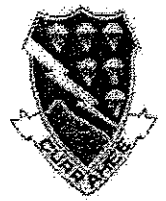


**Any Classified Document Downgraded in
this packet is done so under the
Memorandum for Record, dated 28
February 2007, Subject: Declassification
Guidance for Operation Iraqi Freedom
(OIF) 05-07 issued by the 4th Infantry
Division G2**



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



REPLY TO
ATTENTION OF

AFZB-KG-CO

16 March 2006

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

SUBJECT: AR 15-6 Investigation – Death of a Local National Occurring on 8 March 2006 –
Collision with Bradley Fighting Vehicle, B Co., 3-67 AR BN

1. I have reviewed the above-referenced investigation and recommend that the investigating officer's findings and recommendations be approved.
2. Point of contact for this memorandum is MAJ [REDACTED] Regimental Judge Advocate, at VOIP [REDACTED]

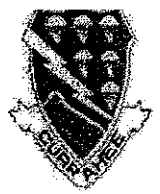
[REDACTED]

COL, IN
Commanding

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UNLESS OTHERWISE
NOTED



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



REPLY TO
ATTENTION OF

AFZB-KG-CO

8 March 2006

MEMORANDUM FOR MAJ [REDACTED] Headquarters and Headquarters Company, 3d Battalion, 67th Armor Regiment, 506th Regimental Combat Team, 101st Airborne Division (Air Assault), Camp Rustamiyah, Iraq 09390

SUBJECT: Appointment as Investigating Officer

1. You are hereby appointed an investigating officer pursuant to AR 15-6 to conduct an informal investigation into the incident occurring on 8 March 2006 where a local national vehicle was run over by an M2 Bradley Fighting Vehicle that was making a U-turn on Route Oilers in the vicinity of FOB Loyalty. The driver of the local national vehicle was killed as a result. Your investigation will focus on the following areas:
 - a. What were the facts and circumstances leading to the accident? Was there any negligence on the part of U.S. Forces?
 - b. Was the Bradley being operated in a responsible manner? What safety measures were employed to prevent accidents such as the one that occurred?
 - c. What was the name and address of the local national?
 - d. Was a claims card issued as a result of the incident? What was the make and model of the destroyed vehicle? What is the name and address of the next-of-kin who should receive any payment?
 - e. What, if any, corrective actions, training, or changes to procedures should be made in light of this incident? What lessons can be learned for future mission planning?
2. In your investigation, all witness statements will be taken on paper and sworn using DA Form 2823. If you discover any suspected criminal misconduct you must first read the individual their Article 31, UCMJ Rights, prior to taking their statement. From the evidence, you will make findings as to whether any criminal laws or Army regulations have been violated. In addition to your findings, you will make recommendations for any appropriate action to be taken. These recommendations may include but are not limited to: UCMJ or administrative actions concerning one or more individuals, additional training, policy changes, etc. Conduct your investigation pursuant to AR 15-6. Additionally, seek advice from RCT Legal prior to commencing your investigation ([REDACTED]).

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AFZB-KG-CO

SUBJECT: Appointment as Investigating Officer

3. This investigation takes precedence over your other assigned duties. Record your findings and recommendations utilizing DA Form 1574. Submit your investigation packet to this headquarters NLT 1700 13 March 2006. Any requests for an extension should be made to me verbally or in writing.



COL, IN
Commanding

ALL ITEMS ARE
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UNLESS OTHERWISE
NOTED

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 COL [REDACTED] CDR, 506th RCT
(Appointing authority)

on 8 March 2006 (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 Rustamiyah at 0900
(Place) (Time)

on 9 March 2006 (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.)

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The (investigating officer) (board) finished gathering/hearing evidence at 0900 on 14 March 2006
(Time) (Date)
and completed findings and recommendations at 1700 on 14 March 2006
(Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

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

FOOTNOTES: ^{1/} Explain all negative answers on an attached sheet.
^{2/} Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

		YES	NO ^{1/}	NA ^{2/}
2	Exhibits (para 3-16, AR 15-6)			
	a. Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?	X		
	b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	X		
	c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	X		
	d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?	X		
	e. Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?	X		
	f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?			X
	g. If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?			X
3	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?			X
B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)				
4	At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?			
5	Was a quorum present at every session of the board (para 5-2b, AR 15-6)?			
6	Was each absence of any member properly excused (para 5-2a, AR 15-6)?			
7	Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?			
8	If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?			
C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)				
9	Notice to respondents (para 5-5, AR 15-6):			
	a. Is the method and date of delivery to the respondent indicated on each letter of notification?			
	b. Was the date of delivery at least five working days prior to the first session of the board?			
	c. Does each letter of notification indicate—			
	(1) the date, hour, and place of the first session of the board concerning that respondent?			
	(2) the matter to be investigated, including specific allegations against the respondent, if any?			
	(3) the respondent's rights with regard to counsel?			
	(4) the name and address of each witness expected to be called by the recorder?			
	(5) the respondent's rights to be present, present evidence, and call witnesses?			
	d. Was the respondent provided a copy of all unclassified documents in the case file?			
	e. If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?			
10	If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):			
	a. Was he properly notified (para 5-5, AR 15-6)?			
	b. Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?			
11	Counsel (para 5-6, AR 15-6):			
	a. Was each respondent represented by counsel?			
	Name and business address of counsel:			
	(If counsel is a lawyer, check here <input type="checkbox"/>)			
	b. Was respondent's counsel present at all open sessions of the board relating to that respondent?			
	c. If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?			
12	If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):			
	a. Was the challenge properly denied and by the appropriate officer?			
	b. Did each member successfully challenged cease to participate in the proceedings?			
13	Was the respondent given an opportunity to (para 5-8a, AR 15-6):			
	a. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?			
	b. Examine and object to the introduction of real and documentary evidence, including written statements?			
	c. Object to the testimony of witnesses and cross-examine witnesses other than his own?			
	d. Call witnesses and otherwise introduce evidence?			
	e. Testify as a witness?			
	f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?			
14	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?			
15	Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?			

FOOTNOTES: 1/ Explain all negative answers on an attached sheet.
2/ Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

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

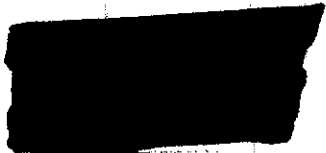
The (investigating officer) (board), having carefully considered the evidence, finds:
See attached memorandum.

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

In view of the above findings, the (investigating officer) (board) recommends:
See attached memorandum.

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)

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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Exhibit A (Evidence and Findings)

(a) What were the facts and circumstances leading to the accident?

- 20 1200 FEB 06 Assumed security of UN Compound [REDACTED]
- 08 0600 MAR 06 Element consisting of two M2 BFV's (B31 [the B32 crew was using this vehicle] & B34), six dismounts, and a medic departed the UN Compound with the task of performing a combat logistical patrol to FOB LOYALTY and the purpose being to provide the UN Compound security force with its daily allocation of Class I
- 08 0600-0605 MAR 06 Element moves eastward along [REDACTED]; with the assistance of IP's at CP36 – takes a right on [REDACTED] halfway [REDACTED] between CP 36 & 550 on [REDACTED] Element turns left, crosses the median, with the intent on crossing the northbound lane of traffic in order to enter FOB LOYALTY
- 08 0605 MAR 06 The lead vehicle B31 lead by SSG [REDACTED] and driven by SUSA552 (b)(6) PFC [REDACTED] drives over a local national vehicle traveling SUSA552 (b)(6) north on [REDACTED] at [REDACTED]
- 08 0615 MAR 06 SSG [REDACTED] notified the BDE HQ on FOB LOYALTY and the Platoon Sergeant, SFC [REDACTED] remained on site; BDE notifies 3-67 AR BN TOC SUSA552 (b)(6) (b)(6)
- 08 0625 MAR 06 Iraqi Police arrived on the scene
- 08 0635 MAR 06 Medic SPC [REDACTED] pronounces that Jassim Enad Rshak SUSA552 (b)(6) (b)(6) passed away due to massive trauma caused by a vehicular accident; Jassim Enad Rshak was unable to be extracted from the vehicle
- 08 0638 MAR 06 4xM1114 arrived on site for assistance, LT [REDACTED] is the SUSA552 (b)(6) Patrol Leader
- 08 0645 MAR 06 Iraqi Fire Department arrived on the scene
- 08 ~0735 MAR 06 Iraqi Police officially released all elements from the scene and they immediately moved back to UN Compound
- 08 0900 MAR 06 Element moves to FOB RUSTAMIYAH for further questioning

(b) Was the Bradley being operated in a responsible manner? What safety measures were employed to prevent accidents such as the one that occurred?

The driver and vehicle commander for B31 slowed down and used the appropriate signaling device to facilitate safe movement across [REDACTED]. The M2 BFV used and was equipped with a Bradley Mod Kit 3 ½ million candle watt spot light.

(c) What was the name and address of the local national? Jassim Enad Rshak and his address is [REDACTED]

(d) Was a claims card issued as a result of the incident? What was the make and model of the destroyed vehicle? What is the name and address of the next-of-kin who should receive any payment?

A claims card was issued at the scene to an unknown IP, who happened to identify himself as the neighbor of the victim, because Jassim Enad Rshak was the sole passenger in the vehicle. SFC [REDACTED] provided to the IP's on site (investigating officer was LT [REDACTED] who also has custody of all personal belongings) all information requested. [REDACTED] eldest son who is 30 years old, cell number [REDACTED] should receive payment. The following information refers to the vehicle and its original registered owner:

Vehicle Make: Hyundai

Vehicle Year: 1994

Vehicle: Golden

Vehicle Original Registered Owner: [REDACTED]

Vehicle Original Registered User: [REDACTED]

Address: [REDACTED]

Information verified by BG [REDACTED] New Baghdad Traffic (525)

COL [REDACTED] and LT [REDACTED] verified a family document stating that Jassim Enad Rshak is the current owner of this vehicle

(e) What, if any, corrective actions, training, or changes to procedures should be made in light of this incident? What lessons can be learned for future mission planning? Was there any negligence on the part of U.S. Forces?

After a thorough investigation, the proximate cause for the death of Jassim Enad Rshak on 08 MAR 06 due to a collision with an M2 BFV was not due to gross negligence or malicious intent on the part of anyone related to the accident. Multiple events could have possibly prevented or at least limited the scope of damage/injury. The driver and vehicle commander for B31 slowed down and used the appropriate signaling device to facilitate safe movement across [REDACTED] however, they could have waited until all traffic (500552650) came to a complete stop before proceeding instead of assuming the local national vehicle would stop. The local national, Jassim Enad Rshak, appeared to be coming to a stop and either ignored or misunderstood the visual signal used; however, chose to drive into the direct path of an M2 BFV.

Recommend the following:

- SSG [REDACTED] receives a letter of concern highlighting the importance and responsibility of being a vehicle commander. It is physically impossible for the driver to have seen the vehicle in question; however, the vehicle commander must understand the conditions presented and make sound judgments quickly. This accident may have been prevented simply by ensuring all traffic came to a complete halt prior to crossing the road.

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- Condolence payment and regrets be made directly to the next of kin of Jassim Enad Rshak by the B/3-67 AR Company Commander and confirm that the claims card was received.
- All coalition traffic no longer be allowed to cross the median at [REDACTED] on [REDACTED] onto oncoming traffic in order to enter FOB LOYALTY.

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Index of Exhibits:

- Exhibit A (Evidence and Findings)
- Exhibit B (Memorandum of Appointment, 08 MAR 06)
- Exhibit C (SIR Report, 08 MAR 06)
- Exhibit D (Story Board Sent to BDE, 08 MAR 06)
- Exhibit E (Sworn Statement, SSG [REDACTED] (TC), 08 MAR 06)
- Exhibit F (Sworn Statement, PFC [REDACTED] (driver), 08 MAR 06)
- Exhibit G (Sworn Statement, PFC [REDACTED] (gunner), 08 MAR 06)
- Exhibit H (Sworn Statement, SFC [REDACTED] (TC), 08 MAR 06)
- Exhibit I (Sworn Statement, SPC [REDACTED] (driver), 08 MAR 06)
- Exhibit J (Sworn Statement, PFC [REDACTED] (gunner), 08 MAR 06)
- Exhibit K (Sworn Statement, SPC [REDACTED] (medic), 08 MAR 06)
- Exhibit L (Driver License, PFC [REDACTED], 31 JAN 06)
- Exhibit M (Dispatch, 27 FEB 06)
- Exhibit N (Sworn Statement, COL [REDACTED] & LT [REDACTED] - taken by LT [REDACTED]
12-13 MAR 06)
- Exhibit O (Iraqi Police Report - Translated, 13 MAR 06)
- Exhibit P (Iraqi Police Report, 13 MAR 06)

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SIR Format

From: B/3-67 AR

Thru: 506th RCT SDNCO

To: 4th ID/ Division Operation Center

Subject: SIR

1. Category:
2. Type of incident: Vehicle Accident
3. Date and time: 08 0605 MAR 06

4. Location [REDACTED] 503C552(B)(4)

5. Personnel involved:

A. Subject: [REDACTED]

- A. Rank or grade: SSG
- B. Social Security Number: [REDACTED]
- C. Race: Caucasian
- D. Sex: Male
- E. Age: 36
- F. Position: Bradley Commander
- G. Security clearance: N/A
- H. Unit and station of assignment: B/3-67 AR, Fort Hood, TX
- I. Duty status: Active

B. Subject: [REDACTED]

- A. Rank or grade: PFC
- B. Social Security Number: [REDACTED]
- C. Race: Caucasian
- D. Sex: Male
- E. Age: 29
- F. Position: Bradley Driver
- G. Security clearance: N/A
- H. Unit and station of assignment: B/3-67 AR, Fort Hood, TX
- I. Duty status: Active

6. Summary of incident: At 08 0605 MAR 06 a Local National vehicle and a 3/B/3-67 AR Bradley had an accident at [REDACTED]. The 3/B/3-67AR BFV section was traveling from the UN Compound to FOB Loyalty for morning LOGPAC. The BFV section had traveled south down [REDACTED] and crossed the median directly across from the FOB Loyalty entrance. The lead BFV let multiple Local National vehicles traveling north proceed before he continued across [REDACTED]. Once he began to cross [REDACTED] a Local National vehicle drove towards the BFV section. The Bradley commander of the lead vehicle used the high power spot light from the BFV urban MOD kit to signal the oncoming vehicle. The Bradley commander believed the oncoming vehicle was going to stop and therefore continued across the road. The oncoming vehicle did not stop and the lead BFV ran over the local national vehicle. The area was immediately secured and first aid was rendered. The LN was trapped inside the vehicle and died of wounds at approximately 0625. 503C552(B)(4)

7. Other Information:

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EXHIBIT C

A. Racial: N/A

B. Training Involvement: None

8. Remarks: Neither soldier deployed to OIF/OEF

9. Publicity: N/A

10. Commander reporting: CPT [REDACTED]

11. Point of contact: CPT [REDACTED]

12. Report originated by: CPT [REDACTED]

13. Released by:

14. Unit Notifications:

A. Telephone

<u>Position</u>	<u>Name</u>	<u>DTG</u>	<u>Instructions</u>
CO CDR	CPT [REDACTED]	080625MAR06	
BN CDR	LTC [REDACTED]	080700MAR06	

B. Email

<u>Position</u>	<u>Name</u>	<u>Time</u>	<u>Instructions</u>
BDE SD			

DA now requires additional information on SIRs whenever possible. Specifically: "Was the soldier recently deployed to OIF/OEF? If so, what were the start and end dates of deployment?" This is of particular interest involving accidents.

FOD / DOC NCO: _____

Time Received: _____

FOD / DOC NCO Actions:

DOC OIC / NCOIC Disposition:

FOD Notifications:

A. Telephone

<u>Position</u>	<u>Name</u>	<u>Time</u>	<u>Instructions</u>
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B. Email

<u>Position</u>	<u>Name</u>	<u>Time</u>	<u>Instructions</u>
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**Document was Removed under
Exemption 5 USC 552(b)(1) or (2) because
it is either Classified Secret or Top Secret
and non-degradable to Unclassified**

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: HQ, 3/67 AR, FOB Rustimayah, Baghdad, Iraq
2. DATE (YYYYMMDD): 2006/03/08
3. TIME: 1024
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS: E-6/SSG
8. ORGANIZATION OR ADDRESS: B CO 3/67 AR, 4BDE, 4ID, (FOB Rustimayah), Baghdad, Iraq

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

Today at 0600 we left the U.N. Compound to pick up morning chow. We traveled down [REDACTED] and turned onto [REDACTED] at C.F. 36 and proceeded [REDACTED] to FOB LOYALTY. At the median where we have turned every time I told the driver to slow down to 10 KPH before we crossed over. As we were crossing over, several cars passed by in front of the BFV. I could see a car down the road so I took out our new spotlight and shined it on the car to let the driver know we were there and crossing. He appeared to have seen us and was going to stop, so I looked forward to do a visual inspection for IED's and I told the Driver to proceed. At this time, I noticed the car come in front of the BFV and he swerved in towards us. I told the driver to veer off to the right but it was too late. We hit the car. From my view it looked like we hit the trunk of the car. I told the driver to stop and we traversed the turret and could see that we had ran over the whole car. The blue four element told me to dismount the dismounts to secure the area. He then told me to go to FOB LOYALTY to get help because the driver was still alive at the time. We went to FOB LOYALTY where the BGDE [REDACTED] TOC is at. I was told by the Battle Captain to secure the area until the driver was extracted from the car and then we would be released from the scene. Upon returning to the U.N. I was told that we had to come to FOB RUSTIMYAH to brief the Company Commander and Battalion Commander on what happened.

505057

Large area with handwritten 'not used' and 'ALL ITEMS ARE REDACTED UNDER 505052(B)(6) UNLESS OTHERWISE NOTED'.

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

EXHIBIT E

STATEMENT OF [REDACTED] TAKEN AT ^{Sub} RustinyRH DATED 8 March 06

9. STATEMENT (Continued)

not used

[REDACTED]

not used

[REDACTED]

not used

[REDACTED]

not used

[REDACTED]

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INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

not used
[REDACTED]

Not used
[REDACTED]

not used
[REDACTED]

not used
[REDACTED]

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 7 day of MARCH, 2006 at Fob Rustimyah

[REDACTED]
PC
33167 AR 48DE 4th Fob Rustimyah IRAQ
ORGANIZATION OR ADDRESS

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
PC
33167 AR 48DE 4th Fob Rustimyah Iraq
ORGANIZATION OR ADDRESS

[REDACTED]
(Typed Name of Person Administering Oath)

Company Commander
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

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PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 16 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: HQ, 3/67 AR, FOB Rustimayah, Baghdad, Iraq
2. DATE (YYYYMMDD): 2006/03/08
3. TIME: 1024
4. FILE NUMBER:

5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: E-3/PFC

8. ORGANIZATION OR ADDRESS: B CO 3/67 AR, 4BDE, 4ID, (FOB Rustimayah), Baghdad, Iraq

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

We left the U.N. Compound on 8 March 2006 to take back evening chow and pick up morning chow. We came out gate five and got onto [REDACTED] proceeded down [REDACTED] and made a right hand turn onto [REDACTED] We proceeded up [REDACTED] until we came to the median where we cross to enter FOB LOYALTY. I was told by my B.C. to slow down before entering the median. I slowed down to 10 KPM. There were a couple of cars that passed by, the B.C. said that it was clear to proceed across the median. I proceeded across the median he said that there was a car coming and to slow down and try to swerve right to avoid hitting the car. The car was moving too fast for me to swerve out of it's path and I struck the car in the drivers door pushing the car a little bit before finally running over the top of the car. My B.C. then told me to stop and drop the ramp so that the dismounts could secure the area.

SUSC 552

NOT USED

ALL ITEMS ARE REDACTED UNDER 5USC 552 (B) (6) UNLESS OTHERWISE NOTED

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

EXHIBIT F

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

STATEMENT OF

[REDACTED]

TAKEN AT

Feb Rustamiyah

DATED

8 March 06

9. STATEMENT (Continued)

NOT USED

ALL ITEMS ARE
REDACTED UNDER
5 USC 552 (B) (6)
UNLESS OTHERWISE
NOTED

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 2 OF 3 PAGES

STATEMENT OF

[REDACTED]

TAKEN AT

Fob Rustamirah DATED 8 March 06

9. STATEMENT (Continued)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

NOT USED

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 8th day of March, 2006 at Fob Rustamirah

[REDACTED] ORGANIZATION OR ADDRESS

[REDACTED] (Signature of Person Administering Oath)

[REDACTED] ORGANIZATION OR ADDRESS

[REDACTED] (Typed Name of Person Administering Oath)

[REDACTED] ORGANIZATION OR ADDRESS

Company Commander (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

ALL ITEMS ARE REDACTED UNDER 5 USC 552 (B) (6) UNLESS OTHERWISE NOTED 14714

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

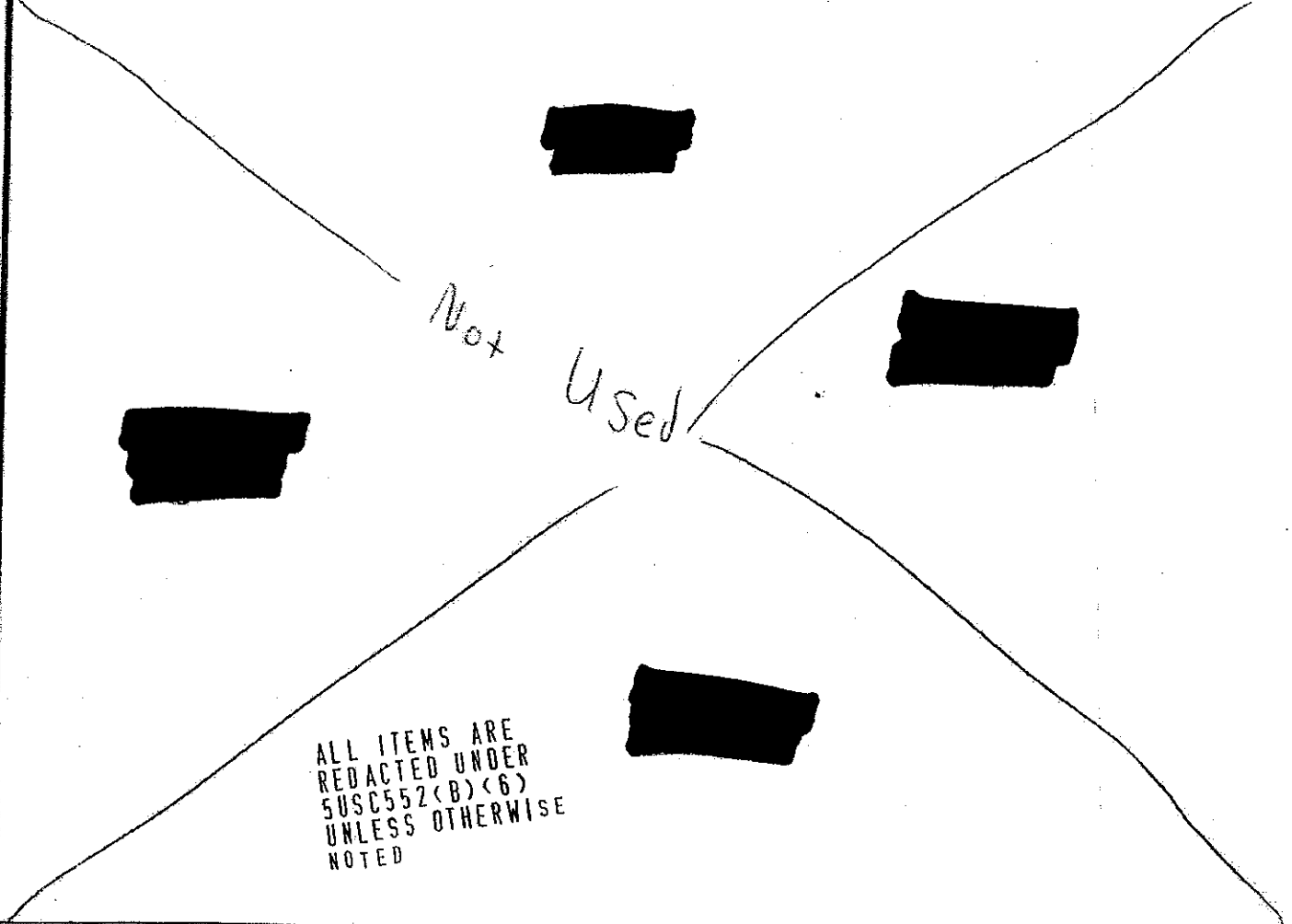
AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION HQ, 3/67 AR, FOB Rustimayah, Baghdad, Iraq	2. DATE (YYYYMMDD) 2006/03/08	3. TIME 1024	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-3/PFC	
8. ORGANIZATION OR ADDRESS B CO 3/67 AR, 4BDE, 4ID, (FOB Rustimayah). Baghdad, Iraq			

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

We left the U.N compound on our usual chow run. We crossed over [REDACTED] entering FOB LOYALTY. As we were crossing the median, SSG [REDACTED] told PFC [REDACTED] to slow down and then told him to proceed across the median. As he was crossing, I caught a glimpse of a car. SSG [REDACTED] told PFC [REDACTED] to swerve off to the right and at that point, I felt a bump and SSG [REDACTED] was yelling stop. After that, the dismounts dismounted secured the area and we proceeded into FOB LOTYALTY to seek further assistance. We stayed on site until the body was extracted from the vehicle.

SUSCS (S)



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

14715 EXHIBIT G

STATEMENT OF [REDACTED]

TAKEN AT FOB Rustanqah DATED 08 MAR 06

9. STATEMENT (Continued)

Not Used

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 8 day of MARCH, 2006 at FOB Rustanqah

[REDACTED]
[REDACTED]
B3/67 AR 40DE41D (FOB Rustanqah) TRAC
ORGANIZATION OR ADDRESS

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
B3/67 AR 40DE41D (FOB Rustanqah) TRAC
ORGANIZATION OR ADDRESS

[REDACTED]
(Typed Name of Person Administering Oath)

Company Commander
(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

ALL ITEMS ARE
REDACTED UNDER
5USC 552 (B) (6)
UNLESS OTHERWISE
NOTED 14717

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

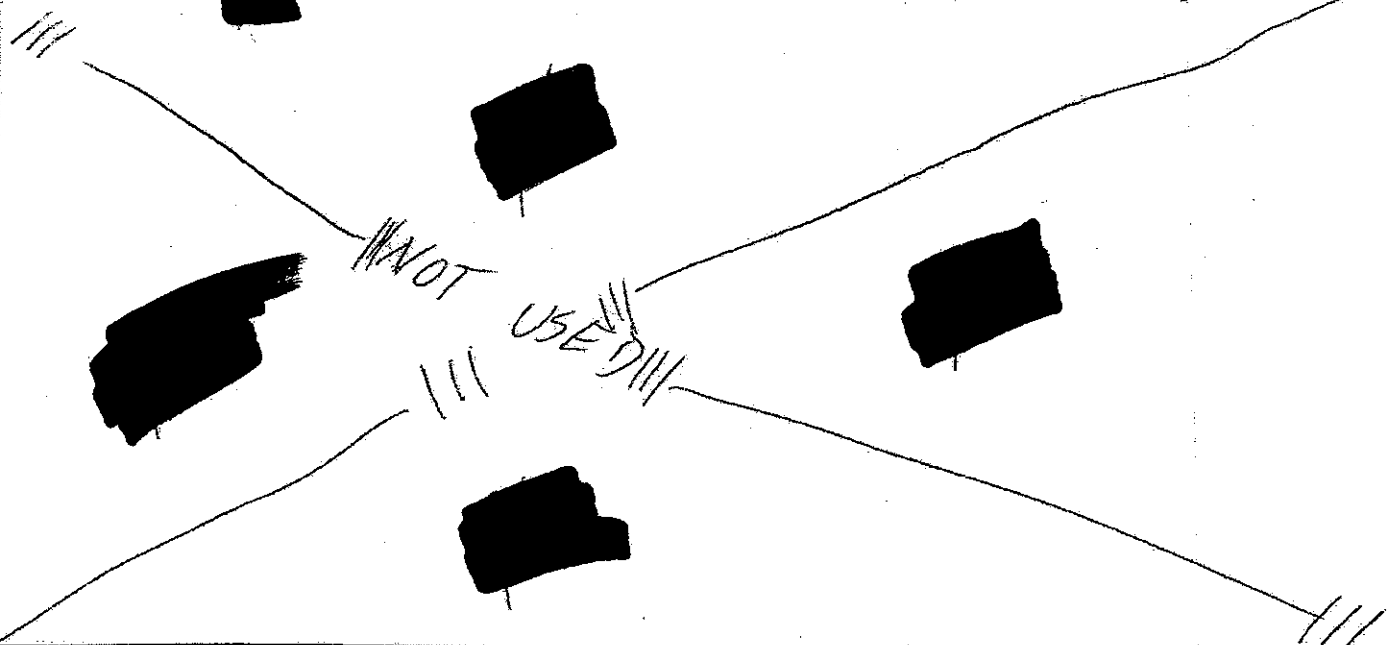
AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: HQ, 3/67 AR, FOB Rustimayah, Baghdad, Iraq
2. DATE (YYYYMMDD): 2006/03/08
3. TIME: 1024
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS: E-7/SFC
8. ORGANIZATION OR ADDRESS: B CO 3/67 AR, 4BDE, 4ID, (FOB Rustimayah), Baghdad, Iraq

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

At approximately 0600, I was convoy commander for LOGPAC from the UN Compound to FOB Loyalty traveling east on [REDACTED]. I had 2 Bradley Fighting Vehicles (BFV) (B31 and B34), 6 Dismounts, for QRF, and a medic [REDACTED]. Both BFV's were manned with licensed crews. On the way to FOB Loyalty, SSG [REDACTED] (lead vehicle) was traveling at a speed of approximately 20-30 KPH. We crossed CP 36, with the assistance of the IP check point, and started heading south on [REDACTED]. Some vehicles were present but stopped while we passed. I asked my driver ([REDACTED]) what speed are we at and he stated 25 K's. My crew had the rear security and was monitoring the oncoming traffic. While approaching the cross-over in front of FOB Loyalty, just north of CP 530 [REDACTED], I instructed my gunner [REDACTED] to traverse to one o'clock and monitor the northbound traffic while B31 crossed oncoming traffic. While traversing, I noticed that B31 had ran over a civilian vehicle. I immediately came on the net and said, "Blue 2, you had just ran over a car". He stated he knows. I then instructed my crew to pivot to the right and secure oncoming traffic. I then had B31 dismount the dismounts and secure the scene. [REDACTED] was the Team Leader and in placed his men around the scene and checked the vehicle. After the scene was secured, [REDACTED] assessed the person in the vehicle. He stated that he was still alive. I instructed two of the soldiers to get my tanker bars and try to pry the roof off of the car and extract the casualty. I then instructed B31 to enter FOB Loyalty and gather assistance from BDE. The IP's showed up around 0625 and started to assist with no avail. [REDACTED] told me that the man had passed away. I looked at my watch and it was 0635. At approximately 0645, the Fire Department showed up and extracted the man and moved the vehicle off the road. I gave an IP (name unknown) an accident card and gave him the information I had on hand. The IP was a neighbor of the elderly deceased. Once the man was extracted, an IP picked up a cell phone from the floor board of the vehicle and put it to his ear. Then appears to be either turning it on or off. After the body was extracted and the vehicle was moved to the side of the road, I asked if there was anything else that needs to be done. The IP's told me no and we departed the scene and returned to the UN Compound.

SUC552 (S)
SUC552 (S)
SUC552 (S)



10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT / TAKEN AT DATED
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND PAGE NUMBER MUST BE INDICATED.

ALL ITEMS ARE REDACTED UNDER SUC552 (S) UNLESS OTHERWISE NOTED

STATEMENT OF



TAKEN AT

Fob Rustenburg

DATED

08 Mar 06

9. STATEMENT (Continued)

/// NOT USED ///






ALL ITEMS ARE REDACTED UNDER 5USC552(B)(6) UNLESS OTHERWISE NOTED

INITIALS OF PERSON MAKING STATEMENT

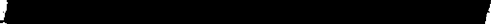


PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)



 NOT
 USED


AFFIDAVIT

I, , 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.


(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 08 day of March, 06 at Fob Rustamiah.


(Signature of Person Administering Oath)


(Typed Name of Person Administering Oath)

Company Commander
(Authority To Administer Oaths)


PFC 
B# 3167 HR 480691D (Fob Rustamiah) Iraq
ORGANIZATION OR ADDRESS


Sgt 
Bldg 3167 HR 480691D
ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT 

ALL ITEMS ARE REDACTED UNDER
5 USC 552 (b) (7) (C)
UNLESS OTHERWISE NOTED

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

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 HQ, 3/67 AR, FOB Rustimayah, Baghdad, Iraq	2. DATE (YYYYMMDD) 2006/03/08	3. TIME 1024	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-4/SPC	
8. ORGANIZATION OR ADDRESS B CO 3/67 AR, 4BDE, 4ID, (FOB Rustimayah), Baghdad, Iraq			

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

We left the IIN Compound to drop off dinner chow and pick up breakfast chow. We were traveling down [REDACTED] and turned onto [REDACTED]. We crossed over the median outside of the entrance to FOB LOYALTY. After crossing the median I saw that the track in front of me had crushed a car.

SUSC
C6G

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

NOT USED

[REDACTED]

ALL ITEMS ARE REDACTED UNDER 5 USC 552 (B) (6) UNLESS OTHERWISE NOTED

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 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 I

STATEMENT OF [REDACTED] TAKEN AT FOB Rustimyah DATED 08 Mar 06

9. STATEMENT (Continued)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Not used

[REDACTED]

ALL ITEMS ARE
REDACTED UNDER
5 USC 552 (B) (6)
UNLESS OTHERWISE
NOTED

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 2 OF 3 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2851; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION HQ, 3/67 AR, FOB Rustimayah, Baghdad, Iraq	2. DATE (YYYYMMDD) 2006/03/08	3. TIME 1024	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-3/PFC	
8. ORGANIZATION OR ADDRESS B CO 3/67 AR, 4BDE, 4ID, (FOB Rustimayah), Baghdad, Iraq			

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

At approximately 0600 on 20060308 we left the U.N. Compound en route to FOB LOYALTY to pick up morning chow for the platoon. As we approached C.P. 550, we crossed over the median to enter FOB LOYALTY. My Bradley was the trail vehicle. As my Bradley started to cross over the median, I heard my driver, [REDACTED] come over internal comms shouting "Oh shit, oh shit." Immediately following was my B.C., SFC [REDACTED] coming over the net, "[REDACTED] you just ran over that car!" Over the net I then heard SSG [REDACTED], the B.C. for the lead track come over the net, "I know I know. I was shouting at him to stop, I flashed my lights at him, we started to slow down, but we couldn't stop in time." At this time, we stopped, had dismounts exit the vehicles and secure the area. The lead track then proceeded into FOB Loyalty to get further assistance. The Medic, [REDACTED] immediately assessed the situation and began efforts to extract the body in order to perform first aid. The Iraqi Police showed up shortly after along with several of our own elements and began extracting the body. By the time they got the body out of his car he was dead. The body was taken away, the car moved and we left.

Not Used

ALL ITEMS ARE REDACTED UNDER 5 USC 552 (B) (6) UNLESS OTHERWISE NOTED

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 INDICATED.

EXHIBIT J

STATEMENT OF [REDACTED] TAKEN AT FOB Rust, Nayak DATED 2006-03-08

9. STATEMENT (Continued)

[REDACTED]

Not Used

[REDACTED]

[REDACTED]

[REDACTED]

ALL ITEMS ARE
REDACTED UNDER
5 USC 552 (B) (6)
UNLESS OTHERWISE
NOTED

INITIALS OF PERSON MAKING STATEMENT
[REDACTED]