

9. STATEMENT (Continued)

In the back seat, passenger side was a woman (aprox b(6) years of age) lying head first onto the pavement through the open (right rear) door. Her legs were extended into the cabin of the car pointed up and she appeared to be lying in a pool of her own fluids from where her head would have been. She had no sign of being alive so immediate treatment went to the passenger (older woman) in the front while the other medic proceeded to the other personnel in the car.

On the left side of the car was the driver, a young male (b(6) years old) and a young girl (b(6) years old) in the left seat located behind the driver. They had exited the vehicle and were being moved to the median away from the more seriously wounded personnel. The young girl had a wound to her head in her hair that appeared to be caused by the shattered glass from the back window. I walked over to the male and young girl and asked through an interpreter why he did not stop for coalition forces. He said that "no one told him to stop".

I asked for the NCO who was in charge of the gun trucks and was directed to SSG (b)(3)(b)(6) of the RSS. I asked him what happened and he said that the car didn't stop. They tried to signal with head lights, a weapon light and a spot light mounted on the gun truck.

At that time someone called out "she is breathing!" referring to the woman with the head wound. SSG (b)(3)(b)(6) and SGT (b)(3)(b)(6) of the RTAC were removing the woman and placing her on the ground in a position to be examined after the older woman has been taken care of when SSG (b)(3)(b)(6) heard a labored breath from the younger woman. Moving back to the car I could see that the woman had been positioned to lie on her back to be worked on. She had a large entry wound in her forehead just above the bridge of her nose and the impact of the round had deformed her head. She was immediately moved onto a stretcher and along with the older woman (also on a stretcher) moved to HQ65 and moved immediately to the (b)(2) High medical facility.

I proceeded to the gun truck that fired the shot and asked what had happened. I talked to the crew, and SSG (b)(3)(b)(6) and was informed that this car had been sitting down the road (b)(2) High with it's doors open. It then began to move forward toward the cordon disregarding the flashing of lights and at approx 20 meters a single (b)(2) High round was discharged in the direction of the car. The gunner said to me that he was aiming to disable the vehicle. His next quote was "I felt threatened".

I took the names of the personnel of the gun truck (Driver-SGT (b)(3)(b)(6), TC-SGT (b)(3)(b)(6), GNR-PFC (b)(3)(b)(6)), I adjusted the security of the element and then I then proceeded back to HQ63 to report up the events that had taken place.

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

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

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6th day of December, 2007 at Camp Liberty, Iraq

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Article 136 (b)(4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 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<br><b>ELP #3</b>                           | 2. DATE (YYYYMMDD)<br><b>20071206</b> | 3. TIME<br><b>2030</b> | 4. FILE NUMBER                |
| 5. ORGANIZATION OR ADDRESS<br><b>2SCR CAMP LIBERTY</b> |                                       |                        | 7. GRADE/STATUS<br><b>E-4</b> |

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

IN REGARDS TO THE ESCALATION OF FORCE IN THE VICINITY OF (b)(2)High ON 20071206: DURING THE SHOOTING, I WAS IN THE BELLY OF HUGS LOCATED CLOSEST TO INCIDENT. I HEARD A VERY LOUD VERY DISTINCT SHOT, I BELIEVE TO HAVE COME FROM A 50 CAL. WE DISMOUNTED AND I RAN TO GIVE AID TO WOUNDED IRAQI NATIONALS. ONCE ON THE SCENE I WAS PRESENTED WITH 2 WOUNDED WOMEN AND ONE CHILD WITH MINOR INJURIES CAUSED BY GUN SHARDS. THE WOMEN HAD MAJOR GUN SHOT WOUNDS, ONE SHOT IN THE HEAD AND ONE TO THE RIGHT SHOULDER, BOTH WERE BLEEDING PROFUSELY. I ADMINISTERED AID AND EVACUATED THE WOMEN TO WITMER TMC AND THEN RETURNED TO SITE. ONCE BACK I SAW THE BULLET HOLE IN THE WINDSHIELD, IT WAS DESCRIBED TO BE A WARNING SHOT, BUT WAS LOCATED AT CHEST LEVEL ON THE PASSENGER SIDE.

|                           |   |                          |
|---------------------------|---|--------------------------|
| 10. EXHIBIT<br><b>C12</b> | 11 INITIALS OF PERSON MAKING STATEMENT<br><b>(b)(3)(b)(6)</b> | PAGE 1 OF <u>2</u> PAGES |
|---------------------------|---|--------------------------|

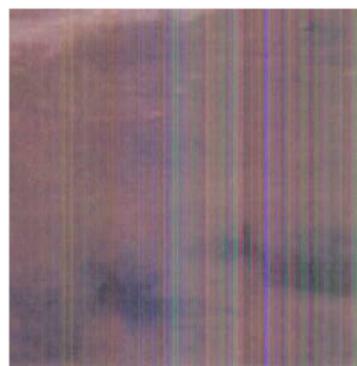
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"  
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

CENTCOM 012229

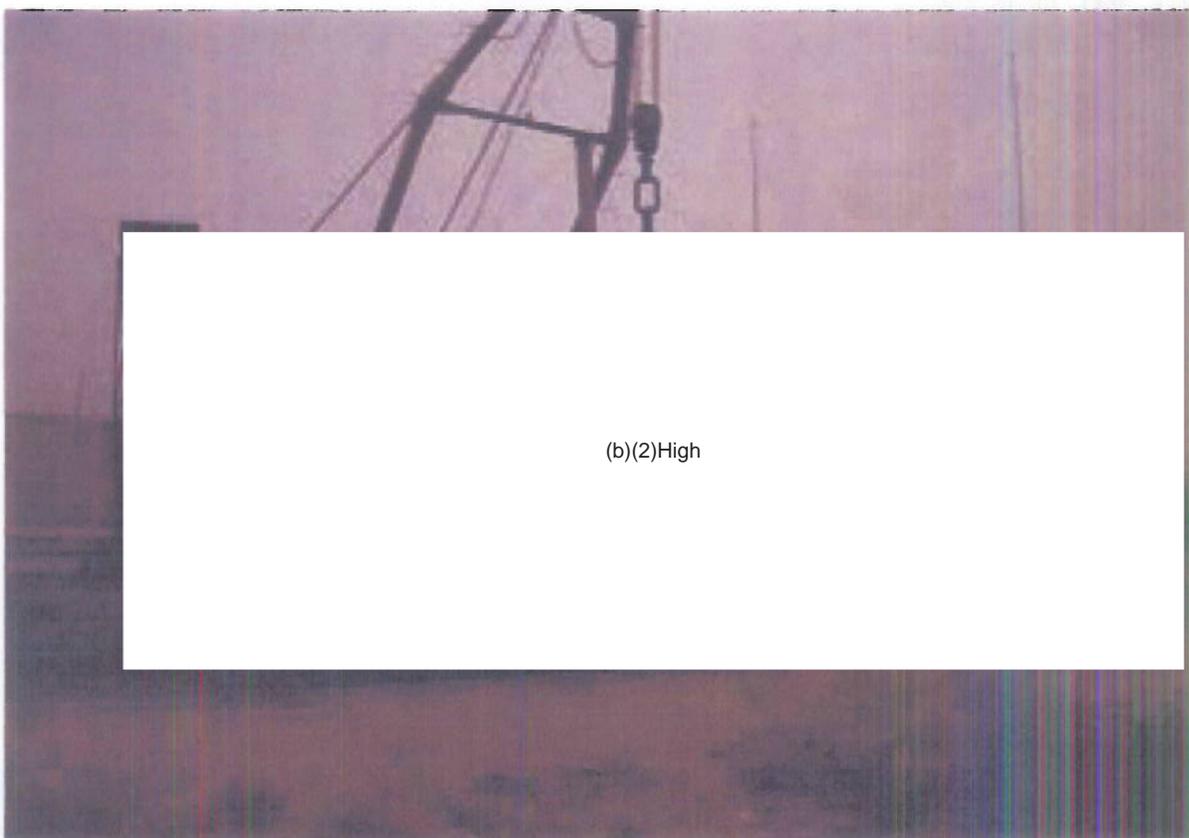


(b)(2)High

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



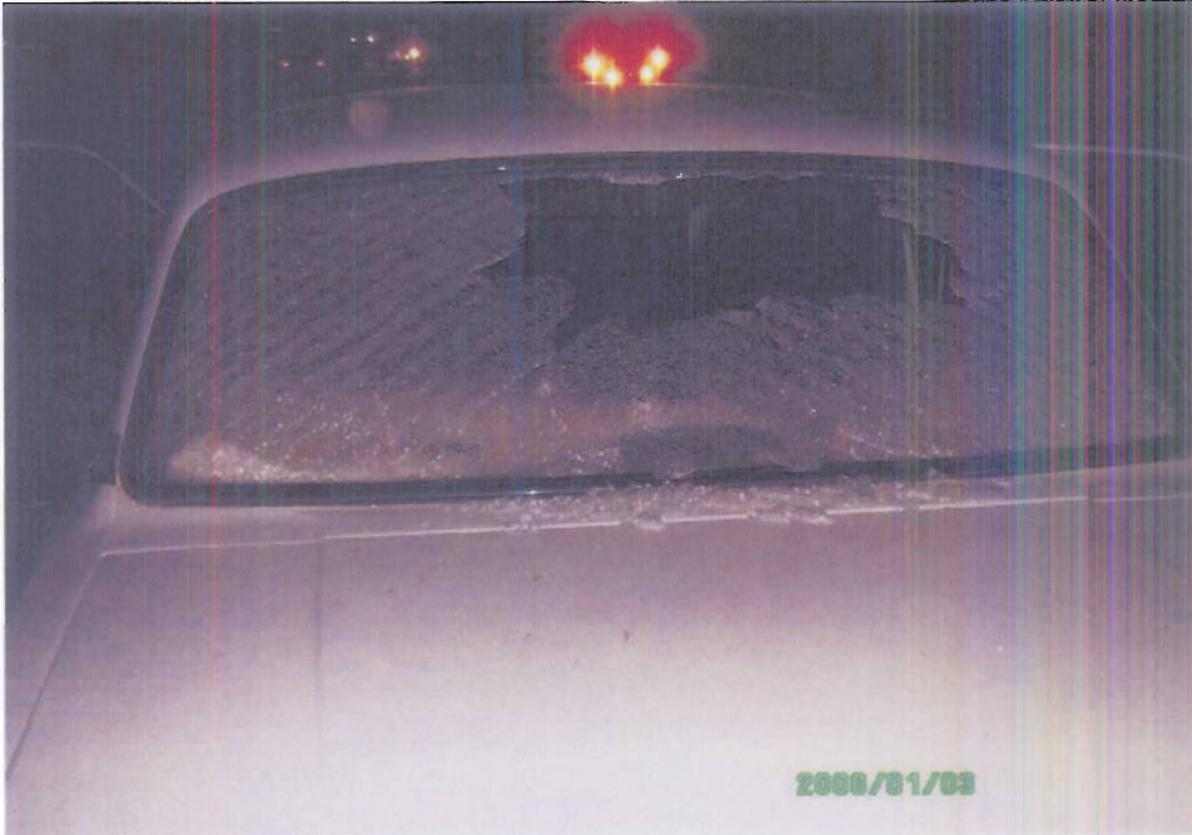
D1 - Recovery Efforts by RHHT TAC showing vehicle positions



(b)(2)High

D2 - Recovery Efforts by Maint Trp M88 showing vehicle positions

**Exhibit D - Photographs**

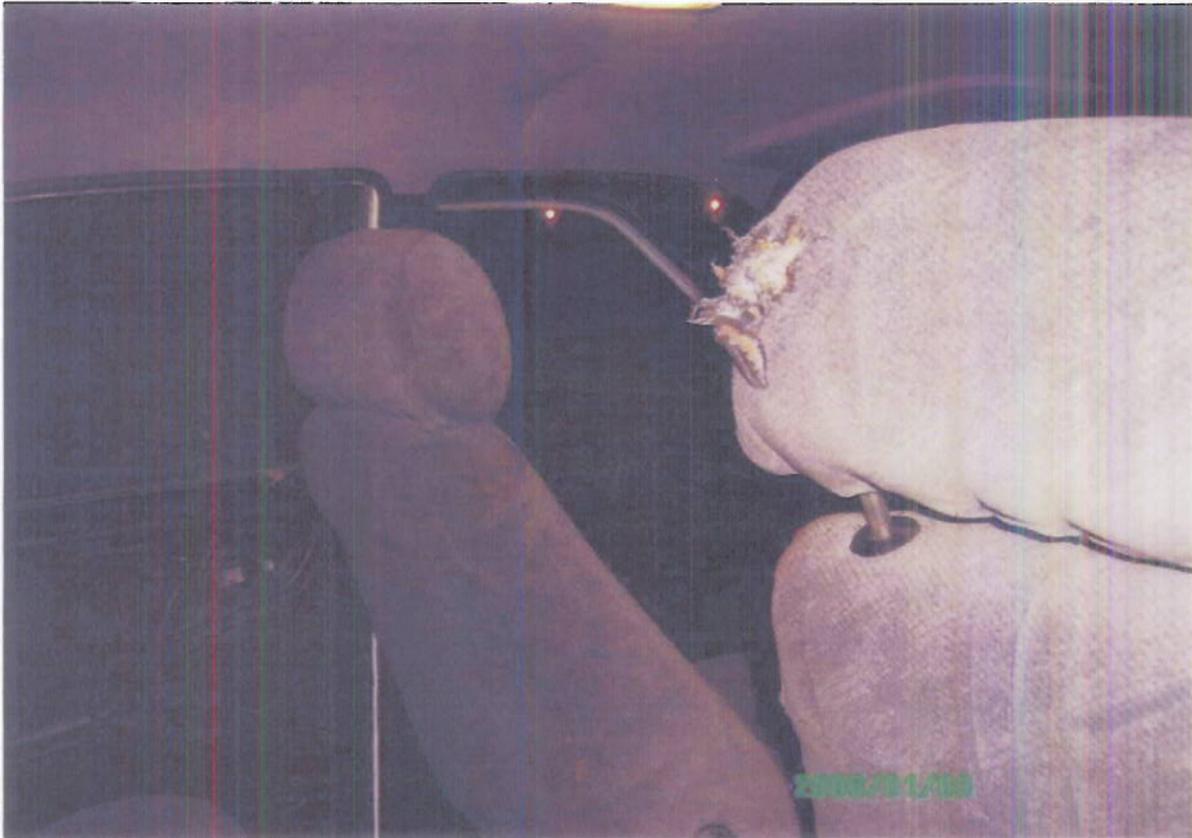


D3 - Exit path of (b)(2)High Round



D4 - Entry point of (b)(2)High Round

Exhibit D - Photographs



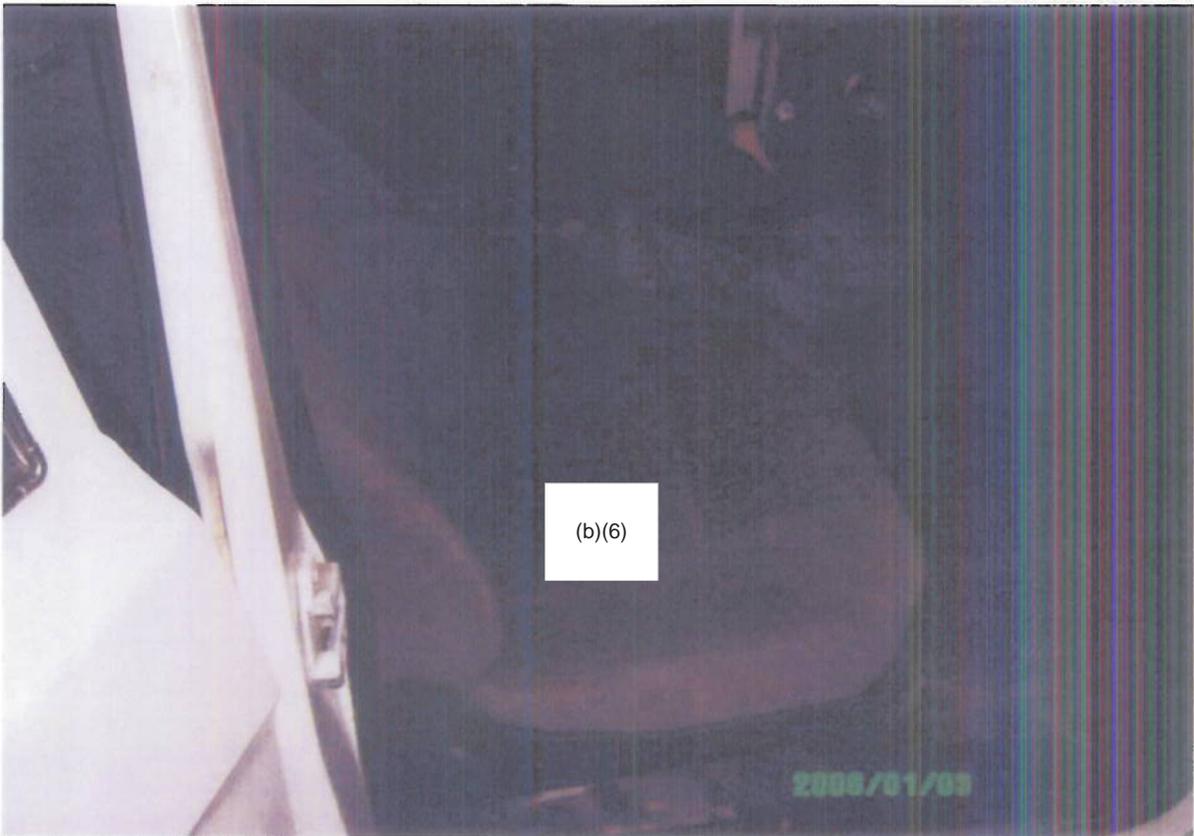
D5 - Damage to vehicle interior



D6 - Damage to vehicle interior  
Exhibit D - Photographs



D7 - Passenger-side, Rear Door where (b)(6) fell out onto the road



D8 - Damage to vehicle interior  
Exhibit D - Photographs

UNCLASSIFIED

Pages 7 through 8 redacted for the following reasons:

-----  
(b)(1)1.4a, (b)(2)High  
(b)(2)High

~~SECRET//REL TO USA, MCFI~~

UNCLASSIFIED

~~SECRET//REL TO USA, MCFI~~

The following sworn statements were taken by individuals present but who provided no information of value. These sworn statements remain on file with the investigating officer and the 2SCR SJA.

|           |              |                                |
|-----------|--------------|--------------------------------|
| G1 – SFC  | (b)(3)(b)(6) | (RHHT, 2SCR)                   |
| G2 – SSG  | (b)(3)(b)(6) | (RHHT, 2SCR)                   |
| G3 – SSG  |              | RHHT, 2SCR)                    |
| G4 – SSG  | (b)(3)(b)(6) | (RHHT, 2SCR)                   |
| G5 – SGT  |              | (RHHT, 2SCR)                   |
| G6 – SSG  |              | RHHT, 2SCR)                    |
| G7 – SGT  | (b)(3)(b)(6) | (STS, RSS, 2SCR)               |
| G8 – SPC  | (b)(3)(b)(6) | (RHHT, 2SCR)                   |
| G9 – SPC  | (b)(3)(b)(6) | RHHT, 2SCR)                    |
| G10 – SGT | (b)(3)(b)(6) | (RHHT, 2SCR)                   |
| G11 – SPC | (b)(3)(b)(6) | (RHHT, 2SCR)                   |
| G12 – SGT |              | RHHT, 2SCR)                    |
| G13 – SPC | (b)(2)High   | (RHHT, 2SCR)                   |
| G14 – SGT | (b)(3)(b)(6) | (MNT, RSS, 2SCR)               |
| G15 – SGT | (b)(2)High   | (MNT, RSS, 2SCR)               |
| G16 – SGT | (b)(2)High   | (MNT, RSS, 2SCR)               |
| G17 – PFC | (b)(2)High   | MNT, RSS, 2SCR)                |
| G18 – SPC | (b)(2)High   | (MNT, RSS, 2SCR)               |
| G19 – SGT | (b)(2)High   | S&T, RSS, 2SCR)                |
| G20 – SPC | (b)(2)High   | (S&T, RSS, 2SCR)               |
| G21 – SGT | (b)(2)High   | (S&T, RSS, 2SCR)               |
| G22 – SSG | (b)(2)High   | (S&T, RSS, 2SCR)               |
| G23 – SSG | (b)(2)High   | San Francisco (S&T, RSS, 2SCR) |
| G24 – SPC | (b)(2)High   | (S&T, RSS, 2SCR)               |

Exhibit G – Sworn Statements from Individuals Present

(b)(2)High

EOF FRIEND  
Blue Success

12/06/07 18:40

LN

(b)(2)High 1

MND-B SIGACT 2 (062002)  
(CCIR# 27)

MND-B EVENT 25 (062001)

UNIT: RSS-2SCR

EVENT TYPE: ESCALATION OF  
FORCE

KIA (W/BR#): NONE

WIA (W/BR#): 3X LN WIA  
(1X GSW TO THE SHOULDER, 1X  
GSW TO THE HEAD, AND 1 X CUT TO  
THE FOREHEAD)

EQUIPMENT BDA: (b)(2)High

ENEMY BDA: NONE

ENEMY DETAINEE: NONE

(b)(2)High

TIMELINE:

1840: WHILE CONDUCTING  
RECOVERY OPERATIONS OF 1X  
(b)(2)High, 1 X  
LN VEHICLE WAS APPROACHING AT  
A HIGH RATE OF SPEED AT THE  
RSS RECOVERY ELEMENT. THE  
(b)(2)High SUNNER CONDUCTED AN  
EOF BY FIRST WAVING HANDS,  
SIGNALING WITH A FLASHLIGHT  
AND THEN ENGAGING WITH ONE  
ROUND RESULTING IN 3 X LN WIA.

1900: LN'S WITH GSW TO HEAD AND  
GSW TO THE SHOULDER WERE  
CASEVAC TO RIVA RIDGE FOR  
TREATMENT. LN WITH CUT TO THE  
HEAD WAS TREATED ON SITE AND  
RELEASED TO A FAMILY MEMBER.

1935: LN'S WITH GSW TO HEAD AND  
GSW TO THE SHOULDER AIR  
MEDEVAC TO THE CSB.

1955: THE RSS RECOVERY ELEMENT  
RECOVERS THE (b)(2)High

2031: LN WITH GSW TO THE HEAD  
IS DOW, PRONOUNCED AT 2031. LN  
WITH GSW TO THE SHOULDER IS  
CURRENTLY IN THE OR.

SUMMARY:

1 X EOF  
1 X LN KIA  
2 X LN WIA

CLOSED

Exhibit H

CENTCOM 012237

SWORN STATEMENT

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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Camp Liberty TRNG
2. DATE (YYYYMMDD): 2007/12/06
3. TIME: 20:24
4. FILE NUMBER:
5. FACT NAME: (b)(3)(b)(6)
7. GRADE/STATUS: SPC E-4

8. Maintains troop RSS 2SCR

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

As the day went on, we were called for a (b)(2)High recover mission, outside (b)(2)High I was to drive the lead Vehicle or Gun 1. Me the driver (b)(3)(b)(6) gunner, SSI (b)(3)(b)(6) myTC, SSG (b)(3)(b)(6) for extra help and the gunner spc (b)(3), b(6). We head out (b)(2)High to recover the (b)(2)High We had A 88, tank with us to help us out. It was taking A long time for them to load the broken (b)(2)High Myself Gun1 pulled in the front and was parked off too the right of the road making sure nobody came through, so we could work on loading the (b)(2)High Gun 2 was of too my left on the opposite side of the road they were helping to stop traffic and keep people back while they worked. After some time approximately one hour traffic began to build up. That's when we saw SSG (b)(3)(b)(6) and SGT (b)(3), b(6) getting the dismounts and cars out of the way. By dismounts I mean iraqi civilians. The road was clear and we still waited for them to finish with the (b)(2)High It became dark so visability became poor. we had our lights on, both Gun 1 and Gun 2.

10. EXHIBIT: C8
11. SON MAKING STATEMENT: (b)(3)(b)(6)
PAGE 1 OF 3 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 INDICATED. (b)(3)(b)(6)

STATEMENT OF

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

TAKEN AT

Resamant

DATED

2007/12/06

9. STATEMENT (Continued)

We have a spot light so we can point it way ahead of traffic, to slow down cars and let them know to approach slow. At this time around 18:45 I saw a <sup>car</sup> ~~truck~~ around (b)(3)(b)(6) away. I stated to SSG (b)(3)(b)(6) and to SSG (b)(3)(b)(6) that the car was acting funny. The car had all door open and were getting in and out of the car. The car then began to approach with A lot of speed with doors open. At that time SSG (b)(3)(b)(6) shined A light and my at the car. SSG (b)(3)(b)(6) pointed the light right at them and SPC (b)(3)(b)(6) pointed the so. cal directly at them. The car got to 50 meters with doors open acting as if they were going to roll out and let the car go on through. Then at approximately (b)(2)High (b)(3)(b)(6) it was engaged by Pfc (b)(3)(b)(6) in Gun 2. IN Gun 2 the TC was SGT (b)(3)(b)(6), the driver SGT (b)(3)(b)(6) and the gunner Pfc (b)(3)(b)(6). The car then stoped and they SOLDIERS and medic went to see what had happened. They then treated the injured and got them out of the area as fas as possible. The medic was SPC (b)(3)(b)(6) who helped preform aid along with many other SOLDIER. SPC (b)(3)(b)(6) was our medic in Gun 3.

INITIALS OF PERFORMER

STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF

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

TAKEN AT

Regiment

DATED

2007/12/06

9. STATEMENT (Continued)

The weapon fired was A (b)(2)High It was placed  
 On single shot and only FIRED one shot. they  
 Finnial got the (b)(2)High up and we returned  
 through (b)(2)High . By up I mean on the left.  
 We the drive to the Regiment were I am currently,  
 Nothing follows

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

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

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

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

Nothing Follows

AFFIDAVIT

I, (b)(3)(b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH I 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

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

Statement

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6<sup>th</sup> day of December, 2007 at CAMP LIBERTY I.R.A.O.

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

(Signature line)

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

(Signature: EPT)

(Authority: I.R.A.O. (b)(4))

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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1. LOCATION: ECP3
2. DATE (YYYYMMDD): 20071206
3. TIME: 2033
4. FILE NUMBER:
5. LAST NAME FIRST NAME MIDDLE NAME: (b)(3)(b)(6)
7. GRADE/STATUS: E4

2SCR Camp Liberty

9. I, (b)(3)(b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
We towed G4 all the way to (b)(2)High We called (b)(2)High outside (b)(2)High
RSS for a wrecker to come and get the (b)(2)High of ECP3. Along with the wrecker, came some (b)(2)High
The (b)(2)High pulled up to block traffic, on (b)(2)High coming from (b)(2)High
They (b)(2)High (the (b)(2)High) stopped all civilian traffic on (b)(2)High
that a whole lot of cars started to form up about (b)(2)High
away from the RSS (b)(2)High The wrecker moved to the other
lane, giving a hole for the cars to fit through. The RSS
(b)(2)High personnel let the cars pass until there was no more
traffic on the road ahead of them. I was in the VC hatch (b)(2)High from the (b)(2)High
of G5, when a car stopped about (b)(2)High
The car sat there for a couple of minutes. Then it slowly
started to creep forward. When it had (b)(2)High rolled about
(b)(2)High from the (b)(2)High The gunner of one of
the (b)(2)High fired a shot. (b)(2)High When this happened,
the Stryker I was in pulled up to the side of the car and
dropped off our medic to provide medical aid. After aid was
provided, we (b)(2)High the casualties up into G5 (b)(6) (males) and (b)(2)High
they drove them to the hospital.

10. EXHIBIT: C9
11. PERSON MAKING STATEMENT: (b)(3)(b)(6)
PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

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CENTCOM 012241