



DEPARTMENT OF THE ARMY
 506TH REGIMENTAL COMBAT TEAM
 101ST AIRBORNE DIVISION (AIR ASSAULT)
 CAMP LOYALTY, IRAQ 09390



REPLY TO
 ATTENTION OF

AFZB-KG-CO

24 July 2006

MEMORANDUM FOR BCT CERP Condolence Program Approval

SUBJECT: Authorization of CERP Condolence Payment

1. GENERAL DESCRIPTION: This memorandum authorizes [redacted] *Ethegobin* to draw \$1,500 of CERP condolence money. The money will be used to pay a condolence payment to the family of [redacted]. The payee will be the [redacted] Kareem. *6*

2. DETAILS: On 10 July 2006, [redacted] was killed in an Escalation of Force incident by Coalition Forces during a combined Cordon and Search operation in [redacted]. The death creates emotional and financial hardships for the family. *2*

3. The CERP Paying Agent for this request is [redacted] OC can be reached via email at [redacted]. *6*

4. The finance office POC is [redacted]. *6*

5. POINT OF CONTACT: The point of contact for this request [redacted]. Condolence POC at [redacted]. *6*

[redacted] *6*

LTC, IN
 Commanding

[redacted] *6*

BCT Command Judge Advocate: Concur _____

Non-Concur _____

Comptroller (RDO): Concur _____

Non-Concur _____



[REDACTED]

DEPARTMENT OF THE ARMY
 HEADQUARTERS, 506TH REGIMENTAL COMBAT TEAM
 101ST AIRBORNE DIVISION (AIR ASSAULT)
 CAMP LOYALTY, IRAQ APO AE 09390



REPLY TO
ATTENTION OF

AFZB-KG-CO

24 July 2006

MEMORANDUM FOR Assistant Division Commander - Support, Multi-National Division-Baghdad, Camp Liberty, Iraq 09344-3029

SUBJECT: Legal Review of AR 15-6 Investigation – Escalation of Force Incident Occurring on 10 July 2006

1. I have reviewed the above-referenced investigation and find that the Soldiers' actions, which ultimately led to the shooting death of a local national on the night of 10 July 2006, were in accordance with the ROE. The Soldiers involved were searching a building for suspected kidnappers when several local national males were cleared out of the building. One of the local nationals then turned on the Soldier guiding him to the side of the building and committed a hostile act when he tried to forcibly take the Soldier's weapon. The local national was only prevented from taking the weapon because it was snap-linked to the Soldier's IBA. The local national then ran away from the Soldiers down an alley. The local national disobeyed repeated orders in Arabic to stop, a warning shot, and a nonlethal round fired at his abdomen. SPC Innes then tried to stop the local national by shooting him in the leg. Unfortunately, the shot caused excessive bleeding and the local national bled to death.

2. I recommend that the investigating officer's findings and recommendations be approved with the following exceptions/ substitutions:

a. The element involved will conduct EOF refresher training and recertification IAW MNC-I [REDACTED]

b. A CERP condolence payment will be made to the family of the deceased local national IAW MNC-I [REDACTED]

3. Point of contact for this memorandum is [REDACTED] Regimental Trial Counsel, [REDACTED] or SIP [REDACTED]

[REDACTED]

LTC (P), IN
Commanding



REPLY TO
ATTENTION OF

**DEPARTMENT OF THE ARMY
HEADQUARTERS, 506TH REGIMENTAL COMBAT TEAM
101ST AIRBORNE DIVISION (AIR ASSAULT)
FOB LOYALTY, IRAQ APO AE 09380**



AFZB-KG-DCO

22 July 2006

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Assumption of Command

By authority of AR 600-20, Para 2-8a(1), the undersigned assumes command of 506th
Regimental Combat Team, 101st Airborne Division (Air Assault), (WJIPAA) [REDACTED] [REDACTED] 2
[REDACTED] effective 22 July 2006.

[REDACTED]

LTC, IN
Deputy Commanding Officer



[REDACTED]

DEPARTMENT OF THE ARMY
HEADQUARTERS, 506TH REGIMENTAL COMBAT TEAM
101ST AIRBORNE DIVISION (AIR ASSAULT)
CAMP LOYALTY, IRAQ APO AE 09390



REPLY TO
ATTENTION OF

AFZB-KG-CO

17 July 2006

MEMORANDUM FOR Assistant Division Commander - Maneuver, Multi-National Division-
Baghdad, Camp Liberty, Iraq 09344-3029

SUBJECT: Legal Review of AR 15-6 Investigation – Escalation of Force Incident Occurring on
10 July 2006

1. I have reviewed the above-referenced investigation and recommend that the investigating officer's findings and recommendations be approved with the following exceptions/substitutions:

a. The element involved will conduct EOF refresher training and recertification LAW MNC-I
[REDACTED]

b. A CERP condolence payment will be made to the family of the deceased local national
LAW MNC-I [REDACTED]

2. Point of contact for this memorandum is [REDACTED] Regimental Trial Counsel,
[REDACTED]

[REDACTED]

COL, IN
Commanding



DEPARTMENT OF THE ARMY
HEADQUARTERS, BRIGADE TROOPS BATTALION
506TH REGIMENTAL COMBAT TEAM
101ST AIRBORNE DIVISION (AIR ASSAULT)
CAMP LOYALTY, IRAQ 09390



REPLY TO
ATTENTION OF

AFZB-KG-CO

11 July 2006

MEMORANDUM FOR [REDACTED] Headquarters, Brigade Troops Battalion, 506th
Regimental Combat Team, Camp Loyalty, Iraq 09390

SUBJECT: Appointment as Investigating Officer

1. You are hereby appointed an investigating officer pursuant to AR 15-6 to conduct an informal investigation into the escalation of force incident involving [REDACTED] Field Artillery Regiment, that occurred on or about 10 July 2006. During the escalation of force incident, a local national was killed. Your investigation will focus on the following areas:

a. What activity was the unit engaged in when the escalation of force occurred? What were the facts and circumstances that led to the escalation of force?

b. Did the escalation of force comply with the Rules of Engagement?

c. Was the escalation of force appropriate, given the facts and circumstances?

d. What is the name and address of the local national that was killed? Who is the local national's next of kin?

e. What, if any, corrective actions, training, or changes to procedures should be made in light of this incident?

2. In your investigation, all witness statements will be taken on paper and sworn to at your discretion using DA Form 2823. If you discover any suspected criminal misconduct you must first read the individual their Article 31, UCMJ Rights, prior to taking their statement. From the evidence, you will make findings as to whether any criminal laws or Army regulations have been violated. In addition to your findings, you will make recommendations for any appropriate action to be taken. These recommendations may include but are not limited to: UCMJ or administrative actions concerning one or more individuals, additional training, policy changes, etc. Conduct your investigation pursuant to AR 15-6. Additionally, seek advice from RCT Legal prior to commencing your investigation (VOIP 673-1104/1020).

3. Record your findings and recommendations utilizing DA Form 1574. Submit your investigation packet to this headquarters NLT 1700 16 July 2006. Any requests for an extension should be made to me verbally or in writing.

[REDACTED]
COL, IN
Commanding

12810

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 [REDACTED] 506TH REGIMENTAL COMBAT TEAM
(Appointing authority)

on 11 Jul 06 (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] at 1900
(Place) (Time)

on 12 Jul 06 (Date) (If a formal board met for more than one session, check here . Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

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

The (investigating officer) ~~(board)~~ finished gathering/hearing evidence at 2045 on 13 Jul 06
(Time) (Date)
and completed findings and recommendations at 1800 on 15 Jul 06
(Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

		YES	NO ¹⁾	NA ²⁾
1	Inclosures (para 3-15, AR 15-6)			
	Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)			
	a. The letter of appointment or a summary of oral appointment data?		X	
	b. Copy of notice to respondent, if any? (See item 9, below)			X
	c. Other correspondence with respondent or counsel, if any?			X
	d. All other written communications to or from the appointing authority?			X
	e. Privacy Act Statements (Certificate, if statement provided orally)?			X
	f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?			X
	g. Information as to sessions of a formal board not included on page 1 of this report?			X
	h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?			X

FOOTNOTES: 1) Explain all negative answers on an attached sheet.
2) Use of the 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?			
	c. Object to the testimony of witnesses and cross-examine witnesses other than his own?			
	d. Call witnesses and otherwise introduce evidence?			
	e. Testify as a witness?			
	f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?			
14	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?			
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:

a. What activity was the unit engaged in when the escalation of force occurred? What were the facts and circumstances that led to the escalation of force?

1. On 10 July 2006, HHB 4-320th FAR was given a mission to conduct a cordon and search of 3 objectives in [redacted] in the district of Zaphyrnia to search for a 10-14 year old female who was allegedly abducted and raped by local national males (Exhibits 1, 2, 3, 4). The mission derived from a tip the 4-320th S2 received while attending a local District Advisory Council (DAC) meeting. [redacted] commander of HHB 4-320th FAR, planned the mission by task organizing 3 four-man assault teams to conduct a cordon and search of the 3 objectives (Exhibit 1). One team comprised of [redacted] (team leader), [redacted] and [redacted] arrived at the target location and conducted a search of Objective C that included searching the structures in that area with nothing significant to report at that location. Upon clearing the objective the 4 man team moved north through a wooded area looking for a weapons cache and making their way towards Objective A.

2. Upon arriving at the road in front of Objective A, [redacted] was detected by 2 local national males who promptly entered an established that was later identified as a billiard room (Exhibit 4). [redacted] ordered his team to that location because of the suspicious nature of the local nationals and proceeded to clear the room of the local nationals. [redacted] cleared the room with only himself and [redacted] because of the small size of the room. [redacted] and [redacted] remained outside to control the exiting local nationals. While exiting the billiard room a few local nationals attempted to flee the scene to include a male later identified as [redacted]. In his attempt to flee, the local national was interdicted by SPC Law when the LN grabbed the muzzle of SPC Law's weapon in an attempt to wrestle it from his possession (exhibits 3, 4, 5, 11, 12, 13, 14) before disengaging and fleeing the scene through an alley adjacent to the billiard room. The LN was unable to disarm [redacted] because of his resistance and because the weapon was "snaplinked" to his IBA (exhibit 13). The assault team pursued the local national into the alley yelling in Arabic for the LN to stop (exhibits 3, 4, 5). When the LN refused to stop [redacted] fired a warning shot that struck a large bus that was parked in the alley followed immediately afterwards by a non-lethal round that was fired by [redacted] (exhibits 3, 4, 5, 6). The non-lethal round struck the LN in the lower abdomen but the LN continued to flee the scene. After the first two shots were fired [redacted] fired a disabling shot at the LN which struck him in the leg. The LN collapsed to the ground and was approached by the team who subsequently called for a medic and pulled security. [redacted] approached the scene with [redacted] and [redacted] and instructed the team to continue their mission in the target area. A medic arrived on the scene to perform aid on the LN but was not able to sustain his life.

b. Did the escalation of force comply with the Rules of Engagement: The EOF did not fully comply with the MND-B ROE dated 2 July 06 (exhibit 7) because the soldier fired a disabling shot that is not authorized when engaging dismounted enemy. Only lethal shots are authorized. The LN did, however, commit a hostile act by using force while attempting to disarm [redacted] and the attack team was able to maintain PID with the LN throughout the EOF procedures. The LN made no attempt to surrender after committing the hostile act and continued to flee despite EOF procedures taken to try and detain the LN (exhibit 8).

c. Was the escalation of force appropriate given the facts and circumstances: Yes. The soldiers of the assault team shouted in Arabic (which was demonstrated to me during the interviews), showed intent to use their weapons by aiming the weapon at the LN in a shooters position, shot a non-lethal and warning shot at the LN and finally rendering an aimed shot delivered by [redacted] that fatally injured the LN. The EOF was technically executed in the wrong order because a warning shot was fired prior to the non-lethal round but this is acceptable because [redacted] did not possess a non-lethal round and performed the next step in the EOF which was to fire a warning shot.

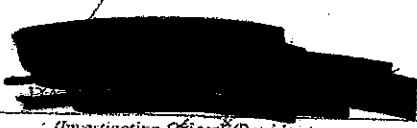
SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

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

The actions taken by the assault team were IAW the EOF and ROE training they have received and discuss prior to going out on each mission. 4-320th FAR is currently conducting ROE refresher training for the entire Battalion IAW RCT FRAGO. Training should highlight that a disabling shot is only intended for vehicles (exhibit 9) because each soldier interviewed described [redacted] shot as a disabling shot. No further training or corrective action is required based upon current ongoing training. Sustain EOF and ROE briefings that occur prior to each mission conducted by this unit.

SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)

(Recorder)	 6 (Investigating Officer/President)
(Member)	(Member)
(Member)	(Member)

SECTION VII - MINORITY REPORT (para 3-15, AR 15-6)


To the extent indicated in Inclosure _____, the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

(Member)	(Member)
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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.)

I approve the findings and recommendations that this action was within the ROE. I remand all other recommendations to the BDE CDR to take action as he deems appropriate.

David D. Halverson 31 JUL 2006
 6
 Brigadier General, US Army
 Deputy Commanding General (Support)



DEPARTMENT OF THE ARMY
 Headquarters, Brigade Special Troops Battalion
 506th Regimental Combat Team, 101st Airborne Division (Air Assault)
 Forward Operating Base Loyalty, Iraq
 APO, AE 09390-1505



REPLY TO
ATTENTION OF:

AFZB-KG-L-CO

15 July 06

MEMORANDUM FOR Commander, 506th Regimental Combat Team

SUBJECT: Investigating Officer's Report – Escalation of Force Occurring 10 JUL 06

1. Pursuant to AR 15-6, I have conducted an informal investigation into the escalation of force incident involving ██████████ of HHB, 4-320th Field Artillery Regiment, that occurred on the evening of 10 July 2006. My findings are as follows: 6

a. What activity was the unit engaged in when the escalation of force occurred? What were the facts and circumstances that led to the escalation of force?

1. On 10 July 2006, HHB 4-320th FAR was given a mission to conduct a cordon and search of 3 objectives in ██████████ in the district of ██████████ to search for a 10-14 year old female who was allegedly abducted and raped by local national males (Exhibits 1,2, 3, 4). The mission derived from a tip the 4-320th S2 received while attending a local District Advisory Council (DAC) meeting. ██████████ commander of HHB 4-320th FAR, planned the mission by task organizing 3 four-man assault teams to conduct a cordon and search of the 3 objectives (Exhibit 1). One team comprised of ██████████ (team leader), ██████████ and ██████████ arrived at the target location and conducted a search of Objective C that included searching the structures in that area with nothing significant to report at that location. Upon clearing the objective the 4 man team moved north through a wooded area looking for a weapons cache and making their way towards Objective A. 6

2. Upon arriving at the road in front of Objective A, ██████████ was detected by 2 local national males who promptly entered an established that was later identified as a billiard room (Exhibit 4). ██████████ ordered his team to that location because of the suspicious nature of the local nationals and proceeded to clear the room of the local nationals. ██████████ cleared the room with only himself and ██████████ because of the small size of the room. ██████████ and ██████████ remained outside to control the exiting local nationals. While exiting the billiard room a few local nationals attempted to flee the scene to include a male later identified as ██████████. In his attempt to flee, the local national was interdicted by ██████████ when the LN grabbed the muzzle of ██████████'s weapon in an attempt to wrestle it from his possession (exhibits 3,4,5,11,12,13,14) before disengaging and fleeing the scene through an alley adjacent to the billiard room. The LN was unable to disarm ██████████ because of his resistance and because the weapon was "snaplinked" to his IBA (exhibit 13). The assault team pursued the local national into the alley yelling in Arabic for the LN to stop (exhibits 3,4,5). When the LN refused 6

AFZB-KG-L-CO

SUBJECT: Investigating Officer's Report – Escalation of Force Occurring 10 JUL 06

to stop [REDACTED] fired a warning shot that struck a large bus that was parked in the alley followed immediately afterwards by a non-lethal round that was fired by [REDACTED] (exhibits 3,4,5,6). The non-lethal round struck the LN in the lower abdomen but the LN continued to flee the scene. After the first two shots were fired [REDACTED] fired a disabling shot at the LN which struck him in the leg. The LN collapsed to the ground and was approached by the team who subsequently called for a medic and pulled security. [REDACTED] approached the scene with [REDACTED] and instructed the team to continue their mission in the target area. A medic arrived on the scene to perform aid on the LN but was not able to sustain his life.

b. Did the escalation of force comply with the Rules of Engagement: The EOF did not fully comply with the MND-B ROE dated 2 July 06 (exhibit 7) because the soldier fired a disabling shot that is not authorized when engaging dismounted enemy. Only lethal shots are authorized. The LN did, however, commit a hostile act by using force while attempting to disarm [REDACTED] and the attack team was able to maintain PID with the LN throughout the EOF procedures. The LN made no attempt to surrender after committing the hostile act and continued to flee despite EOF procedures taken to try and detain the LN (exhibit 8).

c. Was the escalation of force appropriate given the facts and circumstances: Yes. The soldiers of the assault team shouted in Arabic (which was demonstrated to me during the interviews), showed intent to use their weapons by aiming the weapon at the LN in a shooters position, shot a non-lethal and warning shot at the LN and finally rendering an aimed shot delivered by [REDACTED] that fatally injured the LN. The EOF was technically executed in the wrong order because a warning shot was fired prior to the non-lethal round but this is acceptable because [REDACTED] did not possess a non-lethal round and performed the next step in the EOF which was to fire a warning shot.

d. What is the name and address of the local national that was killed? Who is the local national's next of kin? With help of the Iraqi Police, [REDACTED] identified the LN as [REDACTED] who lived a few hundred meters down the street from the objective (exhibit 2). The IPs helped [REDACTED] provide a claims card for the family and instructions on how to use the card. Names of the next of kin and a street address are not available.

e. What, if any, corrective actions, training, or changes to procedures should be made in light of this incident? The actions taken by the assault team were IAW the EOF and ROE training they have received and discuss prior to going out on each mission. 4-320th FAR is currently conducting ROE refresher training for the entire Battalion IAW RCT FRAGO. Training should highlight that a disabling shot is only intended for vehicles (exhibit 9) because each soldier interviewed described [REDACTED] shot as a disabling shot. No further training or corrective action is required based upon current ongoing training. Sustain EOF and ROE briefings that occur prior to each mission conducted by this unit.

2. A table of contents and all exhibits are attached. POC for this investigation is [REDACTED] or [REDACTED]

AFZB-KG-L-CO

SUBJECT: Investigating Officer's Report – Escalation of Force Occurring 10 JUL 06

APPOINTING AUTHORITY'S
ACTION

APPROVAL/DISAPPROVAL
COMMENTS



COL, IN
Commanding

6

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Exhibit 5: Sworn Statement [REDACTED] 6

Exhibit 6: Sworn Statement [REDACTED] 6

Exhibit 7: MND-B Rules of Engagement

Exhibit 8: 506th RCT ROE Refresher Training Slide #20

Exhibit 9: 506th RCT ROE Refresher Training Slide #22

Exhibit 10: SIR

Exhibit 11: Sworn Statement #2 [REDACTED] 6

Exhibit 12: Sworn Statement #2 [REDACTED] 6

Exhibit 13: Sworn Statement #2 [REDACTED] 6

Exhibit 14: Sworn Statement #2 [REDACTED] 6

10 2100 0053L JUL 06 HHEGR FSC QRF AND IA MP Combined Cordon and Search

REL TO USA IRQ and MCH/20160711
For display only to IRQ

BILLIARD
SHALL

LOCATION OF
SHOOTING

A

B

C

SUMMARY
Combined Cordon and Search

WHO: HHB QRF, FSC QRF, and IA MP
WHAT: Conducted combined cordon and search

WHERE: [REDACTED]
WHEN: 10 2100 - 0053L JUL 06
WHY: IOT locate reported kidnapping/rape victim

MISSION OF UNIT
T - Conduct combined cordon and search
P - IOT locate reported kidnapping/rape victim, disrupt kidnapping cell.

TIMELINE OF EVENTS

- * 102100: PALEHORSE (HHB QRF) SP FOR OBJECTIVE AREA.
- * 102111: SCALPER (FSC QRF) SP FOR OBJECTIVE AREA.
- * 102235: OSC REPORTED ALL 3 OBJ AREAS CLEAR, NO KIDNAP VICTIM FOUND.
- * 102239: OSC REPORTED FROM OBJ THAT 18 LNS HAVE BEEN DETAINED FOR TACTICAL QUESTIONING
- * 102240: OSC REPORTED SHOTS FIRED RESULTING IN 1 X LN KIA; INVESTIGATION BEING CONDUCTED.
- * 102315: 4/A 4-320 ESCORTS 1 X PLT OF IP TO THE SCENE.
- * 100315: UNITS BEGIN DEPARTING OBJ AREA
- * 100653: ALL UNITS HAVE RETURNED TO FOB LOYALTY.

SUMMARY:
TTC COMBINED CORDON & KNOCK CONDUCTED
O/S KIDNAP VICTIM FOUND
18 LNS TACTICALLY QUESTIONED AND RELEASED
1 X LN KIA
0 X BS/SF INJ

Exhibit 1

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: 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 Loggity
2. DATE (YYYYMMDD): 20060713
3. TIME: 2057
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: O3/ACTIVE
8. ORGANIZATION OR ADDRESS: HHTB / 4-320 FFR, 506TH ROT, 101ST ABN DIV (ASLT) APO AE 09323

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

ON 10 July 2006 my battery was given a mission to conduct a cordon and search of 3 farm houses in [REDACTED] I received the WARNORD at approx. 1900 and issue my OPORD at 1945. I tasked my HHTB QRF platoon as the assault element, which task organized into three 4 man assault team each responsible for a specific target house. I tasked my G/801ST QRF platoon as the support element, in charge of the inner cordon, EPW collection and CASEVAC. The objective area was comprised of 3 target houses and a large field between them. I had coordinated with the acting A/4-320th commander to have the IA patrol he was currently using that night (on a separate mission) meet me at my objective to establish the outer cordon.

At 2100 the assault platoon SP1d followed by the support platoon at 2110. I was located with the support platoon. The assault platoon began their infiltration at 2130 and was at their assault by fire position at 2150, the support element was staged along RFE wild just to the east of the target. The assault began at approximately 2205


10. EXHIBIT: 2
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 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  ⁶ TAKEN AT Fos loyalty DATED 13 July 2006

9. STATEMENT (Continued)

The time was now 2230. The medics continued to attempt to save the Lwi's life, but expired at approx. 2240. I called the SITREP in to my Bw TOC who sent the SMC to BDF. The body was moved to the corner of the objective 1st maintain security. IP's arrival at 2330. I had identified the man as  ⁶ who lived a few hundred meters down the street from the objective. The IP officer agreed to take possession of the body and to NOTIFY his family. I gave the IP a claims card and INSTRUCTIONS as how the family could file a claim for compensation. He departed for FOB loyalty at 0030 and arrived at 0100. NOTHING follows. ~~_____~~

INITIALS OF PERSON MAKING STATEMENT 

PAGE 2 OF 3 PAGES

STATEMENT OF [REDACTED] TAKEN AT Fob Logally, DATED 13 July 2006

9. STATEMENT (Continued)

and the support element arrived on the objective at approx. 2310. The IA element was ~~not~~ delayed, and did not arrive until 2315. As I entered the objective area, positioned myself near the center house (035 BT) I dismantled and heard a single gun shot to my rear. Myself, the G/801st PL ([REDACTED]) and the G/801st ISS ([REDACTED]) ran towards the sound of the shot. We approached a dark alley that had a large bus parked in it. I first encountered [REDACTED] who told me a CW male was shot by [REDACTED]. I next saw [REDACTED] who I asked "why did you shoot the guy?" He told me that the CW male tried to grab [REDACTED]'s weapon and refused orders to halt when pursued. He further stated that CW appeared to have a weapon in his hand. I called for a medic and order [REDACTED] to take his team back to the TGT Area and continue mission. The medic, [REDACTED] (HAB/4320), arrived and began first aid.

AFFIDAVIT

I, [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.

[REDACTED] Signature of Person Making Statement

WITNESSES:

[REDACTED]

ORGANIZATION OR ADDRESS

[REDACTED]

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13th day of July, 2006 at Fob Logally

[REDACTED] Signature of Person Administering Oath

[REDACTED] (Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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1. LOCATION: Fob Loyalty
2. DATE (YYYYMMDD): 20060713
3. TIME: 1340
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: [redacted] G
6. SSN: [redacted] G
7. GRADE/STATUS: SPC/Active
8. ORGANIZATION OR ADDRESS: 4/520th HHB

9. [redacted] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
We had recieved a warno that we were going to search 5 houses and the surrounding area for a young girl who was being held hostage by aprox. 4 to 5 men. We left Fob Loyalty and proceeded to the objective. Once we arived on the objective we searched the three target locations. We then proceeded to search the surrounding homes. Upon one of the homes as two members went into the home/billiard a man came out of the house as I was guiding him to the side of the home/billiard he grabbed the end of my weapon and proceeded to take control of it. Once I had pushed him off he then ran down the ally way after being instructed to stop one member of the stack team shot a controlled warning shot in the ground. The subject still proceeded to run. Shortly after the warning shot [redacted] shot a non lethal round and the subject still proceeded to run. [redacted] then shot a disabling shot after witch I went back to the other side of the billiard to assist in the detainment of the individuals that were in the home.

10. EXHIBIT: 3
11. INITIALS OF PERSON MAKING STATEMENT: [redacted]
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] 6 TAKEN AT Foblo/Valt y DATED 20060713

9. STATEMENT (Continued)

[REDACTED]

AFFIDAVIT

I, [REDACTED] 6, 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.

[REDACTED] 6
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of July, 2006 at Foblo/Valt y

[REDACTED] 6

ORGANIZATION OR ADDRESS

[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED] 6
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

SWORN STATEMENT

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1. LOCATION FOB LOYALTY	2. DATE (YYYYMMDD) 2006 07 13	3. TIME 1922	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-3/Active	
8. ORGANIZATION OR ADDRESS HHB 4/370 FAR			

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

ON THE NIGHT OF 10 JUL 2006 MY PLATOON WAS SENT TO CONDUCT A CORDON AND SEARCH OF THREE HOUSES IN ZAFRINYA. THERE WAS INTEL THAT 4 TO 5 LOCAL NATIONALS WERE HOLDING A YOUNG GIRL HOSTAGE AND WERE RAPING HER REPEATEDLY. MY TEAM WENT TO OBJ C FIRST AND CLEARED TWO BUILDINGS THERE, I THEN MOVED MY TEAM ACROSS THE FIELD TO OBJ A. WHILE CLEARING OBJ A I NOTICED 2 LNVs MOVING ACROSS THE STREET INTO THE BUILDING (BILLARD HALL). AFTER OBJ A WAS CLEAR I CALLED IN MY TEAMS STATUS AND GOT ORDERS FROM [REDACTED] TO MOVE ACROSS THE ROAD AND CLEAR TO THE RIVER. THE FIRST HOUSE WE HIT WAS A SHORT ROOM I WAS POINT AND CALLED IT SO JUST MYSELF AND [REDACTED] WERE INSIDE. WE GOT EVERYONE OUT AND WE WERE ON OUR WAY TO THE DOOR AND I HEARD SPC LAW SAY HE HAS MY WEAPON OR SOMETHING ALONG THOSE LINES WE THEN RAN OUT I SAW THE GUY PULLING ON HIS RIFLE HE THEN RAN AND WE GAVE CHASE YELLING FOR HIM TO STOP. ROUNDING THE CORNER [REDACTED] SHOT A WARNING SHOT AND HIT THE BOB STILL RUNNING I SHOT AND HIT HIM WITH A NON-LETHAL M203 ROUND. HE MOVED TURNED BRIEFLY THEN KEPT RUNNING. WHEN HE TURNED

10. EXHIBIT 4	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"
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STATEMENT OF [REDACTED] - G TAKEN AT FOB LOYALTY DATED 13 JUL 06

9. STATEMENT (Continued) HE HAD SOMETHING IN HIS HAND BUT I DIDN'T KNOW WHAT, WE HE TURNED AND RAN AGAIN SPC INNES SHOT HIM IN THE LEG, HE WENT DOWN, I IMMEDIATELY CALLED FOR A MEDIC, MY TEAM ADVANCED TO PULL SECURITY HE WAS STILL ALIVE. THE MEDIC ARRIVED ABOUT 1 MINUTE AFTER HE WAS SHOT. THE MEDIC HAD A SECURITY ELEMENT WITH THEM, WHEN THEY GOT DOWN TO THE BODY I MOVED MY TEAM TO CONTINUE OUR MISSION. NOTHING FOLLOWS

[REDACTED SECTION]

AFFIDAVIT

I, [REDACTED] - G, 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 STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR INTimidATION.

[REDACTED SIGNATURE] - G
(Signature of Person Making Statement)

WITNESSES:
[REDACTED] G
[REDACTED] 506th RCJ
ORGANIZATION OR ADDRESS
[REDACTED]
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of July, 2006 at FOB Loyalty
[REDACTED SIGNATURE] - G
(Signature of Person Administering Oath)
[REDACTED]
(Typed Name of Person Administering Oath)
[REDACTED]
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED] - G PAGE 2 OF 2 PAGES

SWORN STATEMENT

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1. LOCATION F&B LOYALTY	2. DATE (YYYYMMDD) 20060713	3. TIME 2000	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] C	6. SSN [REDACTED] -6	7. GRADE/STATUS E-4 Active	
8. ORGANIZATION OR ADDRESS HQB 4/320th FAR			

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

The mission started with the gathering of the assault teams before we crossed through the field on our way to the main three objectives. Once gathered at the edge of the road we split up and started our assault on the A, B, C objectives. We cleared these objectives and got further guidance to clear past the objectives up the road. Our assault team immediately moved to the pool hall and started to clear it. In the process of clearing it one of the men grabbed Spec Laws weapon which brought on a brief struggle. The man started running away while we were getting stop.

[REDACTED] fired a warning shot and we continued to yell stop. [REDACTED] -C fired a non-lethal 203 round and hit the man running away. We continued to yell stop and I fired a round to disable. The man went down and we immediately yelled for a medic. Spec Joseph came over to the man very quickly and started treatment. We were moved and given the order to continue clearing down the road past the pool hall which we started within a few minutes. NOTHING FOLLOWS

~~[REDACTED]~~

10. EXHIBIT 5	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] -C	PAGE 1 OF 2 PAGES
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