EXHIBIT 13, View of car engaged by OP and ISF use only road and speed toward OP with M-14 after it entered a Coalition}

EX 2
Exhibit 16: View of car interior taken from an AP article covering the shooting.

(Right) and photo taken during the 15G investigation (left).
On 30 May 2006, I was off guard at OP Grid Location. I heard a shot from one of the bunkers on the roof. I came outside and saw a white 4 door hatchback moving from the over the rocks that the IPS put down to supplement the barriers onto then shot another disabling shot at the rear of the car. The car proceeded North on this time shot 2 rounds into the rear window of the car. The car then turned west on the road that leads to the hospital.
Ex 4

STATEMENT OF

5. STATEMENT (Continued)

TAKEN AT
Battleford CP DATED 31 May 2006

C-wire

Sketch of incident

EX 4

EX 2

EX 2

EX 2

EX 2

EX 2

FFIDAVIT

I, 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. THIS 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 CORROSION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUSTRY.

EX 4

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 31 day of May, 2006
at Battleford CP, PB 51/SW

EX 4

15-6 INVESTIGATING OFFICER

PAGE 2 OF 2 PAGES
SWORN STATEMENT
For use of this form, see AR 190-45; the proponent agency is PMG.

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 identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION
2. DATE (YYYYMMDD)
3. TIME
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. ORGANIZATION OR ADDRESS
   Bco 3/187 INF 101 ABN DIV
7. GRADE/STATUS
   E-5

9. WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

   on 28 May 2006 the MOI Commandos came to the intersection at and . They put a sign on the Eastern side of the barriers that divide the coalition lane (eastern) and (western) on the Northern side of the traffic circle.

Q: So in relation to the current sign it was just beyond it, farther North?
A: Yes, it was about 10 meters North of the current sign.

Q: Do you remember any other warning signs to the East or West, or any other signs prior to the 28 May sign being installed?
A: There were supposed to be signs to the East or West of the intersection, I could not see them from my position.

Q: How long have you worked on and off at since the end of December when my platoon took control of it. At times there was 2week labor strife.
A: I have been part of a rotation at STOP since the end of December when my platoon took control of it. At times there was 2 week labor strife.

10. EXHIBIT
11. NAME OF PERSON MAKING STATEMENT
   EX 4

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 ________________________

Q. Who authorized use of deadly force on Coalition Day portion of ________

EX 2

Q. Why was deadly force authorized on the road?

EX 2

Q. Who authorized use of deadly force on Coalition Day portion of ________

EX 2

The road is a known IED location for AIF to employ

EX 2

Q. What is the purpose of the road and how far to the next coalition forces?

EX 2

(EX 2)

as well as it giving coalition freedom of movement within the city, to the North of ________

EX 2

EX 2

There are no local nationals living directly off my part of the coalition road to my knowledge. Nothing Further Follows.

EX 4

AFFIDAVIT

I 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.

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 31 day of May, 2006 at

Signature of Person Administering Oath

Typed Name of Person Administering Oath

Authority To Administer Oaths

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES
SWORN STATEMENT

EXHIBIT 18

EX 2

On 30 May 2006, I was on guard at OP. When a white four door hatchback traveling west entered the base, I fired a disabbling shot at the rear of the car. The car went over the rocks and then fired another disabbling shot at the rear of the car. The car still continued to travel north and fired two well aimed shots into the rear windshield of the car and it then made a left turn to travel west on the road that leads to the hospital.

Q: How long have you been pulling guard at OP?

A: February 2006

EX 2

DA FORM 2823, DEC 1998
DA FORM 2823, JUL 72, IS OBSOLETE
Q: Do you remember seeing anywhere around the intersection or traffic circle in front, (city) or the OP restricting traffic to Coalition Forces?
A: Yes there had been signs placed out by the traffic circle a couple days before the incident, the signs from what I could see were printed in English but also had Symbols.

Q: Who authorized or ordered you to use deadly force to stop cars from traveling on Coalition Road?
A: When we relived the guys who were currently manning the OP, they briefed us that we were to keep all traffic from going up (north) on 

Q: Why were you supposed to keep cars from traveling on this road? What danger did they pose to your unit? Cars moving North can easily drive IEDs on the side of the road which they have done on that stretch of road multiple times and the OP is not heavily fortified. Speed the car was traveling it posed as a high threat as IEDs. OP is also one of the most frequent attacked positions in Samarra.

Q: Could you tell from your position how many people were in the car?
A: No.

Q: Do you feel worried or scared when you were out on the OP?
A: Yes, that OP has been attacked multiple times.

Q: When did you fire each shot what did you ord the car do?
STATEMENT OF:

A: The car had turned onto the street, then fired one shot. The car continued to go past the barriers, then fired another shot. The car had then accelerated and fired two more shots as the car sped around the corner.

Q: Would you have shot at the car if you were in position?

A: Yes, I have already lost a friend and was my best friend. There is no way I'm going to lose another friend in the company because I didn't engage a threat. Nothing follows.

AFFIDAVIT:

I HAVE READ OR HAVE HAD READ TO ME THE STATEMENT 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 THE STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL AID.

(Signature of Person Making Statement)

Witnesses:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2 day of June, 2006, at

(Signature of Oath Administrator)

Organizations or Addresses:

15-6 Investigation Office

(Prepared By, Preparer's Social Security)

Initials of Person Making Statement

PAGE 3 OF 3 PAGES

USAPA V.00
Exhibit 19

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSR);
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
   Baghdad, Iraq

2. DATE (YYYYMMD) 3. TIME
   20060603 13

4. FILE NUMBER

5. Last Name, First Name, Middle Name

6. ORGANIZATION OR ADDRESS
   1-3 NP SPTT

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

Q: What is your current position? In your position do you travel on missions?

A: I am the team chief for 1-3 NP SPTT. My team is here supporting 1-3 NP which means OBS and conducts operations in Northern Sumeria (above route). My team uses

EX2

in order to travel to petrol base and to go on operations.

Q: Do you recall seeing signs along the road marking it "coalition only heavily armed" and specifically signs or

EX2

A: I see the signs near OR that says

EX2

deadly force authorized with skulls and crosses, but they are in English. No Arabic can be seen. I do not recall signs at coalition road and routes

EX2

but we do not frequent this section of town on a regular basis.

Q: Have you ever seen Iraqis driving on

EX2

A: Never.

EX2

Q: Why is it an important route for coalition forces?

A: It is the main supply route to petrol base

EX2

Q: During your time in Iraq did you have knowledge what is the threat on enemy? At RPGs, SAGE, IEDs, and grenades thrown from over walls rooftops.

Q: Is there an SVBIED threat in Sumeria?

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

EX6

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _______ 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
A: There has been reports and BOLOs of VBIEDs since we have been here but no attacks since 25 April 2006.

Q: As a SPTT team chief do you consider B/3-187 over aggressive dealing with Iraqis, and do you consider Samarra more dangerous than other areas you have been in Iraq?

A: B/3-187 uses very aggressive tactics to hunt, capture or kill AIF in Samarra. The targeting process is some of the best I have seen in two tours in Iraq. The company has eliminated most of the high level AIF in Samarra. At the same time this aggressive posture carries into force protection as well. During my time here the company has killed a man approaching a man on a bicycle approaching a garden during Operation Ouroboros and the two-week incident with the killing of the two women and unborn child. Because of the dangerous nature of Samarra, the force protection posture is extremely high. This mindset has led to the killing of some innocent civilians whose actions were perceived as a threat. Samarra is the second most dangerous place I have been after Baghdad and it is a lot smaller. I do not believe that B/3-187 is targeting or deliberately killing civilians, but the aggressive attitude and posture of the company may have led to some needless deaths.

Q: Is there anything else you would like to add?

I think the threat of suicide bomber and VBIEDs is always on the back of any soldier's mind and when you have to make a life or death decision quickly you can make the wrong choice trying to save yourself and your buddies lives. End of statement.
STATEMENT (Continued)

§.

TAKEN AT

DATED

2, 2006

AFFIDAVIT

I, 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.

[Signature of Person Making Statement]

WITNESSES:

Subscribed and sworn to before me, by law to administer oaths, this 2 day of June, 2006 at PB 01

[Typed Names of Person Administering Oath]

ORGANIZATION OR ADDRESS:

[Address]

ORGANIZATION OR ADDRESS:

[Address]

INITIALS OF PERSON MAKING STATEMENT

[Initials]

PAGE 3 OF 3 PAGES

PAGE 3, DA FORM 2823, DEC 1999

13060
SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 6 USC Section 2961; E.O. 9397 dated November 22, 1943 (SSA).
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

PA Samarra, Iraq

2. DATE (YYYYMMDD)

2006 06 02

3. TIME

12:13

4. FILE NUMBER

7. GRADE/STATUS

E7

5. LAST NAME, FIRST NAME, MIDDLE NAME

6. ORGANIZATION OR ADDRESS

1-3rd NP BDE SPT

EX 2

9. WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(1) What is your current position? In your position do you travel via

A: In the Team Sergeant for 1-3rd SPT. I have gone through the

traffic circle by or 5-6 times in the time I've been here.

(2) Do you recall the signs visible in Exhibits 3 and 4 as being present before

30 May 06?

A: I remember the signs, I don't remember if it was before

the shooting incident or not.

(3) Have you ever seen Iraqi's driving on

A: I have never witnessed any Iraqi driving on

(4) Why does the unit B/3-187 protect with deep force authorized?

A: I believe it is to maintain the integrity of P3

(5) Describe the threat to your soldiers in Samarra and our

A: Because of the manner in which

I feel the threat level is low while traveling on the road

especially since the traffic flow was moved away from

the wall and insurgents are less prone to attack or IED's

onto the road from enemy.

(6) Have you done a combined operation with B/3-187, and if so how would you describe

them as over aggressive in dealing with Iraqis or appropriate?

EX 2

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

EX 2

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF__ TAKEN AT__ DATED__"

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

DA FORM 2823, DEC 1996

DA FORM 2823, JUL 72, IS OBSOLETE

13061
9. STATEMENT (Continued)

A: The One Joint Patrol we conducted with B/3-177 was conducted in an extremely professional and proficient manner. We questioned over 100 Iraqi men, initially detaining about 40 men for additional questioning on site and ended up detaining about 10 men. All were treated with courtesy and common decency. Two of the detainees required medical care which was provided on site. I witnessed the medical staff treat both men and the care provided was excellent.

Q: Is there anything else you would like to add about the incident at [EXP] or the threat faced by our soldiers in Sana'a?

A: The situation in Sana'a is very volatile and the insurgents are constantly changing the way they attack coalition and Iraqi Security Forces. Direct attacks to surfaces or subsurface IEDs or VBIEDs, to RPG and grenade attacks almost daily mortar and rocket attacks. If we pull back or decrease our defense of [EXP] in any way the threat level to any traffic on that road will increase, we might not be able to reinforce A/3 or under coordinated attacks and the insurgents might push more women at us hoping we engage to further diminish our resolve.
SWORN STATEMENT
For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT
AUTHORIZED USE: Title 10 USC Section 301; Title 5 USC Section 2901; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL USE: 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
Samarra, Iraq

2. DATE (YYYY/MM/DD)
2006/06/02

3. TIME
12:44

4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME

6. SSN

7. GRADE/STATUS
GS-12/CIV

8. ORGANIZATION OR ADDRESS
CIVPOL, DynCorp, Iraq

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

On the 30th day of May 2006, at approximately 1900 hours [REDACTED] (IPLO) along with QRF was conducting a patrol in the area of [REDACTED] traffic circle, for curfew and theft of gasoline violations. I am not certain if signs were posted or not, I personally did not observe any signs on the roadway indicating coalition only traffic. As our patrol move along to a MOI National Police checkpoint, the MOI Commando advised an officer in our patrol that signs stating the roadway was coalition traffic only had just been posted prior to our patrol arrival in the area. Exact time the signs were posted was not available. At this time I learned of the fatal shooting of two females where at the traffic circle location.

END OF STATEMENT

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

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

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE INDICATED.

DA FORM 2823, DEC 1988
DA FORM 2823, JUL 72, IS OBSOLETE

13064
Exhibit 22

---

### SWORN STATEMENT

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

#### PRIVACY ACT STATEMENT

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<th>DATE (YYYY-MM-DD)</th>
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<td>PB</td>
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#### GRADE/STATUS

<table>
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<tr>
<th>GRADE/STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-6</td>
</tr>
</tbody>
</table>

#### WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

1. What is your current position? Have you traveled vic. Op and the intersection of [REDacted] and [REDacted]?
   - A: I am the Gunner for Legion 6. Yes

2. Do you remember the signs present in the photographs labeled Exhibit 3 and Exhibit 4 when traveling on [REDacted] vic [REDacted] op.
   - A: No

3. Are you certain the signs were not present before the incident on 30 May 06?
   - A: Yes

4. How long have you been in Samarr, and how would you assess the threat?
   - A: I have been in Samarr just over 3 weeks. The threat I would assess is more prevalent than Baghdad. The tension is high, and most attacks are against US and contractors. Command only occasionally drive by shooting against US and contractors.

5. Of the three signs marking the Northern approach to [REDacted], were any present previous to 30 May 06?
   - A: Markings on a barrier facing South were present.

---

**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.**

DA FORM 22823, DEC 1998

DA FORM 22823, JUL 72, IS OBSOLETE

13066
Statement of: [Redacted]  
TAKEN AT: PB [Redacted]  
Dated: 2 June 2006

8. Statement (Continued)

Q: Do you have anything else you would like to add?  
A: The use of clearer Arabic signs were more  
the English warning signs here. Better pavement  
or materials for road blocks could be used.  
I have seen this near PB [Redacted] and  
The traffic circle at intersection of the Route  
EX 2

---

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.

WITNESSES:

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

PAGE 3, DA FORM 2823, DEC 1998

13067
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 2951; E.O. 8937 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
   Samarra, Iraq.

2. DATE (YYYYMMDD)
   2006/06/02

3. TIME
   1342

4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME

6. SSN

7. GRADE/STATUS
   GS-12/CIV

8. ORGANIZATION OR ADDRESS
   CIVPOL DynCorp, Iraq

9. WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

   On Tuesday 30 May, 2006 at approximately 1900 hrs I accompanied a mounted IP patrol into the city of Samarra. I am employed as an international police advisor, and I was functioning in that role on the date and patrol in question. Before the patrol the IP had told us of a shooting incident at ___ involving CF in which two Iraqi women were killed. The IP expressed interest in going to the site of the shooting to pursue an investigation. We then planned this into our patrol. Upon arrival to the scene the IP dismounted and walked around the area of the incident. I did note that there were signs at the entrance to the roadway warning drivers to stay out. While looking at the 550 cord that was used to hold these signs in place it was noted that the cord looked very new and was not yet dirty. Several of the IP who live in Samarra stated that signs had not been there the day prior. When the patrol was again under way, we came across a MOI checkpoint less than 100 meters from the scene of the shooting. Our interpreter asked them about the signs, and they stated they saw CF come to the intersection after the shooting and put the signs up.

   ///////////////////////////////////////////////////////////////////////////////////////////////////////////////////////////////////////////////////

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT
   [Illegible]

ADDITIONAL PAGES MUST CONTAIN THE HEADING 'STATEMENT OF _______ TAKEN AT _______ DATED _______

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE INDICATED.

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

USAPA V1.00

13068
STATEMENT OF __________________________ TAKEN AT Samarra, Iraq DATED 2006/06/02

9. STATEMENT (Continued)

AFFIDAVIT

I, __________________________, 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.

(Signature of Person Making Statement)

WITNESSES:

________________________________________________________

________________________________________________________

________________________________________________________

ORGANIZATION OR ADDRESS

________________________________________________________

________________________________________________________

________________________________________________________

(Signature of Person Administering Oath)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this ___ day of __________, 2006 at Samarra, Iraq.

(Signature of Person Administering Oath)

Art 136 (b) (4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT __________________________

PAGE 2 OF 2 PAGES
SWORN STATEMENT

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

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
Samara, Iraq

2. DATE (YYYYMMDD)
2006/06/02

3. TIME
1445

4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME

6. SSN

7. GRADE/STATUS
GS-12/CIV

8. ORGANIZATION OR ADDRESS
CIVPOL, DynCorp, Iraq

9. I, [REDACTED], want to make the following statement under oath:

[REDACTED]

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST-contain the heading "STATEMENT OF ____ TAKEN AT ____ DATED ____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE INDICATED.

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE
STATEMENT OF ____________________________ TAKEN AT Samarra, Iraq DATED 2006/06/02

9. STATEMENT (Continued)

AFFIDAVIT

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.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2 day of June, 2006 at Samarra, Iraq.

(Signature of Person Administering Oath)

Art. 136 (b)(4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES
SWORN STATEMENT
For use of this form, see AR 190-45; the proponent agency is ODSOPS

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8. ORGANIZATION OR ADDRESS

973rd MP Co/44th PLT, Samarra, Iraq

**I have worked closely with B Co and their snipers during Operation Swaemee. During this time the group that I was with consisted of myself, the snipers, and 1SGs RTO. During Operation Swaemee the snipers did not take one single shot. They had plenty of opportunity and reason to but handled the situation with the least amount of force necessary. Upon returning from Swaemee we were in the city for approximately two and a half hours looking for somebody who had shot an RPG towards [redacted]. This time happened to be after curfew and even when people began running away they still did not shoot. Again they used the least amount of force necessary to catch the individuals. The snipers would acquire their targets but waited on the word from higher to take a shot if need be. I worked with them one other time where our IPs had cornered AIF in a building and again they stood their ground and did not feel the need to shoot any of the AIF involved. The only shots taken that night were by IPs. In all of my experiences with the snipers they have been calm and have always waited as long as possible, and again in any circumstance have taken a shot.**

[Q] Have you seen signs via OP, at the corner of [redacted] and [redacted] that warn Iraqis from driving on coalition road and were they present before 30 May 06?

A: Yes, the signs have been present since our arrival to Iraq in Dec 05. EX 6

<table>
<thead>
<tr>
<th>10. EXHIBIT</th>
<th>11. INITIALS OF PERSON MAKING STATEMENT</th>
<th>PAGE 1 OF 3 PAGES</th>
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<tbody>
<tr>
<td></td>
<td>EX 4</td>
<td></td>
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ADDITIONAL PAGES MUST CONTAIN THE HEADING 'STATEMENT OF _____ TAKEN AT _____ DATED _____'

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE INDICATED.
B. STATEMENT (Continued)

Q: How long have you been in Samarra and how would you assess the threat to Coalition Forces?
A: I have been in Samarra for 6 months. The threat to Coalition is high due to mortar and RPG attacks, IEDs and VBIEDs, and snipers in the city. This happens all of the time.

Q: Refer to the signs in Exhibits 3 and 4, how long have they been in place and were those different or other signs previously?
A: The signs in the exhibits have been up for at least a month, but there were other signs up before those that have been in place since at least Dec 05 when we arrived here.

Q: In your dealings with B/3-187 have you ever observed a ROE violation?
A: No, I have never seen a violation of the ROE by B/3-187.

Q: Do you feel it is important to maintain the security including deadly force, and why or why not?
A: I feel it is very important due to the fact that the OPs along that route are manned with the minimal amount of people and if they come under attack it is important for reinforcements to make it out there quickly to assist. Also, that is our only safe route in and out of the city and should be kept as such by any means possible.

Q: Do you have anything else to add reference the incident or covering your dealings with B/3-187?
A: No.

--- END OF STATEMENT ---

INITIALS OF PERSON MAKING STATEMENT: 

PAGE 2 OF 3 PAGES
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 2851; E.O. 9397 dated November 22, 1943 (SSV).
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.

<table>
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<th>3. TIME</th>
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<td>Samarra, Iraq</td>
<td>2006/06/02</td>
<td>1604</td>
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5. LAST NAME, FIRST NAME, MIDDLE NAME

6. SSN

7. GRADE/STATUS

SFC/RA

8. ORGANIZATION OR ADDRESS

978th Military Police, APO AE 09393

9. WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 30 May 2006, at 1540 hours I was in the Samarra Joint Coordination Center when the Samarra Police reported that two women were at the Samarra who had been shot and killed by Coalition Forces at the traffic circle of [redacted] street and route [redacted]. The Hospital reported their names as Nubel Assaf Jassim who was said to have been pregnant and Safia Mahmed Hassan. I had the RTO immediately call Battle Hard CP (Bravo Company 3/187) to ascertain if they might have had an incident at that location. They relayed shots had been fired but it was unknown to them if they had hit anything. The information from Samarra Hospital was given to them and they asked for a description of the vehicle the women were in. I obtained from the Iraqi Police Liaison Officer that it was a white volkswagen. That information was given to Battle Hard CP who then confirmed they had been involved in an escalation of force incident with a vehicle matching that description.

Q: [redacted]

A: [redacted] EX 4

Q: What is your current position and how long have you served here in Samarra?
A: Currently I am the Platoon Sergeant for the MPs stationed here at the Samarra Joint Coordination Center. Additionally I am the Joint Coordination Center NCOIC. We have been in Samarra since 24 December 2005.

Q: Do you remember signs or markings at the intersection of [redacted] and [redacted]?
A: I have been in that area but each time was at night. I can not say that there were or were not signs present in the area.

Q: How would you assess the threat to your Soldiers in Samarra?
A: The threat level to my Soldiers is high. We as well as the other Soldiers (B Company) who work in Samarra are subjected to small arms, indirect fire and IED attacks on a regular basis.

Q: Why do you think it is important to protect the security of [redacted]
A: It is a main Evacuation and supply route for PB [redacted] and the OPs in that area.

Q: Do you have anything else you wish to add reference the incident or dealings with B Company 3/187th INF?
A: No.

END OF STATEMENT

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADINGS "STATEMENT OF _____ 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

13074
**SWORN STATEMENT**

For use of this form, see AR 190-48; the proponent agency is PMG.

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<th>5. LAST NAME, FIRST NAME, MIDDLE NAME</th>
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<th>8. I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:</th>
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<tr>
<td>On 30 May 2006 I overheard a report from Observation Post <strong>blurred</strong>, stating that a white car illegally entered the closed portion of the road north of the traffic circle at the intersection of <strong>blurred</strong> and <strong>blurred</strong>. The report stated that the gunner fired a disabling shot at the car, then the car sped up, so the gunner continued to engage until it took a left turn. The report continued stating that they thought a few shots went into the car. A few minutes later, my interpreter informed me that the national police were reporting civilian casualties from the engagement. I do not recall if there were or were not signs posted at that intersection for any reason prior to the engagement.</td>
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<tr>
<th>What is your position and how long have you been in Samaile?</th>
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<tr>
<td>A: I am the Deputy Team Chief for SPTT 3-3 CDO. I have been in Samaile since 25 March 2006.</td>
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<tr>
<th>Do you think that security warrants use of Deadly Force to protect it?</th>
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<tr>
<td>A: I do believe that the security of the <strong>blurred</strong> warrants use of deadly force. The road is highly trafficked by US Forces for supply, and other purposes. Anti-IED Forces and criminals regularly employ IEDs on that route to disrupt US Forces or to kill Coalition Forces. In the past IEDs were placed simply by dropping them from vehicles.</td>
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