

EXHIBIT G

Pages 2 through 4 redacted for the following reasons:

(b)(2)HIGH, (b)(6)

EXHIBIT H

1. Commander's Inquiry
2. Storyboard
3. Emails
4. Sworn Statements
5. Cdr's Sitrep
6. Pattern Analysis
7. RTO's 1594

Exhibit A

CENTCOM 013534



DEPARTMENT OF THE ARMY
HEADQUARTERS COMPANY, 1ST BATTALION, 5TH CAVALRY REGIMENT
2ND BRIGADE COMBAT TEAM, 1ST CAVALRY DIVISION
FOB LIBERTY, IRAQ APO AE 09344

REPLY TO
ATTENTION OF

AFVA-1-5CAV

10 Aug 07

MEMORANDUM FOR RECORD

SUBJECT: Commander's Inquiry into a 30 Jun 07 Small Arms Engagement

1. Purpose: The purpose of this memorandum is to articulate the findings and recommendations following my investigation into the alleged shooting of (b)(6) by US forces.
2. Findings: 1/D/1-5 CAV OP engaged and killed (b)(6) in accordance with the ROE. I suspect he was not an insurgent despite inconclusive evidence.
3. Background: 1/D/1-5 CAV observation post (OP) engaged and killed (died of wounds) a possible enemy combatant, (b)(6) on 30 2356 June 2007 on (b)(6).
(b)(6) The OP was established in an area with historically high enemy activity (see TAB B, picture of recent enemy activity). The OP observed an individual observing their passing patrols, enter a house, and return to the street with a rifle. In accordance with the ROE for this area of operations (past curfew in (b)(2) High IED hot spot), the OP engaged the armed individual. The patrol treated (b)(6) and brought him to the Camp Cropper CSH where he died of wounds (DOW). The platoon later returned to speak with the family and confirmed his identity (see TAB F, sworn statement of 1LT (b)(6), (b)(3). While there is no hard evidence that (b)(6) was an insurgent, there is suspicious activity involved. (b)(6) lied about his name when asked by the patrol and claimed his name was "(b)(6)"; he appeared to be observing U.S. patrols, armed, outside his home, past curfew (2356 hours); he was in an area that D Company had been ambushed two weeks prior as well as found IEDs and had been attacked with IEDs that month in that location (see TAB B); he was not a member of Iraqi Security Forces or a Security Volunteer authorized to be out past curfew with an assault rifle; the patrol found the additional weapons of a shotgun and two AK-47 magazines in his house. It is inconclusive whether or not he was an insurgent based on his activity and location alone however, based on his family's inquiry into the matter, I suspect he was not.
4. Recommendation: Request condolence payment to (b)(6) s family through 2/1 ID.
5. The POC for this memorandum is the undersigned at VOIP 242-7681.

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

CPT, AK
Inquiry Officer

CENTCOM 013535

ExH

Enclosures:

TAB A (30 Jun 07 story board)

TAB B (picture of recent enemy activity)

TAB C (email from (b)(6)

TAB D (email from CPT (b)(3),(b)(6) to CPT (b)(3),(b)(6))

TAB E (Sworn Statements)

TAB F (01 July 07 Commander's SITREP)

CENTCOM 013536

Exh A



DEPARTMENT OF THE ARMY
HEADQUARTERS COMPANY, 1ST BATTALION, 5TH CAVALRY REGIMENT
2ND BRIGADE COMBAT TEAM, 1ST CAVALRY DIVISION
FOB LIBERTY, IRAQ APO AE 09344

REPLY TO
ATTENTION OF

AFVA-1-5CAV

10 Aug 07

MEMORANDUM FOR RECORD

SUBJECT: Commander's Inquiry into a 30 Jun 07 Small Arms Engagement

1. Findings: 1/D/1-5 CAV OP engaged and killed (b)(6) in accordance with the ROE. It is inconclusive whether or not (b)(6) was an insurgent. While there is suspicious activity, there is no hard evidence.
2. Recommendation: Request condolence payment to (b)(6) family through 2/1 ID.
3. Background: 1/D/1-5 Cav observation post (OP) engaged and killed (died of wounds) a possible enemy combatant, (b)(6) on 30 2356 June 2007 on (b)(6).
(b)(6) The OP was established in an area with historically high enemy activity (see TAB B, picture of recent enemy activity). The OP observed an individual observing their passing patrols, enter a house, and return to the street with a rifle. In accordance with the ROE for this area of operations (past curfew in an tier 1 IED hot spot), the OP engaged the armed individual. The patrol treated (b)(6) and brought him to the Camp Cropper CSH where he died of wounds (DOW). The platoon later returned to speak with the family and confirmed his identity (see TAB F, sworn statement of 1LT b(3),b(6)). While there is no hard evidence that (b)(6) was an insurgent, there is suspicious activity involved. (b)(6) lied about his name when asked by the patrol and claimed his name was (b)(6)"; he appeared to be observing U.S. patrols, armed, outside his home, past curfew (2356 hours); he was in an area that D Company had been ambushed two weeks prior as well as found and had been attacked with IEDs that month (see TAB B); he was not Iraqi Security Forces or Security Volunteers authorized to be out past curfew with an assault rifle; the patrol found a shotgun and two AK-47 magazines in his house.

CENTCOM 013537

Eyh H

4. The POC for this memorandum is the undersigned at VOIP 242-7681.

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

CPT, AR
Inquiry Officer

Enclosures:

TAB A (30 Jun 07 story board)

TAB B (picture of recent enemy activity in area)

TAB C (email from (b)(6)
(b)(6)

TAB D (email from CPT (b)(3),(b)(6) to CPT (b)(3),(b)(6)
in response to Volunteers recognition of (b)(6)

TAB E (Sworn Statements of: 1LT (b)(3),(b)(6) Platoon Leader;
SGT (b)(3),(b)(6) Dismount Squad Leader;

SGT (b)(3),(b)(6) Sniper Team Leader; SPC (b)(3),(b)(6) Sniper)

TAB F (01 July 07 1-5 CAV Commander's SITREP)

CENTCOM 013538

EXH

(b)(3),(b)(6) CPT HHC 1-5 CAV CDR

From: (b)(3),(b)(6) CPT D Co 1-5 CAV CDR
Sent: Wednesday, July 25, 2007 4:47 PM
To: (b)(3),(b)(6) MAJ HHC 1-5 CAV BN XO; (b)(3),(b)(6) MAJ HHC 1-5 CAV S-3; 1-5 CAV BTL CPT
Subject: FW: Further information on the 30 June shooting
Categories: UNCLASSIFIED
Attachments: image003.gif; image002.gif; image001.png

Gentlemen,

Resend; did not go through the first time.

V/R,

 CPT (b)(3),(b)(6)
CDR, Mad Dogs, 1-5 CAV
VOIP 242-4596/242-4233 

“Dulce et Decorum est pro patria mori, sed dulcius pro patria vivere, et dulcissimum pro patria bibere. Ergo, bibamus pro salute patriae.” – Horace’s Odes

From:
Sent: Wednesday, July 25, 2007 3:18 PM
To: (b)(3),(b)(6) MAJ HHC 1-5 CAV BN XO; (b)(3),(b)(6) MAJ HHC 1-5 CAV S-3; 1-5 CAV BTL CPT
Subject: Further information on the 30 June shooting

Sir,

(b)(3),(b)(6) showed the picture to the TAA; rather indecisive on whether he was AQI or not, but we have his Non de Guerre so if he doesn't have a son named (b)(6), probably isn't the right guy.

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

V/R,

 CPT (b)(3),(b)(6)
CDR, Mad Dogs, 1-5 CAV
VOIP 242-4596/242-4233 

“Dulce et Decorum est pro patria mori, sed dulcius pro patria vivere, et dulcissimum pro patria bibere. Ergo, bibamus pro salute patriae.” – Horace’s Odes

From: (b)(3),(b)(6) CPT 2-1ID BRT TRP CMD [mailto:(b)(3),(b)(6)@2bct.1id.army.smil.mil]
Sent: Wednesday, July 25, 2007 2:39 PM
To: (b)(3),(b)(6) CPT D Co 1-5 CAV CDR
Subject: RE:

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

7/29/2007

CENTCOM 013539

Exh H

(b)(2)High

 CPT (b)(3),(b)(6)
CDR, Mad Dogs, 1-5 CAV
VOIP 242-4596/242-4233 

“Dulce et Decorum est pro patria mori, sed dulcius pro patria vivere, et dulcissimum pro patria bibere. Ergo, bibamus pro salute patriae.” – Horace’s Odes

From: 1-5 CAV BTL CPT
Sent: Saturday, July 21, 2007 12:17 PM
To: (b)(3),(b)(6) v CPT D Co 1-5 CAV CDR
Subject:

Classification: UNCLASSIFIED

Can you have first platoon look at this photo and let me know if this is the guy that they shot on 30 June? Also, they are asking where the body was taken after he died. I would imagine FOB Hawk but don't know for sure.

7/29/2007

CENTCOM 013540

Exh H

Some of the TAA guys recognized him as a guy named (b)(6) but have had no previous interaction with him – just kind of seen him around. They are unsure if he is working with AQI or if he is just a normal guy.

(b)(3),(b)(6)
E-4 CAV

7/29/2007

CENTCOM 013541

Exh H

(b)(6)

(b)(6)

Taken in (See more photos here)

JULY 13, 2007:

(b)(3)(b)(6) heard this afternoon that (b)(6) body had been delivered to the morgue. We have no further information.

JULY 9, 2007:

Please, Please Help Locate My Brother

My brother, (b)(6) married, and a father of (b)(6) was hit by a bullet in his abdomen, by the American military in (b)(6) Baghdad. It happened on July 3, 2007 at 11:00 pm. He was out of his house to turn off his electric power generator. The American military took him away for treatment of his bullet wound, but no one has heard about him since. His family has not been contacted, told of his whereabouts, or of his condition. The family is extremely worried about him.

Can you please help find out his whereabouts, condition, and status.

Additional Information:

Name (b)(6)
DOB:
Address: Al-Amiriyah, Baghdad, Iraq

CENTCOM 013543

Ex H

Contact:

(b)(6)
Laguna Niguel, CA

(b)(6)

CENTCOM 013544

Exh H