

10. EXHIBIT [I]

11. INITIALS OF PERSON MAKING STATEMENT [060]

PAGE 1 OF 2 PAGES

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

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

DA FORM 2823, DEC 1998 DA FORM 2823, JUL 72, IS OBSOLETE USA/A V1.00
WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the day of 13 Oct 2005, my EOD/escort Team was at the intersection of 51st Street and 2nd Avenue, where we encountered a man running to avoid our vehicle. I called him to stop and he did. I then asked him to head away from the intersection, which he did. As he walked away, he was shot by one of my team members. The shooter was later identified as a member of the Iraqi security forces. I escorted him to safety and provided medical assistance. He was later taken to a hospital for treatment.

END OF STATEMENT.