

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] and [REDACTED] Brigade Combat Team, 1st Armored Division, Camp Taji, Iraq
(Appointing authority)

on 12 August 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) ~~(board)~~ commenced at Camp Taji, Iraq (Place) at 1900 hours (Time)

on 19 August 2005 (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 2000 (Time) on 21 September 2005 (Date)
and completed findings and recommendations at 1900 (Time) on 22 September 2005 (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?			
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.

37

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-8; 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 David J. Bishop, Commander, 3rd Brigade Combat Team, 1st Armored Division, Camp Taji, Iraq
(Appointing authority)

on 12 August 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) ^{LABO} ~~(board)~~ commenced at Camp Taji, Iraq (Place) at 1900 hours (Time)
on 19 August 2005 (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 2000 (Time) on 21 September 2005 (Date)
and completed findings and recommendations at 1900 (Time) on 22 September 2005 (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.

FOUO

		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?			
	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		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.

FOUO

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

The (investigating officer) (bored), having carefully considered the evidence, finds:
See Attached

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

In view of the above findings, the (investigating officer) (bored) recommends:
See attached

 F000

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

FOUO

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)

[Redacted Signature]

(Investigating Officer) (President)

(Member)

(Member)

(Member)

(Member)

EXG

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.)

In clsr memorandum

[Redacted Signature]

[Redacted] FOUO

[REDACTED] FOU

[REDACTED]

Ex 1

The platoon had just been hit by an IED, the platoon had located the possible site where the IED had been constructed, and the vehicle engaged had presented a hostile intent prior to PFC [REDACTED] engaging with a disabling shot.

Ex 2

(3) Did the patrol had positive identification (were they reasonably certain that the local national was a legitimate military target) before engaging?

- Based off the evidence available now, it is questionable as to whether or not the vehicle engaged, or the people therein, were legitimate military targets.
- At the time of the incident, however, it is my finding that in PFC [REDACTED] mind, the vehicle, and the occupants therein, were legitimate targets. As mentioned above, the patrol had just been struck with a potentially deadly IED and had found the potential site where the IED had been constructed. Those facts, coupled with the fact that the vehicle had presented itself as initially showing hostile intent, it is reasonable to ascertain that PFC [REDACTED] believed he was engaging a legitimate target.

(4) Was deadly force authorized?

[REDACTED]

Ex 1

(5) Were there any law of war violations?

- No. No evidence supports any law of war violation.

(6) Are there any operational lessons that should be captured and disseminated?

- The unit failed to provide the appropriate amount of security on one of the flanks. The unit knew that a secondary entrance to the concrete plant existed. The patrol was down one gun truck at the time for maintenance and as a result, had less combat power available than normal. Nevertheless, the platoon left one dismounted soldier to protect the flank of the platoon with little or no coverage from the rest of the platoon.

[REDACTED] FOU

[Redacted]

Fouo

(7) Were there any other contributing factors that, if changed, could have altered the outcome?

OK

[Redacted]

ExCe

- It should be noted that this event occurred prior to brigade mandated midtour ROE refresher training."

Ex1

[Redacted]

Fouo

[Redacted]

FOUO

In view of the above findings, the investigating officer recommends:

- (1) That PFC [Redacted] gives a written admonishment from the Appointing Authority, or his designated representative, for his failure to use the proper escalation of force (EOF) in accordance with the rules of engagement (ROE) as outlined in 3rd Infantry Division MND_B OPOORD 05-12, Annex E.

Ex 6

In considering this recommendation, I find it appropriate for the appointing authority to consider the following:

- a. The platoon had just been engaged by an IED.
- b. The platoon was simultaneously conducting tactical questioning.
- c. The platoon discovered the site where the IED had potentially been constructed in close proximity to where the incident being investigated occurred.
- d. The vehicle engaged had posed a reasonable threat prior to warning shots being fired.
- e. [Redacted]
- f. [Redacted]
- g. PFC [Redacted] affected soldier by superiors and subordinates alike and has no previous record or history of abuse or excessive force.

Ex 1

- (2) That 2/A/2-70 AR receive retraining in proper EOF procedures in accordance with published ROE. It is apparent that some soldiers in this platoon do not fully understand the proper techniques to disable a vehicle while minimizing the possibility of collateral damage. Furthermore, soldiers must be trained to be able to properly make the decision when a vehicle no longer presents a military threat or ceases to exercise hostile intent.

[Redacted]

FOUO

[Redacted]

FOUO

**Index of Enclosures/Exhibits
AR 15-6**

Exhibit #	What	Person responsible
Exhibit 1	Index	Investigating Officer
Exhibit 2	Letter of Appointment	Appointing Authority
Exhibit 3	Commanders Incident Report	LTC [Redacted]
Exhibit 4	I.O. Timeline	Investigating Officer
Exhibit 5	Sworn Statement, 25 Aug	SPC [Redacted]
Exhibit 6	Sworn Statement, 25 Aug	SFC [Redacted]
Exhibit 7	Sworn Statement, 25 Aug	LT [Redacted]
Exhibit 8	Sworn Statement, 25 Aug	SPC S [Redacted]
Exhibit 9	Sworn Statement, 25 Aug	SPC [Redacted]
Exhibit 10	Sworn Statement, 25 Aug	SGT [Redacted]
Exhibit 11	Sworn Statement, 25 Aug	PFC I [Redacted]
Exhibit 12	Sworn Statement, 25 Aug	SSG A [Redacted]
Exhibit 13	Sworn Statement, 25 Aug	SPC [Redacted]
Exhibit 14	Pictures of Site	2/A/2-70
Exhibit 15	Graphics and Sequence	Investigating Officer
Exhibit 16	Follow-Up Statement	SPC A [Redacted]
Exhibit 17	Follow-up Statement	SSG [Redacted]
Exhibit 18	Follow-up Statement	PVT [Redacted]
Exhibit 19	Follow-up Statement	PFC I [Redacted]
Exhibit 20	Character Statement	1SG [Redacted]

Ex 6

EXHIBIT

[Redacted]

FOUO



REPLY TO
ATTENTION OF:

FOUO

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

AFZN-BB-CO

12 August 2005

MEMORANDUM FOR [REDACTED] Battalion, 1st Field Artillery Regiment,
3rd Brigade, 1st Armored Division APO AE 09378

Ext Co

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 shooting and killing of a local national by an element of 2/A/2-70 AR which occurred on 11 August 2005 on [REDACTED] /IC [REDACTED].

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 reasonable certain that the local national was a legitimate military target) before engaging?
- d. Was deadly force authorized?
- e. Were there any Law of War violations?
- e. Are there any operational lessons that should be captured and disseminated?
- f. Were there any other contributing factors that, if changed, could have altered the outcome?

[REDACTED]

FOUO

EXHIBIT 2

13905

[REDACTED]

FOUO

AFZN-BB-CO

SUBJECT: Appointment as Investigating Officer

4. If it becomes evident that there is possible misconduct outside the scope of your investigation, notify the appointing authority immediately. If during your investigation you become aware of information that needs command attention, immediately notify the appointing authority for guidance.

5. Contact the Command Judge Advocate, CPT [REDACTED] for legal guidance prior to starting your investigation. CPT [REDACTED] located in Bldg 72 and his phone number is VOIP: 242-6045.

File

6. Submit your findings and recommendations on DA Form 1574 to CPT [REDACTED] for legal review no later than 19 August 2005.

[REDACTED]

COL, AR
Commanding

[REDACTED]

FOUO

COMMANDER'S INCIDENT REPORT:

LINE 1: Unit reporting: 3/1 AD (4/B/2/A/2-70 AR)

LINE 2: Incident: Shooting of a LN

LINE 3: Date/time group (DTG) incident occurred: 111641AUG05L

LINE 4: Location of incident: [REDACTED]

LINE 5: Personnel involved

Present at the incident

Name	Rank	Unit	SSN	Sex	Age	Race
[REDACTED]	E3	2/A/2-70	[REDACTED]	M	23	[REDACTED]
[REDACTED]	O2	2/A/2-70	[REDACTED]	M	28	[REDACTED]
[REDACTED]	E6	2/A/2-70	[REDACTED]	M	27	[REDACTED]
[REDACTED]	E3	2/A/2-70	[REDACTED]	M	21	[REDACTED]
[REDACTED]	E2	2/A/2-70	[REDACTED]	M	24	[REDACTED]
[REDACTED]	E4	2/A/2-70	[REDACTED]	M	25	[REDACTED]
[REDACTED]	E5	2/A/2-70	[REDACTED]	M	21	[REDACTED]
[REDACTED]	E4	2/A/2-70	[REDACTED]	M	28	[REDACTED]
[REDACTED]	E5	2/A/2-70	[REDACTED]	M	39	[REDACTED]
[REDACTED]	E4	2/A/2-70	[REDACTED]	M	22	[REDACTED]
[REDACTED]	E3	2/A/2-70	[REDACTED]	M	19	[REDACTED]
[REDACTED]	E5	2/A/2-70	[REDACTED]	M	22	[REDACTED]
[REDACTED]	E4	2/A/2-70	[REDACTED]	M	26	[REDACTED]
[REDACTED]	E3	2/A/2-70	[REDACTED]	M	24	[REDACTED]
[REDACTED]	E7	2/A/2-70	[REDACTED]	M	34	[REDACTED]

Ex 6

LINE 6: SUMMARY: 2/A/2-70 AR was patrolling on [REDACTED] VI [REDACTED] when a radio detonated 130mm round exploded inside a concrete block. The detonation caused no casualties and no damage. 2/A/2-70 immediately conducted 5m/25m checks and then began the local cordon and knock operations in search of information or triggermen. Six individuals were detained for tactical questioning due to their proximity to the explosion. As SFC [REDACTED] was conducting questioning and X-spray, a black Hyundai drove up from the rear of the patrol and 3 individuals dismounted and began questioning the local nationals. When the 2/A/2-70 soldiers made eye contact with the new IZ's from the black Hyundai, they immediately fled back towards their vehicle and fled the scene at a very high speed. The soldiers attempted to physically restrain them from leaving but were unable to catch up to them before they reached the car. The soldiers then attempted to stop their flight through the use of verbal and hand and arm signals.

[REDACTED] the other two individuals fled the scene under unknown circumstances. A 15-6 investigation has been directed.

Ex 1

[REDACTED] *FOUO*

C-1-1

EXHIBIT 3

13907

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is OLC/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, IZ
2. DATE (YYYYMMDD): 20050825
3. TIME
4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME, 6. SSN, 7. GRADE/STATUS: O-1

8. ORGANIZATION OR ADDRESS: 2/A/2-70 AR

On 11 August 2005, my platoon was struck by an IED vicinity grid vicinity M... The third vehicle in the convoy (a23) was the vehicle hit. There were a total of three vehicles in the convoy, my vehicle A22 was in the front. There were three vehicles on the patrol because earlier in the day the A21 vehicle went down for maintenance and was left at the TAC. SG... FO... and PF... stayed with A21 for its return trip to Taji later in the day. When the IED detonated it caused minimal damage to the vehicle. After the IED detonated the platoon conducted our five and twenty-five meter checks. Prior to the IED detonating we noticed an individual at the corner of A... and RTE... The platoon turned around in order to tactically question the individual. We found the individual at the cement factory on RTE... We secured RTE... and the cement factory. We began tactically questioning six local nationals that were in two vehicles attempting to leave the cement factory, as well as the guard of the factory. We searched to factory and found an area that concrete was recently mixed. The area had imprints in the concrete that were the approximate size of an artillery round. The color of the sand and the color of the concrete at the cite are consistent of the same materials were used in the IED. After the area was secured and the factory completely searched, I went to R...s to begin questioning the six local nationals. Not to much later I began to walk to my M1114 that was pulling security on the south side of R...s. I was half way to my truck when I heard PFC... shouting... I began to run to the cite where my soldiers were in order to determine more about the situation. While I was running to the area I heard more shots as well as the car accelerating more every time a shot was fired the car sounded as it was moving faster. When I got over the bridge leading to the cement factory there were 3 or 4 of my soldiers in the factory and the car was stopped up against a burm. As we approached the vehicle, two local national began to get out. We secured them and noticed the driver did not get out of the car. I approached the car and noticed the driver slouched against the steering wheel. I called for our platoon Medic to come and check the body, as I went to my A24 vehicle to call battalion and notify them of the situation. We continued to perform detainee operations on cite and photograph the entire area. The two passengers were detained and taken to warrior Alamo for processing until we continued to Camp Taji. The Photos that were taken were supplied to the TF 2-70 S-2 cell, and the detainees were processed into the BIF. At this point my platoon continued out to AO Ace to complete our 24 hour operations.

Ex C

Ex 1

INITIALS OF PERSON MAKING STATEMENT, PAGE 1 OF 2 PAGES

EXHIBIT [redacted] F000

[Redacted] Bvo

9. STATEMENT (Continued)

[Large redacted area with a large X drawn over it]

Ex 6

AFFIDAVIT

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

[Redacted Signature] (Signature of Person Making Statement)

WITNESS:

Subscribed and sworn to by me, a person authorized to administer oaths, this _____ day of _____ at _____

[Redacted Witness Name]

ACWZ-70 AR TAJI IRAQ
ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [Redacted]

[Redacted] Bvo

FOUO
SWORN STATEMENT

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

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) 20050625	3. TIME	4. FILE NUMBER
--------------------------	--------------------------------	---------	----------------

5. LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	6. GRADE/STATUS E-4/SPC
---	----------------------------

7. ORGANIZATION OR ADDRESS
Aco 2-70 AR

on Aug 11 2005 we were conducting a patrol on North Star turning onto Islanders when an IED went off on the corner. After the IED went off we turned around because some people saw a guy standing on the corner near the cement factory, we went and cordoned off the area. I was the gunner providing rear security.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Ex 1

Nothing follows
Nothing follows

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

EXHIBIT

8

[REDACTED] FOUO

13910

[Redacted] FOUO

STATEMENT OF [Redacted]

TAKEN AT Camp Teji

DATED 2005-08-25

9. STATEMENT (Continued)

E+G

[Large area with a large 'X' drawn across it, indicating a redacted or crossed-out statement.]

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.

WITNESS:

[Redacted]

ACG 2-70 AR
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT [Redacted]

[Redacted]

(Signature of Person Making Statement)

Subscribed and sworn to by me, a person authorized to administer oaths, this 25 day of Aug, 2005 at Camp Teji

[Redacted]

(Signature of Person Administering Oath)

[Redacted]

(Typed Name of Person Administering Oath)

Article 136 ccms
(Authority to Administer Oaths)

[Redacted] FOUO

FOUO

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 295; E.O. 9397 dated November 22, 1943 (SSN)

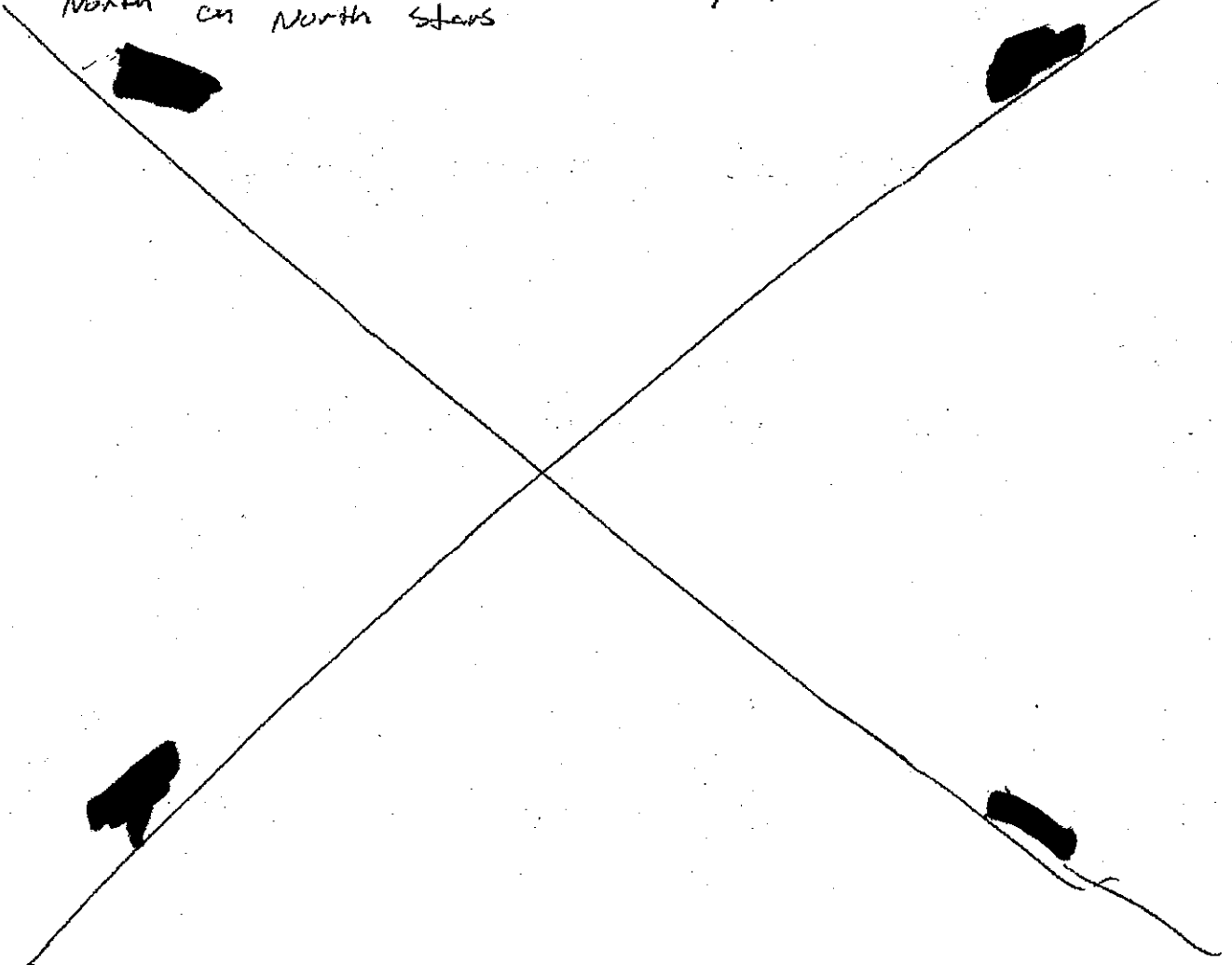
PRINCIPLE PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately recorded.

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	2. DATE (YYYYMMDD) 2005 08 25	3. TIME 2045	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E4 E4	
8. ORGANIZATION OR ADDRESS A CO 270 Av.			

File

On the 11th of August, As we were doing our patrol in our sector, an IED went off on my truck A23 which was the rear vehicle. We immediately cordoned off the area and started our search. I didn't see anything After that because I was pulling security on my truck facing down the road we were on. My truck was facing North on North Stars



INITIALS OF PERSON MAKING STATEMENT [REDACTED] PAGE 1 OF 2 PAGES

EXHIBIT 9 [REDACTED] FOUO

[Redacted]

Fous

STATEMENT OF [Redacted] TAKEN AT Camp Tadi DATED 2005 08 25

9. STATEMENT (Continued)

[Large area with a large 'X' drawn across it, indicating a redacted or voided statement.]

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.

WITNESS:

[Redacted]

A Co 2/20 Ar
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT [Redacted]

[Redacted]
(Signature)
Subscribed and sworn to by me, a person authorized to administer oaths, this 25 day of Aug, 2005 at Camp Tadi

[Redacted]
(Signature of Person Administering Oath)

[Redacted]
(Typed Name of Person Administering Oath)

Article 136 UCMJ
(Authority to Administer Oaths)

[Redacted]

Fouo

FOUO

SWORN STATEMENT

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

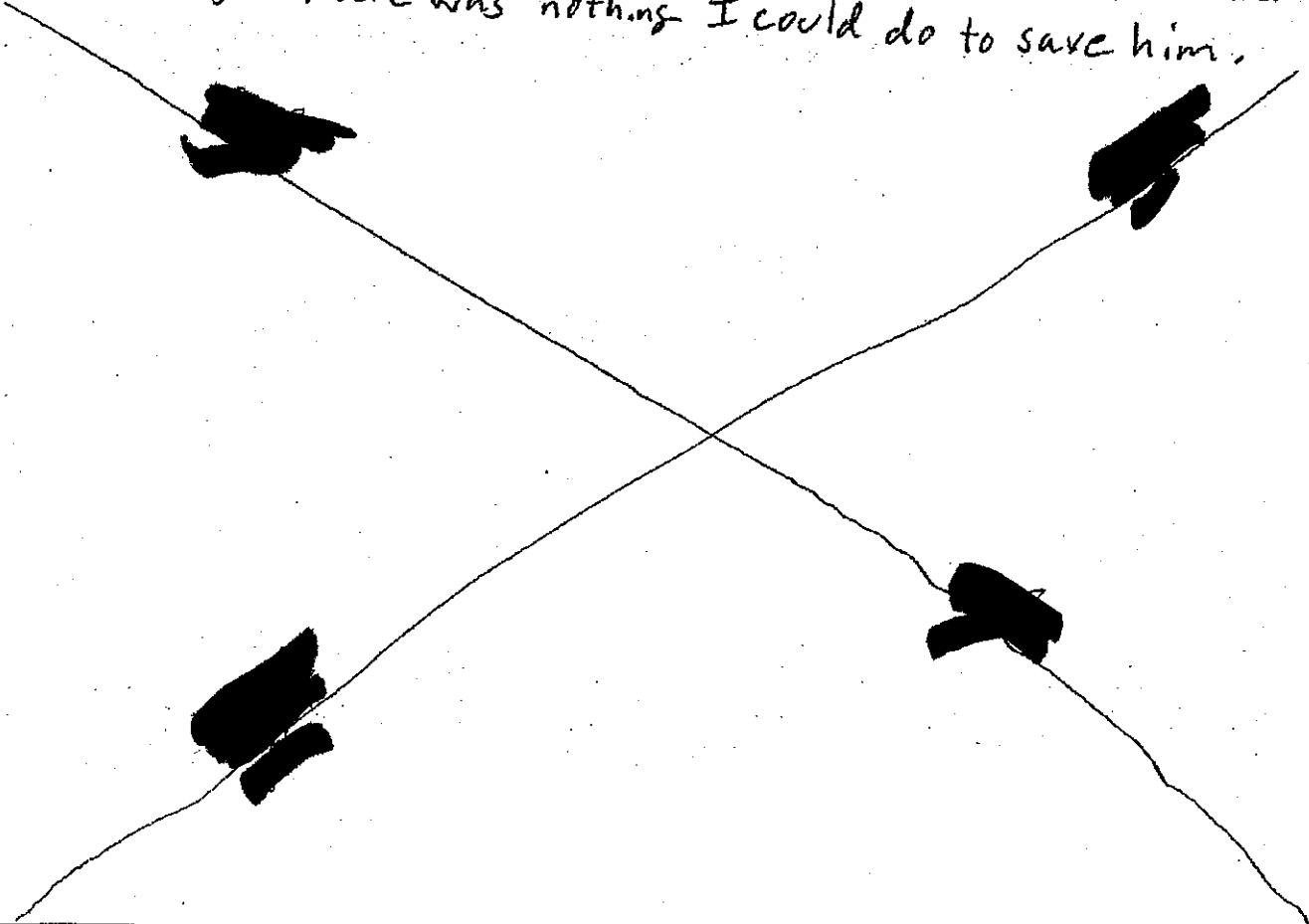
PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 295; E.O. 9397 dated November 22, 1943 (SSN)
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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION Camp Taji	2. DATE (YYYYMMDD) 2005 08 25	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-5	
8. ORGANIZATION OR ADDRESS Aco			

File

On August 11, 2005 I was with second Platoon conducting a patrol on Rte. Lincoln. An IED went off on the first Humvee. I was in the second one. I had seen one Iraqi male standing ^{AJ} on the roadside. We went back to talk to him. He was gone. We cordon off the area and found him in a white car with four other males. While searching the area a black car drove into the area shots were fired. The LT. [REDACTED] told me to go to the black car and check out the driver of the car. He had an exit wound in his chest. The center of his chest. There was nothing I could do to save him.



INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE / OF / PAGES
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EXHIBIT

10

[REDACTED]

FOUO

13914

[Redacted]

Fous

STATEMENT OF

[Redacted]

TAKEN AT

Camp Taji

DATED

25 Aug 05

9. STATEMENT (Continued)

[Large redacted area with diagonal lines and handwritten marks]

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)

WITNESS:

[Redacted Name]

A 7-70 AR ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

Subscribed and sworn to by me, a person authorized to administer oaths, this 25 day of Aug 2005 at Camp Taji.

[Redacted Signature] (Signature of Person Administering Oath)

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

Article 136 c.m.s. (Authority to Administer Oaths)

[Redacted]

Fouo

FOUO

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 295; E.O. 9397 dated November 22, 1943 (SSN)
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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 Camp Taii	2. DATE (YYYYMMDD) 20060825	3. TIME	4. FILE NUMBER
5. [REDACTED]			7. GRADE/STATUS E-3 PFC
8. ORGANIZATION OR ADDRESS Aco 2-70 AR			

Ex 6

I PFC [REDACTED] state that while on Patrol on August 11 2005 our Convoy was struck by an IED. The third truck in our Convoy was hit. I was the second vehicle in the Convoy. I saw the IED that blew, It was a concrete encased round with brown sand in the concrete. we then cordoned off the local Area and began searching for a suspicious male we saw in the Area. while searching the Area I discovered an Area that appeared to be where the IED was made. fresh concrete with imprints of an Artillery round, A pile of sand that was the same color of sand that was in the IED. Also there was fresh ~~pot~~ lot wines and a Bucket of water. That led me to believe that that Area was in fact used to fabricate an IED. The rest of my Platoon was Questioning approx 6 Detainees that were in the Area. while conducting further search of the Area I noticed a black sedan with 3 males in close proximity of the site that had been used to fabricate the IED.

[REDACTED]

[REDACTED]

Ex 1

INITIALS OF PERSON MAKING STATEMENT	PAGE OF 2 PAGES
-------------------------------------	-------------------

EXHIBIT

[REDACTED]

FOUO

[Redacted] Fouo

STATEMENT OF [Redacted]

TAKEN AT

Camp Taji

DATED

20050825

9. STATEMENT (Continued)

[Redacted text block]

Ex 1

Ex 1

Upon approaching the vehicle I discovered that the driver was dead. Confirmed by our platoon medic SGT. [Redacted] PRL SGT. SSG [Redacted] took photos to support this statement

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] (Signature of Person Making Statement)

Subscribed and sworn to by me, a person authorized to administer oaths, this 25 day of Aug 2005 at Camp Taji

[Redacted Signature] (Signature of Person Administering Oath)

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

Article 136 ucm's (Authority to Administer Oaths)

WITNESS:

[Redacted Name] ACO 2-70th ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

[Redacted] BVO

FOUO

STATEMENT OF [REDACTED] TAKEN AT Camp Taji DATED 20050825

9. STATEMENT (Continued)

[REDACTED STATEMENT CONTENT]

Ex 4

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.

WITNESS

Acc 2-7017
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]
(Signature of Person Making Statement)

Subscribed and sworn to by me, a person authorized to administer oaths, this 23 day of Aug 2005 at Camp Taji

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
(Typed Name of Person Administering Oath)

Article 136 UCMJ
(Authority to Administer Oaths)

[REDACTED] FOUO

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 295; E.O. 9397 dated November 22, 1943 (SSN)
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DISCLOSURE: Disclosure of your social security number is voluntary.

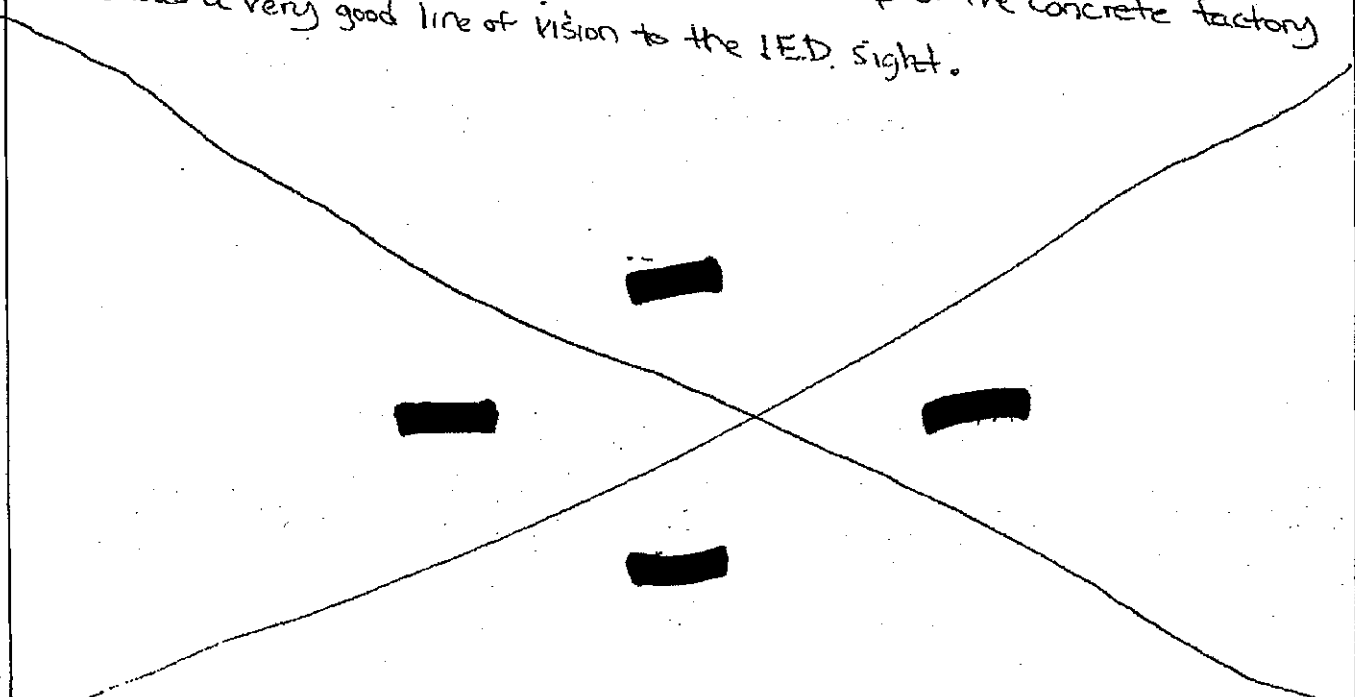
1. LOCATION Camp Taji	2. DATE (YYYYMMDD) 20050825	3. TIME	4. FILE NUMBER
--------------------------	--------------------------------	---------	----------------

5. LAST NAME FIRST NAME MIDDLE NAME SSN [REDACTED]	7. GRADE/STATUS E-4/SPC STA
---	--------------------------------

6. ORGANIZATION OR ADDRESS
Aco 2-70th Armor

On Aug 11 2005, I SPC [REDACTED] state that after my truck was struck by an IED. me and my platoon turned around, cordoned off the area. After detaining 6 Iraqis for questioning. While questioning we noticed a black sedan enter the concrete factory we had secured. 3 Iraqis exited the car and started talking to the concrete factory owner, and when they noticed us they got back into the car and started to leave.

[REDACTED]
[REDACTED] IED making materials including fresh concrete, cut and stripped wire, a water bucket and on top of the concrete factory office was a very good line of vision to the IED sight.



INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
---	-------------------

EXHIBIT [REDACTED] 13
Fovo
13920

E+G

Ex 1

[REDACTED] FOVO

STATEMENT OF [REDACTED] TAKEN AT Camp Taji DATED Aug 25 2005

9. STATEMENT (Continued)

Ex 6

[Large area with a large 'X' drawn across it, indicating a redacted statement. There are several small black redaction marks within this area.]

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]

Subscribed and sworn to by me, a person authorized to administer oaths, this 25 day of Aug 2005 at Camp Taji

A Co 2-70th
ORGANIZATION OR ADDRESS

[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

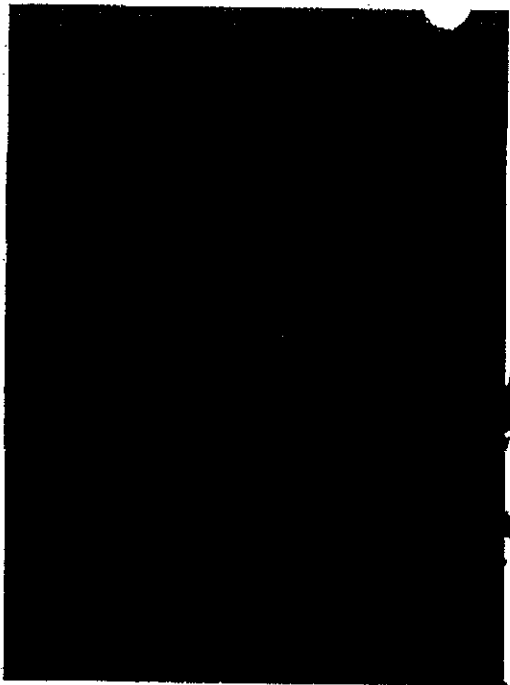
[REDACTED]
(Typed Name of Person Administering Oath)
Article 136 UCM 5
(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

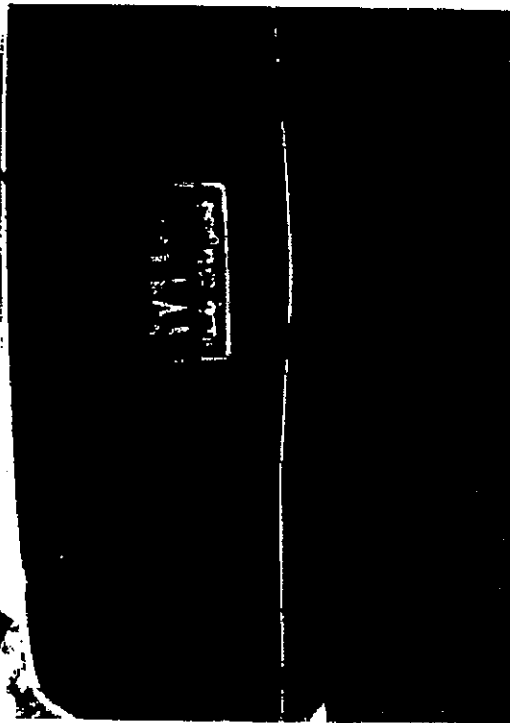
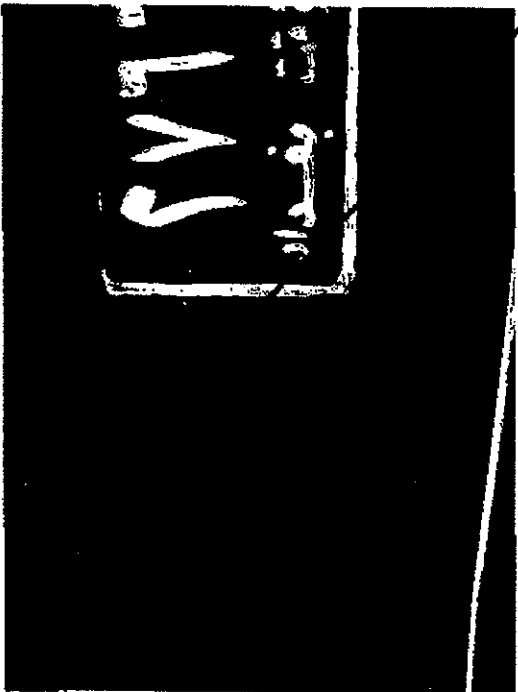
PAGE 2 OF 2 PAGES

[REDACTED] FOVO

F200



Points where
Bullet penetrated



F200

13922

EXHIBIT 14, page 2

F005



Bullet entry and exit holes



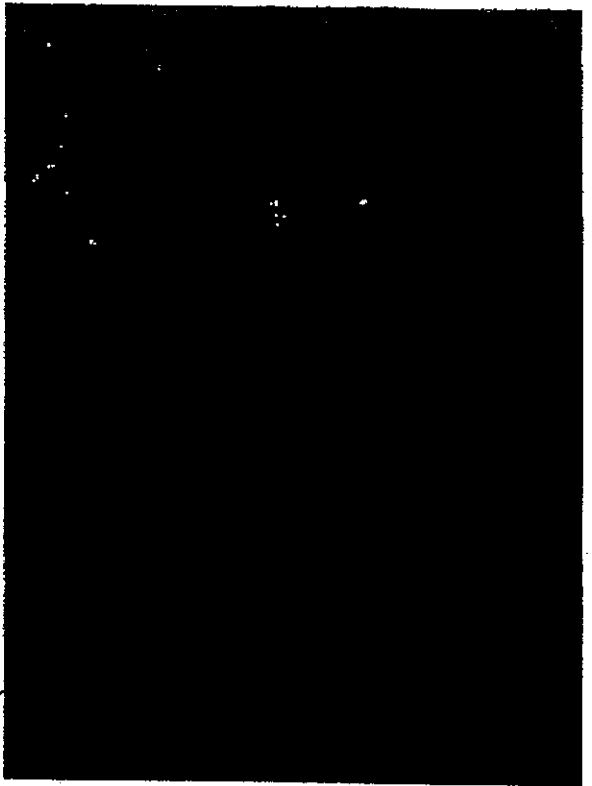
F000

EXHIBIT 14, Page 2



The Car as it stopped

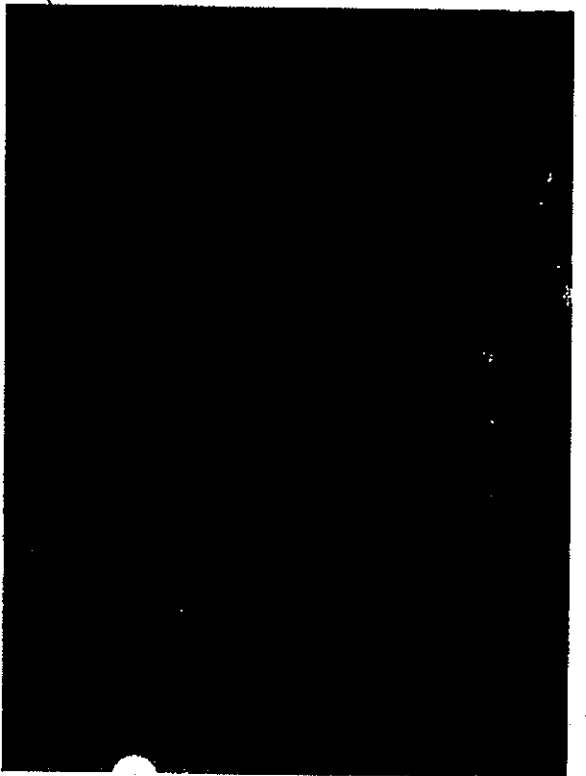




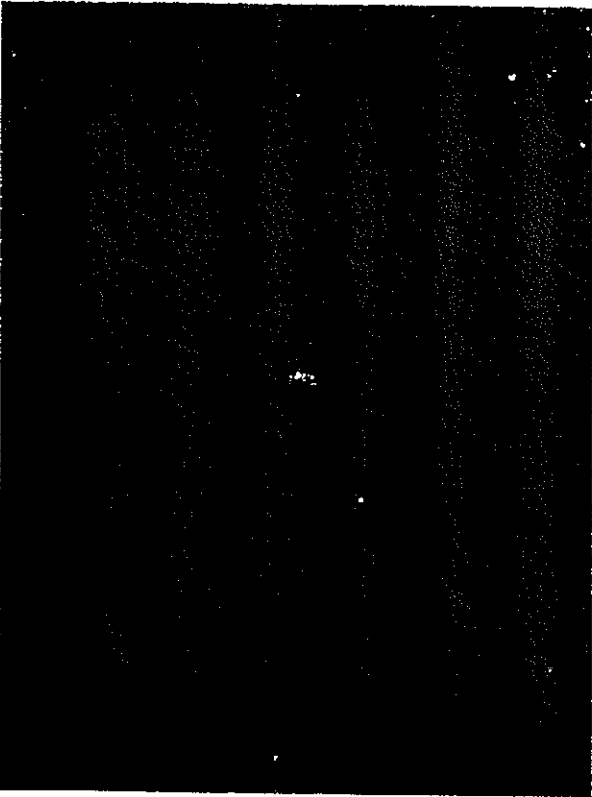
Site where IED was potentially encased in concrete



Fuo



IED Blast Seat



Fuo

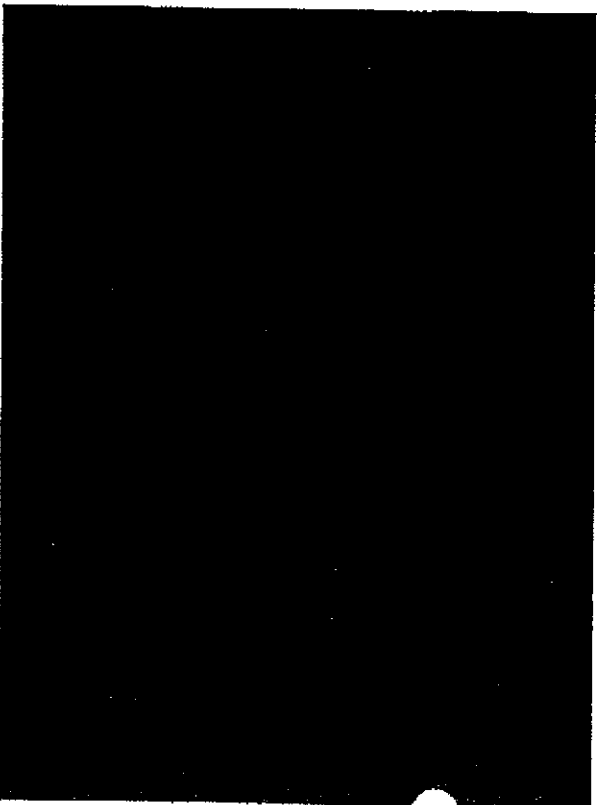


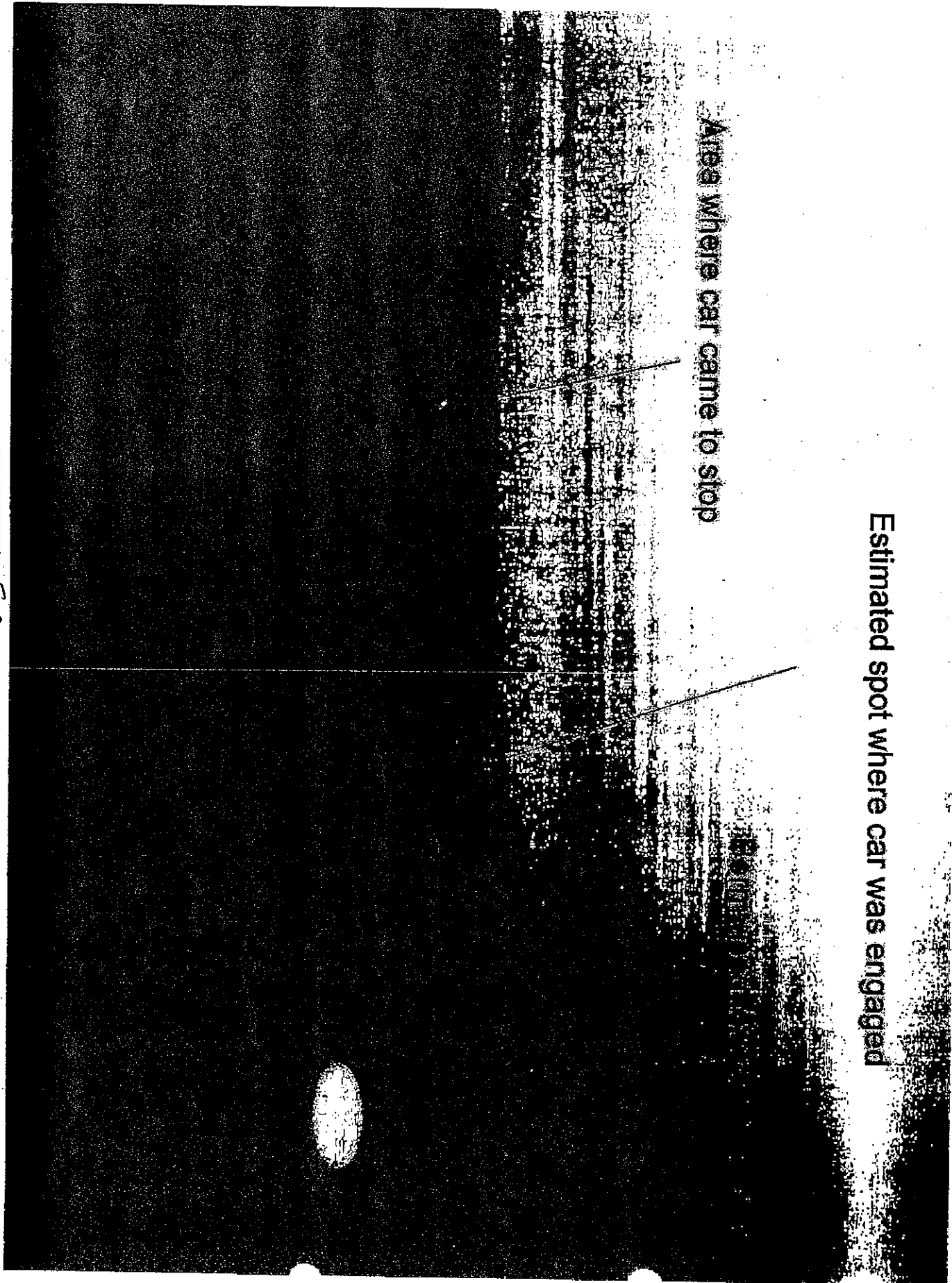
Exhibit 14, page 3

[Redacted]

Fsu

Estimated spot where car was engaged

Area where car came to stop



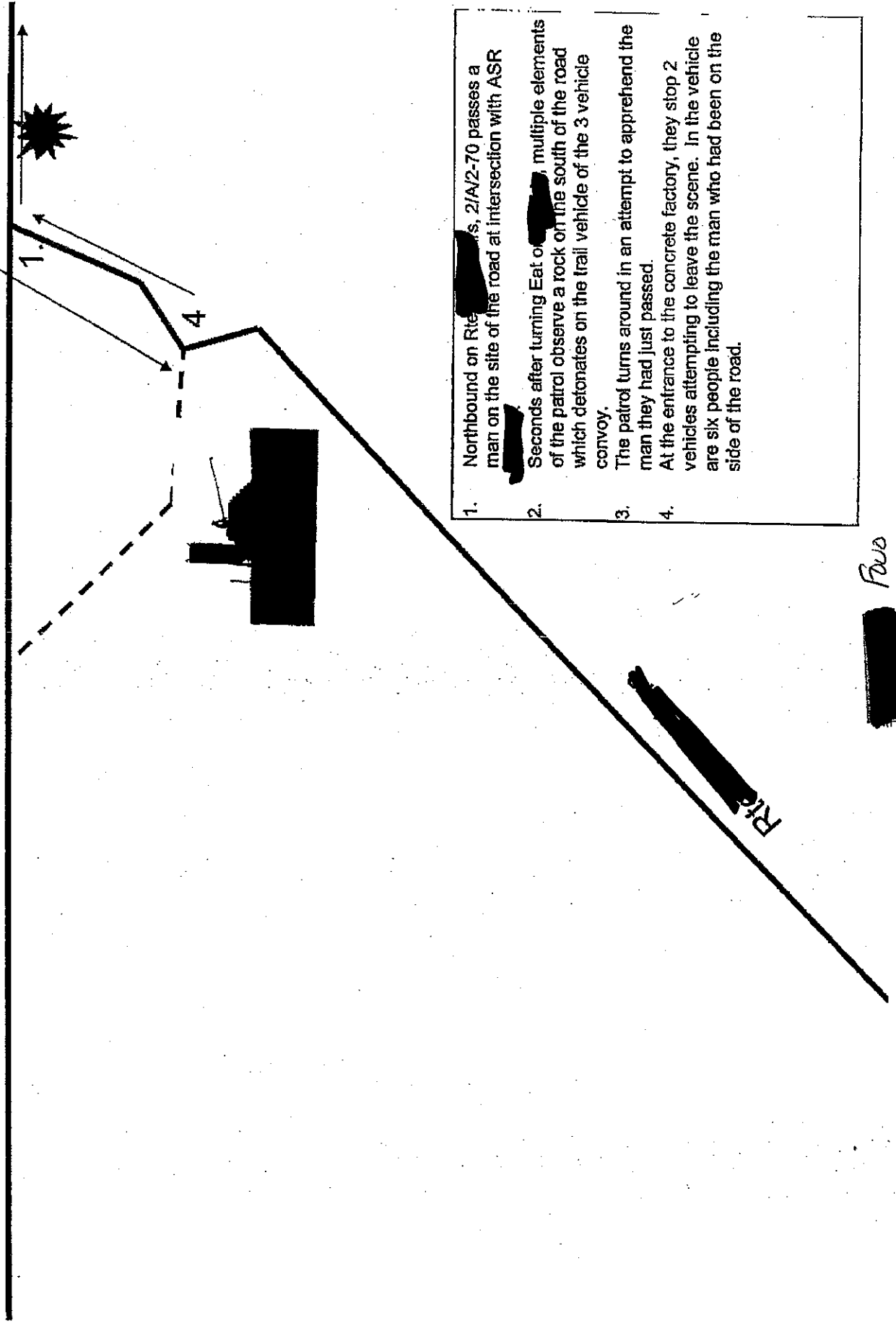
[Redacted]

Fsu
Exhibit 14, page 4

[redacted] favo

3

ASR

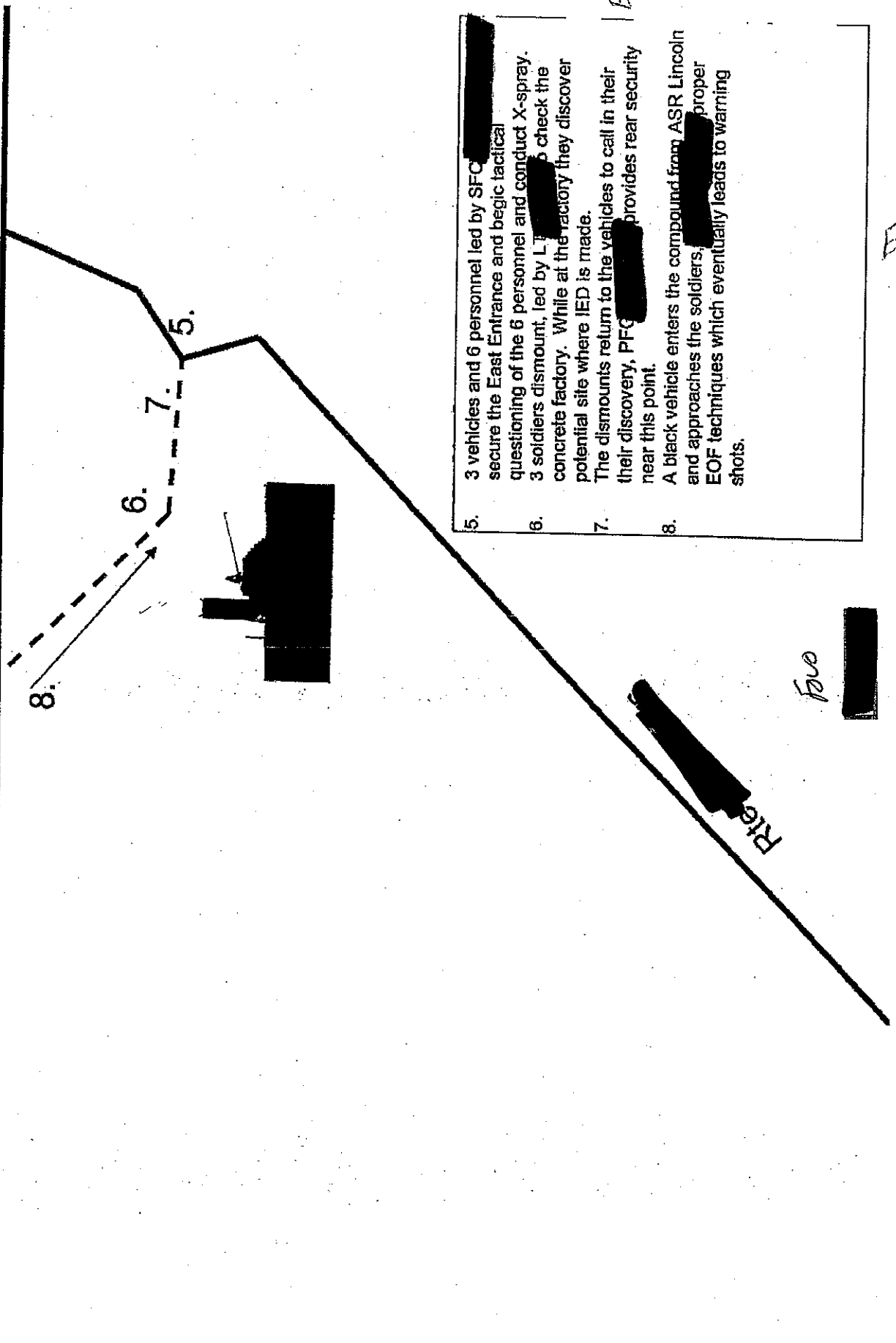


1. Northbound on Rte [redacted] s, 2/A/2-70 passes a man on the site of the road at intersection with ASR [redacted].
2. Seconds after turning East on [redacted] multiple elements of the patrol observe a rock on the south of the road which detonates on the trail vehicle of the 3 vehicle convoy.
3. The patrol turns around in an attempt to apprehend the man they had just passed.
4. At the entrance to the concrete factory, they stop 2 vehicles attempting to leave the scene. In the vehicle are six people including the man who had been on the side of the road.

[redacted] favo

Exhibit 15, page 1

ASR



5. 3 vehicles and 6 personnel led by SFC [redacted] secure the East Entrance and begin tactical questioning of the 6 personnel and conduct X-spray.
6. 3 soldiers dismount, led by LT [redacted] check the concrete factory. While at the factory they discover potential site where IED is made.
7. The dismounts return to the vehicles to call in their discovery, PFC [redacted] provides rear security near this point.
8. A black vehicle enters the compound from ASR Lincoln and approaches the soldiers. [redacted] proper EOF techniques which eventually leads to warning shots.

Ex

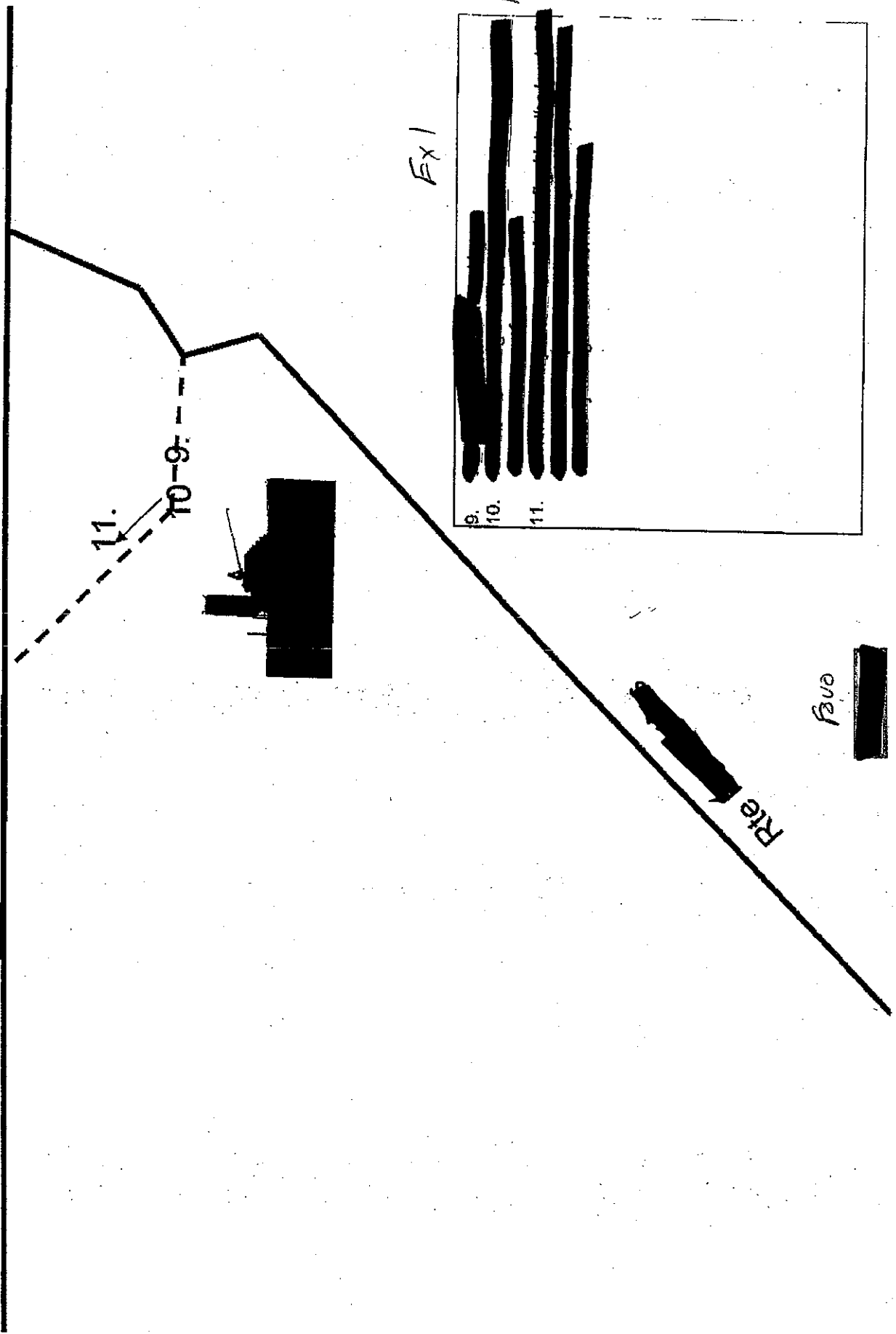
ExCe

Five

Exhibit 15, Page 2

[Redacted] fbuo

ASR [Redacted]



Ex 1

Ex

9. [Redacted]

10. [Redacted]

11. [Redacted]

[Redacted] fbuo

Exhibit 15, page 3

1000

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).
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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 Camp Taji	2. DATE (YYYYMMDD) 20050921	3. TIME 17:30	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN SA [REDACTED]	7. GRADE/STATUS E-4/SPC SA	
8. ORGANIZATION OR ADDRESS A Co 2-70th Armor 2nd platoon			

Ex 6

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

Q: Did you fire your weapon? If so how many rounds and at what?
A: No

Q: Who fired their weapon (do not speculate)? How many rounds?
A: [REDACTED]

Q: [REDACTED]
A: [REDACTED]

Ex 1

Q: Do you know why [REDACTED] his weapon?
A: He felt threatened and wanted to stop a car we all thought was suspicious of the earlier I.E.D. attack on my vehicle.

Q: Characterize the type of soldier [REDACTED] be calm under pressure? As he ever abused Iraqis or made gestures or statements that he wants to "kill" Iraqis?
A: [REDACTED] is a good soldier, that I trust did and will continue to do the right thing. I have never heard him say he wanted to kill Iraqis or abuse them.

End of statement
SA

10. EXHIBIT	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 INDICATED.

Exhibit 16
[REDACTED] 13929
F50

9. STATEMENT (Continued)

Not used
Not used

Ex 6

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 1. 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)
SA

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of Sept, 2005 at Camp Taji

ORGANIZATION OR ADDRESS

M. S. [Signature]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Typed Name of Person Administering Oath)
Article 136R UCMS
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] *Fouo*

FOUO

SWORN STATEMENT

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

PRIVACY ACT 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 <i>Camp Taji, Iraq</i>	2. DATE (YYYYMMDD) <i>20050921</i>	3. TIME <i>1714</i>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS <i>E6</i>	
8. ORGANIZATION OR ADDRESS <i>A Co 2/70 AR</i>			

Ex 6

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

Q: Did you fire your weapon? If so how many rounds and at what?

A: *No I did not fire my weapon.* [REDACTED]

Q: Who fired their weapon (do not speculate)? How many rounds?

A: *not certain which soldier fired.* [REDACTED]

Q: Do you know what he (they) were aiming at and why?

A: [REDACTED]

Ex 1

Q: Do you know w [REDACTED] his weapon?

A: [REDACTED]

Q: Characterize the type of soldier [REDACTED] calm under pressure? As he ever abused Iraqis or made gestures or statements that he wants to "kill" Iraqis?

A: *[REDACTED] is a great soldier. He works hard and puts his best foot forward. He is part of my section. He is calm and has shown his ability to react accordingly when things get stressful, such as contact with IEDs. He has never abused or made any gestures that he wanted to harm Iraqis. He has however on dismount been quite kind to the families and children of the houses we have searched in prior missions.* [REDACTED]

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>2</u> PAGES
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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.

Exhibit 17 [REDACTED] FOUO

FOUO

STATEMENT OF [REDACTED] TAKEN AT Camp Taji DATED 20050921

9. STATEMENT (Continued)

Ex 6

[REDACTED STATEMENT CONTENTS]

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. 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]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of Sept, 2005 at Camp Taji

[REDACTED SIGNATURE]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

FOUO

FOUO

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION <i>TAJI</i>	2. DATE (YYYYMMDD) <i>2005 Sep 21</i>	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS <i>E-2 / PV2</i>	
8. ORGANIZATION OR ADDRESS <i>A Co 2-JOAR</i>			

E-6

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

Q: Did you fire your weapon? If so how many rounds and at what?

A: *I did not fire my weapon.*

Q: Who fired their weapon (do not speculate)? How many rounds?

A: *PFC [REDACTED] fired his weapon?
I do not know how many rounds.*

Q: Do you know what he (they) were aiming at and why?

A: *At the time I did not know what he was aiming at.*

Q: Do you know why [REDACTED] his weapon?

A: *At the time I did not know why [REDACTED] his weapon.*

Q: Characterize the type of soldier [REDACTED] the calm under pressure? As he ever abused Iraqis or made gestures or statements that he wants to "kill" Iraqis?

A: *PFC [REDACTED] is a good soldier who uses good judgement and is calm under pressure. He has never abused Iraqis or made gestures or statements that he wants to kill Iraqis.*

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT [REDACTED] 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.

Exhibit

18

[REDACTED]

FOUO

[Redacted]

F000

STATEMENT OF

[Redacted]

AT

Taji

DATED

21 Sep 2005

9. STATEMENT (Continued)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Ex Co

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. 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]

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of Sept 05 at Camp Taji

ORGANIZATION OR ADDRESS

[Redacted Signature]

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[Redacted Name]

(Typed Name of Person Administering Oath)

Article 136 8 OCM 5

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

[Redacted]

F000

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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 Camp Taji, Iraq	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-3/AD	
8. ORGANIZATION OR ADDRESS A Co, 2-70 AR, Camp Taji, Iraq			

Ex 6

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

Q: [REDACTED]
A: [REDACTED] Ex 1

Q: [REDACTED]
A: [REDACTED] Ex 1

Q: How far away was the vehicle from you when you fired the round at the trunk?
A: About 75 to 100 meters, [REDACTED]

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>1</u> PAGES
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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.

Exhibit 19 [REDACTED] FOUO

FOUO

STATEMENT OF Paul [REDACTED] AT 10178 DATED 21 Sept 2005

9. STATEMENT (Continued)

[REDACTED STATEMENT CONTENT]

FX CO

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. 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]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of Sept, 05 at Camp TAG

[REDACTED SIGNATURE]
(Signature of Person Administering Oath)

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

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

[REDACTED] FOUO

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 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 Camp Taji, Iraq	2. DATE (YYYYMMDD) 2005/09/21	3. TIME 1915	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-8 / Active Duty	

8. ORGANIZATION OR ADDRESS
A Co., 2-70th Armor Battalion, 1st Armored Division

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

I have been [REDACTED]'s ISG for the last 16 months. [REDACTED] came to the unit straight out of AIT and from that day until present he has been a very good Soldier. [REDACTED] always followed orders and completed missions given to him with out any problems. [REDACTED] that kind of Soldier that is a [REDACTED] SGT's dream. The kind of Soldier that you want to promote ahead of his peers and give more responsibility. [REDACTED] will be promoted to specialist ahead of his peers with a waiver on 1 October 2005. His Platoon SGT has already asked me to make him a CPL as soon as possible and give him a gunner's position on an M1114 HMMWV. Being a gunner on a M1114 HMMWV is a great responsibility for a Soldier as young as [REDACTED], but myself and his Platoon SGT have no doubt that he will do an outstanding job as a gunner or any other position he is given. At the age of 23 years old [REDACTED] is a little older than his peer, contributing greatly to his higher level on of maturity and willingness to take responsibility for his actions. [REDACTED] is also married and has a child, once again adding to the maturity level of this Soldier. To my knowledge [REDACTED] has always been truthful and honest in all his actions and deed. When he makes a mistake he tells the truth about it and take full responsibility and punishment for his actions. This Soldier is a great asset to the Army. He is the kind of Soldier we want to keep in the Army and mold into an NCO. I have no doubt in my mind that PFC [REDACTED] all one day, in the not so far future, become an outstanding NCO. He is the kind of Soldier that I would be proud to pin SGT stripes on.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>3</u> PAGES
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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.

Exhibit 7.0 [REDACTED] Fouo

[Redacted]

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

STATEMENT OF [Redacted]

TAKEN AT 1915

DATED 2005/09/21

Exco

9. STATEMENT (Continued)

[Large area crossed out with a large X, containing several redacted black marks]

INITIALS OF PERSON MAKING STATEMENT

TLS

PAGE 2 OF 3 PAGES

[Redacted]

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STATEMENT OF [REDACTED]

TAKEN AT

1915

DATED

2005/09/21

9. STATEMENT (Continued)

Ex 6

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:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of Sept. 2005 at Camp Jasi

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
(Typed Name of Person Administering Oath)

Article 136 B crms
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 3 OF

[REDACTED] FDUO