



60

DEPARTMENT OF THE ARMY
4TH BRIGADE COMBAT TEAM, 3D INFANTRY DIVISION
FOB [REDACTED], BAGHDAD, IRAQ
APO AE 09348

REPLY TO
ATTENTION OF:

AFZP-VE-C

23 November 2005

MEMORANDUM FOR Commander, 3d Infantry Division, FOB [REDACTED], Baghdad, Iraq

SUBJECT: Transmittal of Inquiry

1. Reference 15-6 investigation into 14 NOV 05, EOF Shooting of a local national.
2. I recommend no further action against 1st Platoon, E Co, 3-7 IN.
3. POC for this memorandum can be reached at [REDACTED]

[REDACTED]
[REDACTED]
COL, EN
Commanding



DEPARTMENT OF THE ARMY
HEADQUARTERS, 3RD BATTALION, 7TH INFANTRY REGIMENT
4TH BRIGADE, 3RD INFANTRY DIVISION
APO AE 09364

REPLY TO
ATTENTION OF

AFZP-VEI-C

21 November 2005

MEMORANDUM FOR RECORD

SUBJECT: AR 15-6 Investigation Table of Contents

1. The following documents are included in the AR 15-6 Investigation packet concerning the shooting of one civilian local national that occurred on 14 November 2005 during operations conducted by E Company, 3-7 Infantry vicinity [REDACTED]

A. DA Form 1574, Report of Proceedings by Investigating Officer

B. AR 15-6 Investigating Officer Appointment Orders

C. Exhibits.

(1) Exhibit A: Commanders Incident Report dtd 14 November 2005

(2) Exhibit B: Patrol Debrief, 111418, dtd 14 November 2005

(3) Exhibit C: DA Form 2823, Sworn Statement by 1LT [REDACTED]

(4) Exhibit D: DA Form 2823, Sworn Statement by SSG [REDACTED]

(5) Exhibit E: DA Form 2823, Sworn Statement by PFC [REDACTED]

(6) Exhibit F: DA Form 2823, Sworn Statement by SGT [REDACTED]

(6) Exhibit G: DA Form 2823, Sworn Statement by SGT [REDACTED]

(7) Exhibit H: DA Form 2823, Sworn Statement by SGT [REDACTED]

(8) Exhibit I: Diagram of EOF incident

2. POC for this memorandum is the undersigned.

FOR THE COMMANDER

[REDACTED]

CPT, IN



DEPARTMENT OF THE ARMY
3-7TH INFANTRY BATTALION
4TH BRIGADE, 3RD INFANTRY DIVISION
FORWARD OPERATING BASE [REDACTED]
BAGHDAD, IRAQ APO AE [REDACTED]



AFZP-VEI-C

19 September 2005
S: 21 November 2005

MEMORANDUM FOR RECORD

SUBJECT: Appointment as 15-6 Investigation Officer

1. [REDACTED] HQ/3-7IN is hereby appointed an investigating officer pursuant to AR 15-6 and AR 210-7, paragraph 4-3, to conduct an informal investigation into the warning/disabling/kill shots fired by E/3-7 IN.
2. In your investigation, all witness statements will be sworn. From the evidence, you will determine the circumstances of how and why warning/disabling/kill shots were fired by E/3-7 IN on 14 NOV 05.
3. Submit your finding and recommendations in four copies on DA Form 1574, and all supporting documentation to the Battalion Executive Officer no later than 3 days from the Appointment Date.
4. POC for this memorandum is the undersigned.

[REDACTED]
LTC, IN
Commanding

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 20 NOV 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 BLDG 903, FOB [REDACTED] IRAQ at 1300
(Place) (Time)
on 20 NOV 05 (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 1800 on 20 NOV 05
(Time) (Date)
and completed findings and recommendations at 1300 on 21 NOV 05
(Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

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

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

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

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

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

The 1/E/3-7 IN patrol established their Traffic Control Point in accordance with the MND-B TCP SOP and used proper RAMP procedures when a Local National vehicle passed through their cones and wire on or about 141900NOV05. (Exhibits A, B)

The patrol was in sector when they heard shots fired vic [REDACTED]. The patrol arrived at [REDACTED] and discovered that four Local Nationals in a black sedan conducted a drive-by shooting which resulted in the death of a local Imam [REDACTED]. As members of the patrol were questioning the people vic [REDACTED] under the supervision of ILT [REDACTED], other members of the patrol were establishing a TCP around the site of the incident under the supervision of SSG [REDACTED] to prevent anybody from interfering with the investigation and evacuation of the drive-by victim. IPs also arrived at the site and were blocking traffic as the outer cordon, questioning witnesses, and evacuating the dead Imam. (Exhibit C) The patrol was on site for approximately 15 minutes when they completed emplacing wire and cones when a Local National in a white sedan made a turn into their TCP which was inbetween IP vehicles. The IP vehicles did have their lights flashing to prevent drivers from entering the area. The only occupant in the vehicle was the driver, and the vehicle's head lights were off, or appeared to be off to the patrol. PFC [REDACTED] was pulling security vic the wire and fired warning shots when he noticed the vehicle was attempting to make the turn in an attempt to stop the vehicle before it passed through the cones. SPC [REDACTED], the gunner in the closest HMMWV, [REDACTED] spot lighted the vehicle in another attempt to prevent the vehicle from entering the patrols cones and wire. (Exhibits D, E) The vehicle did not stop, but continued to drive through the cones and the wire. As the vehicle passed through the cones, several members of the patrol fired disabling shots into the vehicle in another attempt to stop the vehicle. When the vehicle failed to stop, and it passed through the wire, the members of the patrol fired lethal shots at the driver of the vehicle. (Exhibits C, D, E, F, G, H)

The 1/E/3-7 IN patrol was justified in firing warning, disabling, and lethal shots at the white sedan as it passed through their TCP. The actions of the driver in passing the IP vehicle, driving through the cones and then the wire, with head lights off, and failing to stop when he was spot lighted or received warning shots, posed an imminent threat to the patrol as a potential VBIED. (Exhibits G, H)

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



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

No further actions need to be taken against the soldiers involved in the escalation of force incident vic [REDACTED] which resulted in the death of a Local National. The patrol established their TCP to standard and followed proper ROE and RAMP procedures during it's escalation of force. The patrol should continue to use their current TTPs.

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)

 CPT 
(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.)

E Co was absolutely operating w/in RAMP & ROE. Only addition to follow-up actions, given the outcome, is that the company should work vigorously to provide compensation to the slain man's family.



TAB E (Commanders Incident Report) to Appendix 3 (Ops Reports) to Annex B (Division Standard Reports) to Chapter 4 to 3d IN Div FSOP

LINE 1: UNIT REPORTING: 3-7 IN
 LINE 2: INCIDENT: Warning Shots / Disable Shots / Kill Shots
 LINE 3: DATE/TIME GROUP (DTG) INCIDENT OCCURRED: 14 1932 NOV 05
 LINE 4: LOCATION OF INCIDENT: [REDACTED]
 LINE 5: PERSONNEL INVOLVED

NAME	RANK	UNIT	SSN	SEX	AGE	RACE
[REDACTED]	SSG	E/3-7 IN	[REDACTED]	NA	NA	NA
[REDACTED]	SGT	E/3-7 IN	[REDACTED]	NA	NA	NA
[REDACTED]	PFC	E/3-7 IN	[REDACTED]	NA	NA	NA
[REDACTED]	PFC	E/3-7 IN	[REDACTED]	NA	NA	NA
[REDACTED]	PFC	E/3-7 IN	[REDACTED]	NA	NA	NA
[REDACTED]	PFC	E/3-7 IN	[REDACTED]	NA	NA	NA
[REDACTED]	PFC	E/3-7 IN	[REDACTED]	NA	NA	NA

LINE 6: SUMMARY OF INCIDENT: 1/E/3-7 IN was stationary with a TCP setup around a drive by shooting. A WHITE DATSON SEDAN was traveling south on RTE [REDACTED]. The L/N drove around the IP CP and drove towards the patrol position. The vehicle was signaled to stop by siren, spot lights and vehicle lights. A total of 5x 5.56mm rounds were fired as warning shots. The vehicle continued speeding up heading towards the patrol TCP. When the vehicle breached the cones and wire, the patrol fired 30x 5.56mm rounds to disable and kill. The L/N driver was a male of military age who was killed. Patrol fired a total of 35x 5.56mm rounds. The vehicle caught fire and was smoldering, the IP's who were on site fled the area. 3-7 IN TOC contacted 4th BDE TOC for JCC support; the vehicle caught fire and was engulfed in flames. JCC support with IP's arrived on site and put out the fire. Patrol took photos which will be submitted when patrol debriefs.

LINE 7: DAMAGE TO GOVERNMENT AND/OR CIVILIAN PROPERTY: 1x L/N KIA, 1x L/N WHITE DATSON destroyed.

LINE 8: COMMANDER REPORTING: LTC [REDACTED]

SIR ()

Exhibit A
17900

CI Due 18 Nov 05



DEPARTMENT OF THE ARMY
 3rd BATTALION, 7th INFANTRY REGIMENT
 3rd INFANTRY DIVISION
 CAMP [REDACTED] BAGHDAD, IRAQ
 APO AE 09364



REPLY TO
 ATTENTION OF:

AFZP-VEI-HC

SUBJECT: Patrol Debrief

Battalion Patrol #: 111418

Date: 14NOV05

SP: 1400

RP: 2100

PLT: 1/E/3-7 IN BN
 Sec

SL/PL: 2LT [REDACTED]

Type of Patrol: RTE CLR, Area

Zones: [REDACTED]

[REDACTED]

Vehicles: E92, E37, E38

Unit: PSD A CO B CO C CO D CO [REDACTED] F CO MPs

Name	Rank	Notes
[REDACTED]	2LT	Patrol Leader
[REDACTED]	SSG	Assistant Patrol Leader
[REDACTED]	SGT	Assistant NCOIC
[REDACTED]	PFC	-
[REDACTED]	SGT	-
[REDACTED]	SPC	-
[REDACTED]	SGT	-
[REDACTED]	PFC	-
[REDACTED]	SPC	-
[REDACTED]	SGT	-
[REDACTED]	SPC	-
[REDACTED]	PFC	-
-	-	TERP

- PATROL TASK:** Route clearance; F2F patrol in MUH835; TCP in [REDACTED]
- PATROL PURPOSE:** Clear MSR [REDACTED] btw [REDACTED] and [REDACTED] swap medicine for plastic guns in MUH835; disrupt AIF logistic routes

AFZP-VEI-HC
 SUBJECT: Patrol Debrief

- PATROL SUMMARY:** (Indicate all routes and checkpoints. Include pictures, digital recordings, data, and/or confiscated material. If you confiscate anything, write a detailed description of what you confiscated. Include serial numbers for weapons, computers, etc. Record all significant events, CCIR, SIR locations, and any information for possible future targeting.)

1400 SP FOB [REDACTED] through Gate M.

1400 - 1600

RTE CLR: One sweep of [REDACTED] & [REDACTED] and [REDACTED] ([REDACTED] & [REDACTED]). Positively identified where the IED IVO [REDACTED] detonated along side a 3/3ACR EOD patrol on 13NOV05. The IED was placed inside the footings of a pedestrian crosswalk, in the median of Jackson. The IED was elevated approximately 4 feet in the air, and was resting on a steel joint reinforcing the footing. The explosion cut the unknown metal, and knocked a metal sheet off the crosswalk.

F2F Engagement in MUH835: Conducted 3 F2F engagements at LN convenience stores. We convinced 1 LN businessman to exchange 3 plastic AK47 replicas for approximately \$15 worth of American medical supplies. The businessman was very receptive to our deal, and said he will *donate* not sell the medical supplies. The 2 other LN vendors do not sell the replicas, but were receptive to our message.

1600 - 1715

Hasty Raid x 1 & Knock and Search x 2 for kidnapped LN: O/O from [REDACTED] patrol conducted an hasty raid to confirm/deny the location of a kidnapped LN in [REDACTED]. We raided 1 LN that met the description from high HQ (single story house with blue 1 x 3 ft window with new system on top of house) IVO [REDACTED]. We could not identify a LN that matched the description of the kidnapped victim. We discovered a recently tilled/dug hole nearby and remove the dirt concealing the void. We determine that the hole was a well, and contained no AIF/Contraband/LN. Moved to 2 other LN houses and conducted hasty knock and searches, but could not identify anyone who matched the description of the LN. The 3rd house we searched, had a cell phone tower on the roof, which is likely the source of the SIGINT bit that led to the raid/searches. One LN door was damaged during the searches, and a 3ID claims ticket was issued.

1715 - 1745

Travel to Al Bayaa IP station.

1745 - 1815

Stationary at IP Station; negative linkup with IP for joint ISF/Coalition Patrol.

1815 - 1845

RTE CLR: One sweep of [REDACTED] and [REDACTED]. NSTR.

1845 - 1850

F2F engagement in [REDACTED]. Broke station to investigate gunfire IVO [REDACTED]

1850 - 2050

2 incidents to follow - both of which occurred at [REDACTED]

1. 1850

LN drive-by shooting/killing of Imam: We responded to heavy machine gun fire IVO [REDACTED], and discovered that 1 x LN has been killed by 4 x AIF driving a black Opel sedan, armed with 1 x PKC machine gun. The LN information is listed below:

- a. NAME: [REDACTED]
- b. NICKNAME: [REDACTED]
- c. JOBS: Imam ([REDACTED] Mosque, SW of [REDACTED] and Real Estate Broker at [REDACTED] Office (his office was his house also)

The LN was standing outside his office on the NW corner of [REDACTED], when the AIF vehicle traveling east on Ash stopped, and fired on the LN. The vehicle fled east on [REDACTED], and LN ground evacuated the LN KIA away from the scene before we could secure the area. The LN died onsite according to his wife. While we were gathering the aforementioned information, the following happened:

2. 1915

Deadly escalation of force by Coalition forces: while securing a drive-by shooting scene IVO [REDACTED], multiple members of the patrol exercised the prescribed ROE for security/cordon operations, and fired warning/disabling/lethal shot at/into a LN vehicle (white sedan driven by 1 x LN) that failed to respond to audible warnings (shouted commands, IP sirens) and visual warnings (cones, concertina wire, raised weapons, flashing IP lights, Coalition spotlights). The LN vehicle by passed an IP SUV, and proceeded to drive over Coalition cones and wire before being engaged by the patrol. The LN vehicle was traveling south on [REDACTED], and turned west onto Ash, where the patrol engaged the vehicle. The vehicle was traveling between 20-30 mph, and did not have its' lights on when it approached the Coalition's cones and wire. The patrol fired the following into the vehicle:

Soldier's Name	No. of 5.56 Rounds
[REDACTED]	12
[REDACTED]	15
[REDACTED]	4
[REDACTED]	6
[REDACTED]	12
[REDACTED]	10
[REDACTED]	27
[REDACTED]	20
TOTAL	106

The LN vehicle came to a rest after all shots were fired, and no BDA was assessed on Coalition patrol. JCC support was requested, b/c the IP onsite fled after the patrol fired into the LN vehicle. IP from Al Bayaa arrived, as did elements of C/3-7 IN. The LN vehicle caught on fire, and burned until JCC fire squads were dispatched and suppressed the blaze. The LN's body was ground evacuated by the IP before the fire engulfed the entire vehicle. Pictures of the vehicle are attached.

2100 Patrol RP FOB [REDACTED] through Gate M.

October & November PIR/SIR

- PIR #1:** Where can AIF engage Coalition Forces with IDR from within AO Enforcer?
SIR A: How are AIF moving IDF systems and munitions in and through AO Enforcer?
SIR B: Where are AIF caches of IDF systems and munitions in AO Enforcer?
SIR C: Where are AIF IDF being used against FOB Falcon?
- PIR #2:** Where and how are AIF employing IEDs to engage Coalition Forces in AO Enforcer?
SIR A: Are AIF targeting Coalition forces with IEDs btw [REDACTED]
SIR B: Are AIF targeting Coalition Forces with IEDs IVO [REDACTED]
SIR C: Are AIF targeting Coalition Forces along Force Extension with IEDs? NO. but drive-by shootings have occurred approximately 5 times in the last 5 weeks at the same location: [REDACTED]
- PIR #3:** Who is actively supporting AIF activity in AO Enforcer?
SIR A: Who is financially supporting AIF?
SIR B: Who is supporting AIF with materials?
SIR C: Who and how are LN being influenced?
- PIR #4:** Where can we use CMO efforts to best achieve desired effects on the population in AO Enforcer?
SIR A: What areas have the most overall AIF sympathizers?
SIR B: What CMO projects could we perform that will decrease support for AIF?

3. SIGNIFICANT LOCATIONS AND STATUS: (Include Iraqi address system and grid):

Hasty Raid houses, [REDACTED] ([REDACTED] Rd.) IVO [REDACTED]
 Drive-by shooting, [REDACTED]
 Deadly Escalation of Force, [REDACTED]

4. REQUIRED REPORTING: (Include the number for each):

TCPs Established: 0
 # HUMINT/Informant TIPS: 1
 # Personal Engagements: 20

Information Operations (IO) Flyers Distributed: 0
(Muhallas, Grids and Quantity)

Information Operations (IO) Flyers Seen: 0
(Muhallas, Grids and Quantity)

Enemy IO Found (Graffiti, Posters, etc.): _____
(Muhallas, Grids, Quantity, approx. Time of emplacement)

Enemy IO gained through F2F: 1
(IE.. Store keeper said Terrorists are going to repair a sign destroyed by IED)
(Muhallas, Grids and Quantity)

5. SIGNIFICANT CONTACTS: (Include Sheik, Imams, DAC, NAC, Local civilians, etc.)
NA

7. DETAINEES? If yes, how many and reason for being detained?
NA

8. OVERALL ZONE ASSESSMENT: GREEN / ~~YELLOW~~ / RED

NOTE: All patrol debriefs are due to S-2 NLT 3 hours after completion of mission, unless patrol received contact. If a patrol received contact they must report to the [REDACTED] immediately upon arrival back at the FOB.

[REDACTED]

ILT
PATROL OIC/NCOIC

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.
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 ██████, Baghdad, Iraq	2. DATE (YYYYMMDD) 2005/11/16	3. TIME 1200	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME ████████████████████		6. SSN ██████████	7. GRADE/STATUS O-2 ██████
8. ORGANIZATION OR ADDRESS 1/E/3-7 IN BN, FOB ██████, Baghdad, Iraq			

9. I, ██████, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 14NOV05 at or around 1815 hours my 3 vehicle patrol responded to sustained machine gun fire in vicinity of ██████; the intersection of route ██████ and route ██████. When we arrived at ██████, we positively identified one local national Iraqi injured during the machine gun fire. Once we determined the injured local national's wounds warranted the classification of a 'significant activity' we proceeded to cordon off ██████ with cones and wires and gather more information. We requested JCC support since the attack involved local nationals, and not Coalition forces. The Iraqi Police arrived within 5 minutes, and I instructed them (actually place the vehicles myself) to pull outer security for our information gathering operation. Their tasks included: blocking southbound lane of route ██████; overwatching the east & westbound lanes of ██████; overwatch of route ██████. All three IP vehicles were in place before I conducted a face to face engagement with local nationals who witnessed the drive-by shooting. SSG ██████, was designated NCOIC for security operations, while conducted the face to face engagements. While I was conducting the face to face engagement, my security elements (7 different Soldiers) fired 9 warning shots, less than 16 disabling shots, and no more than 81 kill/lethal shots into a white Dawoo sedan containing one local national male driver; after he drove around an IP SUV and over Coalition cones and wire. Furthermore, the LN drive failed to respond to IP police lights (flashing red & blue), Coalition spotlights, and 4 Coalition warning shots. The LN vehicle was driving without lights while traveling south on ██████ - attempting to merge onto ██████. The IP vehicles fled the scene immediately after Coalition forces opened fire on the vehicle, and thus I was unable to determine why they allowed the vehicle into our second layer of security. We called for Coalition support and JCC support (IP and Fire Department) once the vehicle was disabled, because we confirmed the presence of one LN male driver and observed two separate fires burning inside the cab of the vehicle. We assumed that the vehicle did not have explosives after it burned for 15 minutes and did not explode. C/3-7 IN arrived 20 minutes after the initial call for Coalition support, and the IP arrived approximately 20 minutes after that. C/3-7 reinforced our security measures, and the IP proceeded to remove the LN KIA and evacuate him to a LN morgue/IP station. The vehicle burned for approximately 20 minutes, until the Fire Department arrived and extinguished the fire. We left the vehicle on the road since it was too warm to push with our hands and too malleable to push/pull with the M1114 or M1. We returned to FOB ██████ with no BDA no later than 2100. A diagram of our vehicle placement is attached to this statement.

Nothing Follows



10. EXHIBIT C	11. INITIALS OF PERSON MAKING STATEMENT ██████████	PAGE 1 OF 2 PAGES
------------------	---	-------------------

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

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

STATEMENT OF

[REDACTED]

TAKEN AT

FoB Falcon

DATED

16 NOV 05

9. STATEMENT (Continued)

[REDACTED STATEMENT CONTENT]

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 16 day of NOVEMBER 2005 at FoB Falcon Iraq

ORGANIZATION OR ADDRESS

[REDACTED SIGNATURE]

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED NAME]

(Typed Name of Person Administering Oath)

[REDACTED AUTHORITY]

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED INITIALS]

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 (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 [redacted] 2. DATE (YYYYMMDD) 2005/11/14 3. TIME 1850 4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [redacted] 6. SSN [redacted] 7. GRADE/STATUS SSG/E-6

8. ORGANIZATION OR ADDRESS Eco 3-7 IN FOB [redacted] BLD 1102

9. I, SSG [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
WHILE ON OR ABOUT 141850Z 05 WE WERE SECURING AN INTERSECTION
@ [redacted]. WE WERE JUST FINISHING PUTTING WIRE & CONES 25M FROM OUR VEHICLES.
THERE WERE 2 POINTS THAT DESIGNATED WIRE, THERE WAS A TURN-OFF FROM THE
SOUTH BOUND LANE OF RT [redacted] & THE WEST BOUND LANE OF RT [redacted] TURNING
INTO RT [redacted], THAT IS THE LANE WE WERE BLOCKING. AS WE WERE
FINISHING A VEHICLE DRIVEN BY A LOCAL NATIONAL WAS SPEEDING TOWARD
THE CONES & WIRE GOING SOUTH ON [redacted] TURNING INTO RT [redacted] THE VEHICLE
WAS SKINNED BY A SPOT LIGHT FROM THE GUNNER IN E38 SPC [redacted], PFC [redacted]
WHO WAS ON THE GROUND PULLING SECURITY FOR THE SOLDIERS PUTTING
UP WIRE & CONES FIRED A WARNING SHOT W/ HIS M249. WHEN PFC [redacted]
FIRED A WARNING SHOT IT CAUSED THE OTHERS PULLING SECURITY TO THE
EXT TO FIRE A WARNING SHOT TO INCLUDE MYSELF, DUE TO THE FACT
THAT THE VEHICLE WAS NOT STOPPING, THE VEHICLE BROKE THE
CONES & ROLLED OVER THE WIRE FORCING THE SECURITY ELEMENT TO THE
EAST TO FIRE LEAD SHOTS INTO THE VEHICLE. THE VEHICLE CAME TO
REST 10 METERS PAST THE INITIAL SPOT WHERE THE WIRE & CONES WERE PUT INTO
PLACE. I FIRED A TOTAL OF 12 SHOTS 2 BEING WARNING SHOTS, PFC [redacted]
FIRED 6 SHOTS & SPC [redacted] FIRED 15 SHOTS. END STATEMENT

~~NOTHING FOLLOWS~~
NOTHING

10. EXHIBIT D 11. INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 1 OF 2 PAGES

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

STATEMENT OF SSG [REDACTED] TAKEN AT FOB [REDACTED] DATED 14 NOV 2005

9. STATEMENT (Continued)

[REDACTED]

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE . 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 14 day of NOVEMBER, 2005 at FOB [REDACTED] Iraq

[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Typed Name of Person Administering Oath)
Platoon Leader
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

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 (SSN).
PRINCIPAL: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION [REDACTED]	2. DATE (YYYYMMDD) 20051120	3. TIME 1630	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E3/PFC	
8. ORGANIZATION OR ADDRESS Eco 3-7 INF FOB [REDACTED]			

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

On the night of Nov. 4, 2005 we had to block off westbound traffic of Rt. [REDACTED]. We put cones and wire up to block southbound traffic from turning west. A vehicle approached the cones and I fired 3 warning shots. The vehicle continued forward so I fired 3 more shots as he hit the wire. Other soldiers began firing and I decided I was too close. So I moved the nearest wall and proceeded to the nearest M114. After the firing ceased we finished up and returned to FOB [REDACTED].

[REDACTED]

10. EXHIBIT E	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
------------------	---	-------------------

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

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

STATEMENT OF

PFC, [REDACTED]

TAKEN AT

FOB [REDACTED]

DATED

Nov 20, 2005
2004

9. STATEMENT (Continued)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

AFFIDAVIT

PFC, [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 of Person Making Statement)

WITNESSES:

 ORGANIZATION OR ADDRESS

 ORGANIZATION OR ADDRESS

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

 (Signature of Person Administering Oath)

 (Typed Name of Person Administering Oath)

 (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 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.
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) 20051119	3. TIME 2200	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]		7. GRADE/STATUS E-5/Sgt
8. ORGANIZATION OR ADDRESS E. 3/7 Infantry 31 ID			

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

On 11 November 2005 we responded to a drive by shooting that killed a soldier at [REDACTED]. When we arrived they were taking him to the hospital but he was obviously dead. Within several minutes upon arrival we started setting up security with one vehicle to the west and 2 on the east at the main intersection. Along with the vehicles we had wire out and had out cones or in the process of getting the most. During this I was pulling security and watching the set up of security. To my east at the intersection I heard several shots fired which were warning shots but at first I thought it was another Drive by. I could not tell at first that they were warning shot because the building blocked my view of the wire and vehicle coming from the north turning west into our perimeter the vehicle ran into the wire after the warning shots and that's when everyone opened fire the car came to rest about 30 meters or so from where the wire was originally positioned with it now underneath the car. When the car stopped we ceased fire and everyone pulled into covered positions the car it blew up. Once the situation calmed down we checked everyone changed magazines and made sure everyone had safe the weapons. The troopers started a fire

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

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

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

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

STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED 1910/2000

9. STATEMENT (Continued)

In the car and myself and Sst [REDACTED] approached the car with caution to put out the fire and check the driver. Once we had the situation all figured out we made a call up the chain and answered questions. The JPs showed up removed the body and the car burned because all the extinguishers were used up earlier to keep the body from burning. Was the body was taken we cleared the site and returned to base. Proper escalation of force was used and we did not fire into the car until we were in fear of our lives that it was a vehicle running the wire.

[REDACTED]

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 3 PAGES

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

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

AFFIDAVIT

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]
(Signature of Person Making Statement)

WITNESSES:

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

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[redacted]

PAGE 3 OF 3 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 (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 [REDACTED]	2. DATE (YYYYMMDD) 2005/11/17	3. TIME 1715	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-5	
8. ORGANIZATION OR ADDRESS E CO 3/7 INF BN FOB [REDACTED]			

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

On or about 1900 on the 14th of Novemeber 2005 while patrolling with LT [REDACTED] team we heard some gunfire coming from the west of [REDACTED]. So we left to go to check the area out, it was coming from the area of [REDACTED]. I was gunning the 2nd vehicle, E37. My TC was SSG [REDACTED]. When we drove by I saw a crowd of Iraqi Nationals, and one laying on the ground, and he wasn't moving either. We had cordone off the area and the vehicles were pulling 360 security while cones and wire were being layed out. SSG [REDACTED] told PFC [REDACTED] and PFC [REDACTED] to lay the wires and cone. And they proceded to do that while I was pulling security over upcoming traffic in eastbound lane of [REDACTED]. I heard SSG [REDACTED] tell them to pull security there. All our security measures were done, and the LT proceded to ask questions to nationals over the shooting. Then all of sudden I heard warning shots fired to my rear. I turned around with my weapon, and saw PFC [REDACTED] and PFC [REDACTED] running to the side of the wall along the corner and then I saw a white car hauling towards the wire already past the cones not even slowing down. The first thing that came into my mind was VBIED, I then made about 7 disabling shots into the grill and the vehicle did not stop or even slow down so I made kill shots, i believe there was about 8 shots there. The vehicle stopped and I saw no movement at all in the vehicle. After that we made all accountability of soldiers and changed out magazines on turns. And proceded to pull security until Cco and IPs came.

END OF STATEMENT

10. EXHIBIT

G

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 3 PAGES

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

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

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

STATEMENT OF SGT [REDACTED] TAKEN AT [REDACTED] DATED 17 NOV 05

9. STATEMENT (Continued)

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

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

STATEMENT OF SET [REDACTED] TAKEN AT FOG [REDACTED] DATED 17 NOV 05

9. STATEMENT (Continued)

[REDACTED]

AFFIDAVIT

I, SET [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of November, 2005 at Feb [REDACTED]

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
(Typed Name of Person Administering Oath)

Company Commander
(Authority To Administer Oaths)

WITNESSES
[REDACTED]

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT
[REDACTED]

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION [redacted] 2. DATE (YYYYMMDD) 2005/11/14 3. TIME 18:50 4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [redacted] 6. SSN [redacted] 7. GRADE/STATUS SGT/E-5
8. ORGANIZATION OR ADDRESS E co 317 in FOB [redacted]

9. I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
ON OR ABOUT 14 NOVEMBER 18:50 WHILE PERFORMING A SECURITY PATROL OF [redacted] GUNFIRE WAS HEARD
COMING FROM THE WEST WE PROCEEDED TO INVESTIGATE THE ORIGINATION OF THIS GUNFIRE UPON ARRIVAL AT [redacted]
WE FOUND THAT THE EMAN OF THE AREA HAD BEEN KILLED IN A DRIVE BY SHOOTING. WE CONDON OFF THE AREA WITH
CONES AND WINE AND SET UP 300 SECURITY WHILE INVESTIGATING THE SHOOTING AVERTICLE BREACHED THE CONDON THE VEHICLE
WAS WARNED WITH AUDIBLE AND VISUAL SIGNALS PRIOR TO THE FIRST WARNING SHOT BEING FIRED, AFTER THE INITIAL WARNING
SHOT WAS FIRED THE DRIVER FAILED TO ADHERE TO THE WARNING AND FORCE WAS ESCALATED IAW ROR TO THE POINT
OF DEADLY FORCE. THE DRIVER OF THE VEHICLE WAS KILLED DURING A BANAGE OF GUNFIRE THAT ENSUED AFTER BREACHING
THE SECURITY BARRIER OF CONES AND WINE SET OUT TO PROTECT THE FORCE ON THE GROUND. THE INITIAL WARNING
SHOTS WERE FIRED BY PFC [redacted] WHO ACTED ACCORDING TO SOP DUE TO THE DRIVERS FAILING TO ADHERE. DURING
THE BANAGE OF GUNFIRE I FIRED 10 LETHAL SHOTS INTO THE VEHICLE'S WINDSHIELD, CABINED WITH THE SHOOTERS
KILLED THE DRIVER OF THE VEHICLE, THE DRIVER WAS

10. EXHIBIT H 11. INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED

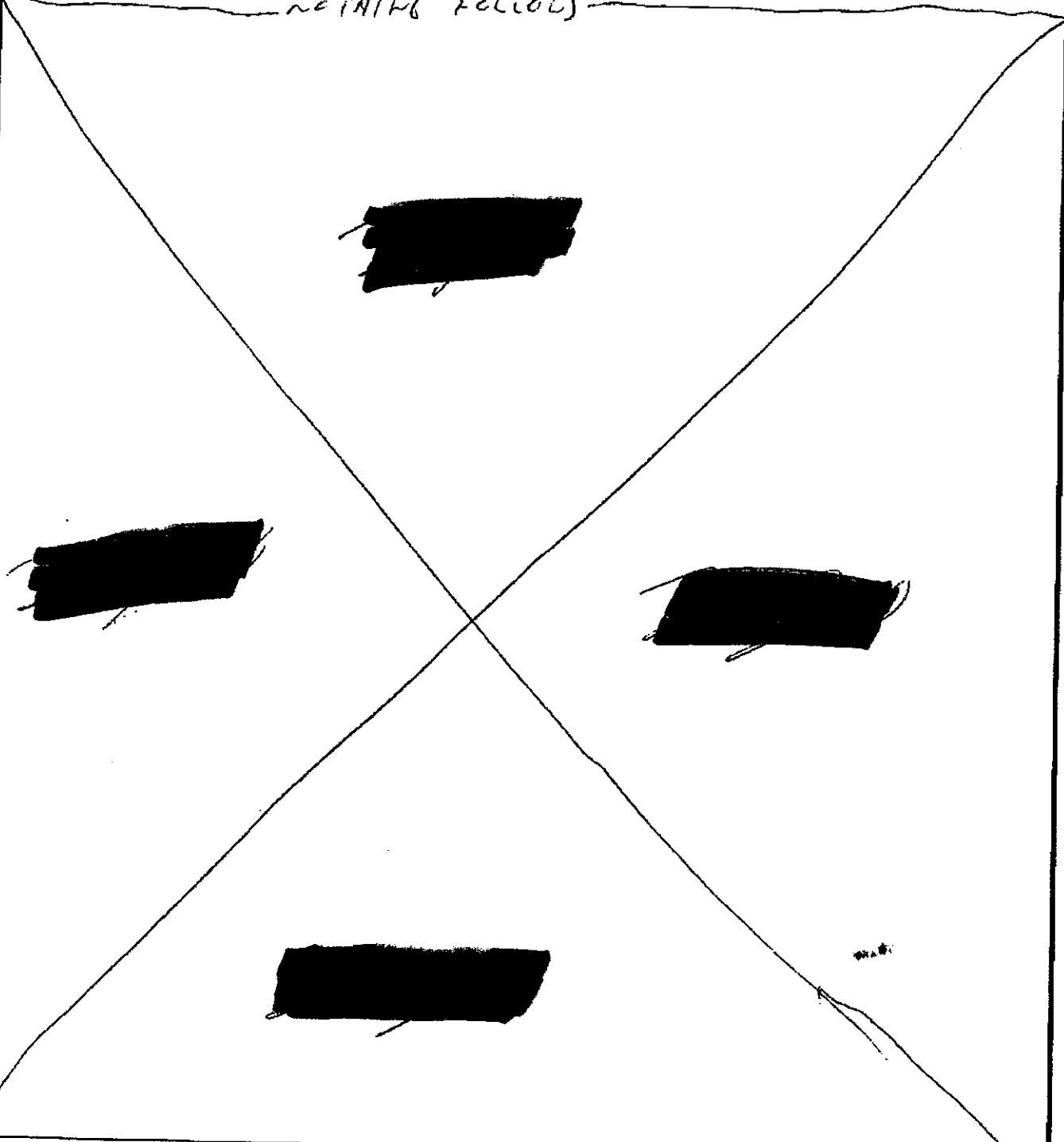
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

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

STATEMENT OF [REDACTED] TAKEN AT FGD [REDACTED] DATED 14 NOVEMBER 2005

9. STATEMENT (Continued)

THE ONLY OCCUPANT OF THE VEHICLE. END OF STATEMENT
NOTHING FOLLOWS



INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

[REDACTED]

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. 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 14 day of NOVEMBER, 2005 at FOI [REDACTED]

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
(Typed Name of Person Administering Oath)
Platoon Leader
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

Deadly EOF IVO



LN buildings

M1114

M1114

M1114

LN buildings



EOF