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Memorandum for Record, dated 28
February 2007, Subject: Declassification
Guidance for Operation Iraqi Freedom
(OIF) 05-07 issued by the 4th Infantry
Division G2**

A240 IED STRIKE AR 15-6 FINDINGS AND RECOMMENDATION

ENCLOSURE 1

APPOINTMENT ORDERS

EXHIBIT 1

SIGACT A21 IED SAN JUAN

EXHIBIT 2

SKETCH

EXHIBIT 3

1-67 AR PATROL PASS

EXHIBIT A

DA2823 - SFC [REDACTED]

EXHIBIT B

DA2823 - PFC [REDACTED]

EXHIBIT C

DA2823 - SGT [REDACTED]

EXHIBIT D

DA2823 - SGT [REDACTED]

EXHIBIT E

DA2823 - CPL [REDACTED]

EXHIBIT F

DA2823 - CPT [REDACTED] W/ SFC [REDACTED]

EXHIBIT G

DA2823 - CPT [REDACTED] W/ SGT [REDACTED]

EXHIBIT H

DA2823 - CPT [REDACTED] W/ SGT [REDACTED]

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NOTED

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 COL [REDACTED]
(Appointing authority)

on 9 FEB 2006 (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 FOB ISKANDARIYAH, IRAQ at 1230
(Place) (Time)

on 10 FEB 2006 (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.)

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The (investigating officer)(board) finished gathering/hearing evidence at 1000 on 11 FEB 2006
(Time) (Date)
and completed findings and recommendations at 1400 on 11 FEB 2006
(Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

	YES	NO ^{1/}	NA ^{2/}
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		
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 NA column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

		YES	NO ^{1/}	NA ^{2/}
2	Exhibits (para 3-16, AR 15-6)			
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)?			X
B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)				
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)?			
C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)				
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 ☐)			
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)?			
	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)?			
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.				

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

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

On 8 February 2006 at approximately 1705, A240, a M1114 HMMWV driven by CPL [REDACTED] and commanded by SGT [REDACTED] was hit by an Improvised Explosive Device (IED) vicinity [REDACTED]. (Exhibit 1) The patrol, commanded by SFC [REDACTED], was conducting screening operations along RTE San Juan in support of the Ashura. (Exhibit 1) The patrol had recently stopped at a Logistics Release Point (LRP) to fill up on fuel and move north to continue screening the route. (Exhibit A) As A240 and A66 (M2A3 Bradley Fighting Vehicle) traveled northwest up RTE [REDACTED], A240 was hit by an IED. The blast did not damage the vehicle, so CPL [REDACTED] pushed through the kill zone to a secure distance on the far side. (Exhibit B) Spot reports from both the crew of A240 and A66 reached SFC [REDACTED], who's HMMWV (A230) was still coming north from the LRP. SGT [REDACTED], the commander of A66, requested permission to engage two individuals that his gunner, PFC [REDACTED], had spotted running through the open desert east of the road. (Exhibit C) SGT [REDACTED] additionally requested permission to engage with 25mm because the individuals were approximately 1400 meters from the roadway. SFC [REDACTED] granted permission to engage with the 25mm. (Exhibit A) SGT [REDACTED] ordered PFC [REDACTED] to fire. After an initial burst, the two individuals disappeared from sight. PFC [REDACTED] continued to scan and spotted them again nearly thirty seconds later. SGT [REDACTED] ordered him to engage again. The crew lost sight of them again and ceased firing. (Exhibits A, B, C) Meanwhile, SFC [REDACTED] and SGT [REDACTED] had begun maneuvering their HMMWVs to close with the targeted individuals. Once the Bradley crew ceased firing, SFC [REDACTED] and SGT [REDACTED] cleared the objective in an attempt to locate the targeted individuals. (Exhibits A, D) Upon arriving at the engagement area, the dismounts led by SFC [REDACTED] discovered that a female had been hit in the upper leg by the gunfire. SFC [REDACTED] immediately called for an air medevac and began rendering first aid. A few minutes later, the female died of wounds sustained from the 25mm round and SFC [REDACTED] called off the medevac and reported to battalion that the WIA had died. (Exhibit A)

SUS
STC
(b)
SUS
(b)

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

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

The death of the civilian female on 8 February 2006 was a tragic and unfortunate accident. The non-commissioned officers and soldiers conducting the patrol took every action necessary in responding to the attack. SFC [REDACTED] men responded according to their SOP by clearing the engagement area, confirming status of personnel and sensitive items following the attack, calling a report to higher, cordoning, and controlling the area. (Exhibit F) While clearing the engagement area, two individuals were identified running from the engagement area, so they were fired upon. The Bradley gunner and commander took all the appropriate measures by requesting permission from their patrol leader before engaging and then firing only until the target could no longer be seen. (Exhibit B) Only after SFC [REDACTED] and some dismounts moved forward over a kilometer did they see a house and some other individuals in the area. The platoon reacted quickly and aggressively to the situation by securing the area, relaying the information on the ground to their higher headquarters quickly and efficiently, and then clearing the objective area. Once they discovered that a female in the area had been hit, they immediately called for medevac and began first aid. (Exhibits I, A, D) The platoon did everything they should have, and did so in an aggressive and effective manner. The IED proved to be remote detonated, which would have put the two runners well within triggering range of the device. (Exhibit 1) Unfortunately, a civilian was killed because she was in the wrong place at the wrong time. The distance and terrain prevented the Bradley crew from identifying other civilians in the area. (Exhibit G) Still, the platoon was unable to determine whether or not she was one of the running individuals and it is possible that she was one of the insurgents. SFC [REDACTED] platoon is an experienced and disciplined unit. In this case, they may have been unlucky. Regardless, the platoon took the appropriate actions.

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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)

CPT

(Investigating Officer) (Don't know)

(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.)

Although it is not a certainty that the female who was killed was not involved in the attack, the patrol leader believes that she was not an insurgent. Recommend that the members of the patrol sit down with the Combat Stress personnel and that a solatium payment be paid to the killed woman's family.

LIC, AR
COMMANDING

Sir, we are proceeding with solatium payment and apology to family. IO message is cowardly insurgents had behind a defenseless civilian female to avoid being engaged by CEs. While I find this incident to be extremely unfortunate I find nothing wrong with action by the platoon. Additional emphasis & awareness being must be conducted to emphasize clearing target & cognizance of firing weapon systems in areas inhabited by non-combatants.

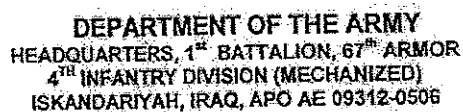
THOMAS C. MAFFEY

Brigadier General, US Army

Assistant Division Commander (Maneuver)

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161460
13 Feb 06



12 February 2006

SUBJECT: Duty Appointment

1. You are hereby appointed as an investigating officer pursuant to AR 15-6 to investigate the circumstances surrounding the death of a female Iraqi National immediately following an IED attack against A240, in an A CO patrol commanded by SFC [REDACTED] bn.08FEB06 on Route [REDACTED] in AO Dealer. Include a copy of statements concerning this incident in your findings. Specifically, you will investigate whether negligent actions were taken in conjunction with this incident, and recommend any necessary corrective, punitive, or future preventative actions.
2. Your investigation will use the informal procedures under the provisions of AR 15-6. All witness statements will be sworn when possible, and you will obtain Privacy Act Statements from all witnesses who complete a written statement. If circumstances preclude obtaining a sworn statement, you will summarize the witness' statements in a Memorandum for Record and swear to the accuracy of your summary. If, in the course of your investigation you suspect that an individual may have committed criminal acts, you will advise that individual of his rights under Article 31, UCMJ, or the Fifth Amendment, as appropriate.
3. Legal advice and assistance must be obtained from the Administrative and Civil Law Division, Office of the Staff Judge Advocate, before you take any other action on this matter. Prior to beginning the investigation, you will familiarize yourself with the provisions of AR 15-6.
4. Your report of investigation, findings and recommendations, and evidence marked as exhibits will be submitted to this office in two copies on a DA form 1574 no later than 15FEB06. You will obtain a written legal review from the Administrative and Civil Law Division prior to submitting the completed investigation.

LTC, AR
Commanding

SIGACT A21 IED [REDACTED]
081704FEB06

508555Z(6)(1)

EVENT: CONTACT BY IED

TIME: 081704FEB06

UNIT: A21/1-67 AR

LOCATION: VIC GRID [REDACTED] 508555Z(6)(1)

DISPOSITION:

AT 1704L, A21 REPORTED CONTACT BY IED AT [REDACTED] 508555Z(6)(1)
WHILE CONDUCTING SCREENING OPERATIONS ALONG ROUTE
SAN JUAN FOR ASHURA. A21 IDENTIFIED ENEMY PERSONNEL,
ENGAGED AND ARE CURRENTLY MANUEVERING ON THEM.

UPDATE 1715: REQUEST 9-LINE MEDEVAC FOR INDIVIDUAL
WITH A SEVERED LEG.

UPDATE 1719: A21 REPORTS NEGATIVE CONTACT WITH
ENEMY. LZ FOR MEDEVAC IS [REDACTED] 508555Z(6)(1)

UPDATE 1724: MEDEVAC CANCELED. INDIVIDUAL WITH
SEVERED LEG KIA.

UPDATE 1735: INDIVIDUAL SHOT AND KILLED WAS A MILITARY
AGED FEMALE AND MAY HAVE BEEN ONE OF THE
INSURGENTS.

UPDATE 1821: A21 REPORTS ONLY BLASTING CAPS
DETONATED. THREE 155MM ROUNDS ARE STILL ON THE
GROUND.

UPDATE 1945: A21 REPORTS FINDING 50-60 ROCKETS
WITHOUT WARHEADS SITTING OUTSIDE A HOUSE AT [REDACTED] 508555Z(6)(1)
[REDACTED]. THERE WAS NO EFFORT TO HIDE THEM.

UPDATE: AT 2055, EOD ARRIVED ON SITE.

UPDATE: AT 2122 EOD REPORTS IED WAS LRCT BASE WITH 4 X 122MM ROUNDS. 1 OF THE ROUNDS DETONATED THE OTHER 3 DID NOT. THEY ARE CURRENTLY RECOVERING THE ORDINANCE AND MOVING BACK TO FOB.

SUMMARY:

1 X LRCT

4 X 122MM ROUNDS

1 X ENEMY KIA

UPDATE: 70 X 122MM ROCKET MOTORS WERE EXPENDED AND RENDERED OBSOLETE BY EOD

//SIGACT CLOSED//

**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**

1-67 AR PATROL PASS				CONTROL #	
				A-038-001	
Unit		2nd Plt., A co			
OIC	SFC	AA 21			
NCOIC	SSG	AA 24			
				Patrol Freq 61.050 TAC 1: 45.125 SC/CT TAC 2: 62.375 SC/CT BN RETRANS: 80.200 SC/CT	
<u># of Vehicles</u>		<u># of Personnel</u>		<u>FBCB2/BFT Role</u>	
M1A2 2		Officer: 0		Role 1: PSG-3-D-1BN67AR	
M2A2 0		NCO: 13		Role 2: CDR-TRK-A-1BN67A	
M2A3 1		EM: 14		Role 3: PL-3-D-1BN67AR	
M3A3 0		Civilian		<u>CREW Systems</u> Ice	
M1114 4					
				Green 2 Pre-Patrol GREEN Green 2 Post-Patrol	
				<u>CREW SERVED WEAPONS</u>	
				M240B 34	
				M249	
Destination: AO ARCHANGEL			Route: [REDACTED]		
<u>Tasks</u>			<u>Purpose</u>		
T1: CONDUCT COMBAT PATROLS IN AO ARCHANGEL			P1: ALLOW THE CF/ISF TO SECURE AO ARCHANGEL		
T2: CLEAR ROUTE PATTY, CHERYL, NATALIE, SAN JUAN			P2: ALLOW CF FREEDOM OF MOVEMENT IN AO ARCHANGEL		
T3: ROUTE RECON			P3: CLEAR TRAILS FROM RTE [REDACTED] TO RTE [REDACTED]		
Patrol Date 07-Feb-06		Est. SP 0500	Act. SP	Est. RTB 0800	Act. RTB

PRE-BRIEF GIVEN (SIGNATURE OF S-2 REP)		PRE-BRIEF RECEIVED (SIGNATURE OF PATROL OIC)	
DEBRIEF GIVEN (SIGNATURE OF S-2 REP)		DEBRIEF RECEIVED (SIGNATURE OF PATROL OIC)	
FIRE SUPPORT OFFICER APPROVAL SIGNATURE		DTG:	
BATTLE CAPTAIN APPROVAL SIGNATURE		DTG:	
[REDACTED]		7 FEB 06	

Vehicle # 1 Vehicle ID A230

Last Name	RANK	Battle Roster	Blood Type
[REDACTED]	PFC	[REDACTED]	O neg
[REDACTED]	PV2	[REDACTED]	O pos
[REDACTED]	SFC	[REDACTED]	O pos
[REDACTED]	SFC	[REDACTED]	A pos

Vehicle # 2 Vehicle ID A220

Last Name	RANK	Battle Roster	Blood Type
[REDACTED]	SPC	[REDACTED]	B neg
[REDACTED]	CPL	[REDACTED]	O pos
[REDACTED]	CPL	[REDACTED]	O pos
[REDACTED]	[REDACTED]	[REDACTED]	B pos

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Vehicle # 3 Vehicle ID A210

Last Name	RANK	Battle Roster	Blood Type
[REDACTED]	SSG	[REDACTED]	A pos
[REDACTED]	PFC	[REDACTED]	A pos
[REDACTED]	SPC	[REDACTED]	O Pos
[REDACTED]	PFC	[REDACTED]	O neg

Vehicle # 4 Vehicle ID A240

Last Name	RANK	Battle Roster	Blood Type
[REDACTED]	SGT	[REDACTED]	A pos
[REDACTED]	PFC	[REDACTED]	O pos
[REDACTED]	CPL	[REDACTED]	O pos
[REDACTED]	PFC	[REDACTED]	A neg

Vehicle # 5 Vehicle ID D33

Last Name	RANK	Battle Roster	Blood Type
[REDACTED]	SPC	[REDACTED]	A neg
[REDACTED]	PFC	[REDACTED]	O pos
[REDACTED]	SPC	[REDACTED]	BPOS
[REDACTED]	SGT	[REDACTED]	O pos

Vehicle # 6 Vehicle ID D32

Last Name	RANK	Battle Roster	Blood Type
[REDACTED]	SGT	[REDACTED]	O neg
[REDACTED]	SPC	[REDACTED]	O pos
[REDACTED]	CPL	[REDACTED]	O pos
[REDACTED]	SSG	[REDACTED]	O pos

Vehicle # 7 Vehicle ID A66

Last Name	RANK	Battle Roster	Blood Type
[REDACTED]	PFC	[REDACTED]	O pos
[REDACTED]	PFC	[REDACTED]	O pos
[REDACTED] E	SGT	[REDACTED]	O neg

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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; EO 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. SSN	7. GRADE/STATUS	
[REDACTED]		E-7/Act-SC	
8. ORGANIZATION OR ADDRESS			
Aco 1-67 AR FOB Iskandaria			

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

at APX 1600 HRS ON 8 FEB 02 AFTER FETTERING OPERATIONS MY PATROL MOVED OUT TO RETURN TO THEIR OVERWATCH POSITION WHEN THE LEAD HUMVEE WAS HIT WITH AN IED, AFTER CLEARING UP INITIAL TRAFFIC ON THE NET I RECEIVED A SPOT REPORT THAT 1400M TO THE EAST HE SAW TWO INDIVIDUALS RUNNING. ASKED FOR PERMISSION TO ENGAGE W/25MM. I GRANTED PERMISSION. 7-10 ROUNDS WERE FIRED, I ASKED FOR A SITREP SAID THE TWO INDIVIDUALS WENT TO GROUND. AFTER ABOUT 30 SECONDS THEY RAN AGAIN HE ASKED FOR PERMISSION TO ENGAGE AGAIN WHICH I GRANTED. AT THIS SAME TIME I WAS MANUEVERING MY HUMVEE SECTION TOWARDS THE CONTACTS, I WENT TO THE SCENE AND FOUND ONE INJURED FEMALE APX 18-22 YO A. [REDACTED] I CALLED FOR A MEDEVAC & RENDERED FIRST AID. THE FEMALE LATER DIED SO I CALLED OFF THE MEDEVAC & REPORTED TO HQHQ. ————— END OF STATEMENT —————

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10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 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.

STATEMENT OF

SFC [REDACTED]

TAKEN AT

9 Feb 06

DATED

1700 Hrs

9. STATEMENT (Continued)

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AFFIDAVIT

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

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] (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)

(Authority To Administer Oaths)

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

AUTHORITY:

PRINCIPAL PURPOSE:

ROUTINE USES:

DISCLOSURE:

PRIVACY ACT STATEMENT

Title 10 USC Section 301; Title 5 USC Section 2954; EO, 9397 dated November 22, 1943 (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.

1. LOCATION

FOR ISKANDARIYAH, Iraq

2. DATE (YYYYMMDD)

2009/02/09

3. TIME

0758

4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME

[REDACTED]

6. SSN

[REDACTED]

7. GRADE/STATUS

E3

8. ORGANIZATION OR ADDRESS

ACO L-7 AC BN

9.

[REDACTED]

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On February 8 at approximately 1050 hrs, My two vehicle Convoy was traveling North on RTE [REDACTED] when the lead vehicle SOX 5526 was struck on the right side by an IED we pushed through the kill zone because of the dust and came to a halt about 175m past the blast site. I started scanning on the right side of the road and spotted two individuals running. I reported to my BC and he told me to engage. While I was engaging, I lost sight of the two personnel. I continued to scan and about 30 seconds later in the same spot where I first engaged I spotted two personnel pick up and start running again. My BC told me to engage. I engaged the two personnel and told my BC that I lost sight.

End of Statement

ALL ITEMS ARE
REDACTED UNDER
50 USC 552 (B) (6)
UNLESS OTHERWISE
NOTED

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 1 OF

PAGES

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 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

USAPA VI.00

STATEMENT OF

TAKEN AT

DATED

9. STATEMENT (Continued)

ALL ITEMS ARE
REDACTED UNDER
5 USC 552 (B) (6)
UNLESS OTHERWISE
NOTED

AFFIDAVIT

I, _____, 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 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

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE

OF

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, 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 ISKANDARIYAH, IRAQ

2. DATE (YYYYMMDD)

2005/02/09

3. TIME

0758

4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME

6. SSN

7. GRADE/STATUS

E-5

8. ORGANIZATION OR ADDRESS

ACG 110T AR BN.

9.

[REDACTED]

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On February 8 at approximately 1650 hrs, My two vehicle patrol was traveling North on [REDACTED] when the lead vehicle was struck on the right side by an IED, we pushed through the kill zone and came to a halt approximately 175 meters past the blast site. My gunner, picked up a scan to the east side of the road and spotted two individuals running. I called my platoon leader SFC [REDACTED] and asked permission to switch from coax to 25mm because of the range. He acknowledged and I told my gunner to engage. During the engagement, my gunner said he lost sight of the two personnel. He continued to scan and approximately 30 seconds later he spotted the same two individuals in the same spot where he first engaged start running. I told him to engage and while he was engaging, he announced to me that he lost sight of the two individuals again.

END OF STATEMENT

ALL ITEMS ARE
REDACTED UNDER
5USC552(B)(6)
UNLESS OTHERWISE
NOTED

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF

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DATED

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STATEMENT OF

TAKEN AT

DATED

9. STATEMENT (Continued)

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REDACTED UNDER
5 USC 552 (b) (6)
UNLESS OTHERWISE
NOTED

AFFIDAVIT

WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 1, I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT
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

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 1 PAGES

STATEMENT OF

SGT [REDACTED]

TAKEN AT

FOB Iskandaryah

DATED

09 Feb 2006

9. STATEMENT (Continued)

Nothing Follows

ALL ITEMS ARE
REDACTED UNDER
5 USC 552 (B) (6)
UNLESS OTHERWISE
NOTED

AFFIDAVIT

I, [REDACTED], 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

(Signature of Person Administering Oath)

A G 167
FOB Iskandaryah

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE

OF

PAGES

SWORN STATEMENT

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DISCLOSURE:

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1. LOCATION

FOB Iskandaryah

2. DATE (YYYYMMDD)

2006 02 08

3. TIME

0912

4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME

6. SSN

7. GRADE/STATUS

8. ORGANIZATION OR ADDRESS

A Co 1-67

9.

SGT

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 08 Feb 2006 at approximately 1650 our two vehicle convoy was traveling north on RTE [REDACTED] I 50X55265 was in the lead vehicle when we were struck by an IED. After the explosion we pushed 300 meters north and began to scan for a triggerman. The Bradley crew saw two personnel running approx 1400 meters off to the east heading north. After requesting permission from the platoon leader (SFC [REDACTED]), they engaged with the personnel. The crew then lost sight of the individuals for about 30 sec. and then re-engaged to follow their movement. The suspects ran behind a house and the fire was lifted. My vehicle went to go clear the objective and upon arrival we discovered one injured civilian.

End of Statement

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

Working Follows

PAGE 1 OF

1

PAGES

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DA FORM 2823, DEC 1998

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DA FORM 2823, JUL 72, IS OBSOLETE

USAPA-V1.00