

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 CAMP STRIKER, IRAQ	2. DATE (YYYYMMDD) 2005/12/12	3. TIME 0930	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS C CO. 2-502 INF RGT			

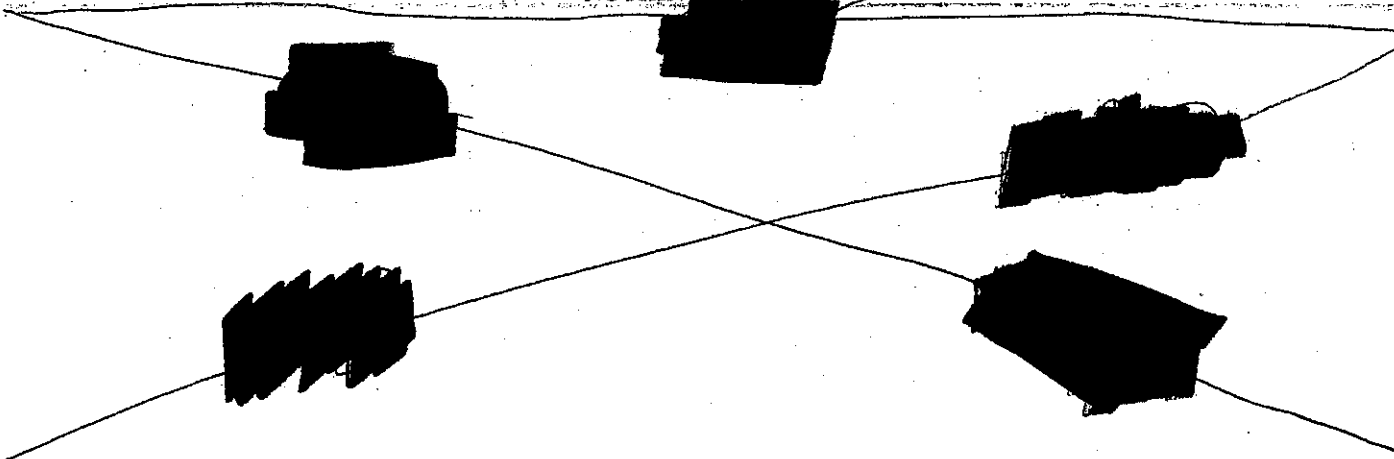
9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 11 DEC 05 AT APPROXIMATELY 1500 MY PLATOON FIRED SHOTS AT A CAR WHICH WAS SPEEDING TOWARD OUR CHECKPOINT AT THE INTERSECTION OF [REDACTED] AND [REDACTED]. THE CAR, A BLACK SEDAN WHICH MATCHED A BOLO GIVEN THE PRECEDING DAY, CAME FROM THE WEST AND ROUNDED THE CORNER AT APPROXIMATELY 45-50 MPH. THIS WAS NOT UNCOMMON BECAUSE THERE ARE TWO ROADS WHICH CARS WILL OFTEN TURN ONTO BETWEEN THE BEND AND OUR CHECKPOINT. WE WAVED TO THE CAR TO GET IT TO LOWER ITS SPEED BUT IT CONTINUED COMING. WHEN THE CAR PASSED THE SECOND TURN AND DID NOT LOWER ITS SPEED WE BEGAN TO WORRY THAT THE CAR WAS A POSSIBLE VBIED.

AT THIS TIME WE BEGAN YELLING AND WAVING FOR THE CAR TO STOP BUT THE CAR CONTINUED COMING AT THE SAME SPEED. IT WAS AT THIS TIME THAT WE FIRED A SERIES OF WARNING SHOTS AT BOTH THE NORTH AND SOUTH SIDE OF THE ROAD WITH AN M4. THESE WARNING SHOTS DID NOT DETER THE DRIVER, SO IT WAS AT THIS TIME THAT M4 SHOTS WERE AIMED AT THE FRONT OF THE VEHICLE IN AN EFFORT TO GET THE DRIVER TO STOP. THESE SHOTS ALSO DID NOT STOP THE VEHICLE SO IT WAS AT THIS TIME THAT THE M-240B GUNNER ON THE M1114 WAS TOLD TO FIRE ON THE FRONT OF THE VEHICLE. AFTER THE BURST FROM THE 240 THE CAR FINALLY CAME TO A STOP PAST THE WIRE, SIGN AND THE FIRST BARRIER APPROXIMATELY 85 METERS FROM THE POSITION WHERE MY DISMOUNTS AND THE VEHICLE WERE POSITIONED.

AFTER THE VEHICLE CAME TO A STOP 2 MEN, 2 WOMEN, AND A CHILD EXITED THE CAR. THE CHILD HAD BEEN STRUCK IN THE HEAD AND DIED ON THE SCENE. THE TWO WOMEN ALSO HAD SUFFERED GUNSHOT WOUNDS BUT NEITHER WERE LIFE OR LIMB THREATENING. ALL OF THE WOUNDS WERE TREATED AT THE SCENE AND WE TRIED TO ARRANGE MEDEVAC BUT IT WAS INITIALLY DENIED. THE PEOPLE IN THE VEHICLE THEREFORE LEFT IN THE VEHICLE THAT THEY CAME IN AND TOOK THE BODY OF THE CHILD WITH THEM. THEY STATED THAT THEY WANTED TO LEAVE BEFORE SUNDOWN BECAUSE THEY NEEDED TO GET THE CHILD BURIED. WE TOOK THEIR INFORMATION AND ALLOWED THE TAXI DRIVER TO DRIVE THEM AWAY.

NOTHING FOLLOWS



10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>1</u> 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.

9. STATEMENT (Continued)

AFFIDAVIT

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

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

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

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

EXHIBIT D

B

SWORN STATEMENT

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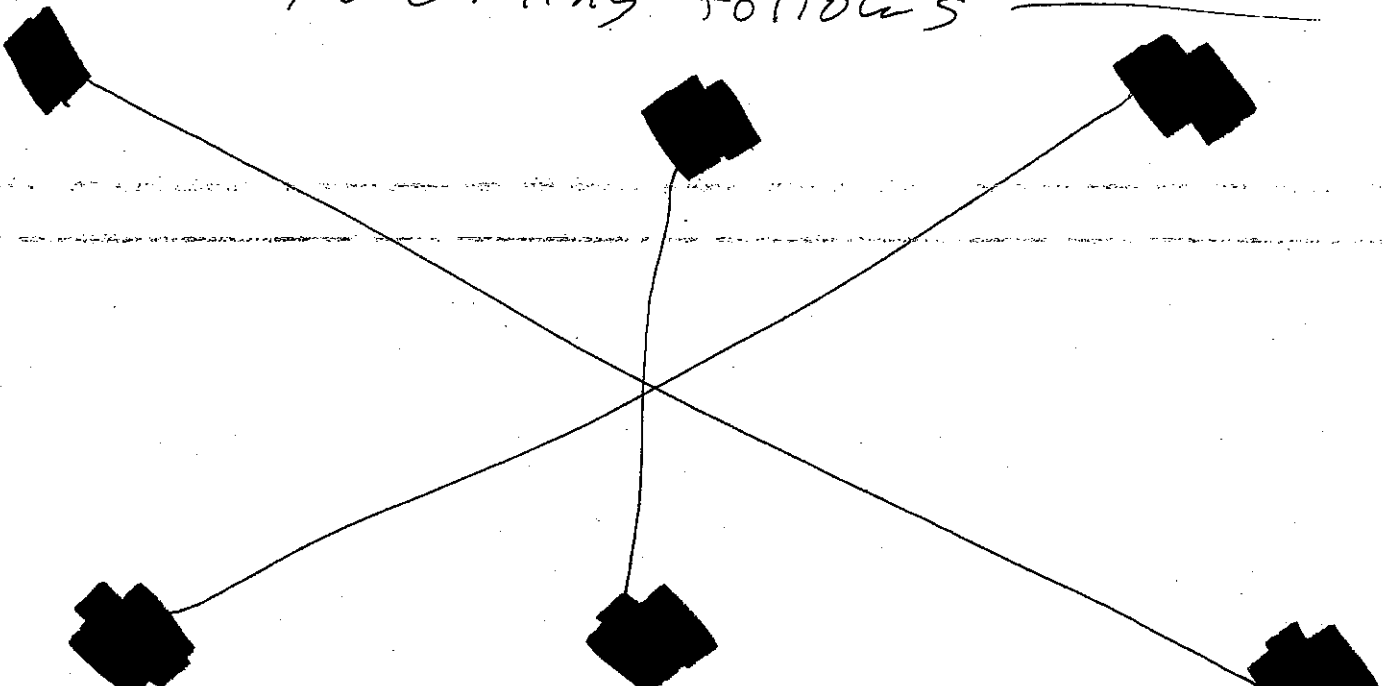
1. LOCATION <i>Camp Striker, Iraq</i>	2. DATE (YYYYMMDD) <i>20051212</i>	3. TIME <i>0939</i>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS <i>C^o 2-502 INF REGT</i>			

6

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

At aproximatly 1500 on 11 December I witnessed a black Sudan speeding toward our check point. I heard several warning shots, but the vehicle continued speeding toward the check point. As the vehicle got to the 1st cement barrier as he aproached the check point, I saw rounds impact the vehicle. End of statement.

Nothing follows



6

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>2</u> PAGES
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STATEMENT OF [REDACTED] TAKEN AT ~~450-2939 Dec 2005~~ ⁴³ DATED 12 Dec 2008

STATEMENT (Continued)

[REDACTED]

6

AFFIDAVIT

I, [REDACTED], 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, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

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

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

KJ

PAGE 2 OF 2 PAGES

EXHIBIT E

SWORN STATEMENT

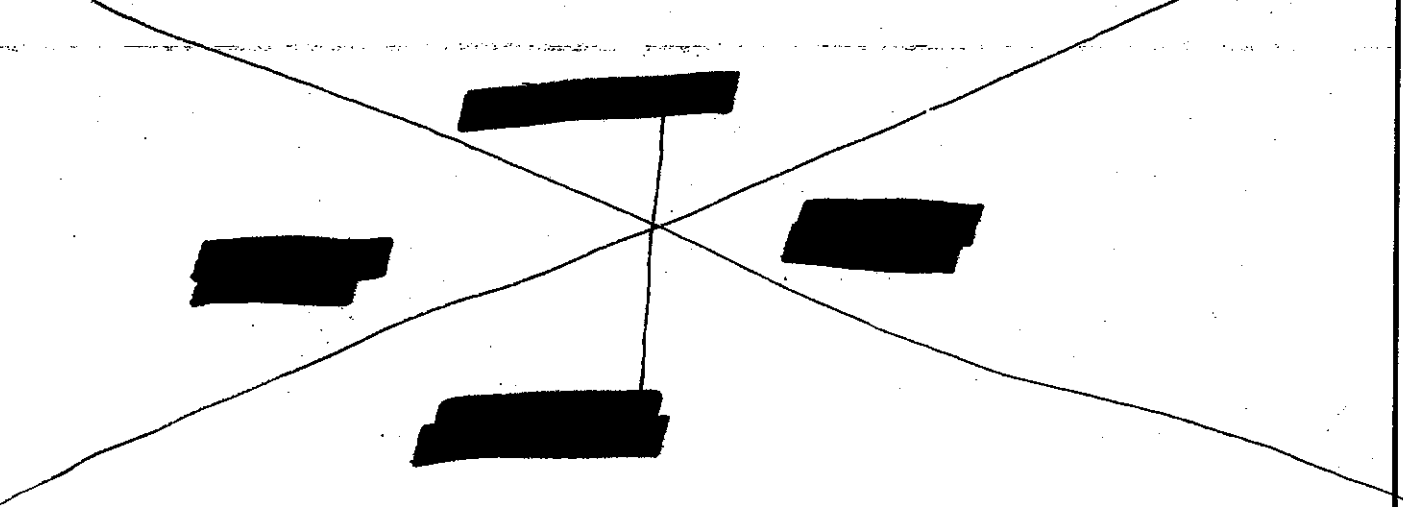
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2. DATE (YYYYMMDD): 2005 12 12
3. TIME
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS: Cco 2-502 INF. Regt.

9. I, [redacted] 3rd Sqr, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
On 11 December 2005 at 1500 my truck's occupants fired shots at a car that was speeding towards our blocking position at the intersection of [redacted] and [redacted]. The car was heading west on Mustang; we waved at it several times to get it to turn around. The car was not slowing down so several of the other soldiers fired warning shots with their M-4 carbines. At which point I stepped out of the M-1114 to pick-up security to the north of our position. The Car had still not stopped and was still coming at the same speed, several shots were then aimed at the car to disable it with the M-4's and I heard the M-240 B light up shortly after that.
The car finally stopped after it had passed our first Barrier by 15 meters approximately 85-90 meters from my position. At this time a woman got out of the back seat of the vehicle holding a young child, coming toward our position screaming. We called for our medic, and called for a medevac. The child suffered a gun shot wound to the head and the two women in the vehicle had also been injured, but neither were life or limb threatening, only the child died.
End of Statement



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

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STATEMENT OF

[REDACTED]

TAKEN AT Camp Stricker

DATED 12 Dec 2005

9. STATEMENT (Continued)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

6

AFFIDAVIT

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

[REDACTED]

(Signature of Person Making Statement)

WITNESSES:

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

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[Handwritten initials]

PAGE 2 OF 2 PAGES

EXHIBIT F

SWORN STATEMENT

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1. LOCATION: Camp Striker, Iraq
2. DATE (YYYYMMDD): 2005/12/12
3. TIME: 0930
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS: C co 2/502

I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
At approximately 1500 I noticed a black, 4 door sedan driving east on [redacted] toward our CP. We started to wave the vehicle off. The vehicle did not slow down. When the vehicle was about 150 meters from our humvee and still coming, warning shots were fired from multiple M4's. When the vehicle still did not stop and got about 120 meters from my humvee, I fired my 240B from the turret at the hood of the vehicle in an attempt to disable it. I got about 5 or 6 rounds off and had a malfunction. I corrected the malfunction and noticed the car still coming. I then aimed at the windshield of the vehicle and fired another 7 or 8 rounds in an attempt to kill the driver. The vehicle had then stopped. When

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

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STATEMENT OF

[REDACTED]

TAKEN AT

0930

DATED

20051212

6

9. STATEMENT (Continued)

it stopped, it was about 100 meters from our humvee. The first thing I saw was a woman holding a child run out of the car toward us, we let her approach with caution. After securing the area, we sent our medic along with a few other guys up to the vehicle to assess the situation. We noticed a small child, about 3 years old, with a gunshot wound to the head, other less serious injuries included a gunshot to the hand on one of the women, and an eye injury. Medevac was immediately called, via the use of a 9 line. A few minutes later, the child was pronounced ^{dead} dead. The other injuries were not serious enough to require medevac so our medic treated them and did what he could, and the people were released. End of statement.

Nothing ~~rem~~ Follows

6

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

[REDACTED]

[REDACTED]

PAGE 2 OF 3 PAGES

STATEMENT OF

[REDACTED]

TAKEN AT

0930

DATED

2005/2/2

9. STATEMENT (Continued)

[REDACTED]

6

AFFIDAVIT

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

[REDACTED] (Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

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

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 3 OF 3 PAGES

EXHIBIT G

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6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS: C Co 2/502 INF REGT.

I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
I was involved in a TCP engagement at the intersection of [redacted] and [redacted]. At around 1500 a black four door vehicle came speeding towards our checkpoint. We executed escalation of force with it. It showed no intent of slowing down. I estimate I fired four warning shots to the south side of the berm at the berm. The car continued to speed in our direction with still no intent to stop. At that moment I fired 2 shots at the grill of the car. The car continued moving towards us. I then fired 2 final shots through the windshield. At this time the vehicle rolled to a stop just passing our first barricade [redacted] our Chicane line.

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11. INITIALS OF PERSON MAKING STATEMENT
PAGE 1 OF 2 PAGES

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STATEMENT OF

TAKEN AT

^{PC}
~~12 Dec 05~~

DATED

12 Dec 05

9. STATEMENT (Continued)

AFFIDAVIT

I, [REDACTED], 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, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

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(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

RM

PAGE 2 OF 2 PAGES

EXHIBIT H

SWORN STATEMENT

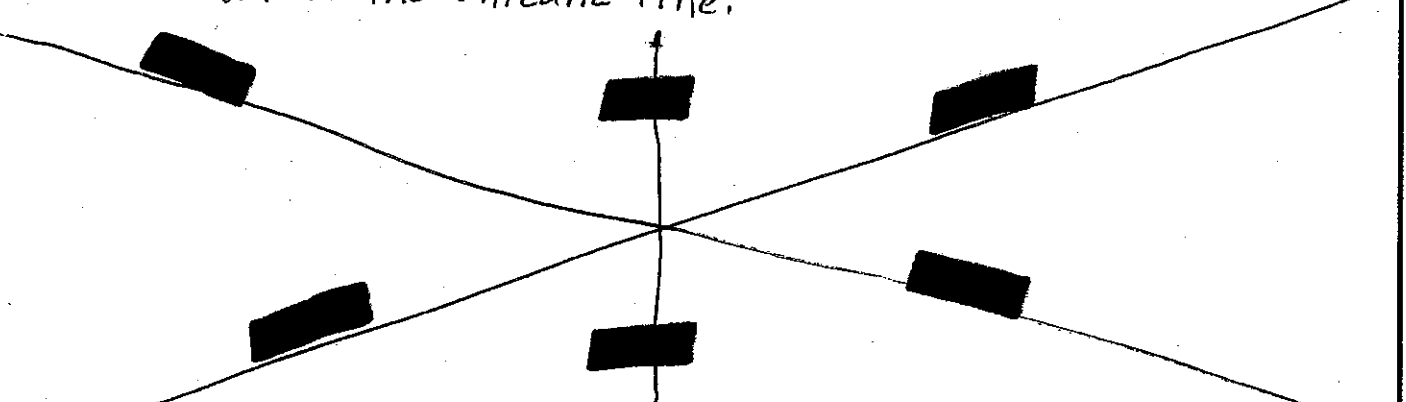
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4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS: CCO 2/502 INF REG

9. I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
I was at the intersection of [redacted] and [redacted] and was involved in a tcp engagement. time was aproximently 1500. I was pulling security outside my vehical down rout [redacted]. A black four door sedan was coming down rout [redacted] at a uncomfortable rate of speed. the car did not show any sings of slowing when the car was signalled to stop. then we used escalation of force and pointed my wepon at the car. there was still no sing of the car slowing down so I shot of two warning shots into a birm on the north side of the road so the driver of the car could see the shot, the car still did not slow its speed. I took three carefully aimed shots into the front bumper and grill section of the car. the car stop just in front of the chicane line.



10. EXHIBIT
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PAGE 1 OF 2 PAGES

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STATEMENT OF

[REDACTED]

TAKEN AT

Camp Striker IFAW

DATED

12 Dec. 05

9. STATEMENT (Continued)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

6

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

[REDACTED]
 (Signature of Person Making Statement)

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ORGANIZATION OR ADDRESS

[REDACTED]
 (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
 (Typed Name of Person Administering Oath)

[REDACTED]
 (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 2 OF 2 PAGES

EXHIBIT I

Escalation of Force Time/Distance Calculations

Estimated Speed	Meters per Second
45 mph	20.125 mps

Location	Distance (m)	Elapsed Time (seconds)	Delta (seconds)
Point of Alarm (Farm Complex)	0		
Warning Shots	290	14.4	2
Beginning of Engagement	330	16.4	3
Main Engagement (M240B)	390	19.4	1
Point Car Came to Rest	420	20.9	
To C16 M1114	514		

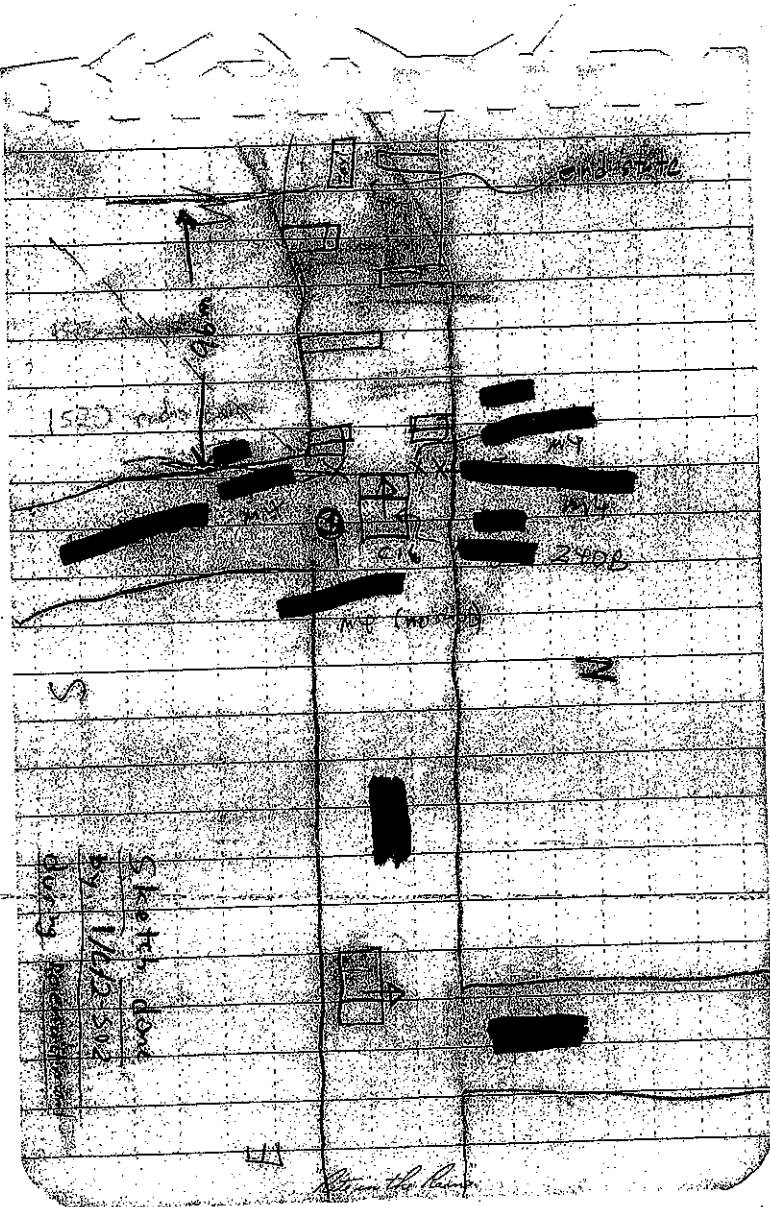


EXHIBIT J

EXHIBIT K

2

Summary: 11 1515 DEC 05 1/C/2-502 conducting TCP operations at [redacted] wounded two local nationals, resulting in the death of one, when EOF procedures were used when a taxi rapidly approached the TCP.

1. 1515 - The taxi approached the TCP, traveling from the west to the east, at a high rate of speed. 9 warning shots were fired, 2 to the north side and 7 to the south side of the road, when the vehicle was 200 meters from the TCP.
2. The driver did not slow his rate of speed after warning shots were fired or passing warning signs located 150 meters to the front of the TCP.
3. When the vehicle closed to within 75-100 meters of the TCP the patrol engaged with 12 shots from an M240B to disable the vehicle. 6 rounds struck the bumper and grill area, 2 went through the windshield.
4. 1520 - 2 local nationals were injured, a 3 year old boy with a gunshot wound to the head and a 50 year old woman with a gunshot wound to the hand and shattered glass in face. The child DOW at 1522.
5. Medic on scene treated the woman's injuries at 1525 but at 1635 she refused medevac/further treatment due to wanting to bury the child before sundown.
6. Patrol gave woman CMOC contact information as well as a written statement that shooting was a result of taxi failing to stop at TCP. Local nationals left in the same taxi at 1700.