I want to make the following statement under oath.

AK-47 was fired. Two rounds to the subject's torso.

I observed the subject lying on his right side in a pool of blood. The AK-47 was in front of the subject. I gained access to the office and attempted to check the subject's vitals. I exited the office where the medic walked in. It's arrived on scene and took over the investigation.

Nothing further.
10. EXHIBIT: F
11. INITIALS OF PERSON MAKING STATEMENT: G

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE INDICATED.
STATEMENT OF [Redacted] TAKEN AT 1800 DATED 28 JAN 06

I. STATEMENT (Continued)

[Redacted] AT THE GATE AND HOLDING SECURITY ON THE LOCAL NATIONAL THAT WE THOUGHT WAS A GUARD. I LOOKED OVER TOP OF [Redacted] AND OBSERVED THE LOCAL NATIONAL STARING AT US WITH HIS ARMS FOLDED ACROSS HIS CHEST. KIND OF A MANNER. I CALLED OUT TO HIM IN A CLEAR AMERICAN VOICE IN ENGLISH IN A VERY NON-THREATENING WAY AND SAID "HELLO" TWO TIMES. I DID NOT WANT HIM TO FEEL THREATENED AND HAVE LEARNED FROM EIGHT MONTHS IN IRAQ THAT A FRIENDLY SOUNDING "HELLO" IS THE FASTEST AND MOST EFFECTIVE WAY TO MAKE NON-THREATENING CONTACT. THEN I SAID TO OPEN THE DOOR IN ARABIC, TWO TIMES, THE B COMPANY INTERPRETER SAID THE SAME THING VERY LOUD AND IN ARABIC. THE B COMPANY COMMANDER SAID "AMERICANS."

I WAS WATCHING THE LOCAL NATIONAL AT THIS TIME, OVER [Redacted] SHOULDERS AS HE CONTINUED TO HOLD ON. G THE MAN WITH HIS WEAPON. I QUICKLY MOVED TO THE LEFT OF [Redacted] BECAUSE THE LOCAL NATIONAL ACTED UNLIKE HE HAD SEEN GUARDS ACT IN THE PAST. I BROUGHT MY M-4 TO A GUARD POSITION AND WATCHED HIM THROUGH A HOLE IN THE GATE. THE GATE WAS CHAIN LINK THAT WAS COVERED
IN CLOTH TO HELP KEEP PEOPLE FROM LOOKING IN. I SIGHTED IN ON THE LOCAL NATIONAL WHEN HE TOOK HIS BACK TO US. HE HAD THE OPTION OF WALKING OUT THE DOOR TO HIS LEFT BUT HE DIDN'T AND IT JUST FELT WRONG. HE PICKED UP AN AK-47 AND IMMEDIATELY FACED US AGAIN. HE MANIPULATED A FRICTION ON THE WEAPON AND BEGAN TO RAISE IT. I CALLED OUT "GUN" AND FIRED THREE SHOTS. THERE WAS NO TIME FOR COMPLIANCE COMMANDS. MY FIRST TWO SHOTS WERE AIMED AT HIS CHEST. HOWEVER, I LOST SIGHT OF THE SECOND SHOT BECAUSE THE GAS FROM MY MUZZLE SHOOK THE CLOTH I WAS LOOKING THROUGH. I FOUND THE HOLE QUICKLY AND HE WAS STILL STANDING. MY THIRD SHOT WAS WELL AIMED AND IMPACTED AS HE WAS DROPING. AFTER MY THIRD SHOT, MY TARGET WAS NO LONGER VISIBLE, BECAUSE HE WAS BELOW THE WINDOW SILL. I SAID TO THE B COMPANY COMMANDER THAT WE NEEDED TO BREECH THE GATE NOW. HE AGREED AND CALLED FOR BOLT CUTTERS.

AFFIDAVIT

I, (Name), have read or have had read to me this statement which begins on page 1 and ends on page 10. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _______ day of ________, ______.

(Signature of Person Administering Oath)

Initials of Person Making Statement

PAGE 3 OF 6 PAGES
SIGNED STATEMENT
FOR USE OF THIS FORM, SEE AR 190-8; THE PREPONENT AGENCY IS ODCSOPS
PRIVACY ACT STATEMENT
AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2605; E.O. 13007 dated November 22, 1943 (SSR).
PRINCIPAL: 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 means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

EXHIBIT F

LOCATION
FOG RUSTAMINAH

DATE (YYMMDD)
2400-00-00

TIME
1730

FILE NUMBER
4

LAST NAME, FIRST NAME, MIDDLE NAME
C

SSM
C

GRADE/STATUS
C-5

ORGANIZATION OR ADDRESS
3DIT TACTICAL PSYCHOLOGICAL OPERATIONS COMPANY (THEBOS)

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

A soldier attempted to cut the lock. But the lock was on the inside of the gate and could not be cut. Then the B Company commander remembered he could lift the gate off of the hinges. He lifted it off the hinges, and I was the first thru the gate into the yard. Several of us closed the distance to the guard shack. Later, I paced it off as approximately 30-35 meters. The open yard was clear, and no other local nationals were present. As I got within approximately ten meters I observed blood on the outside of the window sill. I also called out the hole in the guard shack that was from the second shot. I agreed to notify everyone that I could not account for the actions or out of my shots. I wanted to make sure that nobody on the rear perimeter was hit. Nobody other than the local national in the guard shack was shot. As we came upon the guard shack, a soldier observed the local national down and bleeding with no weapon in his hand. The door to the guard shack was locked and would not open. So he broke the window with his

PAGE 4 OF 6 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING STATEMENT DATEAT DATED

DA FORM 2823, DEC 1998 DA FORM 2823, JUL 1998 OBSOLETE USAPA 10-20
Elbow and unlocked the door. The local national was bleeding and blowing blood bubble thru his nose and mouth. Called for a medic. The tactical psychological operations team specialist is a combat lifesaver and was the first to render aid. Until the medic arrived shortly thereafter, they both tried to find a pulse and the local national did not have a pulse. Told us that the local national's pupils were fixed and did not react to light.

I asked the man who else shot; he told me that and both fired one shot. And told me the same. Others were searching the body and found medication in his pocket. I noticed that a bullet hole in the window corresponded with a hole in the back wall. I asked the medic how many times the local national was hit. He told me twice in the chest and once in the head near his nose. I was concerned that a bullet was unaccounted for so I asked the medic if there were exit wounds. He said there was not any. The shot fired thru the window did not hit the local national and passed thru the shack. Luckily, no others were hit. The "S" Company Commander was trying to call the Iraqi police but his phone did not work. I sent my assistant team leader, with our interpreter to find some Iraqi...

III! NOTHING FOLLOWS

AFFIDAVIT

I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 10. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(Signature of Person Making Statement)

WITNESSES:

SUBSCRIBED AND SWORN TO BEFORE ME, A PERSON AUTHORIZED BY LAW TO ADMINISTER OATHS, THIS 28 DAY OF JAN, 2006.

(Notary Public or Designated Official)

ORGANIZATION OR ADDRESS

(Typed Name of Person Authorizing Oath)

INVESTIGATING OFFICER (Authority to administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE 6 OF 6 PAGES
**SWORN STATEMENT**

For use of this form, see AR 190-46; the proponent agency is ODOSOPS

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 201; Title 5 USC Section 552A; P.O. 703 dated November 22, 1943 (SSM).

**PRINCIPAL USES:** To provide commanders and law enforcement officials with means by which information may be accurately identified.

**DISCLOSURE:** Your social security number is used as an additional identifying means of identification to facilitate filing and retrieval.

**Disclosure of your social security number is voluntary.**

1. **LOCATION**
   - FOB MUST
2. **DATE (YYYY/MM/DD)**
   - 2008/01/31
3. **TIME**
   - 1000
4. **FILE NUMBER**
   - C

5. **LAST NAME, FIRST NAME, MIDDLE NAME**
   - [REDACTED]
6. **SSN**
   - [REDACTED]
7. **GRADE/STATUS**
   - C 037 RC

9. **ORGANIZATION OR ADDRESS**
   - [REDACTED]

0: WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

A: [REDACTED]

Q: Do you believe Exhibit A is an accurate depiction of the fenced compound?
A: Yes. On Exhibit A-1, the target, indicated in blue ink, was approximately 1 hour from the entrance when shots were fired.

Q: Did you have a clear view of the local national (LN) in the time leading up to and during weapons discharge?
A: Yes. I was watching the individual from the fence up to the point that he started to raise his weapon. At that point, I started towards the middle to get out of the line of fire.

Q: What element did you leave the FOB with?
A: I left with 1/01-67AR platoon and 4 other soldiers from HQ/6/1-67AR and the ACR's team. I was also accompanied by the patrol. 1/01-67AR is the white element.
Q: What was the approximate length of time between initial verbal contact with the LN and when firing began?
A: It was approximately 10-15 seconds.

Q: When was your last ROE training?
A: My company briefly reviewed ROE/RAF in our patrol brief and we also received ROE/RAF training the day before this shooting. It was taught by the BOE SSA.

END OF STATEMENT
Overnight Developments (25 JAN 06)

At 0050, [redacted] reports B/3-67 AR was checking out a junkyard and knocked on the door to the junkyard. The LN then identified himself to the LN. The LN then charged his weapon and put it up to the window. The LN then shot the individual, resulting in 1 KIA. An SIR was started on this situation. No damage to equipment or personnel. [redacted] reports in the TOC during debriefing: "Went to electrical Co looked around outside at the sections of pipes laying around. Decided to go in. The gate was locked so looked through the fence, and saw that the light was on in the guard shack. The guard got up and looked at the American forces. They told the guard that they were Americans and that they wanted to talk to him 4-5 times in English and Arabic. The guard then turned around and grabbed an AK-47 turned back towards Bco charged the weapon and pointed it at them. The guard was then engaged w/ 7-8 shots. The guard then went down. Bco broke the gate down and secured the area. They then found the man was KIA, 1 shot to the head and 2 to the chest. The guard had 1x AK-47 (Romanian) w/ 2 magazines. When the weapon was cleared there was 1 round in the chamber and 1 spent round on the ground by the body. Bco then called the incident in to higher, and notified the IPs. The incident happened..."

END BDA: 1xLN KIA
<table>
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<tr>
<th>Item No.</th>
<th>IN</th>
<th>OUT</th>
<th>Incidents, Messages, Orders, Etc.</th>
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<td>0049</td>
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<td>Notified battle CPT</td>
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*Note: The document contains classified or sensitive information.*
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<th>Date</th>
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<th>Description</th>
<th>Type</th>
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<th>Dissemination Method</th>
<th>Qty/ Frequency</th>
<th>Location</th>
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604B9 (S) Dissemination/Engagement Report:

1. Name of Operation: N/A
2. Unit Reporting: TPT 1412
3. DTG of Dissemination/Engagement: 252200JAN08-252300JAN08
4. Product # or Description of Product Disseminated/Exchanged: N/A
5. Location of Dissemination/Engagement: N/A
6. Dissemination Execution: FF
7. Direct Impact Observations: The LNA greeted the patrol and was excited to invite us into their home for chi and conversation.
8. Collateral TA’s and Impact Observations: N/A
9. Additional Information: TPT 1412 accompanied B Co 1/67 AR on a presence patrol in the Baysadia to provide PSYOP support by providing TF with LNA’s story of their leadership on how to utilize Talking Points during conversations ISO EET 1, 2, 3 & SPC; A01, A02, A03, A09.

The patrol was invited into the home of a local IVO. He can be contacted through his son. TPT and the leadership from B Co. were invited into the home for chi and conversation. The family was very open and compassionate about the current terrorist situation in Iraq. Additionally, they were very upset with the level of corruption with law enforcement and Government. The family was very happy with efforts to stop