

# UNCLASSIFIED

## 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.)

_____	INVESTIG	(b)(3), (b)(6)
(Recorder)		
_____	_____	(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.)

### ACTION BY APPROVAL AUTHORITY:

- I ratify the appointment of the investigating officer, CPT (b)(3), (b)(6)
- I approve the Findings and Recommendations.
- I remand the matter to the BCT Cdr for appropriate action.

JUN 28 2007

7 JUL 2007

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

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

COL

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

JOSEPH F. FIL, JR., Major General, USA, Commanding



DEPARTMENT OF THE ARMY  
2nd BATTALION 12<sup>TH</sup> INFANTRY REGIMENT  
2nd BRIGADE COMBAT TEAM, 2nd INFANTRY DIVISION  
MND-B, FOB FALCON, IRAQ APO AE 09361

REPLY TO  
ATTENTION OF:

AFZC-B-I-E

15 JUNE 2007

MEMORANDUM FOR Commander, 4th IBCT, 1<sup>st</sup> Infantry Division, FOB Falcon, Iraq APO AE 09361

SUBJECT: Investigative AR 15-6 Report – REF: Escalation of Force (EOF) incident involving Soldiers of 2/C/2-12 IN on 09 June, 2007.

1. Purpose. The purpose of this document is to report the investigating officer's findings and recommendations concerning the EOF incident involving Soldiers of C 2-12 IN on 09 June 2007.

2. Summary. Between the hours of 0650 and 0906JUN07, 2/C/2-12IN observed a vehicle traveling north at a high rate of speed on the access road toward Chosen COP. EOF procedures were taken which ended when the driver was killed. My investigation is focused on if proper EOF procedures were used.

3. Applicable Laws & Regulation:

(b)(2)High

(b)(2)High

4. Investigative Procedures. The investigating procedures were conducted by collecting sworn statements from the individuals in key roles during the incident. The Interviews of these key leaders were conducted at 2-12 BN HQs and C Co CP. Meetings with 2<sup>nd</sup> Platoon occurred at FOB Falcon.

CENTCOM 012479



toward Chosen COP and was engaged by both SGT (b)(3), (b)(6) and by PFC (b)(3), (b)(6) with deadly shots at (b)(2)High from Chosen COP; resulting in 1x LN KIA (b)(6) who was carrying an empty plastic bag (See Exhibits A, C: Statements of SGT (b)(3), (b)(6) and PFC (b)(3), (b)(6)).

e. EOD was called to investigate the vehicle and conducted a controlled detonation to clear the vehicle (See Exhibit H, Pictures of White Sedan). EOD determined that the vehicle was not a VBIED. F/2-12IN recovered the vehicle from the scene and took it to (b)(2)High at FOB Falcon (See Exhibits E, F: The SIR and Storyboard).

f. I find that 2/C/2-12 IN Co used all EOF procedures available to them and to the best of their abilities. SGT (b)(3), (b)(6) and PFC (b)(3), (b)(6) took all measures possible prior to the use of lethal force (See Exhibits A, C: Statements of SGT (b)(3), (b)(6) and PFC (b)(3), (b)(6)).

g. Ultimately the fault lay with the driver of the vehicle, later determined to be (b)(6) (b)(6) (See Exhibits E, F, G: The SIR, Storyboard, and the SIGACT), as he plainly ignored the warning shots from the ECP Guard Tower.

h. It is clear that ACF have been targeting JSS' and COPs for the last couple of months. This incident could have possibly been reconnaissance by the act on the defense of the COP, and its vulnerabilities (See Exhibits F, I: Storyboard, S-2 Assessment and (b)(2)High (b)(2)High

## 7. Recommendations.

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

8. If you have any further questions or concerns, please contact the undersigned at 302-772-7201 or (b)(3), (b)(6), (b)(2)High

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

CPT, FA  
Investigating Officer



DEPARTMENT OF THE ARMY  
HEADQUARTERS, 2ND BATTALION, 12TH INFANTRY REGIMENT  
4TH INFANTRY BRIGADE COMBAT TEAM  
FOB FALCON, BAGHDAD, IRAQ APO AE 09361

REPLY TO  
ATTENTION OF:

JUN 26 2007

AFZV-B-I-CDR

MEMORANDUM FOR Commander, 4th Infantry Brigade Combat Team, Multinational  
Division Baghdad, FOB Falcon Baghdad, Iraq, APO AE 09361

SUBJECT: Battalion Commander's Recommendation – AR 15-6 Investigation (RE:  
Escalation of Force, C Co, 2-12 IN)

I recommend the findings and recommendations of the investigating officer be:

Approved.

Disapproved.

Approved, with the following exceptions/substitutions: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

LTC, IN  
Commanding

09 JUN 07 EVENT EOF (1X BLUE SAF, 1x LN KIA)

**INCIDENT:**  
EOF

**RESULTS:**  
1X BLUE SAF  
1X LN KIA  
**SIGACT / EVENT ID:**

**MND-B SIGACT ( )**  
**MND-B EVENT 01 (090734)**  
**DTG: 09 0650 JUN 2007**  
**UNIT: C/2-1st**

**LOCATION**  
[REDACTED] (b)(2)Hi

**MASSAFEE, RASHEED**  
**MISSION OF UNIT:**

(b)(2)High

**SUMMARY OF EVENTS:**

On 09 0650 June 2007 C/2-12IN observed a vehicle traveling north at a high rate of speed on the access road toward Chosen COP. Chosen COP ECP Guard Tower fired 2x warning shots in an attempt to stop the vehicle at [REDACTED] (b)(2)H. The vehicle failed to stop and began speeding up, still traveling toward Chosen COP. ECP Tower then escalated and engaged the vehicle with 2 (b)(2)H shots to the hood of the vehicle a (b)(2)H. The vehicle failed to stop and again increased speed heading towards Chosen COP. ECP Guard Tower then escalated and engaged with fatal shots aimed at the driver at [REDACTED] (b)(2)H. The vehicle stopped. The driver of the vehicle appeared to have been killed. The driver then evaded the vehicle and began sprinting toward Chosen COP holding something in his hand. ECP Guard Tower fired warning shots at the individual a [REDACTED] (b)(2)H. The individual continued sprinting toward Chosen COP and was engaged by ECP Tower Guard with [REDACTED] (b)(2)H shots a [REDACTED] (b)(2)H from Chosen COP, resulting in 1x LN KIA.

(b)(2)High

(b)(2)High

(b)(2)High

(b)(2)High

(b)(2)High

(2)Hi

(2)Hi

(b)(2)High

(2)Hi

(b)(2)High

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

MASSAFEE, RASHEED, 2-12 IN, 4-1ID (FINAL)

SECURITY // REL: TO USA // NSA // SSI // INT // DISSEM: [REDACTED]  
[REDACTED]

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EOF on LN VEH

SECURITY // REL: TO USA // NSA // SSI // INT // DISSEM: [REDACTED]  
[REDACTED]

UNCLASSIFIED



Nonresponsive, (b)(2)High

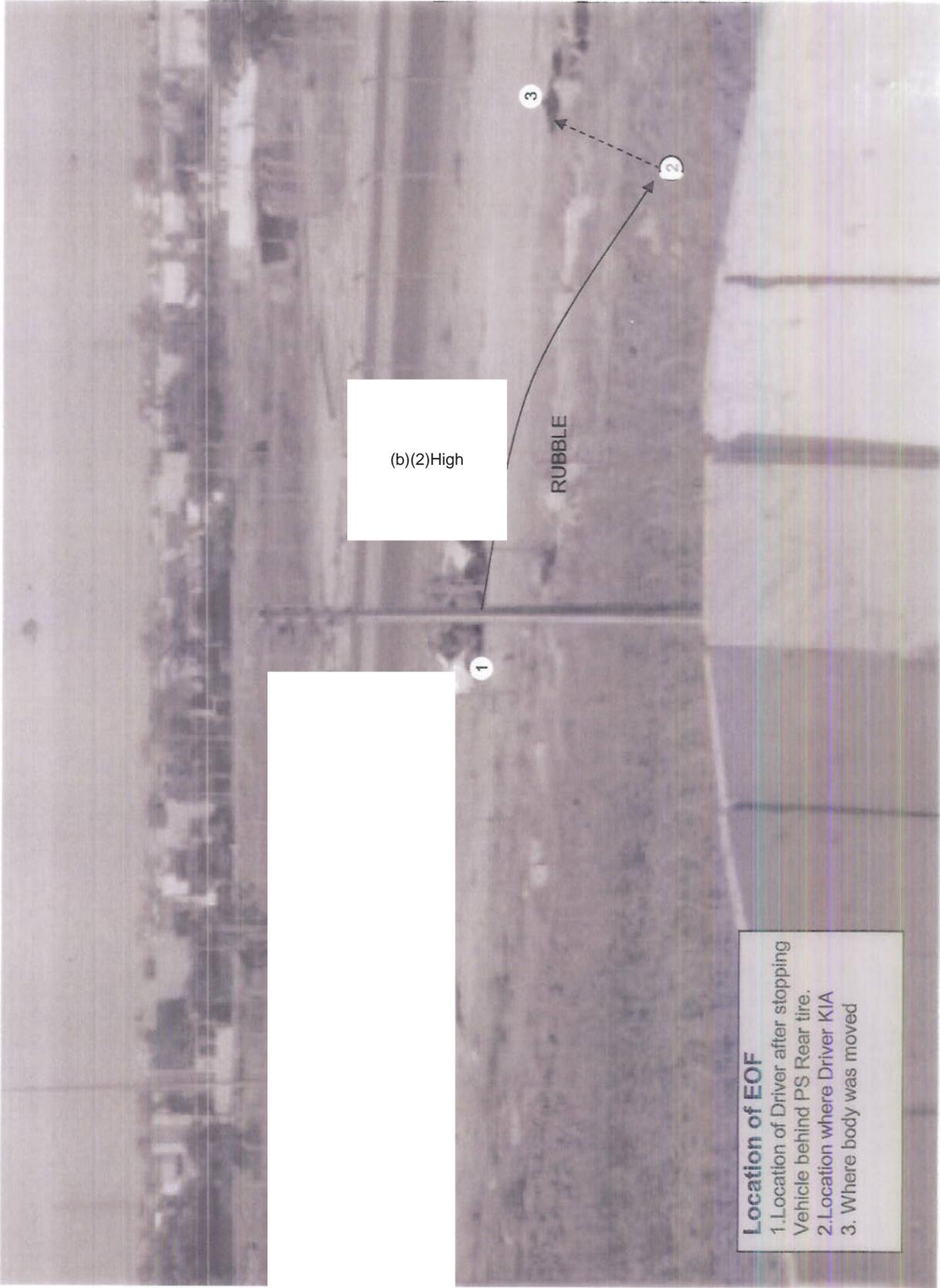
2) EOF: 090650JUN07: COP/C/2-12 IN reported 1x vehicle driving south to north at a high rate of speed on the access road to the 2) They fired 2x warning shots at the vehicle. The vehicle then sped up. They then fired 2x rounds to disable the vehicle. The vehicle then sped up again. They then engaged to kill the driver. The vehicle stopped and they believed they had killed the driver and requested EOD to investigate the vehicle. COP/C/2-12 IN then reported the driver got out of the vehicle holding something in his hand and began running towards the COP. They then engaged and killed the individual. Investigation of the body turned up 1x ID card on the body having his name as (b)(6) EOD investigated the vehicle and reported it was not a VBIED. The item in the driver's hand was an empty plastic bag. IP patrol noticed up the body.

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

(b)(2)High

(b)(2)High

)(3), (b)(f



(2)Hi

b)(2)Higt

(b)(2)High

(b)(2)High

2)H

2)H

)(3), (b)(6

Event #1: Final resting place of disabled vehicle  
Event #2: Final spot where LN was shot and killed

(b)(2)High

(b)(2)High

)(3), (b)(1

EXHIBIT 1

PICTURES TAKEN OF DISABLED  
WHITE SEDAN. SEDAN IS AT POSTION  
WHERE DRIVER STOPPED AND  
DISMOUNTED.

EOD TEAM CALLED ON SITE TO  
CONDUCT THE CONTROLLED  
DETONATION OF THE POSSIBLE  
VBIED.

