

SWORN STATEMENT

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

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
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: FIB FALCON
2. DATE (YYYYMMDD): 2/17/05 AB
3. TIME: 1151 hrs
4. FILE NUMBER:
5. LAST NAME FIRST NAME MIDDLE NAME: (b)(3), (b)(6)
6. SSN:
7. GRADE/STATUS: FS
6. ORGANIZATION OR ADDRESS: HAC 4-1 BSTB

9. I, Sgt (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
I WAS DRIVING (b)(3)(b)(6) SSC (b)(3), (b)(6) WAS TC, MAS (b)(3), (b)(6) WAS RIDING RIGHT REAR, SSC (b)(3), (b)(6) WAS RIDING LEFT REAR and PFC (b)(3), (b)(6) WAS CROWDER. WHEN WE WERE TRAVELING NORTH IN SOUTH BOUNDS LAWE ON (b)(2)High JUST PAST (b)(2)High THERE WAS 2 SHOTS FIRED THAT I HEARD. THEN I SAW A SMALL TOYOTA TRUCK SLOWLY ENTER THE MEDIAN.
/// END OF STATEMENT ///

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

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT 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.

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1. LOCATION: FOB Falcon Iraq; 2. DATE: 20070522; 3. TIME: 1202; 4. FILE NUMBER; 5. LAST NAME, FIRST NAME, MIDDLE NAME; 6. SSN; 7. GRADE/STATUS: E3 PFL; 8. ORGANIZATION OR ADDRESS: HHC 41 BSTB

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

My truck, (b)(2)High, was traveling north in the Southbound lane on (b)(2)High in route to the DAC. After passing (b)(2)High at around 0930, I heard 2 shots from the (b)(2)High of the truck in front of mine, (b)(2)High I saw a small white in color Toyota pick-up stop in the median with 2 bullet holes in the driver side windshield. (b)(2)High passed the pick-up, when my truck passed it, I saw 1 occupant in the driver seat with no head. (b)(2)High turned back around heading back south to secure the scene. (b)(2)High set up EDF kits.

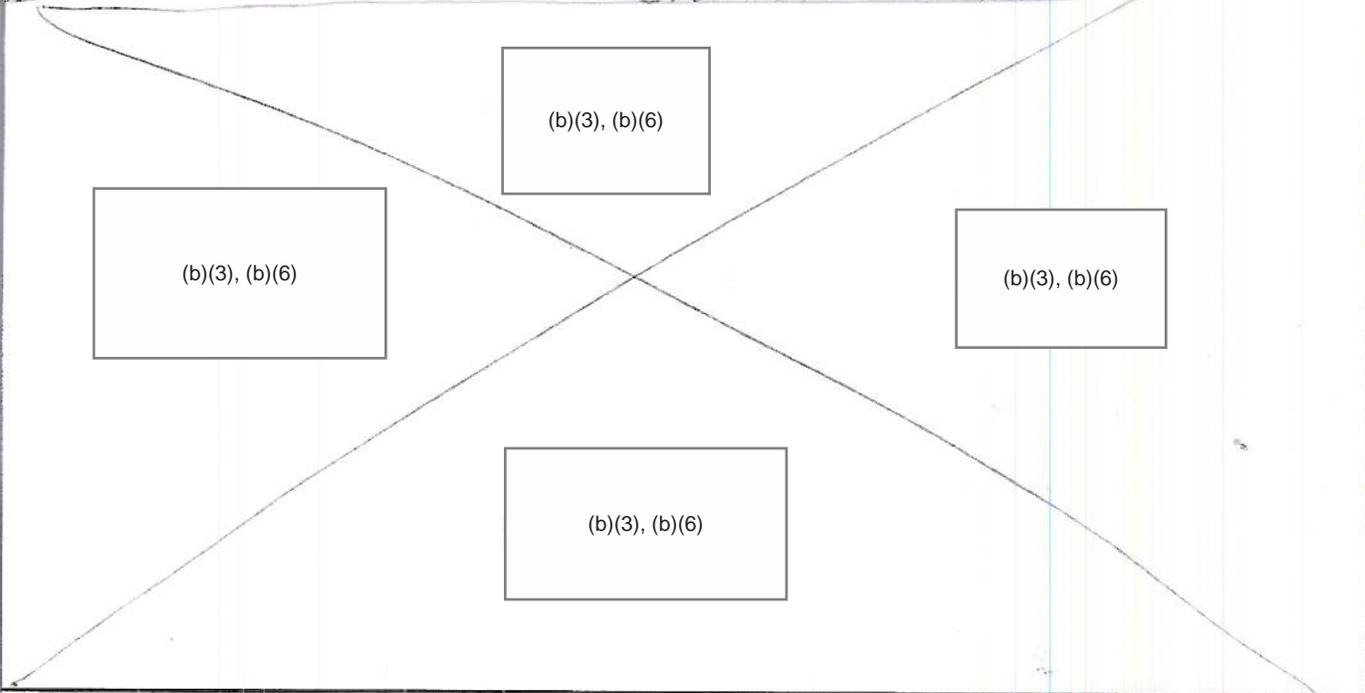
10. EXHIBIT; 11. INITIALS: (b)(3), (b)(6); ON MAKING STATEMENT; PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT 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.

STATEMENT OF (b)(3), (b)(6) TAKEN AT 1202 DATED 20070522

9. STATEMENT (Continued)

and handed over the situation to
NIP's + IP's. (b)(2)High then continued mission
to the DAC. (b)(3), (b)(6)
End of statement



I, (b)(3), (b)(6) AFFIDAVIT
_____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT
WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. 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)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

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

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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1. LOCATION: FOB FALCON, IRAQ
2. DATE (YYYYMMDD): 2007 05 22
3. TIME: 1145
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(3), (b)(6)
6. SSN: (b)(3), (b)(6)
7. GRADE/STATUS: E6
8. ORGANIZATION OR ADDRESS: HAC 4-1 BSTB

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

ON 22 MAY 07, I WAS A DISMOUNT IN VEHICLE # (b)(2)High SEATED BEHIND THE DRIVER. WE WERE HEADING TO THE DAC NORTH ON SOUTH BOUND LANE. THE OTHER OCCUPANTS WERE SGT (b)(2)High PFC (b)(3), (b)(6) AND MAJ. (b)(3), (b)(6) WE HAD JUST PASSED (b)(2)High WERE ABOUT 300 METERS NORTH WHEN WE HEARD TWO ROUNDS FIRED. WE SAW A WHITE TRUCK HEADING INTO THE MEDIAN AND INITIALLY THOUGHT SOMEONE WAS FIRING AT US. THE CALL CAME OVER THE RADIO THAT GUNNER ENGAGED THE TRUCK WHEN IT CAME WITHIN TWENTY METERS OF THE VEHICLE WITHOUT MOVING OUT OF THE WAY. WE HEADED NORTH A (b)(2)High MORE AND TURNED AROUND HEADING SOUTH IN THE NORTHBOUND LANE BACK TO THE TRUCK. ONCE WE GOT TO THE TRUCK WE SET OUT A CORDON AND BLOCKED TRAFFIC. MYSELF AND SSG (b)(3)(b)(6) DID 5 AND 25 CHECKS AND DISMOUNTED TO POLL SECURITY. (b)(2)High NATIONAL POLICE CHECKPOINT (b)(2)High THERE WAS A MEDIC TOOK PICTURES FOR THE REPORT AND THE NATIONAL POLICE STARTED SHOWING UP TAKING THEIR OWN PICTURES. MORE NATIONAL POLICE AND IRAQI POLICE VEHICLES ARRIVED TO CONTROL TRAFFIC AND SECURE THE SCENE. AS WE PREPARED TO DEPART, WE RECEIVED A COUPLE OF ROUNDS OF SMALL ARMS FIRE FROM THE EAST SIDE OF (b)(2)High WE WERE ON THE SCENE AT LEAST THIRTY MINUTES BEFORE BEING RELIEVED BY POLICE UNITS. (b)(2)High

///END OF STATEMENT///

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

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

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1. LOCATION: FOB Falcon
2. DATE (YYYYMMDD): 20070522
3. TIME: 12:00
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(3), (b)(6)
6. SSN:
7. GRADE/STATUS: QA
8. 4-1 BSTB.

9. (b)(3), (b)(6) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
At 0932 while traveling North in the South Bound lane of (b)(2)High I heard two large caliber bullets/shots. Initially I assumed the the NP/IP had shot their "Diska" into (b)(2)High. At the time we were (b)(2)High south of AN IP checkpoint (b)(2)High North of (b)(2)High we continued to move North until it was determined that (b)(2)High used EOF on an on coming vehicle. we then turned around dropped SSG (b)(3), (b)(6) a SSG (b)(3), (b)(6) at the site and (b)(2)High replaced (b)(2)High on Southern Security where land owner (b)(2)High said to take pictures and turn body over to Ps. We collapsed security and continued mission about 1005. Initial report indicated white toyota truck pulled through EOF measures and was engaged @ about (b)(2)High from truck. truck had enough momentum to carry it into median of (b)(2)High Driver was obviously dead Both rounds were WITH IN 6" of each other.

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

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STATEMENT OF (b)(3), (b)(6) TAKEN AT FoB FALCON DATED 22 MAY 07

9. STATEMENT (Continued)
Finished Reporting @ DAC. Upon return to site enroute
to FoB Falcon truck was still in median but CN
body seemed to have been removed. ||| (3), (b)(6)

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

AFFIDAVIT

(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 BELIEVE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL COPIES CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR

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

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)

PAGE 2 OF 2 PAGES

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1. LOCATION: CAMP FALCON, IRAQ
2. DATE: 20070522
3. TIME: 1200
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME, SSN
6. GRADE/STATUS: E-4/AD
8. ORGANIZATION OR ADDRESS: HHC 4-1 BSTB

9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
I WAS RIDING IN THE FRONT PASSENGER SEAT IN THE THIRD VEHICLE, (b)(2)High VEHICLE CONVOY. I AM TEAM LEADER, ALSO IN MY VEHICLE WAS SPC (b)(3), (b)(6) DRIVER; PFC (b)(3), (b)(6) (b)(2)High (b)(3), (b)(6) REAR DRIVERS SIDE SEAT. AND A CIVILIAN NAMED (b)(6) REAR PASSENGER SEAT. WE WERE DRIVING NORTH ON (b)(2)High IN THE SOUTH BOUND LANE ABOUT (b)(2)High NORTH OF (b)(2)High RIGHT BEFORE THE IRAQI CHECK POINT. I HEARD TWO ROUNDS FIRED, I DID NOT OBSERVE THE INCIDENT. AS WE PASSED THE ENGAGED VEHICLE I OBSERVED A WHITE TRUCK WITH THE PASSENGER SIDE DOOR OPEN I SAW THE DRIVER WHO WAS OBVIOUSLY DEAD FROM A GUNSHOT WOUND TO THE HEAD. THERE WERE TWO HOLES IN THE DRIVERS SIDE FRONT WINDSHIELD. THE VEHICLE WAS IN THE CENTER MEDIAN FACING SOUTH EAST. WE CONTINUED NORTH FOR LESS THAN (b)(2)High TURNED AROUND AND SECURED THE VEHICLE AND BODY UNTIL WE WERE RELIEVED BY NP AND IP'S. THE SHOTS WERE FIRED AT ABOUT 0930. AFTER BEING RELIEVED FROM SCENE WE CONTINUED ON TO OUR SCHEDULED MEETING (b)(3)(b)(6) END OF STATEMENT

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

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

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1. LOCATION: Banded Camp Falcon
2. DATE (YYYYMMDD): 20070522
3. TIME: 12:05
4. FILE NUMBER:
5. LAST NAME FIRST NAME MIDDLE NAME: (b)(3), (b)(6)
6. SSN: (b)(3), (b)(6)
7. GRADE/STATUS: E-4
8. ORGANIZATION OR ADDRESS: 4-1 BSTB HHC Co.

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

I was driving North in the South bound lane of ASX (b)(2)High My truck is the 3rd vehicle in the Convoy. SPC (b)(3), (b)(6) was my TC, PFC (b)(3), (b)(6) is the gunner, CPT (b)(3), (b)(6) and the Intep is (b)(6). We were escorting the ICE Team to the DTC in NB20. (b)(2)High While driving North in the South bound lane just passed (b)(2)High the gunner of (b)(2)High PFC (b)(3), (b)(6) fired two shots. SPC (b)(3), (b)(6) radio it to SSG (b)(3), (b)(6). It came over the radio he wouldn't stop while we were moving North. As I drove by I saw a white Toyota pickup truck with a hole in front windshield. We then kept pushing North in the South bound lane and was told to go back to the vehicle that was fired on. Once back by the vehicle my truck (b)(2)High moved to the North bound lane. My Gunner being at the 3 o'clock side we pulled security (b)(2)High H&K & H&K set out ECF kits. NP were getting the info on it so they can take it over. Once everything was clear to leave we proceeded to the DTC (b)(2)High. We all drove North on ASX (b)(2)High in the North bound lane. Approached (b)(2)High and to the DTCs drop off the (b)(2)High. (b)(3), (b)(6)

/// END OF STATEMENT ///

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

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

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1. LOCATION <i>FUB Falcon</i>	2. DATE (YYYYMMDD) <i>2007 May 22</i>	3. TIME <i>12:00</i>	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME <i>(b)(3), (b)(6)</i>			7. GRADE/STATUS <i>E-3 PFC</i>
8. ORGANIZATION OR ADDRESS			

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

*(3), (b) I did not see the incident. I was monitoring the 3 o'clock sector and heard 2 shots fired while traveling North Bound in the South Bound lane while on a patrol to the DAC from FUB Falcon. We returned to the sight of the incident and I maintained a sector of security as the gunner facing East. After a short while our convoy left the sight and continued to the DAC. *(b)(3), (b)(6)**

/// End of STATEMENT ///

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

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT <i>(b)(3), (b)(6)</i>	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT _____ DATED _____"

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1. LOCATION: FOB FAUCON, IRAQ
2. DATE (YYYYMMDD): 20070522
3. TIME:
4. FILE NUMBER:
5. LAST NAME FIRST NAME MIDDLE NAME: (b)(3), (b)(6)
6. SSN:
7. GRADE/STATUS: O-3/ACTIVE
8. ORGANIZATION OR ADDRESS: 4-1 BSTB

9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
I WAS ON MISSION TO THE DAC HALL IN (b)(2)High (b)(3), (b)(6) (b)(3), (b)(6) (LIVER),
SPC (b)(3), (b)(6) TO (b)(3), (b)(6) (b)(2)High (b)(2)High AT APPROX.
I HEARD TWO SHOTS FIRED. SHORTLY AFTERWARDS WE CORDONED THE AREA.
THE SITE WAS SECURED AND ESCALATION OF FORCE KITS EMPLOYED. THE (b)(2)High TURNED
AREA OF INCIDENT OVER TO THE NATIONAL POLICE, SSG (b)(3), (b)(6) AND SPC (b)(3), (b)(6)
WITH THE NPS AND CONSIDERED BATTLE HANDOFF. (b)(2)High THEN CONTINUED MISSION TO
THE DAC HALL. THERE WERE ZERO US CASUALTIES, ONE LN KIA, (b)(3), (b)(6) SSG (b)(3), (b)(6)
SMALL CONTACT WITH NPS SAID TRANSITION OF SITUATION (b)(2)High ENDED TTP, 2ND
FOLLOWED DCE PROCEDURES AS REQUIRED. (b)(3)(b)

/// END OF STATEMENT ///

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

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

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1. LOCATION FCB Falcon	2. DATE (YYYYMMDD) 00070502	3. TIME 1145	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS SSG/EG, Active	
8. ORGANIZATION OR ADDRESS HHC 4-1 STB			

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

Was in charge out for my first mission with (b)(2)High in vehicle (b)(2)High. We were headed toward the DAC with (b)(2)High. When I heard over the radio that someone was shot, my vehicle which include the following personell, PFC (b)(3), (b)(6) SFC (b)(3), (b)(6) PFC (b)(3), (b)(6) and myself passed the vehicle up and saw a body with no head on the side of the road. When I found out that it was one of my soldier (PFC (b)(3), (b)(6)) who shot that person we turn around. I had my guy's with the assistance of SFC (b)(3), (b)(6) set out EOF Kits to block off traffic from the north and south. We then set up security around the scene. SFC (b)(3), (b)(6) called up to (b)(2)High and gave the SITREP of the matter. I, and SFC (b)(3), (b)(6) (The Teap) talked with the I N or IA's until the IA's came. Everyone was notified of the situation and we push to the DAC (b)(3)(b)(6)

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

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 2 PAGES
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9. STATEMENT (Continued)

(This section is crossed out with a large X and contains several redacted boxes labeled (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

(b)(3), (b)(6) _____
(Signature)

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)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

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1. LOCATION: Fob Falcon Baghdad
2. DATE (YYYYMMDD): 30-05-22
3. TIME: 11:56
4. FILE NUMBER:
5. LAST NAME FIRST NAME MIDDLE NAME: (b)(3), (b)(6)
6. SSN: (b)(3), (b)(6)
7. GRADE/STATUS: E-3
8. ORGANIZATION OR ADDRESS: HHC 1-1 BSTB

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

I am the driver for (b)(2)High in that vehicle I had SPC (b)(3), (b)(6) as my TC, SSN (b)(3), (b)(6) as team leader and SPC (b)(3), (b)(6) as a shooter. Right after (b)(2)High I heard two shots coming from my 12 o'clock. We had no idea where they came from till (b)(2)High called in escalation of force. A white truck was shot killing the driver. All vehicles pulled through the site then we made a "u" turn and returned to secure the site. My truck as the rear truck was tasked to set up the EOF kits. Myself and SPC (b)(3), (b)(6) completed setting up the EOF kit and we pulled security around the site. We were given the all clear by SPC (b)(3), (b)(6) and we returned to our vehicles to continue with our mission to the DACCS

///END of statement///

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

10. EXHIBIT
11. (b)(3), (b)(6) ON MAKING STATEMENT
PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED
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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION Feb Falcon Iraq 2. DATE (YYYYMMDD) 20070522 3. TIME 1151 4. FILE NUMBER

5. LAST NAME FIRST NAME MIDDLE NAME (b)(3), (b)(6) 6. SSN (b)(3), (b)(6) 7. GRADE/STATUS E-4 SPC

8. ORGANIZATION OR ADDRESS HHC 4-1 BSTB

9. SPC (b)(3), (b)(6)

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I am the front tc in (b)(2)High. Individuals in my vehicle consist of PFC (b)(3), (b)(6) Driver, PFC (b)(3), (b)(6) -gunner, SSG (b)(3), (b)(6) TC, SFC (b)(3), (b)(6) Ride along TC. At about 0930 this morning we were in route to Al Rashheed Doc who were moving north in the South Bound lane when about (b)(2)High past (b)(2)High when I heard two shots fired. The I heard SSG (b)(3), (b)(6) who is TC of (b)(2)High our lead vehicle, come over the radio saying that they had shot someone. Once we clarified to all personnel in the vehicle what had happened we were rolling by it. There was a white datsun looking pick up in the center median. There were two bullet holes in the front window and the individuals had no head. We rolled through a little ways then turned around south in the north bound lane. (b)(2)High

(b)(2)High the vehicle (b)(2)High was stopping traffic North bound (b)(2)High was on the west side of the vehicle and (b)(2)High was on the East side. (b)(2)High was on the North side of the vehicle stopping traffic to the south. At this time battle space had been notified. We had a truck of IP's rolling around but after they looked

10. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6) PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT 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.

STATEMENT OF (b)(3), (b)(6)

TAKEN AT Tab Falcon DATED 22 May 07

9. STATEMENT (Continued)

at the situation they rolled out. At this time our demands were out and EOF kits were being set up. Once the EOF kits were set up NPs started showing up. They assisted us with the south bound traffic. SSG (b)(3)(b)(6) got shot and started talking to the two individuals in charge. SSG (b)(3), (b)(6) and myself took pictures of the scene after (b)(2)High instructed us to, because they weren't going to come forward and help. At that point neither the NPs or the IPs which had showed up again were willing to take the body. We had been on ground about 20 min and the call was made that we needed to go. So we packed up the EOF kits loaded up and began conveying north on the North bound lane to the Al Rashid OAC with (b)(2)High in the lead then (b)(2)High in the rear. On our route back the vehicle nor the body had been picked up. (b)(3), (b)(6)

// End of STATEMENT //

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

~~(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)

STATEMENT OF

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

TAKEN AT

Fob Falcon DATED 22 May 07

9. STATEMENT (Continued)

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

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

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

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

AFFIDAVIT

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

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 FREE 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 _____ day of _____ at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(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

SWORN STATEMENT

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

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
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 Falcon, Iraq 2. DATE (YYYYMMDD) 20070522 3. TIME 1146hrs 4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6) 6. SSN (b)(3), (b)(6) 7. GRADE/STATUS SFC/E-7

8. ORGANIZATION OR ADDRESS HHC 4-1 BSTB

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

(3), (b) On 22 May 2007, while my patrol was moving North on (b)(2)High, in the Southbound lane, on a mission to the Rasheed DAC, we had an escalation of force incident just North of (b)(2)High. We were about to pass through the NP Checkpoint just north of (b)(2)High when I was informed by SPC (b)(3)(b)(6) that HHC (b)(2)High had shot someone. I directed the patrol to turn around and secure the area, I then directed SSG (b)(3), (b)(6) to send an initial contact report to Wolverine X-Ray and to Notify (b)(2)High of an EOF incident in their AOR. This was approximately 0935. Upon Arrival, we secured the scene blocking off all traffic flow in both directions. and then dismounted to assess the scene. Facing southeast in the median was an old Toyota pickup Truck, white

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

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9. STATEMENT (Continued)

In color. Inside was one Iraqi male of unknown age in the drivers seat. he was wearing a white (b)(6) and had suffered traumatic decapitation due to the gunshots. he was obviously dead; he was the only person in the vehicle. At approx 0945, 7 members of the Iraqi National Police arrived on scene and I directed SSG (b)(3), (b)(6) and (b)(3), (b)(6) to brief and coordinate with them, and (b)(3)(b)(6) present and (b)(3)(b)(6) updated sitrep to Wolverine X-ray, and asked for (b)(2)High to come to my location and brief me on what happened. When I sorted out the situation, I sent a detailed sitrep to BN. I was then informed that the National Police were not the responsible agency, that the IPs would need to be called. At that moment, a IP vehicle with 5 member arrived and SSG

AFFIDAVIT

I, SFC (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 THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(3), (b)(6)
(Signature of Person Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS _____

ORGANIZATION OR ADDRESS _____

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

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)

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

STATEMENT OF

SFC

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

TAKEN AT

Camp Falcon

DATED

22 MAY 2007.

9. STATEMENT (Continued)

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

and should proceeded to coordinate with them. I ordered SFC (b)(3), (b)(6) to take pictures of the scene, which she did. SSG (b)(3)(b)(6) informed me that the IPs refused to take control of the scene, as it was not their responsibility either. I had SSG (b)(3)(b)(6) tell them through should that we had been on the ground too long, they (the NP + IP) had been briefed and we were leaving and that they would secure the site until the "proper" authorities arrived to pick up the body. I the had all dismounts, remount, had the EOF kits policed up, and maneuvered the vehicles back into march order and continued mission to the deck. (b)(3), (b)(6)

/// End of STATEMENT ///

(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

3

OF

3

PAGES

Interview notes:

PF (b)(3), (b)(6) (HHC-51 M2 Gunner)

Age (b)(6)

MOS: Chemical

Investigating Officer (IO) asked PF (b)(3), (b)(6) to recount the event from the point where they left FOB Falcon:

(b)(3), (b)(6) Patrol was traveling north on the southbound side to avoid the traffic. The patrol stayed to the right (close to the center line between north and southbound lanes).

Traveling up (b)(2)High I (b)(3), (b)(6) was waving traffic over to the shoulder. The Toyota pick-up initially began pulling over, but then ~~darted~~ back out and into the same lane as the patrol (approaching head on), at about (b)(2)High. He did not appear to change speed. His speed was approximately 30mph.

The siren immediate went on, and the driver (b)(3), (b)(6) began honking the horn. I had been using hand and arm signals the whole time, yet the driver (LN) did not respond. He kept on coming.

IO: Could you see the LN?

(b)(3), (b)(6) Yes, he had a calm expression, both hands on the wheel. I was making eye contact with him the whole time. He didn't respond to anything so I got behind (b)(2)High and leveled the weapon at the vehicle. The LN was approaching very quick (rate of closure) and I started asking myself (verbally, out loud) if I will need to shoot. With the LN unresponsive and now closing (b)(2)High I fired 2 (b)(2)High rounds at the driver.

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

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

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

IO: How much time had elapsed from the time the LN darted out and the point where you shot?

(b)(3), (b)(6) Maybe 10 seconds.

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

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

IO: Are you qualified on (b)(2)High

(b)(3), (b)(6) Yes.

IO: Have you been briefed on current ROE/EOF and how many patrols/convoys have you been a part of?

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

practically recited the ROE card) I've been on about 40 patrols.

IO: When you were returning to Falcon, was the truck and body still there, and at what time?

(b)(3), (b)(6) Vehicle was still there, but body was gone. Approx 1100.

IO: Do you have anything to add?

(b)(3), (b)(6) I feel alot of remorse for the LN's family, but I had no choice but to shoot.

SSG (b)(3), (b)(6) (b)(2)High TC
MOS Chemical (Whole (b)(2)High is the Chemical Recon PLT)

IO SSG (b)(3), (b)(6) to recount the event starting after they passed (b)(2)High

(b)(3), (b)(6) Initially, I assumed the vehicle was parked, but then [the vehicle] pulled out...

IO: What was your speed?

(b)(3), (b)(6) (b)(2)High but I don't recall if we slowed down. Siren was on the whole time. As the Toyota pulled out, the driver hit the horn.

IO: How much time elapsed, start to finish?

(b)(3), (b)(6) (after some thought) Approx 5 seconds.

IO: Did the LN have time to react?

(b)(3), (b)(6) es. he had no obstruction to his right, could have moved over. He (the LN) did not appear distracted, and was looking right at us. Blank look [on his face], driving right at us.

IO: Did the LN have any reaction to your EOF measures?

(b)(3), (b)(6) No reaction to any measure, no change in speed.

IO: Did the gunner ask for permission to fire?

(b)(3), (b)(6) No, [it sounded like he was but...] he was talking to himself.

IO: Did the gunner have any other choice?

(b)(3), (b)(6) Given the rate of closure, [he] had to shoot. Vehicle was given ample time to get out of the way. LN was (b)(2)High

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

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

(b)(3), (b)(6) volunteered that they all feel remorse for the shooting, but that it was necessary.

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

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

Earlier in the interview I asked (b)(3), (b)(6) how many patrols he'd done and if this was his first tour?

(b)(3), (b)(6) 40-50 missions. This is my first tour, and my first shoot [situation].

PF (b)(3), (b)(6) (b)(2)High Driver)
Age (b)(2)Hi
MOS

IO asked PFC (b)(3), (b)(6) to recount the event starting after they passed (b)(2)High.
(b)(3), (b)(6) Up to (b)(2)High everything was normal, traffic was getting over, out of the way.

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

(b)(3), (b)(6) continues: A line of semi-trucks were heading southbound so we started to decrease speed in order to let them get over.

IO: Was the siren was on?

(b)(3), (b)(6) Yes, siren was on.

(b)(3), (b)(6) continues: Then a Toyota pick-up jumped out from behind the trucks into the outside lane (same lane as the patrol). Vehicles do this on occasion, but normally they get over once they see coalition forces coming. I immediately hit the horn.

IO: Speed?

(b)(3), (b)(6) Speed was approximately (b)(2)High

(b)(3), (b)(6) continued: TC told the gunner "to get the gun up." Then the gunner asked, "Should I fire a warning shot?" TC said no, and the gunner fired into the driver at a distance of about (b)(2)High

IO: How much time elapsed start to finish?

(b)(3), (b)(6) 10-15 seconds.

SPC (b)(3), (b)(6)
Age (b)(6)
MOS: Medic

IO: In the last sentence of your Sworn Statement, you state that the body of the I.N was still in the Toyota pick-up truck when your patrol was returning to FOB Falcon. Did you actually see the body?

(b)(3), (b)(6) I thought I did, however I was on the opposite side of the vehicle (right rear) and couldn't see that well. The body was decapitated so it was hard to tell. Its very possible that I just assumed it was still there.

IO: So, you're not sure?

Harris: Not really. Again, I couldn't see that well.

//NOTHING FOLLOWS//