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UNCLASSIFIED

HEADQUARTERS

4a, (b)(2)High, (b)(3)
LSA Anaconda, Iraq, APO, AE 09354

(S)(C), (S)(C)

1.4a, (b)(2)High, (b)(3),

REPLY TO
ATTENTION OF:

COM (b)(2)High, (

(S)(C), (S)(C)

25 June 2006

MEMORANDUM FOR Major General James Thurman, Commander, Multi-National Division-Baghdad, Camp Liberty, Iraq

Subject: Result of Investigation – Actions on Objective (b)(2)High (S)

1. (U) On the morning of 6 June 2006 (b)(2)High forces executed a mission (b)(1)1.4a, (b)(2)High, (b)(3), (b)(6)

(b)(1)1.4a, (b)(2)High, (b)(3), (b)(6)

(S)(C)

(b)(1)1.4a, (b)(2)High, (b)(3), (b)(6)

During the mission two suspected non-combatants were killed and a third died later from injuries sustained as a result of (b)(2)High engagement, and a fire resulted which significantly damaged an unrelated residence. I directed an AR 15-6 investigation to determine whether the (b)(2)High conducted the mission within the rules of engagement and to determine the facts and circumstances of the collateral deaths and damage.

2. (S) After the objective was secured, the (b)(2)High determined that (b)(1)1.4a, (b)(2)High, (b)(3), (b)(6)

(b)(1)1.4a, (b)(2)High, (b)(3), (b)(6)

A helicopter identified an individual approximately (b)(2)High away fleeing from the (b)(2)High building.

(b)(1)1.4a, (b)(2)High, (b)(3), (b)(6)

the ground force commander (GFC) was reasonably certain the fleeing individual was the target,

(b)(2)High

As he fled away from the objective, the target individual fell into a ditch and emerged with a distinctive limp identifiable throughout the tracking event, which aided the (b)(2)High force in maintaining positive identification. A pursuit of the individual ensued and ultimately ended in close proximity to an unassociated house where the (b)(2)High linked up with another unidentified military aged male.

3. (S) The GFC authorized (b)(2)High to engage the fleeing target (b)(2)High

(b)(1)1.4a, (b)(2)High, (b)(3), (b)(6)

(b)(1)1.4a, (b)(2)High, (b)(3), (b)(6) Twice the (b)(2)High mission was cancelled by the GFC in order to reconfirm friendly and enemy positions and to avoid collateral damage to the nearby house. Once the target, still in close proximity to the unidentified military aged male moved away from the house, the (b)(2)High were cleared to engage. The (b)(2)High maneuvered to conduct the engagements to minimize risk to the house

(b)(1)1.4a, (b)(2)High, (b)(3), (b)(6)

Both (b)(2)High conducted (b)(2)High passes; each crew firing (b)(2) High and (b)(2) High on each pass. The flight lead estimates the two (b)(2)High he fired on his first engagement impacted (b)(2)High of his intended target. The flight lead reported a "huge secondary explosion" after

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(b)(2)High

JTF-CDR

SUBJECT: Result of Investigation – Actions on Objective 4a, (b)(6)

his first pass. Both the target and the unidentified military aged male were assessed to have been killed during the second pass, however, only one body was recovered.

4. (S) During the (b)(2)High engagement, a fire began in the northeast corner of the house. When the (b)(2)High force arrived at the house, they rescued the people in the house and conducted medical treatment for the wounded. Through an interpreter the GFC learned that a group of people were inside the house during the first (b)(2)High engagement. One dead adult female was found outside the house at the northeast corner. An (b)(2)High and (b)(2)High were injured (S)(L) as well and were evacuated to a nearby military medical facility along with an injured adult female. The (b)(6) and adult female were treated and released; (b)(6) was mortally wounded and succumbed to his injuries after surgery.

5. (S) Though not directly targeted by the (b)(2)High based on damage and post engagement fire in northeast corner of home, it is likely the house was struck by a (b)(2) High or the effects of a (b)(2)High striking in the vicinity of the house. Some of the injuries to (b)(6) who was killed (S)(L) and the wounded female appeared to have been caused not by (b)(2)High shrapnel but by surrounding materials like building stone. The investigating officer determined the commander and JTAC who issued the fires mission and clearance to fire possessed the authority to engage the target. The pilot, JTAC, and GFC exercised sound tactical decision-making and discrimination by calling off the fires mission twice to verify positions of personnel on the battlefield and to prevent unnecessary damage to the house and risk to non-combatants as the target approached the unassociated house. These decisions were reasonable under the time sensitive target circumstances. (b)(2)High, (b)(1)1.4a thus a (b)(L) (b)(2)High (S)(L)

Due to the intelligence and direct observations, all forces involved believed with reasonable certainty that the fleeing target tracked to the point of engagement was indeed from OBJ 4a, (b)(and (b)(1)1.4a, (b)(2)High. There were three collateral deaths associated with this incident, the (S)(L) unidentified male killed during the (b)(2)High engagement, the woman found dead outside of the house, and (b)(6) who died later. (S)(L)

6. (U) Based on the investigation findings, I directed a CERP condolence payment to the surviving family members. I also directed my subordinate task force commanders to conduct a (b)(2)High

(b)(3), (b)(6) (S)(L)
COL, IN
Commanding

Pages 3 through 8 redacted for the following reasons:

(b)(1)1.4a, (b)(2)High, (b)(3), (b)(6)

(b)(1), (b)(2)



(b)(1.4)a, (b)(2) High

Initial reports indicate the following:

(b)(1)1.4a, (b)(2)High, (b)(3), (b)(6)

were denied access by the residents, they were engaged by supporting aircraft. One was killed as he exited the house and the other was killed as he attempted to escape. Gunfire from the aircraft caused an explosion and ignited the house on fire. The other terrorists were subsequently captured in the immediate vicinity.

•Due to the terrorists' actions, several woman and children were placed in the line of fire. One woman was killed and two children were injured during the assault. The injured immediately received medical care on-site and were flown to a nearby military medical center for additional treatment.

-2 x EKIA. Body of 1 x EKIA was brought to the morgue.

-1 x Female non-combatant KIA, body brought to the morgue. Unclear as to the cause of death ATT.

-2 x non-combatant children WIA (1 x (b)(6) and 1 x (b)(6) child with a head wound – condition not known at this time). Both non-combatant WIA children and their mother were transported to the 10th CSH. The 5 other children (b)(6) were left with another family at the objective.

NOTE: All times below are ZULU.

20:43 - HAF departed [redacted] for OBJ [redacted] 1.4a, (b)(2)

20:59 - INFIL complete OBJ [redacted] 1.4a, (b)(2)

21:22 - OBJ [redacted] 1.4a, (b)(2) conducting callout

21:27 - Count 1 male, 3 Females, & 7 Children; OBJ secure

21:30

21:38

21:46

22:13

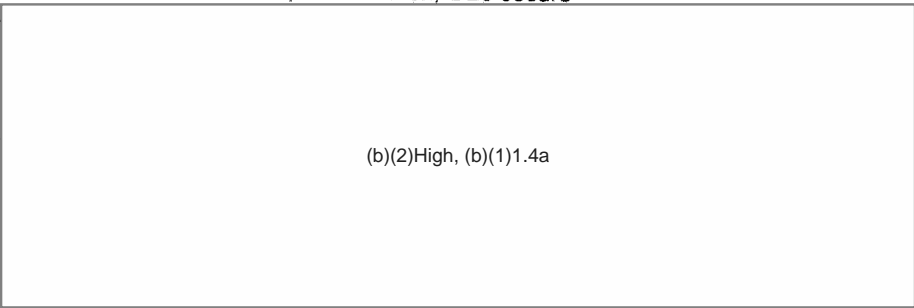
22:25

23:11

00:22

00:41

00:47



(b)(2)High, (b)(1)1.4a

(b)(2)



REPLY TO
ATTENTION OF:

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HEADQUARTERS
4a, (b)(2)High, (b)(3)
LSA Anaconda, Iraq, APO, AE 09354

(S)(1), (S)(2)

(2)High CDR

6 June 2006

MEMORANDUM FOR Major [redacted] HQ, [redacted] LSA Anaconda, Iraq APO, AE 09354

(S)(1), (S)(2)
(S)(2)

SUBJECT: Appointment of AR 15-6 Investigating Officer

1. ~~(S)~~ Appointment. You are hereby appointed an investigating officer pursuant to Army Regulation (AR) 15-6, Procedure for Investigating Officers and Boards of Officers, to conduct an informal investigation into the actions on OBJ [redacted] on 6 June 2006 resulting in civilian casualties, specifically, whether the use of force was appropriate. This investigation is your primary duty and takes precedence over all other duties assigned.

2. (U) Legal Orientation. Before you begin your investigation, you will receive a briefing from the Command Legal Advisor. Your legal advisor during the investigation will be Maj [redacted] (b)(3), (b)(6) [redacted] (b)(3), (b)(6) You will consult with the Legal Advisor representative regarding all aspects of this investigation, including preparing findings and recommendations.

(S)(1)

3. (U) Procedures. You are to conduct this investigation using the informal procedures outlined in Chapter 4, AR 15-6. No individual has been named as a respondent at this time. You are to thoroughly document all witness interviews in writing. Consult your legal advisor prior to advising anyone of his or her rights.

4. (U) Report of Investigation. The report of investigation should include findings on the following specific issues:

- a. (U) Determine the scheme of maneuver and key events that occurred on the objective.
- b. (U) Identify what element directed/authorized the [redacted] (b)(2)High and whether the decision was in accordance with the Rules of Engagement (ROE) and reasonable under the circumstances as known at that time.
- c. (U) Were the weapon effects confined to the target that was identified in the call for fire [redacted] (2)High request?
- d. (U) What caused the secondary explosions that resulted in the house catching fire?
- e. (U) Were there collateral deaths? How many? What was the proximate cause of these deaths?

[redacted] (b)(2)High, (b)(3), (b)(6)

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b)(2)High CDR

SUBJECT: Appointment of AR 15-6 Investigating Officer

f. (U) Make an appropriate recommendation as to whether coalition forces should make a condolence payment and/or express regret to the next of kin.

5. (U) Submit your findings and recommendations on a DA Form 1574 (Report of Proceedings by an Investigating Officer/Board of Officers) to me no later than 17 June 2006. Submit any requests for modification of this suspense or the scope of your investigation to me, through your legal advisor.

(b)(3), (b)(6)

(S)(4)

COL, IN
Commanding

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