



DEPARTMENT OF THE ARMY
4TH BRIGADE COMBAT TEAM, 4TH INFANTRY DIVISION
FOB PROSPERITY, BAGHDAD, IRAQ
APO AE 09348

REPLY TO
ATTENTION OF:

AFYB-UA-CDR

29 January 2006

MEMORANDUM FOR Commander, Multi-National Division - Baghdad, Camp Liberty, APO
AE 09352

SUBJECT: Recommendations – AR 15-6 Investigation Re: EOF-8-10 (Death of 2 LN) - 11 Jan

(b)(5)

3. My POC for this action is MAJ (b)(3)(b)(6), (b)(2)High

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

COL, IN
Commanding

CENTCOM 007536

MEMORANDUM FOR Commander, 4th Brigade Combat Team, 4th Infantry Division
(Mechanized), FOB Prosperity, APO AE 09348

SUBJECT: Legal Review – AR 15-6 Investigation Re: EOF – 8-10 (Death of 2 LN) – 11 Jan 06

1. I have reviewed the above described investigation and find it legally sufficient. The proceedings comply with legal requirements, sufficient evidence supports the findings, and the recommendations are consistent with the findings.

(b)(5)

b. During this escalation of force, two soldiers fired a total of 91 rounds. I agree with the IO and battalion commander's recommendations.

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

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

4. Please contact me or CPT (b)(3)(b)(6) at VOIP (b)(2)High, with any questions or concerns.

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

MAJ, JA
Brigade Judge Advocate

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) Squadron Commander, 8-10 CAV
(Appointing authority)

on 11 JAN 06 *(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 FOB FALCON, BAGHDAD, IRAQ at 2330
(Place) (Time)

on 11 JAN 06 *(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 1630 on 12 JAN 06
(Time) (Date)
 and completed findings and recommendations at 2100 hrs on 26 JAN 06
(Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

		YES	NO ¹⁾	NA ²⁾
1	Inclosures <i>(para 3-15, AR 15-6)</i>			
	Are the following inclosed and numbered consecutively with Roman numerals: <i>(Attached in order listed)</i>			
	a. The letter of appointment or a summary of oral appointment data?			
	b. Copy of notice to respondent, if any? <i>(See item 9, below)</i>			
	c. Other correspondence with respondent or counsel, if any?			
	d. All other written communications to or from the appointing authority?			
	e. Privacy Act Statements <i>(Certificate, if statement provided orally)?</i>			
	f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered <i>(e.g., absence of material witnesses)?</i>			
	g. Information as to sessions of a formal board not included on page 1 of this report?			
	h. Any other significant papers <i>(other than evidence)</i> 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 the investigation or board.

CENTCOM 007538

		YES	NO ^{1/}	NA ^{2/}
2	Exhibits (para 3-16, AR 15-6)			
	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)?			

(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.

GENTCOM 007539

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.)

(Recorder)	(b)(3)(b)(6)	CPT g Officer) (President)
(Member)	(Member)	(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)
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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.)

I agree with the Investigating Officer's findings that the patrol used proper escalation of force measures because they believed that the approaching yellow van was very possibly a V-ADIED and therefore, through its actions, displayed hostile intent. The patrol had used proper stand-off materials (b)(2)High while stopped to control traffic. They also had the appropriate signaling devices like (b)(2)High but the yellow van approached them were preparing to leave

the patrol (b)(2)High

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

(b)(2)High, (b)(5)	(b)(3)(b)(6) LTL, AL, Commanding, 57000
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CENTCOM 007541

Exhibits for 15-6 Investigation

A: PATROL DEBRIEF

B: DA FORM 2823, SWORN STATEMENT:

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

C: DA FORM 2823, SWORN STATEMENT:

D: DA FORM 2823, SWORN STATEMENT II:

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

E: DA FORM 2823, SWORN STATEMENT:

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

F: DA FORM 2823, SWORN STATEMENT II:

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

G: DA FORM 2823, SWORN STATEMENT:

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

H: DA FORM 2823, SWORN STATEMENT II:

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

I: DA FORM 2823, SWORN STATEMENT III:

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

J: DA FORM 2823, SWORN STATEMENT:

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

K: DA FORM 2823, SWORN STATEMENT:

L: DA FORM 2823, SWORN STATEMENT II:

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

M: Hand drawn sketch

N: Story board

O: DD 2823 ,

P: DD 2823 ,

Q: DD 2823 ,

R: DD 2823

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



DEPARTMENT OF THE ARMY

8th SQUADRON, 10th (US) CAVALRY
4th INFANTRY DIVISION
CAMP FALCON, BAGHDAD, IRAQ
APO AE 09364

REPLY TO ATTENTION OF:

SUBJECT: Patrol Debrief

Squadron Patrol #011103

Date: 20060111

SP: 0800

RP: 2330

Platoon/Section: 2nd PLT (2A)

SL/PL: SFC (b)(3)(b)(6)

Type of Patrol: dismounted/mounted

Zones: (b)(2)High

Mahalla:

Vehicles: (b)(2)High(3)

Troop/Company: Dco 2-506th

Electronic Countermeasures Used (b)(2)High

Patrol Personnel:

Table with 5 columns: Name, Rank, Battle Roster #, MOS, Vehicle/Type. Contains 13 rows of personnel data, including ranks like SFC, SPC, PFC, SSG and MOS codes like 11B, 91W.

1. PATROL TASK: (b)(2)High

2. PATROL PURPOSE: Clear MSR/ASRs in sector for unhindered movement, gain knowledge of D 2-506 sector

3. PATROL SUMMARY: Took (b)(2)High north to (b)(2)High when (b)(6) called with grid (b)(2)High that had an Opel with 3 PAXs emplacing an IED at (b)(2)High; jumped the median and travel south on (b)(2)High to (b)(2)High (b)(2)High took (b)(2)High to (b)(2)High; went south west to (b)(2)High to (b)(2)High then south to (b)(2)High (b)(2)High reduced speed to 5 mph and moved in 50 ft increments scanning for IED; did not make contact with any IP; (b)(6) identified his TCP at (b)(2)High to my SW and stated that vehicles were between our positions; continued clearance pushing vehicles into the TCP; cleared for (b)(2)High then turned patrol back to (b)(2)High (b)(2)High about 10 vehicles were stopped at (b)(2)High that came in behind- none were Onels; called (b)(6) with (b)(2)High (b)(2)High cleared and received clearance to continue mission; planned to take (b)(2)High to recon the CSH; at the traffic circle vic (b)(2)High the interpreter (b)(6) identified a large white grain sack on the inside median as being abnormal; I positioned my vehicle (b)(2)High to the NE, SGT (b)(3)(b)(6) (b)(2)High to the SW, and SSG (b)(3)(b)(6) vehicle to the south and gave to order to put out cones and chemlights; tried to get a better vantage point and

Exhibit A

view with binos the suspect sack; the interpreter was able to get a man who lived on the SW corner of the traffic circle to identify the sack as a trash pick-up point and who agreed to move the bag. I had left a lane to the north of the traffic circle open to traffic. At that time I gave the order to (b)(2)High and get ready to move. Had trouble raising SSG (b)(3)(b)(6) on his (b)(2)High so I moved to his vehicle and relayed the guidance then ran to SGT (b)(3)(b)(6) vehicle to make sure (b)(2)High I then ran to my vehicle. A vehicle moving east to west in the north lane turned south slow and pushed up on SGT (b)(3)(b)(6)s (2)Hi SGT (b)(3)(b)(6) moved to the car a physically pushed him back north then west. At this time a shot followed by increased volume of fire came from (b)(2)High position oriented to the west. I ducked down and looked but (b)(2)High masked my line of sight. Almost immediately shooting started approximately (b)(2)High to the north of the traffic circle. I called (b)(6) stating we had contact to the east(I was mistaken it was at a (b)(2)High from my position). My position did not receive impacts so I ran to (b)(2)High to see if they had. No position received impacts but I received a report from SGT (b)(3)(b)(6) that SPC (b)(3)(b)(6) and SPC (b)(3)(b)(6) had engaged a yellow Asia van that failed to stop for (b)(3)(b)(6) (b)(2)High (b)(3)(b)(6) stated the vehicle the van came around a vehicle currently stopped and failed to responds to the flashing and waving lights and when it came closer he fired a warning shot then a disabling shot then increased escalation to killing shots. SPC (b)(3)(b)(6) stated that he fired the (b)(2)High when (b)(3)(b)(6) went to the killing shot. I had the van cleared then sent DOC (b)(3)(b)(6) forward to treat; DOC said the two men were dead. I moved (b)(2)High west of behind the van and (b)(2)High I asked (b)(2)High for support because vehicles continued to push through the scene and I did not have enough vehicles to shut down the traffic circle. (b)(2)High was the first unit to re-enforce the traffic circle and expanded the cordon of the traffic circle. (b)(2)High element arrived 15 minutes later and digital photos were taken of the shooting site. (b)(3)(b)(6) said he would forward the photos to 8-10's S-2. (b)(6) let me use his digital(mine was inop) to take photos of the passenger, driver, front of van, rear of van and a shot from the vans passenger side showing (b)(2)High in the background. CPT (b)(6) of the Alamal police station took IP control and interviewed me and secured the bodies and the van. When the site was cleared I received clearance from (b)(2)High to return to the FOB and debrief. Took (b)(3)(b)(6) to (b)(2)High to (b)(2)High to Irish and back to the FOB. Round count fired from SPC (b)(3)(b)(6) was 22 and SPC (b)(3)(b)(6) fired 69 rounds. Names of deceased: (b)(6)

4. SIGNIFICANT LOCATIONS AND STATUS: (Include Iraqi address system and grid):

5. REQUIRED REPORTING: (Include the number for each):

(b)(2)High

6. SIGNIFICANT CONTACT: None

7. DETAINEES? None

8. OVERALL ZONE ASSESSMENT:

(b)(2)High

NOTE:

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

SFC, Infantry
Platoon Sergeant

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 identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION (b)(2)High	2. DATE (YYYYMMDD) 20-6 01 11	3. TIME 0830	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3)(b)(6)	6. SSN (b)(3)(b)(6)	7. GRADE/STATUS E-7	

8. ORGANIZATION OR ADDRESS
B Co 2-55C+10 Camp Falcon, Iraq

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

On 11 January 2006 at approximately 2:30 hrs heard gunfire from vehicle (b)(2)High. Almost immediately afterwards I heard gunfire about 250-300 meters to the north of the traffic circle of converging (b)(2)High and (b)(2)High. I did not feel or hear bullet impacts. I ran to (b)(2)High to find out if they had taken fire or what they had hit. A yellow Asia van was approximately (b)(2)High meters from (b)(2)High and had several bullet holes in the front of the vehicle. I had SSG (b)(3), b(6) take an element and clear the van; SSG (b)(6) reported that about 4 men were in the passenger and driver seats. I sent SFC (b)(3), b(6) in to assess but he came back and said they had no pulse and were dead from bullet wounds. I moved my vehicle (b)(2)High behind the van and set up (b)(2)High (b)(2)High further west along (b)(2)High. I contacted (b)(6) and said I could not control the traffic circle due to only having three vehicles (b)(2)High) and combined with the shooting scene. I tried to take photos but my camera was not working. (b)(6) arrived with three vehicles and expanded the perimeter. I borrowed his camera and took five photos with one showing the front passenger side of the van with the (b)(2)High in the background to document distance between the vehicles. A Bandit element showed up and also took photos of the scene. Iraqi Police showed up and took my statement and investigated the shooting. CPT (b)(3), b(6) from IP 41amal Station

10. EXHIBIT B	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

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

TAKEN AT

FOB FALLON, FIDG

DATED

300 00 11

9. STATEMENT (Continued)

had the bodies removed and the van towed. I asked six
(b)(3)(b)(6) if he had given a warning shot and he replied yes.
I asked if he give a disabling shot and he said yes. I
could not see the shooting from my position at (b)(2)High
because (b)(2)High masked my line of (b)(3)(b)(6) sight. (b)(3)(b)(6)
fired a total 22 (b)(2)High rounds from his (b)(2)High and six (b)(3)(b)(6)
fire. 69 (b)(2)High rounds from his (b)(2)High machinegun. I asked (b)(3)(b)(6)
(b)(3)(b)(6) Army and got permission to return to the FOB for
debriefing. "END of Statement" nothing follows

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF

(b)(3), b(6)

TAKEN AT

FOB FALCON, IRAQ

DATED

2006 01 11

9. STATEMENT (Continued)

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

2006 01 11
(b)(3)(b)(6)

2006 01 11
(b)(3)(b)(6)

2006 01 11
(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 _____. 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, WITHOUT UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

(Signature of Person Making Statement)

WITNESSES:

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

FOB FALCON
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 11 day of JAN, 06 at FOB FALCON

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

Oath/

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

(Typed Name of Person Administering Oath)

CO CDR

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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 identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION (b)(2)High
2. DATE (YYYYMMDD) 2006/01/11
3. TIME 0030
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 BCo 2/506 IN Camp Falcon, IRAC

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

We were currently conducting a check point. When a yellow van had swerved past a stopped car and approaching our checkpoint at speeds of (b)(2)High (b)(2)High (b)(2)High away (b)(2)High away (b)(3)(b)(6) had fired 1 warning shot. I then put down (b)(2)High and picked up my (b)(2)High and began to Disable the vehicle by aiming at the tires and Grill. The vehicle did not stop so I Fired again But that time it was at the windshield For the Kill shots when the vehicle had stopped I ceased fire and continued to pull security on the van until personel had approached the van to search it. " End Of statement"
Nothing Follows

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

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 BE INDICATED.

STATEMENT OF

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

TAKEN AT

Fob Falcon Iraq

DATED

2006/1/11

9. STATEMENT (Continued)

~~2006/1/11
(b)(3)(b)(6)~~

~~2006/1/11
(b)(3)(b)(6)~~

~~2006/1/11
(b)(3)(b)(6)~~

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF

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

TAKEN AT

Fob Falcon Iraq

DATED

2006/1/11

9. STATEMENT (Continued)

2006/1/11
(b)(3)(b)(6)

2006/1/11
(b)(3)(b)(6)

2006/1/11
(b)(3)(b)(6)

2006/1/11
(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 _____. 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:

SFC

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

B Co I-506 IN Fob Falcon Iraq

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 11 day of JAN, 06 at Fob Falcon

(Sig)

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

(th)

(Type name of person administering oath)

GO CDF
(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
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Fob Falcon
2. DATE (YYYYMMDD): 20060112
3. TIME: 1625
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

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

Q: What limited visibility signalling techniques did you or your fellow platoon members use to stop the van? What equipment did your vehicle have for limited visibility signalling?

I had used a (b)(2)High at the van as well as verbal warning. Other members of my team had (b)(2)High as well, verbal warnings were given by them also

Q: Were tracers top loaded in your magazine?

I had a (b)(2)High that had approx (b)(2)High (b)(2)High

Q: What indicators did you observe that led you to believe this vehicle was a threat? What type of threat did you think it was (i.e. Small arms fire / drive by shooting and / or VBIED)?

I observed a van swerving around another vehicle coming toward my vehicle & checkpoint at excessive speeds. I believed the vehicle was a possible VBIED.

10. EXHIBIT: [checkmark]
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.

STATEMENT OF

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

TAKEN AT

Fob Falcon

DATED

8006/1/2

9. STATEMENT (Continued)

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

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

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

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

(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 _____. 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 IN

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

WITNESSES:

 ORGANIZATION OR ADDRESS

 ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law administer oaths, this 12 day of JAN, 06 at Fob Falcon

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

(4)

(Administering Oath)

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

(Typed Name of Person Administering Oath)

CO CDR

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES

CENTCOM 007553

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 identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION (b)(2)High
2. DATE (YYYYMMDD) 2006-01-11
3. TIME 0030
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. GRADE (b)(3)(b)(6)
7. GRADE/STATUS E-5/

8. ORGANIZATION OR ADDRESS
B Co 2/506 INF Camp Falcon, Iraq

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

On 12 Jan 06 we were conducting a Patrol, consisting of three (b)(2)High I was in the second vehicle as TC my Driver was SPC (b)(3)(b)(6), my Gunner was SPC (b)(3)(b)(6), and Passenger for dismount security was PFC (b)(3)(b)(6). The lead vehicle spotted a possible IED on the right side of a Traffic Circle. The Patrol Leader, SFC (b)(3)(b)(6) decided to cordon the Traffic circle, to confirm the suspected IED. I took the second truck (b)(2)High to stop traffic coming (b)(2)High

(b)(2)High
I sent PFC (b)(3)(b)(6) to the north to continue waving traffic through from east to west, then we (b)(2)High along the traffic circle to help (b)(2)High and all the traffic movement and

10. EXHIBIT E
11. INITIALS (b)(3)(b)(6)
PAGE 1 OF 1 PAGES

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 (b)(3)(b)(6) TAKEN AT FOB Falcon Iraq DATED 20060111

9. STATEMENT (Continued)

create some stand off for us. When the suspected IED was found as just trash. The Patrol leader, told us to pickup (b)(2)High

and prepare to move. I went over to the North and helped PFC (b)(3)(b)(6) police up (b)(2)High

(b)(2)High then went back over to help (b)(3)(b)(6) pick up (b)(2)High

once finished a car was slowly approaching towards (b)(3)(b)(6) trying to head

South towards our truck. I quickly went over to support (b)(3)(b)(6) and redirect that

car, this took a min because the individual that was driving seemed to think he was

needing to go around the traffic circle. Once the car was redirected May attation was caught by SPC (b)(3)(b)(6) and SPC (b)(3)(b)(6)

SPC (b)(3)(b)(6) was yelling at a van to stop and by the time I turned around to observe

the situation SPC (b)(3)(b)(6) was shooting a warning shot. I noticed that the vehicle

didn't change course or speed. I went to

STATEMENT OF

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

TAKEN AT

FOB Falcon Inng

DATED

2006 01 11

9. STATEMENT (Continued)

the high ready and started moving towards the situations. Since the warning shot didn't change the vans path or speed SPC (b)(3)(b)(6) engaged the front of the van in the grill to disable, the vehicle didn't change course or speed and SPC (b)(3)(b)(6) moved to the final (b)(2)High (b)(3)(b)(6) and fired upon the window to stop the vehicle. Once the vehicle stopped the firing stopped and continued to pull security while we went up to search the vehicle. "End of Statement" Nothing else Follows.

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.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 11 day of JAN 06 at FOB FALCON

(Sign)

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

(Typed Name of Person Administering Oath)

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

CO CDR (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
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: FOB Falcon; 2. DATE (YYYYMMDD): 20060112; 3. TIME: 1525; 4. FILE NUMBER; 5. LAST NAME FIRST NAME MIDDLE NAME: (b)(3)(b)(6); 6. SSN: (b)(3)(b)(6); 7. GRADE/STATUS: E-5 / SGT

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

Q: What limited visibility signalling techniques did you or your fellow platoon members use to stop the van? What equipment did your vehicle have for limited visibility signalling?
The limited visibility techniques used in stopping the van were (b)(2)High My vehicle had (b)(2)High and (b)(2)High for the Gunner. We also had (b)(2)High (b)(2)High

Q: Were tracers top loaded in your magazine?
When we arrived in country the chain of Command (b)(2) High

Q: What indicators did you observe that led you to believe this vehicle was a threat? What type of threat did you think it was (i.e. Small arms fire / drive by shooting and / or VBIED)?
When the situation was decided I was dealing with another vehicle coming around the traffic circle, that was difficult to stop.

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

FOB Falcon

DATED

2006 01 12

9. STATEMENT (Continued)

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

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

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

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

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

(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 1. 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:

Subscribed and sworn to before me, a person authorized by law administer oaths, this 12 day of JAN .06 at FOB FALCON

ORGANIZATION OR ADDRESS

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

ring Oath)

(Typed Name of Person Administering Oath)

CO CDR

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF

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

STATEMENT

PAGE 2 OF 2 PAGES

CENTCOM 007550

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 8397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION (b)(2)High	2. DATE (YYYYMMDD) 2006 01 11	3. TIME 2130	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 Bco 2/506th INF Camp Falcon, Iraq			

9. I, (b)(3)(b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: On the night of 11 Jan 2006 we left Camp Falcon in a 3 vehicle patrol to conduct an IED sweep. About an hour and a half into our sweep we came upon a traffic circle and saw what appeared to be an IED. So our patrol abandoned off the area and started to control the traffic, so as no one would go near the IED. About 30 min into we had previously (b)(2)High when we heard that it was all clear and just a pile of trash. We proceeded to (b)(2)High + to get the HUMVEE ready to go while I was waiting for all the other vehicles to get ready there was a problem on our left that SGT (b)(3)(b)(6) + PFC (b)(3)(b)(6) were dealing w/ a vehicle that was confused on where to go I was on the left of our HUMVEE watching for approaching traffic to stop them. I noticed a car approx (b)(2)High cut and me + PFC (b)(3)(b)(6) (the turret gunner) started (b)(2)High signaling for him to stop. About (b)(2)High cut he stopped. Right after he had stopped a yellow van proceeded to pass him and approach our position. Me + PFC (b)(3)(b)(6) were (b)(2)High and the van showed no signs of slow up. I then raised my hand + started "awoof" to signal him to stop, yet the van still did not slow. I pointed to the left of the vehicle and fired a warning shot, and the van kept on coming. So I opened fire + was aiming at the grill for the disabling shot, yet the van was still moving so I moved my sights up + went for the kill. Once the van had come to a stop I stopped firing but was still polling security on the van not knowing what to expect. Soon after I went up to the van w/ SGT (b)(3)(b)(6), PFC (b)(3)(b)(6), + SPC (b)(3)(b)(6) (medic) to clear the vehicle + to

10. EXHIBIT 6	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 (b)(3)(b)(6) TAKEN AT FOB Falconburg DATED 11 Jun 2006

9. STATEMENT (Continued)

asses the personal in the vehicle. Once we got up to the van SPC (b)(3)(b)(6) had pronounced both civilians dead, so we looked the car over to make sure it was safe. We then pulled back to poll security + wait for the P's to come + do their investigation "End of Statement" Nothing else follows

2006 0111

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

2006 0111

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

2006 0111

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

2006 0111

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF

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

TAKEN AT

FOB Falcon Iraq

DATED

2006.01.11.

9. STATEMENT (Continued)

Nothing else follows

2006.01.11

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

2006.01.11

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

2006.01.11

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

2006.01.11

(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:

SFC

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

B Co 2-506th IN FOB FALCON, IRAQ

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this

11 day of JAN 06

at FOB FALCON

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

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

(Typed Name of Person Administering Oath)

CO CDR

(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
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: FOB Falcon; 2. DATE: 20060812; 3. TIME: 1617; 4. FILE NUMBER; 5. LAST NAME: (b)(3)(b)(6); 6. SSN: (b)(3)(b)(6); 7. GRADE/STATUS: E-4; 8. ORGANIZATION OR ADDRESS: Bco 2/506th INF Camp Falcon, Iraq

9. I, (b)(3)(b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
Q: What limited visibility signalling techniques did you or your fellow platoon members use to stop the van? What equipment did your vehicle have for limited visibility signalling?
I had (b)(2)High attached to my wpn at the time, our turret gunner had (b)(2)High Other trucks had (b)(2)High
(b)(2)High Both me and SPC (b)(3)(b)(6) were (b)(2)High rapidly in the direction of the van and I was raising my other hand signaling him to stop.

Q: Were tracers top loaded in your magazine?
(b)(2)High

Q: What indicators did you observe that led you to believe this vehicle was a threat? What type of threat did you think it was (i.e. Small arms fire / drive by shooting and / or VBIED)?
At the time we had just cleared a PIED and then seeing this van pass a vehicle that I had just signaled to stop & show no signs of stopping I was afraid that what had been the PIED was a diversion to get us to stop & that

10. EXHIBIT: H; 11. INITIALED 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.

STATEMENT OF

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

TAKEN AT

FOB Falcon

DATED 20060112

9. STATEMENT (Continued)

this was a SVBIED coming in for the actual attack since the PIED had done its job & gotten us to stop Then no more than a min later after the van had come to a stop there was a good burst of small arms fire to my 5 o'clock there about & from the distance so that just heightened my security on the van.
"End of Statement" Nothing else follows

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

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

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

(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 _____. 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 administer oaths, this 12 day of JAN, 06 at FOB FALCON

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

(S...sterring Oath)

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

(Typed Name of Person Administering Oath)

CO CDR

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES

CENTCOM 007563

USAPA V1.00

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 identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION FOB Falcon	2. DATE (YYYYMMDD) 20060113	3. TIME	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 Bco 2/506th INF FOB Falcon, Iraq			

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

Q: How far was B23 from the first stopped vehicle that the yellow van bypassed moving towards your direction?
the first vehicle that me and SPC (b)(3)(b)(6) had stopped was between (b)(2)High down the road.

Q: How far was the yellow van when the warning shot was fired?
When I fired my warning shot he was around (b)(2)High away from us. "End of Statement" Nothing else follows"

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

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

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

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

10. EXHIBIT I	11. INITIALS OF PERSON MAKING STATEMENT (b)(3)(b)(6)	PAGE 1 OF 2 PAGES
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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 FOP Falcon DATED 20060113

9. STATEMENT (Continued)

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

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

(b)(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 _____. 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 13 day of JAN, 06 at FOP FALCON

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

CO CDR

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 /SSN/.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION	2. DATE (YYYYMMDD) 20060112	3. TIME 0830	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3)(b)(6)	6. SSN (b)(3)(b)(6)	7. GRADE/STATUS E-6	

8. ORGANIZATION OR ADDRESS
Bco 2-506 WIF

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

At 1730 SFC (b)(3)(b)(6), PFC (b)(3)(b)(6), PFC (b)(3)(b)(6) and myself conducted a (b)(2)High prior to our 2000 op time. At 1930 SFC (b)(3)(b)(6) our Patrol leader gave us our Mission Plan on what was to happen if we come under small arms contact, IED, VBIED, escalation of Force, ROE and Routes. We SP at 2001 out of FOB Falcon, heading North on (b)(2)High we hit (b)(2)High, continued to (b)(2)High, once there we received message that (b)(6) wants us at (b)(2)High do to possible IED placement. We then turned around and headed South on (b)(2)High, turned right @ (b)(2)High onto (b)(2)High, came to (b)(2)High, continued straight on (b)(2)High to (b)(2)High, turned left on (b)(2)High onto (b)(2)High to (b)(2)High continued south on (b)(2)High to (b)(2)High and still continued south to (b)(2)High, once at (b)(2)High we conducted an IED sweep. once IED sweep was cleared we continued on with our patrol. Our Route was North on (b)(2)High back to (b)(2)High continued north to an Intersection MB where we saw a suspicious white bag on the left side of the north bound traffic side, our patrol stopped and tried

10. EXHIBIT I	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 (b)(3)(b)(6) TAKEN AT FoB Falcon ^{Area} DATED 20060112

9. STATEMENT (Continued)

to get a better vantage point of the BAG. SFC (b)(3)(b)(6) called Down to let us know to lock Down the roads, it might be a possible IED. SFC (b)(3)(b)(6) PFC (b)(3)(b)(6) PFC (b)(3)(b)(6) and myself in vehicle 24 were the southern most car-don at (b)(2) High we (b)(2)High (b)(2)High we were there Approx. 15-20 min SFC (b)(3)(b)(6) Told us to (b)(2)High

Apparently it was someones trash bag which a pedestrian moved out of the way. Once my vehicle was ready to move and I gave SFC (b)(3)(b)(6) my status I heard gun fire to my 10 o'clock at the same time I heard AK-47 rounds being fired as well, but it was more to my one o'clock. I did not observe anything that happened just heard. Two other patrols came to our location and helped with locking Down the intersection. They arrived at (b)(2)High, The Iraqi Police showed up at (b)(2)High, and took everything away. We exited from (b)(2)High AT (b)(2)High and headed back to FoB Falcon.

our route back was south on (b)(2)High, SE on (b)(2)High to (b)(2)High continued to (b)(2)High on (b)(2)High. made right at (b)(2)High on (b)(2)High (3)(b) and hit (b)(2)High; continued East on (b)(2)High to (b)(2)High turned right on (b)(2)High and continued south on (b)(2)High hit (b)(2)High and entered FoB Falcon AT 0621. - END OF STATEMENT

INITIALS OF PERSON MAKING STATEMENT

(b)(3), b(6)

PAGE 2 OF 3 PAGES

STATEMENT OF

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

TAKEN AT FOI B FALCON, IRAQ

DATED 20060112

9. STATEMENT (Continued)

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

2006 0112

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

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

(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)

Person Making Statement)

WITNESSES:

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

BSA - Sec 14 FOI B Falcon Iraq

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12 day of JAN, 06 at FOI B Falcon

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

Administering Oath)

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

(Typed Name of Person Administering Oath)

GO CPR

(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 identified.

ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION (b)(2)High	2. DATE (YYYYMMDD) 2006-01-11	3. TIME 0630	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	
6. ORGANIZATION OR ADDRESS Dec 2/506 INF Camp Falcon Iraq			

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

On the night of Jan. 11, 2006, I was maintaining security on the sector assigned to me, and did not see the actions taken by Spc. (b)(3)(b)(6) and Spc. (b)(3)(b)(6) but heard verbal warnings being shouted. At this time I am assisting a confused Iraqi citizen around are Snap TCA I then heard a shot followed by a shot followed by a large volume of shots. I then locked my sector down not letting traffic thru. "End of statement"

Nothing else follows

(The following section contains a large handwritten 'X' over a grid of dates and redacted names.)

2006-01-11 (b)(3)(b)(6)

2006-01-11 (b)(3)(b)(6)

2006-01-11 (b)(3)(b)(6)

2006-01-11 (b)(3)(b)(6)

10. EXHIBIT K	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 BE INDICATED.

STATEMENT OF (b)(3)(b)(6) TAKEN AT Camp Falcon, Iraq DATED 2006-01-11

9. STATEMENT (Continued)

2006-01-11

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

2006-01-11

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

2006-01-11

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

2006-01-11

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

INITIALS OF PERSON MAKING STATEMENT (b)(3)(b)(6) PAGE 2 OF 3 PAGES

STATEMENT OF

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

TAKEN AT

Camp Falcon Iraq

DATED

2006-01-11

9. STATEMENT (Continued)

2006-01-11
 (b)(3)(b)(6)

2006-01-11
 (b)(3)(b)(6)

2006-01-11
 (b)(3)(b)(6)

2006-01-11
 (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 1. 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)

B Co 2-506 HV FOB Falcon, IRAQ

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of JAN, 06 at FOB FALCON

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

(Signature)

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

(Typed Name of Person Administering Oath)

CO CDR

(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
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION FoB Falcon	2. DATE (YYYYMMDD) 2006 01 12	3. TIME 1540	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 / PFC	
8. ORGANIZATION OR ADDRESS			

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

Q: What limited visibility signalling techniques did you or your fellow platoon members use to stop the van? What equipment did your vehicle have for limited visibility signalling? I had tac light that I used to signal vehicles. One gunner had a maglite that he was using to signal vehicles. We also had chem lites, and a spot light.

Q: Were tracers top loaded in your magazine?

(b)(2)High

Q: What indicators did you observe that led you to believe this vehicle was a threat? What type of threat did you think it was (i.e. Small arms fire / drive by shooting and / or VBIED)? I did not see the vehicle till I was called up to help search and secure the vehicle. But noticed that it was close to are humvee closer then it should have been. And that lead me to believe it was a possible VBIED.

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

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 _____. 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 administer oaths, this 12 day of JAN, 06 at FoB FALCON

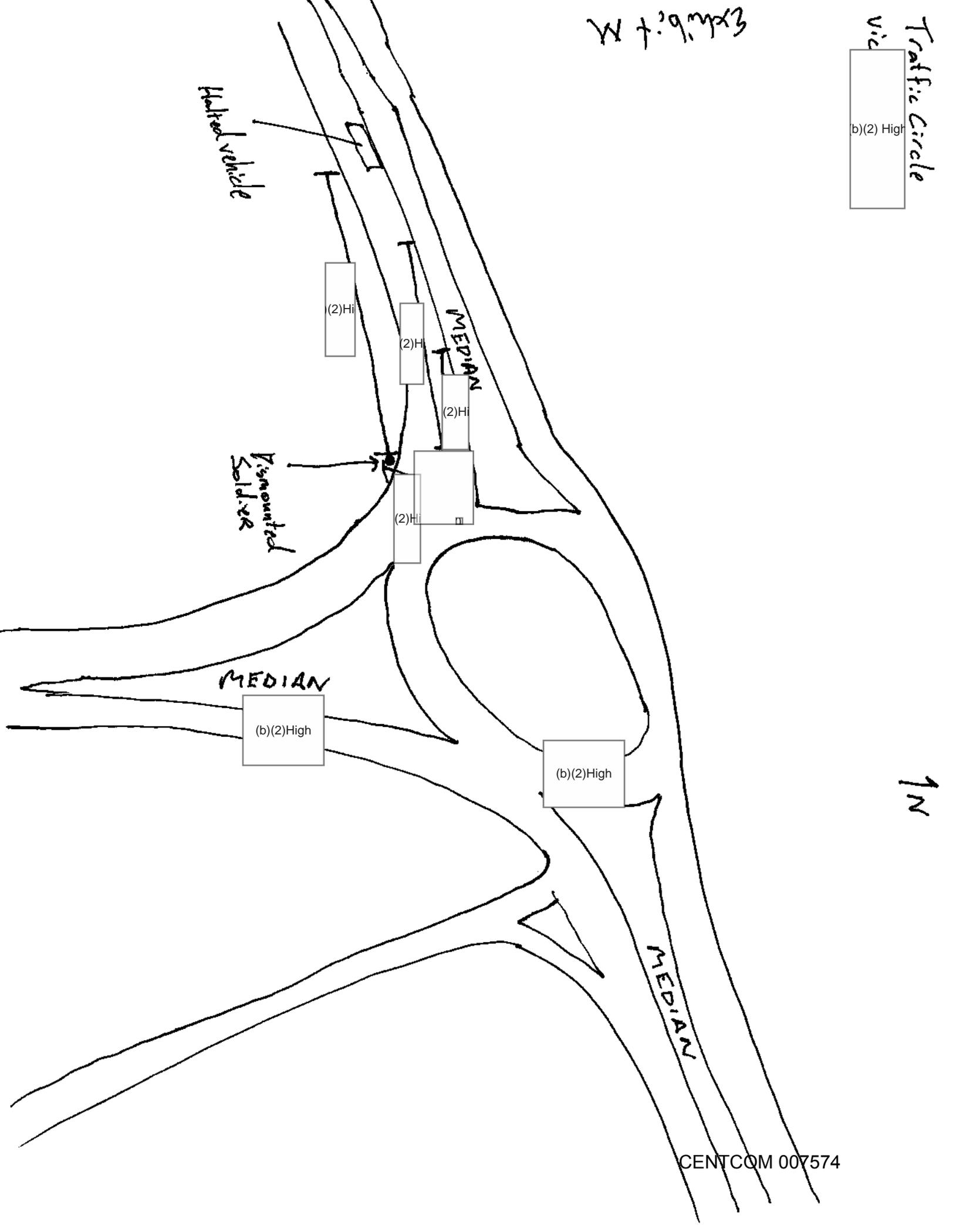
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(b)(3)(b)(6)
(Administering Oath)
(b)(3)(b)(6)
(Typed Name of Person Administering Oath)
CO CDR
(Authority To Administer Oaths)

Traffic Circle
vic [redacted]
b(2) High

Exhibit M



Pages 40 through 41 redacted for the following reasons:

(b)(2)High

(b)(2)High

(b)(2)High

2 [redacted] establishes
cordons and moves traffic on
[redacted] to one lane.
(2)H
After establishing cordons,
interpreter goes to home of
LN to inquire about the bag
of trash. LN acknowledges it
is his bag of trash and clears
it out of the median

(b)(2)High

(b)(2)High

(b)(2)High

Home of LN
whom trash bag
belonged to.

(b)(2)High

(b)(2)High

(b)(2)High

4. SPC [redacted] and SPC [redacted] approach. LN vehicle approaches but stops once CF point TAC lights at vehicle

(3)(b)

(3)(b)

(b)(2)High

(b)(2)High

(b)(2)High

(b)(2)High

(b)(2)High

(3)(b)

SPC

(b)(2)High

(3)(b)

SPC

(b)(2)High

LN vehicle approaching CF. Stops once TAC lights are shown.

(b)(2)High

(b)(2)High

(b)(2)High

(b)(2)High

(b)(2)High

(b)(2)High

(b)(2)High

5. LN van approaches from behind stopped vehicle, continues to move towards CF at a decent rate of speed.

(b)(2)High

(b)(2)High

(b)(2)High

LN van maneuvers around stopped vehicle, continues moving at

(b)(2)High

(b)(2)High

(b)(2)High

(b)(2)High

(b)(2)High

(b)(2)High

8. LN van finally stops approximately (b)(2)High away, both driver and passenger are killed. Vehicle occupants were 2 males in their mid (b)(6)

(b)(2)High

(b)(2)High

(b)(2)High

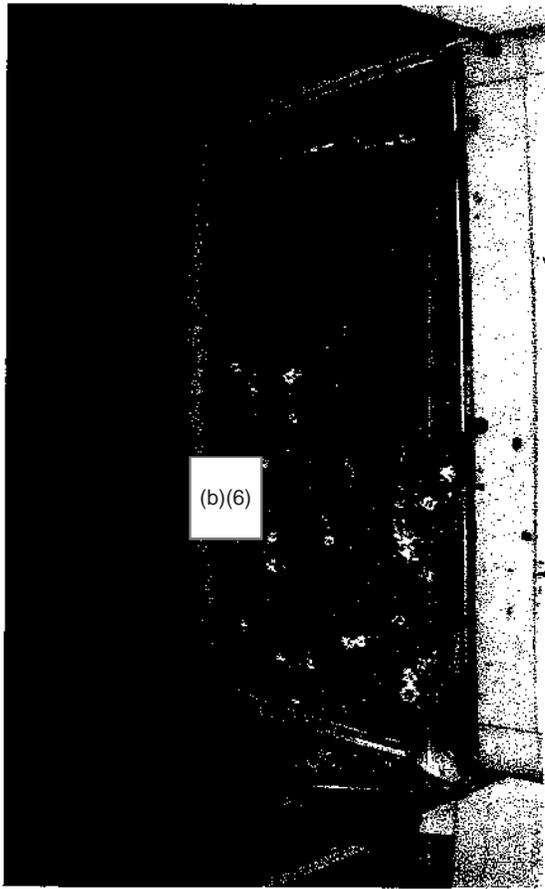
LN van stops. 2 LN killed, 2 males, mid (b)(6)

(b)(2)High

(b)(2)High

(b)(2)High

(b)(2)High

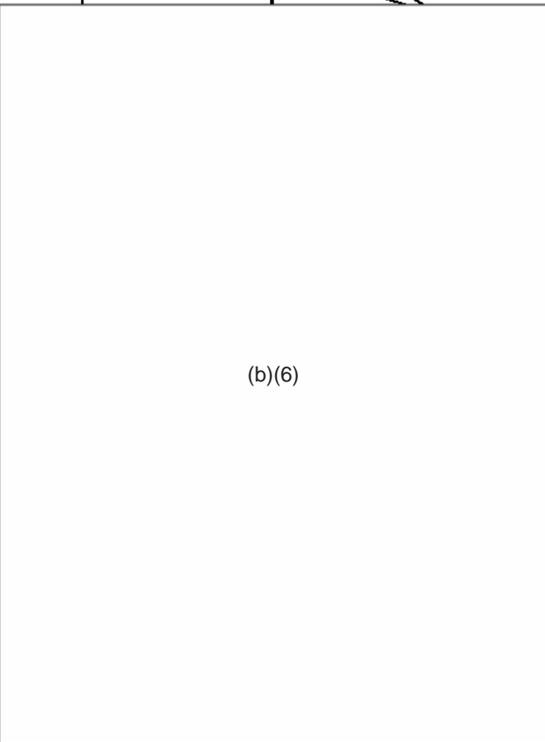


(b)(6)

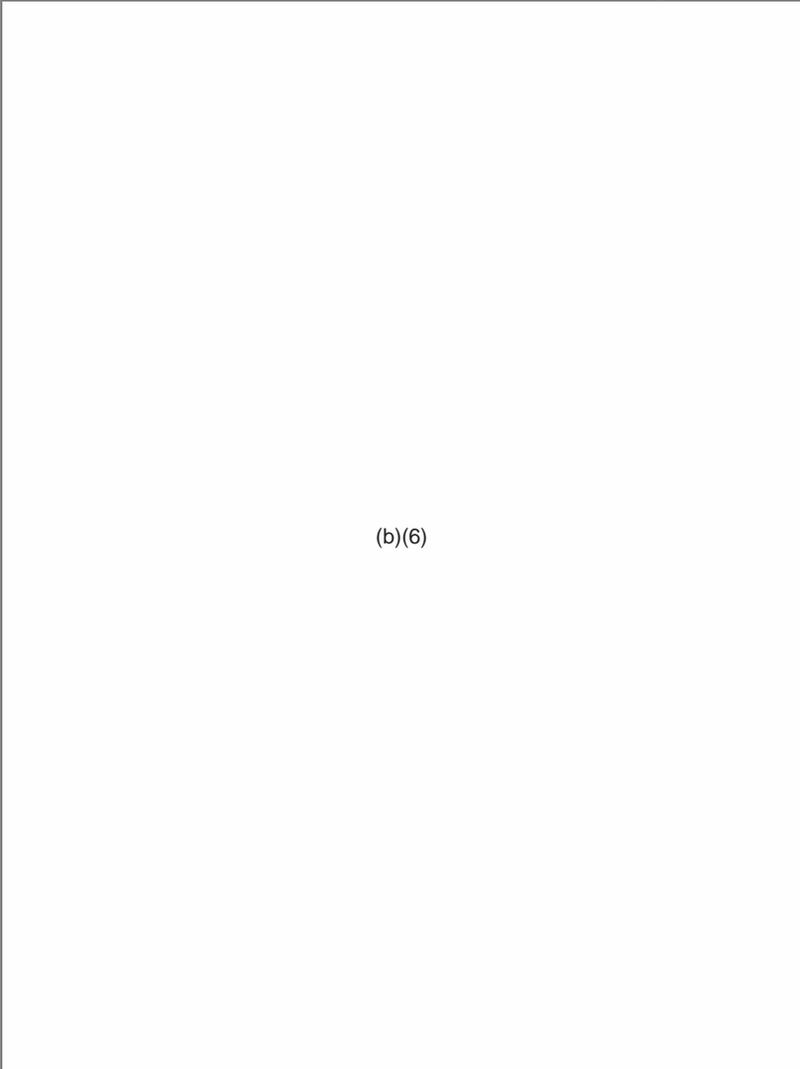
Windshield of van

Front grille of van

Driver and passenger seat of van



(b)(6)



(b)(6)

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 identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION FOB FALCON, IRAQ	2. DATE (MM/DD/YY) 2006 21 24	3. TIME 1436	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(3)(b)(6)	6. SSN (b)(3)(b)(6)	7. GRADE/STATUS E-7	
8. ORGANIZATION OR ADDRESS Bco 2-526 IN 101 ST ABN DEPT (AAFLT)			

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

Q: What weapons did your patrol have mounted on each vehicle?

(b)(2)High	had	(b)(2)High	machinegun
(b)(2)High	had	(b)(2)High	machinegun.
(b)(2)High	had	(b)(2)High	machinegun.

Q: What type and quantity of spot lights did each vehicle have with it? Did any vehicle have a mounted spot light?

To my knowledge I cannot remember having (b)(2)High
 (b)(2)High at that time. (b)(2)High came weeks
 later when the Army was able to provide them.

10. EXHIBIT 0	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 BE INDICATED.

STATEMENT OF (b)(3)(b)(6) TAKEN AT FOB FALCON DATED 2006 01 24

9. STATEMENT (Continued)

Q: Did your patrol have a predetermined signal for when to switch from disabling fire to killing fire? Does your platoon have an SOP for signaling when to escalate from disabling fire to killing fire? If yes, what signals and SOPs were in effect during your patrol on 11 JAN 06? No,

(b)(2)High

(b)(2)High

(b)(2)High

the Army could not provide what we had.

(b)(2)High

At the time so we used

Q: Which avenue of approach did you determine to be the most dangerous when positioning your vehicles in blocking positions around the traffic circle? Why was it the most dangerous? Which vehicle did you position to block that avenue of approach?

All avenues were a threat, but due to the amount of traffic coming from the northeast to southwest and the suspected white grain bag I positioned (b)(2)High with the PA system and interpreter at the (b)(3)(b)(6) the north east entrance.
"End of Statement"

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

9. STATEMENT (Continued)

[This section is crossed out with a large X. It contains four instances of the date "2006 01 24" and four redaction 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 FOR NO GAIN, PROFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

(b)(3)(b)(6)
(Signature on Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24 day of JAN, 06 at FOB FALLON

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(b)(3)(b)(6)
(Signature Administering Oath)
(b)(3)(b)(6)
(Typed Name of Person Administering Oath)
CO CDR
(Authority To Administer Oaths)

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 identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION I-08 Falcon	2. DATE (YYYYMMDD) 20060124	3. TIME 1416	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(3)(b)(6)	6. SSN (b)(3)(b)(6)	7. GRADE/STATUS E5 / Team Leader	
8. ORGANIZATION OR ADDRESS B Co 2/506			

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

Q: According to Exhibit E, your Sworn Statement from 11 JAN 06, you "noticed that the vehicle didn't change course or speed" after SPC **(b)(3)(b)(6)** fired a warning shot. Did you tell SPC **(b)(3)(b)(6)** to engage the yellow van with his **(b)(2)High**? Did you tell SPC **(b)(3)(b)(6)** to disable the yellow van? Did you tell SPC Bannon to kill the occupants of the yellow van?

No, I had just turned around from dealing with the civilians with **(b)(3)(b)(6) at our other avenue of approach**

Q: Did you patrol have a predetermined signal for when to switch from disabling fire to killing fire? Does your platoon have an SOP for signaling when to escalate from disabling fire to killing fire? If yes, what signals and SOPs were in effect during your patrol on 11 JAN 06?

If the possible VOIED does not stop or slow when

(b)(2)High

Q: Did you signal the yellow van to stop? If yes, what signaling technique did you use?

No I was dealing with another situation

10. EXHIBIT P	11. INITIALS OF PERSON MAKING STATEMENT (b)(3)(b)(6)	PAGE 1 OF 1 PAGES
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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 FOB Falcon DATED 2006.01.24

9. STATEMENT (Continued)

Q: Did your vehicle, (b)(2)High have a mounted spot light? Did (2)Hi have a PA system? Did you have a megaphone with you?

At the time we were not provided with these supplies

Q: Where was the interpreter located while the yellow van was approaching your position?

He was in (b)(2)High with the Patrol Leader

Q: Did you have any larger caliber weapons on your vehicle than the M249?

No

~~20060124~~

~~20060124~~

~~20060124~~

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES

CENTCOM 007587

STATEMENT OF (b)(3)(b)(6) TAKEN AT FOB Falcon DATED 20060124

9. STATEMENT (Continued)

20060124
20060124
20060124
20060124

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, UNL

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

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

administer oaths, this 24 day of JAN, 06 at FOB FALCON

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

(Typed Name of Person Administering Oath)
C.O. CDR
(Authority To Administer Oaths)

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

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 identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: FOB Falcon
2. DATE (YYYYMMDD): 20060124
3. TIME: 1412
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: Bco 2/506th INF FOB Falcon, Iraq

9. I, (b)(3)(b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
Q: Did your patrol have a predetermined signal for when to switch from disabling fire to killing fire? Does your platoon have an SOP for signaling when to escalate from disabling fire to killing fire? If yes, what signals and SOPs were in effect during your patrol on 11 JAN 06?

(b)(2)High

Q: Did SGT (b)(3)(b)(6) tell you to engage the yellow van? Did you ask SPC Bannon to help you stop the yellow van? Did you ask anyone else to help you stop the yellow van? If yes, who and what help did you ask for?

SGT (b)(3)(b)(6) gave me no orders, he was over dealing w/ the other vehicle at the time. I didnt have to ask (b)(3)(b)(6) to help me, we were both trying to signal the van to stop. I asked no one for help, after firing the warning shot I knew what to do + knew someone else if they could would help, (b)(3)(b)(6) was trying to help me stop it so I knew he would help me.

Q: Did you and SPC (b)(3)(b)(6) coordinate your fires in stopping the yellow van? If yes, what methods did you use?

Me + SPC (b)(3)(b)(6) did not coordinate our fires. (b)(2)High

10. EXHIBIT: Q
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 _____
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STATEMENT OF (b)(3)(b)(6) TAKEN AT FOB Falcon DATED 24 Jan 2006

9. STATEMENT (Continued)

Q: How many of the rounds that you fired were warning shots? How many rounds were disabling shots? How many rounds were killing shots? Where did you aim your weapon during each stage of the escalation of force?

I fired (b)(2)High warning shot to the left (b)(2)High I then fired about (b)(2)High (b)(2)High at the time I wasn't counting rds but I know after the fact how many rds I fired.

Q: Did you have a PA system or a megaphone on your vehicle? If yes, did you use either one to signal the yellow van verbally?

At the time we had no such equipment on our vehicle, we only had the (b)(2)High that SPC (b)(3)(b)(6) was using.

Q: Did you have any larger caliber weapon on your vehicle other than the (b)(2)High?

No we did not.

Q: Where was the interpreter located while the yellow van was approaching your position?

He was with one of the other trucks, I do not know he wasn't in our truck. "End of Statement" Nothing Else Follows

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

INITIALS OF PERSON MAKING STATEMENT (b)(3)(b)(6) PAGE 2 OF 3 PAGES

STATEMENT OF (b)(3)(b)(6) TAKEN AT FOB Falcon DATED 24 Jun 06

9. STATEMENT (Continued)

[The main body of the statement is crossed out with a large handwritten '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 INFLUENCE, OR UNLAWFUL INFLUENCE.

(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 24 day of JAN, 06 at FOB FALCON

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(b)(3)(b)(6)
(Administering Oath)
(b)(3)(b)(6)
(Typed Name of Person Administering Oath)
GO CDR
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Fob Falcon
2. DATE (YYYYMMDD): 20060124
3. TIME
4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME: (b)(3), b(6)
6. SSN
7. GRADE/STATUS: E-4
8. ORGANIZATION OR ADDRESS: Bric 7/500 IN

9. I, (b)(3)(b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
Q: Did your patrol have a predetermined signal for when to switch from disabling fire to killing fire? Does your platoon have an SOP for signaling when to escalate from disabling fire to killing fire? If yes, what signals and SOPs were in effect during your patrol on 11 JAN 06?
Yes (b)(2)High
(b)(2)High
(b)(2)High
(b)(2)High

Q: Did SGT (b)(3)(b)(6) tell you to engage the yellow van? Did SPC (b)(3)(b)(6) ask you for help in stopping the yellow van?
No SGT (b)(3)(b)(6) was busy with another vehicle at the time No SPC (b)(3)(b)(6) did not ask for help but I made the call to engage after the fire and to use after the warning shot was fired by (b)(3)(b)(6)

Q: Did you and SPC (b)(3)(b)(6) coordinate your fires in stopping the yellow van? If yes, what methods did you use?
Not really we pretty much went through the execution of force together. (b)(6)

10. EXHIBIT: R
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 BE INDICATED.

STATEMENT OF

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

TAKEN AT

Feb Falcon

DATED

2006 01 24

9. STATEMENT (Continued)

Q: How many of the rounds that you fired were warning shots? How many rounds were disabling shots? How many rounds were killing shots? Where did you aim your weapon during each stage of the escalation of force?

I did not fire any warning shots it was SPC (b)(3)(b)(6) who fired the warning shot. Then I fired roughly (b)(2)High rounds aiming at the tires and grill doing roughly (b)(2)High then I paused and noticed the van was not stopping then I fired the kill shots roughly 29 into the windshield.

Q: Did you have a PA system or a megaphone on your vehicle? If yes, did you use either one to signal the yellow van verbally?

No we did not Not to my knowledge

Q: Did you have any larger caliber weapon on your vehicle other than the (b)(2)High?

No

Q: Where was the interpreter located while the yellow van was approaching your position?

I believe he was in a different vehicle

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

CENTCOM 007593 USAPA V1.00

STATEMENT OF

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

TAKEN AT

Fob Falcon DATED 2006 0124

9. STATEMENT (Continued)

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

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

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

(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 _____. 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 INF

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24 day of JAN, 06 at Fob Falcon

ORGANIZATION OR ADDRESS

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

(b)(3)(b)(6)
(Administering Oath)

ORGANIZATION OR ADDRESS

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

GO CDR
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

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