

STATEMENT OF PFC (b)(3)(b)(6) TAKEN AT FOB Loyalty DATED 2007/07/10

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 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.

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

(Signature of Person Making Statement)

WITNESSES:

2LT (b)(3)(b)(6)

2-69 AR

FOB RUSTAMIYAH APO SF 01370

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of July, 2007

at FOB Loyalty

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

(Signature of Person Administering Oath)

1LT (b)(3)(b)(6)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INIT (b)(3)(b)(6) 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 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION Bogalusa, La	2. DATE (YYYYMMDD) Dec 7 07 09	3. TIME 2140	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(3)(b)(6)	6. SSN (b)(3)(b)(6)	7. GRADE/STATUS E-5	
8. ORGANIZATION OR ADDRESS Bio/Sci PIR			

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

During the end of our swap top on the corner on (b)(2)High on the NE side. I was preparing my truck for exit off the objective when I saw a vehicle coming from (b)(2)High off ramp to (b)(2)High. The off ramp was about (b)(2)High away from my position. I saw SGT (b)(3)(b)(6) and PFC (b)(3)(b)(6) were constant wire on the off ramp showing their lights on the vehicle trying to get the vehicle to stop. The vehicle would not stop and I heard a shot ring out. I began to run to position of SGT (b)(3)(b)(6) and PFC (b)(3)(b)(6). During my movement the vehicle was stopped finally on front. I could see that passengers would not get out of vehicle when SGT (b)(3)(b)(6) and PFC (b)(3)(b)(6) were yelling at them. The vehicle began to move forward then immediately back up and seem to try to flee away by backing up. I was about (b)(2)High away when SGT (b)(3)(b)(6) fired another shot directly into vehicle in front windshield. I ran immediately up the side of car pulling Security and started to pull passengers out onto ground. I got 5 passengers out onto ground and went to search vehicle and found an E-4 passenger laid over in back seat bleeding from his head. (Continue on back) (b)(3)(b)

10. EXHIBIT E	11. INITIALS OF PERSON MAKING STATEMENT (b)(3)(b)(6)	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.

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

STATEMENT OF SGT (b)(3)(b)(6) TAKEN AT 9 July 07 DATED _____

9. STATEMENT (Continued)

I called over intercom that we had 5 local nationals detained and 1 wounded. IPs came and took 1 wounded away. We then secured Rest and moved them to JCS (b)(2)High then later to FOB Rusty for tactical questioning. — Nothing follows —

~~_____~~

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

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

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

DA FORM 2823, NOV 06

APD V1.00

STATEMENT OF (b)(3)(b)(6) TAKEN AT 9 July 07 DATED _____

9. STATEMENT (Continued)

AFFIDAVIT

I, SGT (b)(3)(b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON (b)(3)(b)(6) 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 13 day of July, 2007 at FOR LIAISON

SGT (b)(3)(b)(6)
269
FOR RUSTAM YAH APO AE 09370
ORGANIZATION OR ADDRESS

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

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

(Authority To Administer Oaths)

INITIALS OF (b)(3)(b)(6) STATEMENT

PAGE 3 OF 3 PAGES

DA FORM 28

APD V1.00

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 FOB Loyalty	2. DATE (YYYYMMDD) 2007/07/10	3. TIME 1545	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3)(b)(6)		6. SSN	7. GRADE/STATUS E5
8. ORGANIZATION OR ADDRESS B Co 1/504 PIR			

9. I, **SGT Jeremy Johnston**, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: I am (b)(3)(b)(6)
A: SGT (b)(3)(b)(6)

Q: Prior to your mission on 08 July was the platoon read the EOF measure in the pre-mission brief?
A: Yes (3)(b)

Q: What was the mission that evening as described to you?
A: We were going to (b)(2)High (b)(3)(b)(6)

Q: What was your role during the mission?
A: My role was to (b)(2)High (b)(3)(b)(6)

Q: Was that the same ramp that the EOF occurred on?
A: No (3)(b)

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

Q: Where were you located when you were conducting the TCPs?
A: I was dismounted right next to truck 2 that was approximately (b)(2)High to the north of (b)(2)High from vehicle 1 (3)(b)

Q: Prior to the EOF had you searched any vehicles?
A: Yes, we noticed a white Daewoo that passed up head towards vehicles 3 and 4. So vehicles 3 and 4 stopped the white Daewoo and two other vehicles that were in line of (2)High after it. SSC (3)(b) then called me to come help search the vehicles. So I went up (b)(2)High from vehicle 2 and helped with the search. We did not find anything suspicious in the vehicle (b)(3)(b)(6)

Q: Did you observe the EOF?
A: I observed the second shot not the first shot (3)(b)

Q: What EOF step did you witness?
(3)(b)

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

(3)(b)

Q: Describe the actions of the white Daewoo?
A: The white Daewoo kept driving. Everyone was shining their tac light at it. I heard a shot ring out. I was about (b)(2)High away. After the first shot it looked like all the passengers put their hands up. Then the vehicles pulled forward, then starts going in reverse as if trying to leave. Then I heard the second shot came, at this time I was approximately (b)(2)High away (3)(b)

Q: This occurred on the ramp that comes from (b)(2)High to (b)(2)High?
A: Yes (3)(b)

Q: When the EOF occurred who was immediately there?
A: Me (3)(b) and PFC (b)(3)(b)(6)

10. EXHIBIT F	11. INITIALS OF PERSON MAKING STATEMENT (b)(3)(b)(6)	PAGE 1 OF 3 PAGES
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STATEMENT OF SGT Jeremy Johnston TAKEN AT FOB Loyalty DATED 2007/07/10

9. STATEMENT (Continued)

Q: Since the ramp was closed off from traffic for the TCP had the white Daewoo been on the ramp for some time before the EOF occurred? (b)(3)
A: No, we got the call to break down the TCP (b)(3) and PFC (b)(3) had to walk approximately (b)(2) High in order to grab the C wire and red beacon. I broke down the EOF measure that were on the other ramp that was blocking the ramp that comes off of (b)(2) High. Since the ramp that connects traffic from (b)(2) High to (b)(2) High a long stretch of road you can see the cars coming from a ways off. While the TCP was in place myself and SGT (b)(3) would flash our tac lights at the cars heading up the ramp. The cars would also see the red beacon that was located with the C wire. All of the previous cars had seen either our tac lights, the red beacon, or the C wire. The cars would then turn around and go back down (b)(2) High. But while PFC (b)(3) and (b)(3) were breaking down the EOF measures on the ramp the white Daewoo just kept approaching even after we flashed our tac lights at it (b)(3)

Q: After the second shot was fired what happen? (b)(3)
A: The shot went through the windshield. The vehicle came to stop. I told (b)(3) to pull security. Myself and PFC (b)(3) started pulling people out of the car. They all started getting out. I pulled five passengers out of the vehicles and put them on the ground. (b)(3) and (b)(3) secured the five passengers. Then I went to clear the vehicle, which is when I found the sixth passenger that was hunched over in the back of the vehicle and was bleeding from his face. Then I called up what had happen on the radio. (b)(3)

Q: Did the guy that was hunched over seem conscious at the time? (b)(3)

A: A little bit, he was shaking (b)(3)

Q: Did you find anything else in the vehicle? (b)(3)

A: Liquor bottles and open bear cans (b)(3)

Q: Did you notice if anything about the other 5 passengers? (b)(3)

A: They were intoxicated. The driver had glass shrapnel in his neck from the bullet going through the windshield (b)(3)

Q: Did they all seem intoxicated? (b)(3)(6)

A: No (b)(3)

Q: Did the driver seem intoxicated?

A: Yes, he was drunk. He smelled of (b)(3)(6)

Q: Is there anything else you want to add at this time (b)(3)

A: No (b)(3)

INITIALS OF PERFORMING OFFICER (b)(3)(b)(6)

SIGNATURE

PAGE 2 OF 3 PAGES

STATEMENT OF SGT (b)(3)(b)(6) TAKEN AT FOB Loyalty DATED 2007/07/10

9. STATEMENT (Continued)

AFFIDAVIT

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of July, 2007 at FOB Loyalty

WITNESSES:

(b)(3)(b)(6) (Witness Name)

2-64 AR

FEB CUSTOM YTH APO AR 09390 ORGANIZATION OR ADDRESS

(b)(3)(b)(6) (Signature of Person Administering Oath)

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

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

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

STATEMENT OF SSG (b)(3)(b)(6) TAKEN AT FOB Loyalty DATED 2007/07/10

9. STATEMENT (Continued)

Q: Did you see [redacted] OF? (b)(3)(b)(6)

A: Negative (b)(3)(b)(6)

Q: Is there anything else you wish to add? (b)(3)(b)(6)

A: No (b)(3)(b)(6)

INITIALS OF [redacted] GIVING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF SSG (b)(3)(b)(6) TAKEN AT FOB Loyalty DATED 2007/07/10

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

(Making Statement)

WITNESSES:

2LT

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

2-67 AK

FOB RUSTAMIYAH APO AE CASID
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of July, 2007 at FOB Loyalty

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

1LT

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

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

2BCT/ 2ID Serious Incident Report

FROM: CDR, 2nd Battalion, 69th Armor Regiment, 2nd Brigade Combat Team, 2nd Infantry Division, FOB Rustimyah, Iraq APO AE 09390

TO: CDR, 2nd IBCT, 2nd Infantry Division, FOB Loyalty, Iraq, APO AE 09348
Subject:

1. Category:
2. Type of incident: EOF
3. DTG:
 - A. DTG of Incident: 072140JUL07
 - B. DTG BN was notified of Incident: 072142JUL07
 - C. DTG received by BDE:

4. Location:

5. Personnel involved:

- A. Subject: Matthew
1. Rank or grade: *SGT*
 2. Social Security Number:
 3. Race:
 4. Sex: *Male*
 5. Age:
 6. Position: *Team Leader*
 7. Security clearance: *Secret*
 8. Unit and station of assignment: *B/1-504TH PIR*
 9. Duty status: *Active*
 10. Marital Status:

B. Additional personnel involved:

Subject:

1. Rank or grade:
2. Social Security Number:
3. Race:
4. Sex:
5. Age:
6. Position:
7. Security clearance:
8. Unit and station of assignment:
9. Duty status:
10. Marital Status:

2BCT/ 2ID Serious Incident Report

C. Summary of incident: While breaking down a TCP, B/1-504TH noticed a White Daewoo Prince (b)(2)High rapidly approached the TCP. SGT (b)(3)(b)(6) who was in the process of breaking down the concertina wire, flashed the vehicle with his Tac Light and waved a red strobe at the approaching vehicle. The vehicle continued to move forward and SGT (b)(3)(b)(6) fired 1x Warning Shot however the LN's vehicle continued to approach. The vehicle then started moving erratically by initially backing up and approaching the wire for a third time. SGT (b)(3)(b)(6) then fired one disabling shot at the vehicle.

As the LN's finally exited the vehicle SGT (b)(3)(b)(6) noticed that two had been wounded. He immediately called for a medic who provided necessary care. An IP patrol arrived and immediately took the most seriously wounded LN to Al Kinei hospital where he died. The 2nd LN had flesh wounds to his face from shattering glass and was treated on the scene.

CF's searched the vehicle and found numerous open alcoholic containers and also determined all 5 LN's to be intoxicated. They were then transported to JSS Karada and finally (b)(2)High for Tactical Questioning.

D. Commanders Assessment:

6. Other Information:

A. Racial Involvement: None

B. Alcohol Involvement: The LNs in the vehicle all appeared inebriated

C. Last Deployment: (b)(6)

7. Remarks:

8. Commander reporting: (b)(3)(b)(6) LTC, COMMANDER, 2-69 AR, 2BCT, 2ID

9. Point of contact: (b)(3)(b)(6) MAJ, EXECUTIVE OFFICER, 2-69 AR, 2BCT, 2ID.

10. Report originated by: (b)(3)(b)(6), CPT, BATTLE CAPTAIN, 2-69 AR, 2BCT, 2ID

11. Released by: (b)(3)(b)(6) MAJ, EXECUTIVE OFFICER, 2-69AR, 2BCT, 2ID VOIP: 772-8134.

14. DIVISION LEVEL NOTIFICATIONS:

- a. FOD
- b. Deputy G3
- c. Chief of Operations
- d. Chief of Staff
- e. Chaplain
- f. PMO

SECRET//REL TO USA, MCFI//20160322

DTG: 081500JUL07

Mission

(b)(2)High

MISSION #

(b)(2)High

Timeline:

(b)(2)High

B2-6

(3)(b)

PRE-OPERATION: B CO 2nd PLT/ 1LT

(2)H

(b)(2)High

(2)Hi

TASK ORG:

1X PLT

(b)(2)High

KEY INFORMATION

(b)(2)High

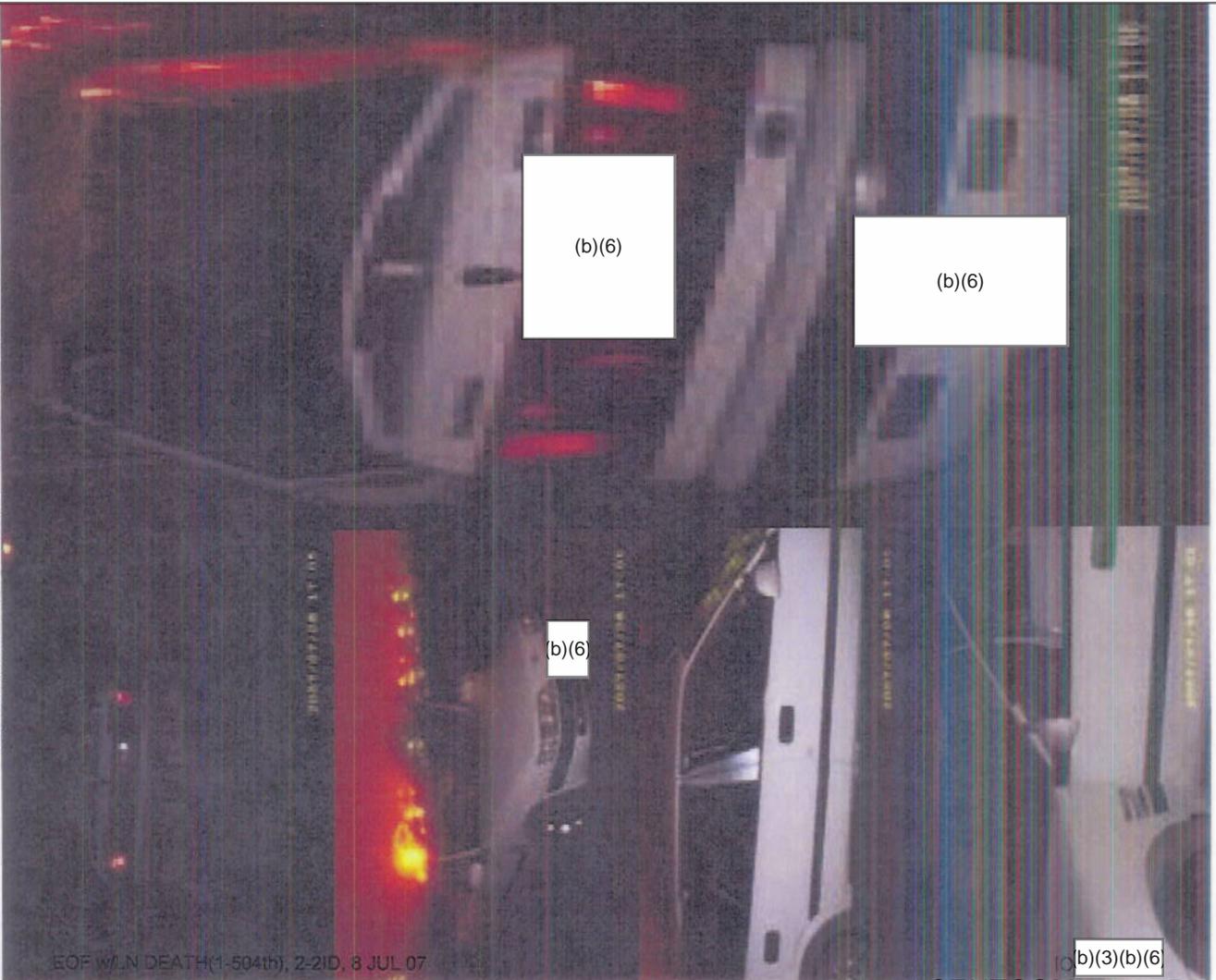
(b)(3)(b)(6)

SECRET//REL TO USA, MCFI//20160322

OPEN ALCOHOL CONTAINERS

(b)(6)

WHITE DAEWOO PRINCE



EQF w/ N DEATH(1-504th), 2-21D, 8 JUL 07

CENTCOM

1X KIA LN, 5X DETAINED LNs 2-69 AR, 2-2 ID

SECRET // REL TO USA, MCFI//20170700
FOR DISPLAY ONLY TO IRQ

SECRET // REL TO USA, MCFI//20170700
FOR DISPLAY ONLY TO IRQ

(2)Hi

DETAINEE INJURED BY BROKEN GLASS

(b)(2)High

(b)(2)High

(b)(6)

(b)(2)High

(b)(6)

08 JUL 07, EVENT, EOF

INCIDENT:

EOF

RESULTS:

1X LN KIA

1X LN DET

SIGACT ID:

DATE/TIME GROUP: 062141JUL07

UNIT: 2-69 AR

LOCATION:

TIMELINE OF EVENTS:

2142: B/1-504 PIR REPORTS WHILE COLLAPSING A TCP AT
504 PIR REPORTS B/1-504TH HAD A EOF ON A WHITE
RAEWOOD PRINCE APPROACHING THE TCP AT A HIGH RATE OF
SPEED. B/1-504 FLASHED A GREEN TAC LIGHT AND WAVED A
RED STROBE AT THE APPROACHING VEHICLE. THE VEHICLE
CONTINUED TO MOVE FORWARD. B/1-504 FIRED 1X WARNING
SHOOT. THE VEHICLE CONTINUED TO APPROACH. THE VEHICLE
STARTED MOVING ERRATICALLY BY INITIALLY BACKING UP
THEN APPROACHING THE WIRE FOR A THIRD TIME. B/1-504
FIRED 1X SHOT AT THE VEHICLE. RESULTING IN 1X
PERSON KILLED (GSW TO HEAD), AND 1X LN KIA DUE TO FLESH
WOUNDS TO THE FACE FROM BROKEN GLASS. IP IS SENDING
A UNIT TO B/1-504 PIR CURRENT LOCATION.

2146: B/1-504 PIR REPORTS LN THAT WAS SHOT IS
UNCONCIOUS. B/1-504 IS CONDUCTING FIRST AID

2152: B/1-504 PIR REPORTS TRANSFERRING 1X WIA LN TO THE
IP UNIT. IP UNIT WILL TRANSFER 1X WIA

2157: B/1-504TH PIR REPORTS THAT [REDACTED] THERE WERE 5X

LNS IN THE VEHICLE [REDACTED] (b)(6)

2215: B/1-504 REPORTS LN BY THE NAME OF [REDACTED]

2239: B/1-504 REPORTS PLATOON BROKE DOWN CORDON AND

MOVED TO KARADAH JSS WITH 5 X LNs DETAINees

2352: B/1-504 UNITS LEAVE KHARADA JSS ENROUTE TO

LOYALTY AND [REDACTED] (2)H

0141 [REDACTED] (2)H

0241: B/1-504 REPORTS DETAINees ARE AT DHA-A

0313: B/1-504 SP'S [REDACTED] (2)H IN RTE TO FOB LOYALTY

BN S2 ASSESSMENT

(b)(2)High

FILENAME:

(2)Hi

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