



REPLY TO  
ATTENTION OF:

DEPARTMENT OF THE ARMY  
HEADQUARTERS, 2nd BATTALION, 70th ARMOR REGIMENT  
FOB ST. MICHAEL, IRAQ  
APO AE 09378

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*[Handwritten signature]*

AFZN-BB-TCO

7 June 2005

MEMORANDUM FOR O [REDACTED] AR BN, 3rd BCT, 1st AD, FOB St. Michael, Iraq 09378

Ex 6

SUBJECT: Appointment as Investigating Officer

1. Pursuant to AR 15-6, paragraph 2-1, you are hereby appointed as an investigating officer to investigate the shooting and killing of a local national that occurred on 7 June 2005 by elements of A/1-41 Infantry.
2. In your investigation, use procedures under AR 15-6, Chapter 4, for an informal board of officers. All witness statements will be sworn, and you will follow the procedures in AR 15-6, paragraph 3-7e for Privacy Act statements. If the person you are interviewing states that he/she does not know anything about the allegations, prepare a sworn statement to that affect for the witness to sign. If, in the course of your investigation, you suspect a soldier has committed an offense under the UCMJ, you must advise and read him/her their rights under the UCMJ, Article 31, or the Fifth Amendment, as appropriate, prior to conducting any interview.
3. In your investigation answer the following questions:
  - a. What was the sequence of events that led up to the incident?
  - b. Did the soldiers involved properly escalate the use of force?
  - c. Did the patrol have Positive Identification (were they reasonable certain that the local national was a legitimate military target) before engaging?
  - d. Was deadly force authorized?
  - e. Were there any Law of War violations?
  - e. Are there any operational lessons that should be captured and disseminated?
  - f. Were there any other contributing factors that, if changed, could have altered the outcome?

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[REDACTED]

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Subject: Appointment as Investigating Officer

4. If it becomes evident that there is possible misconduct outside the scope of your investigation, notify the appointing authority immediately. If during your investigation you become aware of information that needs command attention, immediately notify the appointing authority for guidance.
5. You may obtain assistance from CP [REDACTED] the Command Judge Advocate for 3rd BCT, 1st AD. CP [REDACTED] will serve as your legal counsel and can be contacted at 242-6045 (see SP [REDACTED] coordinate). Prior to starting your investigation, you should contact him for legal guidance concerning your investigation. E6
6. Submit your findings and recommendations on DA Form 1574 to CP [REDACTED] for legal review no later than 14 June 2005.

[REDACTED]

LTC, AR  
Commanding

[REDACTED]

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REPLY TO  
ATTENTION OF:

AFZN-BB-BL

DEPARTMENT OF THE ARMY  
HEADQUARTERS  
3RD BRIGADE, 1ST ARMORED DIVISION  
CAMP TAJI, IRAQ  
APO AE 09378

17 June 2005

MEMORANDUM FOR Commander, 3rd Brigade, 1st Armored Division, APO AE  
09378

SUBJECT: Legal Review of AR 15-6 Investigation

1. In accordance with AR 15-6, paragraph 2-3(b), I have conducted a legal review of the investigation into the engagement of an IED triggerman that occurred on 7 June 2005 by elements of A/1-41 infantry.
2. The proceedings complied with the legal requirements of AR 15-6. The evidence presented by the investigating officer supports his findings that all personnel involved in the accident acted in accordance with the Rules of Engagement. Given the time of day (0300), proximity of past IED detonations/attacks (within 2 KM), and disposition of the individual the use of deadly force was authorized.
3. In accordance with AR 15-6, paragraph 2-3(a), the appointing authority is neither bound nor limited by the findings or recommendations of an investigation. Accordingly, the appointing authority may take one of several actions in this case.
  - a. Adopt the findings and recommendations as they are and take action consistent with the recommendations.
  - b. Require the investigating officer to conduct a further investigation and resubmit findings of fact and recommendations.
  - c. Substitute findings or recommendations as the appointing authority believes are supported by a preponderance of the evidence.
4. Recommendation: Adopt the Investigating Officer's findings and adopt the Investigating Officer's recommendations. No further action should be taken against any individuals involved.
5. Point of contact is the undersigned at 242-6294.

[REDACTED]  
[REDACTED]  
CPT, JA  
Command Judge Advocate

# REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD 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 - APPOINTMENT

Appointed by Pursuant to AR 15-6, paragraph 2-1 [REDACTED]  
(Appointing authority)

on 07 June 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 Yusifiyah, Iraq (Place) at (Time)  
on (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 1330 (Time) on 08 June 05 (Date)  
and completed findings and recommendations at 1200 (Time) on 09 June 05 (Date)

## SECTION III - CHECKLIST FOR PROCEEDINGS

### A. COMPLETE IN ALL CASES

1	Inclosures (para 3-15, AR 15-6)	YES	NO <sup>1/</sup>	NA <sup>2/</sup>
	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?			
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.

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	YES	NO <sup>1/</sup>	N/A <sup>2/</sup>
<b>2 Exhibits (para 3-16, AR 15-6)</b>			
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
<b>3 Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?</b>			
<b>B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)</b>			
<b>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)?</b>			
<b>5 Was a quorum present at every session of the board (para 5-2b, AR 15-6)?</b>			
<b>6 Was each absence of any member properly excused (para 5-2a, AR 15-6)?</b>			
<b>7 Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?</b>			
<b>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)?</b>			
<b>C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)</b>			
<b>9 Notice to respondents (para 5-5, AR 15-6):</b>			
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?			
<b>10 If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):</b>			
a. Was he properly notified (para 5-5, AR 15-6)?			
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)?			
<b>11 Counsel (para 5-6, AR 15-6):</b>			
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?			
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)?			
<b>12 If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):</b>			
a. Was the challenge properly denied and by the appropriate officer?			
b. Did each member successfully challenged cease to participate in the proceedings?			
<b>13 Was the respondent given an opportunity to (para 5-8a, AR 15-6):</b>			
a. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?			
b. Examine and object to the introduction of real and documentary evidence, including written statements?			
c. Object to the testimony of witnesses and cross-examine witnesses other than his own?			
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)?			
<b>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)?</b>			
<b>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)?</b>			

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.


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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.)

\_\_\_\_\_  
(Recorder)

 Artillery  
(Investigating Officer) (President)

\_\_\_\_\_  
(Member)

\_\_\_\_\_  
(Member)

\_\_\_\_\_  
(Member)

\_\_\_\_\_  
(Member)

SECTION VII - MINORITY REPORT (para 3-13, AR 15-6)

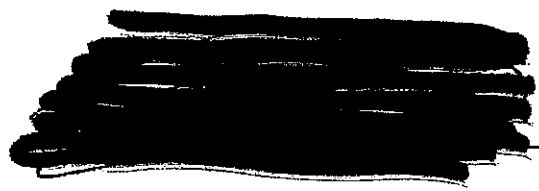
To the extent indicated in Inclosure \_\_\_\_\_, the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute 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.)





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

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

SEE ATTACHED MEMORANDUM FOR FINDINGS

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

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

SEE ATTACHED MEMORANDUM FOR RECOMMENDATIONS

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**DEPARTMENT OF THE ARMY**  
HEADQUARTERS, 2ND BATTALION, 70TH ARMOR  
3D BRIGADE, 1ST ARMORED DIVISION  
MAHMUDIYAH, IRAQ

AFZN-BB-FSO

09 June 05

**MEMORANDUM FOR COMMANDER 2ND BATTALION, 70TH ARMOR**

**SUBJECT:** AR 15-5 (Shooting of a Local National IVO Mulla Fayyad Highway, North Babil, Iraq)

1. Enclosed is the 15-6 investigation outlining the circumstances that resulted in the shooting of a local national. As a result of the incident one Iraqi citizen was killed. The shooting occurred in the vicinity of the Mulla Fayyad Hwy, North Babil, Iraq on 07 June 05.

**2. SUMMARY:**

On 070300JUN05 two Bradley Fighting Vehicles (BFV) assigned to 3rd Plt, A Co 1-41IN were traveling south east on Mulla Fayyad Hwy returning from a maintenance recovery mission. The lead BFV A32 with SS [REDACTED] (TC), SP [REDACTED] (GMR) noticed, through their Integrated Sight Unit (ISU)(thermal night sight), a person crouching behind some vegetation to their north east approximately 150 to 200 meters away on the far side of a canal which was running parallel to the road. There is a previous history of IED's in this area of Mulla Fayyad Highway so they immediately assumed a security halt to investigate and noticed that the individual had in his possession a shovel and another object. SS [REDACTED] assessed the other object as a possible IED trigger device and proceeded to report the situation to 1L [REDACTED] (PLTC/A31 trail BFV) and subsequently to A Co 1-41IN CP. Local clearance of friendly units was given by A Co 1-41IN CP. At this point A31 had visual confirmation of the Local National and assessed him to be an IED Triggerman. Given the location of the suspected triggerman on the far side of the canal and the threat of an IED if they proceeded, 1L [REDACTED] gave the order to engage with direct fire the suspected IED triggerman. [REDACTED]

Ex 1

[REDACTED]

Ex 1

After the threat of the IED was neutralized A32, continued forward to locate a suitable canal crossing point with A31 remaining in over-watch on Mulla Fayyad Highway. In position, the dismounted Infantry Squad on A32, led by SG [REDACTED] dismounted and conducted a search of the area. SG [REDACTED] Squad found the body and the shovel [REDACTED]. There were no vital signs and the individual was assessed as deceased therefore not requiring any medical assistance. The Infantry Squad continued to search for the suspected triggering device IVO of the body and adjacent canal but were hampered by dense vegetation and limited visibility. SS [REDACTED] and SG [REDACTED] called off the search resigning to the possibility that the object was lost in either the canal or the

Ex 1



vegetation. SG [REDACTED] noted in his statement that the individual's location provided a clear view of the road with a light pole which could be used as an aiming stake (Exhibit 9/sworn statement). The Infantry Squad proceeded to the local dwellings to question and obtain information or identification of the individual. Know one acknowledged knowing who the individual was or what he was doing there. SG [REDACTED] secured the remains and delivered them to the Iraqi Army located at Camp Richardson in Yusufiyah, Iraq.

### 3. Findings:

a. All personnel involved in the incident acted in accordance with the "CFLCC Rules for Use of Force" Card (as of 011800ZNOV03).

of deadly force in order to protect him-self and his unit and could reasonably ascertain this individual as a threat and a legitimate military target

b. 1L [REDACTED], SSC [REDACTED] and SPO [REDACTED] acted in accordance with the CFLCC guidance in the use of "Escalation of Force" prior to utilizing direct fire. [REDACTED]

d. The Local National did not make an attempt to surrender when warning shots were fired.

e. The Local National was foreign to the area.

f. The Local National was in violation of curfew.

#### 4. RECOMMENDATION:

a. No punitive or non-punitive actions are taken against [REDACTED] or his chain of command.

b. Conduct a more detailed search for the IED trigger device and/or the IED

DCPT, FA  
Investigating Officer

[REDACTED] FVO

AFZN-BB-FSO

09 June 05

MEMORANDUM FOR RECORD

SUBJECT: Table of Exhibits

1. AR 15-6 Investigating Officer Appointment Orders
2. DA FORM 1594 (Chronology of Events)
3. 9 Line SPOT REPORT
4. Story board of events
5. DA FORM 2823 (SSC [REDACTED])
6. DA FORM 2823 (SP [REDACTED])
7. DA FORM 2823 (IL [REDACTED])
8. DA FORM 2823 (SG [REDACTED])
9. DA FORM 2823 (SC [REDACTED])

Ex 6

[REDACTED]  
CPT, FA  
Investigating Officer



REPLY TO  
ATTENTION OF:

DEPARTMENT OF THE ARMY  
HEADQUARTERS, 2nd BATTALION, 70th ARMOR REGIMENT  
FOB ST. MICHAEL, IRAQ  
APO AE 09378

AFZN-BB-TCO

7 June 2005

MEMORANDUM FOR CPT [REDACTED] 70th AR BN, 3rd BCT, 1st AD, FOB St. Michael, Iraq 09378

Ex 6

SUBJECT: Appointment as Investigating Officer

1. Pursuant to AR 15-6, paragraph 2-1, you are hereby appointed as an investigating officer to investigate the shooting and killing of a local national that occurred on 7 June 2005 by elements of A/1-41 Infantry.
2. In your investigation, use procedures under AR 15-6, Chapter 4, for an informal board of officers. All witness statements will be sworn, and you will follow the procedures in AR 15-6, paragraph 3-7e for Privacy Act statements. If the person you are interviewing states that he/she does not know anything about the allegations, prepare a sworn statement to that affect for the witness to sign. If, in the course of your investigation, you suspect a soldier has committed an offense under the UCMJ, you must advise and read him/her their rights under the UCMJ, Article 31, or the Fifth Amendment, as appropriate, prior to conducting any interview.
3. In your investigation answer the following questions:
  - a. What was the sequence of events that led up to the incident?
  - b. Did the soldiers involved properly escalate the use of force?
  - c. Did the patrol have Positive Identification (were they reasonable certain that the local national was a legitimate military target) before engaging?
  - d. Was deadly force authorized?
  - e. Were there any Law of War violations?
  - e. Are there any operational lessons that should be captured and disseminated?
  - f. Were there any other contributing factors that, if changed, could have altered the outcome?

[REDACTED]

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**SPOT REPORT**

LINE 1 EVENT	A/1-41IN CP reports engaging possible emplacer
LINE 2 DTG	07 0315 JUNE 05
LINE 3 LOCATION OF FRIENDLY	[REDACTED]
LINE 4 ACTION TAKEN	Reported higher
LINE 5 FRIENDLY CASUALTIES	None
LINE 6 ENEMY CASUALTIES	(1) KIA
LINE 7 DETAINEES	None
LINE 8 WEAPONS/EQUIP CAPTURED	None
LINE 9 REMARKS	<p>A/1-41IN CP reports their Blue element engaged (1) individual that was in the bushes, near their position, with something in his hands, [REDACTED] Avalanche Blue engaged and killed the individual. Dismounts are currently being sent to position of individual to further investigate.</p> <ul style="list-style-type: none"> <li>• 0318- 2-10MTN CP advised of situation.</li> <li>• 0336- A/1-41IN CP reports (1) confirmed body [REDACTED] Individual was crouched in the bushes when Blue element approaching the site. A shovel was found near the body. Blue elements also questioned personnel living within the vicinity of the incident to try and confirm the identity of the KIA; none could ID the individual as being from that area.</li> <li>• 0342 - A/1-41 reports that was not a hole at the site.</li> <li>• 0449- A/1-41IN CP reports elements collected evidence and took pictures of KIA. Blue element has recovered body and is enroute to drop body off with IA.</li> <li>• 0550- A/1-41IN CP reports KIA was turned over to the IA at the potato factory. NFI</li> </ul>

Ex 2



Ex 6

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approx070300JUN05: Lead track ID's individual crouched behind vegetation with shovel and suspected IED trigger device at MB

approx070301JUN05: 1LT

and AVA CP receives report, AVA CP reports no friendly unit in area

[REDACTED]

Ex 1

# FOUO 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 MULLA FAYADD HIGHWAY / MB 22358 61799	2. DATE (YYYYMMDD) 20050607	3. TIME 0542	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-6 / SSG	
8. ORGANIZATION OR ADDRESS A CO 1-41 INFANTRY 3RD PLATOON / F.B. ST. JOSEPH.			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
 AT APPROXIMATELY 0300 HRS. ON 20050607 MY SECTION WAS TRAVELING EAST ON MULLA FAYADD HIGHWAY RETURNING TO F.B. ST. JOSEPH FROM A RECOVERY MISSION. WHILE TRAVELING MY GUNNER (SP) [REDACTED] IDENTIFIED A MILITARY A MALE CROUCHED IN A "PRONE-LIKE" POSITION OBSERVING OUR BRADLEYS MOVEMENT AND MULLA FAYADD HIGHWAY. WE IMMEDIATELY WENT TO A SECURITY HALT TO IDENTIFY A TRIGGERING DEVICE IN THE INDIVIDUALS HAND AND A SHOVEL LAYING FLAT ON THE GROUND BESIDE HIM IN THE CULVERT. THIS INDIVIDUAL CLEARLY PRESENTED HIMSELF TO BE AN IMMINENT THREAT TO MYSELF AND MY SOLDIERS BY OBSERVING HIS BODY GESTURES, TRIGGERING DEVICE, SHOVEL, AND HIS COVERED AND CONCEALED POSITION THAT WAS CLEARLY OBSERVING MULLA FAYADD HIGHWAY. AS WE OBSERVED THIS INDIVIDUALS ACTIONS I CALLED UP A SPOT REPORT TO MY PL (LT [REDACTED]) AVAILANCHE X-RAY, AND AVAILANCHE 6 (UP [REDACTED]). AS WE OBSERVED THE AREA AND POSSIBLE COURSES OF ACTION WE NOTICED THAT WE WERE NOT ABLE TO DISMANT OUR TRUMPS TO SWEEP THE AREA UP TO THE INSURGENT. TO MY FRONT WAS A POSSIBLE LIED LOCATION AND TO MY LEFT FLANK WAS AN UNPASSABLE CANAL. [REDACTED] WAS CALLING HIGHER TO MAKE SURE THAT THERE WERE NO FRIENDLYS IN THE AREA. AND REQUEST PERMISSION TO ENGAGE THE TRIGGER-MAN THAT POSED HIMSELF AS AN IMMINENT THREAT. AFTER RECEIVING THE GO AHEAD, AND KNOWING THAT THERE WERE NO FRIENDLYS IN THE AREA [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED] THE INDIVIDUAL DID NOT MOVE OR PUT HIS HANDS UP. HE SEEMED TO HUNKER DOWN IN THE CULVERT WHILE MAINTAINING HIS "PRONE-LIKE" POSITION ACTING AS THOUGH HE THOUGHT THAT WE DID NOT IDENTIFY HIM BEHIND THE SERIES OF BRUSH, AND IN THE CULVERT. AT THIS POINT THE INDIVIDUAL BECAME AN IMMINENT THREAT TO OUR LIVES [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED] WHATSOEVER, MY PL CALLED HIGHER AND GAVE THEM A REPORT OF THE SITUATION, MY BRADLEY AND SO [REDACTED] SQUAD

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"  
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

Ex 6

Ex 1

Ex 1

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STATEMENT OF [REDACTED] TAKEN AT P.O. ST. JOSEPH DATED 20050607  
2542 HRS.

PUSHED FORWARD TO FIND A PASSAGE OVER THE CANAL AS  
9. STATEMENT (Continued) MY A31 TRACK PULLED OVERWATCH ON THE FLANKING MOVEMENT  
UP TO THE ENEMY INSURGENT. WE SWEEP THE BRUSH AND LOCATED THE DEAD ENEMY  
INSURGENT AT GRID MB 22358 61799. IT WAS NOT NECESSARY TO CHECK FOR A PULSE DUE  
TO THE EXTENT OF DAMAGE TO THE LYSALTY. NOR WAS IT NECESSARY FOR A MEDICAL REQUEST  
TO BE INITIATED. THE INDIVIDUAL WAS CLEARLY NOT BREATHING OR SHOWING ANY SIGN OF LIFE  
WHATSOEVER. WE IMMEDIATELY FOUND THE SHOVEL THAT WAS LYING BESIDE HIM. WE WERE NOT  
ABLE TO FIND A TRIGGERING DEVICE OR WIRE DUE TO THE LIMITED VISIBILITY AND POSSIBILITY  
THAT IT MAY HAVE FALLEN IN THE WATER FILLED DITCH WHERE THE CORPSE OF THE ENEMY  
WAS SUBMERGED. I HAD SGT [REDACTED] SQUAD CLEAR THE 2 HOUSES THAT WERE EAST  
APPROXIMATELY 100 METERS OF WHERE I ENGAGED THE TARGET. WHEN WE CLEARED THE  
HOUSES ALL OF THE HOUSEHOLD MEMBERS WERE ASLEEP WHEN MY DISMOUNTS ENTERED  
THE HOUSES. NONE OF THE INDIVIDUALS IN EITHER HOUSE KNEW THE TARGET THAT WE  
ENGAGED. NOR DID THEY SHOW ANY GESTURES THAT WOULD LEAVE ME BELIEVE THAT  
THIS INDIVIDUAL WAS KNOWN BY THEM. THERE WERE NOT ANY MORE HOUSES AROUND  
IN A 300 METER RADIUS. AFTER THE SEARCH WAS COMPLETE WE WRAPPED THE  
BODY IN A BLANKET AND PUT IT ON A LITTER AND GATHERED THE EVIDENCE. THEN  
WE TRANSPORTED THE BODY TO THE POTATO FACTORY AND TRANSFERRED THE CORPSE  
OVER TO THE IRAQI ARMY. THEN WE RETURNED TO P.O. ST. JOSEPH TO  
BEGIN THE SWORN STATEMENTS. END OF STATEMENT

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AFFIDAVIT

[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

A-10 141 W 3rd Hattok

ORGANIZATION OR ADDRESS

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
(Typed Name of Person Administering Oath)

CPT US ARMY

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 2 PAGES

[REDACTED] F000

# 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 FOB ST. JOSEPH YUSUFYAH, IRAQ	2. DATE (YYYYMMDD) 20050607	3. TIME 0600	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-4	
8. ORGANIZATION OR ADDRESS A Co. 1-41 INFANTRY 3RD PLATOON			

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

ON THE NIGHT OF JUNE 7TH 2005, MY SECTION WAS RETURNING FROM A RECOVERY MISSION WITH GREEN PLATOON AND THE COMMANDER. WHILE TRAVELING EAST ON MULLA FAYYAD HIGHWAY, I OBSERVED A MAN CROUCHED DOWN ABOUT 200 METERS TO OUR LEFT. THE TIME WAS 0300 IN THE MORNING AND HE WAS CROUCHED DOWN IN A CULVERT BEHIND SOME WEEDS OBSERVING THE ROAD. WE CAME TO A SECURITY HALT AND SCANNED THE ENTIRE AREA FOR FRIENDLYS AND OTHER MEN. AFTER FURTHER OBSERVATION WE SAW HE HAD A SHOVEL AND A TRIGGER DEVICE IN HIS HAND. WE CALLED UP THE GRID TO MAKE SURE WE HAD NO FRIENDLYS IN THE AREA. MY BC, SSG [REDACTED] CALLED UP OUR PLATOON LEADER WHO ALSO OBSERVED WHAT WE WERE SEEING. [REDACTED]

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"

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

Ex 1

Ex 6

A MORE THREATENING STANCE AND OUR COAX HAD A MISFIRE.

**AFFIDAVIT**

Signature of Person Making Statement

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)

CPT US Army

(Authority To Administer Oaths)

PAGE 2 OF 2 PAGES



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FOUO

STATEMENT OF [REDACTED] TAKEN AT 1300 DATED 07 JAN 06

## 9. STATEMENT (Continued)

team of infantry to sweep the area and find the triggerman. Once the infantry found the remains they determined that he was at least holding a shovel. No triggering device was found. They then picked up the remains and we took them to the Iraqi Army unit in Yasiriyah.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Ex1

Ex6

Nothing Follows

## AFFIDAVIT

I, [REDACTED], 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 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 \_\_\_\_\_

[REDACTED]  
ORGANIZATION OR ADDRESS

A-001-41 1ST 3RD PLATOON

[REDACTED]  
ORGANIZATION OR ADDRESS[REDACTED]  
(Signature of Person Administering Oath)[REDACTED]  
(Typed Name of Person Administering Oath)CPT US Army  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

FOUO

# FOUO 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 FOB St Joseph Yusafiyah	2. DATE (YYYYMMDD) 20050607	3. TIME 0600	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-5	
8. ORGANIZATION OR ADDRESS A 1-41 INF 3AB PLT			

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

While traveling east on Mulla Fiyad highway in A-Sec on 7 June 2005 at approximately 0300 hours the lead track spotted a guy hiding in the woods near a canal that ran parallel to the road. We then went to a security halt to further observe the guy. The man was carrying a shovel and had a triggering device. We positively identified him as a triggerman and he was an imminent threat. We then called Avalanche X-ray to make sure no friendly were in the area and give a situation report.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The man met the tactical procedures of emplacing an IED, after the threat was eliminated I continued to provide overwatch and the lead track pulled around to the site and dropped dismounts. They swept the area and recovered the shovel but the triggering device got destroyed from the HE. After gathering evidence the dismounts cleared 2 houses in the vicinity which all occupants were sleeping and knew nothing of the man. Upon completion of the sweep we picked up the remains and took it to the Iraqi army at the Potatoes factory.

BAB EOS

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	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.

Fouo

Ex 6

Ex 1

8

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Fuo

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

## 9. STATEMENT (Continued)

Ex 6

## AFFIDAVIT

\_\_\_\_\_, 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.

(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

A 1-41 HUF

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

CPT US Army

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 1 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 2951; E.O. 9397 dated November 22, 1983 (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 FOR ST. Joseph	2. DATE (YYYYMMDD) 2005 07 08	3. TIME 1243	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-5 / Squad leader	
8. ORGANIZATION OR ADDRESS A CO 1-41 INF			

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

On June 7, 2005 at 0306 I dismounted with my Alpha Team then proceeded to sweep the area for a Trigger Device but did not find one. We found the body at [REDACTED] 150m off the road in a Canal behind some brush with a good field of view of the road and a light pole which could be used as an aiming stake while still being concealed. We then searched 2 houses about 100m away. The families were asleep and did not act like they knew the guy. After we cleared the houses we then went back picked the body up and put it on the Bradley. Then we proceeded to the Potato factory and dropped the body off to the Iraqi Army and returned to FOR. ST. Joseph.

~~Nothing follows~~

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	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.

[REDACTED]

Fouo

9



[REDACTED]

FDO

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

[REDACTED]

Ex 6

AFFIDAVIT

\_\_\_\_\_, 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 UNLAWFUL INDUCEMENT.

\_\_\_\_\_  
(Signature of Person Making Statement)

WITNESSES:

\_\_\_\_\_  
[REDACTED]

ORGANIZATION OR ADDRESS

3/A/1-4/ JN

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)

CPT US Army

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 1 PAGES

[REDACTED]

FDO

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# 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 - APPOINTMENT

Appointed by Pursuant to AR 15-6, paragraph 2-1 (LT [REDACTED])  
(Appointing authority)

on 07 June 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 Yusifiyah, Iraq (Place) at (Time)

on (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 1330 (Time) on 08 June 05 (Date)

and completed findings and recommendations at 1200 (Time) on 09 June 05 (Date)

## SECTION III - CHECKLIST FOR PROCEEDINGS

### A. COMPLETE IN ALL CASES

	YES	NO <sup>1)</sup>	NA <sup>2)</sup>
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		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.

2	Exhibits (para 3-16, AR 15-6)	YES	NO <sup>1</sup>	NA <sup>2</sup>
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)?			
<b>B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)</b>				
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)?			
6	Was each absence of any member properly excused (para 5-2a, AR 15-6)?			
7	Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?			
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)?			
<b>C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)</b>				
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?			
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)?			
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)?			
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?			
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)?			
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?			
b.	Did each member successfully challenged cease to participate in the proceedings?			
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?			
b.	Examine and object to the introduction of real and documentary evidence, including written statements?			
c.	Object to the testimony of witnesses and cross-examine witnesses other than his own?			
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)?			
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)?			
<b>FOOTNOTES:</b> <sup>1</sup> Explain all negative answers on an attached sheet. <sup>2</sup> 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 IV - FINDINGS (para 3-10, AR 15-6)

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

SEE ATTACHED MEMORANDUM FOR FINDINGS

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

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

SEE ATTACHED MEMORANDUM FOR RECOMMENDATIONS

1200

**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.)

\_\_\_\_\_  
(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.)