

EXECUTIVE SUMMARY

WHO: C/2-8 CAV, 1/1 CD

WHAT: Noncombatant killed in combat operations

WHEN: o/a 25 2300 Sep 07

WHERE: (b)(2)High (VIC (b)(2)High)

CONDOL : \$5,000 paid to family members on 29 Sep 07

1. Summary of Events.

On 25 Sep 07, a patrol of three (b)(2)High of (b)(2)High started Camp Taji to establish a (b)(2)High on (b)(2)High, which (b)(2)High route with a significant I (b)(2)High platoon had operated on (b)(2)High for two weeks and was familiar with the surrounding terrain. Before the mission, the platoon sergeant briefed (b)(2)High (b)(2)High

At approxi 2300, SPC (b)(3),(b)(6) one of the (b)(2)High gunners, noticed a man south of (b)(2)High approximately (b)(2)High from the (b)(2)High. The man was low crawling and conducting 3-5 second rushes near a canal that runs (b)(2)High, behavior consistent with command-wire IED emplacement. SPC (b)(3),(b)(6) notified his TC, SGT (b)(3),(b)(6), who in turn notified SSG (b)(3),(b)(6), another TC. SSG (b)(3),(b)(6) confirmed the observations of SGT (b)(3),(b)(6) and SPC (b)(3),(b)(6). The patrol received permission from the company CP to engage.

SGT (b)(3),(b)(6) fired from the TC's position with a short burst of (b)(2)High. SGT (b)(3),(b)(6) continued to engage the man until he lost PID near an east-west canal approxi (b)(2)High width of (b)(2)High. Although SGT (b)(3),(b)(6) fired nearly 250 rounds during the engagement, a (b)(2)High search conducted immediately afterwards did not find the target.

Nearly one hour later, local residents informed the 2-8 CAV TOC via telephone that two civilians had been injured during the engagement: a pregnant woman had been shot the neck, abdomen, and chest, and her husband had been shot in the leg. At the time of the engagement, the woman was sleeping outside in a heavily vegetated area, which obscured her from SGT (b)(3),(b)(6) line of sight. The wounded civilians were evacuated to the 28th CSH, where the woman and her u (b)(2)High child died. CPT (b)(3),(b)(6), C/2-8 CAV Commander, made a \$5,500 CERP condolence payment to the husband on 29 Sep 07.

2. Findings (summarized). SGT (b)(3),(b)(6) kept PID throughout the engagement, and the man's actions prior to the engagement clearly amounted to either a hostile act or a demonstration of hostile intent. SGT (b)(3),(b)(6) used a proportional amount of force in response to the threat, and he took all necessary precautions to minimize collateral damage. The platoon had a situational understanding of the surrounding villages and the area. SGT (b)(3),(b)(6) cleared his gun target line of non-combatants and did not directly engage any buildings that were visible through his thermal sights.

3. Recommendations.

(b)(5)

b. BCT and Bn Cdrs concurred with the IO's findings and recommendations.