

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.)

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

(b)(3), (b)(6) ILT
(Investigating Officer) (President)

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

I approve the Findings.

I remand the matter to the BCT Cdr for appropriate action.

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

SEP 2007

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

LTC, IN, Commanding

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



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST BATTALION,
325TH AIRBORNE INFANTRY REGIMENT
2nd BRIGADE COMBAT TEAM, 82nd AIRBORNE DIVISION
CAMP TAJI, IRAQ 09378

AFVC-BA-CDR

14 August 2007

MEMORANDUM FOR Commander 1st Battalion, 325th Airborne Infantry Regiment, 2nd
Brigade Combat Team, 82nd Airborne Division, Camp Taji, Iraq APO AE 09378

SUBJECT: Report of AR 15-6 Investigation

1. **GENERAL.** On 12 August 2007, I was appointed to conduct an investigation into the escalation of force (EOF) incident involving Bravo Company, 1-325th AIR, during the cordon of improvised explosive device (IED) found in the vicinity of (b)(2)High on 11 August 2007. Outlined below are my findings and recommendations.

2. **FINDINGS.**

a. On 11 August 2007, at approximately 2130 hours, 3rd Platoon Bravo Company (3/B), 1-325th AIR (attached to Delta Company, 1-325th) discovered a possible IED at (b)(2)High (b)(2)High Upon further investigation, a command wire was found attached to the device leading into the adjacent neighborhood. The platoon immediately cordoned off the area and requested EOD in order to disarm the IED. Also, the quick reaction force (QRF) from Bravo Company, 1-325th AIR was requested to relieve 3/B in order to allow 3/B to continue their original mission. At approximately 2230 hours, 1st Platoon Bravo Company (1/B), 1-325th AIR arrived on site and assumed responsibility of the cordon.

b. The platoon sergeant for 1/B, SFC (b)(3), (b)(6) was positioned in a blocking position (BP) to the southwest of the IED in order to prevent any vehicle or pedestrian traffic from entering from the southwest on (b)(2)High. The BP was positioned so that the vehicle at the BP was illuminated by the street lights along (b)(2)High and easily visible to any approaching traffic.

c. Between 2230 and 2245 hours, two local national (LN) vehicles approached the BP from the southwest along (b)(2)High at separate times. When they were (b)(2)High from the BP, the gunner, SPC (b)(3), (b)(6) utilized (b)(2)High to gain the attention of the vehicles and alert them of 1/B's presence. Both vehicles immediately came to a halt. The vehicles turned around and returned in the direction they were coming from. In both these incidents the (b)(2)High was very effective in halting the LN vehicles.

d. At approximately 2245 hours, SPC (b)(3), (b)(6) identified a third local national (LN) vehicle approaching at a high rate of speed from the southwest on (b)(2)High. Immediately, SPC (b)(3), (b)(6) began to employ his high powered green laser to try and gain the attention of

AFVC-BA-CDR

SUBJECT: Report of AR 15-6 Investigation

the vehicle and halt the vehicle. The vehicle was approximately (b)(2) High away from the BP at this point and this action continued until the vehicle was approximately (b)(2) High away from the BP. The (b)(2) High was ineffective and the vehicle continued at a high rate of speed towards the BP.

e. Once the vehicle was (b)(2) High from the BP, SPC (b)(3), (b)(6) attempted to gain the attention of the vehicle with (b)(2) High flashlight. This action continued until the vehicle was approximately (b)(2) High from the blocking position. The tactical light was ineffective and the vehicle continued at a high rate of speed towards the BP. SPC (b)(3), (b)(6) turned his tactical light on for the remainder of the incident to continue to attempt to gain the attention of the driver and halt the vehicle.

f. At approximately (b)(2) High from the BP, SPC (b)(3), (b)(6) engaged with one warning shot from (b)(2) High aimed away from the vehicle in order to prevent any harm to the vehicle or passengers. In addition, SPC (b)(3), (b)(6) engaged with two warning shots from an (b)(2) High aimed away from the vehicle in order to prevent any harm to the vehicle or passengers. Both SPC (b)(3), (b)(6) and SPC (b)(3), (b)(6) commented that they could see a noticeable increase in the vehicles speed after the warning shots were fired. The warning shots were ineffective at halting the vehicle and the vehicle continued at a high rate of speed towards the BP.

g. At approximately (b)(2) High from the BP, the BP engaged the vehicle under SFC (b)(3), (b)(6) supervision. The platoon medic, SPC (b)(3), (b)(6), fired two shots from his (b)(2) High aimed into the engine block of the vehicle in an attempt to halt the vehicle. SPC (b)(3), (b)(6) fired two shots from his (b)(2) High aimed into the engine block of the vehicle in an attempt to halt the vehicle. SPC (b)(3), (b)(6) fired two shots from his (b)(2) High at the vehicle in an attempt to neutralize the driver of the vehicle. All these shots occurred within seconds of each other and there is no way to identify which shots inflicted what damage. All these shots caused the vehicle to come to a halt approximately (b)(2) High away from the BP.

h. Once the vehicle came to a halt, 3 x LN males, 2 x LN females and 2 x LN children were identified in the vehicle. The driver of the vehicle immediately exited the vehicle, walked a couple steps towards the BP and collapsed on the ground. The driver was a male and received one gun shot wound (GSW) to the chest and another male received a GSW to the arm. SPC (b)(3), (b)(6) immediately began to provide first aid to both wounded LN's. At approximately 2326 hours, both LN's were evacuated to the Kadamiyah Hospital with Coalition Force and Iraqi Police escorts. The LN with the GSW to the chest expired en route to the hospital. The LN with the GSW to the arm was treated and later released. When 1/B questioned the LN's in the vehicle as to why they did not stop they stated that the driver was their taxi driver and they did not know why he did not slow down or stop at the presence of Coalition Forces. It is unclear as to whether the passengers in the vehicle had identified 1/B's presence prior to being engaged.

AFVC-BA-CDR
SUBJECT: Report of AR 15-6 Investigation

i. At approximately 2327 hours, EOD arrived on site and neutralized the IED. Once 1/B completed exploiting the IED site, they returned to FOB Independence on 12 August 2007 at approximately 0026 hours.

j. All of the above techniques used in the attempt to gain the vehicles attention have proven effective in past incidents. There was no reason for 1/B to believe that these techniques would not be effective in this particular situation. Bravo Company 1-325th AIR (b)(2)High
(b)(2)High

(b)(2)High All the soldiers involved in this incident clearly understood EOF and employed it appropriately. In addition, the BP was under SFC (b)(3), (b)(6) supervision who has multiple and successful experiences with employing EOF techniques. There is no reason to suspect any negligence on failure to train the soldiers on properly employing EOF measures.

k. The LN vehicle was afforded several opportunities to slow down and/or halt. However, after employing several proven and effective EOF techniques, the LN vehicle failed to slow down and/or halt. The (b)(2)High was effective on two LN vehicles minutes prior to this incident. In addition, the vehicle was driving on the road after curfew hours. All these factors contributed to the conclusion, that there was a high probability that the vehicle was attempting to inflict harm onto Coalition Force units. (b)(2)High

(b)(2)High

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

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

1LT, IN
Investigating Officer

TABS

- A DA Form 2823 – SFC (b)(3), (b)(6)
- B DA Form 2823 – (b)(3), (b)(6)
- C DA Form 2823 – (b)(3), (b)(6)
- D DA Form 2823 – (b)(3), (b)(6)
- E Storyboard for IED & EOF
- F (b)(2)High

11 AUG 07, EVENT EOF (1 X LN KIA, 1 X LN WIA) FAJR, KSD, 1-325 AIR, 2-1 ID, FINAL

INCIDENT: EFP/EOF

RESULTS:

1 X EFP FOUND
1 X LN KIA
1 X LN WIA

SIGACT/EVENT ID:

DTG: 11 2136 AUG 07

UNIT: B/1-325 AIR, 2/1 ID

LOCATION:

EFP: (b)(2)High
EOF: (b)(2)High

TIMELINE OF EVENTS:

2136: 3/B REPORTS EFP

2220: 1/B SP FROM MAF

2230: CORDON SET

2245: LN VEHICLE APPROACHING CORDON;
WARNING SHOT FIRED

2306: QRF LAUNCHED

2326: M8 ARRIVES AT HOSPITAL WITH 2 X LN WIA

2327: EOD ARRIVES ON SITE

0014: EFP CLEARED

0026: B/1-325TH RTB MAF

EOF INFORMATION:

LN VEHICLE APPROACHED CORDON AT A HIGH RATE

ED. AT APPROX. (b)(2)High

WAS POINT ON THE VEHICLE. (b)(2)High

WARNING SHOTS (b)(2)High

AFTER THE FIRST WARNING (b)(2)High

SHOT THE VEHICLE PICKED UP SPEED. A (b)(2)High

SHOTS INTO WINDSHIELD, DISABLING THE VEHICLE. (b)(2)High

VEHICLE STOPPED FROM THE CF TRUCK. THE (b)(2)High

VEHICLE WAS UNDER A STREET LIGHT ON THE (b)(2)High

OFF RAMP. ONCE THE VEHICLE CAME TO A STOP (b)(2)High

THE DRIVER GOT OUT OF THE VEHICLE AND (b)(2)High

COLLAPSED IN FRONT OF THE TRAIL TRUCK. (b)(2)High

(b)(2)High

UNCLASSIFIED

(b)(2)High

(b)(2)High

(b)(2)High

(b)(2)High

(b)(2)High

(b)(2)High

(b)(2)High

UNCLASSIFIED

(b)(2)High

(b)(2)High



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS 2ND BRIGADE COMBAT TEAM
1ST INFANTRY DIVISION (MECHANIZED)
CAMP LIBERTY IRAQ
APO AE 09344



AETV-BGS-CDR

MEMORANDUM FOR Commander, 1st Cavalry Division, Multi-National Division- Baghdad,
APO AE 09344

SUBJECT: Recommendation for 15-6 Investigation

1. I have reviewed the enclosed investigation into the facts and circumstances surrounding an escalation of force incident involving B/ 1-325 AIR that occurred on 11 August 2007.

2. 1 (concur) / (do not concur) with the investigating officer's findings.

3. COMMENTS.

(b)(5)

(b)(5)

4. Point of contact for this memorandum is dale mc covers.

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

Encls

/ COL, IN /
Commanding



DEPARTMENT OF THE ARMY
 HEADQUARTERS, 1ST BATTALION, 325TH AIRBORNE INFANTRY REGIMENT
 2ND BRIGADE COMBAT TEAM
 82D AIRBORNE DIVISION
 CAMP TAJI, IRAQ APO AE 09378

AFVC-BA-CDR

15 August 2007

MEMORANDUM FOR Commander, 2nd Brigade, 1st Infantry Division, Camp Liberty, Iraq, APO AE 09344

SUBJECT: Transmittal for AR 15-6 Findings and Recommendations

1. On 12 August 2007, 1LT (b)(3), (b)(6) was appointed as the Investigating Officer Pursuant to Army Regulation (AR) 15-6 to conduct an informal investigation into a report of an Escalation of Force by members of Bravo Company, 1st Battalion, 325th Airborne Infantry Regiment, 82nd Airborne Division, specifically on 11 August 2007.

2. After reviewing the Investigating Officer's findings I recommend:

(3), (b)
 Approval.

Approval with the following changes: _____

Disapproval.

3. After reviewing the Investigating Officer's recommendations I recommend:

b)(3), (b)(6)
 Approval.

Approval with the following changes: _____

Disapproval.

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

Encl
 AR 15-6 Investigation

LTC, IN
 Commanding



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST BATTALION,
325TH AIRBORNE INFANTRY REGIMENT
2nd BRIGADE COMBAT TEAM, 82nd AIRBORNE DIVISION
CAMP TAJI, IRAQ 09378

S: 22 August 2007

AFVC-BA-CDR

12 August 2007

MEMORANDUM FOR 1LT (b)(3), (b)(6) Delta Company, 1st Battalion, 325th Airborne Infantry Regiment, 2nd Brigade Combat Team, 82nd Airborne Division, Camp Taji, APO AE 09378

SUBJECT: Appointment as Investigating Officer

1. You are hereby appointed as an Investigating Officer pursuant to Army Regulation (AR) 15-6 to conduct an informal investigation into a report of an Escalation of Force by members of Bravo Company, 1st Battalion, 325th Airborne Infantry Regiment, 2nd Brigade Combat Team, 82nd Airborne Division, on 11 August 2007. This is your primary duty until properly relieved. In your investigation, you should determine, at a minimum:

- a. What are the facts and circumstances surrounding the Escalation of Force?
- b. What steps were taken prior to using deadly force?
- c. What should have the individuals involved have done differently, if anything?
- b. Include any other facts or findings that the command should be aware of to avoid similar incidents in the future.

2. In your investigation, use the informal procedures under AR 15-6. When questioning individuals, attempt to obtain sworn statements; however, if anyone elects not to make a sworn statement, attempt to obtain an unsworn statement. Use DA Form 2823 to complete sworn statements. Obtain statements by telephone from witnesses located outside the immediate area. Reduce all verbal statements and telephonic conversations to writing by drafting MFRs. My intention is to insure all individuals involved understand that they are making official statements.

3. If, in the course of your investigation, you come to suspect a military member may have committed a criminal offense punishable under the Uniform Code of Military Justice (UCMJ), that person will be advised of his or her rights in accordance with Article 31, UCMJ, prior to questioning. Use DA Form 3881 to document said warnings. Additionally, complete a Privacy Act Statement for each subject.

AFVC-BA-CDR

SUBJECT: Appointment as Investigating Officer

4. You will make findings and recommendations based on the evidence you discover during the course of your investigation. Your findings and recommendations will be submitted on DA Form 1574 to this Headquarters by 22 August 2007. If you need additional time to complete your investigation you must request an extension in writing.

5. Obtain legal advice prior to and during your investigation from CPT (b)(3), (b)(6) 2nd Brigade Judge Advocate SVOIP: 776-7015 / 7028.

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

LTC, IN
Commanding



DEPARTMENT OF THE ARMY
HEADQUARTERS, 2nd DAGGER BRIGADE, INFANTRY DIVISION
OFFICE OF THE STAFF JUDGE ADVOCATE
CAMP LIBERTY, IRAQ
APO AE 09344

REPLY TO
ATTENTION OF:

AETV-BGS-JA

22 August 2007

MEMORANDUM FOR Commander, 2nd Dagger Brigade, 1st Infantry Division
(Mechanized), APO AE 09344

SUBJECT: Legal Review, AR 15-6 Investigation

1. In accordance with AR 15-6, paragraph 2-3, I have reviewed the enclosed investigation into the facts and circumstances surrounding an escalation of force incident involving B/ 1-325 AIR that occurred on 11 August 2007. I have made the following determinations:

- a. The proceedings comply with the legal requirements of AR 15-6.
- b. Any errors in the investigation do not materially affect any individual's rights.
- c. Sufficient evidence exists to support the findings of the investigating officer.
- d. The recommendations are consistent with the findings.

2. FACTS. While investigating a possible IED, 3rd platoon, B/ 1-325 AIR established a cordon at the intersection of (b)(2)High and (b)(2)High. A vehicle approached their position at a high rate of speed.

a. SPC (b)(3), (b)(6), a gunner, cycled through several EOF measures, including the green laser and a white tactical light.

b. At the (b)(2)High meter point, SPC (b)(3), (b)(6) fired a warning shot, prompting SPC (b)(3), (b)(6) to do the same. The vehicle increased its speed.

c. When the vehicle was away, SPC (b)(3), (b)(6) engaged the vehicle's engine block while SPC (b)(3), (b)(6) shot the driver. The vehicle came to a stop ten meters from the blocking position.

d. The vehicle's driver suffered a gun shot to the chest and died en route to the hospital.

3. ANALYSIS. Escalation of force is the use of graduated responses to an evolving threat.

(b)(2)High

(b)(2)High

CENTC 2524

AFTV-BGS-JA
SUBJECT: Legal Review, AR 15-6 Investigation

(b)(2)High

b. In this case, SPC (b)(3), (b)(6) used several non-lethal means that were unsuccessful in deterring the vehicle's approach. When the vehicle failed to stop for those means, the blocking position's decision to employ lethal force was reasonable under the circumstances.

c. The investigating officer finds that the vehicle was engaged at the (b)(2)High mark and came to a stop at the (b)(2)High mark. This would mean that a speeding car, which seemed to *increase* speed at the (b)(2)High mark, came to a full stop in only (b)(2)High (b)(2)High. Although this is unlikely and implausible, this discrepancy is probably an error in depth perception by Soldiers on the blocking position.

4. Point of contact is the undersigned at (b)(3), (b)(6), (b)(2)High

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

CPT, JA
2BCT OPLAW & Trial Counsel

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proponent agency is OTJAG.

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

SECTION I - APPOINTMENT

Appointed by LTC (b)(3), (b)(6) _____
(Appointing authority)

on 12 AUG 07 (Date) (Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)

SECTION II - SESSIONS

The (investigation) (board) commenced at Camp Taji, Iraq at 1900
(Place) (Time)
on 12 AUG 07 (Date) (If a formal board met for more than one session, check here . Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at 2200 on 13 AUG 07
(Time) (Date)
and completed findings and recommendations at 1600 on 14 AUG 07
(Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

YES NO 1/ NA 2/

- 1 Inclosures (para 3-15, AR 15-6)
- Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)
- a. The letter of appointment or a summary of oral appointment data?
- b. Copy of notice to respondent, if any?(See item 9, below)
- c. Other correspondence with respondent or counsel, if any?
- d. All other written communications to or from the appointing authority?
- e. Privacy Act Statements (Certificate, if statement provided orally)?
- f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?
- g. Information as to sessions of a formal board not included on page 1 of this report?
- h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?

(b)(2)High

FOOTNOTES: 1/ Explain all negative answers on an attached sheet.
2/ Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

2	Exhibits (para 3-16, AR 15-6)	YES <input type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/>
	a. Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?	
	b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	
	c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	
	d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?	
	e. Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?	
	f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?	
	g. If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?	
3	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?	
B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)		
4	At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?	
5	Was a quorum present at every session of the board (para 5-2b, AR 15-6)?	
6	Was each absence of any member properly excused (para 5-2a, AR 15-6)?	
7	Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?	
8	If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?	
C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)		
9	Notice to respondents (para 5-5, AR 15-6):	
	a. Is the method and date of delivery to the respondent indicated on each letter of notification?	
	b. Was the date of delivery at least five working days prior to the first session of the board?	
	c. Does each letter of notification indicate —	
	(1) the date, hour, and place of the first session of the board concerning that respondent?	
	(2) the matter to be investigated, including specific allegations against the respondent, if any?	
	(3) the respondent's rights with regard to counsel?	
	(4) the name and address of each witness expected to be called by the recorder?	
	(5) the respondent's rights to be present, present evidence, and call witnesses?	
	d. Was the respondent provided a copy of all unclassified documents in the case file?	
	e. If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?	
10	If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):	
	a. Was he properly notified (para 5-5, AR 15-6)?	
	b. Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?	
11	Counsel (para 5-6, AR 15-6):	
	a. Was each respondent represented by counsel?	
	Name and business address of counsel:	
	(If counsel is a lawyer, check here <input type="checkbox"/>)	
	b. Was respondent's counsel present at all open sessions of the board relating to that respondent?	
	c. If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?	
12	If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):	
	a. Was the challenge properly denied and by the appropriate officer?	
	b. Did each member successfully challenged cease to participate in the proceedings?	
13	Was the respondent given an opportunity to (para 5-8a, AR 15-6):	
	a. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?	
	b. Examine and object to the introduction of real and documentary evidence, including written statements?	
	c. Object to the testimony of witnesses and cross-examine witnesses other than his own?	
	d. Call witnesses and otherwise introduce evidence?	
	e. Testify as a witness?	
	f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?	
14	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?	
15	Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?	
FOOTNOTES: 1/ Explain all negative answers on an attached sheet.		
2/ Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.		

(b)(2)High

SECTION IV - FINDINGS (para 3-10, AR 15-6)

The (investigating officer) (board) , having carefully considered the evidence, finds:

SEE ATTACHED MEMORANDUM

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the (investigating officer) (board) recommends:

SEE ATTACHED MEMORANDUM

INDEX

Label	Description
Enclosure I	Investigating Officer Appointment Memorandum
Enclosure II	Chronology
Enclosure III	DA Form 1574 – Report of Proceedings
Enclosure IV	IO Findings and Recommendation Memorandum
Exhibit 1	DA Form 2823 – SFC (b)(3), (b)(6)
Exhibit 2	DA Form 2823 - (b)(3), (b)(6)
Exhibit 3	DA Form 2823 - (b)(3), (b)(6)
Exhibit 4	DA Form 2823 - (b)(3), (b)(6)
Exhibit 5	11 AUG 2007 Storyboard for IED & EOF
Exhibit 6	(b)(2)High

CHRONOLOGY

DATE	EVENT
12 August 07	Received appointment order as 15-6 Investigating Officer
12 August 07	Received brief by SJA on 15-6 procedures
13 August 07	Obtained all sworn statements and conducted all interviews
15 August 07	First draft of investigation to JAG

UNCLASSIFIED

PRIVACY ACT STATEMENT

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10 United States Code Section 3013

PRINCIPAL PURPOSE: To provide commanders with information for responding to the situation outlined in the AR 15-6 Appointment Order.

ROUTINE USES: Any information that you provide is disclosable to members of the Department of Defense who have a need to know the information in the performance to their duties.

DISCLOSURE: Is mandatory unless you are suspected of having committed an offense under the UCMJ or other criminal code. If you are suspected of having committed an offense your decision on whether to disclose information is voluntary and will be preceded by advisement under ART 31, UCMJ. There will be no adverse effect on you for not furnishing the information if you are suspected of having committed an offense.

I acknowledge having read the above Privacy Act statement.

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

(Print Name)

(Signature)

(Print Name)

(Signature)