

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 CAMP TAJI, IRAQ	2. DATE (YYYYMMDD) 2008/02/05	3. TIME 1654	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), b(6)		6. SSN	7. GRADE/STATUS E-7

8. ORGANIZATION OR ADDRESS
HHC 407TH BSB 2ND BCT 82ND ABN DIV APO, AE 09378

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

Q: MAJ (b)(3), b(6) IO
A: SFC (b)(3), b(6)

Q: Do you know SGT (b)(3), b(6)
A: YES

Q: If you know him, how do you know him?
A: I met him upon my arriving to the 40th BSB

Q: Did you have a conversation with SGT (b)(3), b(6) during a visit to Coalition Outpost Callahan?
A: YES

Q: If you had a conversation with SGT (b)(3), b(6) provide the following details regarding your conversation: date of the conversation, what time of day was the conversation, specifically where were you on the COP when you had this conversation, was anyone else involved in or in the vicinity of you and SGT (b)(3), b(6) during this conversation?
A: I was at COB Callahan, I can not remember the date or the exact time. There was no other person in this conversation or in the vicinity of this conversation.

Q: If you had a conversation with SGT (b)(3), b(6) please provide the details of that conversation. Specifically, provide in as much detail as you can remember anything that SGT (b)(3), b(6) stated with regard to a shooting of a local national.
A: I ask him if he was the person that shot a Iraq, he said yes

10. EXHIBIT	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.

STATEMENT OF SFC (b)(3), b(6) TAKEN AT Camp Taji, Iraq DATED 2008/02/05

9. STATEMENT (Continued)

Q: If you spoke with SGT (b)(3), b(6) and he told you about shooting a local national, please describe his demeanor as he was telling you about the event.

A: He answered my question, his demeanor was comm. *CALM* (b)(3)(b)(6)

Q: Did you tell anyone about the conversation with SGT (b)(3), b(6) if so who, what did you tell each person and why did you tell them?

A: I did not discuss my conversation any body.

Q: Please provide any more details or facts regarding SGT McBean that are relevant to my investigation.

A: I have no further details.

[Large section of the page is crossed out with a large handwritten 'X' and contains several redaction boxes labeled (b)(3)(b)(6).]

INITIALS OF PERSON MAKING STATEMENT

(b)(3), b(6)

PAGE 2 OF 3 PAGES

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

TAKEN AT CAMP TAJI

DATED 2008/02/05

9. STATEMENT (Continued)

(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 OR UNLAWFUL INDUCEMENT.

(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 5 day of FEB 2008 at CAMP TAJI IRAQ

ORGANIZATION OR ADDRESS

(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

Privacy Act Statement

Pursuant to 10 U.S.C. 3013 and Army Regulation 15-6, we request this information. This information will be used to evaluate the facts and circumstances currently under investigation. Your response is not mandatory. However, your failure to respond will require that we evaluate this matter without the benefit of your input. This information will be used in determining the appropriateness of any action, including adverse administrative action. Department of Defense employees, acting within their official capacity, who have a need to know this information, will have access to this information. This information may be used as the basis for adverse personnel action, and documents reflecting this information and such action may be filed in your official personnel files.

Affidavit

I, (b)(3), b(6) have read or have had read to me this Privacy Act Statement. I fully understand the contents of the entire statement.

(b)(3), b(6)

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this day of 5 Feb, 2008 at CAMP Taji, Iraq

(b)(3), b(6)

(Oath)

(Type name of Person Administering Oath)

(Authority to Administer Oath)

STATEMENT OF (b)(3), b(6) TAKEN AT COP Callahan DATED 26071026

9. STATEMENT (Continued)

3. What was your sector of fire at the time of the escalation of force incident (what specific area were you responsible for guarding)? Were there any blind spots where you could not properly see or guard? What weapon system were you using?

(b)(2)High

4. When did you first notice the Local National involved in the incident? How did you communicate with the other roof guards or the BN Battle Captain regarding the situation at hand? Did you notice anything specific about the Local National?

When I noticed Sgt. (b)(3), b(6) following him along (b)(2)High. Guard position 3 had eyes on the local national from when he entered Dover ECP, that's when Sgt. (b)(3), b(6) said he had eyes on, and then we just monitored the radio, and kept eyes on the local national.

5. What steps did you or others Soldiers on guard do to implement escalation of force measures during this situation?

before the local national reached the Dover ECP guard position (b)(2)High him, then they fired a warning shot. The man did not change his course so guard 3 fired a second warning shot. By this time the local national was in my sector and Sgt. (b)(3), b(6) picked him up (followed him) then Sgt. (b)(3), b(6) fired a warning shot, then shot at the man to leave immediately. The man did not listen then a Sgt. (b)(3), b(6) fired a well placed (b)(2)High shot which turned out to be fatal.

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

STATEMENT OF

(b)(3), b(6)

TAKEN AT

COP Callahan

DATED

20071026

9. STATEMENT (Continued)

6. Describe the Local National involved in the incident. Did the man appear to be displaying hostile actions or hostile intent against Soldiers or the Combat Outpost? Did the movements or actions of the Local National appear unusual? Did the local national appear to be carrying any type of weapon or explosive device?

The local National seemed to be suicidal, he had ample opportunity to stop and turn around, that and he was walking the whole time. ~~was~~ he was acting very ~~suicidal~~ suicidal and posed a very big threat to us at the time. The local national was below me I did not have a good visual at his clothes to see anything out of the ordinary.

(b)(2)High

7. Could additional escalation of force measures have been implemented in the amount of time before lethal force was used? Please include any additional details you wish to include about the situation.

You can always say yes until its to late. I'm grateful he didn't take much longer, the guy was almost to the gate.

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 _____. 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:

(b)(3), b(6)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 26th day of October, 2007 at COP Callahan Baghdad, Iraq

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

(Signature of Person Administering Oath)

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

(Signature of Person Administering Oath)

Commissioned Officer
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(3), b(6)

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

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

1. LOCATION COP Callahan, Baghdad, Iraq	2. DATE (YYYYMMDD) 20071108	3. TIME 0630	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), b(6)		6. SSN	7. GRADE/STATUS O-3

8. ORGANIZATION OR ADDRESS
Battalion Surgeon COP Callahan

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

1. What did you notice about the Iraqi Local National you responded to on 22OCT07 outside of COP Callahan? What did you assess were the extent of the Local National's wounds?

Just before 1700 on 22OCT I along with Major Leonard, Sgt (b)(3), b(6) PFC (b)(3), b(6) SPC (b)(3), b(6) and PMPFC (b)(3), b(6) proceeded outside of COP Callahan and saw the Iraqi Local National down approximately halfway from the (b)(2)High ECP and the (b)(2)High intersection on (b)(2)High. When I arrived SPC (b)(3), b(6) had already identified the entrance wound which was just under the right costal margin. The exit wound was a lacerant wound of the left posterior flank. There was approximately 1-1.5L of blood on the ground when Sgt (b)(3), b(6) started packing his left flank. The patient was barely conscious but not overtly cyanotic indicating that he was currently in compensated shock. Because of his thoracoabdominal entrance wound, I instructed SPC (b)(3), b(6) to perform needle decompression at his second right intercostal space at the midclavicular line and to place an Asherman's chest seal over his entrance wound. The patient was then transported to the AID Station. (END)

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

(b)(3), b(6)

TAKEN AT COP Callahan

DATED 20071108

9. STATEMENT (Continued)

2. What was the medical condition of the Iraqi Local National prior to the MEDEVAC aircraft arriving?

The patient was brought into the aid station. Using standard rapid sequence intubation medications, he was sedated, paralyzed, then intubated by myself via direct laryngoscopy on the first attempt. IV fluids were given. Secondary to the location of the entrance wound I inserted a chest tube in the right fifth intercostal space, midaxillary line without aspiration of blood. Prior to intubation the patient's GCS was 4-5 with no obvious motor or sensory deficits on quick neuro exam. The decision to intubate was based on his low GCS score and hypoxia (78%) noted on finger pulse oximeter which was refractory to bagging with 15 Liters of oxygen flow. (b)(3)(b)(6)

Upon handover to the flight medic the patient was intubated, with chest tube and IV access in what I would describe as decompensated hemorrhagic shock from some abdominal arterial or venous source. His condition was unstable and critical.

(b)(3), b(6)

INITIALS OF PERSON MAKING STATEMENT

(b)(3), b(6)

PAGE 2 OF 2 PAGES

9. STATEMENT (Continued)

~~(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, OR UNLAWFUL INDUCEMENT.

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

WITNESSES:

(b)(3), b(6)
HHC 2/325H ACR
ORGANIZATION OR ADDRESS

(b)(3), b(6)
HHC # 2-325 ACR
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8th day of November, 2007 at COP Callahan, Baghdad, Iraq

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

(b)(3)(b)(6)
(Typed Name of Person Administering Oath)
Commissioned Officer
(Authority To Administer Oaths)

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

SWORN STATEMENT

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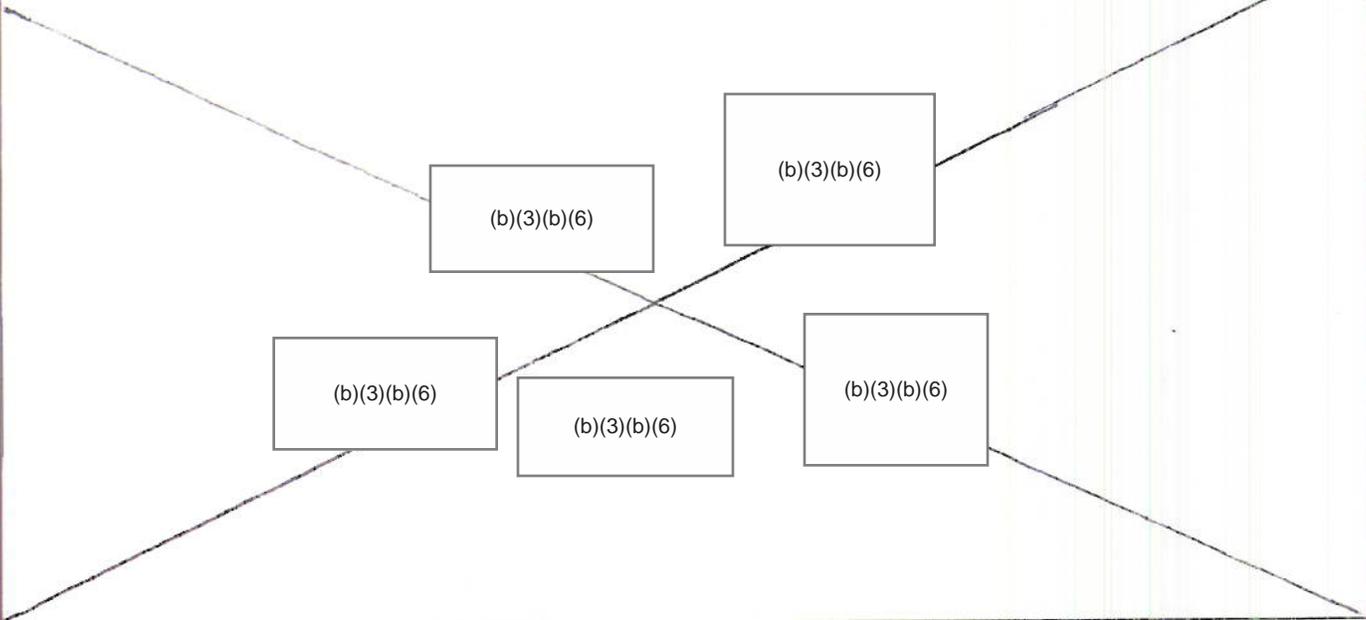
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION COP Callahan, Baghdad, Iraq	2. DATE (YYYYMMDD) 20071107	3. TIME 16:49	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), b(6)	6. SSN	7. GRADE/STATUS E3	
8. ORGANIZATION OR ADDRESS HAC 2-325 AIR			

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

1. What did you notice about the Iraqi Local National you responded to on 22OCT07 outside of COP Callahan? What did you assess were the extent of the Local National's wounds?

When I got to the pt, SGT (b)(3), b(6) & CPT (b)(3), b(6) were already treating him, he had a GSW to the chest with an exit wound on the middle of his back, he also had blunt trauma to his head, when I had arrived he seemed unconscious, as soon as the exit wound was bandaged up I helped to load him on the stretcher & then ran him back to the Aid station.



10. EXHIBIT <u>I</u>	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), b(6)	PAGE 1 OF <u>3</u> PAGES
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STATEMENT OF

(b)(3), b(6)

TAKEN AT COP Callahan

DATED 7 Nov 07

9. STATEMENT (Continued)

2. What was the medical condition of the Iraqi Local National prior to the MEDEVAC aircraft arriving?

PT was intubated, had a chest tube, a weak, thready pulse & was unresponsive prior to Medevac. During treatment at the Aid station IV access had been obtained & Rapid Sequence Intubation performed. The pt. was paralyzed prior to RSI. Upon arrival of Medevac aircraft he was packaged & loaded.

(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

9. STATEMENT (Continued)

[Large redacted area containing the main body of the statement]

(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 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:

SFC (b)(3), b(6)
HHC 2-325 AIR.
ORGANIZATION OR ADDRESS
SGT (b)(3), b(6)
HHC 2-325 AIR.
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9th day of November, 2007 at COP Callahan, Baghdad, Iraq

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

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

Commissioned officer
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(3), b(6)

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1. LOCATION COP Callahan, Baghdad, Iraq	2. DATE (YYYYMMDD) 2007115	3. TIME 1446	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), b(6)	6. SSN (b)(3), b(6)	7. GRADE/STATUS E5/Sgt.	
8. ORGANIZATION OR ADDRESS Flco 2/325 AIR			

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

1. What was your task and purpose while performing Rooftop NCO duties on the roof of COP Callahan on 22OCT07?

(b)(2)High

2. What was your position (location) on the roof? How were other guards on the rooftop placed/dispersed? Do you remember the names of anyone else who was on guard duty with you at the time of the escalation of force incident?

- I just came down to the lower roof from guard point (b)(2)High
 - All the guard were in there guard points. they were about to change out shift.
 SPC (b)(3), b(6) SGT (b)(3), b(6) (sniper), SSG (b)(3), b(6)

10. EXHIBIT J	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), b(6)	PAGE 1 OF 3 PAGES
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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF

(b)(3), b(6)

TAKEN AT COP Callahan

DATED 5 NOV 07

9. STATEMENT (Continued)

3. As completely as possible, explain how sectors of fire are implemented on the rooftop of COP Callahan. How does the rooftop NCO control these sectors of fire? Have you recognized any blind spots around the COP from the rooftop positions?

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

4. When did you first notice the Local National involved in the incident? How did you communicate with the other roof guards or the BN Battle Captain regarding the situation at hand? Did you notice anything specific about the Local National?

I noticed him once I stepped out on the lower roof because of (b)(2)High out of the corner of my eye.

- AT the time of the incident I had comms with my white falcon main + white 5 when he called me. I wasnt contacted by the battle captain. (b)(2)High

- The local national was wearing a (b)(6) He appeared to be persistent in walk around the COP. He also was touching his chest like he had vest or something on under his shirt the he went in his pocket.

5. What steps did you or others Soldiers on guard do to implement escalation of force measures during this situation? What weapon system did you engage with local national with? How many warning shots and disabling shots did you fire?

- He was (b)(2)High to try and turned him around when I noticed him I yelled + tried to wave him to go back the way he approached. I the fired a WARNING shot with (b)(2)High he didnt Acknowledge me I fired a second shot into the mess. He then ran towards the barriers where I could not see him. When he reemerged on (b)(2)High I yelled and tried to wave him on SS6 (b)(3), b(6) did the same to him with (b)(2)High. He started to walk towards the barrier wall which was on the other side of the wall of the portajohns. I shot one (b)(2)High shot

INITIALS OF PERSON MAKING STATEMENT

(b)(3), b(6)

PAGE 2 OF 3 PAGES

STATEMENT OF (b)(3), b(6) TAKEN AT COP Callahan DATED 5 NOV 07

9 STATEMENT (Continued)

6. Describe the Local National involved in the incident. Did the man appear to be displaying hostile actions or hostile intent against Soldiers or the Combat Outpost? Did the movements or actions of the Local National appear unusual? Did the local national appear to be carrying any type of weapon or explosive device?

the LN WAS A threat to cop once he got close to the ALASKA barriers by the porta jons. He began to pat his chest down like he had a vest and then go into his pockets while he approached the WALL (BARRIERS) It looked like he may have a vest on due to him touching his chest + torso. the locals on the corner were telling him + yelling at him to leave. He did not Acknowledge the people though.

7. Could additional escalation of force measures have been implemented in the amount of time before lethal force was used? Please include any additional details you wish to include about the situation.

I do not think that anymore could have been done. The LN had MANY chances to leave the area or turn Around.

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

* Local Nationals on (b)(2)High Also tried to yell at him to get out of there

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 STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE MADE THIS STATEMENT FREELY WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR

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

WITNESSES:

(b)(3), b(6)
HHC 2/325 AIR 92nd ABN
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of November, 2007 at COP Callahan, Baghdad, Iraq

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

(b)(3), b(6)
HHC 2-325
ORGANIZATION OR ADDRESS

(b)(3)(b)(6)
Commissioned Officer
(Authority To Administer Oaths)

INITIALS (b)(3), b(6) ON MAKING STATEMENT PAGE 3 OF 3 PAGES

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1. LOCATION COP Callahan, Baghdad, Iraq	2. DATE (YYYYMMDD) 20071205	3. TIME 1200	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), b(6)	6. SSN	7. GRADE/STATUS E-6/SSG	

8. ORGANIZATION OR ADDRESS
2/325 AIR FCU

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

What happened and circumstances while performing my fire NCO duties on the roof of COP Callahan on 22 OCT 07?

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

(b)(3), b(6)

2. What was your position (location) on the roof? How were other guards on the rooftop placed/dispersed? Do you remember the names of anyone else who was on guard duty with you at the time of the escalation of force incident?

My position at that time was next to guard position (b)(2)Hi The guards were in the guard positions as normal. The only other person that I know of for sure that was on the roof at that time was SPC (b)(3), b(6) nothing follows

(b)(3), b(6)

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

(b)(3), b(6)

TAKEN AT COP Callahan

DATED 5 Dec 07

9. STATEMENT (Continued)

3. As completely as possible, explain how sectors of fire are implemented on the rooftop of COP Callahan. How does the rooftop NCO control these sectors of fire? Have you recognized any blind spots around the COP from the rooftop positions?

(b)(2)High

(b)(3), b(6)

4. When did you first notice the Local National involved in the incident? How did you communicate with the other roof guards or the BN Battle Captain regarding the situation at hand? Did you notice anything specific about the Local National?

I noticed the local national once he started walking on (b)(2)High near guard position (b)(2)H. I only communicated with SGT (b)(3)(b)(6) because he was the NCO on duty at the time. Only the fact that he ignored every warning we gave him (b)(3)(b) to leave. nothing follows

(b)(3), b(6)

5. What steps did you or others Soldiers on guard do to implement escalation of force measures during this situation? What weapon system was the local national engaged with, how many shots were fired, and who fired the shots?

I myself used verbal & visual methods of warnings to get the local national to leave. The local national was engaged with (b)(2)High there was one shot fired to engage the local national, prior to that I heard (b)(3)(b) two warning shots fired before I got to the roof. All shots were fired by SGT (b)(3), b(6). nothing follows

(b)(3), b(6)

INITIALS OF PERSON MAKING STATEMENT

(b)(3), b(6)

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

6. Describe the Local National involved in the incident. Did the man appear to be displaying hostile actions or hostile intent against Soldiers or the Combat Outpost? Did the movements or actions of the Local National appear unusual? Did the local national appear to be carrying any type of weapon or explosive device?

I don't quite remember what the local national looked like or what he was wearing. The man did display hostile act by comming into our perimeter ignoring all warnings to leave. His actions did appear unusual because most local nationals turn and leave after being warned by us to go away this guy did not leave. I could not tell if he was carrying a weapon or explosive device. nothing follows

(b)(3), b(6)

7. Could additional escalation of force measures have been implemented in the amount of time before lethal force was used? Please include any additional details you which to include about the situation.

I think the local national had enough oportunites to leave no additional EOF measures would have made any difference. nothing follows

(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 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:

(b)(3), b(6)
FLC 2/325 AIR

(b)(3), b(6)
ORGANIZATION OR ADDRESS

(b)(3), b(6)

FLC 2/325 AIR

(b)(3), b(6)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of December, 2007 at COP Callahan, Baghdad, Iraq

(b)(3), b(6)

(Typed Name of Person Administering Oath)
Commissioned Officer
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(3), b(6)

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Page 19 redacted for the following reason:

(b)(2) High

(b)(3)(6)