

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 LTC [redacted] (Appointing authority)

on 1 JUN 05 (Date) (Attach inclosure 1: Letter of appointment or summary of oral appointment data) (See para 3-15, AR 15-6.)

SECTION II - SESSIONS

The (investigation) (board) commenced at (Place) at (Time) on (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 0800 (Time) on 2 JUN 05 (Date) and completed findings and recommendations at 0800 (Time) on 4 JUN 05 (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

	YES	NO ¹	NA ²
1 Inclosures (para 3-15, AR 15-6)			
Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)			
a. The letter of appointment or a summary of oral appointment data?			
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?			
	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 doubt.

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

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

The actions of the crew for C34 acted in accordance with all current Rules of Engagement. On the morning of 1 JUN 05 (approximately 0315), while conducting route security on RTE [REDACTED], attempted to stop 2 civilian vehicles (a green/black van and a white pick-up truck) that were in violation of curfew. The vehicles were travelling south bound on RTE [REDACTED] while C 34 was travelling north. C34 moved to block the vehicles and question the occupants vicinity [REDACTED]. The crew used spotlights, flashlights, and shouts to get the vehicles to stop. The vehicles then turned around and increased speed in an obvious attempt to flee and avoid search and/or questioning. SFC [REDACTED] then shot a red star cluster near the vehicles in order to stop them. Then he used a shotgun for warning shots. The vehicles continued to flee the scene. The loader/medic, PFC [REDACTED], then fired his M4 (with a magazine full of tracers) as another attempt to give warning to the vehicles to stop. The vehicles continued to escape and evade through a built up area immediately west. SFC [REDACTED] provided chase, but the tank was unable to kept up with the vehicles. After multiple warning shots, the crew noticed large plume of smoke around a corner as they continued to try and catch the fleeing vehicles. As C 34 came around the corner, they noticed the white pick-up truck had crashed into a jersey barrier. The green/black van continued to run. C34 gave up the chase on the green/black van and began searching the white truck for contraband and casualties. The search for contraband was negative. The passenger of the truck got out and pulled the driver out of the vehicle, who appeared to be unconscious. After securing the passenger, PFC [REDACTED] started treating the driver. PFC [REDACTED] noticed the driver appeared to have a fractured neck. There was no significant bleeding. PFC [REDACTED] initiated life saving procedures, but the driver died in spite of this. After the driver died, PFC [REDACTED] rolled the driver over in an attempt to discover the cause of death. This is when he noticed a small entrance wound in the back of the driver. Due to the lack of bleeding and path of the bullet (through the back of the truck then passing through the seat), it is not unreasonable to think that the bullet did not penetrate any vital organs.

The crew acted boldly and within the parameters of the rules of engagement during this incident. It is also important to note that the passenger of the vehicle is still currently detained and is being questioned.

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

In view of the above findings, the (investigating officer) (board) recommends:
Recommend that no further action be taken.

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) [Redacted Signature]
 (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.)

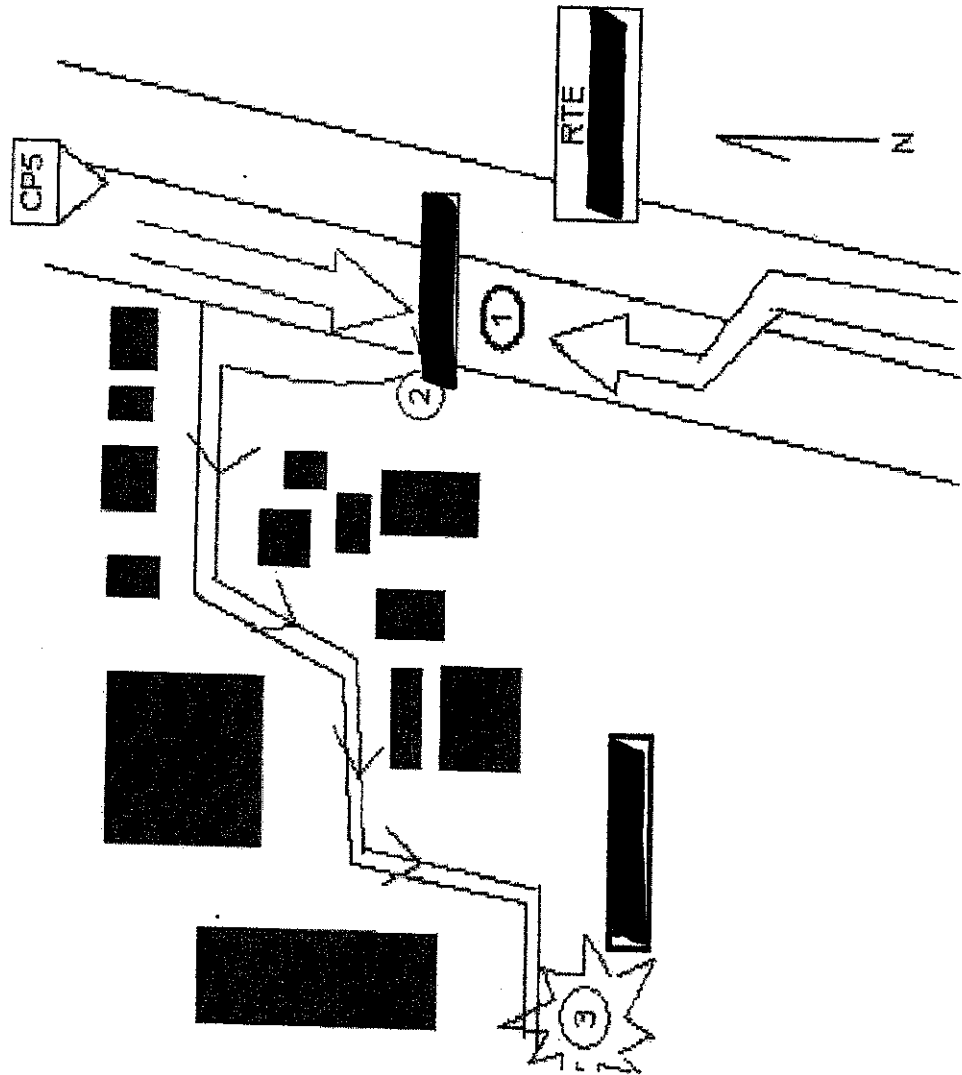
Sir,

I concur with the findings of the investigating officer. It is important that we re-look the use of warning shots, but overall it appears to me that the crew for C34 acted properly and prudently. I will ensure that the results of this investigation are disseminated throughout the battalion.

 [Redacted Signature]
 LTC, AR
 Commanding

C34 AR 15-6

(SITUATION SKETCH)



- 1=INITIAL CONTACT. C34 MOVES TO BLOCK. GIVES VISUAL AND AUDIO WARNINGS (SPOTLIGHTS/SHOUTING)
- 2=2XLN VEHICLES ATTEMPT TO FLEE. C34 SHOTS WARNING SHOTS IAW ESCALATION OF FORCE GUIDANCE
- 3=CHASE RESULTS IN TRAFFIC ACCIDENT WITH WHITE TRUCK. VAN CONTINUE TO FLEE



DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST BATTALION, 64TH ARMOR REGIMENT
2D BRIGADE, 3D INFANTRY DIVISION
CAMP [REDACTED], IRAQ
APO AE 09380

REPLY TO
ATTENTION OF:

AFZP-VBL-C

1 Jun 2005

MEMORANDUM FOR CPT [REDACTED], Delta Company, 1-64 AR, 2d Brigade, 3d Infantry Division,
Camp Rustimiyah, Iraq.

SUBJECT: Appointment of Investigating Officer

1. You are hereby appointed as an investigating officer pursuant to Army Regulation (AR) 15-6, Procedures for Investigating Officers and Boards of Officers, to conduct an informal investigation to determine the facts and circumstances surrounding the events that occurred 1 Jun 2005, within C Co, 1-64 AR, resulting in the death of an unknown Iraqi citizen.
2. You will conduct a thorough investigation of the matter to determine the circumstances surrounding the lethal engagement of an Iraqi civilian. Your investigation should focus on, but not necessarily be limited to, the following questions:
 - a. Were the Rules of Engagement used properly?
 - b. What was the cause of the circumstances being investigated?
 - c. Are there any recommendations for changes to operations that might prevent these events from being repeated?
 - f. Are there any lessons or revised TTP to be learned from this engagement?
3. Prior to the beginning of your investigation, you must contact CPT [REDACTED], the Command Judge Advocate (VOIP [REDACTED]). CPT [REDACTED] will be your legal advisor.
4. In conducting your investigation, use informal procedures under AR 15-6. Make specific findings as to the questions above. The evidence you gather should support your findings. Make recommendations consistent with your findings to address any perceived or actual improper or criminal conduct.
5. In your investigation, all witness statements must be sworn and written on DA Form 2823, Sworn Statement. If, in the course of your investigation, you come to suspect that any individuals have committed a criminal offense, then use DA Form 3881, Rights Warning/ Procedure Waiver Certificate, to advise them of their rights under Article 31, Uniform Code of Military Justice, or the Fifth Amendment (if interviewing a civilian), as appropriate. In addition, provide witnesses with a Privacy Act Statement before you interview them (See AR 15-6, Appendix B).
6. I direct you to keep a daily chronology of all investigative activities and encourage you to consult with your legal advisor whenever and as often as necessary. In the case of any alleged criminal misconduct, you must consult with your legal advisor.

AFZP-VBL-C
SUBJECT: Appointment of Investigating Officer

7. Submit your findings and recommendations to me on DA Form 1574 not later than 36 hours from your appointment. Should you require additional time, coordinate with me, through CPT [REDACTED]

[REDACTED]
LTC, AR
Commanding

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- EXHIBIT A: BLUE 2 REPORT by CPT [REDACTED]
- EXHIBIT B: SWORN STATEMENT by [REDACTED]
- EXHIBIT C: SWORN STATEMENT by SFC [REDACTED]
- EXHIBIT D: SWORN STATEMENT by [REDACTED]
- EXHIBIT E: SWORN STATEMENT by SGT [REDACTED]
- EXHIBIT F: INFORMAL INVESTIGATION SWORN STATEMENT of [REDACTED]
- EXHIBIT G: INFORMAL INVESTIGATION SWORN STATEMENT of [REDACTED]
- EXHIBIT H: INFORMAL INVESTIGATION SWORN STATEMENT of SGT [REDACTED]
- EXHIBIT I: DETAINEE PACKET

BLUE 2 REPORT

LINE 1- Unit Reporting: C CO 1-64 AR

LINE 2- Incident: Traffic Accident involving local national

LINE 3- Date/ Time Group Incident occurred: 010315JUNE05

LINE 4- Location of Incident:

LINE 5- Personnel Involved

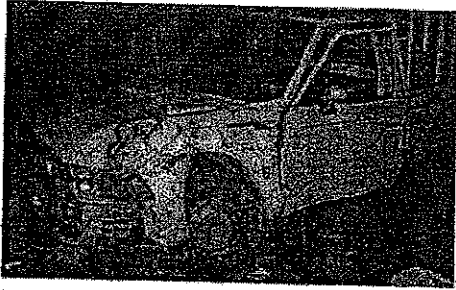
Name	Rank	Unit	SSN	Sex	Age	Race
[REDACTED]	SFC	C CO 1-64 AR	[REDACTED]	M	34	C
[REDACTED]	PFC	C CO 1-64 AR	[REDACTED]	M	20	C

LINE 6- Summary of Incident:

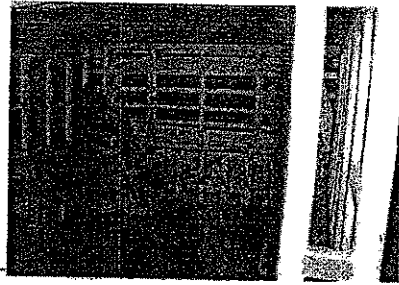
O/A 010315JUNE2005, during routine security patrol on RTE [REDACTED] 2 local national vehicles were driving south on Rte [REDACTED]. The 2 vehicles, a white white Datsun pick up and a blue (or green) Toyota van were traveling in close proximity to each other, less than 20 feet from bumper to fender. The van was in the lead. C34 crossed from the north bound lane into the south bound lane and began to flash their headlights at the vehicle. The tank commander, SFC [REDACTED] flashed a spot light at the vehicles. The vehicles stopped and began to back up then SFC [REDACTED] fired a red star cluster into the air to get the vehicles to stop completely. At that time the vehicles made a U-Turn and began to speed off through the neighborhood of [REDACTED]. C34 pursued the vehicles. The white truck followed the van and was less than 20 feet from the van's bumper during pursuit. The loader of C34, PFC [REDACTED] fired several warning shots at the vehicle, the TC, SFC [REDACTED] also fired warning shots from a shotgun towards the vehicle, the vehicle continued to flee. The magazine in which PFC [REDACTED] fired from was tracer round only. The vehicle continued to flee from C34. During pursuit, the vehicle crashed into a concrete barrier. The crew of C34 dismounted and began to treat the wounded driver and question the passenger of the white truck. The medic on the scene reported the driver was going into respiratory failure and requested ambulance and IP support. The medic continued to treat the wounded passenger. The medic was hesitant to move the driver due to fear of a possible broken neck. Further treatment identified a single bullet wound to the back of the driver. The driver died on the scene. IP on scene took a statement from SFC [REDACTED]. The unit brought the passenger to the BIF for further questioning. The passenger is currently undergoing questioning by THT. There is nothing further to report.

Bahadiat

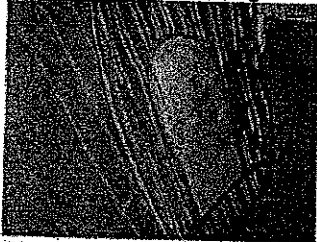
EXHIBIT A



White truck following crash.



Rear of truck, no signs of gunshots



Single round into the truck



LINE 7- Damage to Government or civilian property: None

LINE 8- Commander Reporting:

[REDACTED]
CPT, AR
Commanding

SWORN STATEMENT

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

LOCATION CAMP [REDACTED], IRAQ	DATE 1 JUN 05	TIME 1800	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS E-3
ORGANIZATION OR ADDRESS C CO. 1-64 AR, 2 BDE, 3 ID			

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

QUESTION: What is your duty position?

A: I ride as the loader on the tank but my duty position is the medic.

Q: What was your mission (task and purpose)?

A: [REDACTED] Security

Q: What was the location where you first made contact with the vehicles?

A: 1K South of [REDACTED]

Q: What was your reason to try to stop the vehicles?

A: The 2 vehicles pulled up together & sped off together in a hurry very suspiciously.

Q: What escalation of force measures to do employ prior to engaging the vehicles?

A: - A warning flash/red star cluster ← - flashing lights
- Shotgun warning shots
- m16 Tracer rounds by the vehicles

Q: What was the vehicles' reaction to these measures?

A: Speeding away, making sharp turns in a hurry in attempt to elude the tank.

Q: What was the location of where the truck crashed (finally stopped)?

A: Appx. [REDACTED]

Q: Was the driver alive when you approached the vehicle?

A: Yes

Q: What were his wounds?

A: Gun shot wound to the upper, left of his back w/ a possible neck fracture w/ spinal compromise

Q: When did the IP arrived on scene?

A: App. 15 min. after we had stopped & I got on the ground.

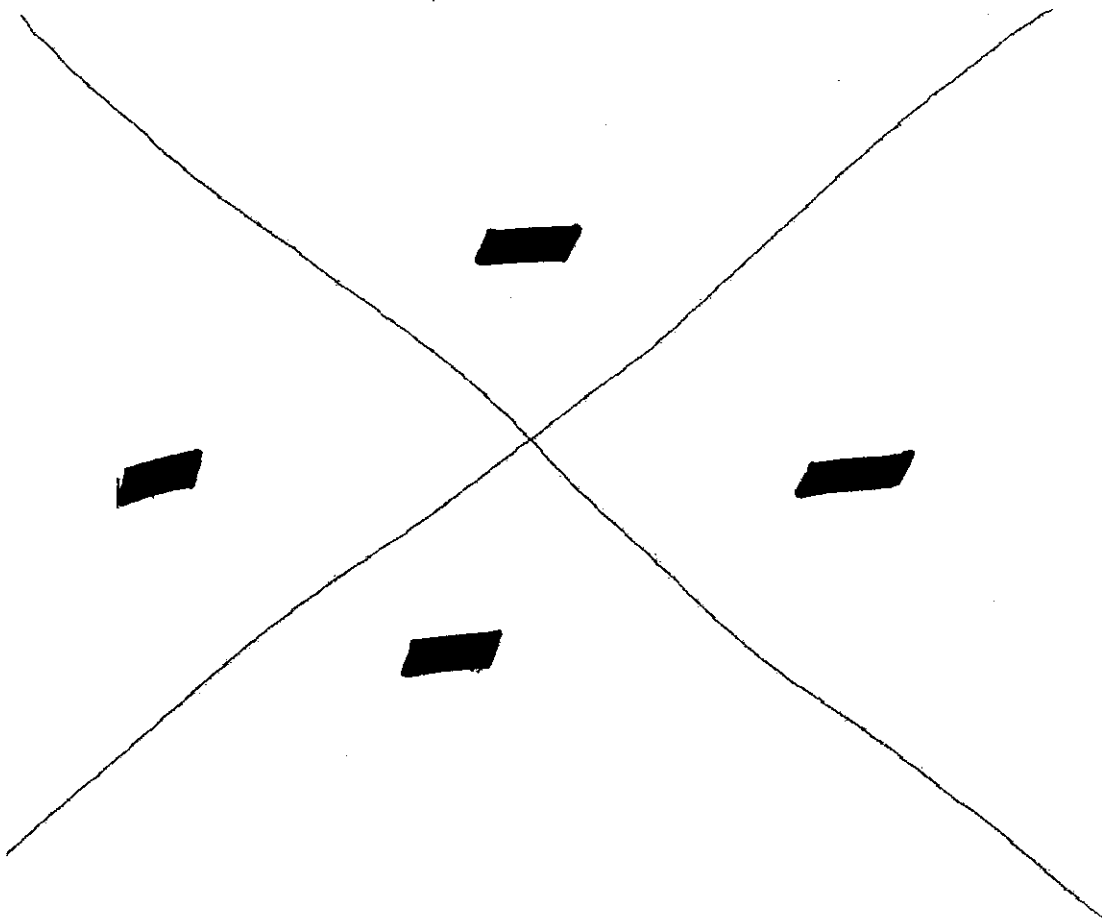
Q: Did you conduct field interrogation? What was said?

A: I personally did no interrogation but the interpreter did tell me that the passenger said he would not go back to the Ab. we could kill him in place before he goes to our FOB. He also said that they were running because they were scared.

EXHIBIT B	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

- Nothing follows -



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 1 day of JAN 18 2005 at CAMP [REDACTED] IRAQ

[REDACTED SIGNATURE]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

INVESTIGATIVE OFFICER
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

SWORN STATEMENT

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

LOCATION CAMP [REDACTED], IRAQ	DATE 1 JUN 05	TIME 1820	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS SFC/Active
ORGANIZATION OR ADDRESS C CO. 1-64 AR, 2 BDE, 3 ID			

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

QUESTION: What is your duty position?

A: TC/PS6

Q: What was your mission (task and purpose)?

A: Prevent IED emplacement & allow COF Form.

Q: What was the location were you first made contact with the vehicles?

A: Just south of [REDACTED]

Q: What was your reason to try to stop the vehicles?

A: Curfew Violation

Q: What escalation of force measures ^{did you} employ prior to engaging the vehicles?

A: Star Cluster, warning shots, lights

Q: What was the vehicles' reaction to these measures?

A: Flee

Q: What was the location of where the truck crashed (finally stopped)?

A: Concrete barrier about 1 to 2 clicks W of [REDACTED]

Q: Was the driver alive when you approached the vehicle?

A: yes

Q: What were his wounds?

A: Looked like 2 cracked vertebrae.

Q: When did the IP arrive on scene?

A: About 30 minutes I.

Q: Did you conduct field interrogation? What was said?

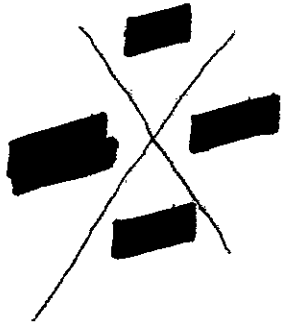
A: Used plt interpreter, asked passenger what was name & address of van driver. Answer I got was "Van was just a car we were following." I don't believe that is the truth, brought passenger in for questioning.

Nothing Follows [REDACTED]

EXHIBIT C	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

Nothing Follows



AFFIDAVIT

I, SFC [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. 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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this ___ day of _____, 19___ at _____

WITNESSES:

[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE | OF | PAGES

SWORN STATEMENT

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

LOCATION CAMP RUSTIMIYAH, IRAQ	DATE 1 JUN 05	TIME 1800	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS E-1 / Tank driver	
ORGANIZATION OR ADDRESS C CO, 1-64 AR, 2 BDE, 3 ID			

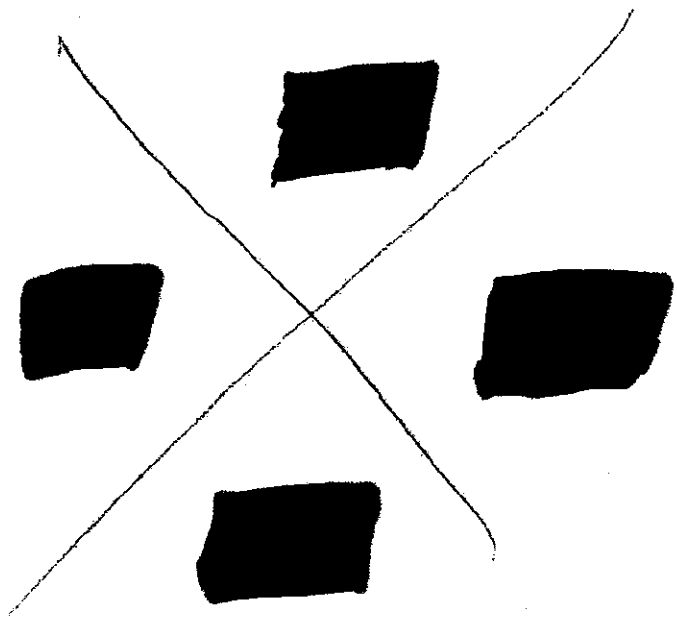
I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

- QUESTION: What is your duty position?
A: Tank driver / Loader for C31
- Q: What was your mission (task and purpose)?
A: To provide security en route [REDACTED]
- Q: What was the location were you first made contact with the vehicles?
A: [REDACTED] on route [REDACTED]
- Q: What was your reason to try to stop the vehicles?
A: To search for contraband
- Q: What escalation of force measures to do employ prior to engaging the vehicles?
A: warning shots and flashed lights
- Q: What was the vehicles' reaction to these measures?
A: started driving faster
- Q: What was the location of where the truck crashed (finally stopped)?
A: Northwest of [REDACTED] on [REDACTED]
- Q: Was the driver alive when you approached the vehicle?
A: yes
- Q: What were his wounds?
A: head trauma, gunshot wound
- Q: When did the IP arrived on scene?
A: 45 minutes later
- Q: Did you conduct field interrogation? What was said?
A: No



EXHIBIT D	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ... TAKEN AT ... DATED ... CONTINUED."
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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)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1 day of Jan 18 1985 at Camp [REDACTED] [REDACTED]

[REDACTED]
(Signature of Person Administering Oath)

CPT [REDACTED]
(Typed name of Person Administering Oath)

INVESTIGATING OFFICER
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

SWORN STATEMENT

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

LOCATION CAMP [REDACTED] IRAQ	DATE 1 JUN 05	TIME 1800	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS E-5 / Active	
ORGANIZATION OR ADDRESS C CO. 1-64 AR, 2 BDE, 3 ID			

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

QUESTION: What is your duty position?
A: Gunner for C 34

Q: What was your mission (task and purpose)?
A: To provide security on Rte [REDACTED] in order to prevent AIF actions.

Q: What was the location were you first made contact with the vehicles?
A: [REDACTED]

Q: What was your reason to try to stop the vehicles?
A: The curfew was in effect. We are supposed to stop and search all CIV vehicles.

Q: What escalation of force measures to do employ prior to engaging the vehicles?
A: Vehicles were out of shouting range, so we proceeded to fire warning shots, followed by snots only to disable vehicles.

Q: What was the vehicles' reaction to these measures?
A: Second vehicle and first vehicles tried to flee, when second vehicle was hit it ran into a barricade.

Q: What was the location of where the truck crashed (finally stopped)?
A: NW of [REDACTED]

Q: Was the driver alive when you approached the vehicle?
A: Yes, Partly.

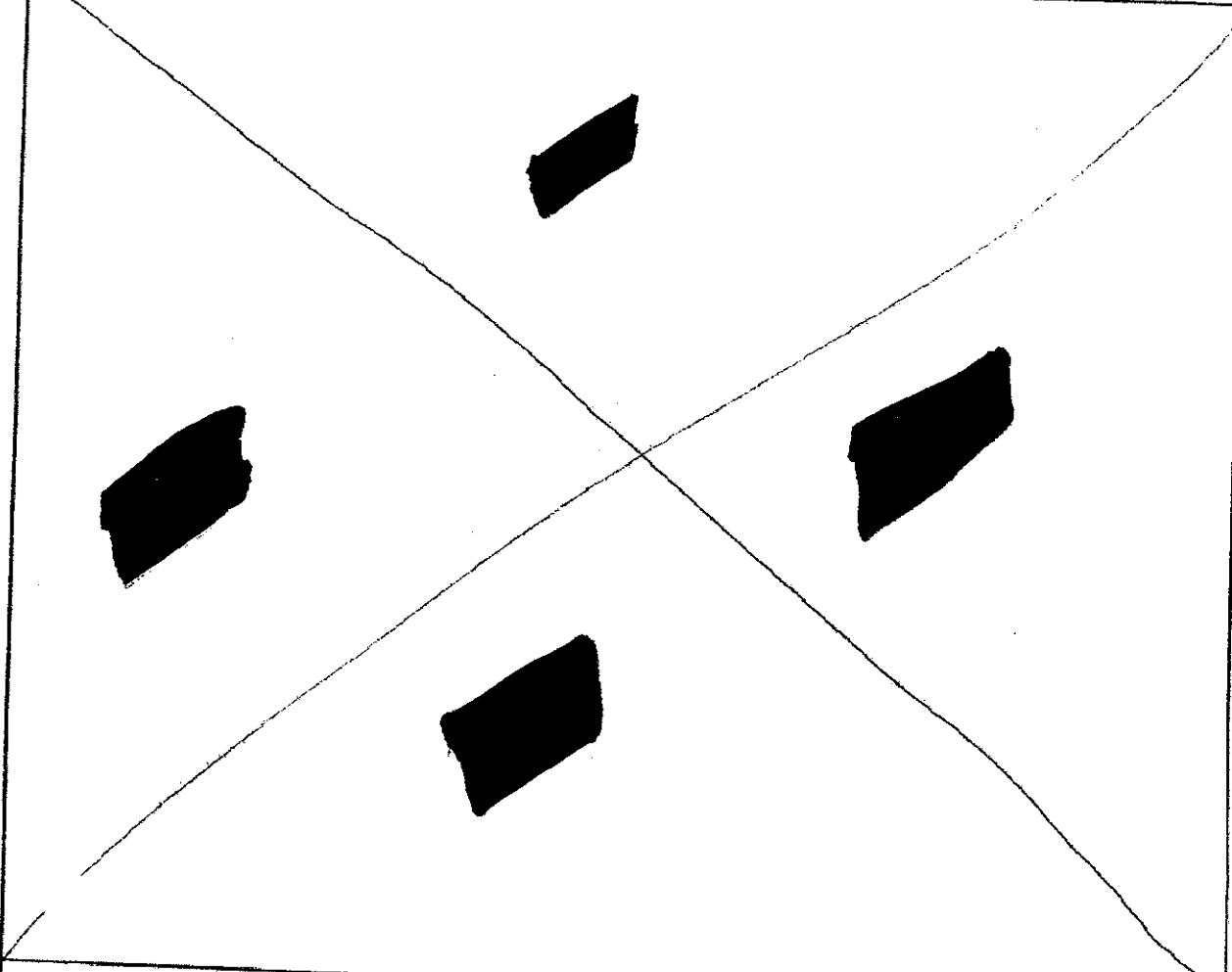
Q: What were his wounds?
A: Cervical vertebrae damage, bullet wound on lower back, various cuts + bruises.

Q: When did the IP arrived on scene?
A: 95 min to 1 hour later.

Q: Did you conduct field interrogation? What was said?
A: NO interrogation conducted as far as I know.

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED."
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.



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]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law, to administer oaths, this 1 day of JAN 20 2005 at CAMP [REDACTED] I.R.A.

[REDACTED SIGNATURE]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

INVESTIGATIONAL OFFICER
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

SWORN STATEMENT

For use of this form, see AR 190-46; the proponent agency is DDCSOPS

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: 2-3 K West of [redacted] gnd @ [redacted]
2. DATE (YYYYMMDD): 2005 06 01
3. TIME: 03:15
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: [redacted]
6. SSN: [redacted]
7. GRADE/STATUS: E-3
8. ORGANIZATION OR ADDRESS: C CO 1-64 AR

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

On 1 June 2005 at appx. 03:15 the C CO 1-64 34 tank was doing a regular patrol North on Rt. [redacted]. At appx 1K outside of [redacted] we came across 2 vehicles traveling southbound. The vehicles were a blue van followed by a white truck. We crossed over the median on Rt. [redacted] and began flashing our lights at the vehicles, as we always do to have them pull over so we can check them out. As soon as the vehicles saw us they began to turn around simultaneously. The vehicles started speeding off and SFC [redacted] then shot a red star cluster at them. They gave no response to the warning flare. The 2 vehicles continued to turn westbound on a side street. We turned onto them attempting to catch them. As the 2 vehicles turned again in attempt to elude us, SFC [redacted] fired a warning shot from his shotgun. The cars still were turning multiple times in attempt to get away. A few more warning shots were given by the 12 gauge shotgun, and then I heard the command to the gunner to fire a short burst in front of the cars for, again, another warning shot. The coax misfired twice & I then began to use my M16. I fired 2 shots along side the left of the 2 cars as well as 2 along side the right. I was shooting from a magazine of all tracer rounds. The [redacted] car still began continued to flee. Appx. 4-5 shotgun shots were fired & appx. 10-12 M16 shots were fired, total. As we followed them around, yet another left turn, there was a big cloud of dust. The blue van was traveling straight still but the white truck had crashed into a concrete barrier.

10. EXHIBIT: F
11. INITIALS OF PERSON MAKING STATEMENT: [redacted]
PAGE 1 OF 2 PAGES
TAKEN AT 12:45 DATED 01 JUNE 05
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

9. STATEMENT (Continued)

Upon securing the scene & checking the crashed truck out, the passenger of the truck was using sign language & showing that the driver was injured. While taking all precautionary measures we motioned for the passenger to get out of the truck. He got out & then pulled the driver out and layed him on the ground. We pulled the tank up to check the truck out. After about 10 minutes of looking we determined the truck was clear for what we could see. At that point I jumped down to detain the passenger & provide medical attention for the driver. While assessing the driver I determined he had a possible free spinal injury along with head trauma. Upon further examination I found an entry bullet wound into his (L) lung with no exit wound. The man died before the IP's had gotten there, as I requested IP /ambulatory assistance. We brought the passenger back here to the BIF for further investigation. - Nothing Follows

[REDACTED]

AFFIDAVIT

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

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

[REDACTED] ZLT
[REDACTED] Baghdad
ORGANIZATION OR ADDRESS

[REDACTED]
ORGANIZATION OR ADDRESS

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

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
(Typed Name of Person Administering Oath)

[REDACTED]
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

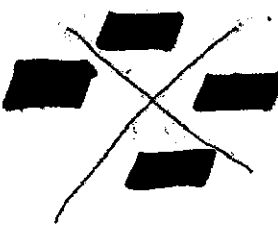
PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSA).
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 Fob [REDACTED]	2. DATE (YYYYMMDD) 20050601	3. TIME 1300	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-1/Tank driver	
8. ORGANIZATION OR ADDRESS C/4 AR [REDACTED]			

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

We were doing a patrol myself, SFC [REDACTED], PFC [REDACTED] and Sgt [REDACTED] on Route [REDACTED] heading North. We were riding and all of the sudden we saw two vehicles headed our way going south in the other lane. So SFC [REDACTED] instructed me to get in the other lane and start driving towards them. We started to get close to them I noticed it was a white pickup truck and an either blue or purple van. When we started getting closer to them they turned around and started heading north so PFC [REDACTED] started firing warning shots. SFC [REDACTED] shot a red star cluster beside them. They turned down a side road on the left. We continued to pursue them firing multiple warning shots until finally we noticed the white truck hit a concrete barricade and crashed. The van kept going and got away.



10. EXHIBIT G	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 1 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"		
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.		

STATEMENT OF

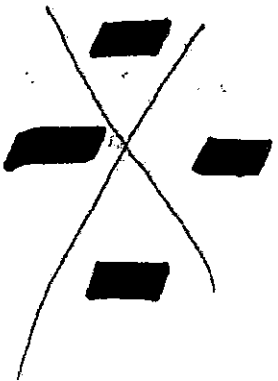
[REDACTED]

TAKEN AT 1300

DATED 2005 06 01

8 STATEMENT (Continued)

Nothing follows



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)

WITNESSES:

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

[REDACTED] ZLT
FDB [REDACTED] Baghdad, IL

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE OF PAGES

SWORN STATEMENT

For use of this form, see AR 199-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2851; 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: FOB [redacted]
2. DATE (YYYYMMDD): 2005 06 01
3. TIME: 1238
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: [redacted]
6. SSN: [redacted]
7. GRADE/STATUS: E-5/Active
8. ORGANIZATION OR ADDRESS: Co. 1-64 AR

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

During a patrol of Rte. [redacted] on the 1st of July 2005 at around 3:00 am, my crew and I came upon two vehicles heading south. We attempted to stop them for a routine search, but they turned around and started heading north in the southbound lane. The two vehicles turned off on the first left and my Tank commander, SFC [redacted] commanded the driver to follow them. A couple of warning shots were fired and the chase continued to an area of which I was not familiar, and from what I perceive, the warning shots became shots to disable the vehicle. I was commanded by SFC [redacted] to fire a burst of coaxial machine gun fire in front of the vehicles in order to try to stop them, but my weapon did not fire. After trying to work through the malfunction several times, the vehicle nearest us, a small white pickup, veered off the road into a barrier. The passenger of the vehicle removed the driver and placed him on the ground near the left rear fender where he died. I stayed on the ground with our medic until the Iraqi Police arrived at which point they discovered what they believed to be a bullet hole in the back of the now deceased driver. After some time, we secured the passenger to take him back to the FOB for questioning. The driver of the first vehicle, a [redacted], never was found. nothing follows

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

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

9. STATEMENT (Continued)

Nothing follows

AFFIDAVIT

_____, 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


(Signature of Person Making Statement)

WITNESSES:

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

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE _____ OF _____ PAGES

Annex M (Rear Area and Base OPS) to 38C LOPORD 04-76 (Desert Freedom)
MULTI-NATIONAL FORCES-IRAQ FORCES APPREHENSION FORM
 YELLOW FIELDS MUST BE FILLED IN, IF APPLICABLE, UPON APPREHENSION

Offense against Civilian(s) [check one] If "Other" then describe: _____

<input type="checkbox"/> Arson (I.P.C. 342)	<input type="checkbox"/> Solicitation of Fornication/Prostitution (I.P.C. 399)	<input type="checkbox"/> Rape/Indecent/Sexual Assaults/Acts (I.P.C. 393-98, 402)	<input type="checkbox"/> Murder (I.P.C. 405)	<input type="checkbox"/> Aggravated Assault/Assault With Intent To Kill (I.P.C. 410)	<input type="checkbox"/> Maiming (I.P.C. 412)	<input type="checkbox"/> Simple Assault (I.P.C. 415)	<input type="checkbox"/> Kidnapping (I.P.C. 421)	<input type="checkbox"/> Burglary or Housebreaking (I.P.C. 423)	<input type="checkbox"/> Extortion/Communicating Threats (I.P.C. 433)	<input type="checkbox"/> Theft (I.P.C. 439)	<input type="checkbox"/> Destruction of Property (I.P.C. 477)	<input type="checkbox"/> Obstructing a Public Highway/Place (I.P.C. 487)	<input type="checkbox"/> Discharging Firearm/ Explosive in City/Town/Village (I.P.C. 485)	<input type="checkbox"/> Riot or Breach of Peace (I.P.C. 495(3))	<input type="checkbox"/> Other
---	--	--	--	--	---	--	--	---	---	---	---	--	---	--	--------------------------------

Offense against Coalition Forces [check one] If "Other" then describe: Attempted Possession of FCF

<input checked="" type="checkbox"/> Violation of Cufew	<input type="checkbox"/> Trespass on Military Installation or Facility
<input type="checkbox"/> Illegal Possession of Weapon	<input type="checkbox"/> Photographing/Surveillance Military Installation or Facility
<input type="checkbox"/> Assault/Attack on Coalition Forces	<input type="checkbox"/> Obstructing Performance of Military Mission
<input type="checkbox"/> Theft of Coalition Force Property	<input checked="" type="checkbox"/> Other

Apprehending Unit: _____ Location Grid: _____

Date of Incident: (D/M/Y) 06/01/05 to 06/10/05 Time of Incident: 0315 hrs to 0430 hrs Date of Report: (D/M/Y) 06/01/05 Time of Report: 0525 hrs

Detainee # _____		Key Connected Person: <input type="checkbox"/> Victim <input checked="" type="checkbox"/> Witness	
Last Name: _____		Last Name: _____	
First Name: _____ Given Name: _____		First Name: _____ Given Name: _____	
Hair Color: <u>black</u>	Scars/Tattoos/Deformities: _____	Hair Color: _____	Scars/Tattoos/Deformities: _____
Eye Color: <u>brown</u>	Weight: _____ lb Height: _____ in	Eye Color: _____	Weight: _____ lb Height: _____ in
Address: _____		Address: _____	
Place of Birth: _____		Place of Birth: _____	
Ethn/Tribe/ Sect: <u>Umaru</u>	Sex: <input checked="" type="checkbox"/> M <input type="checkbox"/> F	Phone#: <u>141086</u>	DOB D/M/Y: _____ Mobile: _____ Regular: _____
<input type="checkbox"/> Passport <input type="checkbox"/> Dr. license <input checked="" type="checkbox"/> Other (specify) <u>Nati ID</u>	Document #: <u>NID 415661</u>	<input type="checkbox"/> Passport <input type="checkbox"/> Dr. license <input type="checkbox"/> Other (specify) _____	Document #: _____

Total Number of Persons Involved _____ (list names/identifying info on reverse under "Additional Helpful Information")

Vehicle Information Vehicle Number 1 of 2 Vehicle(s) Owner: _____

Make: Nissan Color: White VIN: _____

Model: unk Type: Pickup Plate No.: _____ Number of People in Vehicle: 2

Year: 1980 Names of People in Vehicle: _____ and _____

Contraband/Weapons in Vehicle: NONE

Property/Contraband Weapon Photo Taken of Suspect with Weapon/Contraband: Yes/ No

Type: _____ Model: _____ Color/Caliber: _____

Serial No.: _____ Quantity: _____ Make: _____ Receipt Provided to Owner: Yes/ No

Other Details: _____ Where Found: _____ Owner: _____

Name of Assisting Interpreter: _____ Email, Phone or Contact Info: _____

Detaining Soldier's Name (Print): _____	Supervising Officer's Name (Print): _____
Signature: _____	Signature: _____
Email: _____	Email: _____
Unit Phone: <u>C1-64 ARBN</u> Date: <u>1 June 05</u>	Unit Phone: _____ Date: <u>06/01/05</u>

EXHIBIT I

MULTI-NATIONAL FORCES-IRAQ FORCES APPREHENSION FORM

Why was this person detained? LV was the passenger in a truck on the road at 2300-2400 hrs. Fled site when CF attempted to search vehicle with one other man. Vehicle attempted to evade through neighborhoods when chased by CF tank & finally crashed roughly 20 km off of the road. 2nd vehicle broke contact.

Who witnessed this person being detained or the reason for detention? Give names, contact numbers, addresses.

Attempted evasion of coalition forces during an attempt to stop vehicle for a few minutes.

PF: [redacted] / C 34 Victor of C-164 AR.
SFC: [redacted] / C 34 Victor of C-164 AR

How was this person traveling (car, bus, on foot)? Traveling by car in a white truck. Truck crashed into a concrete barrier.

Who was with this person? 1 LV male who drove the vehicle. Driver was killed on site.

What weapons was this person carrying? None

What contraband was this person carrying? None

What other weapons were seized? None

What other information did you get from this person? None

Additional Helpful Information: None

EVIDENCE/PROPERTY CUSTODY DOCUMENT

For use of this form see AR 193-45 and AR 195-5; the proponent agency is US Army
Criminal Investigation Command

MPR/CID REFERENCE NUMBER

GRD REPORTING RBN NUMBER

RECEIVING ACTIVITY

NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED

OWNER

OTHER

Shakim Mahmood Alomayy

LOCATION

Camp

ADDRESS (Include Zip Code)

Camp

Baghdad Iraq

LOCATION FROM WHERE OBTAINED

West of

REASON OBTAINED

Curfew violation
evasion of CF

TIME/DATE OBTAINED

0630hrs
01JUN05

ITEM NO.

QUANTITY

DESCRIPTION OF ARTICLES

(Include model, serial number, condition and unusual marks or scratches)

National ID

CHAIN OF CUSTODY

ITEM NO.

DATE

RELEASED BY

RECEIVED BY

PURPOSE OF CHANGE OF CUSTODY

SIGNATURE

SIGNATURE

NAME, GRADE OR TITLE

NAME, GRADE OR TITLE

SIGNATURE

SIGNATURE

NAME, GRADE OR TITLE

NAME, GRADE OR TITLE

SIGNATURE

SIGNATURE

NAME, GRADE OR TITLE

NAME, GRADE OR TITLE

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SIGNATURE

NAME, GRADE OR TITLE

NAME, GRADE OR TITLE

JA FORM 4137, 1 JUL 76

Replaces DA FORM 4137, 1 Aug 74 and
DA FORM 4137-R Privacy Act Statement
26 Sep 75-Which are obsolete

LOCATION

DOCUMENT NUMBER

USARP:AT 69

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 391; 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 [REDACTED] / CHECK BATTALION OR GRID	2. DATE (YYYYMMDD) 2005 06 01	3. TIME 03 15	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	GRADE/STATUS E-3	
8. ORGANIZATION OR ADDRESS C CO 1-64 AR [REDACTED]			

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

ON 1 JUNE AT APPROX 03:15 C CO 1-64 [REDACTED] WAS DOING A REG PAROL DOWN RT. [REDACTED] WE CAME ACROSS 2 VEHICLES WHO WERE COMING HOAP ON, SO WE GOT OUR FLASHLIGHTS READY TO SHINE AND CHECK THEM OUT. THEY QUICKLY DID A UTURN AND HEADED AWAY FROM US TRAVELING NORTH. WE FLASHED LIGHTS AND GOT NO RESPONSE. MY TL SFC [REDACTED], THEN FIRED A RED STAR CLUSTER, NO RESPONSE EXCEPT TURNING LEFT DOWN A SIDE STREET WE CONTINUED TO FOLLOW AND A SHOT FROM SFC [REDACTED] SHOTGUN WAS MADE. (WARNING SHOT), NO RESPONSE THROUGH MANY TURNS DOWN DIFF. WADS 3 SIDE STREETS THE 2 CARS REMAINED TOGETHER. THE COMMAND FOR THE GUNNER TO GIVE A SHORT BURST INTO THE TIRES WAS GIVEN, BUT THE COAX MISFIRED. I GRABBED MY MIL BECAUSE I HAD A RECENT SHOT AT THE TRUCK. IT WAS A WHITE TRUCK FOLLOWING A BLUE VAN. I SHOT A TOTAL OF 10-12 ROUNDS FROM MY MIL AS SFC MORRINE FIRED APP. 4-5 ROUNDS FROM THE SHOTGUN. AS WE TURNED A CORNER WE SAW THE BLUE VAN STILL DRIVING BUT THE WHITE TRUCK HAD CRASHED INTO A CONCRETE BARRIER. THE PASSENGER WAS SHOWING US THAT THE DRIVER WAS HURT. WE TOOK ALL PRECAUTIONS ON CHECKING THE VEHICLE. THEN I, THE MOVIC, DISMOUNTED AND WENT TO CHECK HIM OUT. HE HAD A POSSIBLE BROKEN NECK FROM IMPACT & A BULLET WOUND IN HIS BACK WITH NO EXIT WOUND. WHERE THE TRUCK HAD STOPPED WAS APPROX 2-3K OFF OF RT. [REDACTED] TO THE WEST [REDACTED]

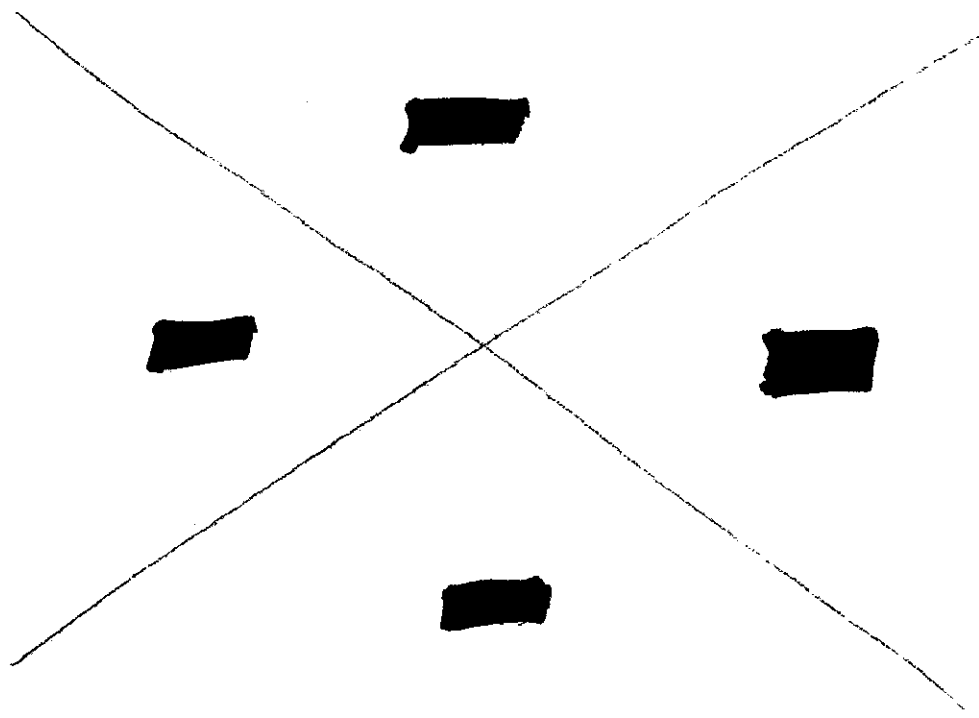
10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT 05:40 DATED 01 JUN 05 [REDACTED]

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

9. STATEMENT (Continued)

NOTHING FOLLOWS



AFFIDAVIT

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

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

[REDACTED] ZLT
Camp [REDACTED] Bantad
ORGANIZATION OR ADDRESS [REDACTED]

[REDACTED] SGT
Camp [REDACTED]
ORGANIZATION OR ADDRESS [REDACTED]

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 01 day of June, 2005 at OSAS CAMP [REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
(Typed Name of Person Administering Oath)
Article 136(4b) UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

SWORN STATEMENT

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

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 Check w/BN Forbid [redacted]	2. DATE (YYYYMMDD) 20050601	3. TIME 0315	4. FILE NUMBER
E. LAST NAME FIRST NAME MIDDLE NAME [redacted]	6. SSN [redacted]	7. GRADE/STATUS SFC/Active	
F. ORGANIZATION OR ADDRESS 3/1-64 AR BN			

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

At approximately 0315 on 1 June 05 my plt was pulling Rte. [redacted] security. We were heading north and was almost at [redacted] when I observed 2 vehicles following one another heading south. I shined my light onto the lead vehicle, (a dark blue or green Toyota Van) to get them to stop so we could find out why they were breaking curfew. As soon as my light hit the van, they started to turn off Rte [redacted] head west on the side street by the school. I fired a star cluster along side them to get them to stop but they wouldn't stop. We turned down the street to follow them but they wouldn't stop. I had my loader fire his m16 at them to get them to stop, but they didn't. They kept turning down side streets to try to lose us but we managed to stay about 200 or 300 yards behind them. My loader was firing tracers all around them, but they still wouldn't stop. I told my gunner to put a couple of bursts of coax in front of them as they were turning down one of the side streets, but he couldn't get the coax to fire. I fired my shotgun at them, but they still wouldn't stop. After about 2 clicks, we rounded a turn and saw a big cloud of dust. It was the white Nissan pickup. They had rounded the corner and hit a concrete jersey barrier that was on the left side of the road head on. It looked like they had hit it so hard, the barrier was pushed aside and the truck was

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [redacted]	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

SFC [REDACTED]

TAKEN AT

0555 [REDACTED]

DATED

1 June 05 [REDACTED]

9. STATEMENT (Continued)

on the other side. We pulled up, towards the truck since it was stopped & the van was already 400 or 500 yards away heading south. We got the passenger to step out of the truck, the driver was slumped against the steering wheel. We got the passenger to pull the driver out and lay him on the ground. We separated them then I had passenger sit down with his hands on his head. I had my loader dismount & check the back of the truck out, no one was in it so I had him check the truck for any weapons. He didn't find any so I threw him some string to tie the passenger's hands behind his back. He tied his hands up so then he checked his vital signs. He said it looked like he was having respiratory failure. Told [REDACTED] and asked if they had an ETA on I.P.'s and ambulance. They didn't have one so I told them I'd have the loader (medic) check him out & do what he could for him. He tried to help him but he died within a minute or so. [REDACTED] said it felt like his neck was broke. I.P.'s showed up on the scene. By that time my wingman was there so I had him put the interpreter on the ground to talk to I.P.'s. I tried to get the interpreter to ask the passenger the named address of the driver of the van. He said the van was just a car they were following and the reason they wouldn't stop was because they were scared. The whole time we were chasing them, the truck was only 100 to 20 meters off the bumper of the van. I believe the passenger is covering up something so we detained him & took him back to the FOB for questioning.

I, SAC [REDACTED]

AFFIDAVIT

WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT 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:

108 [REDACTED] [REDACTED]
 ORGANIZATION OR ADDRESS [REDACTED]
 [REDACTED]
 [REDACTED] [REDACTED]
 ORGANIZATION OR ADDRESS [REDACTED]

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 01 day of JUNE 05 at 0630 [REDACTED]
 [REDACTED SIGNATURE]
 (Signature of Person Administering Oath)
 [REDACTED]
 (Typed Name of Person Administering Oath)
 Lt Col J. [REDACTED] 136 134
 (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

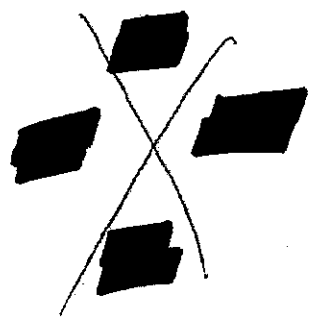
PRIVACY ACT STATEMENT

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 Check w/BN For Grid [REDACTED]	2. DATE (YY'VV'MM) 2005 05 01 [REDACTED]	3. TIME 0315 [REDACTED]	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS 3/1-64 AR BN JF			
9. I. SFC [REDACTED]			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Our interpreter, while talking to the IP's, kept getting belligerent with me. He kept saying that we were wrong & the IP's want a reward. I kept telling him to tell the IP's about the van because it was still on the loose. I told [REDACTED] it was heading south from the wreck site. After our interpreter talked with the IP's for just a minute, they cut his hands loose & had the passenger just standing there talking to him. I told [REDACTED] we were going to detain him for questioning. They said ok. I told our interpreter to tell the IP's we were going to take him in for questioning. The IP's started acting funny & demanded a report. I wrote them a short statement. Then had the C-33 crew put Flex-cuffs on him. I put him on top of my turret and sat him down by the .50 cal. We brought him into the BIF & turned him over to the C/I. Nothing follows.



10. EXHIBIT _____ 11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] PAGE 3 OF 4 PAGES

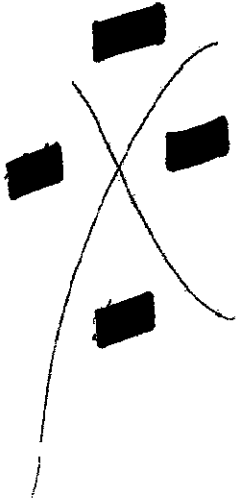
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT _____ DATED _____
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

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

STATEMENT OF FC [REDACTED] TAKEN AT 0615 [REDACTED] DATED 1 June 05 [REDACTED]

B STATEMENT (Continued)

Nothing Follows



NAME OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 4 OF 4 PAGES

RECEIPT FOR INMATE OR DETAINED PERSON

1. RECEIVED FROM (Unit or Agency and Station) C 1/64(LT [REDACTED]) CAMP [REDACTED], IRAQ		2. TIME 07:10	3. DATE (YYYYMMDD) 20050601
4. INMATE NAME (Last, First, Middle) [REDACTED]		5. SSN	6. GRADE
7. ORGANIZATION Mahmud, MASCER, STAKER		8. STATION	
9. OFFENSE VIOLATION OF CURFEW AND ATTEMPTED EVASION OF COALITION FORCES			
10. PERSONAL PROPERTY RECIEVED ON DA 4137			
11. REMARKS NO PHYSICAL ABUSE OR MEDICAL CONDITIONS NOTED			
12. NAME AND TITLE OF PERSON RECEIVING ABOVE INDIVIDUAL [REDACTED] SFC, BIF SOG		13. SSN 1651	14. GRADE E-7
15. RECEIVING UNIT OR AGENCY AND STATION 2ND BDE INTERNMENT FACILITY		16. SIGNATURE [REDACTED]	

DD FORM 2708, NOV 1999

USAPA V1.00

EVIDENCE/PROPERTY CUSTODY DOCUMENT

For use of this form see AR 19D-45 and AR 185-5; the proponent agency is US Army Criminal Investigation Command

MP/CID SEQUENCE NUMBER
MD01JUN05-164-034-B136

CRD REPORT/CID ROI NUMBER

RECEIVING ACTIVITY

2BDE INTERROGATION FACILITY

LOCATION

CAMP [REDACTED], IRAQ

NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED

OWNER

OTHER

Mahmoud, Mosten Shale Alomari

ADDRESS (include Zip Code)

CAMP [REDACTED] IRAQ

LOCATION FROM WHERE OBTAINED

PERSON OF: [REDACTED]

REASON OBTAINED

SAFEKEEPING

TIME/DATE OBTAINED

0724/01 JUNE 2005

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <small>(Include model, serial number, condition and unusual marks or scratches)</small>
1	1	I.D CARD OF A CHILD
2	2	RINGS (SILVER IN COLOR) 1 W/BROWN STONE
3	1	BLACK PANTS W/WHITE STRIPE
4	1	BE ACK SNEAKERS
5	1	PR GREY SOCKS
6	1	BLACK SHORTS W/RED STRIPE
7	1	GREY SHIRT W/BLUE AND WHITE STRIPE //--LAST ITEM--//

ITEM NO.	DATE	CHAIN OF CUSTODY		
		RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1-7	01JUN05	SIGNATURE [REDACTED]	SIGNATURE [REDACTED]	SAFEKEEPING
		NAME, GRADE OR TITLE [REDACTED]	NAME, GRADE OR TITLE [REDACTED]	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

FORM 4137, 1 JUL 76

Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R Privacy Act Statement 28 Sep 75 Which are Obsolete

LOCATION _____

DOCUMENT NUMBER _____

USAFPC V1.00

