

Foreign Language Text, (b)(6)

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Page 5 redacted for the following reason:

(b)(2)High



DEPARTMENT OF THE ARMY
1ST BRIGADE COMBAT TEAM, 1ST CAVALRY DIVISION
CAMP TAJI, IRAQ
APO AE 09378

REPLY TO
ATTENTION OF

AFVA-1BDE-JA

7 March 2007

MEMORANDUM FOR Commander, 1st Brigade Combat Team, 1st Cavalry Division, Camp Taji, Iraq, APO AE 09378

SUBJECT: Legal Review of Local National KIA AR 15-6 Investigation (1/1-063)

1. In accordance with AR 15-6, paragraph 2-3, I have reviewed the AR 15-6 investigation of the death of a local national which occurred on 23 January 2007. I make the following determinations:

- a. The proceedings comply with the legal requirements of AR 15-6.
 - b. Errors in the proceedings, if any, do not have a material adverse effect on any individual's substantial rights as related to an informal AR 15-6 investigation.
 - c. Sufficient evidence supports the findings for an informal AR 15-6 investigation.
 - d. The recommendations are consistent with the findings.
2. The MND-B CG is the approval authority for investigations of noncombatants killed during combat operations.
3. The POC is the undersigned at SVOIP 242-6295 or (b)(3),(b)(6), (b)(2)Hic@us.army.mil.

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

MAJ, JA
Brigade Judge Advocate

EXSUM 1/1-063

WHO: C Co, 2-8 CAV
WHAT: Local National Killed by Possible CF Fire
WHEN: 7
WHERE: (b)(2)High

SUMMARY OF FACTS

On 23 January 2007 at 0931 hour (b)(2)High tank was hit by an I (b)(2)High (b)(2)High ank
g b(2)High with another b(2)High ng (b)(2)High (b)(2)High
(b)(2)High , the driver suffered a deep thigh bruise se.
The IED consisted of approximately 100 pounds of explosives (HME) which were
detonated in a previous IED hole. The IED a crater (b)(2)High deep.

A patrol departed Camp Taji at approximately 1030 hours (b)(2)High e
(b)(2)High
(b)(2)High The patrol did not
move (b)(2)High patrol continued to

A third patrol departed Camp Taji at 1140 hours. This patrol consisted of four (b)(2)High . This
the blast without incident. However, (b)(2)High
(b)(2)High , the element received small arms fire (SAF e
(b)(2)High of the blast site. The undamaged tank returned fire with (b)(2)High .

On 24 January 2007, a local national man approached CPT (b)(3),(b)(6), CDR, C Co, 2-8 CAV, while
he was attending the Nahian meeting at the Kr t Plant (KWTP), and claimed
cal national child had been killed by (b)(2)High on 23 January 2007. CPT
(b)(6) then conducted a dismounted pa (b)(2)High order to further investigate. He
y members and neighbors blast site. Th plained
to CPT (b)(3),(b)(6) (b)(6) d and she was (b)(6) old.
Her fat (b)(6) the (b)(6) .

On 27 January 2007, (b)(6) met with members of CAV at the ed
them with a birth certi denation for (b)(6) . She
was buried in a cemetery in (b)(6) .

FINDINGS

(b)(2)High
(b)(2)High
(b)(2)High is a (b)(2)High D hot spot. There road on (b)(2)High portion of the
ou r b(2)High, the closest house (b)(2)High of the roa

The Cobra Gold patrol did not return fire when hit by the IED.

Cobra Green returned fire when fired upon by AIFing recovery operations at the site of the IED blast.

Qada meeting on 27 January 2007, (b)(6) reported that his daughter, (b)(6) a (b)(6) year old child, was killed by a g head on 23 January 2007.

At the time she was sh (b)(6) was loca (b)(2)High obra
element. The maximu (b)(2)High ers (NOTE:
the maxi of a (b)(2)High (b)(6) ullet fired
from the (b)(2)High that s firing at AIF.

RECOMMENDATIONS

IO:

(b)(5), (b)(3),(b)(6)

LTC Efflandt: I concur with findings with the following modifications:

mall

(b)(5)

G.

I concur with recommendations with the following modifications:

te that

(b)(5), (b)(3),(b)(6)

RECOMMENDATION BY IH6

Concurs with the IO's findings and recommendations, as modified by LTC (b)(3)(b)(6).