Any Classified Document Downgraded in this packet is done so under the Memorandum for Record, dated 28 February 2007, Subject: Declassification Guidance for Operation Iraqi Freedom (OIF) 05-07 issued by the 4th Infantry Division G2
<table>
<thead>
<tr>
<th>OFFICE</th>
<th>ROUTING</th>
<th>COMMENTS</th>
<th>INITIALS</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>BRIGADE S1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BRIGADE S2</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BRIGADE S3</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BRIGADE S4</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BRIGADE S5 (SICO)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BRIGADE CHAPLAIN</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BRIGADE SURGEON</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BRIGADE SJA</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RECON &amp;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BRIGADE COM</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DEPUTY COMMANDER</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>IMPACT</th>
<th>PERSONNEL</th>
<th>FUNDS</th>
<th>TIME</th>
<th>TRAINING</th>
<th>SUPPLIES</th>
</tr>
</thead>
</table>

**SUMMARY**

[Redacted text]

2nd BDE, 101st Airborne Division (AASLT)

ALL ITEMS ARE REDACTED
UNDER SUSC(B)(6)
UNLESS OTHERWISE NOTED
MEMORANDUM THRU Staff Judge Advocate, MND-B, Camp Liberty, Iraq

FOR Commander, MND-B, Camp Liberty, Iraq

SUBJECT: Approval and ratification of AR 15-6 investigation #08-108, EOF with death of 3 local nationals findings and recommendations

1. The undersigned has reviewed thoroughly the aforementioned investigation conducted by First Lieutenant Joseph B. Wald and approved by Lieutenant Colonel Robert D. Haycock. I ratify and approve the findings and recommendations enclosed.

2. Commander's Comments:
   - [Blank space for comments]

3. POC for this memorandum is the undersigned.

   [Signature]

   Commanding
MEMORANDUM FOR [REDACTED]
Headquarters and Headquarters Company, 2d Battalion, 502 Infantry Regiment, 2d Brigade Combat Team, 101st Airborne Division (Air Assault), Camp Striker APO AE 09398

SUBJECT: Appointment as 15-6 Investigating Officer, Investigation 08-108

1. You are hereby appointed as an investigating officer to conduct an investigation pursuant to AR 15-6, into the facts and circumstances of the death of 3 x LNs during a small arms engagement by B/2-502d Infantry Regiment on or about 27 1508 FEB 06. You are to make specific findings and recommendations concerning the causes of the incident. Until the investigation is completed, this will be your primary duty responsibility.

2. Your investigations and findings will include, but not be limited to the following:

   a. The exact time and place of the incident;

   b. How exactly the loss occurred, to include the events leading up to and concurrent with the incident;

   c. Whether or not the soldiers had PIP of their target;

   d. The last time the soldiers were briefed on the Rules of Engagement;

   e. Any other matters you deem relevant.

3. You will use informal procedures under AR 15-6, Chapter 4. If, during your investigation, you suspect that persons you intend to interview may have violated any provision of the Uniform Code of Military Justice (UCMJ) or any other criminal law, you must advise them of their rights under the UCMJ, Article 31 as documented on DA Form 3881. Witness statements should be sworn and recorded on DA Form 2823.

4. Prepare the report of proceedings on DA Form 1574 and submit the original to me by the above suspense. You must submit any requests for delay to me in writing. Include with your report all documentary and physical evidence you considered.

5. Before proceeding with the investigation you must contact [REDACTED] at the Brigade Annex for an initial legal briefing. He will serve as your primary legal advisor and can be reached at VOIP [REDACTED]
AFZB-KB-JA
SUBJECT: Appointment as 15-6 Investigating Officer

6. By virtue of your appointment, you may direct the assistance of personnel with special technical knowledge to assist or advise you during your investigation. Requests should be coordinated through your legal advisor.

7. If during the course of your investigation you discover systemic training deficiencies that potentially caused or contributed to the incident under investigation, you will immediately contact your legal advisor for further guidance.

[Signature]

Commanding
SECTION I - APPOINTMENT

Commander, ANGIC, Air Commodore, APAC, AVM, CDG, AM, AVSM, DFC, OBE,

27 February 2006

Signed: [Signature]

Commander, ANGIC, Air Commodore, APAC, AVM, CDG, AM, AVSM, DFC, OBE,

27 February 2006

Signed: [Signature]

SECTION II - CONCLUSION

Commander, ANGIC, Air Commodore, APAC, AVM, CDG, AM, AVSM, DFC, OBE,

27 February 2006

Signed: [Signature]

Commander, ANGIC, Air Commodore, APAC, AVM, CDG, AM, AVSM, DFC, OBE,

27 February 2006

Signed: [Signature]

The following persons were present at the time of the occurrence:

Commander, ANGIC, Air Commodore, APAC, AVM, CDG, AM, AVSM, DFC, OBE,

27 February 2006

Signed: [Signature]

Commander, ANGIC, Air Commodore, APAC, AVM, CDG, AM, AVSM, DFC, OBE,

27 February 2006

Signed: [Signature]

Commander, ANGIC, Air Commodore, APAC, AVM, CDG, AM, AVSM, DFC, OBE,

27 February 2006

Signed: [Signature]

Commander, ANGIC, Air Commodore, APAC, AVM, CDG, AM, AVSM, DFC, OBE,

27 February 2006

Signed: [Signature]

Commander, ANGIC, Air Commodore, APAC, AVM, CDG, AM, AVSM, DFC, OBE,

27 February 2006

Signed: [Signature]

Commander, ANGIC, Air Commodore, APAC, AVM, CDG, AM, AVSM, DFC, OBE,

27 February 2006

Signed: [Signature]

Commander, ANGIC, Air Commodore, APAC, AVM, CDG, AM, AVSM, DFC, OBE,

27 February 2006

Signed: [Signature]

Commander, ANGIC, Air Commodore, APAC, AVM, CDG, AM, AVSM, DFC, OBE,

27 February 2006

Signed: [Signature]
See page 2 of 2 for text.

**SECTION VII - MINORITY REPORT**

In the event indicated in the foregoing

The findings and recommendations of the board

In the event, therefore, by whatever means obtained, and recommendations which the department or agencies are able to state, the
effect, for disagreement. Additional substantiated findings are to be transmitted to the appropriate authority.

**SECTION VIII - ACTION BY APPOINTING AUTHORITY**

The findings and recommendations of the department are submitted, together with the

Ensure that this is included in future ban level R
taining as so am confident the enemy will use ciphers

"as a shield" in the future.

James D. Thermin
Major General, USA
Commanding
MEMORANDUM FOR RECORD

SUBJECT: 15-6 Investigating Officer Report: CF killing of Local Nationals on 27 FEB 2006 (AO Strike Force)

1. Summary of events: On 27 February 2006, 2/B/2-502 (BF/2-502) was tasked to conduct route security on RTE

(AO Strike Force) in order to secure BN LOC's and Patrol Base Gator Swamp (PBGS). The Company Commander

issued the order to the 2/B platoon sergeant

on 27 FEB. The security mission on this route is one that 2/B conducts every three days for a 55-hour period. Prior to assuming RTE security, the platoon received a Battle Handover brief from the unit he was relieving and then briefed his TL’s on his tactical plan. Although he did not specifically cover the Rules of Engagement, the B/2-502 commander gave his entire company an updated ROE class on 23 FEB 06. Moreover, the B/2-502 had issued in-depth patrol briefs including ROE in the past for the same mission. Prior to every mission, he alluded to these briefs. Furthermore, all gunners involved were qualified on their assigned weapon system at the time of the incident.

At approximately 1430 hours on 27 February 2006, 2/B was in position to conduct its mission at the intersection of routes

and

arrayed his M1114 vehicles in positions where they could maximize observation with overlapping sectors of fire. Renegade vehicle number 2-3A, lead by

was positioned on the intersection of RTEs

and

. Renegade 2-3, commanded by

was 500 meters West of the intersection on RTE

. The remaining two vehicles were positioned North of the intersection on RTE

. The intersection of

and

(approximately 50-100 meters South of and perpendicular to

) has historically been an area of intense AIF activity. On seven past occasions, 2-502 elements operating in the immediate area have taken enemy fire. Additionally, 8/2-502 had found caches in the area containing AIF propaganda and insurgent TTPs about using civilians as cover when attacking U.S. forces.

At approximately 1505-1508 hours, vehicle (Renegade 2-3A) received one round of RPG fire and a high volume of SAF from approximately 200 meters Southwest of RTE

. The platoon was unable to positively identify the shooter. However, he was able to see that the fire was coming from behind and around a house 100-200 meters to his Southwest (See Exhibit A). He reported the contact to

(Renegade 2-3) who immediately maneuvered his M114 East on RTE

 to support

. Vehicle

received 1 RPG before

arrived on scene, another as

was
en route, and a third once arrived. The enemy small arms fire was constant. The operator maneuvered his vehicle to the left of the enemy in a position where he could suppress the enemy fire. The exact moment that the two vehicles returned fire is unclear. However, it is clear that both gunners and identified the direction and distance to the enemy and ordered their gunners to engage on that area to suppress enemy fire. The dismounted his vehicle and returned fire with his M4. Shortly after returning fire, the gunner—identified a dark colored van (See Exhibit B) parked where enemy fire was coming from. The van was parked on the South side of a house on or near RTE 32. Based on the position of the vehicle, and his elevation as the gunner, was the only soldier who could see the vehicle at that time (See Exhibit C). believed that the enemy fire was either coming from the van or immediately behind the van. Regardless, he concluded that the van was being used by the AIF as either a firing platform or cover. informed that he believed the van was the origin of the enemy SAF. ordered to fire on the van and kill the enemy; obeyed this order. At roughly the same time, the van began driving East on RTE 32 at a high speed. Once it began moving, both gunners and both TCs had visual contact with the van. the gunner) also opened fire on the van. According to interviews and statements, either S or S ordered to fire. After firing on the van for approximately 2-10 seconds, the vehicle in question stopped and both gunners ceased fire. A few seconds later; however, the van continued to move, this time at a higher speed. The gunners, again ordered by to reinitiated fire on the van for another 2-10 seconds and disabled it at (See Exhibit D). In total, the gunners fired roughly 50-100 rounds of 7.62 mm and 100-150 rounds of 5.56 mm (link) ammunition. At this point, the patrol shifted its focus toward evaluating the enemy situation and assessing battle damage.

moved his vehicle 100 meters South to the Northern bank of the Yusufiyah Canal, which separated his element from the van. He dismounted his soldiers but the absence of a foot bridge prevented further movement toward the disabled van. Though they could see the van through the canal vegetation, visibility was not sufficient to conduct a battle damage assessment. Consequently, notified his higher headquarters and requested aviation support to assist in the BDA. Attack Aviation arrived on scene at approximately 1520 hours and reported that a crowd of local nationals was gathering around the vehicle. LONGBOW attempted to disperse the crowd by firing an illumination flare. The D/2-502 commander was located at PBGS and dispatched an element, including the Battalion Commander and CSM, to move to the disabled vehicle and conduct BDA. Upon arriving, the foot patrol confirmed that one local national adult male and two children occupied the vehicle. All three had been killed in the exchange of fire. Moreover, there were no weapons or ammunition in the van. However, D/2-502 did find a RPG round at the same location of the van when the patrol began taking fire. Following the BDA and procurement of the RPG round, 2IB/2-502 remained in its original position to complete its route security mission.
a) Chronology of events

- 1430 FEB 2006: 2/B/2-502 in position (vic. Intersection of RTEs and conduct RTE security mission.
- 1508hrs: Renegade 2-3A receives SAF and RPG fire from 100-200 meters to the Southwest and return fire.
- 1509hrs: PID's dark van as AIF
- 1509 hrs: Orders gunners to fire on van
- 1510 hrs: Blue van is disabled
- 1520 hrs: Aviation is on sight to attempt BDA, fire illum
- 1530 hrs: CMDR/D/2-502 dispatches patrol to conduct BDA
- 1700 hrs: BDA complete; 1 LN adult male and 2 LN Children killed
- 1730 hrs: RPG round found at original position of the blue van

b) Chronology of investigation

- 27 1000 FEB 2007: Assigned as Investigating officer for this incident
- 1030 hrs: Investigating Officer conducts initial brief with BCT Legal office
- 1100 hrs: Investigating Officer Reviews SIR and Storyboard
- 1900 hrs: Investigating Officer interviews (Exhibit E)
- 1920 hrs: Investigating Officer interviews (Exhibit F)
- 1945 hrs: Investigating Officer interviews (Exhibit G)
- 2110 hrs: Investigating Officer interviews (Exhibit H)
- 1400 FEB 06: Initial draft of investigation synthesis taken to BCT Legal Office for review
- 1800 hrs: Final Investigation packet submitted to BCT Legal office

2) Findings

a) Based on the BN SIR, interviews, sworn statements, and imagery, I do not believe that U.S. Soldiers involved in this situation violated the rules of engagement or escalation of force regulations. In the midst of an intense and fast-paced firefight, U.S. soldiers positively identified an enemy combatant vehicle in the best of their ability.

b) Two M1116s from 2/B/2-502 received enemy RFO and SAF at 1500-1510 hours on 27 FEB 2006 vic.

c) Renegade 2-3 and 2-3A, the two vehicles in question, initially returned fire in accordance with the Rules of Engagement and individual/team react to contact battle drills.
d) At the outbreak of the firefight, there was a dark van parked at the origin of the enemy fire.
e) Given the situation, positively identified the dark van as either an enemy firing platform or enemy cover to the best of his ability.
f) Under the orders of (M249 Gunner) and (M240 B Gunner) opened fire on the van only after positively identified it as enemy.
g) After engaged by U.S. forces, the van moved East at a high velocity, stopping once, until it was finally disabled.
h) All soldiers involved received a detailed and current ROE class from the company commander five days before the incident.
i) Based on the time of day and position of friendly vehicles, sunlight did not obstruct friendly vision of the enemy.
j) The area where the incident took place is a particularly volatile one where caches and anti-U.S. propaganda had been found in the past. Certain pieces of AIF propaganda included insurgent TTPs such as using civilians as cover for attacks on CF.
k) Elements from B/2-502 involved in the incident responded with the necessary amount of force to deal with the situation.
l) After the firefight, D/2-502 found an RPG round at the disabled van’s original position.

3. I recommend no punitive or judicial action in this case. In the future, however, this situation should be used as a case-study to help teach Strike soldiers of the importance ROE and the willingness of insurgents to use civilians to their advantage. I also recommend CERP condolence payments to the family of the deceased if appropriate.

4. The POC for this memorandum is the undersigned at.

Assistant BN FSO
Document was Removed under Exemption 5 USC 552(b)(1) or (2) because it is either Classified Secret or Top Secret and non-degradable to Unclassified
15-6 Investigation Exhibit List

#06-108 EOF Death of 3 Local Nationals

<table>
<thead>
<tr>
<th>EXHIBIT A</th>
<th>Photograph</th>
</tr>
</thead>
<tbody>
<tr>
<td>EXHIBIT B</td>
<td>Photograph</td>
</tr>
<tr>
<td>EXHIBIT C</td>
<td>Photograph</td>
</tr>
<tr>
<td>EXHIBIT D</td>
<td>Photograph</td>
</tr>
<tr>
<td>EXHIBIT E</td>
<td>MND-B SIR FORMAT</td>
</tr>
<tr>
<td>EXHIBIT F</td>
<td>[Redacted] Interview Form</td>
</tr>
<tr>
<td>EXHIBIT G</td>
<td>[Redacted] Sworn Statement</td>
</tr>
<tr>
<td>EXHIBIT H</td>
<td>[Redacted] Interview Form</td>
</tr>
<tr>
<td>EXHIBIT I</td>
<td>[Redacted] Sworn Statement</td>
</tr>
<tr>
<td>EXHIBIT J</td>
<td>[Redacted] Interview Form</td>
</tr>
<tr>
<td>EXHIBIT K</td>
<td>[Redacted] Sworn Statement</td>
</tr>
<tr>
<td>EXHIBIT L</td>
<td>[Redacted] Interview Form</td>
</tr>
<tr>
<td>EXHIBIT M</td>
<td>[Redacted] Sworn Statement</td>
</tr>
</tbody>
</table>

*ALL ITEMS ARE REDACTED UNDER 5 USC (B)(6) UNLESS OTHERWISE NOTED*
1. Name: [Redacted]
2. Rank or grade: SGT
3. Social Security Number: [Redacted]
4. Race: Cauc.
5. Sex: M
6. Age: 25
7. Position: TL (former M240 gunner, qualified on M240)
8. Security clearance: 
9. Unit and station of assignment: 3/2/B/2-502 IN
10. Duty status: Active
11. Marital Status: Single

C. Summary of incident:

On 27 FEB 06, Renegade 2-3 (5) was securing RTE (3) with four M1114s and twelve personnel, three per vehicle. He had been in position since 1430 that day. Renegade 2-3A’s vehicle, commanded by (5), was stationary at the intersection of RTE (5) and RTE (8). Renegade 2-3’s vehicle was roving, but at the time of the incident was located approx. 500m west on RTE Fakhoa. Two more vehicles are north on RTE (5), one was stationary at the intersection of RTE (5) and RTE (8), and one was moving north of RTE (5) and south of RTE (8). The vehicles had ASIP FM comms and could talk both to Renegade at Camp Striker as well as the Swamp, which was run by D CO.

T: Secure RTE (5)
P: IOT maintain a secure LOC to PBGS.

B/2-502 units at the intersection of RTE (5) and RTE (8) had received SAf and RPG fire from the south, across RTE (8) seven times in the past. They have been unable to PID in the past. Based on reports from LNs in the area over the last month, the LNs infiltrate by foot from the Al Taref (257 827) and attack are forces across the Yusuifiah Canal. They are supported by an anti-coalition Sheik who lives in this area. We found a cache of RPGs three weeks ago, 300m from the SAF/RPG location, consisting of IED making material and propaganda. One of the propaganda items found was an AIF pamphlet describing techniques for using the population as a shield.

At 1506, Renegade 2-3A’s M1114 received one RPG round plus a high volume of SAf from an estimated four personnel approx. 200m southwest on RTE (5). He was unable to PID the attackers’ location through the tall reeds. He reported to (5) who was currently located 500 meters west on RTE (5) and moved his M1114 to 2-3A’s location to support. Upon 2-3’s arrival at 1508, both vehicles received two more RPG rounds plus a significant volume of SAf from an estimated four personnel from the southwest (the same approximate location as they last received) from a blue van moving west to east on RTE (5). He made the decision to engage the van. His gunner engaged with the M240, and 2-3A’s gunner engaged with the M240 and 2-3A’s M240. The van stopped upon engagement and both gunners ceased fire. After a few seconds, the vehicle began moving again at a high rate of speed. Both gunners re-engaged until it stopped again at 1530. The gunners used a total of 50 rounds from the M240 and 150 rounds from the M240 to stop the vehicle. Renegade 2-3A moved 100 meters south to the canal dismounted with two personnel so that he could observe the van through a break in the reeds. He saw the van was stopped but could not confirm BDA, and there are no crossing points on the canal. He notified higher in order to get attack aviation and Dog 6 to confirm BDA. Longbow arrived on scene at 1520 and spotted a crowd moving towards the vehicle and attempted to disperse the crowd with a flare. Dog 6, currently running PB Swamp, sent an element to include Falcon 6 and Falcon 3 to confirm BDA.

Upon arrival at the scene, they found that the BDA was one adult male KIA and 2 children KIA. A crowd had gathered around the vehicle. There were no signs of AIF and no weapons or ammunition in the van. Dog 6 found a RPG round at the location of the van when the element first received RPG and SAf. Following confirmation, the Dog 6 element returned to the Swamp and Renegade 2-3’s element remained on RTE (5).
All four soldiers had received a Pre-OE class from Renegade 6 on 22 February 04. All soldiers were qualified on their weapon systems.

6. Other Information:
   A. Racial: None
   B. Alcohol Involvement: None
   C. Last Deployment to OIF/OEF: [REDACTED] and [REDACTED] deployed with 2/101 and returned FEB 04. [REDACTED] deployed with 1 AD and returned JUL 04.
   D. Is Soldier on Rear "D"? No

7. Remarks:

[REDACTED]
I believe that the soldiers acted within the ROE. They believed that they PID'd the shooting as coming from the van. There is no way to determine if the AIF used the van as cover, either firing from the van and stripping the evidence, or firing from behind the van. All soldiers recently received ROE training and have displayed sound judgment in the past.

8. Commander reporting: [REDACTED] B/2-502 IN

9. Point of contact: [REDACTED]


11. Released by:

12. Unit Notifications:

Position  | Name  | Time  | Instructions
---|---|---|---

FOD / DOC NCO ONLY:

Current FOD & DOC NCOIC:

FOD / DOC NCO Actions:

FOD Notifications:

A. Telephone

Position  | Name  | Time  | Instructions
---|---|---|---

B. Email

Position  | Name  | Time  | Instructions
---|---|---|---

All Items are redacted under 5 USC (8)(6) unless otherwise noted
Exhibit F
1. EXPLAIN WHAT HAPPENED IN YOUR OWN WORDS AS CLOSE TO
   CHRONOLOGICAL ORDER AS YOU CAN REMEMBER?

   While getting shot at, calls 2-3, gets there gets
   RPG. 1st saw van off to last
   1st volley - Driver & TC also 2-3 min.
   3d RPG hits, van pops out from behind build.
   Shot van immediately when came out (2-3 sec),
   Stopped & that was it. Just saw the
   van in passing. Van goes speeding by
   No order to shoot van, return fire just
   continued.
   Fire came from general direction behind house

2. WAS THERE A PLAN FOR THE MISSION? WHAT? WHEN DID IT COME OUT? WAS
   IT CLEAR? It's a common mission. Had been out
   only one hour. Had been briefed extensively before
   but only on tactical plan this time

3. HOW LONG WAS THE 1st VOLLEY OF FIRE? THE 2nd?
   1) 2 RPG 2-3 min didn't PID van - fired at compass, not
   2) HP D-100

4. DID YOU PID THE VAN? WHERE SHOTS COMING FROM THE VAN?
   No, only saw direction, distance. Only saw van
   When it started driving off

5. WHERE WAS THE SUN?
   Midday -> high -> no obstruction

6. WHO GAVE THE ORDER TO FIRE?
   [Redacted]

7. HOW LONG DID YOU HAVE TO FIRE FOR THE VAN TO STOP THE 1st/2nd TIME?
   NA -> didn't remember van stopping/restopping

8. WHEN WAS THE LAST TIME YOU RECEIVED A ROE BRIEF? CONVOY BRIEF?
   DID ROE COME OUT IN CONVOY BRIEF?
   No patent brief
   ROE brief w/l Renegade 6 w/ last few
   days

ALL ITEMS ARE REDACTED
UNDER 18 USC 3771G
UNLESS OTHERWISE NOTED
**SWORN STATEMENT**

For use of this form, see AR 100-48; the proponent agency is PMG.

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2631; E.O. 9397 dated November 22, 1943 (SSN).

**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/alternate means of identification to facilitate filing and retrieval.

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

<table>
<thead>
<tr>
<th>1. LOCATION</th>
<th>2. DATE (YYYY-MM-DD)</th>
<th>3. TIME</th>
<th>4. FILE NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Feb Striker</td>
<td>2006.02.28</td>
<td>1900</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5. LAST NAME, FIRST NAME, MIDDLE NAME</th>
<th>6. SSN</th>
<th>7. GRADE/STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>E4/Active</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>8. ORGANIZATION OR DIVISION</th>
<th>9.</th>
</tr>
</thead>
<tbody>
<tr>
<td>B Co 2-502</td>
<td></td>
</tr>
</tbody>
</table>

---

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On Monday the 27th of February, my Squad 23 and weapons squad 24 assumed patrol around 1330. My vehicle 23A with my team assumed and intersection around 1500. We took two rounds of RPG followed by small arms fire. From approx. 1000 South west of my position. We returned fire with 244 and 24. A fire fight followed for approx. 2-3 min. By this time my squad leader 23 and his truck had pushed to my location. As soon as they reached my position we took the third RPG. At the same time the third RPG Exploded a Forest Green van was traveling East on Route in the same area the third RPG was fired. The van was traveling at a high rate of speed. We engaged the van until it stopped. At this time all fire had ceased. We now pushed up to try and get eyes on my movement and observed none.

Nothing Follows.

---

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

**THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE INDICATED,**

DA FORM 2823, DEC 1998

**ALL ITEMS ARE REDACTED UNDER 5USC(6) (G) UNLESS OTHERWISE NOTED**
Exhibit H
1. EXPLAIN WHAT HAPPENED IN YOUR OWN WORDS AS CLOSE TO CHRONOLOGICAL ORDER AS YOU CAN REMEMBER:

Didn't return fire until. Only saw van speed up. Told him to shoot the van from other NA14. Van came from right where fire was coming from. Didn't see van in original position but did see it drive out of general area. Before he was told to fire on the van he believed it was AIF. Would have fired anyway.

2. WAS THERE A PLAN FOR THE MISSION? WHAT? WHEN DID IT COME OUT? WAS IT CLEAR?


3. HOW LONG WAS THE 1ST VOLLEY OF FIRE? THE 2D?

1) Few seconds 2) 10 seconds

4. DID YOU PID THE VAN? WHERE SHOTS COMING FROM THE VAN?

When AIF fire stopped you took off to East. Didn't see van until it started moving.

5. WHERE WAS THE SUN?

Not an issue.

6. WHO GAVE THE ORDER TO FIRE?

Told him to fire on van.

7. HOW LONG DID YOU HAVE TO FIRE FOR THE VAN TO STOP THE 1ST/2D TIME?

RPG + Small Arms Sustained. Couldn't notice any breaks.

8. WHEN WAS THE LAST TIME YOU RECEIVED A ROE BRIEF? CONVOY BRIEF?

Couple days ago. ROE didn't come out in convoy brief but had been briefed before.

ALL ITEMS ARE REDACTED UNDER 5USC(B)(6) UNLESS OTHERWISE NOTED
**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 2805; E.O. 9367 dated November 22, 1943 (OSD).

PRINCIPAL: To preclude 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>
<thead>
<tr>
<th>1. LOCATION</th>
<th>2. DATE (YYYYMMDD)</th>
<th>3. TIME</th>
<th>4. FILE NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>1400</td>
<td></td>
</tr>
</tbody>
</table>

5. LAST NAME, FIRST NAME, MIDDLE NAME: [redacted]

6. SSN: [redacted]

7. GRADE/STATUS: E-4 (A)

8. ORGANIZATION OR ADDRESS: [redacted]

---

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the 27 Jul 96 the unit was along with a squad of vehicles and was located on the corner of the vehicle.

And I was commanding the vehicle located on the south east corner. At approximately 1400, a RTO and landed 1000 in front of me, to the north of our vehicle. I immediately took cover inside of the vehicle.

But continued scanning and looking for the truck. At the time, we took 2 more RPGs along with small arms fire from 1000 meters southwest of my location. At the time I heard a vehicle moving to the north. It was the time I heard the vehicle moving to the north. It was the time I heard the vehicle moving to the north.

After the small arms stopped, the vehicle moved to the north at a high rate of speed away from where we had received fire from. I engaged the people in the blue van. The van did not stop but moved further away. At this time, we took another vehicle to support the men. We then fired on the van again and the men stopped. As soon as the men stopped we ceased fire and moved the area over to find any possible escape. After a short time of no contact, a team was sent to secure the area.

I continued to secure the south and east.

---

10. EXHIBITS

11. INITIALS OF PERSON MAKING STATEMENT: [redacted]

Page 1 of 3 PAGES

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

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE INDICATED.

DA FORM 2823, DEC 1996

DA FORM 2823, JUL 72, IS OBSOLETE

ALL ITEMS ARE REDACTED UNDER 5 USC (C)(6)

UNLESS OTHERWISE NOTED

14511
Exhibit J
1. EXPLAIN WHAT HAPPENED IN YOUR OWN WORDS AS CLOSE TO CHRONOLOGICAL ORDER AS YOU CAN REMEMBER.

Hears he says to him they're talking fire then he returns fire tells him.-Where truck is no longer firing. Another RPG hits and says (pointing where fire is coming from). Told him he's taking fire from Van. Gives order to fire on Van (10-15 seconds) and calls cease fire when Van stops. Van starts moving out again. Then, you pull off to the side and is disabled. They move forward but couldn't conduct BDA. Longbow couldn't see anyone in Van. Longbow TD's a crowd of 3rd Post. Bag 6, Falcon, Bag 7-8 were up and TID's team. D1/6 finds RPG round where Van started from.

2. WAS THERE A PLAN FOR THE MISSION? WHAT? WHEN DID IT COME OUT? WAS IT CLEAR?

3. HOW LONG WAS THE 1ST VOLEY OF FIRE? THE 2D?

NA - Every fire SAF was constant with 3 RPG. ROS

4. DID YOU PID THE VAN? WHERE SHOTS COMING FROM THE VAN?

Van was stationary and he took first volley of RPG fire but he didn't see it.

5. WHERE WAS THE SUN?

No where where it could destruct vision.

6. WHO GAVE THE ORDER TO FIRE?

[Redacted]

7. HOW LONG DID YOU HAVE TO FIRE FOR THE VAN TO STOP THE 1ST/2D TIME?

[Redacted]

8. WHEN WAS THE LAST TIME YOU RECEIVED A ROE BRIEF? CONVOY BRIEF?

Plan for his TC's. Briefed on briefing from Renegade 6 gives tactical brief.

Company received ROE brief 2-3 days prior.

ALL ITEMS ARE REDACTED UNDER 50USC(9)(6) UNLESS OTHERWISE NOTED
Exhibit K
**SWORN STATEMENT**

For use of this form, see AR 190-43; the proponent agency is PMG.

**PRIVACY ACT STATEMENT**

Title 10 USC Section 301; Title 5 USC Section 2891, E.O. 12986 dated November 22, 1993 (SSN).

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

Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

Disclosure of your social security number is voluntary.

<table>
<thead>
<tr>
<th>1. LOCATION</th>
<th>2. DATE (YYYYMMDD)</th>
<th>3. TIME</th>
<th>4. FILE NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td>POP Station</td>
<td>20060228</td>
<td>1900</td>
<td>F6/AD</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5. LAST NAME, FIRST NAME, MIDDLE NAME</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>6. ORGANIZATION CODED</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-2-502</td>
</tr>
</tbody>
</table>

**I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:**

On 27 Feb 06 my squad was tasked to take over RTE 1 security. My squad was all set in place at 1030. At 1600 J-3A received fire from the south west from about 100m away on the south side of the canal. The fire consisted of 1 RPG followed by small arms fire. My truck was soon west on RTE.

I called on FM for a sit rep on what was happening. I moved my truck to his location and call the swamp which was named by B-2-502 to let them know what was going on. Once I arrived at Location my truck was fired on by 2 more RPG also followed by small arms fire. My gunner ID the location from the RPG being fired and small arms there was a blue colored van.

ID rounds coming from and around the van. I told to return fire on the van with a 2408 and had his gunner fire also which was a 2419 gunned by .

I called a cease fire and...
After I called a sit rep to the swamp the van drove off at a high rate of speed. At that time I had ___ and ___ inside the van. I told the van to stop. I called to swamp to let them know what had happened. I told my squad they were in another place and to see if they had any contact with Black Aviation (longer 5-1). I wanted my Vehicles to get in a better position to keep eyes on the van and the location were it had stopped. I then had to take a 3mm team to an opening in the rear from the canal to possibly ID any one that was in the van for movement. At this time long bow came on station and I had them manaver on the van to possibly ID any one inside, then had them check the area around the van due to the fact we were on the north side of the canal and the van was on south. ___ long bow spotted a crowd forming in a court yard south of the van that estmate to about 30 people and 5 vehicles. I called the swamp to let them know and they inform me that they were pushing a element out downtown RIF ___ to check the van. It was Dog 1-7 and Dog 6 - Falcon 6 - and Falcon 3.