Q: What measures did you take to warn the driver of the vehicle to stop?

A: We utilized headlights flashing, sirens and intercom system, and hand signals.

Q: When the driver of the vehicle failed to stop, did you determine the driver intended to harm or kill you and your fellow soldiers?

A: After the first warning shot and I realized that he wasn't going to stop, that's when I feared for our lives.

Q: How did the driver get the wound above his left eye?

A: I really don't know but my best guess would be when he fell out of the troop compartment and rolled down the ramp.

Q: Did any soldier hit, strike, or kick the detainee?

A: As far as I know, no soldier hit, struck, or kicked the detainee. I utilized the standard take down to pull him out of the vehicle and to the ground.
Q: Did any soldier ever push or throw this detainee to the ground?
A: No, to the best of my knowledge no soldier pushed or threw the detainee to the ground once he was in custody. I did utilize the standard techniques which includes lifting the detainee to the ground. This was done to search and control him.

Q: Is there anything else you’d like to add to this statement?
A: No.

APRIBAVIT
I have read or have had read to me this statement which begins on page 1 and ends on page 2. I fully understand the contents of the entire statement made by me. This statement is true, I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

WITNESS:

[Signature]

Subscribed and sworn to by me, a person authorized to administer oaths, this 1st day of October 2005.

CAMP

SIGNATURE OR ADDRESS

[Signature]

[Typed Name]

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT:

PAGE 2 OF 2 PAGES
On 30 Sept 05, at 1900, platoon section of our patrol base to conduct TCP's on Route [Redacted] and Route [Redacted]. While on RTE [Redacted], we stopped a older white vehicle with two military age males inside. After dismounting the Bradley, the dismounted infantry instructed the interrogator to tell the occupants of the white vehicle to come out. They did not. The interrogator yelled louder for the occupants to come out of their vehicle. The vehicle then started moving forward towards the dismounts and the BPU. SGT [Redacted] then fired a warning shot and I fired two warning shots on the ground. The vehicle then continued to move forward at high accelerates speed and the dismounts fired hard the vehicle while trying to take cover. Assuming the vehicle was a VATED, the dismounts took cover behind the BPU. The driver then pushed the BPU approach out of the vehicle and tried to drive off, running over the dead body in the process. My vehicle charged the vehicle and my platoon sergeant SSG [Redacted] dismounted the vehicle and pulled the driver out of his car. This ended our pursuit of the vehicle.
STATEMENT OF [Redacted] TAKEN AT [Redacted] DATED 1 Oct 05

9. STATEMENT (Continued)

AFFIDAVIT

1. I 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. THIS STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(Signature of Person Making Statement)

WITNESS:

[Redacted] Co-41 Intf

ORGANIZATION OR ADDRESS

(Subscribed and sworn to by me, a person authorized to administer oaths; this 15th day of Oct, 2005 at [Redacted] CPT

(Signature of Person Administering Oath)

Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES
Q: What measures did you take to warn the driver of the vehicle to stop?
A: The interpreter yelled at the driver to stop and exit the vehicle. Failing to do so, the driver continued towards our element and I fired two warning shots into the ground.

Q: When the driver of the vehicle failed to stop, did you determine the driver intended to harm or kill you and your fellow soldiers?
A: Yes, I assumed the vehicle was a UHIBD and was trying to get closer to the insurgents and my vehicle before detonation.

Q: How did the driver get the wound above his left eye?
A: I don't know. I'm the commander so I pay no attention to what's going on except scanning my sector.

Q: Did any soldier hit, strike, kick the detainee?
A: No, from what I saw the detainee was secured I then started scanning my sector.
Q: Did any soldier ever push or throw this detainee to the ground?
A: I DON'T KNOW, WHEN I SAW THE DETAINEE, HE WAS COFFERED, HIS SITTING ON THE GROUND.

Q: Is there anything else you'd like to add to this statement?
A: NO.

[natural text continues]

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. This statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat or punishment, and without coercion, unlawful influence, or unlawful inducement.

[Signature of Person Making Statement]

Subscribed and sworn to by me, a person authorized to administer oaths, this 1st day of October, 2005 at [redacted].

[Signature of Person Administering Oath]

Typed Name of Person Administering Oath

[Redacted]

Organizations or Address

Page 2 of 2 Pages
I am writing to explain the events that happened tonight.

At 1900 Bravo Section and 1st sgd conducted a Relax FCP patrol my team and I was in a vehicle (Plt Sgnt). The Bradley came to a halt and the ramp dropped, we got out including the interpreter. We went around to the front of the Bradley and there was a red car, really junky and old, pulled to the side of the road. I had the interpreter tell the 2 military aged males to get out of the car. They didn't listen. The interpreter asked again in a louder voice. Still no reaction, the interpreter shouted even louder to get out of the car and this time the sedan began to move towards us and we were approximately 15 to 20 meters away. I shot a warning shot at the ground to the left of the sedan. Also, the Bradley summer fired a warning shot at the ground. The sedan continued moving toward us this time. I had my rifle man fix into the grill of the car, the bullet had gone through and hit the passenger. At this point the vehicle began to back up, we thin were told by 366 to get cover behind the Bradley. It may be a VESD, he said. So we took cover and the car began moving forward again, but this time the driver turned the wheel as if he was heading in the other direction. He then pushed his buddy (the passenger) out of the vehicle. That was when we realized the passenger had been shot; when he pushed him out he ran the passenger over.

After the driver got fully turned around in the opposite direction, the Bradley pulls right up on the sedan and 366 gets the driver out of the car. And the 3 of us go and begin the search of the vehicle and the driver and passenger. After the search was complete we put the dead body into the body bag.
For use. this form, see AR 190-45, the proponent agency is USNCPS.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 261, Title 5 USC Section 865, E.O. 9397 dated November 22, 1943 (SSN).

PRINCIPLE PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately recorded.

ROUTINE USES: Your social security number is used as an additional/alternative means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

<table>
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<th>1. LOCATION</th>
<th>2. DATE (YYYY/MM/DD)</th>
<th>3. TIME</th>
<th>4. FILE NUMBER</th>
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<td>1902</td>
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5. LAST NAME, FIRST NAME, MIDDLE NAME

6. SSN

7. GRADE/STATUS

A/1-41 IN, 2-70 AR

Q: What measures did you take to warn the driver of the vehicle to stop?

A: When we exited the Bradley, I had the interpreter tell the driver to exit the vehicle. We directed the driver to get out again with a ladder. The driver started to get out but got back in. And proceeded to move toward us at a slow speed. The interpreter yelled 3 or 4 more times. The car continued to move toward us. Then the driver fired into the vehicle.

Q: When the driver of the vehicle failed to stop, did you determine the driver intended to harm or kill you and your fellow soldiers?

A: Yes, definitely. It wasn't paying any attention to the interpreter and the warning shots.

Q: How did the driver get the wound above his left eye?

A: When we arrived at camp, PFC [redacted] was in charge of watching the detainee. The back of the vehicle was packed with [redacted] personnel. The detainee was sitting on the floor facing the ramp. He was shot at while turning and bumping. I couldn't see much inside the Bradley. The Bradley stopped and dropped the ramp. I got out first, then PFC [redacted] helped the detainee by the arm and stood him up. Then the team worked on his legs. The legs gave out because they were wet, but the driver fired down the ramp. We picked him up and I noticed blood on his face and possibly a piece of glass from the shattered window of the car.

Q: Did any soldier hit, strike, kick the detainee?

A: No. Did not see anyone do any of the acts. Nothing follows.
Q: Did any soldier ever push or throw this detainee to the ground?
A: No, did not see anyone push or throw the detainee. Nothing follows.

Q: Is there anything else you'd like to add to this statement?
A: When we were at the I-C the detainee did fall again coming out of the loading onto his butt and back, it was the soldier getting in and out of the tank when the man tripped. Nothing follows.

Affidavit

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

(Signature of Person Making Statement)

Subscribed and sworn to by me, a person authorized to administer oaths, this 1st day of October, 2005 at Camp [redacted].

(Signature of Person Administering Oath)

Typed Name of Person Administering Oath

Article 126 (UCMJ)

(Authority to Administer Oaths)
I am writing to explain the events that happen tonight. At 19:00, our squad and Bravo section conducted a TCP patrol. We dropped Bombard. The car was at least 15 meters away from the Special Forces. A cop runs towards the car. The interrogator tells the driver and the passenger to exit the car. He tells them to stop at least 5 times at the top of the building. Neither of them (passenger or driver) exited the car (4-door). The car moves closer to us. There were 3 warning shots fired. 1 by Sgt. [redacted] and 2 by Sgt. [redacted] before I shot I (put in). Shot to kill. After we moved towards the back of the Brad in fear that the car was a JBIED. We didn't know that passenger was dead on. Tell the driver pushed the body out of the car back up, and in proceeding and the driver was pulled out the car.
I really don't know the question asked or answered because I was pulling security. Then we proceeded to being the detainee back to [redacted].