The following questions are an attachment to your sworn statement, which you filled out on 29 MAY 2005, regarding the incident on 28 MAY 2005. The oath which you swore on your statement applies to this document.

- Please state your understanding of the Rules of Engagement:
  I can defend myself if I feel my life or collateral forces life is in danger, with lethal force or use lethal force to protect against hostile intent.

- What were the subjects in the Blue Opal Omega doing on the night of the incident? Why did you pull them over, why did you think they were threatening?
  Breaking curfew, B/C they were breaking curfew, before the curf stoped he was moving very fast, when he ran from a parked car and pulled a pistol.

- During the time between the blue Opal Omega pulling over, and the suspect being killed, what were his actions that constituted a hostile act?
  The actions were he ran from a vehicle at gunpoint, then pulled out a pistol.

- What action did the suspect take that constituted a lethal threat?
  Ran from his vehicle and pulled a pistol.

- What threat did the suspect represent to individuals in the patrol, and to the patrol as a whole? His vehicle could have been a VBIED, and killed a lot of CAF and American soldiers, also he pulled a pistol and could have shot back at us as soon as he found some cover.

- If you could frame one instant or action from the incident that triggered your use of lethal force, what would it be? When he pulled his pistol out as he ran away.
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 2861; E.O. 8537 dated November 22, 1943 (ISSN).
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
2. DATE (YYYY/MM/DD)
3. TIME
4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN

7. ORGANIZATION OR ADDRESS

8. WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

My platoon was conducting a presence patrol and curfew enforcement with a 20 man squad of IAB and a 4 man team of IPs from

[Redacted]. At approx 0030 we stopped a [Redacted] for curfew

violation infront of a mosque south of the [Redacted] intersection. We had the IPs conduct a search of the car
while IAB were pulling security with US forces. About

0055 the electricity in the area went out making the entire
area completely dark. I was in the TC's hatch of an M1141 in the
open protected mode (this limits visibility). Just before 0000 a call
came over the radio from another tank that a fast moving vehicle
was approaching from the south north. Dismounted US and IAB were able
to slow and stop the vehicle. Next thing I heard was multiple
AK fire in the area of the car. I also saw IAB soldiers converging
on the area. Then I saw a spotlight from one of the M1141s

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT

ADDITIONAL PAGES MUST CONTAIN THE HEADLINE "STATEMENT ______ TAKEN AT ______ DATED ______
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER
MUST BE INDICATED.

DA FORM 2823, DEC 1998
DA FORM 2823, JUL 72, IS OBSOLETE

16286
Shine down an alley way. This was followed by more AK fire and I saw 2 tracer rounds fire. I called contact contact East out. A few minutes passed and we started to get reports from the ground. I radioed all info to The vehicle was a Blue Opel Omega with 3 occupants. After the vehicle stopped a man with a back seat got out and ran to the east. IAB soldiers said they saw the man carrying a pistol. As the man ran the IAB shot multiple warning shots in the air to stop the runner. An M114 shined a spotlight down the alley and some of our IAB's said they saw the man stoped pointing his pistol in their direction. At which time 2 US men shot a few rounds along with The IAB striking the man in the head, killing him. The car was searched as the entire area was cordoned off. The vehicle with the remaining 2 people were detained. In the car was another pistol, propaganda, and photos some of which seem to be militants or terrorists related. We used the bomb test kit on the K24 and detainees. One of the detainees tested positive for TNT on his hands. We got the 3 mens names and at that time IIP's showed up. They took the body because it was in their AO. I had IIP's take the remaining 2 men. After all info had been received we began our return trip to the FOB. END OF STATEMENT
The following questions were asked by the investigating officer, after reading the statement of person A.

Q: (correct) You were inside your vehicle, and did not physically see the incident take place?
A: Correct

Q: Power was out in the local area at the time of the incident?
A: Yes

Q: Can you draw a sketch of the area at the time of the incident? (attached)
A: Yes

Q: Do you have anything to add to your statement?
A: No

END OF QUESTIONS

AFFIDAVIT

I, [Name], have read or have had read to me this statement which begins on page 1 and ends on page 3. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

[Signature of Person Making Statement]

Witnesses:

[Names of Witnesses]

[Organization or Address]

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of May, 2005, at [City].

[Signature of Person Administering Oath]

[Typed name of Person Administering Oath]

[Initials of Person Making Statement]

[Organization or Address]

[Investigating Officer]

[Authority To Administer Oaths]
SWORN STATEMENT

For use of this form, see AR 190-46; the proper forming 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

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 [REDACTED]

2. DATE (YYYYMMDD)
   20050624

3. TIME
   1356

4. FILE NUMBER
   [REDACTED]

5. LAST NAME, FIRST NAME, MIDDLE NAME
   [REDACTED]

6. SSN
   [REDACTED]

7. GRADE/STATUS
   [REDACTED]

8. ORGANIZATION OR ADDRESS
   D.C. 3-15 JAR

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

   On the night of 18 May 05, Our Patrol stopped a vehicle out after curfew. The time frame was around 0100 in the morning.
   while searching the vehicle the IAB was pulling security for us around the snap TCF.

   Since we had just pulled the vehicle over I had gotten out of my vehicle walking toward the one we had pulled over when I saw headlights coming up from behind me. I turned around to see that it was a blue Cpl citing that had driven right into our perimeter and stopped. As the car was stopping the IAB soldiers who was closer to the drivers than I was started shooting. The passenger jumped out of the car with a pistol on his hip, he started right and changed his mind, he then went left and run around the front of the car down toward an alley. The IAB was still shooting by this time the guy was out of my line of sight and the IAB fired shots in the air. I don't know who actually shot the guy but there were a lot of shots fired. The IAB could clearly see the guy running down the alley from their position. I do know that they fired shots in the air. After several shots was fired by several

10. EXHIBIT
    G

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 THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDIQUE.
Different people, not including myself, ran over to the car assuming that the runner had gotten away. I then searched the other two guys, who were in the car. The IAB had already taken them out of the car and searched them before I got there. They had found a pistol on one of those guys. So, I went on and proceeded down the alley where a lot of IAB soldiers had already gone. It was very dark down the alley. I walked maybe about 15/20 meters and an IAB soldier stopped me and pointed to the ground. I turned on my flashlight and saw the runner lying there dead. His pistol was drawn from his holster lying on the ground beside him. From that point we finished clearing the area and cuffed the other two guys. The convoy commander was then coordinating with China on further guidance. End of statement.

Q: (car) Were the IAB just shooting in the air, or did they appear to also shoot at the suspect?
A: (Sgt) I only saw them shooting in the air.
Q: About how long did this entire engagement take?
A: 15 seconds, 20 seconds maybe.
Q: The spot where the runner was lying, was it too dark to see clearly without lights or NVD's?
A: It was dark enough that it wasn't totally clear, I had to turn my light on to see the body on the ground, but I could see people standing up.
Q: Is there anything else you wish to add to your statement?
STATEMENT OF [Redacted] TAKEN AT [Redacted] DATED 30052529

9. STATEMENT (Continued)
   A. No. [Redacted]
   End of Questions [Redacted]

AFRDAVIT

1. [Redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(Signature of Person Administering Oath)

WITNESSES:

________________________________________

________________________________________

ORGANIZATION OR ADDRESS

________________________________________

________________________________________

ORGANIZATION OR ADDRESS

________________________________________

________________________________________

INITIALS OF PERSON MAKING STATEMENT [Redacted]

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24 day of May, 2005 at [Redacted].

(Signature of Person Administering Oath)

Typed Name of Person Administering Oath

Investigating Officer

Authority To Administer Oath

PAGE 3 OF 3 PAGES
SWORN STATEMENT
For use of this form, see AR 190-45; the proponent agency is ODCOPS

PRIVACY ACT STATEMENT

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<th>8. ORGANIZATION OR ADDRESS</th>
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<tr>
<td>E-5</td>
<td>D Co 3/15 INF</td>
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</table>

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

As we were conducting an after curfew search of a motor vehicle another motor vehicle came up the road headed south in the north bound lane. It was moving at a faster than regular speed so I turned my M141 gun tube into the path of the vehicle to slow it down and it did but it never stopped until, the 1AB squad and the American soldiers pulled the vehicle over with their weapons drawn. Then, once I saw that the vehicle was stopped. I immediately put my gun tube back where we were conducting our sector of responsibility (scanning). And that's when I heard the gunfire and guys take off after someone out of the vehicle running down an alley. At the same time I observed two men get on their knees with their hands up. And then that's when I radioed up what I saw to my platoon leader what I observed. And then my crew proceeded to continue scanning our sector as there was a crowd of Iraqis beginning to form up out the alley near my vehicle. I didn't see anyone get shot or do I know who shot what rounds. End of Statement.

10. EXHIBIT

<table>
<thead>
<tr>
<th>11. INITIALS OF PERSON MAKING STATEMENT</th>
<th>PAGE 1 OF 2 PAGES</th>
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT ______ TAKEN AT ______ DATED ______

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE INDICATE THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.
9. STATEMENT (Continued)

AFFIDAVIT

I, [redacted], 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.

(Signature of Person Making Statement)

Witnesses:

[Redacted]

Organization or address:

[Redacted]

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24th day of May, 2005 at [redacted].

(Signature of Person Administering Oath)

Typical name of person administering oath:

[Redacted]

Investigating officer:

[Redacted]

Authority to administer oath:

[Redacted]
We had pulled over for a stop TCP and I was covering an alley that was right beside where they (TCP) and some US forces were searching cars. The area we were in was a dark place so I was wearing my N odds. The area behind me was a black alley that was very big and had poor lighting. When the blue car arrived I didn't pay much attention to it. Then all of a sudden a man of shouting going onto my roof, so I swung my turret around to see what was happening. I saw a man with aclid shirt on running his hands yelling, then all of a sudden the man took off around the car area into the big open alley. I had began to fire shots at something. I couldn't make out where the guy was. There were a few guys running after back of the alley and one close. I grabbed my spot light and shone it into the alley for about 10 seconds. I had found the man they were bracketing and held him in the light for a few seconds. He appeared to have something in his hand, but I couldn't tell what it was. All of a sudden I heard a noise back behind me into the alley that I was covering, and figured that the man I was covering was being handled by enough people. I swung my turret around back to that alley and saw there were people there had heard the shots and watching the men of on. I cleared them out of the way and kept scanning my alley, since there was shooting had expired. End of Statement
1. _______ 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:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29 day of MAY, 2005 at

(Signature of Person Administering Oath)

[Typed Name of Person Administering Oath]

[Authority To Administer Oaths]

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES
**SWORN STATEMENT**

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

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<td>AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2851; E.O. 9397 dated November 22, 1943 (SSN).</td>
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<tr>
<td>PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately</td>
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8. **[Redacted]**, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the day of 28 May 05 around the time of 0100hrs, My Platoon was conducting a routine search of a vehicle for violating the curfew law when we spotted another violator coming down the North bound lane. When we spotted my platoon alone with IAB forces, we stop the vehicle. There were three men inside the vehicle. They all got out of the car. One of the men was seen with a weapon in his hand. Without any reason, the man ran inside the alley. That's when U.S. and IAB forces started firing at the man who fled from the scene. At first we believed the man had gotten away, later on searching the alley find the runner dead with the weapon alone inside his body. (End of Statement) **[Redacted]**

10. EXHIBIT J

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

**ADDITIONAL PAGES MUST CONTAIN THE HEADING “STATEMENT” TAKEN AT _____ DATED _____**

**THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.**
STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED 29 MAY 2005

9. STATEMENT (Continued)

AFFIDAVIT

I [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[Signature of Person Making Statement]

WITNESSES:

[REDACTED]

[Signature of Person Administering Oath]

[Typed Name of Person Administering Oath]

[Authority To Administer Oaths]

ORGANIZATION OR ADDRESS

[REDACTED]

[REDACTED]

INITIALS OF PERSON MAKING STATEMENT [REDACTED]
SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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<tr>
<td>Dec 3/5 INF</td>
<td>I was inside of my tank and was unable to see the situation</td>
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10. EXHIBIT: K

11. INITIALS OF PERSON MAKING STATEMENT

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.

DA FORM 2823, DEC 1988

DA FORM 2823, JUL 72, IS OBSOLETE

16299
I saw absolutely nothing. I was in a M2A2 tank in the gunner's seat.
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

ROUTINE USES:
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8. ORGANIZATION OR ADDRESS

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

During the incident I was inside our MILLY monitoring the radio. I got out of vehicle to take the explosive detection kit to my vehicle commander approximately 45 minutes after the incident.

END OF STATEMENT

10. EXHIBIT

M

11. INITIALS OF PERSON MAKING STATEMENT

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

PRIVACY ACT STATEMENT
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2. DATE (YYYYMMDD)
3. TIME
4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME

6. ORGANIZATION OR ADDRESS

7. GRADE/STATUS

8. WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was in the guard's station of the DIS tank and did not see anything that happened with the Blue Opel Omega.

End of Statement

9. 

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

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.

DA FORM 2823, DEC 1998 DA FORM 2823, JUL 72, IS OBSOLETE

16305
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**AFFIDAVIT**

I, the undersigned, do solemnly swear or affirm, and being first duly warned, that the following is a true and correct copy of the statement made by **name redacted**.

I have read and understand the contents of the entire statement made by the undersigned.

I have stated all correct information and have initialed the bottom of each page of the statement, not knowing or being aware of any other information.

I, at the date and time stated above, do solemnly swear or affirm, and being first duly warned, that I have not knowingly withheld any information.

I, the undersigned, do solemnly swear or affirm, and being first duly warned, that the following is a true and correct copy of the statement made by **name redacted**.

I have read and understand the contents of the entire statement made by the undersigned.

I have stated all correct information and have initialed the bottom of each page of the statement, not knowing or being aware of any other information.

I, at the date and time stated above, do solemnly swear or affirm, and being first duly warned, that I have not knowingly withheld any information.

**STATEMENT OF**

**DATE**

**TIME**

**PLACE**

**SIGNATURE OF PERSON MAKING STATEMENT**

**INITIALS OF PERSON ADMINISTERING OATH**

**SIGNED, SWORN TO BEFORE ME, A PERSON AUTHORIZED BY LAW TO ADMINISTER OATHS**

**DATE**
I was the driver of the D13 tank and did not witness the events in question. End of Statement.
STATEMENT OF ______________ TAKEN AT FOB DATED 29 May 2005

9. STATEMENT (Continued)

APPRIVAT

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 COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCTION.

(Signature of Person Making Statement)

WITNESSES:

________________________________________________________

________________________________________________________

ORGANIZATION OR ADDRESS

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ORGANIZATION OR ADDRESS

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________________________________________________________

INITIALS OF PERSON MAKING STATEMENT

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Around 11:30 on May 28, 1935, 3 personnel in a red vehicle # rushed the T.C.P. at sector 45 (Grid) according to the (I.N.G.) The American Forces were at that T.C.P. opened fire on their vehicle killing one man. The (I.N.G.) reported the personnel in the car had a pistol. After car was stopped tried running away and got fired on the other two men stayed in the car. Major Abed Bashar Abbas's and his names are ( ) and body is being held at police station. The (I.N.G.) officer in charge of T.C.P. is Wjo maj.
INTENT: To provide as much detailed information as possible, in order to help the learning process in the Battalion.

WHAT WE NEED: Paint a picture of exactly what happened on the morning of 28 May 05. It needs to be like the reader is right there. Talk about the following things:

- The “big picture” situation during the patrol

- Describe the area; was it very dark, or well lit? Lots of cover, or very open?


- Describe the suspect; threatening body language? Facial expression scared or threatening? Attempting to escape, or attempting to attack, or both?

- What actions did the suspect physically take? Did he say/shout anything?

- What set, actions, and indicators did the suspect show that showed him to be an immediate threat, and about to attack?

- The suspect was armed. What was he doing with his weapon?

- What was your thought process during this engagement?

- When the suspect was viewed to be hostile, who was he potentially hostile to?

SELECT PERSONNEL: DRAW A SKETCH, showing the location, the suspect, and friendlies, including distances and an exact location as you can make it.