

Findings

On 31 October 05, I was appointed as the AR 15-6 Investigating Officer responsible for investigating the circumstances surrounding the shooting of an Iraqi civilian on 31 October 05 in the city of Kirkuk by members of C Company, 2nd Battalion, 327th Infantry Regiment. I present these findings having interviewed the gunner who was directly responsible for the shooting, four soldiers from his platoon, and personally evaluating the incident site.

Prior to movement from FOB Warrior, [REDACTED] briefed the MNCI Rules of Engagement (ROE) to the convoy and [REDACTED] briefed the standards for Escalation of Force required for the upcoming patrol. [REDACTED] briefed the ROE in accordance with CFLCC/ MNCI smart cards. Prior to moving out, the patrol received an intelligence report stating to be on the lookout for a possible Suicide Vehicle Borne Improvised Explosive Device (SVBIED) in the form of a dark blue Opel. The convoy planned to travel to K1, meet with their IA counterpart company, and the return to FOB Warrior. ex 6

Upon completion of the mission at K1, the Charlie Company convoy began its movement back to FOB warrior at approximately 1645 traveling south along Route Dodge. The illumination was natural, given that there were no streetlights in the area. The vehicle in question, Bumper Number C14, was occupied with a crew from vehicle C16. Their vehicle was hit the previous day by an IED. It was the lead vehicle in the convoy. The crew of C16 consisted of the driver, [REDACTED] the TC, [REDACTED] the gunner, [REDACTED] the Platoon RTO, [REDACTED] and their interpreter, [REDACTED]. ex 6

During movement the convoy experienced some traffic vicinity of [REDACTED]. ex 2 At this time responded in accordance with one of their established TTPs by slowing down, flashing their lights and honking their horn. Both the driver and gunner motioned for the vehicles to pull off to the sides of the road. The local vehicles adhered, and began to pull off onto the shoulders of the two lane road. The shoulders of the road are at least one vehicle wide, allowing for more than enough room for traffic to shift over.

Most of the vehicles in the oncoming lane pulled off on to the shoulder of the road. If they did not pull completely onto the shoulder, they at least stopped moving and turned on their blinkers. As vehicles were pulling off the road, [REDACTED] and [REDACTED] all observed a car attempting to bypass the others. While the bypassing car was four to five vehicles ahead of C16, they noticed that it was a dark colored Opel similar to the description given during the morning's intelligence report. At the same time, another white vehicle swerved back onto the road and attempted to continue driving. [REDACTED] and [REDACTED] again signaled for these vehicles to pull off the road. [REDACTED] while standing up in the turret, signaled for both vehicles to pull over using a chem light that he was waving and by shouting at the vehicle. The white vehicle adhered and pulled back off the road in front of the dark Opel, but the dark Opel never pulled off. Rather he continued towards C16 in what appeared to be a collision course. None of the C16 crew members were able to see any of the occupants of the oncoming ex 6

vehicle. As the Opel continued on towards him, [REDACTED] continued to yell and then threw his chem light in the direction of the vehicle's path. The Opel continued towards C16 and it was at this time that [REDACTED] charged his weapon and oriented at the vehicles hood. The Opel still did not change its course and appeared to be accelerating. The vehicle continued closer and closer until finally [REDACTED] decided that the vehicle appeared to be getting too close and did not think it was going to stop. Though he had an M9 9mm pistol as an alternate weapon, did not use it. Instead, at approximately 20 meters away [REDACTED] fired a single round from his M2 at the dark Opel. It impacted high on the driver's side windshield and hit the driver in his right shoulder. Although [REDACTED] had been communicating with the driver to continue to flash his lights and honk his horn and pull off to the side of the road, he never gave any command to the gunner regarding engaging the vehicle. Ex6

The drivers name was Yussif Hassan Ibrahim; the other occupants of the car were his wife and two children. After engaging, C16 continued down the road for approximately two hundred meters when [REDACTED] called over his Icom radio to tell the convoy that they were turning around. When the HMMWV reached the now disabled vehicle, Yussif Hassan Ibrahim had already been taken out of the vehicle and moved approximately 20 meters away. Mr. Ibrahim was then taken to about 15m off the road to the 1/C/2-327 IN medic, [REDACTED] who administered First Aid. The bleeding was stopped, and at this time Mr. Ibrahim still had a pulse. He was then placed into a white civilian vehicle and was taken to Kirkuk General Hospital. At approximately 1925, the 2-327th IN CP received notice from [REDACTED] that Mr. Ibrahim had died as a result of his wounds. Ex6

Recommendations

Given all of the information that I have attained since my investigation of the circumstances surrounding the shooting of an Iraqi civilian in the city of Kirkuk by the members of C Company, 2nd Battalion, 327th Infantry Regiment, I make the following recommendations.

I recommend that no punitive action be taken against either [REDACTED] or [REDACTED] since the vehicle driven by Yussif Hassan Ibrahim acted in such a way as to be considered hostile. The vehicle also closely matched the description of a possible hostile vehicle that was in the C Company area of operations. [REDACTED] actions taken were within the MNC-I Rules of Engagement. [REDACTED] stated: You may engage the following individuals based on their conduct: (b) Persons who are exhibiting hostile intent towards CF. He also adhered to lines 2 and 2b regarding the use of Graduated Measure of Force, as well as line 3 regarding the defense of himself, his unit and friendly forces. Ex 6 Ex 2

I recommend that the family of the deceased receive condolence payment as soon as possible.

I recommend that the Battalion reviews, and if necessary revises its standards for engagement criteria to include lessons learned from this incident.

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 Ex 6 [REDACTED] LTC (Appointing authority)

on 31 OCT 05 (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 [REDACTED] OR Ex 2 at 1500 (Time)

on 01 NOV 05 (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.)

CPT [REDACTED] Investigating Officer Ex 6

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)

N/A

The (investigating officer) (board) finished gathering/hearing evidence at 1300 (Time) on 02 NOV 05 (Date)

and completed findings and recommendations at 1600 (Time) on 02 NOV 05 (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		

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.

	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 <input type="checkbox"/>)			
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?			
Object to the testimony of witnesses and cross-examine witnesses other than his own?			
c. Call witnesses and otherwise introduce evidence?			
Testify as a witness?			
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)?			
15. 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:

SEE ATTACHED MEMO

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

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

SEE ATTACHED MEMO

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.)

N/A
(Recorder)

[Redacted Signature] Ex 6
(Investigating Officer) (President)

N/A
(Member)

N/A
(Member)

N/A
(Member)

N/A
(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.)

N/A
(Member)

N/A
(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.)

All units will continue to review ROE + Escalation of Force using detailed vignettes based upon current conditions in sector.

Ex 6 [Redacted Signature] LTC

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Exhibit A - Findings, C Company Commander's Inquiry

Exhibit B - Incident Sketch provided by [REDACTED]

Exhibit C - Sworn Statement, [REDACTED]

Exhibit D - Sworn Statement, [REDACTED]

Ex6

Exhibit E - Sworn Statement, [REDACTED]

Exhibit F - Sworn Statement, [REDACTED]

Exhibit G - Sworn Statement, [REDACTED]

Exhibit H - MNC-I ROE Card

Exhibit I - Personnel note; Intel report taken by [REDACTED], given to [REDACTED]

Ex6



DEPARTMENT OF THE ARMY
2nd BATTALION, 327th INFANTRY (NO SLACK)
1st BRIGADE, 101st AIRBORNE DIVISION (AIR ASSAULT)
FORT CAMPBELL, KENTUCKY 42223-5185



AFZB-KA-H

31 October 2005

MEMORANDUM FOR: CPT [REDACTED] Ex6

SUBJECT: Appointment of Investigating Officer

1. You are hereby appointed an investigating officer pursuant to AR 15-6 and AR 380-5, paragraph 6-103, to investigate the circumstances surrounding the shooting of an Iraqi civilian in the city of Kirkuk [REDACTED] by members of C CO on 31 October 2005. Ex2

2. In your investigation, use informal procedures under AR 15-6. You will make findings and recommendations as to whether any violations of law, regulation, or policy occurred, who committed such violations, and if further investigation or action, if any, is appropriate.

3. If, in the course of your investigation, you suspect that certain persons may be responsible for violations of the Uniform Code of Military Justice (UCMJ), you must advise them of their rights under Article 31, UCMJ, using DA Form 3881. All statements will be sworn using a DA Form 2823.

4. Submit your findings and recommendations on DA Form 1574 to the Battalion S-1 within 10 days.

5. Point of contact for this memo is [REDACTED] Ex6, FOB Warrior, BLDG 295 :

[REDACTED] Ex6
LTC IN
Battalion Commander

1. DID LT [REDACTED] GIVE ANY OTHER COMMANDS
ISSUE COMMANDS DURING INCIDENT?

2. DID STORER HAVE ANOTHER WEAPON?

3. WHOSE ARE CREW MEMBERS PRESENT
WHEN CIG HIT IED DAY PRIOR?

4. OTHER THAN FENSHLICHIT WHAT ELSE
DID DRIVER DO?

* TAKE EACH CREW MEMBER TO SIDE
TO DETERMINE EXACT LOCATIONS &
ACTIONS.

5. HOW MANY PERSONS DID EACH CREW
MEMBER SEE IN VEHICLE?



DEPARTMENT OF THE ARMY

Charlie Company, 2nd Battalion, 327th Infantry Regiment
1st Brigade, 101st Airborne Division (Air Assault)
Fort Campbell, Kentucky 42223

AFZB-KA-CO-C

MEMORANDUM FOR COMMANDER, 2/327 IN

SUBJECT: Initial Commander's Inquiry Findings

At approximately 2100 31OCT05, a Commander's Inquiry was initiated for the shooting death of Yousif Hassan Ibrahim by an element of C/2-327th INF on Ex2 ██████████ in the Abu Shabi sector of Northern Kirkuk (██████████). Ex2 interviewed during the investigation where LT ██████████ (Platoon Leader of 1/C/2-327 and TC of M1114 bumper C16), SGT ██████████ (driver of C16), PFC ██████████ Ex6 (rear occupant of C16), and SPC ██████████ (gunner of C16). The initial findings of the inquiry are as follows:

1. At approximately 1700, a four vehicle element of 1/C/2-327 had completed a mounted patrol of K1 in northern Kirkuk and was enroute to FOB Warrior via Ex2 ██████████. Ex2 ██████████ is a two lane paved road with dirt shoulders on either side. The convoy was stated to have been traveling at a speed of approximately 35-40 MPH and had just passed approximately two kilometers south of the Ex2 village of Amu Shabi (██████████). As the convoy was traveling, civilian traffic pulled over to the side of the road in order to allow the M1114 HMMWV to pass. Ex6 SGT ██████████ also stated that when the traffic allowed it, the convoy traveled in the middle of the road to mitigate IED attacks. As the convoy passed south of Amu Shabi, a line of vehicles in the northbound lane (oncoming traffic) pulled to the far side of the road to allow the 1/C vehicles pass. However, one vehicle, a dark colored four door sedan, reportedly swerved to pass the pulled over northbound traffic and was heading directly towards the southbound 1/C element. SGT Ex6 ██████████ states that upon recognition of the oncoming vehicle, he flashed his highbeam lights and beeped the horn in order to warn to driver. LT ██████████ and Ex6 Ex6 SPC ██████████ stated that the vehicle made no indication to slow down as it was approaching the convoy.

LT ██████████ stated that the SPC ██████████ continued to get the attention of the Ex6 driver by waving a chemlight, shouting, and throwing a chemlight towards the vehicle. These methods proved unsuccessful and when the vehicle was within approximately 20m, SPC ██████████ fired one round with his .50 cal. The vehicle then Ex6 swerved to the left and the HMMWV moved further to the right until the vehicle passed along side. The convoy stopped, secured the area and searched the vehicle. Inside the vehicle were a middle aged male, a middle aged woman, and

two small children. The man was later identified to be YUSSIF HASSAN IBRAHIM, 35 y/o Turkoman from the village of Khumbatlar. A medic within the convoy rendered medical aid to YUSSIF HASSAN IBRAHIM, and he was loaded into a civilian vehicle and taken to the Azadi Hospital. At approximately 1930, C CP received notification that YUSSIF HASSAN IBRAHIM had died as a result of the gunshot wound.

Ex 6 2. LT [REDACTED] stated that, as part of the unit's PCIs for each patrol the ROE and escalation of force is covered in detail. This was also confirmed by SPC [REDACTED] Ex 6 who stated that the ROE was reviewed prior to departure of the patrol. SPC Ex 6 [REDACTED] stated that during hours of limited visibility, waving and throwing chemlights proved to be an effective method to gain the attention of vehicles that were approaching a convoy at perceived excessive speed. Additionally, this was a technique introduced to the soldiers in IED briefings taught by CFLCC soldiers while in Kuwait.

3. Based on the statements I have received and the interviews I have conducted with the soldiers, it is my opinion that their driving methods that YUSSIF HASSAN IBRAHIM executed in proximity to the convoy could be construed as being hostile. This is additionally more understandable considering that the units had received reports via FM of suspected SVBIED moving from Hawijah to the Kirkuk area. The actions of SGT [REDACTED] of beeping the HMMWV's horn and Ex 6 flashing the high-beam lights as well as SPC [REDACTED] waving and throwing Ex 6 chemlights indicate efforts to get the driver's attention. Additionally, statement indicate that the vehicle was within 20m of the HMMWV when SPC [REDACTED] fired Ex 6 the .50 cal, which indicates that the crew rendered every opportunity to allow the vehicle to change its course. It is my finding that SPC [REDACTED] was in compliance Ex 6 with the ROE during the engagement of YUSSIF HASSAN IBRAHIM's vehicle.

Ex 6 4. Several steps have been initiated to mitigate the effects of this incident. Firstly, LT [REDACTED] has been suspended of his responsibilities as platoon leader pending findings of this investigation. Also, the Police Chief of Arafar has been contacted via phone to pass on our condolences and apologies to the family for this incident. Additionally, a meeting with the police chief and myself has been arranged for the morning of 1NOV05 to express our apologies in person. The police chief was also informed of our investigation process we are undertaking as well as the suspension of the platoon leader for this incident. The police chief did not recommend contacting the family until after the funeral, which will be performed in a few days. Once it is deemed appropriate to do so, we will pay our respects to the family.

5. As a measure to ensure soldiers understand the ROE, leaders will continue to develop vignettes that force soldiers to think through situations that may be encountered in sector. It will be emphasized that there are multiple factors that we must consider when analyzing the threat vehicle traffic poses throughout our sector. For example, the combination of poor road conditions, local vehicle state

of disrepair, and the local's inherent aggressive driving habits, do not always indicate hostile intent towards our convoys. These factors are what we must also weigh into consideration as we develop the ROE and escalation of force for each isolated incident.

[REDACTED] JTB

CP, IN
Commanding

12711

Vehicle came to a stop

12711

stopped vehicles

Vehicle engaged moved from the left side to the center of the road. Round was fired. Vehicle continued on until it stopped in an open area off the road.

C17

30m ↔ 50m

C11

30m ↔ 50m

C15

30m ↔ 50m

Waldhirsch

C16

Icom message at U turn

to KA Westbound

To Tortuik Eastbound

Ex 6



SR 1000

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
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 Cco CP Fob Warren	2. DATE 2005 11 01	3. TIME 1505	4. FILE NO.
5. NAME (Last, First, MI) [REDACTED] Ex6	8. ORGANIZATION OR ADDRESS C Co, 2-327 IN		
6. SSN [REDACTED] Ex6	7. GRADE/STATUS 1LT		
8. ORGANIZATION OR ADDRESS 1st BDE, 101st ABN (AAFLT)			

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army _____ and wanted to question me about the following offense(s) of which I am suspected/accused: Incident that occurred on 31 OCT 05 vic Amv Shabi

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

I do not have to answer any question or say anything.
 Anything I say or do can be used as evidence against me in a criminal trial.
 (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

N/A.

Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE [REDACTED] 1LT Ex6	
1a. NAME (Type or Print) [REDACTED] Ex6 SGT	[REDACTED] Ex6	4. SIGNATURE OF INVESTIGATOR [REDACTED] Ex6	
b. ORGANIZATION OR ADDRESS AND PHONE C-2-327 Inf.		5. TYPED NAME OF INVESTIGATOR [REDACTED] Ex6 CPT	
c. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR 2-327 IN	

Section C. Non-waiver

1. I do not want to give up my rights
 I want a lawyer I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30, the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(b)
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 C Co CP FOB Warrior	2. DATE 20051101	3. TIME 1545	4. FILE NO.
5. NAME (Last, First MI) [REDACTED] Ex6	8. ORGANIZATION OR ADDRESS C-2-327 IN 2 nd BDE, 101 st ABN (AASLT)		
6. SSN [REDACTED] Ex6	7. GRADE/STATUS E-5/ACT		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army _____ and wanted to question me about the following offense(s) of which I am suspected/accused: the incident that occurred on 31 Oct 06 w/ Amn Shabi.

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

- I do not have to answer any question or say anything.
- Anything I say or do can be used as evidence against me in a criminal trial.
- For personnel subject of the UCMJ I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

For civilians not subject to the UCMJ I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)
n/a

Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (If available)		3. SIGNATURE OF SUSPECT/ACCUSED [REDACTED] Ex6	
a. NAME (Type or Print) [REDACTED] Ex6	b. ORGANIZATION OR ADDRESS AND PHONE C-2-327 IN	4. SIGNATURE OF INVESTIGATOR [REDACTED] Ex6	
5. TYPED NAME OF INVESTIGATOR [REDACTED] CPT Ex6		6. ORGANIZATION OF INVESTIGATOR 2-327 IN	

Section C. Non-waiver

1. I do not want to give up my rights
 I want a lawyer
 I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

3. ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

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: 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: Co CP FOB WARRIOR
2. DATE (YYYYMMDD): 2005 11 01
3. TIME: 1615
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED] Ex6
6. SSN: [REDACTED] Ex6
7. GRADE/STATUS: E4
8. ORGANIZATION OR ADDRESS: Co 2/327 INF 1ST BCT 101ST ABN (AIRASSAULT)
9. [REDACTED]

I, [REDACTED] TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
CONT'D FROM PLAZ Ex6
SENIOR GUNNER IN THE PLATOON AND CONDUCT MOST OF THE SUSTAINMENT AND FAMILIARIZATION CLASSES FOR THE GUNNERS IN THE PLATOON. I AM ALSO VERY FAMILIAR WITH ROE HAVING ATTENDED MULTIPLE CLASSES ON IT AND HAVING TAUGHT SEVERAL ON A SQUAD LEVEL. IAW PLATOON SOP I KEEP A COPY OF ROE ON MY PERSON AT ALL TIMES.

NOTHING ELSE FOLLOWS

NOTHING ELSE FOLLOWS

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT: [Signature]
PAGE 3 OF 3 PAGES

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.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF _____ TAKEN AT _____ DATED _____

STATEMENT (Continued)

[REDACTED]

NOTHING ELSE FOLLOWS

[REDACTED]

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. 9897 dated November 22, 1993 (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.

1. LOCATION: Co CP FOB WARRIOR
2. DATE (YYYYMMDD): 2005 11 01
3. TIME: 1615
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED] Ex6
6. SSN: [REDACTED] Ex6
7. GRADE/STATUS: E4

8. ORGANIZATION OR ADDRESS: Co 2/327 INF 1st BCT 101st ABN (AIR ASSAULT)

9. I, [REDACTED] Ex6, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 31 OCT 2005 WHILE ON CONVOY NEAR AMU SHABI EN ROUTE FROM [REDACTED] Ex2 TO FOB WARRIOR AT OR ABOUT 1700 HRS I ENGAGED A VEHICLE APPROACHING AT A HIGH RATE OF SPEED ON COLLISION COURSE WITH THE VEHICLE I WAS THE GUNNER FOR (C14) THE LEAD VEHICLE IN CONVOY. AT 1500 HRS WE RECEIVED A PATROL BRIEF FROM SSG [REDACTED] Ex6, THE PATROL LEADER CONSISTING OF:
- MISSION - TO SP @ 1530 TO KI FOR LEADERS BRIEFING W/ IRAQI ARMY OFFICIALS UTC AND RETURN TO FOB WARRIOR TO DROP OFF THE PLS VEHICLE AND CREW WHILE REMAINING ELEMENT CONDUCTED TCP CHECKS AND PATROLS IN AO.
- ACTIONS ON SMALL ARMS FIRE - CONDUCT APPROPRIATE BATTLE DRILLS IAW SOP
- ACTIONS ON IED - CONDUCT APPROPRIATE BATTLE DRILL IAW VEHICLE DAMAGE AND SOP
- ROLLOVER DRILLS - IAW SOP
- GUNNERS 3-5-25M SWEEP AT HALT.
- LOW WIRES
- ESCALATION OF FORCE/ROE - IAW ROE
- MEDEVAC - IAW SOP
WE CONDUCT SIMILAR CONVOY/PATROL BRIEFINGS BEFORE ANY CONVOY OR PATROL SPS.
BEFORE SP TIME, PFC [REDACTED] Ex6 WORTH REPORTED THAT A BLUE OPAC WAS SUSPECTED OF BEING A VBIED AND WAS ALSO SUSPECTED TO BE EN ROUTE TO KIRKUK AREA. THE PL, LT [REDACTED] Ex6 ALSO RESTATED THIS BEFORE SP. WE LEFT THE KI COMPOUND AT APRX 1645 HRS TO RETURN TO FOB WARRIOR. BEFORE LEAVING I MOUNTED MY PVS-14S IN THE EVENT OF AN EXTENDED ROUTE OR A BPT MISSION. I DO THIS BEFORE DUSK ON ANY PATROL OR MISSION FOR THAT REASON. MY VEHICLE (C14) WAS THE LEAD VEHICLE WITH MYSELF AS GUNNER WITH AN M2 BROWNING .50 CAL MG AS A PRIMARY WEAPON SYSTEM AND A 9MM AS A SECONDARY, PFC [REDACTED] Ex6 THE PL'S RTO, SGT [REDACTED] Ex6 THE DRIVER AND LT [REDACTED] Ex6 AS TC. WE ALSO HAD AN INTERPRETER. AT APRX. 1700 HRS APPROACHING OR WITHIN AMU SHABI AREA ON A TWO LANE HEADING GENERALLY SOUTHBOUND A VEHICLE TRAVELING NORTH APRX 5 TO 6 VEHICLES

10. EXHIBIT:
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED] Ex6
PAGE 1 OF 3 PAGES

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.

STATEMENT OF [REDACTED] TAKEN AT 11015 DATED 01 NOV 05

9. STATEMENT (Continued)

South, APRX 3 TO 400 M. BROKE OVER INTO OUR LANE OF TRAFFIC APPROACHING AT A HIGH RATE OF SPEED. IT WAS NOT YET DUSK, BEING TO LIGHT OUT FOR THE USE OF NVGs, I COULD ID THE VEHICLE AS A DARK COLORED OPAL WITH HEADLIGHTS ON, OR A VEHICLE SIMILAR IN APPEARANCE OF AN OPAL WITH LIGHTS ON. THE VEHICLE DID NOT RETURN TO ITS LANE WHEN OPPORTUNITY AROSE FOR IT TO DO SO. I THEN BEGAN TO WAVE A BLUE CHEM LITE WITH MY RIGHT HAND TO WARN THE VEHICLE BACK INTO ITS LANE. THE VEHICLE APPEARED TO ACCELERATE AND CONTINUE ON IN OUR LANE. [REDACTED] HONKED THE HORN AND FLASHED HIS LIGHTS AND THE VEHICLE TO CONTINUE ON A COLLISION COURSE. [REDACTED] EDGED OUR VEHICLE TO THE RIGHT AND CONTINUED TO FLASH HIS LIGHTS AND HONK THE HORN. THE VEHICLE CONTINUED TO CLOSE AT A HIGH RATE OF SPEED AND WAS AGAIN HEADING DIRECTLY AT US. I THREW THE BLUE CHEM LITE IN THE DIRECTION OF THE VEHICLE TO ATTEMPT TO GET THE ATTENTION OF THE DRIVER. THE CHEM LITE LANDED 20 TO 30M IN FRONT OF OUR VEHICLE. HAVING LITTLE TIME AND HAVING JUDGED THE SITUATION I DID NOT DRAW MY GMM. AS WELL AS THE GMM NOT BEING EFFECTIVE FOR STOPPING A VEHICLE, I AM A RIGHT HANDED FIRER AND WAS HOLDING AND THROWING THE CHEM LITE WITH MY RIGHT HAND. AFTER THROWING THE CHEM LITE THE VEHICLE CONTINUED WITHOUT DEVIATION. AT THIS TIME I PULLED THE TRAVEL-CARRIER PIN WHICH HOLDS THE M2 HORIZONTAL ON THE MK93 CARRIER "CRADLE" AND ORIENTED THE WEAPON SYSTEM ON THE HOOD OF THE VEHICLE. I COULD NOT SEE THE INTERIOR OF THE CAB DUE TO GLARE ON THE WINDSHIELD. I COULD HOWEVER SEE THAT THE HAD NOT AND SHOWED NO INTENTION OF RETURNING TO THE OTHER LANE DESPITE THE FACT THERE WAS ROOM TO. AT APRX. 30M I CHARGED THE M2. THE VEHICLE CONTINUED WITHOUT CHANGE. AT 15M OR LESS I ENGAGED. SEEING NO OTHER OPTION BUT TO STOP THE VEHICLE I FIRED A SINGLE ROUND AT THE HOOD. THE ROUND WENT HIGH AND HIT THE WINDSHIELD. ON IMPACT THE VEHICLE SWERVED TO THE LEFT AND OFF THE ROAD WHERE IT ROLLED TO A STOP. [REDACTED] SWERVED TO THE RIGHT AND MISSED THE VEHICLE BY LESS THAN A METER. I CHARGED THE M2 AGAIN TO EJECT A ROUND AND PLACED IT BELOW THE TRIGGER TO PLACE IT IN A "SAFE" STATE BEING AS HOW THE M2 HAS NO BOLT IN SAFETY. WE TURNED AROUND TO SECURE THE SIGHT AND COMPLETE ACTIONS ON THE OBJECTIVE. AFTER SECURING THE SIGHT I PLACED THE M2 INTO AN AMBER STATUS WHILE OUR PLT MEDIC [REDACTED] PERFORMED AID ON THE DRIVER WHO HAD BEEN INJURED. THE IRAQI POLICE ARRIVED AND SUPPLEMENTED OUR SECURITY AND ESCORTED THE CASUALTY TO THE LOCAL HOSPITAL. WE THEN RETURNED TO FOB WARRIOR.

NO COMMAND WAS GIVEN TO FIRE. I OPERATED IAW MY TRAINING, JUDGMENT AND ROE. I HAVE MORE THAN 12 MONTHS FAMILIARIZATION WITH THE M2 AS WELL AS MORE THAN 24 MONTHS WITH THE 240B MG. I AM THE

#Cont'D on 3#

INITIALS OF PERSON MAKING STATEMENT [REDACTED] PAGE 2 OF 3 PAGES

STATE THE FOLLOWING:

Ex6
156
2137 31 OCT 05
31 OCT 05 2139

ON 31 OCTOBER 2005 AT APPROX. 1700 HRS MY PLATOON (-) WAS ON ROUTE BACK TO FOB FROM K-1 ARMY FACILITY WHEN VEHICLE 4 TO 5 CARS UP TRAVELING IN THE OPPOSITE DIRECTION PULLED INTO THE LANE THAT MY VEHICLE, (214) THAT I WAS GUNNER FOR, WAS TRAVELING IN. THE VEHICLE APPEARED TO SPEED UP DIRECTLY IN LINE WITH US (T.C. LT [REDACTED], SGT [REDACTED], PFC [REDACTED] AND INTERPRETER [REDACTED]) THE VEHICLE ~~APPEARED TO BE~~ ^{APPEARED TO BE} ~~A~~ DARK COLORED "OPAL" WHICH HAD SIMILARITIES TO A REPORT GIVEN EARLIER OF A SUICIDE BOMBER/VBIED DESCRIPTION.

USED A CHEM LITE ATTEMPTING TO WAVE THE VEHICLE OFF WITH NO RESPONSE, I THEN THREW THE CHEM LITE TOWARDS THE VEHICLE, AGAIN WITH NO RESPONSE. I THEN PULLED THE TRAVEL CARRIER PIN IN THE MK93 CRADLE AND ORIENTED THE M2 .50 CAL AT THE VEHICLE'S HOOD. WHEN THE VEHICLE APPROACHED APPROXIMATELY 30 M, THE DRIVER ^(SGT [REDACTED] Ex6) EDGED TOWARD THE RIGHT OF THE ROAD, THE VEHICLE APPEARED TO CONTINUE ON A COLLISION COURSE, AND I CHARGED THE .50 CAL. AT ~~LESS~~ LESS THAN 15 METERS I ENGAGED THE VEHICLE, FIRING ONE ROUND THAT WENT HIGH INTO THE WINDSHIELD ABOVE THE HOOD. THE VEHICLE SWERVED TO OUR LEFT AS SGT [REDACTED] SWERVED TO THE RIGHT, MISSING US BY LESS THAN ^{Ex6} A METRE.

CHARGED THE .50 CAL AGAIN, USING THE EJECTED ROUND AS A SAFETY FOR THE WEAPON WE TURNED AROUND AND BLOCKED OFF THE ROAD WHILE DOC [REDACTED] ^{Ex6} ADMINISTERED AID TO THE OCCUPANTS OF THE VEHICLE. AFTER THE CASUALTY WAS EVAC'ED BY TRAFIC POLICE WE ^{12718 Ex6} ~~CONTINUED TO~~ ~~THE~~ ~~AREA~~ ~~OF~~ ~~THE~~ ~~ROAD~~ ~~LOCUS~~

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
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 C Co CP FOB WARRIOR	2. DATE 2005 11 01	3. TIME 1615	4. FILE NO.
5. NAME (Last, First, MI) [REDACTED] Ex6	8. ORGANIZATION OR ADDRESS C Co 2-327 INF		
6. SSN [REDACTED] Ex6	7. GRADE/STATUS E4		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army: _____ and wanted to question me about the following offense(s) of which I am suspected/accused: THE INCIDENT THAT OCCURED ON 31 OCT 05 VIC AMU SHABI

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:
 I do not have to answer any question or say anything.
 Anything I say or do can be used as evidence against me in a criminal trial.
 (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -
 (For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

COMMENTS (Continue on reverse side)

N/A

Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print) [REDACTED] Ex6		[REDACTED] Ex6
5. ORGANIZATION OR ADDRESS AND PHONE C-2/327		4. SIGNATURE OF INVESTIGATOR [REDACTED] Ex6
2a. NAME (Type or Print)		5. TYPED NAME OF INVESTIGATOR [REDACTED] Ex6
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR 2-327 INF

Section C. Non-waiver

1. I do not want to give up my rights
 I want a lawyer I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

We quickly stopped Traffic, dismounted, pulled security and moved toward the vehicle. The occupants (appeared to be occupants) of the vehicle were gathered around a male (middleaged) he was lying on his back. The occupants drug the body to our location as we approached. A vehicle stopped on the side of the road was used to load the male (middleaged man who turned out to be the driver) into the vehicle for transport to the hospital. We

Exb

asked if we could try to render aid utilizing our medic. [redacted] treated the victim. He stopped the bleeding. He stated a Girth laceration from the pectoral (right) area to the shoulder (right) was no longer bleeding. The victim had a shallow radial pulse and

Exb

[redacted] explained that they go to the hospital immediately.

Exb

My PTO (PVT [redacted]) took pictures of the moperable vehicle. The Wafa P.S. arrived and its Police Chief was informed by me of the situation. After contact info was disseminated we continued back to the FOB and arrived at the CCo CP

where we were given a mission by our CCo to escort the PA to Kirkuk General Hospital where he would ascertain as much info as possible. We accomplished

escorting [redacted] (CPT) Exb and upon arrival to the BN TOC was ordered by LTC [redacted] to return to my CP and link up with my CO. Exb

~~Nothing follows~~

~~LTC [redacted] Exb~~

Sworn statement of LT [REDACTED] 31 Oct 05 - Charlie Co - 1st PLT

Cx6

I, 1LT [REDACTED]

Cx6

1 platoon leader of Charlie

Company 2nd Battalion 1st BDE, am making this statement

in regards to the events which transpired in the

Amu Shabi sector of the Kirkuk AO. On or about

1700 31 Oct 05 my patrol of 4 M114s (COM: C14 C15, C11,

C17) was returning to FOB Warrior from the KA complex

along Route Dodge. During the patrol my vehicles

• stayed centeline along the road. Each vehicle and gunner

was flashing its lights and chem sticks to caution

approaching vehicles that a CF patrol was moving down

the RTE. As we moved thru Amu Shabi a

a series of vehicles heading toward us pulled

off of the side of the road (our left side). A few

vehicles stayed in the lane (our left) and switched on

their caution lights. A vehicle from the approaching lane

cautiously swerved into the right (our right) lane and

rapidly approached us within 50m my driver honked

the horn, flashed his lights (SGT [REDACTED] Cx6, my gunner (Spec [REDACTED] Cx6

and his chemlight, I heard him shout, he threw his

chemlight forward and to the left of my vehicle and

as the vehicle rapidly approached my driver moved my C14 M114

to the right lane (my right) the vehicle continued to approach

my convoy and as it approached my gunner fired one

round (50 cal) at the vehicle. The vehicle continued pass

my vehicle. I reported via ICOM to the other 3 M114s

that we were turning our convoy around to catch

the vehicle and pull it over. As we turned around and moved

toward the location of where 12721 was sacrificed we saw the

15 there
more?

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: 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: Co CP Feb Warrior
2. DATE (YYYYMMDD): 20051101
3. TIME: 1505
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: [Redacted] Ex6
6. SSN: [Redacted] Ex6
7. GRADE/STATUS: 1LT
8. ORGANIZATION OR ADDRESS: Feb Warrior


9. I, [Redacted] (1LT) Ex6, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
In regards to incident which took place on 31 Oct 05 around 1730. Z LT [Redacted] gave my driver SGT [Redacted] the commands to continue flashing his lights and to continue in honking his horn at the traffic heading our direction, specifically at the vehicle which veered to the center of the road [Redacted] accelerated towards us. My gunner SPC [Redacted] experienced on the SO cal (he was on Delta Company 187) did have another SO cal. He had a .9mm on his right hand side (leg holster), this was [Redacted] He was unable to utilize his .9mm due to the fact that the SO cal requires both hands. The crew of my vehicle (SGT [Redacted] SPC [Redacted] and my PTO [Redacted]) were present at the IED incident which occurred less than 24 hrs before. The incident (IED) was not brought up in my brief to my men on this next mission. SGT [Redacted] not only flashed his head lights but honked his horn, slowed his speed, and shifted right on the road. There weren't any occupants of the vehicle that were visible due to the head lights and lack of natural lighting. I don't recall if any street lights were on site. The ROE was briefed in the Patrol briefing 30 minutes prior to SP which was at (1500) 1530. The ROE card "MNC-1 ROE" CARD is carried and was carried on each of my men. [Redacted] and myself briefed ROE a Escalation of force. It was briefed that you are allowed to engage any persons who are exhibiting hostile intent towards CF. Graduated measures of force were briefed. Shout, Show, Detain, and to use Flashing lights, horn, chemlights BY using deadly force. My men know and have been briefed on Always attempting to minimize incidental injury, loss of life, and collateral damage. The vehicle was traveling out of Kirkcreek Northwest bound on [Redacted] Prior to SP we received a post-it note from our CP on a possible Suicide bomber in our AD driving a blue Opel. The bomber was briefed as being Frankfurt. The vehicle in the incident moved out of the left lane (our left) and was accelerating toward my convoy in the center of the road. The vehicle made no attempt to slow down, flash lights or move off to either side of the road. During the patrol all of my vehicles flash lights and honk horns to move traffic out of our path. This is a TTP we use on every patrol.


10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT: [Redacted] Ex6
PAGE 1 OF 2 PAGES

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.

STATEMENT OF  TAKEN AT 1505 DATED 20051101

9. STATEMENT (Continued) When the shot was fired and the vehicle passed our Convoy I relayed to all my TEL's via FCOM that we were turning around to watch the vehicle my gunner fired a Round at, and we would step the vehicle and search it. All acknowledged. The vehicle was easily within 20m when the gunner fired. The Soviet was on a MK43 mount.

nothing follows 

~~nothing follows ~~

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: 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: CCo CP FOB Warrior
2. DATE (YYYYMMDD): 2005 11 01
3. TIME: 1654
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: E-3
8. ORGANIZATION OR ADDRESS: CCo 2-327 INF 1BCT 101 ABN (AASLT)

9. [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
On 31 Oct 2005 I was on CCo Patrol team when we engaged a vehicle outside Anu Shabi. We were returning from the KI complex, & approaching a line of traffic. In accordance with the ROE brief we received prior to mission our Driver Sgt [REDACTED] & Gunner Spc [REDACTED] began to signal using horn, headlights, & chem lights to alert drivers to move to their right. As we began to signal the TC Lt [REDACTED] reminded Sgt [REDACTED] to hit his horn & lights. The horn & lights are used as the show & shove in Escalation of force for vehicles. During this time I could here the Gunner shouting to move over & saw him waving his chem light to the side of the road. The lighting was still natural of the setting sun, but most vehicles had their lights on. The vehicle we engaged had on their headlights making it impossible for me to see into the vehicle. All I could tell was it was a dark color compact. Prior to leaving we KI we were told there was a possible UBIED in the area in a Dark Blue Opel. When I saw the vehicle enter our lane & accelerate my only thought was we are about to hit and get blown up or we are going to engage. As I thought this I saw the gunners chem light hit in front of the car, then the report of the single round from the turret. After getting hit by the IED the prior night, at first I almost thought the vehicle next to us had exploded. The distance from us to the vehicle at the time of the shot was no more than 15m, 20m. Even with our Driver moving slightly right we still narrowly missed a head on collision. From my position in the vehicle I was unable to see what actions the trucks to our rear were taking. T

10. EXHIBIT:
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED] Ex6
PAGE 1 OF 1 PAGES

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 BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)



INITIALS ON MAKING STATEMENT

PAGE OF PAGES

Ex6

I [redacted] wish to make the following statement under oath.

Our Patrol was returning to Kirkuk & FOB Warrior from the KI complex on 31 OCT 2005. We were moving through an area just east of Mud Village when we encounter a line of traffic moving west. As our Convoy approached the gunner & driver (Spc [redacted] & Sgt [redacted]) started signaling traffic to move off to their right our left so we could pass. As the traffic started to move over a vehicle approximately 3 or 4 back came to the middle of the lanes & began to accelerate in our direction. The gunner continued to signal as the driver honked the horn & flashed our headlights. As the vehicle approached it made no move to the side or any sign he was slowing. My only thought as I saw him coming was that he was going to hit us - we were going to have to open fire. At that time I heard our gunner engage with a single round from his .50 cal. We had received a report just prior to leaving KI that there was a possible UBIED in the area being carried in a Blue Opel. We would tell the vehicle was a dark color & was heading directly for us. After the shot we proceeded approx another 10 sec. then turned around & came back to the scene to secure & render aid if needed. When we arrived people were pulling the man from his vehicle & carrying him to another one. It was in this second vehicle that our medic rendered aid & then sent the vehicle to the hospital.

Ex6

Ex6

Sgt

Ex6

Ex6

Ex6

[redacted]
10 OCT 05 2131

[redacted]
SSG [redacted]
31 OCT 05 2122

12726 [redacted]

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSORS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
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 <i>C Co CP FOB Warrior</i>	2. DATE <i>2005 11 01</i>	3. TIME <i>1654</i>	4. FILE NO.
5. NAME (Last, First, MI) [REDACTED]	8. ORGANIZATION OR ADDRESS <i>C Co 2-327 INF</i>		
6. SSN [REDACTED]	7. GRADE/STATUS <i>E3</i>	1 BCT 101 ABN (AASLT)	

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army and wanted to question me about the following offense(s) of which I am suspected/accused: The incident that occurred on 31 OCT 05 vic Annu Shabi

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

- 1. I do not have to answer any question or say anything.
- 2. Anything I say or do can be used as evidence against me in a criminal trial.
- 3. I or personnel subject of the UCMJ I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

None

Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE	
1a. NAME (Type or Print) <i>Sgt [REDACTED]</i>	[REDACTED]	[REDACTED]	[REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE <i>C 2/327</i>		4. SIGNATURE OF INVESTIGATOR [REDACTED]	[REDACTED]
2a. NAME (Type or Print)		5. TYPED NAME OF INVESTIGATOR [REDACTED]	[REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR <i>2-327 IN</i>	

Section C. Non-waiver

1. I do not want to give up my rights
 I want a lawyer I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

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: 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: CCO 2/327 CP
2. DATE (YYYYMMDD): 2005 11 02
3. TIME: 1145
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: E-6

8. ORGANIZATION OR ADDRESS: CCO 2/327 1ST FCB WARRIOR Ex6

9. [REDACTED] Ex6 WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 31 OCT 05 AROUND 1530 OUR PT, WAS GOING OUT ON PATROL UP NORTH TO K-1 ALONG [REDACTED] Ex2. PRIOR TO OUR PATROL I GAVE A CONVOY BRIEF WHICH INCLUDED THE CFLCC AOE AND THE TTP OUTLINE IN THE BASTOGNE HANDOUT. DURING THIS BRIEF LT. [REDACTED] Ex6 COVERED THE PLT SOP FOR ESCALATION OF FORCES WITHIN THE 5 S. DURING OUR BRIEF WE ALSO RECEIVED A REPORT ON POSSIBLE VBIED IN A BLUE OPEL IN OUR VICINITY. AFTER LEAVING THE K-1 TRAINING SIDE WE CAME BACK DOWN SOUTH ON [REDACTED] Ex2. IT WAS ROUGHLY AROUND 1700 STILL GOOD VISIBILITY FOR SEVERAL HUNDRED METERS, I WAS TC IN VEHICLE #2 MY GUNMENT WAS LOAD VEHICLE. DURING OUR CONVOY, PATROL VEHICLES WERE ACKNOWLEDGING OUR PRESENCE BY PULLING OFF TO THE SHOULDER OF THE ROAD. DURING THIS PATROL I WAS LOOKING AROUND WHEN I NOTICED THE GUNNER IN VEHICLE 1 WAS WAVING A CROWLIGHT

10. EXHIBIT:
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED] Ex2
PAGE 1 OF 2 PAGES

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 BE INDICATED.

STATEMENT OF [REDACTED] TAKEN AT Lea CT DATED 2 NOV 85

9. STATEMENT (Continued)

I THEN LOOKED TO MY 11 O'CLOCK WHEN I NOTICED A LATE MODEL PURPLE CAR SPEEDING VERY EXCESSIVELY IN THE DIRECTION OF OUR CONVOY, HE WAS BEHIND A LATE MODEL WHITE SEDAN, WITHIN SECONDS THE WHITE CAR PULLED OVER TO THE SHOULDER AND WAS ATTEMPTING TO STOP, THE VEHICLE IN THE LEAD THEN SEEMED TO MOVE TO THE CENTER OF THE ROAD WHILE GUNNER WAS STILL WAVING CHEMLIGHT. THEN I NOTICED THE PURPLE CAR RAN OFF THE ROAD AS IF HE WAS TRYING TO PASS THE WHITE CAR FROM THE SHOULDER, MY CREW THEN MADE THE REMARK LOOK AT THIS FOOL DRIVING LIKE A MANIAC, I THOUGHT HE HAD LOST CONTROL OF HIS VEHICLE. HE WAS MOVING SO FAST, I COULD NOT TELL HOW MANY PEOPLE WERE INSIDE, WITHIN A FEW SECONDS THE 6 ELEMENT CALLED UP AND SAID WE WERE TURNING AROUND TO SEE WHAT BECAME OF THE .50 CAL ROUNDS FIRED UPON THE VEHICLE. AS THE CONVOY WAS TURNING AROUND I ASKED MY GUNNER AND CREW IF THEY HEARD THE SHOT OR SAW ANYTHING THEY REPLIED NEGATIVE. WHY THE CAR WAS EXCESSIVELY SPEEDING AND NOT OBSERVING THE TRAFFIC PULLING OFF TO THE SHOULDER I CAN NOT EXPLAIN.

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

SSG

2128 31 OCT 65

1SF

2127 31 OCT 65

I [REDACTED] SSG U.S.A. [REDACTED]

WISH TO MAKE THIS STATEMENT UNDER OATH, AND OF MY OWN FREE WILL. ON 31 OCT 65 MYSELF WITH MY LT & PSG WERE PATROLLING OUR SECTOR UP NORTH AROUND K-1 & THE TOP 61. AROUND ON OR ABOUT 1745 ON 31 OCT 65 WERE WERE MOVING BACK DOWN SOUTH ON RTE DOGGE TOWARD THE 4 SWORD MONUMENT. DURING THIS MOVEMENT I WAS IN [REDACTED] ^{behind the} _{element} [REDACTED] WHEN I EX 2

NOTICED A VIOLAT/PURPLESS COLOR ~~RED~~ CAR AT A HIGH RATE OF SPEED TRYING TO PASS A WHITE ATE MODEL CAR IN FRONT OF IT. ALL OTHER VEHICLES/TRAFFICLERS WERE PULLING OFF TO SIDE & LETTING THE PATROL PASS. THIS VEHICLE IN QUESTIONED WAS MOVING EXCESSIVELY FAST TOWARD MY 6 ELEMENT AND HIS VECTOR, I THEN NOTICED HE CAR MANEUVERING OFF TO THE SIDE, AS IF HE LOST CONTROL. I THEN WAS LATER INFORMED THE .50 CAL POPPED A ROUND TO THE VEHICLE TO SLOW IT DOWN DUE TO RECENT ALERTS & FORCE PROCEDURES ON SUSPECT AND VEHICLES. THIS IS A CLEAR STATEMENT OF [REDACTED] EX 6

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
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: CCo CP FOB WARRIOR
2. DATE: 2005 11 01
3. TIME: 1147
4. FILE NO.
8. ORGANIZATION OR ADDRESS: CCo 2-327 W.
7. GRADE/STATUS: 1. BGT 101ST ABN (AIR ASSAULT)

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army and wanted to question me about the following offense(s) of which I am suspected/accused: THE INCIDENT THAT OCCURRED ON 31 OCT 05 VIC AMU SNGST

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:
I do not have to answer any question or say anything.
Anything I say or do can be used as evidence against me in a criminal trial.
For personnel subject to the UCMJ I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)
MA

Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (If available)
3. SIGNATURE OF INTERVIEWER: [Redacted] EX6
4. SIGNATURE OF INVESTIGATOR: [Redacted] EX6
5. TYPED NAME OF INVESTIGATOR: [Redacted] EX6
6. ORGANIZATION OF INVESTIGATOR: 2-327 W. IN.

Section C. Non-waiver

1. I do not want to give up my rights
I want a lawyer
I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

SWORN STATEMENT

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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: C Co CP FOB Warrior
2. DATE (YYYYMMDD): 2005 Nov 1
3. TIME: 1545
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: E-5
8. ORGANIZATION OR ADDRESS: C Co 2-327 Inf 1st BDE 101st Abn Div (AASLT)

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
The patrol was scheduled to leave the FOB at 1530. At 1500 the patrol leader [REDACTED] gave the patrol brief which included ROE and engagement criteria based on the last ROE card given to us. During the patrol brief all personnel involved in the patrol were present. The Patrol departed the KI site about an hour before dusk where as my vehicle (116) was the lead vehicle. We were heading Southeast at 35 to 40mph with a modest amount of oncoming traffic. It is our SOP to honk the horn and flashlights to encourage vehicles to push to the side of the road. Along our route [REDACTED] stated to continue flashing lights. There was a line of vehicles to my left side of the road pulled over for us to pass. Approximately 200m away 2 vehicles that were previously pulled over began heading toward our vehicle. Immediately I began flashing the lights and honking the horns. The first vehicle pulled back to the side of the road while the second vehicle kept moving toward us. Closing within 100 meters I heard [REDACTED] yelling at the oncoming vehicle. At no time could I see who or how many persons were in the vehicle due to the sun setting causing a reflection off the windshield of the closing vehicle. The vehicle was in the center of the road heading directly toward us and appeared not to be slowing down. The vehicle was 10-20 meters to our immediate front when I saw a tracer round go through the windshield of the vehicle, which caused the vehicle to veer hard to my left off the road. The patrol continued on about a hundred meters when [REDACTED] had me turn the patrol around. To the best of my knowledge [REDACTED] is knowledgeable and experienced with both the M2 and 9mm weapon systems.

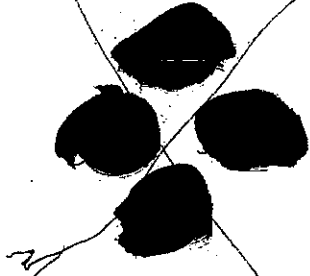
10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]
PAGE 1 OF 1 PAGES

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 BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)



INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

I SGT [REDACTED] would like to make the [REDACTED] following statement

While driving south, southeast from K1 traveling between 35-40mph I [REDACTED] was driving lead vehicle in the center of the road. Slower than the flow of Traffic I flashed lights and beeped the horn when vehicles did not pull to the side of the road. The road was clear 200m to the front with vehicles pulled off of the road and flashers on. Two vehicles on the left side of the road pulled back on the road and began driving again towards us. I flashed the lights and beeped the horn and the first vehicle immediately pulled back over. The second vehicle kept moving towards us looking as though gaining speed in the middle of the road avoiding the flashing lights and horn blasts. About 20m from the front of my vehicle [REDACTED] (the gunner), shot a 50cal tracer round through the windshield of the vehicle which immediately turned the vehicle left and off the road. We turned around to check out the situation and locals were pulling the man from the vehicle.

[REDACTED]
2132 - 31 OCT 05

EX6

[REDACTED]

EX6

[REDACTED]
[REDACTED]
31 OCT 05

EX1