

SWORN STATEMENT

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

LOCATION FOB UNION III	DATE 30 JAN 06	TIME 1745	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME (b)(3)(b)(6)	SOCIAL SECURITY NUMBER (b)(3)(b)(6)		GRADE/STATUS E-4
ORGANIZATION OR ADDRESS A TROOP 8-10 CAV 4th BCT 4ID			

I, SPC (b)(3)(b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON THE NIGHT OF JAN 29th OF 2006, I SPC, (b)(3)(b)(6) AND PFC (b)(3)(b)(6) WERE FORCED TO ENGAGE AN IRAQI CIVILIAN VEHICLE, FOR THE SAFETY OF US AND OUR CREWS. IT ALL STARTED WHEN A LOCAL NATIONAL DECIDED TO CHARGE PFC (b)(3)(b)(6)'S (b)(2)High WHITE 8 OR A-28. PFC (b)(3)(b)(6) WAS IN THE GUNNERS POSITION AT THIS TIME AND WAS SCANNING DOWN THE ROAD THAT THE VEHICLE WAS TRAVELING. HAVING A MEGAPHONE ATTACHED TO HIS (b)(2)High, SGT (b)(3)(b)(6) ORDERED (b)(6) THE TRANSLATOR TO

EXHIBIT E	INITIALS OF PERSON MAKING STATEMENT (b)(3)(b)(6)	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ 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.

STATEMENT (Continued)

YELL AT THE VEHICLE TO MAKE IT STOP, THE VEHICLE WAS ABOUT (b)(2)High FEET AT THIS TIME WHEN I GLANCED OVER TO SEE WHAT WAS HAPPENING FROM MY GUNNERS POSITION ON A-26 WHICH WAS POINTED AT A (b)(2)High ANGLE FROM A-28. AFTER VERBAL WARNING THE VEHICLE KEPT PROGRESSING, PFC (b)(3)(b)(6) POINTED (b)(2)High AT THE VEHICLE AND YELLED "ANGFU" MEANING HALT OR STOP IN ARABIC. THE VEHICLE STILL CAME TOWARDS HIS (b)(2)High I GLANCED YET AGAIN WHEN HE FIRED A WARNING SHOT IN FRONT OF THE VEHICLE AT THE GROUND, THAT DIDN'T WORK SO PFC (b)(3)(b)(6) STARTED TO SHOOT AT THE TIRES. I THEN TURNED WITH (b)(2)High YELLED STOP, POINTED MY WEAPON

AFFIDAVIT

(b)(3)(b)(6) _____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT BEGINS ON PAGE 1 AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE 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. (b)(3)(b)(6)

(Signature of Person Making Statement)

WITNESSES:

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

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

(b)(3)(b)(6) ORGANIZATION OR ADDRESS

(b)(3)(b)(6)

INITIALS OF PERSON MAKING STATEMENT

(b)(3)(b)(6)

SWORN STATEMENT

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LOCATION <u>FOR UNION III</u>	DATE <u>30 JAN 06</u>	TIME <u>1745</u>	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME <u>(b)(3)(b)(6)</u>	SOCIAL SECURITY NUMBER <u>(b)(3)(b)(6)</u>		GRADE/STATUS <u>E-4</u>
ORGANIZATION OR ADDRESS <u>A TROOP 8-10 CAU 4th BCT 4 ID</u>			

I, SAC (b)(3)(b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

CONTINUED FROM PG. 2: AND PAUSED FOR A SECOND, AS THIS WAS ALL HAPPENING MY T.C. SSG (b)(3)(b)(6) WAS DOWN THE STREET TALKING WITH E.O.D. CONCERNING A POSSIBLE VBIED. I ACTED

(b)(3)(b)(6)

(b)(2)High, (b)(3)(b)(6)

SO I SHOT AT THE LEFT FRONT TIRE. I SHOT (b)(2)High ROUNDS THAT WERE WELL AIMED WITH MY (b)(2)High ~~WHILE~~ PFC (b)(3)(b)(6) SHOT HIS ROUNDS AND STOPPED WHEN THE VEHICLE CAME TO A HALT. ALL OF THE ROUNDS THAT WERE FIRED WERE AT THE SAME TIME, I WASN'T SURE BUT I BELIEVE HE FIRED (b)(2)High I KNOW WE WERE IN A

EXHIBIT <u>E</u>	INITIALS OF PERSON MAKING STATEMENT <u>(b)(3)(b)(6)</u>	PAGE <u>3</u> OF <u>4</u> PAGES
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STATEMENT (Continued)

BAD POSITION SO I ACTED WITH MY BEST JUDGEMENT, WE BOTH

(b)(2)High

(b)(2)High

WERE USING OUR TRAINING

WE FELT WE HAD TO PROTECT OURSELVES AND OUR CREWS.

(b)(3)(b)(6)

Q

(b)(3)(b)(6)

Q:

(b)(2)High, (b)(3)(b)(6)

(b)(3)(b)(6)

A:

THE

(b)(3)(b)(6)

Q:

(b)(3)(b)(6)

A:

Q: EVEN THOUGH THE VEHICLE WAS NOT HEADED DIRECTLY AT YOU, DID YOU FEEL YOUR LIFE AND THE LIVES OF THE SOLDIERS AROUND YOU WERE IN DANGER?

(b)(3)(b)(6)

A: YES I DID, I FELT I WAS IN DANGER BECAUSE I FELT OUR LIVES WERE IN DANGER FROM A VBIED.

(b)(2)High

AFFIDAVIT

I, SPL (b)(3)(b)(6)

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.

(b)(3)(b)(6)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30TH day of January, 2006 at FOB UNION III, IRAQ

ORGANIZATION OR ADDRESS

(b)(3)(b)(6)

(Signature)

ORGANIZATION OR ADDRESS

(b)(3)(b)(6)

(Typed Name of Person Administering Oath)

ARTICLE 136, UCMJ (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(3)(b)(6)

PAGE 1 OF 1 CENTCOM/0049005

SWORN STATEMENT

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LOCATION BAGHDAD, IRAQ	DATE 30 JAN 06	TIME 1735	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6)	SOCIAL SECURITY NUMBER N/A	GRADE/STATUS INTERPRETER	
ORGANIZATION OR ADDRESS ATRP 8-10 CAVALRY 4UA 4ID			

I, _____ (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: WHAT DID YOU SAY ON THE LOUD SPEAKER TO TRY AND MAKE THE DRIVER OF THE CAR STOP?

A: "STOP" - TWICE BEFORE THEY START SHOOTING.

HE CAME SURPRISING TO US FROM THE RIGHT OF THE ROAD MAYBE (b)(2)High AWAY.

NOTHING
FOLLOWS

(b)(6)

Nothing
FOLLOWS

(b)(6)

Nothing
FOLLOWS

(b)(6)

Nothing
FOLLOWS

(b)(6)

EXHIBIT F (b)(3)(b)(6)	INITIALS OF PERSON MAKING STATEMENT (b)(6)	PAGE 1 OF 2 PAGES
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STATEMENT (Continued)

NOTHING FOLLOWS



AFFIDAVIT

I, (b)(6), 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

(b)(6)

(Signature of person making statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30 day of JAN 2006 at

(b)(3)(b)(6)

(Signature of Person Administering Oath)

(b)(3)(b)(6)

(Typed Name of Person Administering Oath)

EXECUTIVE OFFICER (Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

R.A.M.

PAGE 2 OF 2 GENTCOM 004911



(b)(2)High



(b)(2)High



Exhibit G (Storyboard Presentation)

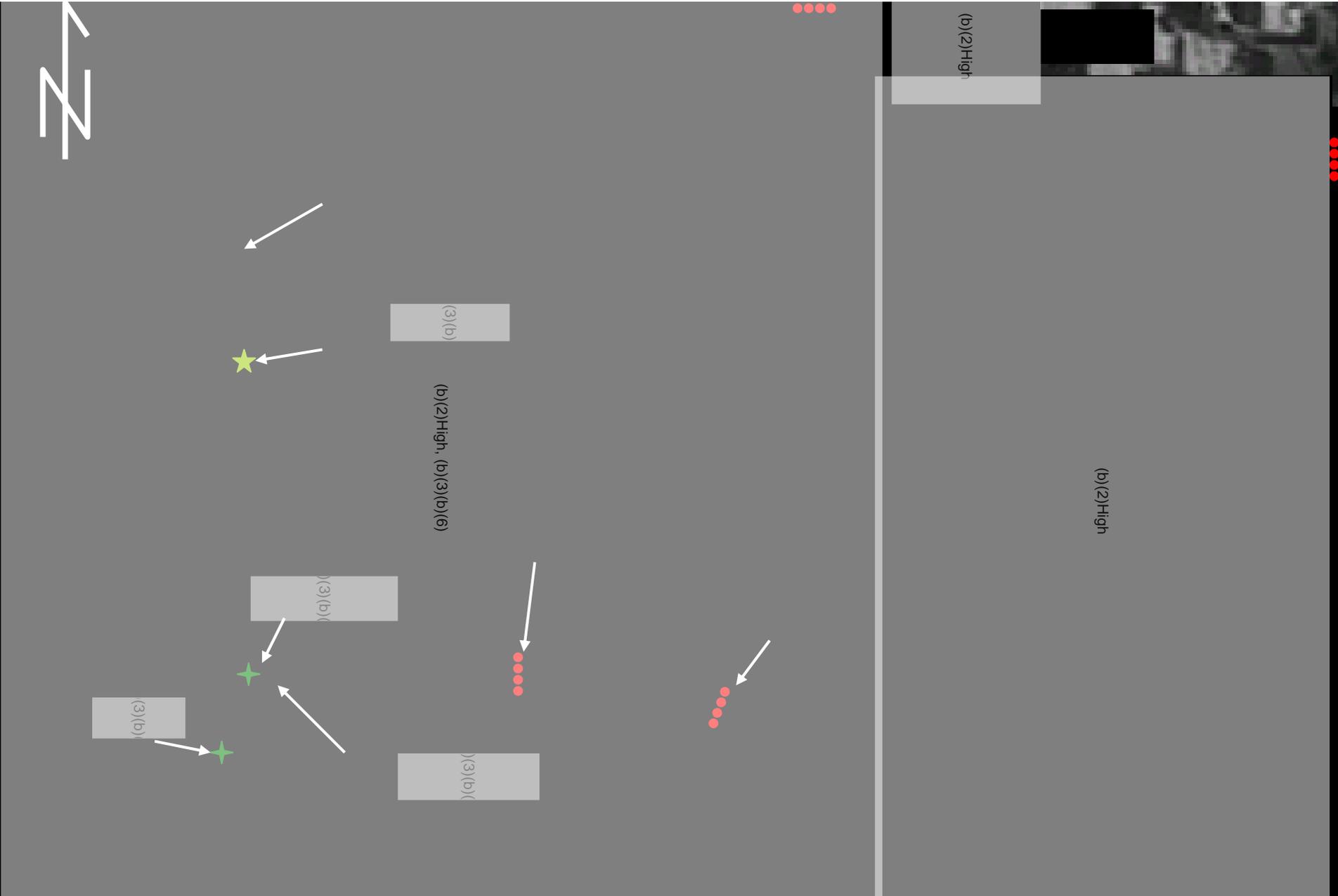


Exhibit G (Storyboard Presentation)

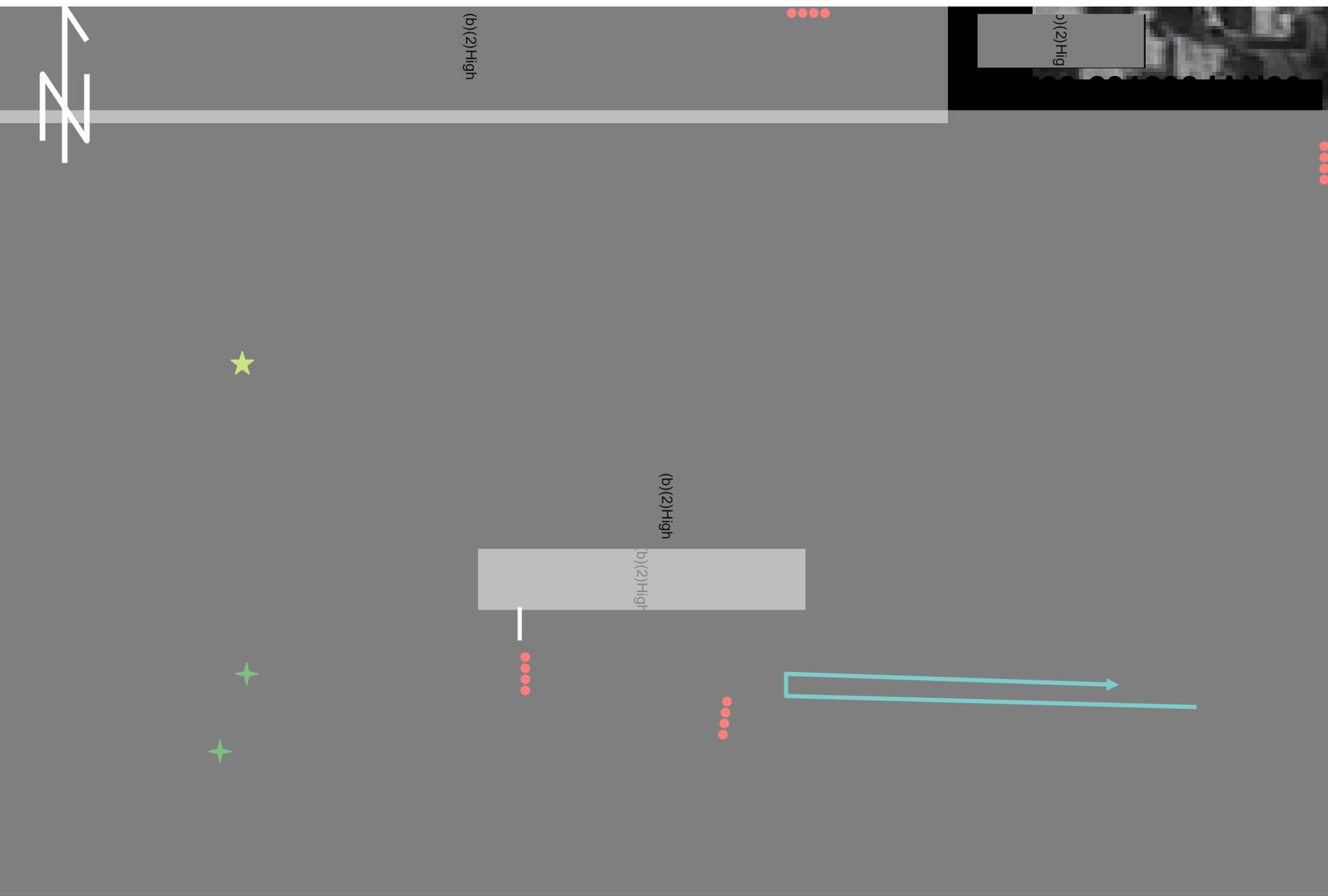
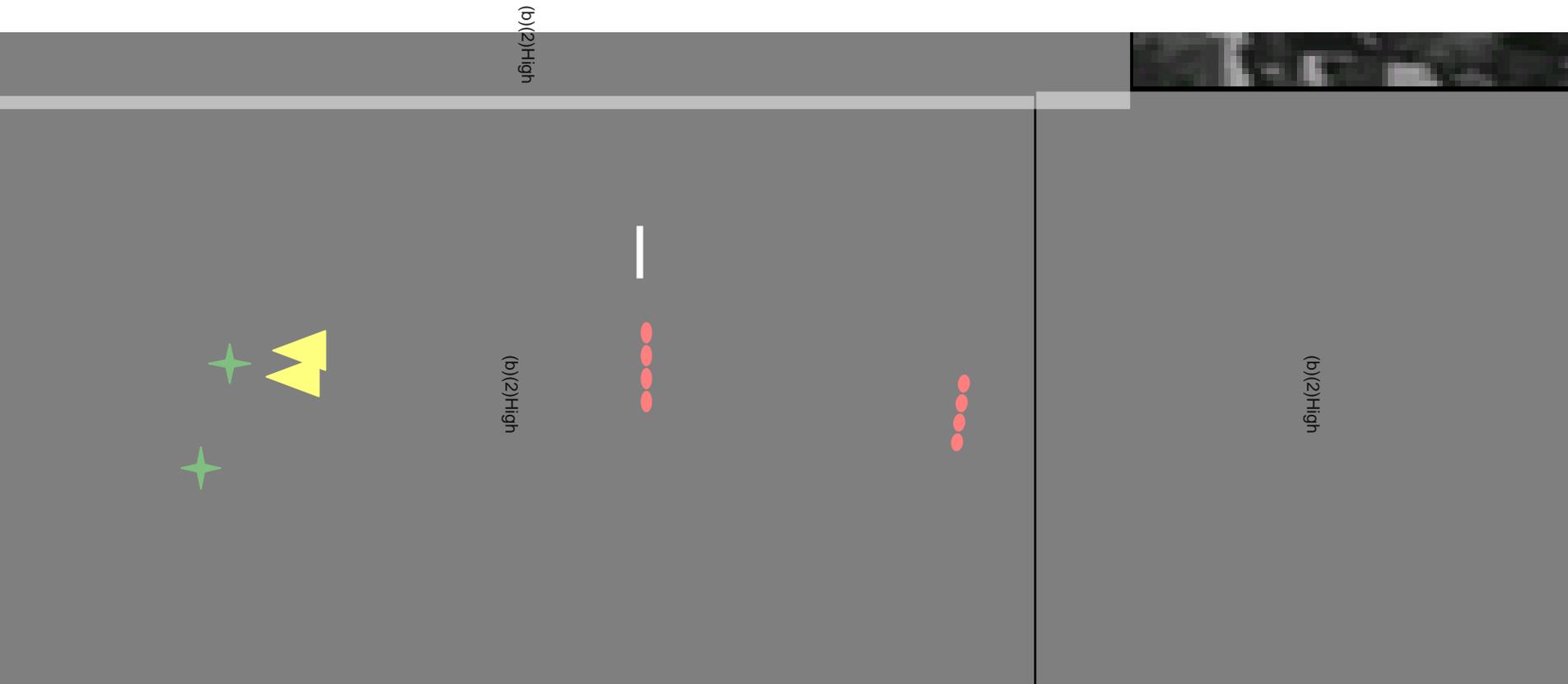


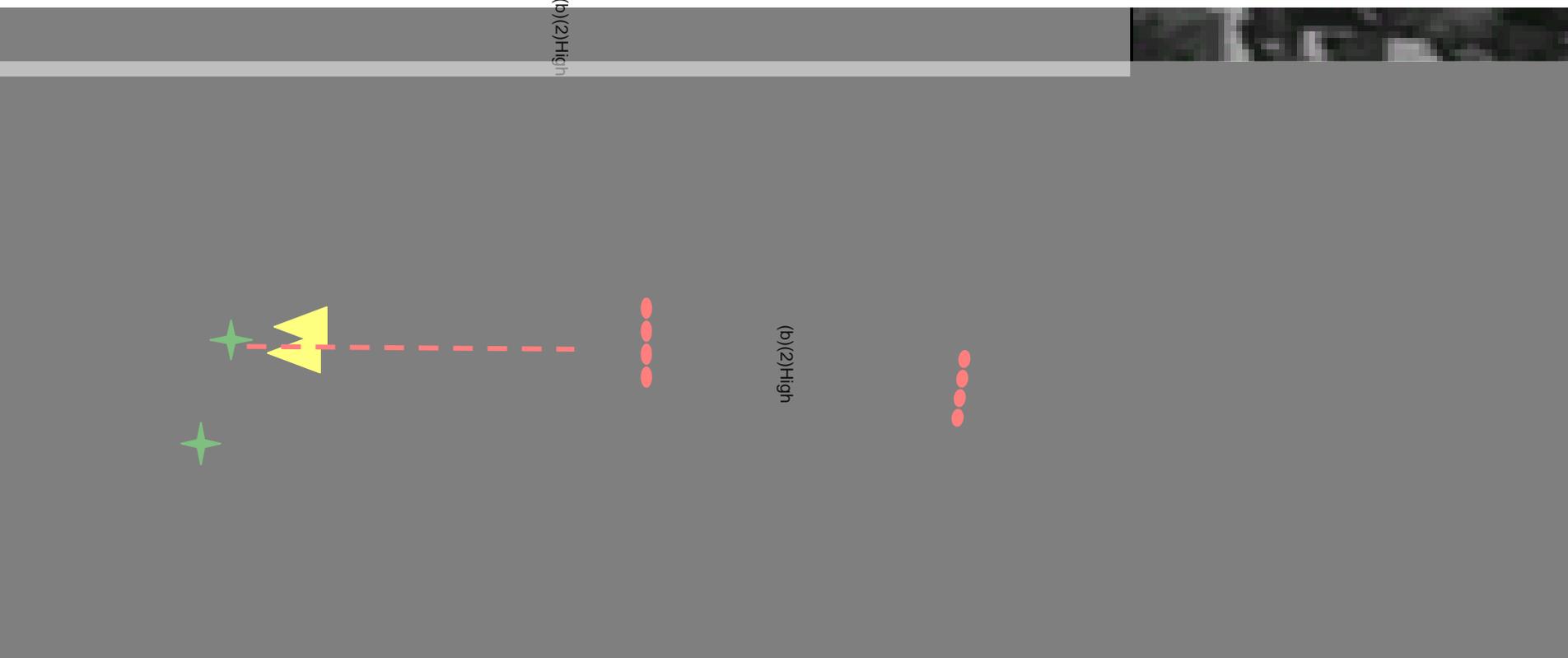
Exhibit G (Storyboard Presentation)

1. At approximately 291835JAN06, a civilian vehicle approached the southern co
the car approached the road junction ju (b)(2)Hi (b)(2)Hi (b)(2)Hi (b)(2)Hi , AW8 started to use warning (b)(2)Hi
warn the vehicle and prevent it from traveling any further west.



2. As the vehicle reached the road junction and (b)(2)Hi
headlights and spotlight and their interpreter began to yell over the loud speaker system, “STOP” and (b)(2)Hi
“TURN AROUND” in Arabic. The ve (b)(2)Hi

3. The car swerved around the northern side of the makeshift obstacle and continued to travel west. AW8 furiously flashed their headlights and began waving their portable gunner on AW8, and the interpreter were both yelling "STOP" in Arabic but the vehicle still moved west toward their position.



4. The car ran over the traffic cone barrier, headed straight for AW8s position. The round sparked when it hit the road and ricocheted away from straight for AW8.

5. According to more than one sworn statement, after the car broke through the traffic cone barrier and speed up. With the AW8 driver still flashing the headlights and the interpreter yelling for the vehicle to stop, the car continued to the right front of the scene. At the front tire

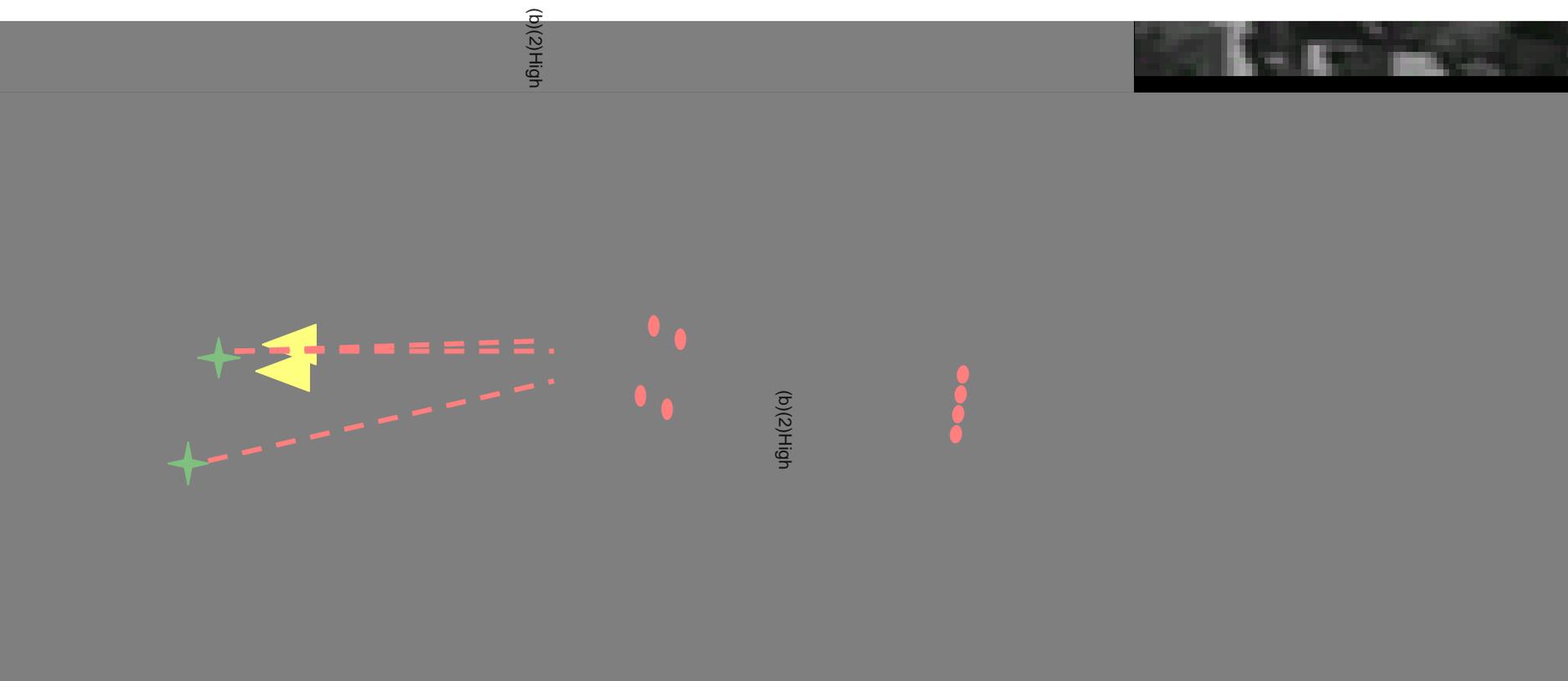


Exhibit G (Storyboard Presentation)

(3)(b)
civilian vehicle was moving too f
swerved to the right and came to a stop
the car and was told to put his hands up.
treated on sight by an A/8-10 CAV medic. Upon hearing weapons
cordon point to assess the

medic forward to assist the occupant in the front passenger seat. The medic assessed the occupant and pronounced him dead on the scene. The body was removed from the vehicle, placed in a body bag, and IPs were notified to transport the body away from the scene. Both soldiers that fired at the civilian car felt that their lives and the lives of the soldiers and people around t

(2)(H)ic
re directed at the engine compartment, but the
windshield. The car
AW8s position. The driver exited
The driver had received a grazing head wound and was
(3)(b) e vehicle and called the
(2)(H)ic
The medic assessed the occupant and
pronounced him dead on the scene. The body was removed from the vehicle, placed in a body bag, and
IPs were notified to transport the body away from the scene. Both soldiers that fired at the civilian car felt
(2)(H)ic

