

DEPARTMENT OF THE ARMY HEADQUARTERS, 1ST BRIGADE COMBAT TEAM CAMPILLED IRAQ APO AE

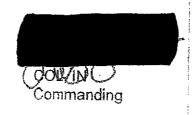
AFZS-LI-Z

Escalation of Force

1 November 2005

MEMORANDUM THRU Commander, 2d Battalion, 22d Infantry Re Combat Team, Camp Iraq, APO AE 09376	giment, 1st Brigade
FOR Commander, C Troop, 1st Squadron, 71st Cavairy Regiment, Team, Camp Iraq, APO AE 09376	1st Brigade Combat
SUBJECT: Guidance based on Recommendations from 15.6 Invest	Alamakin o Ka

- 1. I concur with the Investigating Officer and the Appointing Authority that this engagement is consistent with the Rules of Engagement. Therefore, I concur that no disciplinary action be taken against any specific Soldier.
- 2. However, the investigation does bring to light some issues which I feel should be addressed.
- a. First, I direct that US forces post signs in front of the making that area a no stopping or parking area. These signs should be posted so that traffic approaching from either direction understands the limits of the no parking area.
- b. Second, I direct that investigations involving an escalation of force which includes the death of a local national will be conducted by no one more junior than a Captain. In addition to rank, the Appointing Authority should select a qualified investigating officer based on the individuals training, experience, length of service, and education.
- c. Third, I direct that the Chain of Command retrain all Soldiers on the concept of positive identification (PID). During this training, Soldiers should be reminded of the importance of cross talk before engaging a target.





DEPARTMENT OF THE ARMY

Headquarters Company, 2nd Battalion, 22nd Infantry Regiment 10th Mountain Division (Light Infantry)

Fort Drum, New York 13602

AFZS-LI-B-HHC

13 October 2005

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- 27. Sworn Statement (Exhibit J) LTC
- 28. Exhibit K Visual Depiction of Engagement

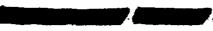
DEPARTMENT OF THE ARMY

Headquarters, 2ND Battalion, 22ND Infantry 10TH Mountain Division (Light) Camp In Ind., Iraq APO AE

AFZS-LI-B

11 October 2005

MEMORANDUM FOR 1LT



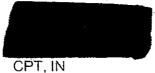
HHC/2-22 Infantry

SUBJECT: Appointment of Investigative Officer IAW AR 15-6

- 1. You are hereby appointed investigating officer pursuant to AR 15-6 to conduct an informal investigation into the circumstances surrounding the direct fire engagement with a civilian vehicle on 11 Oct 2005 by a soldier in C/1-71 CAV.
- 2. In your investigation, all witness statements will be sworn. From the evidence, you will make findings as to the circumstances of events concerning the loss or damage of government property. You will also make recommendations for any punishment or financial liability to any party. Finally, you will make a recommendation for controls that should be emplaced to ensure this does not happen again in the future.
- 3. If in the course of your investigation you come to suspect that certain people may be responsible for the damage, you must advise them of their rights under the UCMJ, Article 31, or the Fifth Amendment, as appropriate. In addition, you must provide them a Privacy Act statement before you solicit any (further) personal information. You may obtain assistance with these legal matters from the office of the Staff Judge Advocate.
- 4. Effective immediately, you are relieved of any current duties and will report directly to the Battalion Executive Officer until the completion of this investigation. Submit your findings and recommendations in four copies on DA 1574 to this headquarters, ATTN: 2-22 IN Battalion Commander, within 24 hours.
- 5. POC for this memorandum is CPT



FOR THE COMMANDER:



Battalion Adjutant

CF: 2-22 IN, XO 2-22 IN, CDR

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD For use of this form, see AR 15-6; the proponent agency is OTJAG.	OF OFFICERS	
IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH A	DDFTONAL SHEETS	
SECTION 1- APPOINTMENT	DENTITY BELLET	
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Appointed by LTC Commander, 2-22 IN		
(Appointing authority)	4	TO STOREMENT OF STREET
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12 OM 05		
on 12 OCT 05 (Assach inclosure 1: Letter of appointment or summary of oral appointment data.) (Se	para 3-15, AR 15-6.)	
(Duit)		
SECTION II - SESSIONS	The state of the s	
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The (inversigntion) (neard) commenced at Campian Iraq		200
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the 12 OCT 05 Af a formal board met for more than one session, check here Indicase in an in		began ana
ended, the place, persons present and absent, and explanation of absences, if any) The following persons (members, res	undents, vounsel) were	
present: (After each name, Indicase capacity, e.g., Presidem, Recorder, Member, Legal Advisor.)		
Investigator: 1LT Temperature SSN: SSN: HHC, 2-22 IN (TF Courage)	
		•
		•
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	*	-
The following persons (members, respondents, counter) viere absent: (Include brief explanation of each absence.) (See p	tras 5-2 and 5-8a, AR 15-6.)	•
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	•	
	•	
The (investigating officer) (board) finished pathering/hearing evidence at 1000		T 05
(Time)	(Det	ie)
and completed findings and recommendations at 1600	13 OCT 05	
(Train)	. (Дике)	111
SECTION III - CHECKLIST FOR PROCEEDINGS		organia i granda a g
A COMPLETE IN ALL CASES 1 Inclosures (para 3-15, 4R 15-6)	···· · · · · · · · · · · · · · · · · ·	YES NO ^{1/} NA ²
Are the following inclosed and manbered 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 hem 9, helow)		$\frac{1}{x}$
s (wher correspondence with respondent or commet, if any?	on the six of the six	
d All other written communications to or from the appointing authority?		
e Privacy Act Statements (Certificate, if surement provided orally)?		
7 Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems	C S. 1982, L	×
constituted by g. absence of universal witnesses?	and the second s	Andreas and the second second second second second
2. Information as to sessions of a formal board not included on page 1 of this report?		X
h. Any other significant papers, lother than evidence), relating to administrative aspects of the investigation or board." FOOTNOTES.—1, hydricall negative moners on an involved slove.	•	L
FOOTSOILES - Constitution of the property of t	riin (Marino) Charles	

2	Exhibits (pura 5-10, AR 15-6)	YES N	OF NAT
	in Are all items offered tulusture 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	
	Flas the testim my/statement of each winness been recorded verbating or been reduced to written form and attached 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?		×
	Are descriptions or diagrams included of locations visited by the investigating officer or board (pmn 3-th, AR 15-th?) Are descriptions or diagrams included of locations visited by the investigating officer or board (pmn 3-th, AR 15-th?)	-	
	I seach written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an		<u> </u>
	exhibit or recorded in a verbatian 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 (pstra 3-16d, AR 15-6)?		×
3	Was a quorum present when the board voted on findings and recommendations (parts +1 and 5-26, AR (5-6)?	1	×
Ь.	COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5. AR 15-6)		1
4	At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para) 5-36, AR 15-6)?		
5	Was a quorum present at every session of the board typica 5-2h, AR 15-61?		
ń	Was each absence of any member properly excessed quan 5-2a, AR 15-61?		
7	Were members, witnesses, teporter, and interpreter sworn, if required (print 3-1, AR 15-6)?		1
8			
C.	COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section 11. Chapter 5. AR 15-6)		
9	Notice to respondents (para 5-5, AR (5-6):		
	n. Is the method and date of delivery to the respondent indicated on each letter of medification?		
	b Was the date of delivery at least five working days prior to the first session of the board?		
	/ Poss each letter of notification indicate		
	(1) the date, holer, and place of the first session of the board concerning that respondent?		
1	(2) the matter to be investigated, including specific allegations against the respondent, if any?		
	(3) the respondent's rights with regard to counset?		
ĺ	(4) the name and address of each witness expected to be called by the recorder?		
ĺ	(5) the respondent's rights to be present evidence, and call witnesses?		
Ì	d Was the respondent provided a copy of all unclassified documents in the case file?		
153	e If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?		
1.0	If any respondent was designated after the proceedings began 40r otherwise was absent during part of the proceedings); n. Was he properly notified (para 5-5, AR 15-6)?	<u> </u>	
-	b. Was record of proceedings and evidence received in his absence made available for examination by him and his counsel. (pana 5-4r. 4R 15-6)? Counsel. (pana 5-6, AR 15-6).		
1	a. Was each respondent represented by counsel?		
	Name and business address of course!		
	A make the district the control of Control		
	If counsel is a hower, check here [] ;		
	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 ord, a summary) of the request and the		
	action taken on it included in the report (patal 5-6b, AR 15-6)?		Reinan
12	If the respondent challenged the legal advisor of any voting member for tack of impartiality (pure 5-7, AR 15-6):	 	
	n Was the challenge properly denied and by the appropriate officer"		
	b Did each member successfully challenged cease to participate in the proceedings?		
17	Was the respondent given an opportunity to (para 3-8a, AR 15-6):		
1	a Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respectively	 	1-1
	h Examine and object to the introduction of real and documentary evidence, including written statements?	-	
	c. Object to the testiment of witnesses and cross-examine witnesses other than his own?	<u> </u>	
ž,	d Call winnesses and otherwise introduce evidence?		1
No.	" Testify as a nimess?	-	1 1
Median	J. Make or have his counsel make a final statement or algument. (paner 5-9, AR 13-6)?		
14	is requested, did the recorder assist the respondent in obtaining evidence in passession of the Government and in	-	
Salasken	arranging for the presence of witnesses. Oxide 5-80, AR 15-67?	D. K. et July	Belyntyssa
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. (p.m. 5-11, 1R-15-6).	A Company	
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	SECTION IV - FINDINGS (para 3-10, AR 15-6)	
The linvestigating officer) (board), having carefull	ly considered the evidence, finds:	· ·
See Exhibit A		
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26:	OTION V. DECOMMENTATIONS	
In view of the above findings, the (investigating of	CTION V - RECOMMENDATIONS (para 3-11, AR 15-6) Micer) (board): recommends:	Merchander and Control of the Contro
See Exhibit B	, the same and the	
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SECTION VI - AUTHENTICATION (pg	va 3-17, AR 15-6)
THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (if any von below, indicate the reason in the space where his signature should appear.)	
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	1 to the Kind of the second
(Recorder)	(mvestigaupig Officer) (President)
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(Member)	(Member)
	(cremite)
	TAX CONTRACT
(Member)	(Member)
SECTION VII - MINORITY REPORT (p.	ara 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	e dissenting member(s) do(es) not concur. State the
reasons for disagreement. Additional/substitute findings and/or recommendations may	be included in the inclosure.)
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THE RESIDENCE OF THE PROPERTY	PROVING AND ADMINISTRATION OF THE STATE OF T
(blember)	(Member)
SECTION UNI ACTION DA ACTION DA ALTRI	
SECTION VIII - ACTION BY APPOINTING AUTH The findings and recommendations of the (investigating officer) (lacard) are (approve	CHILLY (pag 2-3, AK 13-0)
59251111110715). If the appointing authority returns the proceedings to the intestigating	man or hard for hirther meandings or
corrective action, attach that correspondence (or a summary, if oral) as a numbered in	ielosure.)
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DEPARTMENT OF THE ARMY Headquarters Company, 2nd Battalion, 22nd Infantry Regiment 10th Mountain Division (Light Infantry) Fort Drum, New York 13602

REPLY TO ATTENTION OF

AFZS-LI-B-HHC

13 October 2005

Exhibit A

C/1-71 15-6 Investigation

Findings

On 11 October 2005, 4th PLT, C/1-71 was conducting a three vehicle mounted patrol vicinity the , an area of frequent enemy activity. At approximately 1900 hours, the patrol was traveling south on Rte. and made a left turn onto Rte. traveling east. The patrol leader's (SSG) intent was to conduct refit operations at the IP Upon making the left turn onto Rte immediately recognized that friendly forces in the were engaging a civilian vehicle located in the westbound lane of Rte. approximately 100m from the patrol's location. (Exhibits C1, D1, E1, F1, H1, I1). Members of the patrol witnessed the receiving direct fire and saw what they believed to be muzzle flashes coming from the suspected enemy vehicle. Subsequently, two of the patrol's crew served gunners engaged the vehicle, as it continued to move in the direction of the U.S. patrol. The middle vehicle in the convoy initiated contact, followed almost immediately by the trail vehicle in the convoy. When the patrol's leadership determined that the suspected enemy was no longer a threat, a cease fire was called. Upon establishing security and conducting an initial investigation, the patrol determined that all individuals in the vehicle were unarmed and had been killed. A visual depiction of the engagement can be found in Exhibit K.

After reviewing all sworn statements and questioning the relevant parties, one can determine that the C/1-71 patrol committed no wrongdoing. The patrol turned onto a road and immediately encountered a friendly force (IA and American forces in the engaging a vehicle with direct fire. It can be logically deduced that if friendly forces have engaged a suspected enemy, positive identification has been established. As a result, the C/1-71 patrol simply aided an adjacent unit that was in contact with the enemy. Additionally, the patrol believed there was an imminent threat from the suspected enemy (Exhibits C1, D1, E1, F1, H1, I1), and acted well within established ROE critieria.

It is important to note that the incident occurred during times of limited visibility, which would hinder the patrol's ability to determine whether individuals in the vehicle were armed. Furthermore, time and distance analysis reveals that the patrol had very little time to assess the situation. Upon making the turn onto Rte. The patrol was approximately 100m from the civilian vehicle, and shots were already being fired from

the (Exhibits C1, D1, E1, F1, H1, I1). Consequently, the incident is not an escalation of force issue, but rather an element reacting to contact



DEPARTMENT OF THE ARMY Headquarters Company, 2nd Battalion, 22nd Infantry Regiment 10th Mountain Division (Light Infantry) Fort Drum, New York 13602

REPLY TO ATTENTION OF

AFZS-LI-B-HHC

13 October 2005

Exhibit B

C/1-71 15-6 Investigation

Recommendations

No disciplinary action is recommended.

The unit is encouraged to conduct ongoing "vignette training" down to the team level in order to address the numerous situations in which ROE can be ambiguous.

The Company leadership is encouraged to address the incident with junior leaders and soldiers, and ensure that despite investigations, maneuver elements need to continue to be aggressive on the battlefield.

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE For use of this form, see AR 190-30; the proponent agency is ODCSOPS DATA REQUIRED BY THE PRIVACY ACT AUTHORITY: Title 10, United States Code, Section 3012(g) PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which inférmation may be accurately identified, Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval. ROUTINE USES: DISCLOSURE: Disclosure of your Social Security Number is voluntary. LOCATION 2. DATE TIME FILE NO. (171 C) 173670 6145 NAME (Last, First, MI) ORGANIZATION OR ADDRESS 8. SSN GRADE/STATUS CIRP 1-7/1/1 -61 / Acm PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE Section A. Rights 7 12 The investigator whose name appears below told/me that he/she is with the United States Army I wish getting Officer and wanted to question me about the following offensels) of which I am suspected/accused: Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights: 1. I do not have to answer any question or say anything. Anything I say or do can be used as evidence against me in a criminal trial. 3. |For personnel subject othe UCMJ | I have the right to talk privately to a lawyer before, during, and after questioning and to have a lewyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both. (For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present. I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below. COMMENTS (Continue on reverse side) Section B. Waiver I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me. WITNESSES (If available) SIGNATURE OF INTERVIEWEE NAME (Type or Print) ORGANIZATION OR ADDRESS AND PHONE SIGNATURE OF INVESTIGATOR NAME (Type or Print) TYPED NAME OF INVESTIGATOR 161 Telling Thokes ORGANIZATION OR ADDRESS AND PHONE ORGANIZATION OF INVESTIGATOR Section C. Non-weiver I do not want to give up my rights I want a lawyer [] I do not want to be questioned or say anything SIGNATURE OF INTERVIEWEE ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSECUENTLY EXECUTED BY THE SUSPECTIONING

SWORN STATEMENT For use of this form, see AR 190-45, the proponent agency is ODCSOPS PRIVACY ACT STATEMENT AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951, E.O. 9397 dated November 22 1943 (SSN). PRINCIPAL To provide commanders and law enforcement officials with means by which information may be accurately identified Your social security number is used as an additional/alternate means of identification to facilitate filing and retireval ROUTINE USES: DISCLOSURE: Disclosure of your social security number is voluntary 1. LOCATION 2. DATE (YYYYMMOD) 3. TIME 4 FILE NUMBER Vicinity of 2005/10/11 1900 LAST NAME, FIRST NAME, MIDDLE NAME 6 SSN 7. GRADE/STATUS E-6/ Active ORGANIZATION OR ADDRESS C Trp 1-71 CAV, Camp, APOAE (WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH and turned east on to ASR As we turned east shots were observed on the get some distance and to get eyes on whoever was firing on the muzzle flashes coming from the side of it. At the same time the was As we moved forward a car was identified as having was engaging the same car. My my vehicle. engaged the vehicle until I called a cease fire when I deamed the vehicle to no longer be a threat. NOTHING FORCOWS 10 EXHIBIT 11 INITIALS OF PERSON MAKING STATEMENT PACH 109 ACHILLICINAL PAGES MUST CONTAIN THE HEADING "STATEMENT .__ TAKENAT DATED THE RELITION OF EACH ADDITIONAL PASTEMUST BEAR THE INITIAL'S OF THE PERSON MAKING THE STATEMENT AND A RESERVED AND THE PERMOICATED

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270001-71 CFC	*	•
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LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY	NUMBER	GRADE/STATUS
ORGANIZÁTION OR ADDRESS			Samuel Sa
CIRP 1-71 CAU			
1.	WANT TO MAKE	THE FOLLOWING	STATEMENT UNDER OATH:
1. Were you aware that friendly forces were in the identified the enemy?	<u></u>		riendly forces had positively
2. At the time, did you believe that the vehicle you engage	d was a hostile enem	ny that posed a t	hreat to your element?
3. Did the engagement occur during hours of limited visibi	lity (ie darkness and	under NVG\$)?	
4. What was the distance between your vehicle and the sus	pected enemy vehicl	le?	
5. In respect to time, how long after you turned the corner	onto did you	realize that the	was in contact?
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RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATÉ For use of this form, see AR 190-30; the proponent agency is ODCSOPS DATA REQUIRED BY THE PRIVACY ACT AUTHORITY: Title 10, United States Code, Section 3012(g) PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval **ROUTINE USES:** DISCLOSURE: Disclosure of your Social Security Number is voluntary. LOCATION DATE 3. TIME FILE NO. 13007 65 NAME ORGANIZATION OR ADDRESS C 1171 $\bar{r} : 3$ SSN GRADE/STATUS 6. PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE Section A. Rights The investigator whose name appears below told me that he/she is with the United States Army suspected/accused: Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights: I do not have to answer any question or say anything. Anything I say or do can be used as evidence against me in a criminal trial. (For personnel subject othe UCMJ I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both. (For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below. COMMENTS (Continue on reverse side) Section B. Waiver I understand my rights as stated above. I am now willing to discuss the offensels) under investigation and make a staterdent without talking to a lawyer first and without having a lawyer present with me. WITNESSES (If available) SIGNATURE OF INTERVIEWEE NAME (Type or Print) ORGANIZATION OR ADDRESS AND PHONE SIGNATURE OF INVESTIGATOR NAME (Type or Print) TYPEDIMANE OF INVESTIGATOR ORGANIZATION OR ADDRESS AND PHONE ORGANIZATION OF INVESTIGATOR 6. Section C. Non-waiver I do not want to give up my rights I want a levyver 1 do not went to be questioned or say anything SIGNATURE OF INTERVIEWEE ATTACH THIS WAIVER CERTIFICATE TO ANY SWORK STATEMENT. (DA FORM 2823). SUBSEQUENTLY EXECUTED BY THI, SUSPICITIAL CUSED

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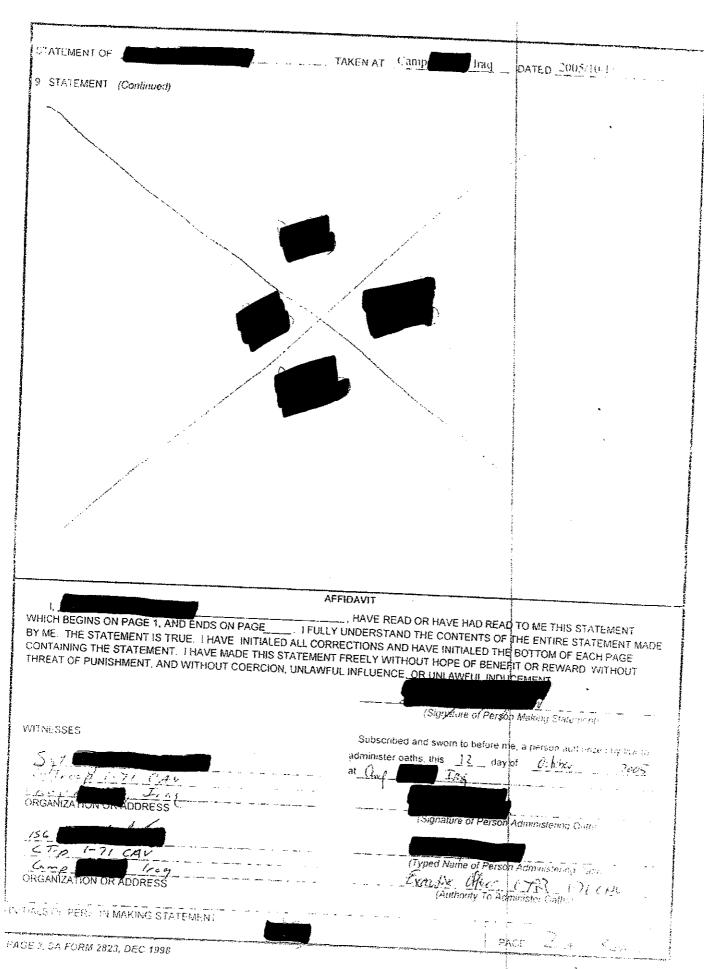


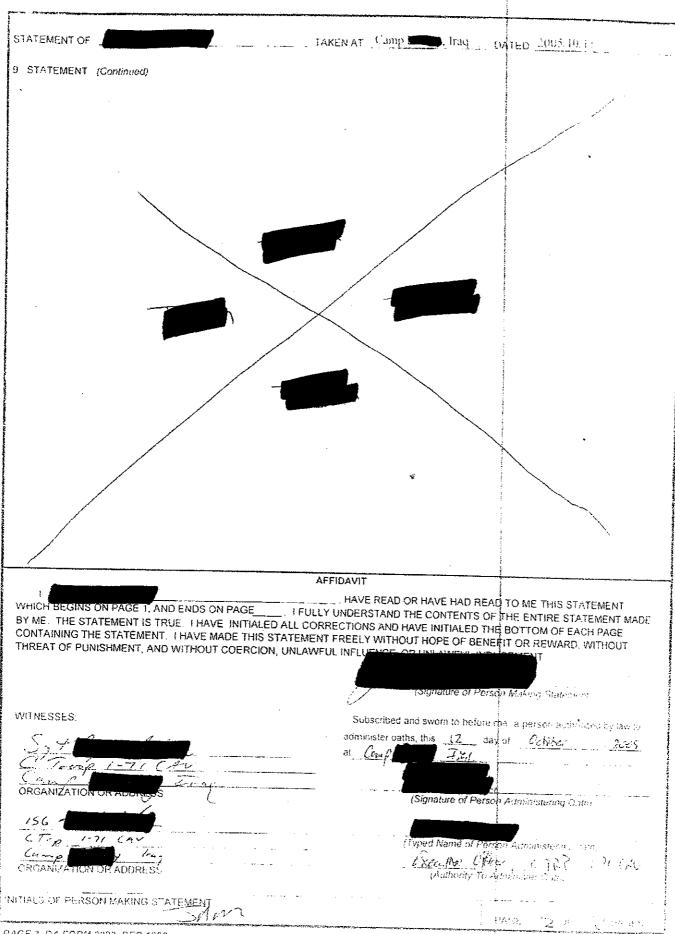
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	DATA REQUIRED P	Y THE PRIVACY ACT	E E	
PRINCIPAL PURPOSE: To p ROUTINE USES: Your	10, United States Code, Section 3012(g rovide commanders and law enforcemen Social Security Number is used as an ad losure of your Social Security Number is	t officials with means b	y which information s of identification to	may be accurately identified. facilitate filing and retrieval.
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	PART I - RIGHTS WAIVER	MON WAIVED CEDTICI	CATE	
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The investigator whose name appear	es below told me that he/she is with the Unit		· · · · · · · · · · · · · · · · · · ·	2 13.6
suspected/accused:	Culous Ettel 20 she	b. Ale for I	INDO THE SOCIAL THE TOHOW	ving offensets) of which I am
Before he/she asked me any question	ns about the offense(s), however, he/she ma	de it clear to me that I have	e the following rights:	
 I do not have to answer any qu 	sestion of say anything.			
 Anything I say or do can be used. (For personnel subject ofthe UC 	ed as evidence against me in a criminal trial.		<u> </u>	
during questioning. This lawyer	MJ I have the right to talk privately to a law can be a civilian lawyer t arrange for at no ex	yer before, during, and after	er questioning and to he	we a lawyer present with me
or both.	and a service of the	Apense to the Government	or a usinary lawyer deta	sled for me at no expense to me.
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SWORN STATEMENT For use of this form, see AR 190-45, the proponent agency is ODCSOPS PRIVACY ACT STATEMENT AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951, E.O. 9397 dated November 22, 1943 (SSA) 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 remeval DISCLOSURE: Disclosure of your social security number is voluntary 1 LOCATION 2. DATE (YYYYMMDD) Vicinity of 3. TIME 4 FILE NUMBER 2005/10/11 1900 Local 5. LAST NAME, FIRST NAME, MIDDLE NAME 6. SSN 7. GRADE/STATUS E-4" ACTIVE ORGANIZATION OR ADDRESS C TRP 1-71 CAV, FOB WANT TO MAKE THE FOLLOWING STATEMENT UNDER DATH At approximately 1900 hours our pairol turned off At that time I heard shots tired to our from I saw muzzle onto tlashes coming from the se. A car to our front with its lights off was slowly driving by the see. I saw flus to was being engaged. I engaged the vehicle with my 249 until it came to a stop and I coming from the car and the received a cease fire. -NOTHING FOLLOWS-----10 EXHIBIT ON MAKING STATEMENT PAGE TOP ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT DATED THE BOTTOM OF EACH ADDITIONAL PAGE MUST SEAR THE MITTALS OF THE PERSON MARKING THE STATEMENT AND FACE MUS! BE BL INDICATED

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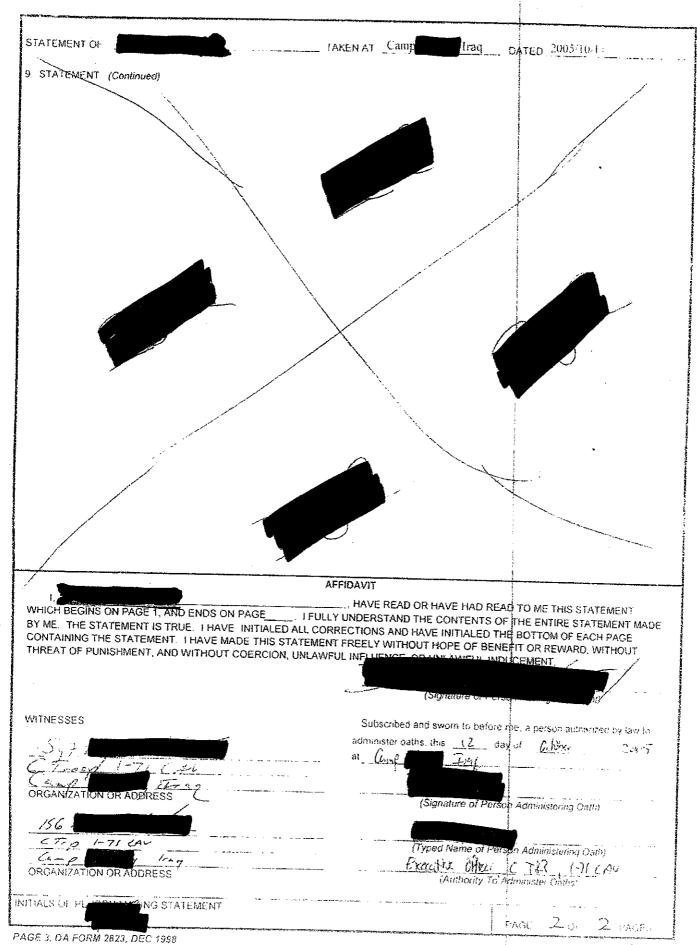


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speak privately with a li	ewyer before answering	further, even if I sign the weir	ver be	low.				,,
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ORGANIZATION OR ADDRESS 156 C 7-77 C-P ORGANIZATION OR ADDRESS	(Signature of Person Administering Outr) (Typed Name of Person Administering Outr) Excustic Wazer CTR 1-1 Crip (Authority to Administer Outrs)
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	(Signature of Person Making Statement)	· · · · · · · · · · · · · · · · · ·
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ORGANIZATION OR ADDRESS	Subscribed and sworn to before me, a person authorized by law to administer paths, this 12 day of October 2005 at County Fifty.
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