

Pages 1 through 2 redacted for the following reasons:

Previously Released

(b)(3)(b)(6) passenger stated, "We weren't doing anything stupid." He also stated that they were driving down the road normally when they hit a bump in the road. After hitting the bump in the road, he stated that the vehicle began to slide uncontrollably. The passenger stated that he remembers sliding across the road. He said that there was an impact. He then stated that the next thing he knew they were stopped. The passenger stated that he reached over the driver and turned off the vehicle. He then stated there people began arriving on the scene and he got out of the vehicle. That was the end of the statement that I received from the passenger of the LMTV.

At this time I gathered all my gear that I brought and all information that I could and proceeded back to ECP 5. I gave all information to the NCOIC who then relayed the information to ADOC (b)(3)(b)(6)

Q: (b)(3)(b)(6)

A: SPC (b)(3)(b)(6)

Q: Did you type the above statement?

A: Yes I did.

Q: What is an ECP, and where is ECP 5 located at?

A: An Entry Control Point, and it's located at the North end of the airport runway.

Q: What time was it when you were notified of the accident?

A: I don't recall the exact time. I departed the scene around 1800.

Q: Do you recall what time you checked the vitals of the crane driver?

A: I don't know the exact time, but SPC (b)(3)(b)(6) may have called in our arrival time to the ADOC, as he was serving as my RTO.

Q: What is the ADOC, and what is your RTO?

A: My RTO would be the person working the radios for my vehicle at the time, and the ADOC is the command for the 2nd Infantry Battalion.

Q: When you approached the LMTV, was the driver wearing his seatbelt or his Kevlar Helmet at that time?

A: he was not wearing his Kevlar at that time, and I did not notice his seatbelt.

Q: When you approached the passenger, why did he tell you they weren't doing anything stupid?

A: Because I asked him what happened.

Q: What is the name of the passenger of the LMTV?

A: I turned the information in already so I don't have the name with me.

Q: Did the passenger relate to you how fast they were traveling at the time of the accident?

A: He didn't state specifically. His only response was they didn't do anything stupid and they were driving normally.

Q: Did the passenger say if he and the driver were wearing their seatbelts at the time of the accident?

A: He stated they were.

Q: Did you speak with the driver of the LMTV at any time after the accident?

A: No I didn't.

Q: Did you speak with the passenger of the crane vehicle after the accident?

A: I didn't realize there was a passenger of the crane.

Q: Did you speak with any witnesses to the accident?

A: No I didn't.

Q: Do you have anything you would like to add to your statement?

A: No.///END OF STATEMENT/// (b)(3)(b)(6)

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

Pages 4 through 5 redacted for the following reasons:

Already Reviewed and Redacted for Release
Previously Released

THIS PAGE NOT USED: (b)(3)(b)(6)

AFFIDAVIT

I, SPC (b)(3)(b)(6), HAVE READ OR 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 OR 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)

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

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 30 day of JULY, 2005 at Camp Victory, Iraq APO AE 09342.

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

ORGANIZATION OR ADDRESS

(Person Administering Oath)

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

SPECIAL AGENT

(Typed Name of Person Administering Oath)

Article 136 (b)(4), UCMJ

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

Pages 7 through 8 redacted for the following reasons:

Previously Released

SWORN STATEMENT

File Number : 0185-2005-C10259-36306
 Location : 48th MP Det (CID) (FWD), Camp Victory, Baghdad, IZ
 Date : 31 Jul 05
 Time : 17:29
 Statement of : _____ (b)(3)(b)(6)
 Grade/Status : SAC/E-4 National Guard
 SSN : _____ (b)(3)(b)(6)
 Org/Address : HHC, 612th EN BN, Pad 8, Camp Liberty, Baghdad, IZ

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

I woke up around 07:45 am did some personal Hygiene then went to work around 08:00 am. took Breaks periodically about 2 or 3 until we were done at 12:00. Went ate chow, came back to my room then started to play video games, when SSgt (b)(3)(b)(6) knocked on my door and said there's 10 people to be picked up at blap and SPC (b)(3)(b)(6) is going with you. Myself and (b)(3)(b)(6) left the motor pool with the Lintu around 15:15 give or take. Basically all was good cross midland gate and went down that road. The Road begins to curve to the left as I notice in the distance oncoming traffic is approaching. I check my speedometer slightly below 30 mph at the time I'm taking the curve and check my passenger side mirror to see how much further I can get to the edge of the road because I don't know what exactly is ahead of me but I can tell it's large. Got to understand that just like any driver I'm doing this like it's second nature doesn't take long to check your mirrors or speedometer well I see I can move over a little more as I do I'm still taking the turn so the wheels are turned I notice a deficit little side of the road that's eating away some of the road itself and just had no time to get out of the way so my front right tire falls into the ditch and yanks the steering wheel with a great amount of force (b)(3)(b)(6)

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

PAGE 1 OF 5

(b)(2)High

EXHIBIT:

STATEMENT OF:

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

TAKEN AT: 48th MP Det (CID) DATED: 31 Jul 05

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

o hard I could Barely Keep a hold of it, and Literally Sends us on a 45° angle into the middle of the road, we are still moving as I try and regain control of the LMTV. I never slammed the Brakes as this would send us in a Rollover.

SPC (b)(3)(b)(6) was the first one that would've been hit then myself But even though the other vehicle was so close I managed to turn us as much as possible to our side of the road, then Boom we hit and I open my eyes and myself and SPC (b)(3)(b)(6) Both say are you o.k. and I was trapped and took off my seat belt and he got out and was yelling for Help. (b)(3)(b)(6)

Q: (b)(3)(b)(6)

A: (b)(3)(b)(6)

Q: Did you write the above statement?

A: Yes

Q: How often do you drive the LMTV and how much training have you received pertaining to the LMTV?

A: 1 or 2 times a day since January 2005.

Qualified all aspects to receive operators License.

Q: Before leaving the motor pool, what equipment or functions checks did you do to the LMTV?

A: turned on the Battery to start it up, was Not Driven since it was PMCS'd the day prior.

Q: When you say "PMCS", are you referring to the Preventive Maintenance Checks and Services?

A: Yes (b)(3)(b)(6)

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

PAGE 2 OF 5

(b)(2)High

EXHIBIT:

)(3)(b)(6)

Q: Did you notice any malfunctions or necessary repairs during the times which may have affected the visibility, steering, accelerating, or braking?

A: NO

Q: When did you first notice the on-coming traffic?

A: Approaching the turn almost already into it from a distance.

Q: Do you know how far away the vehicles were, in either feet, meters, or any other measurement, ^{(3)(b)(6)} when you first noticed them?

A: No way to tell without guessing.

Q: Could you tell whether the other vehicle was in their lane of travel, in the middle of the road, or in your lane of travel?

A: Don't recall, just remember a large heavy equipment vehicle and it needed room.

Q: When your vehicle initially went off the road, how far away was the on-coming vehicle?

A: The hole or divet was on the edge of the road and I moved as close to the edge to make room and my tire went into the divet so I really never went off the road, and I would be guessing for the distance.

Q: Do you know how fast the on-coming vehicle was traveling?

A: NO

Q: Were you wearing your helmet and seatbelt at the time of the accident?

A: YES, Both.

Q: Do you feel there is anything you could have done to prevent the accident?

A: I feel I did everything I could to maintain control of the LMTV.

Q: Is there anything you would like to add to this statement?

A: That this was purely an accident. I tried to do the best of my abilities to prevent any further injuries to anyone else by trying to get control over the vehicle after the tire wedged into the ~~road~~ divet. ^{(3)(b)(6)}

INITIALS OF PERSON MAKING STATEMENT ^{(3)(b)(6)}

PAGE 3 OF 5

(b)(2)High

EXHIBIT:

STATEMENT OF:

TAKEN AT: 48th MP Det (CID) DATED:

(b)(3)(b)(-)

Q: Is there anything else you would like to add?

A: That I'm sorry I can't do anything about what happened right know or Really ever. I've never had a small accident let alone a large one like this even though a person has died and I can't explain how crazy and Bad I feel I just know Deep Down Inside that I did everything that I could to keep control and to try to prevent any injury to anyone and that makes me feel just a Fraction of a bit Better even though this whole situation is so terrible.

Q: Would you like to add anything else to your statement?

A: NO !!! End of Statement!!!

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 4 OF 5

(b)(2)High

EXHIBIT:

STATEMENT OF:

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

TAKEN AT: 48th MP Det (CID) DATED: 31 Jul 05

AFFIDAVIT

I, SPC (b)(3)(b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5. 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)

Subscribed and sworn to before me, a person authorized by law to administer oath, this 17th day of December, 2004, at 78th MP Det (CID) (FWD), Camp Victory, Baghdad, IZ

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

(Administering Oath)

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

48th MP Det (CID) (FWD)

Camp Victory, Baghdad, IZ APO AE 09342

(Typed Name of Person Administering Oath)

ARTICLE 136 (b)(4) UCMJ (Military)
OR; 5 USC 303 (Civilian)

(Authority to Administer Oath)

WITNESSES:

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT _____

PAGE OF

(b)(2)High

EXHIBIT:

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 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: BIAP, Baghdad, Iraq
2. DATE (YYYYMMDD): 20050729 JAK
3. TIME: 1820 (b)(3)(b)(6)
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(3)(b)(6)
7. GRADE/STATUS: E-4
8. ORGANIZATION OR ADDRESS: 612th Eng BN HHC

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

On July 29th we had a full day of work which ended around 1400 or so! After relaxing in my room for awhile I was then told I need to pick people up from BI-OP. Around 1500 spc. (b)(3)(b)(6) and I left for BI-OP in a LMTV. We both secured our seat belts and kevlar before leaving the motor pool area. On the way to BI-OP about 2 miles from Midland gate at the first turn in the road we hit a bump or a rut in the road which made our front end pop up and took us out of control. We were going about 25mph at that time. After loosing control we spun towards oncoming traffic where a crane was hit by us. After coming to a complete stop I ~~just~~ turned the vehicle off and asked Spc (b)(3)(b)(6) if he was alright. By that time there was help on site.

10. EXHIBIT
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

TAKEN AT

DATED

9. STATEMENT (Continued)

Q:

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

A:

Q: What kind and how big of a bump did you?

A: The bump was like a divot in the road and it was like 7 foot or so deep on the right side of the road close to the edge of the road!

Q: How far after the turn was the bump in the road?

A: As soon as we took the turn the bump was in view about 10-15 feet.

Q: How much did the vehicle (your vehicle) swerve before hitting the crane?

A: The vehicle swerved at about a 45° degree angle with a little fish tale action before hitting the crane.

Q: Did you sustain any injuries?

A: No I did not!

Q: Who was driving the LMTV?

A: Spc. (b)(3)(b)(6) was driving the LMTV.

Q: Do you have anything else you want to add to your statement?

A: Not at this time. /// End of Statement /// (b)(3)(b)(6)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

USAPA 9V1.010