

Pages 1 through 4 redacted for the following reasons:

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Previously Released



# 28 FEB 06: 3/B/4-23 IN EOF LN KIA

281855FEB06 (GRENADE) - 281900FEB06 (EOF)

1  
DISMOUNTED PATROL  
ENGAGED BY 1 EA HAND  
GRENADE

3  
BLUE HATCHBACK TURNS OFF  
OF [REDACTED] (2)H  
ON [REDACTED] (b)(2)H



2  
STRYKERS REMAINED  
AT DISMOUNT POINT 250  
M NORTH OF PLATOON



4  
4 EA US WIA TREATED AT HASTY  
COP WITH REMAINING  
DISMOUNTS PROVIDING  
SECURITY

4  
EOF [REDACTED] (2)H  
SHOUTED AT THE VEHICLE  
TO STOP, WAVED WEAPONS WITH  
TACLIGHTS AND [REDACTED] (2)H  
AT [REDACTED] (2)H  
M. VEHICLE IS [REDACTED] (2)H  
ONE ROUND PENETRATES PASSENGER  
SIDE WINDSHIELD RESULTING IN 1 EA  
LN KIA

281850FEB06: B/4-23 REPORTED THAT 1X AIF UIM THREW A GRENADE AT THEIR ELEMENT AS THEY CONDUCTED  
DISMOUNTED PATROLS IN DOMIZ AT [REDACTED] (2)H 4 x US WIA. THE  
GRENADE LANDED NEAR THE RAMP OF THE STRYKER. UIM WAS A PASSER-BY ON FOOT AT A CROWDED  
INTERSECTION OF LNS. 4 x US WIA WERE TRANSPORTED TO THE CSH. WHILE UNIT ESTABLISHED LOCAL  
SECURITY, THEY WERE APPROACHED BY AN LN VEHICLE AT HIGH SPEED. UNIT USED VISUAL AND VERBAL  
SIGNALS TO STOP VEHICLE [REDACTED] (2)H UNIT [REDACTED] (2)H INTO VEHICLE UNTIL  
IT STOPPED, RESULTING IN 1 x LN KIA.

REF 3775 1950

Tue 28 Feb 06	
LO: 46F18C	HI: 68F120C
12 KTS	12 KTS
NAME: 0548 GERT: 1900 SR: 0544 SS: 1904 NM: 0703 NS: 1941 LUMAR 4% LUMAR 18% R LUM 4% R LUM 18% PERIOD OF 10:48 PERIOD OF 0:00 MANEUVER SS MANEUVER SS	

005374



DEPARTMENT OF THE ARMY  
4TH BATTALION, 23D INFANTRY REGIMENT  
172ND INFANTRY BRIGADE (SBCT)  
MOSUL, IRAQ APO AE 09319

REPLY TO  
ATTENTION OF:

APVR-RLBH-CO

1 March 2006

MEMORANDUM FOR CPT William C. Moody, 4TH Battalion, 23D Infantry Regiment,  
Mosul, Iraq APO AE 09319

SUBJECT: Investigating Officer Appointment; Investigation Into Engagement of  
Civilian Vehicle at (b)(2)High on 28 February 2006, by 3/B CO/ 4-23  
IN

1. You are hereby appointed an investigating officer pursuant to AR 15-6 to investigate the circumstances surrounding the escalation of force with a local national (LN) vehicle at (b)(2)High, on 28 FEB 2006, by soldiers from 3/B CO/ 4-23 IN. This investigation is your primary duty and takes precedence over all other duties assigned to you. The Serious Incident Report prepared by 3/B CO/4-23 IN in response to this incident has been attached to these orders for your situational awareness.

2. The report of investigation must include, but is not limited to, findings on the following issues:

a. Did the soldiers on the ground understand the rules of engagement and act in accordance with them? Which Soldiers were involved in the engagement? Did they have ROE training? When, where, and by whom? What measures short of (b)(2)High (b)(2)High did they consider before engaging this civilian? What measures should be added or refined in order to clarify this type of situation and avoid future incidents?

b. At what range was the engagement?

c. What threat did the Soldiers perceive when he identified the as a target?

d. Cover the specifics of this engagement and the decision-making process that went into it. Where were the rounds fired? Did the Soldiers intend to (b)(2)High (b)(2)High Was a lawful target positively identified? Was consideration given to potential ricochet?

e. Determine, to the greatest extent possible, the full name and contact information of the wounded civilians.

3. Your investigation will be conducted IAW 15-6. During your investigation, you will be required to interview and/or question numerous witnesses. You are directed to obtain sworn statements from all witnesses. In the event that you are unable to obtain a sworn statement from a witness, you will prepare a detailed memorandum for record (MFR) memorializing the witness interview and explaining why a sworn statement was not obtained. Witnesses that should be interviewed include:

a. Soldiers from B 4-23 IN who engaged the vehicle.

005375

APVR-

SUBJECT: Investigating Officer Appointment, Investigation Into Engagement of Civilian on 28 FEB 2006

b. Any others you feel necessary to complete your investigation, including Soldiers and LNs who may have witnessed the engagement.

4. If, prior to or during any interview, you suspect an individual subject to the U.C.M.J. of committing a U.C.M.J. offense, you are required to advise that individual of his/her Article 31 rights, both orally and in writing, before any interview or questioning may commence and/or continue. **There are currently no suspected offenses or offenders;** however, your investigation may cause you to suspect an offense, at which time you should advise the suspect of his right.

5. Upon completion of your investigation, you will make findings of fact regarding the issues addressed in paragraph 2 above and recommend appropriate action based on your findings. Your findings and recommendation will be recorded on a DA Form 1574. The completed findings and recommendation will be accompanied by all evidence obtained during your investigation as well as a separate chronology listing all significant activity from initial appointment as Investigating Officer to completion of the investigation, to include the granting of any extensions or delays to complete the investigation.

6. Before you begin your investigation, you may be briefed by the Brigade Judge Advocate, located at FOB Marez. She can be reached by DNVF at 520-5505. Prior to commencing your investigation, you will obtain copies of DA 2823 (Sworn Statement), DA 1574 (Report of Investigation), and any other forms or documents you may need. These are available on the JAG website: <ftp://148.50.3.169/172sbctdata/jag/>. Ensure that you review all of the documents prior to beginning the investigation. If questions arise during your investigation, you will consult with your legal advisor, including developing an investigation plan, determining whether witnesses need to be advised of their rights under the UCMJ, Article 31 or the Fifth Amendment, and preparing findings and recommendations.

7. Upon completion of your investigation, you will submit the entire investigation to the BOLT for a legal review. Your investigation should be completed within 3 days of receipt of this memorandum. I must approve any delays beyond 3 days. This investigation is your primary duty and takes precedence over all other assigned duties.

Encl  
SIR from 4-23 IN

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

COL, IN  
Commanding

### Serious Incident Report

Subject: SIR Number *(WILL BE PROVIDED BY G3 OPS)*

**1. Category:**

**2. Type of Incident:** Escalation of Force 1x LN KILLED

**3. Date/Time of Incident:** 281900FEB06

**4. Location:** Mosul, (b)(2)High

**5. Other Information:**

**6. Personnel Involved:**

**a. Subjects Name:** (b)(3), (b)(6)

**1. Pay Grade:** E-5

**2. SSN:** (b)(3), (b)(6)

**3. Race:** U.S.

**4. Position:** Team Leader

**5. Security Clearance:** UNK

**6. Units and Station of Assignment:** 3/B/4-23 FOB Marez

**7. Duty Status:** Active

**b. Subjects Name:** (b)(3), (b)(6)

**1. Pay Grade:** E-5

**2. SSN:** (b)(3), (b)(6)

**3. Race:** U.S.

**4. Position:** Team Leader

**6. Security Clearance:** UNK

**6. Units and Station of Assignment:** 3/B/4-23 FOB Marez

**7. Duty Status:** Active

**7. Description of Incident:** 3<sup>rd</sup> Platoon was conducting a dismounted patrol along (b)(2)High when they received SAE followed with a hand grenade injuring 4 x CF. The contact occurred approximately (b)(2)High from their 3 x Strykers. The platoon immediately established security and a hasty CCP IOT assess casualties. The dismounted element then called for vehicle support. A LN vehicle approached their security position soon after it was established. SGT (b)(3), (b)(6) and SGT (b)(3), (b)(6) initially flashed TAC-Lights and yelled for the vehicle to stop. Next, they (b)(2)High (b)(2)High but the vehicle continued toward their security position. They were then forced to fire several rounds into the vehicle until it stopped. The Strykers instantaneously arrived at their security position and evacuated 2 x CF casualties. One of three Strykers was left at the security position. Simultaneously, a civilian ambulance arrived and evacuated 2 x

Enclosure One to AR 15-6 Appointment Orders (SIR)

LN casualties also injured by the hand grenade. The dismounted element along with the 1 x remaining Stryker collapsed their security position and pursued after the assailants. After negative contact with the assailants, the dismounted element moved back to the EOF scene to investigate the damage. The car involved in the EOF was abandoned and contained blood. The deceased LN was found near by in a taxi cab. She had been moved by her husband. The deceased LN and her husband were soon after transported to the Al Salaam hospital by ambulance. The (b)(6) children were taken home by Iraqi Police from SE6. No injuries were sustained by the husband and (b)(6) children. 2 x CF were evacuated to the CSH immediately, the 2 other CF casualties were brought to the CSH after the situation in Palestine was stabilized. All 4 x CF casualties were declared RTD. MAJ Fallah from SE6 obtained the deceased LN contact information and a condolence payment will be delivered to the family on 01MAR06.

AR 15-6 Investigating Officer is CPT (b)(3), (b)(6) S6, 4-23 IN

**8. Remarks:**

**9. Publicity:**

**10. Command Reporting:** B/4-23 Infantry

**11. POC.** 1LT (b)(3), (b)(6) PL, 3/B/4-23 DNV 521-3435

**12. Downgrading Instructions:**

**13. APPROVED/RELEASED BY:** MAJ (b)(3), (b)(6) Executive Officer, 4-23 IN

## 172 SBCT SIGACTS EXCERPT

██████████ B/4-23 REPORTED THAT 1X AIF UIM THREW A GRENADE AT THEIR ELEMENT AS THEY WERE REMOUNTING THEIR STRYKER IN DOMIZ AT ██████████ (b)(2)High ██████████ (b)(2)High 4 x US WIA. THE GRENADE LANDED NEAR THE RAMP OF THE STRYKER. UIM WAS A PASSER-BY ON FOOT AT A CROWDED INTERSECTION OF LNs. 4 x US WIA WERE TRANSPORTED TO THE CSH. WHILE UNIT ESTABLISHED LOCAL SECURITY, THEY WERE APPROACHED BY AN LN VEHICLE AT HIGH SPEED. UNIT USED VISUAL AND VERBAL SIGNALS TO STOP VEHICLE, AS WELL AS ██████████ (b)(2)High UNIT ██████████ (b)(2)High INTO VEHICLE UNTIL IT STOPPED, RESULTING IN 1 x LN KIA. ██████████ 2/C/4-23 (QRF) ACTIVATED IOT SUPPORT 3/B/4-23. B/4-23 REPORTED THAT AN ADDITIONAL SOLDIER IS WIA WITH MINOR SHRAPNEL TO HIS LEG; HE CONTINUED MISSION. ██████████ SE6 IPS AND 2/C/4-23 ARRIVED ON LOCATION. THE 1 x LN KIA IS A WOMAN AT THE SITE IN A VEHICLE WITH HER HUSBAND AND TWO CHILDREN. 3/B/4-23 DROPPED OFF THE BODY AT THE MORGUE AND MAJ ██████████ (b)(6) (IP) DROPPED OFF THE FAMILY MEMBERS AT THEIR HOME. ██████████ BDE SURG RPTS TOTAL OF 4 x US WIA AT CSH. ██████████ BDE SURG RPTS ALL 4 x WIA WERE RTD.

## 4-23 IN BN SIGACTS EXCERPT

██████████ 3<sup>rd</sup> PLT Blackhawk conducted mounted/dismounted patrols in Domiz. As the dismounted patrol approached the ██████████ (b)(2)High intersection ██████████ (b)(2)High they heard two rounds of audible gunfire. When they focused their attention to the gunfire, an unidentified male threw a hand grenade that landed approximately ██████████ (b)(2)High from the Strykers, wounding four Soldiers and two local nationals. The platoon immediately established security positions and requested additional support. Two Soldiers were forced to engage a vehicle that approached the security position after they attempted to stop it by flashing their TAC-Lights and yelling for it to stop. The Soldiers then ██████████ (b)(2)High at the vehicle. As the vehicle continued to approach their position, the Soldiers fired several rounds into the vehicle until it came to a stop. As a result of the Escalation of Force, a Local National (female) was killed. Also in the vehicle were the casualty's husband and ██████████ (b)(6) children who were unharmed. The Battalion QRF (C26) was activated to provide security along with an element from SE-6 Iraqi Police. After conducting SSE of the site, the QRF received a report that a rocket was fired from an open field at ██████████ (b)(2)High (Somer). The platoon moved to the location and questioned five suspicious military aged males that were in the vicinity of the rocket fire. The males field tested positive for explosives and were detained: ██████████ (b)(6)

(b)(6)

**The four wounded Soldiers (ASMC7800, ASMG4368, ASMS4733 and ASMR5335) were transported to the CSH for treatment and returned to duty. The deceased local national and her husband were transported to the Al Salaam Hospital. The (b)(6) children were taken home by Iraqi Police from SE-6.**

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: 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: Mosul, Iraq; 2. DATE: 2006 03 02; 3. TIME: 1440; 4. FILE NUMBER; 5. LAST: (b)(3), (b)(6); 6. SSN: (b)(3), (b)(6); 7. GRADE/STATUS: O-2; 8. ORGANIZATION OR ADDRESS: 3rd Plt B Co 4-23 IN

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

On 28 February 06, 3rd platoon received small arms fire and a grenade was thrown, After the initial blast I moved up to pull security and the casualties were pulled back to a hasty CCP, I then fell back and moved the other squad up for security. At that point I told everyone that no one gets in our perimeter and maintain security, I then had RTO call the vehicles in for support, At the same time a vehicle approached our security, TAC lights were flash and I yelled for it to stop, The vehicle did not then two (b)(2)High The vehicle continued

toward us and (b)(2)High (b)(3), (b)(6) We then loaded casualties that were more severely hurt, Myself and my RTO who had minor injuries moved with a squad in pursuit of the AIF, We search through the neighborhood for about 30 minutes and found nothing, Upon our return to the initial scene we found a dead woman in another car not the one shot by us,

10. EXHIBIT; 11. INITIALS OF PERSON MAKING STATEMENT: (b)(3), (b)(6); PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT 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.

9. STATEMENT (Continued)

I order for pictures of her and the car, I then sent people to track down who else was in the car. The woman killed was (b)(6), her husband was (b)(6) (b)(6). We called for an ambulance and they took the woman and husband to the hospital. The husband got (b)(6) cell phone number and was able to contact him. (b)(6) took the children home and we had another ambulance to the other two wounded LN from the grenade to the hospital, their names were (b)(6) and (b)(6). We were relieved on scene by the QRF and we head to the (b)(3), (b)(6) (CSH) to get the other two casualties looked at.

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

AFFIDAVIT

I, (b)(3), (b)(6) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. 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

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

WITNESSES:

\_\_\_\_\_  
ORGANIZATION OR ADDRESS  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2 day of MARCH 2006 at FOB MAREZ

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

(b)(3), (b)(6)  
(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

**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  
**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 FOB Marez Mosul, Iraq	2. DATE (YYYYMMDD) 2006 03 01	3. TIME 2000	4. FILE NUMBER
5. (b)(3), (b)(6)	6. (b)(3), (b)(6)	7. GRADE/STATUS E-5 / SGT	
8. ORGANIZATION OR ADDRESS B Co, 4-23 IN			

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

On the evening of 28 Feb 2006 at approximately 1900 hrs, B Co, 3rd Plt. elements were conducting a dismounted foot patrol down (b)(2)High in the (b)(6) of Mosul. Within roughly 15 minutes of dismounting the vehicles and beginning the patrol, our platoon received what appeared to be small arms fire from our 3 o'clock position. I was walking point on the right side of the street, and it is my belief that the fire originated from down the sidestreet just to my front that I had yet to cross. SGT (b)(3), (b)(6) (walking point on the left side of (b)(2)High) had already crossed the "T" intersection and SGT (b)(3), (b)(6) (directly behind him) was just beginning to come into view of it. At that moment the "shots" rang out and within seconds a

10. EXHIBIT	(b)(3), (b)(6)	S OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ 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.

STATEMENT OF

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

TAKEN AT

2000

DATED

01 March 2006

## 9. STATEMENT (Continued)

explosion detonated off to my left front, approximately midway between (b)(3), (b)(6) and (b)(3), (b)(6). Believing it to be an IED, I approached SGT (b)(3), (b)(6) to assess his situation and fell back with him and the remainder of the platoon to ~~cover~~ seek cover behind a residential wall on another adjacent sidestreet. He informed me that he was wounded, but could make it under his own power. (b)(3), (b)(6) had already sought cover by that point. He also was wounded. We employed security, radioed for the strikers and began to assess and attend to their injuries until our line medic could move to our location. Upon mutual reflection, all present concluded that a hand grenade had been thrown at our patrol and teams began to organize to press forward and search for the offending suspects. At that point, fast moving civilian vehicle traffic began to converge on our position in the street as several soldiers began yelling "stop" and shining their weapon lights in their direction. My view of the street was obscured as I was then pulling rear security for the makeshift casualty collection point as (b)(3), (b)(6) arrived and began work on our wounded. I then heard several shots ring out as our soldiers

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

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STATEMENT OF

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

TAKEN AT

2000

DATED

01 March 2006

9. STATEMENT (Continued)

fired on the vehicular traffic to prevent it from barreling down on our position. There was no more firing after that initial volley. Within minutes our Strykers arrived and we loaded our casualties. We then proceeded en masse on foot down the alleyway that we believed the perpetrators had ran to, with the Strykers following behind us. Several locals were detained and questioned, though none were apprehended. Within 15-20 minutes we returned to the original scene and at that point I noticed two stopped vehicles in the street, a blue sedan and an orange and white taxi. The sedan had a bullet hole in the passenger side of the windshield and a large pool of blood on the drivers seat. A woman lay dead in the back of the taxi with a massive head wound. She apparently had been moved from the blue sedan to the taxi, as the taxi was free of blood. The man with her (the driver?) was apparently unhurt. I was ordered to photograph the scene and then I proceeded to pull security on the opposite side of the street. (b)(3), (b)(6)

AFFIDAVIT

I, SGT

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

, HAVE READ OR HAVE 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 OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

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

(Signature of Person Making Statement)

WITNESSES:

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

Bco 4/23 INF  
ORGANIZATION OR ADDRESS

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

423 Bco 7 PIR 352d  
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1 day of MARCH, 2006 at FOR MARCH

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

(Signature of Person Administering Oath)

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

CPT, SC  
(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIAL PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

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
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)(2)High 2. DATE (YYYYMMDD) 2006 March 01 3. TIME 2000 hrs 4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(3), (b)(6) 6. SSN (b)(3), (b)(6) 7. GRADE/STATUS SSGT Team Leader

8. ORGANIZATION OR ADDRESS 4.23 Inf Stryker Brigade 3rd platoon Bravo Company

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

We were on patrol on (b)(2)High heading South and about 150 meters from (b)(2)High some one threw a grenade followed by small arms fire. Two men were injured and went down. Two men were injured and kept patrolling. We secured the area and took two men (b)(3)(b)(6) back to base. While the men were being treated on the scene a car came into our secure area moving fast. (b)(2)High (b)(2)High (b)(3), (b)(6) kept coming. The car stopped. We never found the guy that threw the grenade. End result 4 men injured and 1 woman dead. Nothing else follows.

(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 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 TH

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

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

STATEMENT OF

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

TAKEN AT

2000 HIS

DATED

2006 March 01

9. STATEMENT (Continued)

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF

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

TAKEN AT

2000

DATED

2006 March 01

9. STATEMENT (Continued)

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

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

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

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

AFFIDAVIT

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

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 CORRECT CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FRE THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL IN

(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 1 day of MARCH, 2006 at FOB MARUZ

SGT

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

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

Box 4-25

ORGANIZATION OR ADDRESS

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

Oath)

SGT

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

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

Box 4-25

ORGANIZATION OR ADDRESS

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

CPT, SC

(typed name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKI

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

PAGE 3 OF 3 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

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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: FOB Maree
2. DATE (YYYYMMDD): 2006 March 02
3. TIME: 1400
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(3), (b)(6)
6. SSN: (b)(3), (b)(6)
7. GRADE/STATUS: SGT / Team Leader
8. ORGANIZATION OR ADDRESS: 423 Inf Stryker Brigade Bco 3rd pl 3rd

9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH.
Q: cfr (b)(3), (b)(6) BWSB
A: SGT (b)(3), (b)(6) (Team Leader)
Q: Did the vehicle show hostile intent to you or your platoon?
A: YES
Q: what steps of the escalation of force did you follow prior to (b)(2)High
A: First step was shout, 2nd step was pointing weapons with tac light and laser on.
Q: How far was the car when began to (b)(2)High it? How fast was it traveling (estimate)?
A: (b)(2)High
Traveling about (b)(2)High
Q: What was the visibility like that night/evening? Did the car have its headlights on? Where the street lights on/let down canal street?
A: 1) Shitty just turned dark and eyes were still adjusting
2) yes
3) some yes, some no
Q: when the car stopped, did you notice a round had impacted the windshield?
A: NO
Q: (b)(2)High

10. EXHIBIT
11. PERSON MAKING STATEMENT: (b)(3), (b)(6)
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ 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

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

TAKEN AT

1400

DATED

2006 March 02

9. STATEMENT (Continued)

A: YES one round hit through front passenger window

Q: Why did the platoon not go check out the car after it stopped?

A: The threat of the car had been neutralized and we were securing the area and attending to our American soldiers that were wounded. It was check and looked at after all else threats were eliminated.

Q: When the woman was found in the taxi, where were the husband and the children?

A: In a shop on (b)(2)High (east side of road)

Q: Have you attended Rules of engagement training? If so when, where and who taught it?

A: YES Fort Richardson Gym taught by (b)(3)(b)(6)

Q: When was the last time you reviewed the ROE?

A: Within last month

Q: Was the ROE reviewed prior to the beginning of the mission?

A: ~~NO~~ YES

Q: Were any flares/cones/markers setup for the host (b)(3), (b)(6)?

A: NO

Q: Do you have any other statement to make at this time?

A: NO

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

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

**AFFIDAVIT**

  HAVE READ OR HAVE 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 OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL IN

(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 2 day of MARCH, 2006 at FOB MAREZ

(b)(3), (b)(6)  
*(Typed Name of Person Administering Oath)*

\_\_\_\_\_  
*(Authority To Administer Oaths)*

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

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
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)(2)High
2. DATE (YYYYMMDD) 2006 02 28
3. TIME 1900
4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(3), (b)(6)
6. SSN (b)(3), (b)(6)
7. GRADE/STATUS E-5 / SGT
8. ORGANIZATION OR ADDRESS 3rd Plt Bco 4123 Inf

9. I, SGT (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
we were moving south on (b)(2)High We received
small arms fire followed by a grenade. It went off and I ran ahead to
make sure everyone was ok. We then setup a CCP and security. Then
we proceeded to treat the wounded which were SGT (b)(3), (b)(6)
SGT (b)(3), (b)(6) and Spc (b)(3), (b)(6) As we were getting them behind
cover a car moving toward us we (b)(2)High to stop it
but it keeps coming we then used the Escalation of force. We bandaged
SGT (b)(3), (b)(6) and SGT (b)(3), (b)(6) and then loaded them up on the stretcher.
After that we took off to where the enemy too but did not find
them. We moved back to the area of the incident and that
is where we found the woman dead. She had been moved
to another car, we also found 2 civilians wounded from the
grenade. Once everything was taken care of and cleared we
went back to the CASHT.

(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 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.

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

STATEMENT OF Sgt (b)(3), (b)(6) TAKEN AT 2104 DATED 1 MAR 96

9. STATEMENT (Continued)

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

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

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

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

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

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

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

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

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

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

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

AFFIDAVIT

I, SGT (b)(3), (b)(6), HAVE READ OR HAVE 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 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:  
(b)(3), (b)(6)  
423 B Co 3rd + 3rd.

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1 day of MARCH, 2006 at FPO MAREZ

(b)(3), (b)(6)  
*(Signature of Person Administering Oath)*

ORGANIZATION OR ADDRESS  
(b)(3), (b)(6)  
(b)(3), (b)(6)  
B Co 4-23  
ORGANIZATION OR ADDRESS

(b)(3), (b)(6) CPT, SC  
*(Typed Name of Person Administering Oath)*

\_\_\_\_\_  
*(Authority To Administer Oaths)*

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

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: 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: FOB Marez; 2. DATE (YYYYMMDD): 20060302; 3. TIME: 1400; 4. FILE NUMBER; 5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(3), (b)(6); 7. GRADE/STATUS: E-5

8. ORGANIZATION OR ADDRESS: B Co 4/23 INF

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

Q: CPT (b)(3)(b)(6) BN 56
A: SGT (b)(3), (b)(6) squad leader

Q: Did the car show hostile intent to you or your platoon?
A: Yes (b)(2)High

Q: What stages of the escalation of force did you follow prior to (b)(2)High?

A: yelled stop and shined tac lights at the car (b)(2)High

Q: How far was the car before you began to (b)(2)High?
How fast do you estimate it was traveling?

A: (b)(2)High

Q: What was visibility like that evening? Did the car have on its headlights? (b)(3), (b)(6) Were there street lights on/lit down street? (b)(2)High

A: not too bad, yes, it was lit up closer pretty good

Q: when the car stopped, did you notice a round had impacted the windshield? (b)(3), (b)(6)
A: NO

Q: (b)(2)High

10. EXHIBIT: 1 (b)(3), (b)(6) PERSON MAKING STATEMENT: PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT 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 Sgt (b)(3), (b)(6) TAKEN AT 1400 DATED 2006/3/22

9. STATEMENT (Continued)

A: YES windshield

Q: Why did the platoon not go check out the car after it stopped? (b)(3), (b)(6)

A: We were still giving first aid to the wounded and waiting to evac. Then we went after guy as quickly as possible

Q: when the woman was found in the car, where was the husband and the children?

A: in a shop on the corner of (b)(2)High

Q: Have you attended Rules of Engagement training? If so when, where and whom was it taught?

A: yes buckner gym prior to deployment taught by TAG

Q: when was the last time you reviewed the ROE?

A: within the last month

Q: Was the ROE reviewed prior to beginning the patrol?

A: YES

Q: Were any flares/cones/markers employed during the OP?

A: NO

Q: Do you have any thing else you want to state?

A: NO

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

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

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

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF SGT (b)(3), (b)(6) TAKEN AT 1400 DATED 2006 03 02

9. STATEMENT (Continued)

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

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

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

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

AFFIDAVIT

I, SGT (b)(3), (b)(6) HAVE READ OR HAVE 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 OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLU

(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 2 day of March, 2006 at FOB MARIZ

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

(b)(3), (b)(6) CPT, SC  
(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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