



UNITED STATES MARINE CORPS

MULTI NATIONAL FORCE - WEST
I MARINE EXPEDITIONARY FORCE (FORWARD)
UIC 42510
FPO AP 96426-2540

IN REPLY REFER TO:

5800

SJA

2 Mar 06

From: Staff Judge Advocate, Multi-National Force-West

To: Staff Judge Advocate, Multi-National Corps-Iraq

SUBJ: WEEKLY ADMINISTRATIVE LAW REPORT

1. This memorandum is the Judge Advocate Activities Report for all subordinate units from 24 February 2006 through 1 March 2006.

(a) Pending investigations: 66

I MEF (FWD)

(0)

RCT-5

(7)

non responsive

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SUBJ: WEEKLY ADMINISTRATIVE LAW REPORT

non responsive

- (a) Date of incident: 14 Feb 2006
- (b) Unit: 3/5
- (c) Brief description: EOF Injury KIA/GSW
- (d) Individual(s) involved: 3/
- (e) Investigating Officer: Lt (b)(3)(b)(6)
- (f) Appointing Authority: Bn C
- (g) Suspense date: 19 Feb 2006
- (h) Current status: Complete, Final Report

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- (a) Date of incident: 19 Feb 06
- (b) Unit: 3/6
- (c) Brief description: PI into Escalation of Force w/ 1 NKIA
- (d) Individual(s) involved: 3/6
- (e) Investigating Officer: Lt. (b)(3)(b)(6)
- (f) Appointing Authority: CO, 3
- (g) Suspense date: 4 Mar 06
- (h) Current status: Pending RCT-7 CO Endorsement.
- (i) Detailed description: While conducting a mounted patrol in Karabilah, a white Toyota Land Cruiser approached. The vehicle was moving erratically and swerving at a high rate of speed toward the convoy. At (b)(2)High the gunner on the lead vehicle waved a red flag in an attempt to signal the vehicle to stop, but the vehicle did not stop. Due to the large number of civilians in the area, the gunner did not fire warning shots and at (b)(2)High (5) 7.62mm rounds were fired into the grill of the vehicle in order to disable it. The vehicle came to a halt. Upon investigation from the vehicle Commander, it was discovered that (1) round inadvertently, struck (b)(6) throat, killing him instantly. The MAM was PID'd as, (b)(6) and was the only occupant of the vehicle.

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- (a) Date of incident: 14 Dec 05
- (b) Unit: TF 1-172 AR
- (c) Brief description: EOF in Ta'mim where vehicle caught fire with 1 NKIA
- (d) Individual(s) involved: HHC [redacted] R (Bn QRF)
- (e) Investigating Officer: 2LT [redacted] (b)(3), b(6)
- (f) Appointing Authority: LTC [redacted] (b)(3), b(6)
- (g) Suspense date: 14 Jan 05
- (h) Current status: Pending 2 BCT OCJA legal review
- (i) Detailed description: C/1-172 M1A1 was conducting a cordon for an EOD team at a suspected IED site in southern Tammim. A white van approached the cordon and the crew attempted to stop it with hand and arm signals. When the van continued, a white star cluster was used to warn the vehicle at [redacted] meters. At [redacted] meters, the crew fired 7.62mm coax warning shots to

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the ground beside the van. When the van approached to within (b)(2) High meters, 7.62mm (M240C) disabling rounds were fired into the grill causing the van to catch fire. The still continued to approach so 7.62mm rounds were fired into the windshield which caused 1X NKIA. The van was consumed in flames preventing any rescue or search.

(a) Date of incident: 21 Dec 05

(b) Unit: 28th MP Co

(c) Brief description: EOF on MSR (b)(2) High by trooper Gate, 2 NKIA

(d) Individual(s) involved: 1st Pl (b)(2) High 28th MP Co

(e) Investigating Officer: 2LT (b)(2) High

(f) Appointing Authority: CPT (b)(3)(b)(6)

(g) Suspense date: N/A

(h) Current status: Pending 2 BCT OSJA legal review

(i) Detailed description: 1/28th MP's were entering MSR (b)(2) High of (b)(2) High cooper gate at Camp Ramadi. While attempting to turn west (b)(2) High the convoy observed a brown sedan approach their position at about (b)(2) High mph. When the sedan was within (b)(2) High meters of the convoy, headlights and arms signals were used to stop the vehicle. When the sedan was at (b)(2) High meters from the convoy, warning shots, .50 cal., were fired next to the (b)(2) High vehicle. At (b)(2) High meters, the sedan was engaged with disabling rounds, .50 cal., to the front of the vehicle. The sedan stopped and it was search. 2X NWIA's were discovered.

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- (a) Date of incident: 31 Dec 05
- (b) Unit: TF 1-172 AR
- (c) Brief description: EOF on Rte (b)(2)High where car ignore nd & arm signals, pyro, and warning sho sabling fire at (b)(2)High eters led to 1 NKIA
- (d) Individual(s) involved: B Co, 1-109 IN

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- (e) Investigating Officer: 1LT (b)(3)(b)(6)
- (f) Appointing Authority: LTC (b)(3)(b)(6)
- (g) Suspense date: 31 Jan 06
- (h) Current status: Pending IO's report
- (i) Detailed description: B/1-109th was stationary in a (b)(2)High route (b)(2)High when a civilian vehicle approached. When the vehicle (b)(2)High meters from their position, the crew used hand and arm signals to stop the civilian vehicle. When the vehicle was (b)(2)High meters from the position, the crew used pyrotechnics and 5X 7.62mm warning rounds into the dirt berm. The vehicle approached to within (b)(2)High meters and 20X 7.62mm disabling rounds were fired into the civilian vehicle. The vehicle stopped and one NWIA was found. The NWIA was transported to Charlie Med at Camp Ramadi where he later died from his wounds.

- (a) Date of incident: 12 Jan 06
- (b) Unit: TF 1-506 IN
- (c) Brief description: EOF by OP (b)(2)High disabling fire led to 2 NKIA
- (d) Individual(s) involved: B C
- (e) Investigating Officer: 2LT (b)(3)(b)(6)
- (f) Appointing Authority: LTC (b)(3), b(6)
- (g) Suspense date: 12 Feb 06
- (h) Current status: Pending 2 BCT OCJA legal review

- (i) Detailed description: 1-506 conducted security and observation operations at OP (b)(2)High on MSR (b)(2)High observed a black sedan pass their position several times. Trooper (b)(2)High observed this black sedan enter the "Military Traffic Only" lane. Verbal and hand and arm signals were used to attempt to stop the sedan when it was (b)(2)High meters from OP Trotter. The sedan drove past the barriers and approached the OP. When the vehicle was (b)(2)High meters from the OP 5X 5.56mm warning rounds were fired to the ground (b)(2)High front of the vehicle. At (b)(2)High meters, 30X rounds of disabling rounds were fired at the sedan and then 15X .50 cal. disabling rounds which stopped the sedan. Two occupants of the sedan were NWIA.

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- (a) Date of incident: 1 Feb 06
- (b) Unit: A Trp, 1-167 CAV
- (c) Brief description: EOF on MSR (b)(2)High - "killing shots" resulted in 1 NKIA and 1 NWIA
- (d) Individual(s) involved: A Trp, 1-167 CAV

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- (e) Investigating Officer: 1LT (b)(3)(b)(6)
- (f) Appointing Authority: CPT (b)(3), b(6)
- (g) Suspense date: 28 Feb 06
- (h) Current status: Pending 2 BCT OCJA legal review
- (i) Detailed description: A/1-167 CAV was conducting an EOD escort along MSR (b)(2)High near OP7 when they came upon a slow moving white Bongo truck traveling in their lane at approximately 45mph. The lead vehicle of the patrol used its siren and (b)(2)High and arm signals IOT have the vehicle move. When the truck was within (b)(2)High meters of the convoy 2X warning rounds of .50 Cal. was fired behind (b)(2)High truck with no affect. At (b)(2)High meters from the truck 2x disabling rounds of .50 Cal. into the bed (b)(2)High the truck. The truck then pulled right and the patrol began to pass the Bongo truck. When the lead vehicle in the patrol was passing the Bongo truck, the civilian truck pulled back left directly towards the lead vehicle of the patrol. The patrol then fired 2x rounds into th (b)(2)High river's door of the truck when it was at a distance of approximately (b)(2)High meters. The truck then pulled back to the right and reversed cours (b)(2)High C/1-172 then stopped the truck and discovered 2X NWIA. One NWIA later DOW.

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- (a) Date of incident: 1 Nov 05
 (b) Unit: 3d Bn, 7th Marines
 (c) Brief description: EOF with two civilian vehicles resulting in two NKIA from second vehicle.
 (d) Individual(s) involved: Lima Co., 3dBn, 7thMar
 (e) Investigating Officer: Maj [REDACTED]
 (f) Appointing Authority: LtCol [REDACTED] (b)(3)(b)(6)
 (g) Suspense date: N/A
 (h) Current status: Pending 2 BCT OCJA legal review
 (i) Detailed description: L 3/7 MAR was conducting security and cordon operations for EOD at IED explosion incident. A vehicle approached cordon at unusually slow rate of speed and ignored shouts and hand/arm signals at (b)(2)High meters and 3X .50 cal. warning shots at deck in front of vehicle at (b)(2)High meters. OSC believed vehicle to be possible SBVIED due to constant e contact over preceding 30 minutes including (2) RPGs and (3) IEDs. L 3/7 MAR fired 10X .50 cal. disabling shots into vehicle at (b)(2)High meters. Vehicle was struck and collided into parked vehicles on the W side of Moron and came to a stop. One MAM jumped out of the vehicle and ran to the west. A second vehicle approached within seconds in same manner as first. The OSC again believed vehicle to be possible SVBIED and initiated shouts and hand/arm signals. Vehicle continued. L 3/7 MAR fired 3 x .50 cal at deck in front of vehicle at (b)(2)High meters. Vehicle initiated erratic movements and continued toward don. 3/7 MAR fired 3x .50cal (M2) disabling shots into the vehicle at (b)(2)High meters. Vehicle ignited and was almost instantaneously consumed by flames. One MAM exited the vehicle prior to it being engulfed by flames and ran away. Later inspection of second vehicle had two NKIA in the vehicle.

- (a) Date of incident: 8 Nov 05
 (b) Unit: 3d Bn, 7th Marines
 (c) Brief description: MAM left bag by Govt Ctr, shot/killed as he ran away.
 (d) Individual(s) involved: Kilo Co., 3dBn, 7thMar
 (e) Investigating Officer: Maj [REDACTED]
 (f) Appointing Authority: LtCol [REDACTED] (b)(3)(b)(6)
 (g) Suspense date: N/A
 (h) Current status: Awaiting 2BCT OCJA legal review
 (i) Detailed description: K 3/7 MAR was conducting security and observation operations from Post 4 at the Government Center in Central Ar Ramadi when they observed one MAM carrying black bag stop beside protective barriers. The MAM placed a bag on the ground and observed the Government Center for two minutes before running away. The MAM was then engaged with 1x round of 5.56mm resulting in one EWIA who later DOW. It was later discovered

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that the bag only contained food.

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- (a) Date of incident: 16 Jan 06
- (b) Unit: 3d Bn, 7th Marines & 3-2-1 IA
- (c) Brief description: EOF by OP Horea, MAM in wheelchair killed after he ignored all non-lethal EOF and continued to approach the OP.
- (d) Individual(s) involved: Kilo Co., 3dBn, 7thMar
- (e) Investigating Officer: 1stLt (b)(3)(b)(6) (appointed 17 Jan 06)
- (f) Appointing Authority: LtCol (b)(3)(b)(6)
- (g) Suspense date: N/A
- (h) Current status: Pending 2BCT OCJA legal review
- (i) Detailed description: K 3/7 MAR and 3-2-1 IA were conducting security and observation operations from Post 1 at OP Horea along ASR Michigan in Central Ar Ramadi when they observed a MAM in a wheel chair moving West on ASR Michigan entering the eastern "Military Traffic Only" area of OP Horea. When the MAM was approximately (b)(2) meters from OP Horea, K 3/7 MAR shouted at the MAM in an attempt to stop him from moving farther into the serpentine. When the MAM was (b)(2) meters, K 3/7 MAR fired 1x pyrotechnic at the ground in the vicinity of the MAM. The MAM continued to move through the serpentine. At (b)(2) meters, K 3/7 MAR fired 1x warning round of 5.56mm into the ground near the 1x MAM. When the MAM still did not stop or deviate from his course and continued west towards OP Horea, K 3/7 MAR engaged the MAM with 1x round of 5.56mm causing one NKIA.

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30-NCR:
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POSSIBLE LAW OF ARMED CONFLICT (LOAC) VIOLATIONS: (TOTAL 12)

- (a) Date of Incident: 2 Jan 06
- (b) Unit: 2d Force Recon
- (c) Brief description: CI into detainee death
- (d) Individual(s) involved: 2d Force
- (e) Investigating Officer: NCIS / SA (b)(3)(b)(6)
- (f) Appointing Authority: NCIS
- (g) Suspense date: 2 Feb 06
- (h) Current status: Pending IO's Report
- (i) Detailed description: Not provided

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2. POC for this report is SSgt (b)(3), (b)(6) at DSN: (b)(3)(b)(6)

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