

9. STATEMENT (Continued)

AFFIDAVIT

I, (b)(3)(b)(6), 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.

(Signature of Person Making Statement)

WITNESSES:

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

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

A CO 1-26 IN

CAMP TAJI

APO AE 09033

ORGANIZATION OR ADDRESS

CPT

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

PAGE

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ENC 1 III

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL 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 OLD MOD	2. DATE (YYYYMMDD) 2007/03/17	3. TIME 1810HRS	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3)(b)(6)	6. SSN (b)(3)(b)(6)	7. GRADE/STATUS PFC	
8. ORGANIZATION OR ADDRESS A COMPANY, 1-26 IN (MECH)			

9. I (b)(3)(b)(6) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

1. HAVE YOU DONE ANYTHING THAT YOU THINK IS ILLEGAL IN SECTOR?
1A. NO.

2. HAVE YOU WITNESSED ANY OF YOUR SOLDIERS DO ANYTHING ILLEGAL IN SECTOR?
2A. NO.

3. DO YOU UNDERSTAND THE RULES OF ENGAGEMENT, ESCALATION OF FORCE AND LAW OF ARMED CONFLICT THAT HAS BEEN BRIEFED TO YOU?
3A. ROGER, SIR.

4. HAVE YOU EVER VIOLATED ROE, EOF, AND LOAC WHILE IN SECTOR?
4A. NO SIR.

not responsive, doesn't relate the EOF incident, (b)(3)(b)(6)

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

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STATEMENT OF (b)(3)(b)(6) TAKEN AT OLD MOD DATED 2007/03/17

9. STATEMENT (Continued)

not responsive, doesn't relate the EOF incident

11. ON THE 1ST OF JANUARY, THE PI.T RESPONDED TO GUNFIRE FROM ZONE 20 AND BECAME ENGAGED BY AIF INSURGENTS. DID YOU WITNESS LT (b)(3)(b)(6) GET OUT OF HIS VEHICLE AND ENGAGE A VEHICLE FROM APPROXIMATELY 2)M WITHOUT PID OR ESCALATION OF FORCE MEASURES BEING USED?

11A. I DON'T BELIEVE I WAS THERE FOR THAT ENGAGEMENT.

not responsive, doesn't relate the EOF incident

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

PAGE: (b)(2)High

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ENCL TIL

9. STATEMENT (Continued)

AFFIDAVIT

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(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

A CO 1-26 IN
CAMP TAJI
APO AE 09033
ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

CPT (b)(3)(b)(6)
(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION OLD MOD	2. DATE (YYYYMMDD) 2007/03/18	3. TIME 1537HRS	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3)(b)(6)	6. SSN (b)(3)(b)(6)	7. GRADE/STATUS SPC	

8. ORGANIZATION OR ADDRESS
A COMPANY, 1-26 IN (MECH)

9. I, (b)(3)(b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH.

- 1. HAVE YOU DONE ANYTHING THAT YOU THINK IS ILLEGAL IN SECTOR?
1A. NO.
- 2. HAVE YOU WITNESSED ANY OF YOUR SOLDIERS DO ANYTHING ILLEGAL IN SECTOR?
2A. SMOKING JOE IN SECTOR. I DON'T KNOW IF THAT IS ILLEGAL, IT WAS SGT (b)(3)(b)(6)
- 3. DO YOU UNDERSTAND THE RULES OF ENGAGEMENT, ESCALATION OF FORCE AND LAW OF ARMED CONFLICT THAT HAS BEEN BRIEFED TO YOU?
3A. YES.
- 4. HAVE YOU EVER VIOLATED ROE, EOF, AND LOAC WHILE IN SECTOR?
4A. NO.

not responsive, doesn't relate the EOF incident, (b)(3)(b)(6)

10. EXHIBIT Q	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
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STATEMENT OF (b)(3)(b)(6) _____ TAKEN AT OLD MOD DATED 2007/03/18

9. STATEMENT (Continued)

not responsive, doesn't relate the EOF incident, (b)(3)(b)(6)

ON THE 1ST OF JANUARY, THE PLT RESPONDED TO GUNFIRE FROM (b)(2)High AND BECAME ENGAGED BY AIF INSURGENTS. DID YOU WITNESS LT (b)(3)(b)(6) GET OUT OF HIS VEHICLE AND ENGAGE A VEHICLE FROM APPROXIMATELY (2)High (WITHOUT PID OR ESCALATION OF FORCE MEASURES BEING USED)?

11A. I WAS NOT OUT IN SECTOR THAT DAY.

not responsive, doesn't relate the EOF incident, (b)(3)(b)(6)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF

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

TAKEN AT OLD MOD

DATED 2007/03/18

9. STATEMENT (Continued)

AFFIDAVIT

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(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)

A CO 1-26 IN

CAMP TAJI

APO AE 09033

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

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ENCL III

9. STATEMENT (Continued)

AFFIDAVIT

I, (b)(3)(b)(6), 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.

(Signature of Person Making Statement)

WITNESSES:

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

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

A CO 1-26 IN

CAMP TAJI

APO AE 09033

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

ENCL III

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL 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 TAJI** 2. DATE (YYYYMMDD): **2007/01/28** 3. TIME: **2230HRS** 4. FILE NUMBER:

5. LAST NAME, FIRST NAME, MIDDLE NAME: **(b)(3)(b)(6)** 6. SSN: 7. GRADE/STATUS: **1LT**

8. ORGANIZATION OR ADDRESS: **A COMPANY, 1-26 IN (MECH)**

9. I, **1LT (b)(3)(b)(6)**, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

- 1. HAVE YOU DONE ANYTHING THAT YOU THINK IS ILLEGAL IN SECTOR?
1A. NO, I HAVE NOT.
- 2. HAVE YOU WITNESSED ANY OF YOUR SOLDIERS DO ANYTHING ILLEGAL IN SECTOR?
2A. NO
- 3. DO YOU UNDERSTAND THE RULES OF ENGAGEMENT, ESCALATION OF FORCE AND LAW OF ARMED CONFLICT THAT HAS BEEN BRIEFED TO YOU BY YOUR COMMANDER.
3A. YES
- 4. HAVE YOU EVER VIOLATED ROE, EOF, AND LOAC WHILE IN SECTOR.

not responsive, doesn't relate the EOF incident, (b)(3)(b)(6)

R

- 7. DID YOU EVER ENGAGE A VEHICLE WITHOUT USING EOF.
7A. NO.
- 8. DID ONE OF YOUR SOLDIERS EVER VIDEO TAPE YOU ENGAGING A VEHICLE?
8A. I DO NOT KNOW.
- 9. WHAT HAPPENED ON JANUARY 1, 2007 DURING YOUR PATROL?
9A. DAY BEFORE OR THE DAY OF WE RECEIVED A REPORT THAT THERE WAS EIGHT VBIEDS AND THAT ONE OF THEM WERE A PICKTRUCK/SUV. I DO NOT REMEMBER, KIA OR SUV, SMALL SIZE. THE REST OF THIS INFORMATION IS BASED OFF OF MY SOLDIERS. I ASKED THEM IF THEY ENGAGED A VEHICLE UTILIZING THE PROPER EOF AND THEY SAID YES. THAT'S IT. I ASKED THEM A SECOND TIME THEY STATED THAT THE VEHICLE RUSHED THEM DURING A FIREFIGHT AND THEY ENGAGED THE VEHICLE USING ALL EOF MEASURES. I DID NOT SEE THE ENGAGEMENT.
- 10. WHO ENGAGED THE VEHICLE?
10A. SGT (b)(3)(b)(6)
- 11. HOW FAR WAS THE VEHICLE ACCORDING TO REPORTS GIVEN TO YOU?
11A. I DON'T REMEMBER, IT WAS CLOSE.
- 12. SO YOU AT NO TIME JUMPED OUT OF YOUR VEHICLE, YELL AND ENGAGE A VEHICLE FROM APPROXIMATELY (b)(2)High AWAY FROM THE TARGET ON 01 JAN 07?
12A. NO.
- 13. WHAT DO YOU WANT TO TELL ME ABOUT A CAMERA?
13A. ONCE WE GOT BACK I LOOKED AT THE CAMERA, I DIDN'T SEE ANYTHING WRONG WITH IT AND I TOLD SGT (b)(3)(b)(6) THAT HE SHOULD ERASE THAT BECAUSE PFC (b)(3)(b)(6) SHOULD'N'T BE VIDEOING TAPING THINGS OUT IN SECTOR AND HE SHOULD BE PAYING ATTENTION TO WHATS GOING ON. THIS IS THE SECOND TIME THAT I HAVE HAD TO CORRECT SPC (b)(3)(b)(6)
- 14. AFTER ENGAGING THE VEHICLE, DID YOU REPORT UP TO HIGHER ABOUT YOUR CONTACT WITH THE POTENTIAL VBIED.
14A. NO.

10. EXHIBIT: **A** 11. INITIALS OF PERSON MAKING STATEMENT: PAGE 1 OF _____ PAGES

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 BE INDICATED.

EA

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

STATEMENT OF LT (b)(3)(b)(6) TAKEN AT CAMP TAJI DATED 2007/01/28

9. STATEMENT (Continued)

- 15. WHY NOT?
- 15A. BECAUSE IT WAS IN THE HEAT OF BATTLE AND I DIDN'T KNOW THAT I HAD TO.
- 16. DID YOU REPORT TO HIGHER ABOUT THE FIREFIGHT AT ALL?
- 16A. YES
- 17. SO WHY WOULD YOU THINK THAT IT WASN'T IMPORTANT TO MENTION THE ENGAGEMENT WITH A POTENTIAL VBIED, BUT REPORT THE REST OF THE FIREFIGHT?
- 17A. BECAUSE I DID NOT THINK IT WAS IMPORTANT.
- 18. DID YOU SEE THE VEHICLE THAT HAD BEEN ENGAGED BY SGT (b)(3)(b)(6)
- 18A. YES. AFTER THE FACT.
- 19. WERE THERE ANY CIVILIANS INSIDE THE VEHICLE?
- 19A. I THINK THERE WAS ONE OCCUPANT IN THERE.
- 20. HOW FAR AWAY WAS THE VEHICLE FROM SGT b)(3)(b)(6) POSITION?
- 20A. I DON'T KNOW
- 21. CAN YOU GIVE ME AN APPROXIMATION TO THAT DISTANCE?
- 21A. CLOSE
- 22. WAS THE CIVILIAN IN THE VEHICLE MOVING AFTER THE ENGAGEMENT?
- 22A. NO, I THINK HE WAS HORRIFIED?
- 23. WHAT WERE YOUR ACTIONS AFTER THE CONTACT WITH THE CIVILIAN VEHICLE THAT SGT b)(3)(b)(6) ENGAGED?
- 23A. WE JUST KEPT FIGHTING. WE JUST KEPT TAKING FIRE AT THAT POINT.
- 24. DID YOU EVER CHECK ON THE CIVILIAN TO SEE IF HE HAD BEEN SHOT?
- 24A. NO. THERE WAS REPORTED SNIPERS IN THE AREA AND REPORTED IP
- 25. WHAT DID SGT b)(3)(b)(6) ENGAGE THE VEHICLE WITH?
- 25A. THE COAX.
- 26. DID THE VEHICLE REMAIN IN THE SAME PLACE WHERE IT STOPPED AFTER BEING ENGAGED?
- 26A. YES, BUT I DON'T KNOW WHAT HAPPENED TO IT.

Nonresponsive, (b)(3)(b)(6)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

PAGE: (b)(2)High

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Ex A

STATEMENT OF LT (b)(3)(b)(6) _____ TAKEN AT CAMP TAJI DATED 2007/01/28

9 STATEMENT (Continued)

AFFIDAVIT

I, LT (b)(3)(b)(6) _____, 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.

(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)

A CO 1-26 IN

CAMP TAJI, IRAQ

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

(Typed Name of Person Administering Oath)

APO AE 090330

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

SWORN STATEMENT

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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 CAMP TAJI	2. DATE (YYYYMMDD) 2007/03/01	3. TIME 2030HRS	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3)(b)(6)	6. SSN (b)(3)(b)(6)	7. GRADE/STATUS SGT	
8. ORGANIZATION OR ADDRESS A COMPANY, 1-26 IN (MECH)			

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

1. HAVE YOU DONE ANYTHING THAT YOU THINK IS ILLEGAL IN SECTOR?
1A. NO.

2. HAVE YOU WITNESSED ANY OF YOUR SOLDIERS DO ANYTHING ILLEGAL IN SECTOR?
2A. NO.

3. DO YOU UNDERSTAND THE RULES OF ENGAGEMENT, ESCALATION OF FORCE AND LAW OF ARMED CONFLICT THAT HAS BEEN BRIEFED TO YOU?
3A. YES.

4. HAVE YOU EVER VIOLATED ROE, EOF, AND LOAC WHILE IN SECTOR.
4A. NO.

not responsive, doesn't relate the EOF incident, (b)(3)(b)(6)

8. TO YOUR KNOWLEDGE HAVE ANY OF THE PATROL DEBRIEFS THAT HAVE BEEN SUBMITTED BY THE PLATOON WERE FALSIFIED?
8A. NO.

not responsive, doesn't relate the EOF incident, (b)(3)(b)(6)

10. EXHIBIT E	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
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STATEMENT OF (b)(3)(b)(6) TAKEN AT CAMP TAJI DATED 2007/03/01

9. STATEMENT (Continued)

not responsive, doesn't relate the EOF incident, (b)(3)(b)(6)

11. ON THE 1ST OF JANUARY DURING A FIRE FIGHT IN ZONE , YOUR PLT RESPONDED TO IPS IN CONTACT AND MOVED TO THE LOCATION OF THE CONTACT. ACCORDING TO STATEMENTS FROM 1.(b)(3)(b)(6) THERE WAS A WHITE VEHICLE THAT WAS APPROACHING YOUR VEHICLE AND YOU ENGAGED THE VEHICLE, WHICH RESULTED IN THE VEHICLE STOPPING SHORT OF YOUR POSITION. DID YOU WITNESS 1.(b)(3)(b)(6) ENGAGE THE SAME VEHICLE THAT YOU ENGAGED?

11A. NO.

12. WHAT EXACTLY HAPPENED WHEN THE VEHICLE APPROACHED YOUR POSITION?

12A. VEHICLE APPROACHED MY POSITION AND I SHOT IT.

13. WHO GAVE YOU THE COMMAND TO SHOOT?

(b)(2)High

14. HOW FAR WAS THE VEHICLE WHEN YOU ENGAGED IT FROM YOUR POSITION AND APPROXIMATELY HOW MANY ROUNDS DID YOU SHOOT AT THE VEHICLE?

14A. IT HAD TO HAVE BEEN AROUND THE (2)High RANGE.

15. WHEN YOU ENGAGED THE VEHICLE, WHAT DID YOU THINK THAT YOU WERE ENGAGING?

15A. A VBIED.

16. WHAT MADE YOU THINK THAT?

16A. WE HAD BEEN ENGAGING TARGETS OF OPPORTUNITY POINTED OUT BY THE IP DOWN THE STREET, THERE HAD BEEN NO OTHER VEHICLES ON THAT STREET. HE WAS TRAVELING TOWARDS ME ON THE OPPOSITE FLOW OF TRAFFIC.

17. DID YOU STOP THE VEHICLE?

17A. YES.

18. HOW DID YOU STOP THE VEHICLE?

18A. WITH (b)(2)High SHOTS.

19. WHAT HAPPENED TO THE OCCUPANT/OCCUPANTS IN THE VEHICLE?

19A. THE DOOR CAME OPEN AND SCMEBODY CAME OUT. HE CAME OUT OF THE VEHICLE QUICK AND I FELT THAT HE WAS STILL TRYING TO BE OFFENSIVE TO ME.

20. DID YOU CONTINUE TO ENGAGE HIM?

20A. YES.

21. WHAT DID YOU ENGAGE HIM WITH?

21A. (b)(2)High

22. DID YOU STOP HIM?

22A. YES.

23. DID YOU KILL HIM?

23A. HE STOPPED MOVING.

24. AT ANY TIME DID YOU GO TO THE PERSON THAT YOU ENGAGED AND CHECK TO SEE IF HE WAS AN AIF INSURGENT?

24A. NO.

25. WHY NOT?

25A. I AM NOT SURE. THAT IS NOT MY CALL.

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

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(b)(2)High

IO (b)(3)(b)(6)
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9. STATEMENT (Continued)

AFFIDAVIT

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(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)

A CO 1-26 IN

CAMP TAJI

APO AE 09033

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

Ex B

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8. ORGANIZATION OR ADDRESS
A COMPANY, 1-26 IN (MECH)

9
I (b)(3)(b)(6) _____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

1. HAVE YOU DONE ANYTHING THAT YOU THINK IS ILLEGAL IN SECTOR?
1A. NO SIR.

2. HAVE YOU WITNESSED ANY OF YOUR SOLDIERS DO ANYTHING ILLEGAL IN SECTOR?
2A. NO.

3. DO YOU UNDERSTAND THE RULES OF ENGAGEMENT, ESCALATION OF FORCE AND LAW OF ARMED CONFLICT THAT HAS BEEN BRIEFED TO YOU?
3A. YES I DO.

4. HAVE YOU EVER VIOLATED ROE, EOF, AND LOAC WHILE IN SECTOR?
4A. NO I HAVEN'T.

)
D

not responsive, doesn't relate the EOF incident, (b)(3)(b)(6)

8. TO YOUR KNOWLEDGE HAVE ANY OF THE PATROL DEBRIEFS THAT HAVE BEEN SUBMITTED BY THE PLATOON WERE FALSIFIED?
8A. NO.

not responsive, doesn't relate the EOF incident, (b)(3)(b)(6)

10. EXHIBIT F	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <u>3</u> PAGES
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Ex C

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9. STATEMENT (Continued)

11. ON THE 1ST OF JANUARY DURING A FIRE FIGHT IN ZONE, YOUR PLT RESPONDED TO IP's IN CONTACT AND MOVED TO THE LOCATION OF THE CONTACT. ACCORDING TO STATEMENTS FROM LT (b)(3)(b)(6) THERE WAS A WHITE VEHICLE THAT WAS APPROACHING YOUR VEHICLE AND YOU ENGAGED THE VEHICLE, WHICH RESULTED IN THE VEHICLE STOPPING SHORT OF YOUR POSITION. DID YOU WITNESS LT (b)(3)(b)(6) ENGAGE THE SAME VEHICLE THAT YOU ENGAGED OUTSIDE OF THE VEHICLE?

11A. NO HE DID NOT CLIMB OUT OF THE TURRET. OUR (b)(2)High WAS FACING (b)(2)High NEAR THE INTERSECTION OF (b)(2)High (b)(2)High WHITE CAR RESEMBLING A CAR ON THE BOLO LIST CAME AROUND A CURVE TO THE NORTH AND ACCELERATED TOWARDS US. MY GUNNER, SGT (b)(3)(b)(6) FIRED A WARNING SHOT INTO THE MEDIAN. WHEN THE VEHICLE DID NOT STOP, HE FIRED A DISABLING SHOT INTO THE ENGINE BLOCK, WHICH BECAME (b)(2)High WHEN THE VEHICLE STILL DID NOT SLOW DOWN. THE VEHICLE MADE NO ATTEMPT TO STOP OR TURN AWAY FROM US UNTIL AFTER THE DRIVER HAD BEEN KILLED.

12. HOW DO YOU KNOW THAT HE WAS DEAD?

12 A. AFTER THE CAR STOPPED, THE DRIVERS DOOR SWUNG OPEN. I COULD SEE SOMETHING LAYING HALF IN THE CAR, BUT COULD NOT IDENTIFY IT. I HEARD OVER THE NET THAT OUR GUNNER IDENTIFIED IT AS THE DRIVER'S BODY THROUGH THE SIGHTS ON THE BRADLEY. I COULD NOT IDENTIFY THE OBJECT AS A BODY MYSELF, BUT I COULD REASONABLY ASSUME THAT IT WAS A BODY FROM MY OBSERVATION OF THE INCIDENT.

13. HOW CLOSE DID THE VEHICLE GET UNTIL IT STOPPED FROM YOUR POSITION?

13A. WE SIGHTED THE VEHICLE AS IT ROUNDED A CURVE APPROXIMATELY (b)(2)High FROM OUR POSITION. THE VEHICLE CAME ABOUT (b)(2)High (b)(2)High TOWARDS US, AND FINALLY STOPPED AROUND (b)(2)High SHORT OF OUR POSITION.

14. WHAT HAPPENED TO THE VEHICLE AND DRIVER AFTER THE ENGAGEMENT FINISHED?

14A. I DO NOT KNOW. AFTER THE ENEMY HAD BROKEN CONTACT, WE RESUMED OUR NORMAL PATROL.

15. DO YOU KNOW IF THIS INCIDENT WAS RECORDED BY SPC (3)(b)(6)?

15A. I DO NOT KNOW, BUT SPC (3)(b)(6) WAS IN A GUN TRUCK BEHIND BOTH BRADLEYS, AND SO WOULD NOT HAVE HAD A GOOD VIEW OF THE VEHICLE.

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

PAGE

(b)(2)High

APD PE v1.01

CENT

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

Ex C

STATEMENT OF

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

TAKEN AT CAMP TAJI

DATED 2007/03/01

9 STATEMENT (Continued)

AFFIDAVIT

I, (b)(3)(b)(6), 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.

(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)

A CO 1-26 IN

CAMP TAJI

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

(Typed Name of Person Administering Oath)

APO AE 09033

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL 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 OLD MOD	2. DATE (YYYYMMDD) 2007/03/02	3. TIME 1416HRS	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3)(b)(6)	6. SSN (b)(3)(b)(6)	7. GRADE/STATUS SGT	
8. ORGANIZATION OR ADDRESS A COMPANY, 1-26 IN (MECH)			

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

1. HAVE YOU DONE ANYTHING THAT YOU THINK IS ILLEGAL IN SECTOR?
1A. NO.

2. HAVE YOU WITNESSED ANY OF YOUR SOLDIERS DO ANYTHING ILLEGAL IN SECTOR?
2A. NO.

3. DO YOU UNDERSTAND THE RULES OF ENGAGEMENT, ESCALATION OF FORCE AND LAW OF ARMED CONFLICT THAT HAS BEEN BRIEFED TO YOU?
3A. YES.

4. HAVE YOU EVER VIOLATED ROE, EOF, AND LOAC WHILE IN SECTOR?
4A. NO.

not responsive, doesn't relate the EOF incident, (b)(3)(b)(6)

8. TO YOUR KNOWLEDGE HAVE ANY OF THE PATROL DEBRIEFS THAT HAVE BEEN SUBMITTED BY THE PLATOON WERE FALSIFIED?
8A. I DON'T KNOW

not responsive, doesn't relate the EOF incident, (b)(3)(b)(6)

10. EXHIBIT I	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 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 BE INDICATED.

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

STATEMENT OF (b)(3)(b)(6) TAKEN AT OLD MOD DATED 2007/03/02

9 STATEMENT (Continued)

not responsive, doesn't relate the EOF incident

11. ON THE 1ST OF JANUARY, THE PLT RESPONDED TO GUNFIRE FROM (b)(2)High AND BECAME ENGAGED BY AIR INSURGENTS. DID LT (b)(3)(b)(6) AT ANY TIME GET OUT OF HIS VEHICLE AND ENGAGE THE ENEMY?

11A. NO. VEHICLES A25 AND A26 WERE FACING (b)(2)High WE WERE ENGAGING THE ENEMY FROM OUR POSITION, BUT I NEVER WITNESSED OR HEARD ABOUT LT (b)(3)(b)(6) DISMOUNTING HIS VEHICLE.

12. THERE WAS A CAR THAT HAD COME AROUND THE CORNER DURING THE CONTACT THAT WAS IN FRONT OF BOTH YOUR POSITIONS. WHO ENGAGED THE VEHICLE?

12A. (b)(2)High A26

13. WAS THE CAR COMING TOWARDS YOUR POSITION OR LT (b)(3)(b)(6)'S POSITION?

13A. WELL IT WAS COMING TOWARDS OUR POSITION, MY VEHICLE WAS ON THE SOUTHBOUND LANE, AND THE LT'S ON THE (b)(2)High LANE, THE IRAQI VEHICLE WAS TRAVELING DOWN ON THE SOUTHBOUND LANE TOWARDS MY VEHICLE

14. AS THE VEHICLE MOVED AROUND THE CORNER, HOW FAST WAS IT GOING?

14A. I DON'T KNOW BECAUSE AT THE TIME OF THE ENGAGEMENT MY TURRET WAS FACING AT THE (b)(2)High

15. WHAT HAPPENED TO THE VEHICLE AND THE OCCUPANT INSIDE THE VEHICLE?

15A. THE ONLY TIME I HAD VISUAL ON THAT VEHICLE AND THE OCCUPANT WAS WHEN I SCANNED TO MY 12 O'CLOCK, I SAW THE VEHICLE COMPLETELY STOPPED WITH THE OCCUPANT OUTSIDE THE VEHICLE, NEXT TO IT.

16. WAS HE INJURED OR DID HE LOOK DEAD?

16A. WHEN I LOOKED AT HIM HE WAS NOT MOVING, SO PRETTY MUCH OR PROBABLY DEAD

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF (b)(3)(b)(6) TAKEN AT OLD MOD DATED 2007/03/02

9. STATEMENT (Continued)

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(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)

A CO 1-26 IN

CAMP TAJI

APO AE 09033

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

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1. LOCATION OLD MOD	2. DATE (YYYYMMDD) 2007/03/02	3. TIME 1308HRS	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3)(b)(6)	6. SSN (b)(3)(b)(6)	7. GRADE/STATUS PV2	

8. ORGANIZATION OR ADDRESS
A COMPANY, I-26 IN (MECH)

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

1. HAVE YOU DONE ANYTHING THAT YOU THINK IS ILLEGAL IN SECTOR?
1A. NO.

2. HAVE YOU WITNESSED ANY OF YOUR SOLDIERS DO ANYTHING ILLEGAL IN SECTOR?
2A. NEGATIVE, SIR.

3. DO YOU UNDERSTAND THE RULES OF ENGAGEMENT, ESCALATION OF FORCE AND LAW OF ARMED CONFLICT THAT HAS BEEN BRIEFED TO YOU?
3A. ROGER THAT SIR.

4. HAVE YOU EVER VIOLATED ROE, EOF, AND LOAC WHILE IN SECTOR?
4A. NEVER, SIR.

not responsive, doesn't relate the EOF incident, (b)(3)(b)(6)

8. TO YOUR KNOWLEDGE HAVE ANY OF THE PATROL DEBRIEFS THAT HAVE BEEN SUBMITTED BY THE PLATOON WERE FALSIFIED?
8A. NEGATIVE SIR.

not responsive, doesn't relate the EOF incident, (b)(3)(b)(6)

10. EXHIBIT J	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
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STATEMENT OF (b)(3)(b)(6) TAKEN AT OLD MOD DATED 2007/03/02

9. STATEMENT (Continued)

11. ON THE 1ST OF JANUARY, THE PLT RESPONDED TO GUNFIRE FROM (b)(2)High AND BECAME ENGAGED BY AIF INSURGENTS. DID LTb)(3)(b)(6) AT ANY TIME GET OUT OF HIS VEHICLE AND ENGAGE THE ENEMY?

11A. NO. BUT THERE WAS A CAR THAT CAME AROUND THE CORNER, APPROXIMATELY (b)(2)High AWAY, THE 26 TRACK ENGAGED AND DESTROYED THE VEHICLE WITHOUT USING THE PROPER ESCALATION OF FORCE.

12. WHAT MAKES YOU THINK THAT THEY DID NOT USE THE PROPER ESCALATION OF FORCE?

2)H (b)(2)High, (b)(5) 2)H

13. WHAT MAKES YOU THINK THAT THE CIVILIAN IN THE TRUCK WAS DEAD AFTER THE ENGAGEMENT?

13A. WELL I SAW THE ROUNDS HIT THE CAR AND THEN THE GUY IN THE TRUCK JUST FELL OUT AND WAS LYING ON THE GROUND AND THE TRUCK JUST STOPPED.

14. WHY DID YOU NOT ENGAGE THE VEHICLE IF BOTH YOUR VEHICLES WERE SIDE BY SIDE AND YOU WERE ON THE SAME ROAD?

14A. BECAUSE MY TRACK WAS SCANNING TO THE NORTHWEST OF THE ROAD AND I WAS TOLD TO SCAN THE NORTH AND AS SOON AS THE TRUCK CAME AROUND THE CORNER BEFORE I COULD SAY ANYTHING IT WAS GETTING ENGAGED BY THE 26 TRACK

15. WAS THE CAR SPEEDING TOWARDS YOUR POSITION OR LTb)(3)(b)(6)S POSITION?

15A. THE CAR WASN'T SPEEDING HE TURNED THE CORNER AND SAW THE TWO (b)(2)High AND SLOWED DOWN TO PROBABLY 10 MILES AN HOUR OR MAYBE SLOWER. THE POINT IS THEY DIDN'T GIVE THE CAR ENOUGH TIME TO REACT. AND THE CAR WAS IN THE SOUTHBOUND LANE OF TRAVEL AND THEY WERE POSITIONED ON THE NORTHBOUND LANE OF TRAVEL.

16. DO YOU KNOW OF ANYONE THAT VIDEOTAPED THIS ENGAGEMENT WITH AIF?

16A. NEGATIVE.

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES