

| | | |
|---|-------------------------------------|---|
| STAFF: SJA | CLASSIFICATION: Unclassified | DATE: 10 Feb 07 |
| Section Log # NA | SJS Log # NA | |
| TO: CG | SUSPENSE: NA | FROM: Ad Law, SJA |
| SUBJECT: CG Review and Approval of EOF Investigation | | Action Officers: 1LT [redacted] LTC [redacted] DSN 822-2581 |
| PURPOSE: Obtain CG Approval and Signature on DA Form 1574 | | |
| BACKGROUND: Delay – The Investigation was mistakenly logged closed and filed without CG approval. | | |
| ISSUE/CONCERNS: None | | |
| RECOMMENDATION: CG approve findings and recommendations. | | |
| ATTACHED DOCUMENTS: AR 15-6 | | |
| REMARKS: | | |
| <p>Summary: On 20 November 2006, at about 04 [redacted] STF element conducting a mounted and dismounted outer cordon for an assault force in [redacted] followed EOF procedures and engaged a civilian vehicle, presumably killing the driver (the sole occupant).</p> <p>Hostile Act/Intent: The mounted gunner noticed an approaching car at [redacted] moving at about 25-30 kmh toward his position. He signaled with a large Surefire flashlight and the gunner testified the car appeared to increase in speed. The gunner fired two [redacted] warning shots in front of the vehicle at about [redacted] but the car continued to approach. He then engaged the vehicle and other CJSOTF Soldiers also fired. The car swerved away, rolled to a stop about [redacted] away, and the car burst into flames shortly thereafter. Because of the presence of a number of local nationals with unknown intent, the GFC determined the area was not safe to render aid or to search the target car (and the element lacked fire fighting equipment, he claims). The GFC decided to move to a safer location without rendering aid to the victim or analyzing the target. The Soldiers conclude the driver most likely died.</p> <p>Investigation Problems and Missed Opportunities:</p> <div style="border: 1px solid black; height: 150px; width: 100%; text-align: center; vertical-align: middle;"> <p>(b)(5)</p> </div> | | |
| ***** | | |
| [redacted] | | 49 |

(b)(5)

LOAC, ROE, and EOF Compliance: Legally sufficient. The IO relied on only corroborated information in the fundamental analysis. The Soldiers complied with both the spirit and technical requirements of the ROE and EOF procedures. Circumstances did not permit the Soldiers to render aid as reasonably determined by the GFC.

(b)(5)

Action: Sign the DA Form 1574 and the memorandum at TAB A.

| Initials | | C/NC | Date | Initials | | C/NC | Date |
|----------|----------|------|------|----------|------|------|------|
| 1 | SJA | | | 5 | SJA | | |
| 2 | C3 AT/FP | | | 6 | DCoS | | |
| 3 | Safety | | | 7 | CoS | | |
| 4 | CSM | | | 8 | CG | | |
| 9 | SJA | | | | | | |

COMMENTS: C = CONCUR; NC = NONCONCUR

(b)(2)High