

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: A Co TDC
2. DATE (YYYYMMDD): 20/04/18
3. TIME: 1800h
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(3), (b)(6)
7. GRADE/STATUS: E3 / AD

A Co 1-582 IN, 2BCT, 101st AA) DIV

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

LAST NIGHT AROUND 2100, A VAN WAS APPROACHING OUR VEHICLE HEADING SOUTH ON ROUTE (b)(2) high WHILE WE WERE STATIONARY AND PULLING REAR SECURITY TO THE NORTH. AT APPROXIMATELY (b)(2) high NORTH OF OUR VEHICLE, I NOTIFIED THE TRUCK COMMANDER, SGT (b)(3), (b)(6) OF THE APPROACHING VEHICLE. THE TRUCK COMMANDER AND THE OTHER DISMOUNT, Pfc (b)(3), (b)(6) DISMOUNTED AND TOOK UP POSITIONS ON EITHER SIDE OF THE TRUCK TO PREPARE FOR ESCALATION OF FORCE IN CASE THE VEHICLE DIDNT STOP OR SUDDENLY POSED A THREAT.

AT APPROXIMATELY (b)(2) high (b)(3), (b)(6) STARTED APPROACHING (b)(2) high TO STOP. THE VEHICLE CONTINUED APPROACHING (b)(2) high SGT (b)(3), (b)(6) CONTINUED

AND FIRED A WARNING SHOT AS A FINAL WARNING TO GET THE VEHICLE TO STOP. WHEN THE VEHICLE REACHED APPROXIMATELY (b)(2) high FROM OUR LOCATION, SGT (b)(3), (b)(6) YELLED FOR ME TO "FIRE" ON THE VEHICLE BECAUSE IT SEEMED THEY WERE GAINING SPEED TOWARDS OUR LOCATION.

AFTER BEING TOLD TO FIRE, I FIRED (b)(2) high THE VEHICLE, SGT (b)(3), (b)(6) WHICH POINT I REPEATED THE COMMAND FOR THE OTHER DISMOUNT TO CEASE FIRE. AT WHICH POINT I REPEATED THE COMMAND FOR THE OTHER DISMOUNT SO NO FURTHER DAMAGE WOULD FOLLOW.

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(3), (b)(6) TAKEN AT (b)(3), (b)(6) DATED (b)(3), (b)(6)

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 Pfc (b)(3), (b)(6) TAKEN AT ACo JDL DATED 18 APR 02

B. STATEMENT (Continued)

WHILE I WAS FIRING, I NOTICED SGT (b)(3), (b)(6) HAD ALSO FIRED SHOTS (b)(2) high IMMEDIATELY AFTER FIRING, I REPORTED TO SGT (b)(3), (b)(6) THAT I FIRED (b)(2) high UNTIL GIVEN THE COMMAND TO CEASE FIRE.

THE VEHICLE CAME TO A STOP (b)(2) high FROM OUR LOCATION - (b)(2) high (b)(2) high Pfc (b)(3), (b)(6) REPORTED FIRING (b)(2) high AND SGT (b)(3), (b)(6) ALSO FIRED (b)(2) high

AFTER EVERYBODY STOPPED FIRING, Pfc (b)(3), (b)(6) AND I CONTINUED PULLING SECURITY WHILE SGT (b)(3), (b)(6) REPORTED THE SITUATION UP TO THE CONVOY COMMANDER, 1LT (b)(3), (b)(6) ONCE 1LT (b)(3), (b)(6) RECEIVED THE INFORMATION, HE REPORTED IT UP TO HARDACK MIKE SO THEY COULD NOTIFY TRUCK OF THE SITUATION.

DURING THE INFORMATION CALL UP, WE WERE NOTIFIED THAT THE DRIVER WAS K.I.A. AND ONE OTHER PASSENGER WAS W.I.A. BEFORE THIS MISSION, I ~~WENT OVER PROPER R.D.G. W/~~ (b)(3), (b)(6) AROUND ROAD, BEFORE MISSION

nothing follows

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

STATEMENT OF Pfc (b)(3), (b)(6) TAKEN AT AG Tbc DATED 18 APR 02

9. STATEMENT (Continued)

*nothing follows*

AFFIDAVIT

I, PFC (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) \_\_\_\_\_  
Person Making Statement

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

WITNESSES: (b)(3), (b)(6)

\_\_\_\_\_  
(Signature of Person Administering Oath)

Dea 1-502 IN  
\_\_\_\_\_  
ORGA (b)(3), (b)(6) \_\_\_\_\_

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

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

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

INITIALS OF PERSON MAKING STATEMENT \_\_\_\_\_

## **Exhibit E**

**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 Acc. TOC	2. DATE (YYYYMMDD) 20060418	3. TIME 10:00	4. FILE NUMBER
5. LAST NAME FIRST NAME (b)(5)			7. GRADE/STATUS E-5/Sgt

8. Acc. 1-502 Inf.

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

At 21:15 on 17 Apr 06 at (b)(2) high we had escalation of force on a local national. A vehicle was approaching the back of our convoy from the North. My truck was the last truck of the convoy. We were stopped for a security halt while the Mitts guy went into the IA compound to link up with IA for our mission. A van was approaching us from the North (b)(2) high north of us was a IA check point (b)(2) high. I (b)(2) high, (b)(3), (b)(6) stopped. At that point the van started moving forward. I started (b)(2) high to stop there but (b)(2) high vehicle picked up speed. At approx. (b)(2) high I shot a warning shot above the vehicle and it still did not start slowing down. At approx (b)(2) high my gunner to fire (b)(2) high told my gunner shot (b)(2) high. My me and the (b)(2) high shot of 5.56 from our M4. A total of (b)(2) high

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

006882

STATEMENT OF sbt (b)(3), (b)(6) TAKEN AT Aco TOC DATED 18 Apr 06

9. STATEMENT (Continued)

The vehicle stoped (b)(2) high and I called a cease fire. We waited for IA and Mitts to come out of the compound before approaching the van. I walked to the van with IA and saw 2 males and 1 female in the vehicle, 1 male was KIA and other male was wounded. The female was ~~not~~ also wounded. The IA took all three to the hospital and took the van into their compound. Then we ~~cont~~ continued mission. PFC (b)(3), (b)(6) gave PFC (b)(3), (b)(6) a brief on ROE before leaving the FOB.

nothing follows

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

9. STATEMENT (Continued)

*nothing follows*

AFFIDAVIT

I, SBT (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)

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

Dec 1-502 TV  
(b)(3), (b)(6)

*(Signature of Person Administering Oath)*

ORGANIZATION OR ADDRESS

*(Typed Name of Person Administering Oath)*

ORGANIZATION OR ADDRESS

*(Authority To Administer Oaths)*

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

## **Exhibit F**

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: FOB MMD (N)
2. DATE (YYYYMMDD): 2006 04 18
3. TIME: 1030
4. FILE NUMBER:
5. LAST NAME FIRST NAME MIDDLE NAME: (b)(3), (b)(6)
7. GRADE/STATUS: O2/1LT
8. ORGANIZATION OR ADDRESS: A Co. 1-502d IN 101st ABN DIV (ASLT)

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

I was the patrol leader for a barrier emplacement mission on the night of 17 APR 06. The convoy consisted of (b)(2) high. We had to finish up putting in barriers on the south part of the Eastern bypass and Jackson, via (b)(2) high. The plan was for the convoy to stop just past the IA checkpoint, (b)(2) high while the MITT vehicle went into the IA compound to pick up 3x IA trucks. We did this on 14 APR 06 without incident. At the convoy brief, I briefed everyone on this plan, as well as (b)(2) high. I told the TC, that all dismounts in the gun trucks would get out when we stopped on (b)(2) high so that they are situationally aware of their surroundings. I did not think that much would happen, but I wanted everyone to be aware anyway. The last time my PT had ROE training was last month. My PSC, SSG Singleton, gave the training with situation training while I observed. I was confident all my soldiers understood ROE and EOP. We SPD the FOB at 2052 and headed south on (b)(2) high in white lights. My vehicle was the lead vehicle of the convoy. I started slowing down around (b)(2) high. Once MITT told me he was braking off, I stopped the convoy and told everyone to dismount. Nothing happened for about 10 minutes. I received radio call from MITT telling me they were about to leave the

10. EXHIBIT:
11. INITIALS OF 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 BE INDICATED.

STATEMENT OF 1LT (b)(3), (b)(6) TAKEN AT MMJ (A) DATED 18 APR 06

9. STATEMENT (Continued)

IAC, and then started hearing gunfire to my north. It started out slow, and then picked up and I saw tracers. I knew it was one of my trucks and got on the radio to figure out what happened. While SGT (b)(3), (b)(6) who's truck was pulling rear security on the convoy, bricked me on the situation, my truck moved back to the point of incident, (b)(2) high SGT (b)(3), (b)(6) said that he had not approached the vehicle yet. I got there at the same time the IA got there. The vehicle was about (b)(2) high from SGT (b)(3), (b)(6) truck. I went and inspected and noticed the son in the back was slightly injured, and helped the woman out of the front seat. Noticed the driver was slumped over and probably dead. Had the MTT medic check everyone out, and the IA brought an ambulance to take out the wounded. I made sure to give a claims card to the woman. SGT (b)(3), (b)(6) took pictures and explained to me what happened. He said he saw the vehicle go through the checkpoint and start speeding up again. He said they (SGT (b)(3), (b)(6) and his gunner) started

(b)(2) high When the vehicle kept coming, SGT (b)(3), (b)(6) fired (b)(2) high warning shots and then the vehicle still did not stop. SGT (b)(3), (b)(6) felt it picked up speed. SGT (b)(3), (b)(6) then told his crew to fire on the vehicle, and it stopped (b)(2) high away. NOTHING FOLLOWS

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

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

STATEMENT OF LCI (b)(3), (b)(6) TAKEN AT MAJ (W) DATED 18 APR 06

9. STATEMENT (Continued)

(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 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)  
Statement

WITNESSES:

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

(b)(3), (b)(6)  
ORGANIZATION OR ADDRESS

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

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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



STATEMENT (Continued)

Nothing Follows

AFFIDAVIT

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

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,

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

ement)

WIT

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of April 2006 at

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES

## **Exhibit H**

SWORN STATEMENT

For use of this form, see AF 190-55, the proponent agency is USCSUPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 13397 dated November 22, 1993 (SSM)
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: Acc TOC
2. DATE (YYYYMMDD): 20060418
3. TIME: 2049
4. FILE NUMBER
5. LAST NAME FIRST NAME: (b)(3), (b)(6)
6. GRADE/STATUS: (b)(3), (b)(6)
7. GRADE/STATUS: E-5/Sgt
8. ORGANIZATION OR ADDRESS: Acc 1-502 InE 100 D.V.

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

During the escalation of force on 17 Apr 06 at 0915 I tried to (b)(2) high (b)(2) high I was approximately (b)(2) high right of vehicle (west). (b)(3), (b)(6) I shot my warning shots when I shot at the vehicle I (b)(2) high, Already Reviewed and Redacted for Release shot (b)(2) high I vehicle started turning right that's when I called cease fire. The driver side was the side that might have taken a few rounds. That's why some of side windows were shattered.

nothing follows

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

006892

STATEMENT (Continued)

nothing follows

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 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, 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)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES

## **Exhibit I**

SWORN STATEMENT

For use of this form, see AR 150-45. The reporting agency is USJCS

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 <u>ACo TOC</u>	2. DATE (YYYYMMDD) <u>20060918</u>	3. TIME <u>2050</u>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME <u>(b)(3), (b)(6)</u>	6. SSN <u>(b)(3), (b)(6)</u>		7. GRADE/STATUS <u>E3/AD</u>
8. ORGANIZATION OR ADDRESS <u>ACo 1-SDZ, 28CT, 101st CAB DIV</u>			

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

WHILE FIRING @ THE VEHICLE TO DISABLE IT FROM APPROACHING @ THE HIGH RATE OF SPEED IT WAS TRAVELING, I WAS PLACING MY ROUNDS IN THE APPROACHING VEHICLE.

(b)(2) high

(b)(2) high

(b)(2) high

WHEN GIVEN THE CEASE FIRE COMMAND, THE VEHICLE STARTED TO CURVE TO THE WEST SIDE OF THE ROAD. THE SIDE WINDOWS WERE SHOT OUT AS THE VEHICLE CURVED TO A STOP. I ASSUME.

Nothing Follows

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT <u>(b)(3), (b)(6)</u>	PAGE 1 OF <u>2</u> PAGES
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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.

9 STATEMENT (Continued)

*Nothing Follows*

AFFIDAVIT

I, Pfc (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 OR UNLAWFUL INDUCEMENT.

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

(Person Making Statement)

WITN

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of APRIL, 2006 at \_\_\_\_\_

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON

STATEMENT

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

PAGE 2 OF 2 PAGES

## **Exhibit J**

**DAILY STAFF JOURNAL OR DUTY OFFICER'S LOG**

For use of this form, see AR 220-15; the proponent agency is Office of The Deputy Chief of Staff for Operations & Plans

PAGE NO.

NO. OF PAGES

6

ORGANIZATION OR INSTALLATION  
A CO 1-502 IN REGT  
101 ABN DIV (AASLT)

LOCATION  
IRAQ

PERIOD COVERED

FROM

TO

HOUR

DATE

HOUR

DATE

1412

17 APR 06

ITEM NO.

TIME

IN

OUT

INCIDENTS, MESSAGES, ORDERS, ETC.

ACTION TAKEN

INITIALS

(b)(2) high

51	2118	HR 40 reports veh approached		
TYPED NAME AND GRADE OF OFFICER		Illegible Text		

DAILY STAFF JOURNAL OR DUTY OFFICER'S LOG

For use of this form, see AR 220-15: the proponent agency is Office of The Deputy Chief of Staff for Operations & Plans

PAGE NO.

NO. OF PAGES

7

ORGANIZATION OR INSTALLATION  
A CO 1-302 IN REGT  
101 ABN DIV (AASLT)

LOCATION  
IRAQ

PERIOD COVERED

FROM

TO

HOUR

DATE

HOUR

DATE

2118

17 APR 02

2157

17 APR 02

ITEM NO.	TIME		INCIDENTS, MESSAGES, ORDERS, ETC.	ACTION TAKEN	INL
	IN	OUT			

S1 cont

over veh to the N.E., followed by the M240. Results: driver deceased, passenger wounded but OK female passenger is OK not wounded

S2 2140

Refined Report  
Convoy dir headed south parked

(b)(2) high

(b)(2) high

BS fired warning

shot 5-56 veh did not stop.

crew serve fired

(b)(2) high

(b)(2) high

(b)(2) high

fired

(b)(2) high

veh stopped

approx-

(b)(2) high

from convoy

Results: Driver KIA, <sup>male</sup> front passenger

wounded - evaded to Mahan Hospital

Female rear passenger - unharmed

HR 6 reported

veh moved into IAC

(b)(2) high



## **Exhibit K**

SIR

From: A/1-502 IN  
Thru: 2<sup>nd</sup> BCT

To: 4<sup>th</sup> ID / Division Operation Center

Subject:

1. Category:
2. Type of incident: EOF
3. DTG: 17APR06
  - A. DTG of Incident: 172129APR06
  - B. DTG Unit was notified of Incident: 172131APR06
  - C. DTG received by DOC:

4. Location:

5. Personnel involved:

A. Subject:

1. Name:
2. Rank or grade: SGT
3. Social Security Number:
4. Race: UNK
5. Sex: male
6. Age: Unk
7. Position: DISMOUNT
8. Security clearance: Unk
9. Unit and station of assignment: A/1-502
10. Duty status: AD
11. Marital Status: Unk

1. Name:
2. Rank or grade: PFC
3. Social Security Number:
4. Race: Unk
5. Sex: male
6. Age: Unk
7. Position: GUNNER
8. Security clearance: Unk
9. Unit and station of assignment: A/1-502
10. Duty status: AD
11. Marital Status: Unk

1. Name:
2. Rank or grade: PFC
3. Social Security Number:
4. Race: White
5. Sex: male
6. Age: Unk
7. Position: DISMOUNT
8. Security clearance: Unk
9. Unit and station of assignment: A/1-502
10. Duty status: AD
11. Marital Status: Unk

B. Additional personnel involved:

C. Summary of incident: 2129: A/1-502 REPORTS THAT WHILE DISMOUNTED IN MMD CONDUCTING BARRIER EMPLACEMENT OPERATIONS, THEY HAD A VEHICLE APPROACH MOVING SOUTH ON (b)(2) high AT A HIGH RATE OF SPEED. THE PATROL USED ESCALATION OF FORCE (b)(2) high (b)(2) high (b)(2) high (b)(2) high THE VEHICLE CONTINUED TO APPROACH THE PATROL AND THEY FIRED A WARNING SHOT (b)(2) high WHEN THE VEHICLE GOT WITHIN (b)(2) high THE GUNNER IN THE OVERWATCH VEHICLE FIRED (b)(2) high THE VEHICLE STOPPED APPX (b)(2) high FROM THE REAR OF THE CONVOY AND THE PATROL WENT TO ASSESS BDA. THEY FOUND 1X LN (MALE DRIVER) KIA, 1X LN (MALE FRONT PASSENGER) WIA (NSI), AND 1X (FEMALE REAR PASSENGER) UNHARMED. THE VEHICLE WAS A KIA MINIVAN. ALL THREE LN'S ARE BEING TAKEN TO MMD HOSPITAL. 1-502 HAS ALREADY APPOINTED A 15-6 IO (2LT MARTIN C/1-502).

6. Other Information:

- A. Racial: N/A
- B. Alcohol Involvement: None
- C. Last Deployment to OIF/OEF: UNK
- D. Is Soldier on Rear "D"? No

7. Remarks:

8. Commander reporting: CPT (b)(3), (b)(6) A Co. Commander

9. Point of contact: 1LT (b)(3), (b)(6) (b)(2)High

10. Report originated by: 2LT (b)(3), (b)(6)

11. Released by:

12. Unit Notifications:

<u>Position</u>	<u>Name</u>	<u>Time</u>	<u>Instructions</u>
XO	(b)(3), (b)(6)	MAJ 2132	15-6, SIR, STORYBOARD

B. Email: (b)(3), (b)(6), (b)(2) high

## **Exhibit L**

**DAILY STAFF JOURNAL OR DUTY OFFICER'S LOG**

For use of this form, see AR 220-15; the proponent agency is Office of The Deputy Chief of Staff for Operations & Plans

PAGE NO.

NO. OF PAGES

1

1

ORGANIZATION OR INSTALLATION

LOCATION

1st BN, 2BCT, 101st (AA) Div.

FOB Al Mahmadiyah North  
BN TOC  
BN RTO Desk

PERIOD COVERED

FROM

TO

HOUR

DATE

HOUR

DATE

0001

17 APR 06

2348

17 APR 06

ITEM NO.

TIME

IN

OUT

INCIDENTS, MESSAGES, ORDERS, ETC.

INL

(b)(2) high

12 2129

A co reports EOF at

(b)(2) high

1x LN KIA, 1x LN WIA

Notified BDE

Nothing Follows

TYPED NAME AND GRADE OF OFFICER OR OFFICIAL ON DUTY

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

SSG

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

DA FORM 1594, NOV 62

PREVIOUS EDITION OF THIS FORM IS OBSOLETE.

USAPPC V3.03

006905

## **Exhibit M**

**Horstman, Matt 2LT 2 BCT 1-502 CHEMO**

**From:** (b)(2) high 2LT 2 BCT 1-502 CHEMO

**Sent:** Tuesday, April 18, 2006 6:02 AM

**To:** (b)(3), (b)(6), (b)(2) high

**Subject:** [S] NAMES

**Categories:** ~~SECRET, FOR OFFICIAL USE ONLY~~

**Classification Caveat:** FOR OFFICIAL USE ONLY

**Classification Classification:** SECRET

UNCLASSIFIED

UNCLASSIFIED

**Classification:** ~~SECRET//FOR OFFICIAL USE ONLY~~

(b)(6) = KIA

(b)(6) = WOMAN UNHARMED

(b)(6) = WIA

UNCLASSIFIED

**Classification:** ~~SECRET//FOR OFFICIAL USE ONLY~~

## **Exhibit N**

3. **Change to 2/101 BCT Escalation of Force (EOF) Procedures.** NLT 01 MAR 06, implement changes to the 2/101 BCT EOF procedures IOT diminish the number and severity of EOF incidents while fully preserving the force protection posture of soldiers conducting operations. The changes to EOF procedures specified below nest the 2/101 BCT EOF procedures with the MNC-I EOF procedures.

a. **CHANGES:**

i. (b)(2) high

- b. Brief all personnel on EOF procedures and Rules of Engagement prior to any mission.
- c. The following means of graduated force, in order, are authorized for use by 1-502D soldiers during combat operations:

(b)(2) high

- d. See (b)(2) high (Updated EOF Procedures) to (b)(2) high for the ranges at which the steps of the graduated force process should occur. The distances on this flow chart are changed from previous guidance, allowing EOF procedures to occur at greater ranges from the patrol / convoy.
- e. Immediately following an escalation of force incident where shots are fired, conduct the following steps:

i.  
ii.  
iii.  
iv.  
v. (b)(2) high  
vi.

vii. Submit follow up report to 1-502D TOC consisting of the following information:

- 1.
  - 2.
  - 3.
  - 4.
- (b)(2) high

- f. Any unit observing an EOF incident by another military unit or civilian company in which the responsible unit does not stop shall assume responsibility for assistance, condolence payment, and reporting.
- g. Conduct refresher training and certification for every leader and soldier directly involved in an EOF incident not conducted IAW the standards listed above.
- h. Recognition symbols.

- i.
- (b)(5), (b)(2) high
- (b)(2) high
- iii.

(b)(2) high, (b)(5)

j. NLT 10 MAR 06, identify shortfalls in EOF equipment and vehicle marking equipment and submit request to 1-502D S4 at SIPR email

(b)(2) high, (b)(3), (b)(6)

(b)(2) high, (b)(5)

Page 34 redacted for the following reason:

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Nonresponsive

**UNCLASSIFIED**