

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)(3), (b)(6) FOB Striker
2. DATE (YYYYMMDD) 2006/10/03
3. TIME 16 00
4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(3), (b)(6)
6. SSN (b)(3), (b)(6)
7. GRADE/STATUS SPC
8. ORGANIZATION OR ADDRESS B.Co. 4-23 Inf

9. I, SPC (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: While on Patrol on 3 Oct 2006, I was driving the lead vehicle in the Tac. I was attempting to get a vehicle to pull over, using my horn. The vehicle continued to speed up, then a shot was fired. It had no effect on the fleeing vehicle. The vehicle was a blue van with yellow decals. The time of the incident was between 1300 & 1400 hours. The vehicle turned to get away. Eventually it was completely out of sight. We then got a call saying there was a body in the area we had chased the vehicle through. The platoon returned to the area of the incident. Then an injured male in what looked to be his 30's was brought to my vehicle. We then escorted him to the hospital. We then returned to Fob Striker & came to the Battalion TAC to fill out Sworn statements.
Nothing follows
(b)(3), (b)(6)
(b)(3), (b)(6)
(b)(3), (b)(6)
(b)(3), (b)(6)

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 INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF SPC (b)(3), (b)(6) TAKEN AT FOB Striker DATED 3 Oct 06

9. STATEMENT (Continued)

nothing follows

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

STATEMENT OF

SPC

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

TAKEN AT

FOB Striker

DATED

3 Oct 06

9. STATEMENT (Continued)

nothing follows

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

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

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

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

AFFIDAVIT

I, SPC

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

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)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, _____ at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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1. LOCATION: Camp Striker
2. DATE (YYYYMMDD): 2006/10/05
3. TIME: 1845
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(3), (b)(6)
6. SSN: (b)(3), (b)(6)
7. GRADE/STATUS: SPC
8. ORGANIZATION OR ADDRESS: B. Co. 4-23 Inf

9. I, _____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
Q: WHAT VEHICLE WERE YOU DRIVING? ORDER OF MARKET? (b)(3), (b)(6)
A: I was driving the lead vehicle, B13. (b)(3), (b)(6)
Q: WHY DID YOU DECIDE TO CHASE THE VAN? (b)(3), (b)(6)
A: When we attempted to get the vehicle to stop, nothing worked, we used the airhorn many times but the driver of the vehicle seemed to ignore. (b)(3), (b)(6)
Q: WHY DID YOU WANT THE VEHICLE TO STOP? (b)(3), (b)(6)
A: I heard over the CVC from either CPT (b)(3), (b)(6) or CPL (b)(3), (b)(6) the driver flashed an AK while moving it from his driver side to the passenger side. (b)(3), (b)(6)
Q: HOW FAR (DISTANCE) OR LONG (TIME) DID YOU CHASE THE VAN? (b)(3), (b)(6)
A: The length of the chase before CPT (b)(3), (b)(6) shot was a maximum of 3 minutes. (b)(3), (b)(6)
Q: HOW MANY TURNS DID YOU MAKE BEFORE CPT (b)(3), (b)(6) ATTEMPTED TO DISABLE THE VAN? (b)(3), (b)(6)
A: I believe we took two turns. (b)(3), (b)(6)
Q: WERE THERE MANY PEDESTRIANS OR CARS (PARKED AND MOVING) IN THE AREA WHERE THE CHASE OCCURRED? (b)(3), (b)(6)
A: At the start, there were many moving vehicles, they quickly got out of the way. There were many pedestrians during the whole event. (b)(3), (b)(6)
Q: WAS IT OBVIOUS THE VAN WAS FLEEING FROM YOU? HOW FAST WAS THE VAN GOING? (b)(3), (b)(6)
A: Yes, it was very obvious. The van was going at least 45 mph. (b)(3), (b)(6)
Q: DID THE VAN ALMOST HIT ANY PEDESTRIANS OR OTHER CARS? (b)(3), (b)(6)
A: Yes, if cars had not quickly out of the way, the van would have hit a number of them. (b)(3), (b)(6)

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 _____
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STATEMENT OF SPC (b)(3), (b)(6) TAKEN AT Camp Striker DATED 5 Oct 2006

9. STATEMENT (Continued)

Q: DID YOU SEE ANY PEDESTRIANS THAT HAD TO "JUMP" OUT OF THE WAY? (b)(3), (b)(6)

A: No, I did not see any pedestrians in the street. They were all on the sidewalks. (b)(3), (b)(6)

Q: HOW FAR AWAY WAS THE VAN WHEN CPT (b)(3), (b)(6) ATTEMPTED TO DISABLE THE VEHICLE? (b)(3), (b)(6)

A: Probably about 15-20 meters. (b)(3), (b)(6)

Q: HOW FAST WERE YOU MOVING WHEN (b)(3), (b)(6) ATTEMPTED TO DISABLE THE VEHICLE? (b)(3), (b)(6)

A: The last time I looked at my gauge before the shot, we were going 42-43 mph. (b)(3), (b)(6)

Q: WHAT HAVE YOU BEEN BRIEFED CONCERNING THE ROE AND FLEEING VEHICLES? (b)(3), (b)(6)

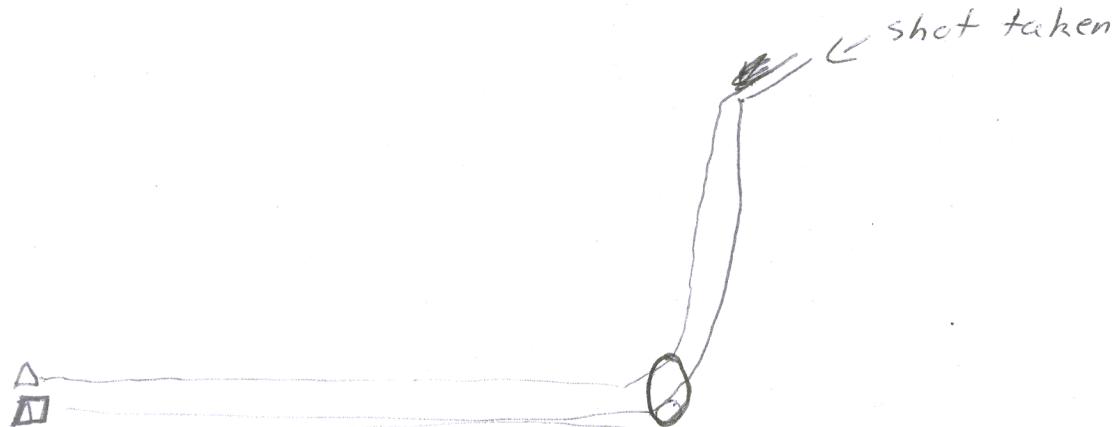
A: Only shoot if the individual or individuals show hostile action or hostile intent. (b)(3), (b)(6)

Q: USE THE SPACE BELOW TO DRAW A SKETCH OF HOW THE INCIDENT TOOK PLACE: A - stryker

□ - van

O - obstacle

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



INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

005345

STATEMENT OF SPC (b)(3), (b)(6) TAKEN AT Camp Striker DATED 5 Oct 2006

9. STATEMENT (Continued)

Q: DO YOU HAVE ANYTHING FURTHER TO ADD? (b)(3), (b)(6)

A: Not at this time. (b)(3), (b)(6)

[A large diagonal line is drawn across the main body of the page, indicating that the statement has been redacted.]

AFFIDAVIT

I, _____, 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:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

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

(Signature of Person Administering Oath)

MAT

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

(Typed Name of Person Administering Oath)

INVESTIGATING OFFICER
(Authority To Administer Oaths)

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

PAGE 3 OF 3 PAGES