

FOUO

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 Colonel [redacted] Commander 3rd Brigade Combat Team, 1st Armored Division (Appointing authority)

Ex Co

on 6 October 2005 (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 Camp Taji, Iraq (Place) at 1830 hours (Time)

on 6 October 2005 (Date) (If a formal board met for more than one session, check here [ ] . Indicate in an inclosure the time each session begun 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 1600 hours (Time) on 09 October 2005 (Date) and completed findings and recommendations at 1600 hours (Time) on 10 October 2005 (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

	YES	NO <sup>1)</sup>	NA <sup>2)</sup>
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?			
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.

[redacted] FOUO 10055

2	Exhibits (para 3-16, AR 15-6)	YES	NO <sup>1/</sup>	NA <sup>2/</sup>
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>B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)</b>				
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)?			
<b>C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)</b>				
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.



[Redacted]

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SECTION IV - FINDINGS (para 3-10, AR 15-6)

The (investigating officer) (board), having carefully considered the evidence, finds:  
See attached memorandum

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

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

[Redacted]

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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)	(Investigating Officer) (President)
_____	_____
(Member)	(Member)
_____	_____
(Member)	(Member)

Ex 6

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.)

_____	_____
(Member)	(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.)

_____
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Ex 6

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[REDACTED] Fouo



DEPARTMENT OF THE ARMY  
3<sup>RD</sup> BRIGADE, 1<sup>ST</sup> ARMORED DIVISION  
CAMP COOKE, TAJI, IRAQ  
APO AE 09376

REPLY TO  
ATTENTION OF

AFZN-BB-CO

09 OCT 2005

MEMORANDUM FOR Commander 3<sup>rd</sup> Brigade, 1<sup>st</sup> Armored Division; APO, AE 09342

SUBJECT: Findings 15-6 use of deadly force 2-70<sup>th</sup> AO

1. On 30 September members of A Co 1-41 INF (TF 2-70) used the proper escalation of force measures resulting in the death of a local national. The squad was conducting a mounted patrol when at approximately 1900 hours, in dusk conditions allowing visual recognition up to 300 meters; the squad encountered a suspicious vehicle. One M2 Bradley stopped approximately 200 meters behind the sedan and the second vehicle stopped approximately 50 meters in front of the suspect vehicle. (see Exhibit K Diagram A)
2. The following dismounts were involved in the escalation of force: SSG [REDACTED] SGT [REDACTED] PFC [REDACTED] PVT [REDACTED] and their interpreter [REDACTED]. The patrols escalation of force detailed in Exhibits D, E, F, G, H, and I corroborate the following: There was enough ambient light to see without night vision enhancement beyond 300 meters.
3. [REDACTED]
4. [REDACTED]
5. [REDACTED]
6. The actions taken by the local nationals resulted in the shooting. There were no mitigating circumstances which Alpha Company 1-41 INF should change which would have altered the outcome.
7. POINT OF CONTACT: MAJ [REDACTED] at VOIP, 242-6127 or email SIPR [scott.sill@3bct1ad.id3.army.smil.mil](mailto:scott.sill@3bct1ad.id3.army.smil.mil)

Ex 6

Ex 1

Ex 6

[REDACTED]

MAJ, SF  
3/1 BCT S-5

[REDACTED] Fouo

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[REDACTED]

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DEPARTMENT OF THE ARMY  
3<sup>RD</sup> BRIGADE, 1<sup>ST</sup> ARMORED DIVISION  
CAMP COOKE, TAJI, IRAQ  
APO AE 09378

REPLY TO  
ATTENTION OF

AFZN-BB-CO

11 OCT 2005

MEMORANDUM FOR Commander 3<sup>rd</sup> Brigade, 1<sup>st</sup> Armored Division; APO, AE 09342

SUBJECT: Recommendations for investigation of use of deadly force 2-70<sup>th</sup> AO

1. On 30 September members of A Co 1-41 INF (TF 2-70) used the proper escalation of force measures resulting in the death of a local national. The squad was conducting a mounted patrol when at approximately 1900 hours, in dusk conditions allowing visual recognition up to 300 meters; the squad encountered a suspicious vehicle. One M2 Bradley stopped approximately 200 meters behind the sedan and the second vehicle stopped approximately 50 meters in front of the suspect vehicle.

2. The following recommendations are made:

- a. [REDACTED] Ex 1
- b. 2-70<sup>th</sup> has created an SOP that allows US Soldiers to dictate when and where a potential enemy contact will occur. This enhances US security and I recommend no changes to the current SOP.
- c. I recommend no action be taken against the leadership of Alpha Company, or any of the members of the B section, 1<sup>st</sup> Squad.

3. POINT OF CONTACT: [REDACTED] at [REDACTED] or email [REDACTED]  
[REDACTED]

[REDACTED]

MAJ, SF  
3/1 BCT S-5

Ex 6

[REDACTED]

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The following is an index of the Exhibits, Diagrams, and Photographs utilized during this investigation:

- Exhibit A: Appointment Letter [redacted]
- Exhibit B: Commander Incident report [redacted]
- Exhibit C: Appointment Letter [redacted]
- Exhibit D: Statement SSG [redacted]
- Exhibit E: Statement SGT [redacted]
- Exhibit F: Statement SGT [redacted]
- Exhibit G: Statement Pvt [redacted]
- Exhibit H: Statement PFC [redacted]
- Exhibit I: Statement Iraqi Interpreter [redacted]
- Exhibit J: Statement SSG [redacted]

Ex 6

- Exhibit K: Diagram A: Depicts the initial stages of the M2s and L/N sedan, and warning shots into the berm
- Exhibit L: Diagram B: Depicts the vehicles positions when vehicle disabling shots are fired
- Exhibit M: Diagram C: Depicts the locations of Soldiers and vehicles when Pvt [redacted] kills passenger and final position of vehicles
- Exhibit N: Photo 1: Driver
- Exhibit O: Photo 2: Rear of vehicle
- Exhibit P: Photo 3: Passenger front of vehicle
- Exhibit Q: Photo 4: Interior front seat of vehicle
- Exhibit R: Photo 5: Driver under detention



REPLY TO  
ATTENTION OF:

AFZN-BB-CO

1 October 2005

**DEPARTMENT OF THE ARMY**  
**HEADQUARTERS**  
**3RD BRIGADE, 1ST ARMORED DIVISION**  
**CAMP TAJI, IRAQ 09378**

MEMORANDUM FOR MAJ [REDACTED] Headquarters and Headquarters Company, 3rd  
Brigade, 1st Armored Division, Camp Taji, Iraq 09378

SUBJECT: Appointment as Investigating Officer

1. Pursuant to AR 15-6, paragraph 2-1, you are hereby appointed as an investigating officer to investigate the use of deadly force by 2nd Platoon, A Company, 1st Battalion, 41st Infantry Regiment that allegedly caused the death of a local national.

2. In your investigation, use procedures under AR 15-6, Chapter 4, for an informal board of officers. All witness statements will be sworn, and you will follow the procedures in AR 15-6, paragraph 3-7e for Privacy Act statements. If the person you are interviewing states that he/she does not know anything about the allegations, prepare a sworn statement to that affect for the witness to sign. If, in the course of your investigation, you suspect a soldier has committed an offense under the UCMJ, you must advise and read him/her their rights under the UCMJ, Article 31, or the Fifth Amendment, as appropriate, prior to conducting any interview.

3. In your investigation you need to answer the following questions:

- a. What was the sequence of events that led up to the incident?
- b. Did the soldiers involved properly escalate the use of force?
- c. Did the patrol have Positive Identification (were they reasonably certain that they were taking action against a legitimate military target) before engaging?
- d. Was deadly force authorized?
- e. Was the use of deadly force (warning shots, disabling shots, etc.) appropriate for the situation?
- f. Were there any Law of War violations?
- g. Are there any operational lessons that should be captured and disseminated?
- h. Were there any other contributing factors that, if changed, could have altered the outcome?

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AFZN-BB-CO

SUBJECT: Appointment as Investigating Officer

4. You may obtain assistance from CPT [Redacted] the Trial Counsel for 3rd BCT, 1st AD. CPT [Redacted] will serve as your legal counsel. Prior to starting your investigation, you should contact him at the Brigade Legal Center for legal guidance concerning your investigation.

Ex 6

5. Submit your findings and recommendations on DA Form 1574 to CPT [Redacted] for legal review no later than 9 October 2005.

  
[Redacted]

COL, AR  
Commanding

[Redacted] Fouo

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[REDACTED] F040

Appendix 1 (CIR BLUE 2 REPORT) to Annex C to FRAGO 46 W OPORD 05-007 (RSOI)

COMMANDER'S INCIDENT REPORT:

LINE 1: Unit reporting: 2-70 AR

LINE 2: Incident: Escalation of force

LINE 3: Date/time group (DTG) incident occurred: 301920SEP05

LINE 4: Location of incident: [REDACTED]

Ex 1

LINE 5: Personnel involved

Name	Rank	Unit	SSN	Sex	Age	Race
[REDACTED]	SSG	2/A/1-41	[REDACTED]	M	35	[REDACTED]
[REDACTED]	PVT	2/A/1-41	[REDACTED]	M	19	[REDACTED]
[REDACTED]	SGT	2/A/1-41	[REDACTED]	M	26	[REDACTED]
[REDACTED]	SGT	2/A/1-41	[REDACTED]	M	23	[REDACTED]
[REDACTED]	LN	Driver	N/A	M	UKN	Iraqi

Ex 6

[REDACTED]

Ex 1

RDE

Ex 1

Ex 6

LINE 7: Injuries or damage to government and/or civilian property: (1) local national killed

LINE 8: Commander reporting:

[REDACTED]  
COL, AR  
Commanding

C-1-1

B

[REDACTED] F040  
13664



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
HEADQUARTERS, 2ND BATTALION, 70TH ARMOR  
1ST ARMORED DIVISION  
FOB ST. MICHAEL, IRAQ 09378

Fouo

AFZN-BB-DP

S: 6 OCT 2005  
10 OCT 2005

MEMORANDUM FOR Commander, Headquarters and Headquarters Company, 2nd  
Battalion, 70th Armor, ATTN: [REDACTED] Camp Taji, Iraq 09378

Ex 6

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 prisoner abuse on 2 OCT 05.
2. In your investigation, all witness statements will be sworn and Privacy Act Statements taken. From the evidence, you will make specific findings into the circumstances behind the incident and the potential for criminal or administrative liability. You will also make recommendations for corrective action to prevent similar acts or incidents and for administrative and/or disciplinary action, if appropriate.
3. You may obtain advice and assistance from the Administrative Law Division, Office of the Staff Judge Advocate. Administrative support will be provided by CPT [REDACTED] the Brigade Legal Office located at Taji, 242-6317.
4. Prior to interviewing any service member whom you suspect may have violated the UCMJ, you must provide an Article 31 rights warning. The Article 31 rights warning should be done using DA Form 3881. Please consult with your legal advisor for more information.
5. Coordinate and report to the Task Force XO upon receipt of this order for an initial briefing and follow on scheduling with the Task Force Commander.
6. Submit your findings and recommendations, with continuation sheets, enclosures, and exhibits to the S1 Office upon completion. Point of contact for this memorandum is CPT [REDACTED] at 242-6536.

Ex 6

[REDACTED SIGNATURE]  
LTC, AR  
Commanding

C

[REDACTED]  
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For use on this form, see AR 190-45; the proponent agency is C...SOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 295; E.O. 9397 dated November 22, 1943 (SSN)  
PRINCIPLE PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately recorded.  
ROUTINE USES: Your social-security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
Camp Taji, Iraq	2005-10-01	1345	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
[REDACTED]	[REDACTED]	EC

8. ORGANIZATION OR ADDRESS  
A/1-41 IN, 2-70 AR

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

[REDACTED]

Ex 6

Ex 1

[REDACTED]

Ex 1

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

A: I REALLY DON'T KNOW BUT MY BEST GUESS WOULD BE WHEN HE FELL OUT OF THE TROOP COMPARTMENT AND ROLLED DOWN THE RAMP.

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

A: No, TO THE BEST OF MY KNOWLEDGE NO SOLDIER HIT, STRUCK OR KICKED THE DETAINEE. I UTILIZED THE STANDARD TALE DOWN TO PULL HIM OUT OF THE VEHICLE AND TO THE GROUND.

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

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STATEMENT OF [REDACTED] TAKEN AT Camp Taji DATED 2005-10-01

ExC

9. STATEMENT (Continued)

Q: Did any soldier ever push or throw this detainee to the ground?

A: NO, TO THE BEST OF MY KNOWLEDGE NO SOLDIER PUSHED OR THREW THE DETAINEE TO THE GROUND ONCE HE WAS IN CUSTODY. I DID UTILIZE THE STANDARD TAKE DOWN WHICH INCLUDES PUTTING THE DETAINEE TO THE GROUND. THIS WAS DONE TO SEARCH AND CONTROL HIM.

Q: Is there anything else you'd like to add to this statement?

A: No.

~~NOTHING TO FOLLOW [REDACTED]~~  
~~NOTHING TO FOLLOW [REDACTED]~~

AFFIDAVIT

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

[REDACTED]  
(Signature of Person Making Statement)

ExC

WITNESS:

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

ORGANIZATION OR ADDRESS

[REDACTED]  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]  
(Typed Name of Person Administering Oath)  
Article 136 (UCMJ)  
(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 2 PAGES

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STATEMENT  
For use on this form, see AR 190-45; the proponent agency is US SOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 295; E.O. 9397 dated November 22, 1943 (SSN)  
PRINCIPLE PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately recorded.  
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION Camp Taji, Iraq	2. DATE (YYYYMMDD) 2005-10-01	3. TIME 1400	4. FILE NUMBER
--------------------------------	----------------------------------	-----------------	----------------

5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E5 / SGT
---	----------------------	-----------------------------

8. ORGANIZATION OR ADDRESS  
A/1-41 IN, 2-70 AR

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

A: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Ex 6

Ex 1

Ex 1

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

A: I DON'T KNOW. I'M THE GUNNER SO I PAY NO ATTENTION  
TO WHAT'S GOING ON EXCEPT SCANNING MY SECTOR.

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

A: NO, FROM WHAT I SAW, THE DETAINEE WAS SECURED. I THEN  
STARTED SCANNING MY SECTOR.

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

E3

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[REDACTED] FOUR

STATEMENT OF [REDACTED] TAKEN AT Camp Taji DATED 2005-10-01

9. STATEMENT (Continued)

Q: Did any soldier ever push or throw this detainee to the ground?

A: I DON'T KNOW, WHEN I SAW THE DETAINEE, HE WAS CUFFED AND SITTING ON THE GROUND.

Q: Is there anything else you'd like to add to this statement?

A: NO. NOTHING FOLLOWS

[REDACTED]

EXG

AFFIDAVIT

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

(Signature of Person Making Oath)

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

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

Article 136 (UCMJ)  
(Authority to Administer Oaths)

WITH [REDACTED] LT AR USA

HHC 2-70AR 3 BCT AD  
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

E4

[REDACTED] FOUR

Four

SWORN STATEMENT

For use on this form, see AR 190-45; the proponent agency is US SOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 295; E.O. 9397 dated November 22, 1943 (SSN)  
PRINCIPLE PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately recorded.  
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION Camp Taji, Iraq	2. DATE (YYYYMMDD) 2005-10-01	3. TIME 1402	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-5 / Sgt	
8. ORGANIZATION OR ADDRESS A/1-41 IN, 2-70 AR			

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

A: [REDACTED]

Ex 1

Q: [REDACTED]

Ex 6

A: [REDACTED]

Ex 1

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

A: When we arrived at camp Taji, PFC [REDACTED] was in charge of watching the detainees. The back of the vehicle was packed with 8 personnel. The detainee was sitting on the floor facing the ramp. There was a lot of ruff turns and bumps. Couldn't see much inside the Bradley. The Bradley stopped and dropped ramp. I got out first. Then PFC [REDACTED] grabbed the detainee by the arm to stand him up. Next the man freaked or his legs gave out because they were asleep, last he fell face first down the ramp. He picked him up and I noticed blood on his face and possibly a piece of glass from the shattered window of the car.

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

A: NO, Did not see anyone do any of the such. Nothing follows.

[REDACTED]

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INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

[REDACTED]

Four

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Fours

STATEMENT OF [REDACTED] TAKEN AT Camp Taji DATED 2005-10-01

9. STATEMENT (Continued)

Q: Did any soldier ever push or throw this detainee to the ground?

A: No, Did not see anyone push or throw the detainee. Nothing follows.

[REDACTED]

Q: Is there anything else you'd like to add to this statement?

A: When we were at the Tab the detainee did fall again coming out of the bradley onto his butt and back. PVT [REDACTED] was the soldier getting him out of the bradley when the man tripped. Nothing follows.

[REDACTED]

Ex 66

AFFIDAVIT

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

[REDACTED]  
(Signature of Person Making Statement)

WITNESS:

[REDACTED] 12 FAR USA

HAC 27042 3BCT (AD)  
ORGANIZATION OR ADDRESS

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

[REDACTED] LPT  
(Signature of Person Administering Oath)

[REDACTED]  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Article 136 (UCMJ)  
(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

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four

For use on this form, see AR 190-45; the proponent agency is U.S. SOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 295; E.O. 9397 dated November 22, 1943 (SSN)  
PRINCIPLE PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately recorded.  
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION 2. DATE (YYYYMMDD) 3. TIME 4. FILE NUMBER

Camp Taji, Iraq 2005-10-01 1453

5. LAST NAME FIRST NAME MIDDLE NAME SSN 6. GRADE/STATUS  
[REDACTED] E-2 DUT

8. ORGANIZATION OR ADDRESS  
A/1-41 IN, 2-70 AR

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

A:

[REDACTED]

Ex 1  
Ex 6

[REDACTED]

Ex 1

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

A: All that I know is that he <sup>is</sup> fell on his butt ~~at~~ at the tac.  
Also glass from the ~~bullet~~ Bullet hitting ~~the~~ <sup>got</sup> it. It could of been anything

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

A: No ~~one~~ ~~hit~~ ~~the~~ ~~detainee~~ ~~because~~  
one hit the Detainee

LR

INITIALS OF PERSON MAKING STATEMENT  
[REDACTED]

PAGE 1 OF 2 PAGES

G3

[REDACTED] four  
13672

[Redacted] Fouo

9. STATEMENT (Continued)

Q: Did any soldier ever push or throw this detainee to the ground?

A: Not in my care and I don't believe that any one ~~has~~ least would do so.

Q: Is there anything else you'd like to add to this statement?

A: NO that is all I know

[Large section of the statement is crossed out with a large X and contains several redacted areas.]

Ex 6

AFFIDAVIT

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

[Redacted Signature] (Signature of Person Making Statement)

WITNESSES  
[Redacted] MILITAR USA

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

2/70AIR 3BCT 1AD ORGANIZATION OR ADDRESS

[Redacted Signature] (Signature of Person Administering Oath)

[Redacted Name] CPT (Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Article 136 (UCMJ) (Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [Redacted]

[Redacted] Fouo

64

[Redacted]

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SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is [Redacted] SOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 295; E.O. 9397 dated November 22, 1943 (SSN)  
PRINCIPLE PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately recorded.  
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION Camp Taji, Iraq	2. DATE (YYYYMMDD) 2005-10-01	3. TIME 1403	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME [Redacted]	6. SSN [Redacted]	7. GRADE/STATUS E-3	

8. ORGANIZATION OR ADDRESS  
A/1-41 IN, 2-70 AR

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

[Redacted]

Ex 1

Ex 6

[Redacted]

Ex 1

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

A: I don't know how the driver got the wound above his left eye.

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

A: No I didn't see any soldiers try to inflict damage on the detainee.

INITIALS OF PERSON MAKING STATEMENT

[Redacted]

PAGE 1 OF 2 PAGES

113

[Redacted]

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Fouo

9. STATEMENT (Continued)

Q: Did any soldier ever push or throw this detainee to the ground?

A: After the driver finally stoped and he started to get out of the car we then put him on the ground so we could detain him, but nobody ever threw him to the ground.

Q: Is there anything else you'd like to add to this statement?

A: No

ExG

[REDACTED] Nothing Follows [REDACTED]

AFFIDAVIT

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

[REDACTED]  
(Signature of Person Making Statement)

WITNESS: [REDACTED] ILTAR USA

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

4HC 2-70AR 3BCT 1AD  
ORGANIZATION OR ADDRESS

[REDACTED] CPT  
(Signature of Person Administering Oath)

[REDACTED]  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Article 136 (UCMJ)  
(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

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[REDACTED] Fouo

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 295; E.O. 9397 dated November 22, 1943 (SSN)  
PRINCIPLE PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately recorded.  
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION CAMP TAJI	2. DATE (YYYYMMDD) 20051001	3. TIME 0220	4. FILE NUMBER
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5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-6/SSG
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8. ORGANIZATION OR ADDRESS  
A Co 1-41 Inf.

On 30 Sept 2005 at (Aprox) 1920 hrs I was on the lead vehicle for B section and we were conducting rolling TCP's. I pulled forward on my vehicle and stopped behind the last car on the side of the road. The dismounts got out and searched the car then I heard gun shots and assumed they were warning shots. I was securing the 12 o'clock and kept scanning my sector. A few minutes later my Platoon sergeant SSG [REDACTED] told me to back up my vehicle to get a tighter perimeter. I backed up about 200 meters and I saw a man sitting on the ground and the other one was being put in a body bag. End of statement. — Nothing follows.

ExCe

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

INITIALS OF PERSON MAKING STATEMENT  
[REDACTED]

J

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[REDACTED]

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STATEMENT OF [REDACTED] TAKEN AT CAMP TAJI DATED 1 Oct 05

9. STATEMENT (Continued)

[REDACTED]

Ex 6

AFFIDAVIT

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

[REDACTED]  
(Signature of Person Making Statement)

WITNESS:

SGT [REDACTED]

Subscribed and sworn to by me, a person authorized to administer oaths, this 1<sup>st</sup> day of October, 2005 at Camp Taji

A CO [REDACTED] JNF (2/70 AR)  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

Article 136 UCMJ  
(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT  
[REDACTED]

[REDACTED]

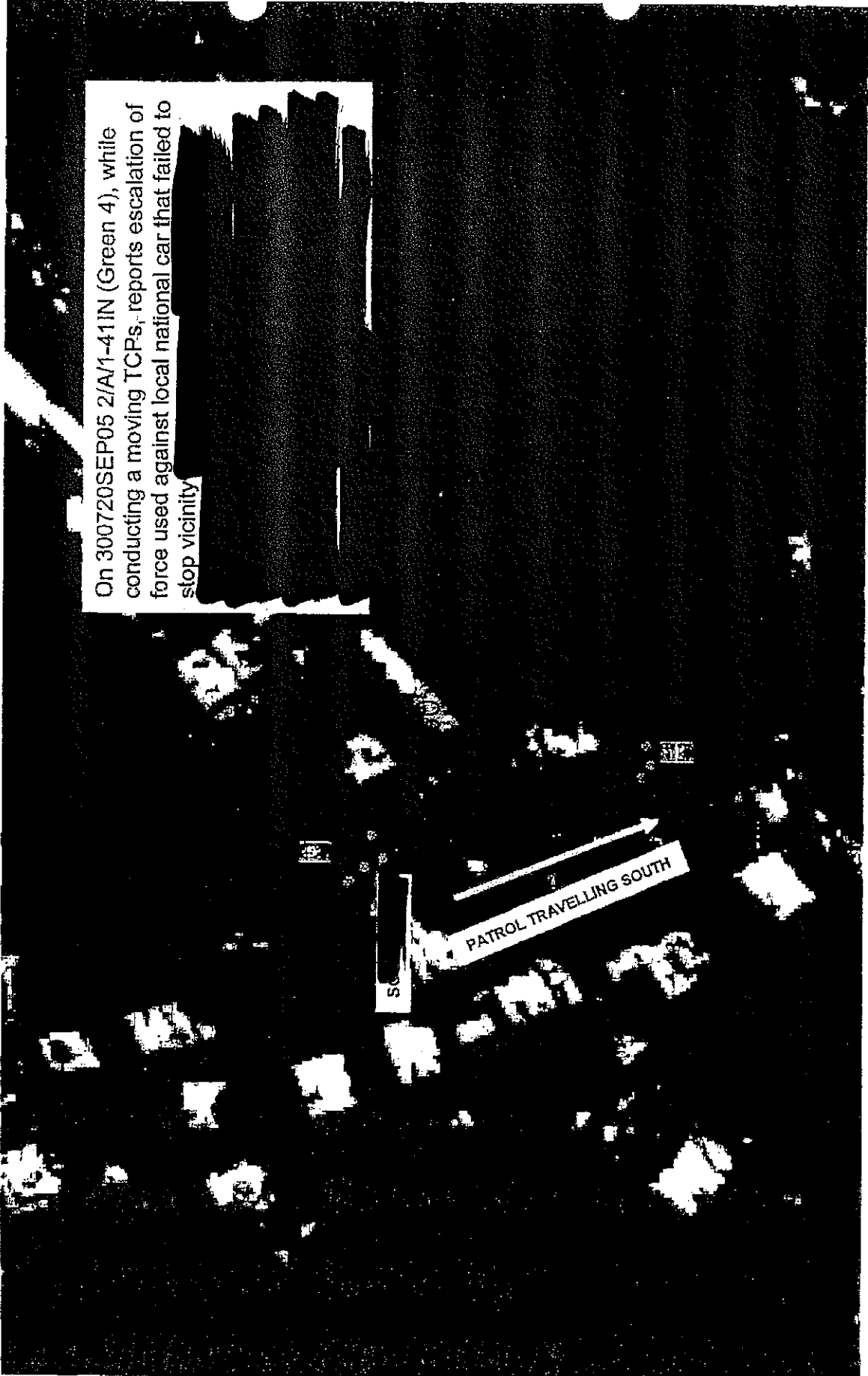
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# ESCALATION OF FORCE 30SEP05

On 300720SEP05 2/A/1-41IN (Green 4), while conducting a moving TCPs, reports escalation of force used against local national car that failed to stop vicinity

Ex 1



Ex 6

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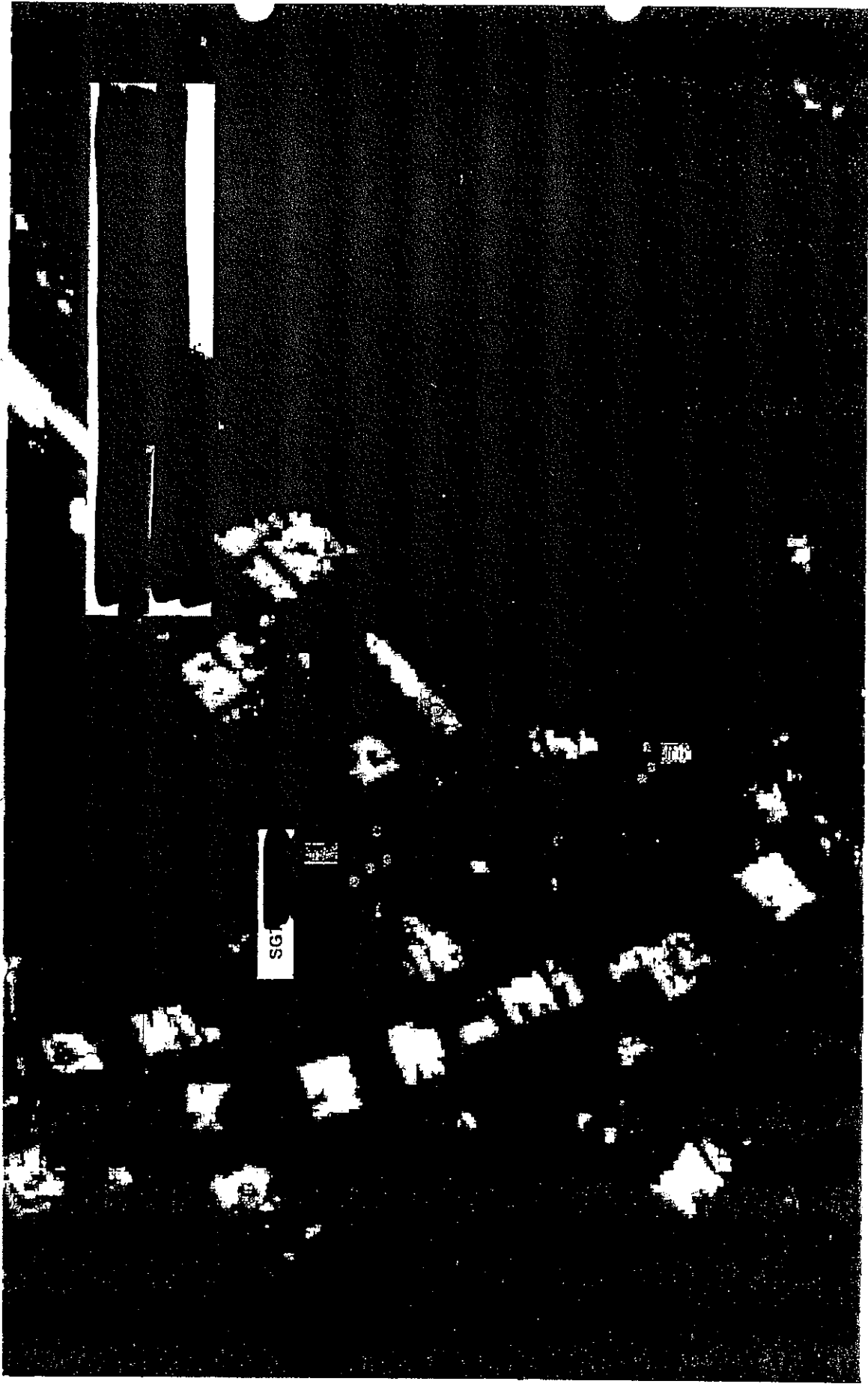


Ex

[Redacted]

F40

# ESCALATION OF FORCE 30SEP05



Ex

[Redacted]

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# ESCALATION OF FORCE 30SEP05



*Ex 1*

*Ex Co*

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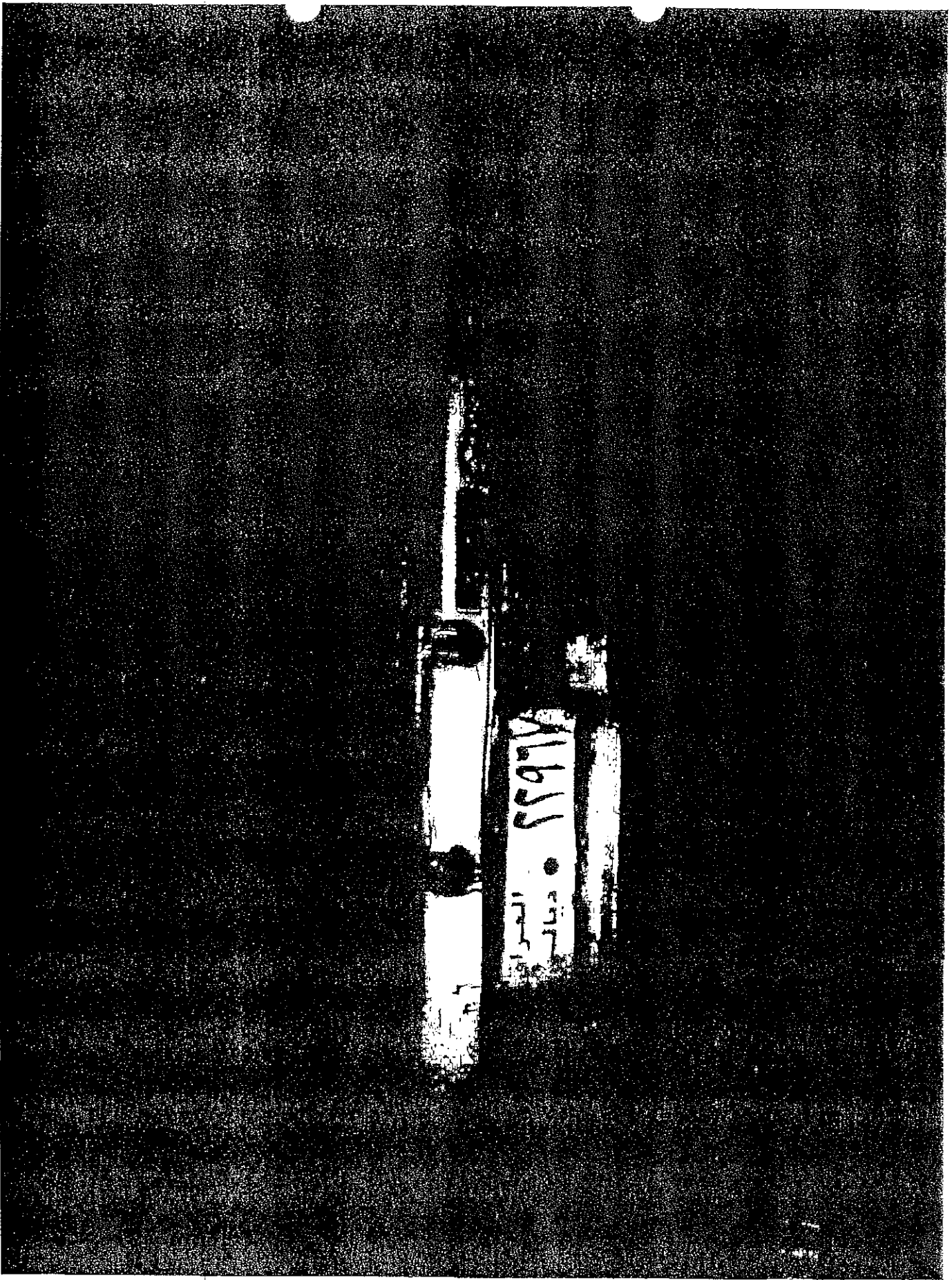
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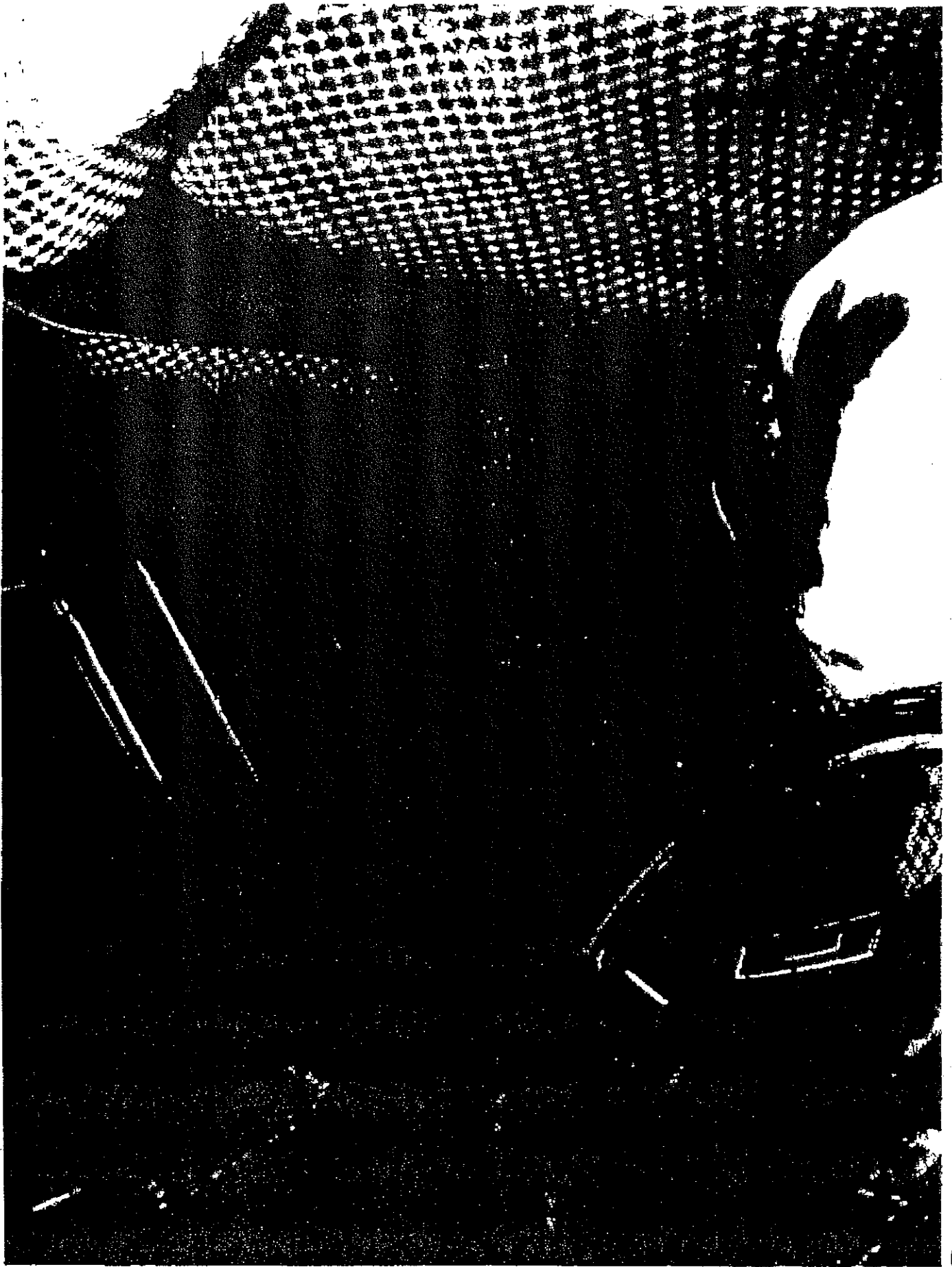


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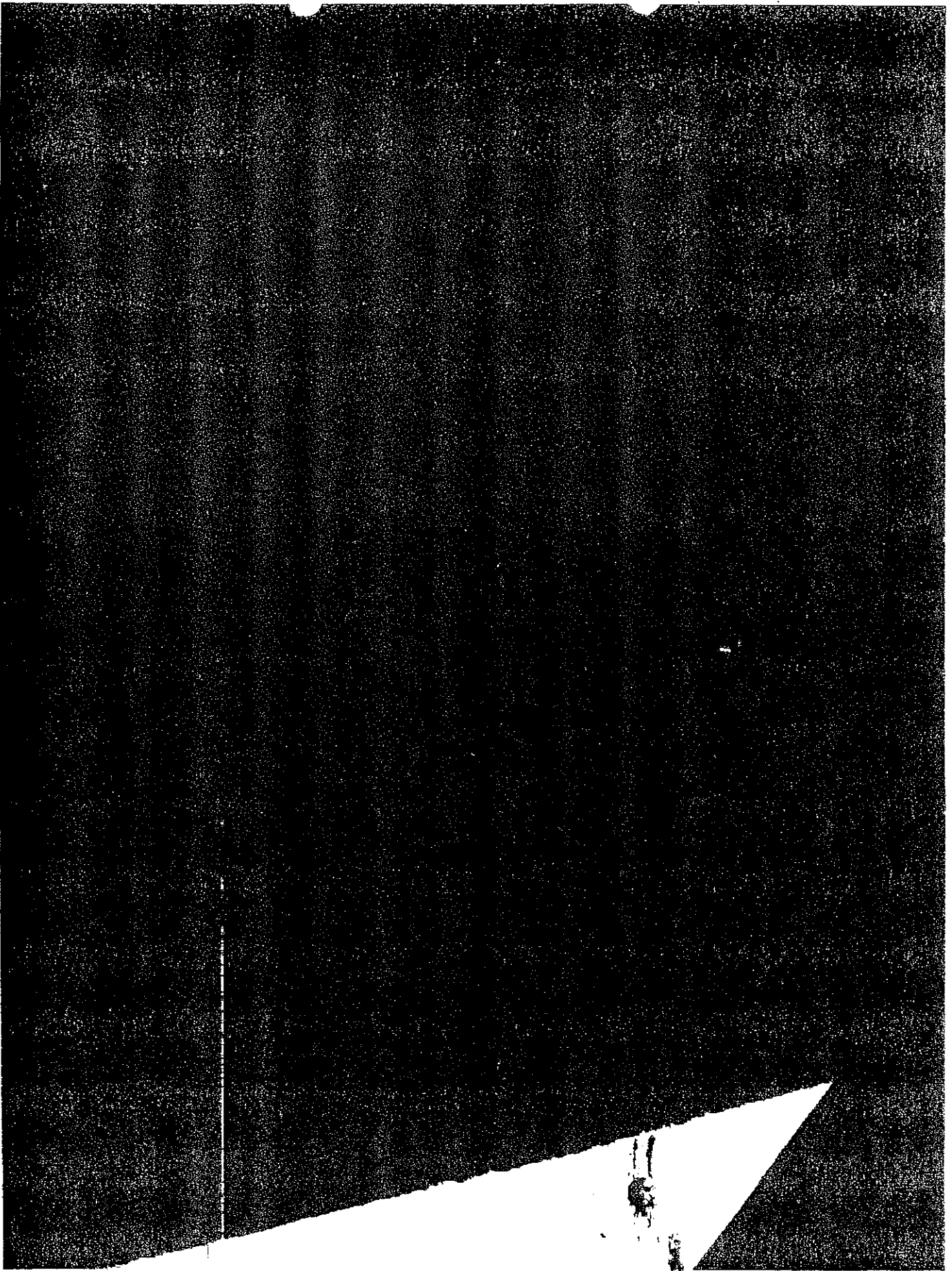
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