



REPLY TO
ATTENTION OF

HEADQUARTERS
MULTI-NATIONAL CORPS-IRAQ
BAGHDAD, IRAQ
APO AE 09342

February 10, 2008

Commanding General

Dr. (b)(6)
(b)(6)

Dear Dr. (b)(6)

I write to you as the head of the (b)(6) family to address some of the circumstances regarding the death of your uncle, the honorable Mr. (b)(6), who died on December 25, 2006, as the result of actions taken by United States Soldiers.

My subordinate commander for Multi-National Division-Baghdad has previously corresponded with (b)(6) who directed further contact to you. I understand that the family will not have closure without a clear explanation of the events that led to the shooting of Mr. (b)(6) including an investigation regarding the individual(s) who provided information to United States Forces that (b)(6) was a hostile insurgent.

Let me first convey my deepest sympathy and condolences to you and the family for the loss of your uncle and family patriarch. The tragic circumstances of your uncle's death must make the grief all the more painful. My humble hope in some small measure is to help provide an explanation from the military investigation I have reviewed.

The mission of the Soldiers that night was to raid a home on the street of your family's home, a neighboring house where a tip indicated a kidnap victim was being held. When the kidnapped victim was not found in the target house, the patrol leader decided to raid houses with lights on along street, thinking those houses may be sanctuaries for terrorists. This unplanned decision made on the spot had tragic consequences.

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Upon forcibly entering the (b)(6) family house, the first Soldier encountered your uncle holding a revolver standing in defense of his home. The first Soldier through the door fired in self defense and hit your uncle, causing a wound that proved mortal for your uncle's age. The highest level of medical care was provided to your Uncle but tragically he passed away despite the best efforts of our doctors.

As requested, the investigation evaluated the source and substance of the intelligence. I assure you that no information or intelligence concerning your family was provided by any Iraqi intelligence or security forces or other source. The events leading to your uncle's death involved a combination of good faith but unfortunate tactical decisions made by the United States Soldiers at the scene and your uncle's courageous attempt to defend his home against unknown intruders.

The investigation establishes the intelligence provided did not identify your uncle as a terrorist. Your family home was not targeted based on any intelligence provided to United States Forces; but tragically, during the planning, neither was it identified as a home of a friend of the Government of Iraq.

In this short letter, I have briefly and directly addressed the chief concerns as I understand them. I am informed that a copy of the investigation with information redacted for security reasons was prepared and approved for release to the family, but I understand it was never delivered. To remedy this, a copy of the investigation is enclosed.

As I come to the close of my tenure of command of Multi-National Corps-Iraq, I wanted to ensure a response was provided. I again extend my most sincere regret at the tragic and unnecessary death of your uncle. I pray my effort to inform you will provide solace.



Raymond T. Odierno
Lieutenant General, USA
Commanding

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

MAJ Chief Administrative Law Division

From: (b)(6)
Sent: Friday, February 08, 2008 12:34 AM
To: (b)(3)(b)(6) LTC MNC-I SJA Chief Admin and Civil Law
Cc: (b)(3)(b)(6) MAJ Chief Administrative Law Division; (b)(6) @yahoo.com; (b)(6) @aol.com
Subject: Re: Death of Mr. (b)(6)

Dear Sir,

Thank you. At last we have had a response from the American forces in Iraq.

I am indeed the senior member of the (b)(6) family but I must correct you in that the late (b)(6) was the younger brother of my father, (who was killed by Saddam in the 1970s). My younger brother is (b)(6)

We have endeavoured to get an answer as to how our elderly and frail uncle was shot in his home by American forces early on Christmas Day 2006 by pursuing all the means available to us. As answers were not forthcoming and details emerged of the appalling treatment meted out to him and his wife we turned to our Member of Parliament here in the U.K. The issue was twice raised in the House of Commons on January 16th and 24th 2007 and the Prime Minister, Mr. Tony Blair, asked the British Foreign Office to pursue the matter with Washington.

In spite of this it has taken a year for us to receive a response which has now been in the form of your email today. I travelled to (b)(6) Iraq in the first week of January 2007 where I personally recorded my aunt's account of the night my uncle was shot, the events of the following week, including his removal from hospital, and his eventual death from his wounds. The events were still very fresh in her mind and an English translation of her account in Kurdish was made and forwarded to the American authorities.

Our family, and indeed very many Iraqis, want to know what led to a group of American soldiers breaking into the home of an elderly couple in the early hours of that Christmas morning. My uncle and his wife had lived in the same house in (b)(6) for over 40 years and were well known, the family were all known to be anti-Saddam, (being Kurds and Shiaa). In fact the local American troops knew them and often offered to clean the threatening graffiti that were daubed on the walls of their home by terrorists in the district.

There are many in Iraq who gloat over what has happened to our family. Quite frankly what happened to my uncle is past believing and we have been kept completely in the dark. It is to be hoped that your contact with me today will lead to light being thrown on this tragic event as an answer is demanded. When my father was murdered by Saddam's regime on January 1st 1974 we could do nothing but we will pursue the murder of his younger brother who died on January 1st 2007 as a result of the actions of 'friendly forces'.

Yours Sincerely,

(b)(6)

-----Original Message-----

From: (b)(3)(b)(6) LTC MNC-I SJA Chief Admin and Civil Law <(b)(3)(b)(6)@iraq.centcom.mil>
To: (b)(6) @aol.com

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

MAJ Chief Administrative Law Division

From: (b)(3)(b)(6) CAPT MNF-I SJA Deputy

Sent: Tuesday, February 12, 2008 9:03 AM

To: (b)(3)(b)(6) LTC MNF-I SJA Chief Admin Civil Law; (b)(3)(b)(6) MAJ Chief Administrative Law Division

Cc: (b)(3)(b)(6) COL MNCI-SJA Staff Judge Advocate; (b)(3)(b)(6) LTC MNCI-SJA Deputy Staff Judge Advocate; (b)(3)(b)(6) LTC, Deputy SJA; (b)(3)(b)(6) LTC MNFI SJA

Subject: [UNCLASSIFIED] RE: RE: RE: RE: FW: RE: Letter to (b)(6) Family

Categories: UNCLASSIFIED

Classification: UNCLASSIFIED

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

(b)(3)(b)(6) no objections so long as the investigation is properly redacted, gruesome photos removed, etc.

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

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

CAPT, JAGC, USN
Deputy Staff Judge Advocate
Multi National Force - Iraq

DSN: (b)(2)

VOIR:

CELL: (b)(2)

Classification: UNCLASSIFIED

From: (b)(3)(b)(6) LTC MNF-I SJA Chief Admin Civil Law

Sent: Tuesday, February 12, 2008 8:48 AM

To: (b)(3)(b)(6) CAPT MNF-I SJA Deputy; (b)(3)(b)(6) MAJ Chief Administrative Law Division

Cc: (b)(3)(b)(6) COL MNCI-SJA Staff Judge Advocate; (b)(3)(b)(6) LTC MNCI-SJA Deputy Staff Judge Advocate; (b)(3)(b)(6) LTC, Deputy SJA; (b)(3)(b)(6) LTC MNFI SJA

Subject: [UNCLASSIFIED] RE: RE: RE: FW: RE: Letter to (b)(3)(b)(6) Family

Classification: UNCLASSIFIED

There are no rules other than the letter be properly redacted removing all personal identifying information, classified operational information, and other information protected by statute and FOIA Exemptions.

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

LTC, JA
Chief, Administrative and Civil Law
MNF-I SJA

DSN: (b)(2)

(b)(5), (b)(3), (b)(6)

007161

2/15/2008

(b)(5), (b)(3), (b)(6)

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

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

CAPT, JAGC, USN
Deputy Staff Judge Advocate
Multi National Force - Iraq

DSN: (b)(2)
VOIP:
CELL: (b)(3)(b)(6)

Classification: UNCLASSIFIED

From: (b)(3)(b)(6) MAJ Chief Administrative Law Division

Sent: Sunday, February 10, 2008 9:38 PM

To: (b)(3)(b)(6) CAPT MNF-I SJA Deputy; (b)(3)(b)(6) LTC MNF-I SJA Chief Admin Civil Law

Cc: (b)(3)(b)(6) COL MNC-I SJA Staff Judge Advocate; (b)(3)(b)(6) COL MNCI-SJA Staff Judge Advocate;

(b)(3)(b)(6) LTC MNCI-SJA Deputy Staff Judge Advocate; (b)(3)(b)(6) LTC, Deputy SJA; (b)(3)(b)(6)

A LTC MNFI SJA

Subject: [UNCLASSIFIED] RE: FW: RE: Letter to (b)(6) Family

Classification: UNCLASSIFIED

Sir,

Just following up on this action from LTG (b)(3)(b)(6) regarding the appropriate Command level for this action.

Earlier this afternoon, LTG Odierno signed the letter referenced below. Request further guidance on 1) whether we may forward the letter directly to the family; and 2) If so, whether we have approval to release to the family a copy of the redacted investigation, which we also have available.

Vr,
MAJ (b)(3)(b)(6)

Classification: UNCLASSIFIED

From: (b)(3)(b)(6) LTC MNC-I SJA Chief Admin and Civil Law

Sent: Thursday, February 07, 2008 8:06 PM

To: (b)(3)(b)(6) MAJ Chief Administrative Law Division

Subject: [UNCLASSIFIED] FW: RE: Letter to (b)(3)(b)(6) Family

Classification: UNCLASSIFIED

Classification: UNCLASSIFIED

From: (b)(3)(b)(6) LTC MNF-I SJA Chief Admin Civil Law

007162

2/15/2008

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

MAJ Chief Administrative Law Division

From: (b)(3)(b)(6) LTC MNC-I SJA Chief Admin and Civil Law
Sent: Friday, February 08, 2008 7:47 PM
To: (b)(3)(b)(6) LTC MNF-I SJA Chief Admin Civil Law; (b)(3)(b)(6) CAPT MNF-I SJA Deputy; (b)(3)(b)(6) COL MNF-I SJA Staff Judge Advocate
Cc: (b)(3)(b)(6) COL MNC-I SJA Staff Judge Advocate; (b)(3)(b)(6) COL MNCI-SJA Staff Judge Advocate; (b)(3)(b)(6) MAJ Chief Administrative Law Division; (b)(3)(b)(6) LTC III CORPS PAO; (b)(3)(b)(6) COL MNC-I CORPS PAO; (b)(3)(b)(6) LTC MNC-I SJA Deputy SJA; (b)(3)(b)(6) LTC, Deputy SJA; (b)(3)(b)(6) LTC MNCI-SJA Deputy Staff Judge Advocate
Subject: [UNCLASSIFIED] Letter to (b)(6) Family – Christmas Day Raid in (b)(6)
Categories: UNCLASSIFIED
Attachments: MNC-I CG Letter (b)(6) Family.doc

Classification: UNCLASSIFIED

Gentlemen,

Attached, is a draft letter that COL (b)(6) is prepared to propose to LTG Odierno to send to the (b)(6) Family. (b)(6)

We are prepared to release the redacted investigation, which was previously attempted through the State Department but did not occur because of technical difficulties getting the package to (b)(6). I now have e-mail contact with the head of the (b)(6) family and can send the investigation electronically. It is redacted and ready for release.

I ask for your assistance in notifying others who need to know regarding the pending release, which will occur no earlier than Monday, 11 February, if LTG Odierno approves.

My replacement, MAJ (b)(3)(b)(6) and CPT (b)(3)(b)(6) can assist with more information as needed.

Thank you for your help.

Respectfully,

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

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

LTC, JA

Chief of Administrative Law

Multi-National Corps-Iraq

DSN

VOIF

(b)(2)

(b)(3)(b)(6) @iraq.centcom.smil.mil

Classification: UNCLASSIFIED

007163

2/15/2008

Page 7 redacted for the following reason:

(b)(5), (b)(3), (b)(6)

-

From: (b)(3)(b)(6) [mailto:(b)(3)(b)(6)@ (b)(2)High

Sent: Monday, July 30, 2007 5:06 PM

To: (b)(3)(b)(6) COL 1CD Chief of Staff

Cc: (b)(3)(b)(6) LTC MNFI STRATEFF; (b)(3)(b)(6) MAJ MNC-I EFFEETS LNO;

(b)(3)(b)(6) COL 1CD Chief of Staff; (b)(3)(b)(6) MAJ 1CD HHC G8 Deputy; (b)(3)(b)(6)

(b)(3)(b)(6) MAJ 1CD Cmd Grp; (b)(3)(b)(6)

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

Subject: RE: [U] Condolence payment for (b)(6)

All:

Ambassador Taubman provided me a brief readout of his call on (b)(6) this morning. He was accompanied by DATT Col. (b)(3)(b)(6) and ODC Chief Col. (b)(3)(b)(6). The widow, son, and daughter of the deceased were present at the meeting as well. The (b)(6) left with the (b)(6) family scanned copies of the letter from Major General Fil, as we did not receive the original from DHL until much later this morning.

The family was appreciative of the gesture of the Ambassador's visiting to offer his personal condolences along with the letter. However, their response regarding the condolence payment was negative, and they indicated that they would continue to refuse to accept the money.

They also made it clear that while the meeting was appreciated, there would not be closure on this issue until the family received a clear explanation of the events which led to the shooting and death of (b)(6) including an investigation regarding the individual (s) who had provided the misinformation to U.S. forces that (b)(6) was a hostile insurgent.

Ambassador Taubman responded by noting that we would ensure that the (b)(6) family's comments would be provided to U.S. military authorities, including MND. (b)(6) also provided Ambassador Taubman a letter, which is reproduced below:

007165



DEPARTMENT OF THE ARMY
HEADQUARTERS, MULTI-NATIONAL DIVISION-BAGHDAD
CAMP LIBERTY, IRAQ APO AE 09344

REPLY TO
ATTENTION OF:

30 MAH ZUMI

Commanding General

(b)(6)

Dear Ambassador (b)(6)

In January I had the difficult task of writing to you about the tragic death of your father-in-law, (b)(6) on December 26, 2006. I told you we would thoroughly investigate the facts and circumstances surrounding the incident.

Multi-National Division-Baghdad recently completed that investigation. The investigation revealed that the U.S. soldiers involved acted in accordance with this command's rules of engagement. When your father-in-law was shot during the incident, these troops ensured he received appropriate medical care immediately. Unfortunately, he later died at an Iraqi civilian hospital.

As a result of the investigation, the commander of the unit involved authorized a condolence payment for the pain and property damage this incident caused. However, the command has not been able to find your mother-in-law to make this payment because she has apparently moved. Any information you can give us regarding her current location would be greatly appreciated so we can expedite this payment process.

We deeply regret your father-in-law's passing. My thoughts and prayers remain with both you and your family at this difficult time.

Sincerely,

Joseph F. Fil, Jr.
Major General, US Army
Commanding

007166



DEPARTMENT OF THE ARMY
HEADQUARTERS, MULTI-NATIONAL DIVISION-BAGHDAD
CAMP LIBERTY, IRAQ APO AE 09344

REPLY TO
ATTENTION OF:

January 14, 2007

Commanding General

(b)(6)

Dear (b)(6)

On behalf of Multi-National Division - Baghdad, please accept my deepest sympathy for the loss of your father-in-law, (b)(6)

I have received a copy of the letter you sent to President Bush. An officer has been appointed to investigate what happened during military operations that affected your family on December 24 and 25 and subsequently at the medical facility. Once the investigation is complete, this command will consider the appropriate action to address your concerns.

Please know that my thoughts and prayers are with you and your family as you mourn your loved one's passing.

Sincerely,

Joseph F. Fil, Jr.
Major General, US Army
Commanding

007167



DEPARTMENT OF THE ARMY
HEADQUARTERS, MULTI-NATIONAL DIVISION-BAGHDAD
CAMP LIBERTY, IRAQ APO AE 09344

REPLY TO
ATTENTION OF:

AFVA-ACofS-G2

20 June 2007

MEMORANDUM FOR RECORD

SUBJECT: Information Subject to Exemption 1 in Dora Christmas Raid Investigation

1. After a thorough review of the AR 15-6 investigation into the raid by C/2-12 IN, 2/1 CD, I have determined that portions of the following documents are properly classified in accordance with Executive Order 12958 and are therefore exempt from release under the Freedom of Information Act, 5 U.S.C. § 552(b)(1); E.O. 12958, as amended; and *DoD 5400.7-R*, paragraph C3.2.1.1:

a. At Exhibits I (Target Area Map), DD (Storyboard of CONOP "Toy Story"), and TT (Storyboard of incident by 2/12 IN), the photographic imagery connected to the map is classified under E.O. 12958, § 1.4c. The photographic imagery reveals surveillance capabilities of intelligence units in the MND-B area of operations.

b. On the Storyboards of the CONOP (Exhibit DD), the troop positions on the map, are classified under E.O. 12958, § 1.4a. The troop positions reveal friendly operational capabilities and military plans.

2. I have also reviewed the Storyboard of the incident labeled "250102DEC06 2-12_TST (1 x LN WIA)_Zone 25." Although this item is labeled "Secret," it does not contain any classified information and is properly declassified. Therefore, it is not exempt from release under FOIA Exemption 1.

3. If you have further questions, please contact me at VOIP (b)(2) or at (b)(3)(b)(6) @mnd-b.army.smil.mil.

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

LTC, MI
Deputy G2

007168



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, 2ND BRIGADE COMBAT TEAM
MULTI-NATIONAL DIVISION—BAGHDAD
FOB PROSPERITY, BAGHDAD, IRAQ
APO AE 09348

AFVA-2BCT-BJA

19 January 2007

MEMORANDUM FOR Commander, 2nd Brigade Combat Team, Multi-National Division—
Baghdad, FOB Prosperity, Baghdad, Iraq, APO AE 09348

SUBJECT: Legal Review of Army Regulation (AR) 15-6 Investigation

1. Pursuant to AR 15-6, paragraph 2-3, I have reviewed the investigation into the facts and circumstances surrounding the incident that occurred on 25 December 2006, wherein a member of C Company, 2nd Battalion, 12th Infantry Regiment, used force in accordance with the Rules of Engagement, which led to the shooting of a local national. I make the following determinations:

(b)(6)

2. In addition to the IO's recommendations, I advise

(b)(6)

(b)(6)

3. I may be reached at

(b)(6)

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

Encl
as

MAJ, JA
Brigade Judge Advocate

007169

AR 15-6 Investigation
C / 2-12 Infantry Battalion
25 December 2006

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

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proponent agency is OTJAG.

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

SECTION I - APPOINTMENT

Appointed by COL (b)(6), (b)(3) _____
 (Appointing authority)

on 13 January 2007 (Date) _____ (Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)

SECTION II - SESSIONS

The (investigation) (board) commenced at FOB Falcon, Baghdad, Iraq at 1500
 (Place) (Time)
 on 13 January 2007 (Date) _____ (If a formal board met for more than one session, check here _____ indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member Legal Advisor.)

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence) (See paras 5-2 and 5-8a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at 1800 on 17 January 2007
 (Time) (Date)
 and completed findings and recommendations at 2000 on 17 January 2007
 (Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

	YES	NO ^{1/}	NA ^{2/}
Inclosures (para 3-15, AR 15-6)			
Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)			
a. The letter of appointment or a summary of oral appointment data?	X		
b. Copy of notice to respondent, if any?(See item 9, below)			X
c. Other correspondence with respondent or counsel, if any?			X
d. All other written communications to or from the appointing authority?			X
e. Privacy Act Statements (Certificate, if statement provided orally)?			X
f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?			X
g. Information as to sessions of a formal board not included on page 1 of this report?			X
h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?			X

FOOTNOTES: ^{1/} Explain all negative answers on an attached sheet.
^{2/} Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board

		YES	NO	NA
2	Exhibits (para 3-16, AR 15-6)			
	a. Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?	X		
	b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	X		
	c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	X		
	d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?			X
	e. Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?	X		
	f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?	X		
	g. If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?			X
3	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?			X
B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)				
4	At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?			
5	Was a quorum present at every session of the board (para 5-2b, AR 15-6)?			
6	Was each absence of any member properly excused (para 5-2a, AR 15-6)?			
7	Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?			
8	If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?			
C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)				
9	Notice to respondents (para 5-5, AR 15-6):			
	a. Is the method and date of delivery to the respondent indicated on each letter of notification?			
	b. Was the date of delivery at least five working days prior to the first session of the board?			
	c. Does each letter of notification indicate —			
	(1) the date, hour, and place of the first session of the board concerning that respondent?			
	(2) the matter to be investigated, including specific allegations against the respondent, if any?			
	(3) the respondent's rights with regard to counsel?			
	(4) the name and address of each witness expected to be called by the recorder?			
	(5) the respondent's rights to be present, present evidence, and call witnesses?			
	d. Was the respondent provided a copy of all unclassified documents in the case file?			
	e. If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?			
10	If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):			
	a. Was he properly notified (para 5-5, AR 15-6)?			
	b. Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?			
11	Counsel (para 5-6, AR 15-6):			
	a. Was each respondent represented by counsel?			
	Name and business address of counsel:			
	(If counsel is a lawyer, check here)			
	b. Was respondent's counsel present at all open sessions of the board relating to that respondent?			
	c. If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?			
12	If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):			
	a. Was the challenge properly denied and by the appropriate officer?			
	b. Did each member successfully challenged cease to participate in the proceedings?			
13	Was the respondent given an opportunity to (para 5-8a, AR 15-6):			
	a. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?			
	b. Examine and object to the introduction of real and documentary evidence, including written statements?			
	c. Object to the testimony of witnesses and cross-examine witnesses other than his own?			
	d. Call witnesses and otherwise introduce evidence?			
	e. Testify as a witness?			
	f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?			
14	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?			
15	Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?			

FOOTNOTES. 1/ Explain all negative answers on an attached sheet.

2/ Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

SECTION IV - FINDINGS (para 3-10, AR 15-6)

The (investigating officer) (board) , having carefully considered the evidence, finds:

See Attached Memorandum

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the (investigating officer) (board) recommends:

See Attached Memorandum

REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member of the board is dissenting, indicate the reason in the space where his signature should appear.)

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

(Recorder)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-3, AR 15-6)

To the extent indicated in Inclosure _____ the undersigned does not concur in the findings and recommendations of the board. In the enclosure identify by number each finding and/or recommendation in which the dissenting member(s) does not concur. Reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the enclosure.

(Member)

APPROVAL

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3 AR 15-6)

The findings and recommendations of the (investigating officer) (board) are (approved) (disapproved) (approved with conditions). (If the appointing authority forwards the proceedings to the investigating officer or board for further proceedings, include action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)

I ratify the appointment of the investigating officer.

Joseph F. Fil, Jr.

2 FEB 2007

JOSEPH F. FIL, JR
Major General, USA
Commanding



REPLY TO THE
ATTENTION OF:

DEPARTMENT OF THE ARMY
15TH BRIGADE SUPPORT BATTALION
2ND BRIGADE COMBAT TEAM, 1ST CAVALRY DIVISION
FOB FALCON, BAGHDAD, IRAQ
APO AE 09361

AFVA-2BCT-15 BSB-XO

16 January 2007

MEMORANDUM FOR Commander, 2ND Brigade Combat Team, 1ST Cavalry Division, FOB Prosperity, Baghdad, Iraq, APO AE 09348

SUBJECT: Findings and Recommendations, AR 15-6 Investigation – 25 December 2006 Raid – C Company, 2-12 Infantry

1. Findings.

a. Timeline:

24 December 2006

- **2000 – 2042:** 2-12 Infantry receives tip from the MOI.
- **2042:** C Company notified of the mission
- **2042 – 2130:** C Company Commander goes to Battalion TOC and conducts planning with Battalion Commander and Battalion S-3
- **2130:** 2ND Platoon Leader notified
- **2130 – 2215:** 2ND Platoon conducts planning
- **2317:** C Company Patrol departs FOB Falcon
- **2317 – 0030:** C Company enroute to target area

(b)(2)High

(b)(2)High

25 December 2006

- **0030 – 0100:** C Company enters House # 24
- **0102:** C Company enters House # 26
- **0110:** 4 x M1114 Section departs target area for CSH with wounded individual

b. Tip Vetting and Mission Preparation. The tip resulting in the raid on 25 December was passed directly from General (b)(6), (b)(3) to LTC (b)(6), (b)(3) the 2-12 IN Battalion Commander, through his interpreter. The tip stated that a Kurdish individual was being held hostage at (b)(6). As this came directly from General (b)(6), (b)(3) to LTC (b)(6), (b)(3) it was considered a reliable tip. The battalion did not vet the tip additionally. At the time, the battalion had no formal tip vetting process, although if it did, would probably not have vetted the tip due to its origin. The battalion now has a tip vetting process that has been formalized in a battalion Fragmentary Order issued on 12 January 2006 (**Attachment L**).

LTC (b)(6), (b)(3) made the decision to action the tip and assigned the mission to Charlie Company based on its location in (b)(6) which was in Charlie Company's Area of Operations. CPT (b)(6), (b)(3), the Charlie Company Commander, assigned the mission to 2ND Platoon based on its performance in prior operations.

(b)(2)High

(b)(2)High The battalion was unable to determine whether the individuals were armed. Although after curfew hours, the activity was not unusual. However, the activity coupled with the tip could indicate criminal activity. The area was predominately Christian and had not had much AIF activity. The Company Commander, Battalion S-3, and Battalion Commander looked at the target area using satellite imagery and a plan was developed to infiltrate and secure the area (**Attachment I**).

The unit had approximately 2.5 hours from notification until it departed from FOB Falcon. This preparation included notification of the tasked platoon in addition to the preparation detailed above. The unit considered this a time sensitive target due to its involving a kidnap victim and chose not to include Iraqi National Police. No written operations order was prepared. Verbal orders were given from the Battalion to Company Commander, Company Commander to Platoon Leader, and Platoon Leader to 2ND Platoon.

This mission was planned and executed using a compressed timeline. Normal operations are planned over a period of weeks and are accompanied by a CONOP storyboard – an example company level operation is attached (**Attachment DD**). However, recognizing that this is a time sensitive target, this was not possible. This did not affect the execution of the operation due to Charlie Company's experience in conducting raids, house entries, room clearances and due to its familiarity with the target area.

c. **Patrol Composition.** The patrol consisted of 39 personnel and nine M1114s. It was made up of the 2ND Platoon of Charlie Company and was accompanied by the Company Commander (**Attachment J**). The patrol leader was 1LT (b)(6), (b)(3) the 2ND Platoon Leader, however as the Company Commander accompanied the patrol, he was ultimately in command. The patrol included one medic and one interpreter.

d. **Execution of the Raid.** The platoon arrived at the target area and conducted a forced entry into House # 24 (the target house) between 0030 and 0100 on 25 December. The forced entry included breaching the outer gate using an M1114. The order the first four Soldiers entered the house was: SSG (b)(6), (b)(3), SGT (b)(6), (b)(3) PV2 (b)(6), (b)(3) and PFC (b)(6), (b)(3). After discovering that there was no kidnap victim in House # 24, CPT (b)(6), (b)(3) directed the section to enter House # 26. The order the soldiers entered House # 26 was: SGT (b)(6), (b)(3) SSG (b)(6), (b)(3) PV2 (b)(6), (b)(3) and PFC (b)(6), (b)(3). SGT (b)(6), (b)(3) was supposed to be the first man to enter both houses, however was retrieving a battering ram and became the second man for House # 24. SSG (b)(6), (b)(3) and SGT (b)(6), (b)(3) both stated that they are normally the first man into a room while conducting a clearing operation due to their experience levels.

Houses adjacent to target houses are not normally entered forcibly, but rather searched using the "cordon and knock" technique. CPT (b)(6), (b)(3) made the decision to forcibly enter House # 26 based on the time sensitive nature of the operation and the fact that Houses # 24 and 26 were the only two houses on Street 17 with lights on around 0100 in the morning.

The section entered House # 26 by first removing the exterior gate. The gate was hanging by one of two hinges, so it was easily removed. The section then used a battering ram to break down the door. When SGT (b)(6), (b)(3) entered the house, he observed a hand holding a revolver

and part of a face. The revolver cycled three times and did not fire. When SGT (b)(6), (b)(3) had positive identification, he fired seven rounds from his M4. He proceeded into the house and found an elderly man (b)(6) sitting on a couch with a .38 pistol on the floor next to him and a wound to his jaw. His wife (b)(6), (b)(3) was sitting on the couch next to him. CPT (b)(6), (b)(3) moved her to an adjacent room, so that (b)(6) could be treated (Attachment FF).

e. Medical Care given to (b)(6) SPC (b)(6), (b)(3) applied first aid to (b)(6) (b)(6). He stabilized him and moved him to an M1114 for transport to the Combat Support Hospital located less than eight kilometers from the target area. When (b)(6) (b)(6) left his house, he had a strong pulse and was breathing well. During the ten minute ride, he stopped breathing and his heart stopped. As SPC (b)(6), (b)(3) was about to perform additional first aid, his heart began beating again and he started breathing. According to the 2-12 IN TOC Log, (b)(6) was in critical but stable condition after undergoing surgery as of 25 0635 December 2006 (Attachment H). After the raid was conducted, they went back and questioned the occupant of the target house. (b)(6), (b)(3) He stated that (b)(6) had a possible heart condition. That information was passed to the CSH. 1LT (b)(6), (b)(3) visited (b)(6), (b)(3) and gave her contact information for her husband at the CSH and his medical status, which was stable at the time. She was visited two more times between the incident and this investigation by CPT (b)(6), (b)(3)

f. Damage to the House. According to pictures taken during the raid and the testimony of the Soldiers involved, the extent of damages to House # 26 follow. The front gate was breached, the front door was kicked in, and there were approximately six marks from bullets or ricochets on the door next to the stairs. The freezer in the hallway had four bullet holes in it. The damage to House # 24 (target house) from pictures taken during the raid consists of a broken front gate (Attachment II). (b)(6), (b)(3) and (b)(6), (b)(3) were both given Coalition Forces claims cards by the patrol prior to its departure from the target area.

g. Rules of Engagement. The investigating officer, along with every Soldier that comes into theater receives an MNC-I ROE Card that has been in effect since October 2005 (Attachment EE). (b)(2)High When SGT (b)(6), (b)(3) entered the house, he saw a revolver aimed at him which was being cycled. His reaction was

(b)(5)

(b)(2)High

2. Recommendations.

(b)(5)

AFVA-2BCT-15 BSB-XO

SUBJECT: Findings and Recommendations, AR 15-6 Investigation – 25 December 2006 Raid –
C Company, 2-12 Infantry

(b)(5)

(b)(5)

3. POC for the memorandum is the undersigned at
(b)(6)

(b)(6)

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

MAJ, OD
Investigating Officer

007178

List of Attachments

- A Appointment Orders dated 13 January 2007
- B MNC-I Form 15 dated 11 January 2007
- C Letter from (b)(6), (b)(3) to the POTUS dated 2 January 2007
- D Condolence Letter from (b)(6), (b)(3) to (b)(6), (b)(3) dated 4 January 2007
- E SIGACT pulled from CPOF dated 25 December 2006
- F Storyboard generated by 2-12 IN dated 25 December 2006
- G Serious Incident Report filed by 2-12 IN dated 25 December 2006
- H Excerpt from 2-12 IN TOC Log dated 25 December 2006
- I CPOF imagery of Target Area dated 24 December 2006
- J C Company Trip Ticket for Mission # 849 dated 24 December 2006
- K Contact information generated from Mission # 849
- L Tip Priority Intelligence Requirements attached to 2-12 IN FRAGO dated 12 January 2007
- M Sworn statement of CPT (b)(6), (b)(3) (C/2-12 IN Commander) dated 13 January 2007
- N Sworn statement of 1LT (b)(6), (b)(3) (C/2-12 IN XO) dated 13 January 2007
- O Sworn statement of SSG (b)(6), (b)(3) dated 13 January 2007
- P Sworn statement of SGT (b)(6), (b)(3) dated 13 January 2007
- Q Sworn statement of PFC (b)(6), (b)(3) dated 13 January 2007
- R Sworn statement of PV2 (b)(6), (b)(3) dated 13 January 2007
- S Sworn statement of SPC (b)(6), (b)(3) (2/C/2-12 IN Medic) dated 13 January 2007
- T Sworn statement of CPT (b)(6), (b)(3) (2-12 IN S-2) dated 14 January 2007
- U Sworn statement of CPT (b)(6), (b)(3) dated 14 January 2007
- V Sworn statement of 1LT (b)(6), (b)(3) (2/C/2-12 IN Platoon Leader) dated 14 January 2007
- W Sworn statement of SSG (b)(6), (b)(3) dated 14 January 2007
- X Sworn statement of SGT (b)(6), (b)(3) dated 14 January 2007
- Y Sworn statement of PFC (b)(6), (b)(3) dated 14 January 2007
- Z Sworn statement of PV2 (b)(6), (b)(3) dated 14 January 2007
- AA Sworn statement of SSG (b)(6), (b)(3) (2-12 IN Battle NCO) dated 14 January 2007
- BB Sworn statement of CPT (b)(6), (b)(3) (2-12 IN Battle Captain) dated 14 January 2007
- CC Memorandum for Record, Subject: Phone Conversation between Investigating Officer and CPT (b)(6), (b)(3) dated 14 January 2007
- DD Storyboard for C/2-12 IN CONOP "Toy Story" dated 10 January 2007
- EE MNC-I Rules of Engagement Card dated 10 October 2005
- FF Diagram of House # 26 with pictures
- GG Excerpt from 2-12 IN TACSOP dated 1 July 2006
- HH Damages to Houses # 24 and 26
- II 15-6 FOLLOW-UP

007179



DEPARTMENT OF THE ARMY
HEADQUARTERS, 2ND BRIGADE COMBAT TEAM
MULTI-NATIONAL DIVISION—BAGHDAD
FOB PROSPERITY, BAGHDAD, IRAQ
APO AE 09348

REPLY TO
ATTENTION OF:

AFVA-2BCT-CDR

13 January 2007

MEMORANDUM FOR Major (b)(6),(b)(3) Headquarters and Headquarters Company, 15th
Brigade Support Battalion, 2nd Brigade Combat Team, Multi-National Division—Baghdad, FOB
Falcon, Baghdad, Iraq APO AE 09361

SUBJECT: Appointment as Army Regulation 15-6 Investigating Officer

1. You are hereby appointed as the Investigating Officer (IO) to conduct an informal investigation pursuant to Army Regulation (AR) 15-6 into the facts and circumstances surrounding the raid conducted on 25 December 2006 by C Company, 2nd Battalion, 12th Infantry Regiment, which resulted in the shooting of a local national. Specifically, you will make findings and recommendations concerning the following:

- a. The makeup of the affected patrol;
- b. All intelligence supporting the operation;
- c. If the house in question was not part of the planned operation, a description of the purpose for entering the house;
- d. A description of what happened when the Soldiers entered the house; and
- e. Actions taken by the patrol members after contact, including, but not limited to, reaction to contact, first aid, and MEDEVAC.

2. Prior to beginning your investigation, you will contact CPT (b)(6), (b)(3) Operational Law Attorney, 2nd Brigade Combat Team, at (b)(6). She will serve as your legal advisor during the investigation.

3. All witness statements will be sworn and submitted on DA Form 2823. If circumstances preclude you from obtaining a sworn statement, or if you obtain a statement telephonically, you will summarize the statement in a Memorandum for Record and swear to the accuracy of your summary.

4. If you come to suspect any individual you are questioning has committed a crime, you will advise that individual of his rights under Article 31, UCMJ, or the Fifth Amendment, as appropriate, using DA Form 3881.

EX A

007180

AFVA-2BCT-CDR

SUBJECT: Appointment as Army Regulation 15-6 Investigating Officer

5. If you are required to evaluate the character, conduct or judgment of someone senior to you (or senior by time-in-grade), contact your legal advisor before proceeding.
6. Your report, together with all the evidence and storyboards marked as exhibits, will be submitted on a DA Form 1574 for a legal review no later than 17 January 2007. Requests for extensions of this suspense will be submitted in writing to the undersigned through the Brigade Judge Advocate.

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

COL. AR
Commanding

REVIEWING OFFICER:	CLASSIFICATION:	DATE: 11 JAN 07
DATE	DATE CHOPS JOC OIC	SUSPENSE: 141200CJAN07
REVIEWING OFFICER'S COMMENTS:		RFI #: LO-2369
ACTION OFFICE:		
LEAD: MND-B		
SUPPORT:		
SUBJECT: RAID INQUIRY TO US AMBASSADOR		
BACKGROUND:		
<p>(b)(6) letter to the President of the United States, SUBJ: Raid on Christmas Day (b)(6) dated 02 JAN 2007.</p>		
QUESTIONS:		
<p>Please review all attached documents and comment on them including any information on the alleged incident. State if there is an ongoing investigation and any details relating to any investigation (i.e. when the investigation will close).</p>		
ATTACHMENTS:		
<p>ATT A – LETTER TO POTUS (.DOC) ATT B – CONDOLENCE LETTER (.DOC)</p>		
REQUESTER:		
SECTION: MNF-I SCJS		
POC/PHONE #:		
EMAIL:		
INSTRUCTIONS:		

LAST UPDATED 31OCT 06

MNC-I FORM 15

007182 EX B

MNC-I COMMENTS

MNC-I (STAFF SECTION or COMMAND) COMMENTS – (CON, CWC OR NC)

CONTACT: [list rank/name, section or unit and phone number]

TOPIC: [topic that needs to be changed, fixed, deleted, etc.]

SYNOPSIS: [brief synopsis of the issue]

RECOMMENDATION: [State whether you CONCUR, NONCONCUR or CONCUR WITH COMMENTS and how to correct the problem]

(b)(6)

Page 1

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

(b)(6)

(b)(6)

President George W. Bush
The White House,
The United States of America

21/2007

Dear Sir,

The coming of a New Year should be heralded with joy and happiness but this is not the case for my family. Instead we have suffered the tragic loss of a senior, much loved and respected family member through the actions of some of the American military in Baghdad.

In the early hours of Christmas Morning 2006 my family's home (b)(6) (b)(6) My parents-in-law were both asleep and alone in the house when the raid started at 1 a.m. (b)(6) my 72 year old father-in-law, and my paternal uncle, was shot in the mouth and severely injured and was in a coma until his death early yesterday morning, while his 70 year old wife (b)(6) suffered impaired hearing as a result of the gunshots and explosions and the family home has been destroyed.

It was dark when the attack occurred and fearing it was another terrorist attack on them, my terrified mother-in-law bolted the doors and took my father-in-law, who was suffering from ill health, to hide underneath their bed. The military broke down the garden gate and the door of the house with a battering ram and rapidly deployed troops inside the house. These troops then shot without warning inside every room and the petrified (b)(6) became separated from her husband. She heard someone shouting in Arabic the names of her sons asking where they were but did not hear her husband and did not know what had happened to him. Eventually, when the soldiers had left, she found herself alone in the damaged house.

Following the raid (b)(6) had no idea where her husband was and she endeavoured to contact neighbours and family for help. They discovered a piece of flesh and bone fragments on the bedroom floor and realised that Ali had been shot during the raid. After a day of confusion my relatives finally managed to contact one of the commanding officers and (b)(6) discovered that her husband had been taken to the American hospital, Fbin Seena, where Iraqis injured as a result of American military blunders are taken. The hospital refused to give them any

007184
EX C

(b)(6)

information regarding his condition, so causing further anguish to the family who were left with no idea of the state of his health or indeed if he was still alive

(b)(6) faced many problems gaining access to the hospital. On the following day a soldier at the first checkpoint gave her specific pass papers for entrance to the hospital however one of the soldiers at the fourth checkpoint tore up the pass papers and denied her access causing her further stress in her already frail state of health. The following day, after many phone calls she was told to take a special identification card with her and she was granted admittance to the hospital. The family then received the confirmation that (b)(6) had been shot in the jaw and was in a coma. However the following day the army took him to a general hospital which lacked the facilities to care for a man of his age and condition.

He was placed in the hospital's intensive care unit and the family were told that his chances of survival were slim and that if indeed he did survive the damage to his jaw would prevent him being able to speak again. It beggar's belief that a man in such a critical condition was moved from one hospital to another that had less facilities to use in his treatment and care. It appears that the crime of shooting him was not enough and it was followed by the second crime of moving him to a poorer equipped hospital to die. In effect the people concerned attempted to wash their hands of the whole affair.

What has shocked me, my family and others, is this totally unprofessional behaviour of the U.S. forces during the whole incident and the complete lack of compassion shown to my parents-in-law.

No checks can have been made before the raid was made otherwise it would have been discovered that the target was the home of the senior members of a well known and respected family (b)(6) who had been the victims of Saddam's regime for more than three decades. Ironically (b)(6) elder brother, my father, was killed 33 years ago yesterday, in full view of his home, by the Ba'athist regime on January 1st 1974.

From my experience, and indeed it is common knowledge in Iraq, the intelligence information that the American forces there receive from Iraqi sources is often wrong. During Saddam's Republic of Fear a vast network of informers was established as it became the norm to inform on others and it appears that this apparatus has been inherited by the Coalition forces and is taking revenge on those who opposed Saddam in the process. If the intelligence supplied could convince Coalition forces to attack a well-known family, which has resided in this house for over half a century, and known by all the local population to have suffered under Saddam, then the sources of that intelligence must be well entrenched in the intelligence structure. Furthermore these sources will achieve their aim as past friends of America and its allies are alienated. The majority of the people who readily give information are still Saddam Hussein loyalists and furthermore the majority of the translators that work with the American forces also

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EX C

(b)(6)

work with the terrorist insurgents Al Qaeda and various sectarian groups. Under Saddam no one was allowed to study foreign languages at university, especially English, unless they were affiliated to the Ba'athist party. Now these informers and translators are entrenched in the Coalition's systems and are able to influence its actions as illustrated by the raid on my family home.

These mistakes affect the reputation of the Coalition as a whole and such actions have resulted in the death of more than 3,000 young American soldiers who have sacrificed their lives for my country's liberation.

It is our custom to bury the dead within 24 hours of death and because of the situation we were not able to return my father-in-law's body to (b)(6) to be laid to rest following a traditional family funeral.

We are in this situation because of the criminal action of some members of the American army. The family demand to know the source of the information which led to this raid on a home which was occupied by two elderly people who have never been connected with a terrorist organization. On the contrary they are related to members of the new government who support your actions and they considered themselves to be friends of America. It is even more surprising that during the attack the Arabic speaker was asking for the whereabouts of their sons, one of whom is a diplomat, while the other two both live and work abroad.

We have not received an apology from anyone in your administration with regards to the raid and its consequences. I would appreciate an official apology and to know who was responsible for the whole affair. A full explanation for the suffering caused to my family and the damage done to our family home will naturally be expected.

Yours Sincerely,

(b)(6)

(b)(6)

(b)(6)

January 4, 2007

Dear Mr. (b)(6)

On behalf of Ambassador (b)(6) and the rest of the U.S. Embassy staff here in (b)(6) I would like to express our deepest condolences over the tragic loss of your father-in-law in Baghdad.

It is never easy to lose a close family member, and especially under such difficult and unexpected circumstances.

We have already conveyed your letter to the White House, the Department of State and the U.S. Embassy in Baghdad. I spoke to the Ambassador, who is currently out of the country, and he will do whatever he can to shed light on the circumstances behind your father-in-law's death and will convey this information to you.

You have been a fine and valued partner for us here in (b)(6) and we know how well you are serving your country. We are very sorry that this unfortunate incident has occurred and taken away a loved one. You and your family are in our prayers.

Sincerely,

(b)(6)

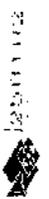
His Excellency

(b)(6)

Ambassador of Iraq to (b)(6)

(b)(6)

007187
EX D



(b)(2)High

SAF
Red
HOSTILE
Success

RESPONSE BY 0001
015
025

MPDA BEVERLY 74 (2501 00)
UNIT 2-12 IN 21 0AV

EVILUSAF
(b)(6)

RIACWBR 11, NONE
WIA/VERB 13 WIA (LN MALE)
EQUIPMENT NONE NONE
ENEMY BDA, NONE
ENEMY DETAILER NONE
CREW 3 (1 PM) 1000
OTHER (FD) 1 (EAT) 1000 RHINO
FRAG DESCR BY UNK CALLED: YES
DECT RUCORNSIBLE ASSESSMENT
UNK

Illegible Text

PERSON LN MALE IS IN THE CR AT
THE CSH.

(0635) LN MALE IS IN ICU AT THE
CSH AND IS IN STABLE BUT
CRITICAL CONDITION

SUMMARY:

1X SAF
1X WIA (LN MALE)
0X INJ
0X DMG

ICLOSED

(Contains Elements Here

Posts (no posts)

SUMMARY

1 X LN WIA

(b)(6)

AKA

(b)(6)

RESULTS

1 X LN WIA

(b)(6)

WHO: C / 2-12 IN

WHAT: 1 X LN WIA

WHEN: 250102DEC2006

WHERE:

MISSION OF UNIT

T: HOSTAGE RESCUE

P: SECURE HOSTAGE AND PREVENT FUTURE KIDNAPPINGS

TIMELINE OF EVENTS

242317DEC06: C/2-12 IN is actioned on an MOI tip regarding the rescue of a kidnapped individual located at

(b)(6) C/2-12 IN entered the house and found no hostage situation, but did speak with the home owner

(b)(6) who works for the

(b)(6) They began a secondary search of the immediate area.

250102DEC06: C/2-12 IN engaged 1 x LN at

(b)(2) High

While entering the residence, the LN reached his arm around a doorway aiming a .38 pistol in the direction of the squad squeezing the trigger 3 times. Upon seeing and hearing the pistol, the squad fired 7 x 5.56. A round ricocheted off the wall and hit the man in the jaw.

0110: 4 x Vehicles take the LN to the CSH.

0120: LN arrives at CSH.

0130: LN is stable and in OR.

0350: LN still in OR.

BN S-2 ASSESSMENT:

Search of the area provided no signs of kidnapping of hostage. Another tip proved to be false.

Filename: 061225 TST (SAF, 1 X LN WIA) - 2-12 IN

- 2BCT.PPT

(b)(1)1.5a

SIR FOR 25 DEC 2006

FROM: 2-12IN

THRU: 2 BDE 1 CAV

TO: MND-B G3 BTL MAJ IN CIC

SUBJECT: SIR

1. CATEGORY:

2. TYPE OF INCIDENT: 1 x LN WIA (b)(6)

3. DATE AND TIME: 25 0102 DEC06

4. LOCATION: (b)(2)High

5. PERSONNEL INVOLVED:

A. SUBJECT:

- A. RANK OR GRADE: N/A
- B. SOCIAL SECURITY NUMBER: UNKNOWN
- C. RACE: IRAQI
- D. SEX: MALE
- E. AGE: UNKNOWN
- F. POSITION: N/A
- G. SECURITY CLEARANCE: N/A
- H. UNIT AND STATION OF ASSIGNMENT: N/A
- I. DUTY STATUS: N/A
- J. MARITAL STATUS: MARRIED

B. ALCOHOL INVOLVEMENT: NONE

SUMMARY OF INCIDENT: REACTING ON AN MOI TIP THERE WAS A KIDNAPPED LN BEING HELD HOSTAGE AT (b)(2)High (b)(6) C/2-12 IN WAS ACTIONED AS A TST. UPON ARRIVAL TO THE TST, THEY FOUND NO SIGNS OF ANYONE BEING HELD HOSTAGE. THEY SEARCHED THE IMMEDIATE AREA ENTERING THE ADJACENT HOUSE AT (b)(2)High (b)(6) WHILE ENTERING THE HOME, THE LN (b)(6) WAS POINTING A PISTOL (COLT 38 SPECIAL) AROUND THE CORNER OF A DOOR. THE LN PULLED THE TRIGGER 3 TIMES AND THE LEAD SOLDIER (SGT (b)(6), (b)(3) FIRED 7 ROUNDS FROM HIS M4. THE LN WAS APPARENTLY STRUCK IN THE LOWER JAW BY A RICOCHET. HE THEN MOVED INTO AN ADJACENT ROOM, DROPPED THE PISTOL AND SAT ON A SMALL BENCH. HE WAS TREATED BY THE MEDIC ON SCENE (SPC (b)(6), (b)(3) (b)(6), (b)(3) STABILIZED AND TRANSPORTED TO THE CSH. THE PISTOL WAS EMPTY. THE LN WENT IMMEDIATELY INTO THE OR UPON ARRIVAL TO THE CSH. THE LN IS CURRENTLY IN THE ICU AT THE CSH. THE LN STATUS IS STABLE BUT CRITICAL (25 0637 DEC 06). THE UNIT HAS CONTACT INFORMATION FOR THE LN'S WIFE AND NEIGHBOR (THE ORIGINAL TARGET HOUSE).

7. OTHER INFORMATION:

A. RACIAL: N/A

B. EOF INVOLVEMENT: NO

8. REMARKS:

9. PUBLICITY:

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EX G

- 10. COMMANDER REPORTING: CP1 (b)(6), (b)(3)
- 11. POINT OF CONTACT: CPT (b)(6), (b)(3)
- 12. REPORT ORIGINATED BY: CPT (b)(6), (b)(3)
- 13. RELEASED BY: LTC (b)(6), (b)(3) CDR 2-12 IN
- 14. UNIT NOTIFICATIONS:

A. IN PERSON

<u>POSITION</u>	<u>NAME</u>	<u>TIME</u>	<u>INSTRUCTIONS</u>
-----------------	-------------	-------------	---------------------

B. EMAIL

C. FM FREQ

<u>POSITION</u>	<u>NAME</u>	<u>TIME</u>	<u>INSTRUCTIONS</u>
-----------------	-------------	-------------	---------------------

MND-B BTL NCO:

TIME RECEIVED:

MND-B G3 BTL NCO ACTIONS:

MND-B CHOPS / BTL MAJ DISPOSITION:

MND-B CHOPS NOTIFICATIONS:

A. TELEPHONE

<u>POSITION</u>	<u>NAME</u>	<u>TIME</u>	<u>INSTRUCTIONS</u>
-----------------	-------------	-------------	---------------------

B. EMAIL

<u>POSITION</u>	<u>NAME</u>	<u>TIME</u>	<u>INSTRUCTIONS</u>
-----------------	-------------	-------------	---------------------

TOC LOG:

0102 - C27 RESPONDED TO A TIP ABOUT A KURDISH VICTIM BEING HELD HOSTAGE AT (b)(2)High
(b)(2)High (b)(6) UPON CLEARING THE HOUSE OF SUSPECTED KIDNAPPING
C/2-12IN BEGAN SEARCHING THE SURROUNDING HOUSES. THEY ENTERED THE ADJACENT HOUSE
TO THE NORTH AT (b)(2)High (b)(6) AS THEY WERE ENTERING THE
HOUSE, A LN MALE POINTED A .38 PISTOL SQUEEZING THE TRIGGER 3 TIMES. THE LEAD SOLDIER
FIRED 7 X 5.56 FROM HIS M4. THE LN WAS STRUCK IN THE LOWER JAW BY A RICOCHET. THE LN
MALE IS BEING EVACUATED TO CSH. NO KIDNAPPED VICTIM WAS FOUND IN AREA AND THEY ARE
QUESTIONING LN IN THE AREA FOR FURTHER DETAILS.

0150 - C27 QUESTIONED LN IN THE AREA FOR FURTHER DETAILS AND WERE ADVISED THAT THE 1X
MALE WHO WAS SHOT HAS POSSIBLE HEART CONDITIONS. INFORMATION IS BEING PASSED ON TO
CSH FOR THEIR USE.

0350 - LN MALE IS IN THE OR AT THE CSH.

0635 - LN MALE IS IN ICU AT THE CSH AND IS IN STABLE BUT CRITICAL CONDITION

007192

EX H

(b)(1), (b)(2)High

(b)(6)

(b)(2)High

(b)(2) High

(b)(2)High, (b)(6), (b)(3)

(b)(2)High, (b)(6), (b)(3)

007195

EX J

(b)(2)High, (b)(6), (b)(3)

INFORMATION FOR MISSION # 0849

WOUNDED INDIVIDUAL: (b)(6)

SPOUSE NAME: (b)(6)

ADDRESS: (b)(6)

TARGET INFORMATION FOR MISSION # 0849

NAME: (b)(6), (b)(3)

PASSPORT #: (b)(6)

(b)(6)

SUPERVISOR: (b)(6), (b)(3)

SUPERVISOR'S NUMBER: (b)(6)

SWORN STATEMENT

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

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 Falcon, Baghdad, Iraq
2. DATE: 2008 01 13
3. TIME: 1925
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(3)
6. SSN:
7. GRADE/STATUS: O3/AD
8. ORGANIZATION OR ADDRESS: CCo, 2-12 IN,
9.

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

1. Q: What time and from whom did you receive the tip that caused you to conduct the operation on 25 December 2006?
A: THE TIP WAS CALLED IN TO THE BATTALION TDC; I WAS NOTIFIED AT MY COMPANY CP AT APPROXIMATELY 2242. THE TDC STATED THAT IT WAS AN MOI SOURCE DRIVEN TARGET.

2. Q: Is there any standard operating procedures for actioning Ministry of Intelligence tips?
A: I AM NOT SURE HOW THE BN TDC CLEARS OR VALIDATES MOI TIPS. I WAS DIRECTED BY BN TO EXECUTE THE MISSION AND DID SO.

3. Q: What size operation was this? Did it have a name? Is there any approval authority required prior to launching an operation (i.e. Battalion Commander approves Platoon level operation)?
A: THIS WAS A PLATOON SIZE OPERATION, THAT I ACCOMPANIED AND C'D, IT WAS AN UNNAMED OPERATION. THE BN COMMANDER DID AUTHORISE THE MISSION.

4. Q: How much time did you have to prepare for the operation and what type of preparation was conducted?
A:

(b)(2)High

5. Q: What type of intelligence did you have on the target area? Did you have any particular intelligence on the target house other than the tip or any surrounding houses?
A: THE AREA IS A PREDOMINANTLY CHRISTIAN AREA THAT HAS NOT BEEN VERY ACTIVE W/ADF. NOTHING OTHER THAN THE TIP

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF J 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)(6), (b)(3)

TAKEN AT

F08 Falcon

DATED

(b)(3)(b)(6)
2007 0113

9. STATEMENT (Continued)

(b)(2)High

A:

(b)(2)High

BUT I DID NOT CONDUCT ANY ADDITIONAL INTELLIGENCE PREPARATION OTHER THAN WHAT I ALREADY KNEW OF THE AREA.

Q: Is there a company level OPORDER?

A: WE USE THE CONDOP FORMAT FOR NAMED MISSIONS, THIS MISSION WAS BRIEFED ON PRINTED AERIAL FOOTAGE OF THE TGT HOUSE, THERE WAS ALSO SOME BRIEFING DONE AT THE SNTC ON THEIR PROTELOR WITH THE PL & PSG.

Q: Do you routinely forcibly enter the houses adjacent to the target house?

A:

(b)(2)High

(b)(2)High

MISSION, THE TGT HOUSE & DAE'S HOUSE 26 BOTH HAD LIGHTS ON VERY LATE AT NIGHT WHICH IS UNCOMMON.

Q: Who makes that decision?

(b)(2)High

Q: What did Karim Dhardan (Imran) say when questioned? Anything that would indicate that House 26 had criminal activity?

A: WHERE HE WORKED, WHAT HE DID, WHY HIS BOSS WAS AND THEN OTHER RANDOM INFORMATION ABOUT HIS VIEWS OF THE GOVERNMENT. HE STATES NOTHING THAT WOULD INDICATE HOUSE 26 HAD CRIMINAL ACTIVITY, BUT A MAJORITY OF THE CONVERSATION WITH HIM OCCURRED AFTER BOTH HOUSES WERE CLEARED.

Q: Did you enter any other houses around the area?

A: NO

Q: What was the composition of the patrol (task organization)? Was there a medic present?

A

(b)(2)High

Q: Describe what happened when you entered the house. at the site DLT

A: AFTER CLEARING THE TGT HOUSE & REALIZING THERE WERE NO KIDNAPPED PERSONNEL, I DIRECTED THE OTHER SEARCH TEAM TO ENTER HOUSE 26. HOUSE 24 & 26 WERE THE ONLY 2 HOUSES ON THE BLOCK THAT HAD LIGHTS ON THOSE DAYS INSIDE THE HOUSE. AFTER THE 2ND SEARCH TEAM ENTERED HOUSE 26 AND I HEARD SHOTS, I MOVED TO HOUSE 26. INSIDE THE HOUSE I SAW (b)(6) SITTING ON THE COUCH WITH A PORTION OF HIS LOWER JAW MISSING. THE SEARCH TEAM HAD ALREADY CALLED FOR (b)(6), (b)(3) I HAD PART OF THE TEAM MOVE (b)(6) WIFE INTO THE OTHER ROOM. ONCE DOC HAD (b)(6) READY FOR TRANSPORTATION, WE MOVED HIM INTO A 1114 & TOOK HIM TO THE ESH. I THEN TALKED TO HIS WIFE FOR AN EXTENDED TIME AS WELL AS THEIR NEIGHBOR (b)(6), (b)(3) (WHO WAS THE OWNER OF THE TGT HOUSE) ABOUT THE SITUATION.

INITIALS OF PERSON MAKING

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

PAGE 2 OF 3 PAGES

STATEMENT OF

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

TAKEN AT

FOB Falcon

DATED

2007 0113

9 STATEMENT (Continued)

NOT USED

14. Q: Describe what happened after (b)(6) was wounded.

A: HE WAS TREATED, STABILIZED AND TRANSPORTED TO THE CSH. WE TALKED WITH HIS WIFE GAVE HER A CLAIMS CARD FOR THEIR DODGE AND TOLD HER THAT WE WOULD BE BACK TO CHECK ON HER. I ALSO TALKED MORE WITH THE TBT HOUSE OWNER, EXPLAINED WHAT HAD HAPPENED AND GAVE HIM A CLAIMS CARD FOR HIS GATE. HE STATED HE WOULD LOOK AFTER THE ELDERLY WOMAN AND HE WOULD NOTIFY HER SONS.

NOTHING FOLLOWS

AFFIDAVIT

I, (b)(6), (b)(3) 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 INTENT.

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

(Making Statement)

WITNESSES:

1LT

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

C Co, 2-12 IN

FOB Falcon, Baghdad, Iraq

ORGANIZATION OR ADDRESS

SSG

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

C Co, 2-12 IN

FOB Falcon, Baghdad, Iraq

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of January, 2007 at FOB Falcon, Baghdad, Iraq

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING

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

PAGE 3 OF 3 PAGES

SWORN STATEMENT

For use of this form, see AR 180-45; the proponent agency is PMG.

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 FALCON, IRAQ	2. DATE (YYYYMMDD) 2007/01/13	3. TIME (b)(3)(b)(6) 1944	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(6), (b)(3)	7. GRADE/STATUS 02/ACTIVE	
8. ORGANIZATION OR ADDRESS C CO 2-12IN, FOB FALCON, IRAQ			

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

1. Q: Describe what happened when you entered the house.

(b)(6), (b)(3) was the 5th guy to enter the house. Before I could even enter the house I was stopped because the rest of the stack had stopped. I heard gun shots and someone say, "get into the house." After the gunshots, 6-7 shots, were finished I heard SG (b)(6), (b)(3) say, "that guy tried to shoot me, he pulled the trigger three times." Everyone started to flow into the house and I stopped before entering the first room. (b)(6), (b)(3) behind me and noticed the second door in the entry way. He told me he was going to kick it and follow me. I said ok and (b)(6), (b)(3) kicked open the door. I entered into the living room and scanned to my left where I saw an elderly couple. I noticed the elderly man had a gun shot wound to his chin and was bleeding pretty badly. (b)(6), (b)(3) cleared the room right behind me. I called for Doc immediatly.

(b)(6), (b)(3) Describe what happened after (b)(6) was wounded.

(b)(6), (b)(3) came in as soon as I yelled for the medic to see if it was one of our Soldiers or if it was a local national. SP (b)(6), (b)(3) came into the house within a minute of us yelling for him. SP (b)(6), (b)(3) and I gave Doc (b)(6), (b)(3) some extra light with our tac lights to treat the local national. DOC (b)(6), (b)(3) was able to wrap up part of the wound, but told us he had to leave some of it open because he didn't want to block his air way. Doc handed the local national another dressing to hold against his face, to prevent him from touching his face with his hand. We called up the four vehicle patrol that was on outer cordon to run CASEVAC up to the CSH. The local national was then taken to the CSH.

-----NOTHING FOLLOWS (b)(6), (b)(3)-----

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

10. EXHIBIT	11. INITIALS OF STATEMENT (b)(6), (b)(3)	PAGE 1 OF 2 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 BE INDICATED.

STATEMENT OF (b)(6), (b)(3) TAKEN AT FOB FALCON DATED 2007/01/13

9. STATEMENT (Continued)

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

AFFIDAVIT

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

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

(Signature of Person Making Statement)

WITNESSES:

CPT (b)(6), (b)(3)
C Co, 2-12 IN
FOB Falcon, Baghdad, Iraq
ORGANIZATION OR ADDRESS

SSG (b)(6), (b)(3)
C Co, 2-12 IN
FOB Falcon Baghdad, Iraq
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of January, 2007 at FOB Falcon, Baghdad, Iraq

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

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

(Authority To Administer Oaths)

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

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9387 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 Falcon, Baghdad, Iraq	2. DATE (YYYYMMDD) 20070113	3. TIME 19:30	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(6), (b)(3)	7. GRADE/STATUS E 6 / 156	
8. ORGANIZATION OR ADDRESS Co - 1st Cav Div 25th Inf 25th ABN Div 1st Cav Div 1st ACD			

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

1. Q. Describe what happened when you entered the house.

ON THE EVENING OF 13 JANUARY 2007 WE ENTERED A HOUSE IN BAGHDAD FOR
 A HOUSE VISIT. THE HOUSE WE FOUND THAT OUR TARGET WAS NOT THERE.
 WE WERE THEN ORDERED TO GO INTO THE NEXT HOUSE. WE USED A
 BATTERY-POWERED TOOL TO OPEN THE DOOR. SGT **(b)(6), (b)(3)** WAS THE FIRST MAN
 INTO THE HOUSE, FOLLOWED BY MYSELF. THE DOORWAY WAS SMALL SO
 WE HAD TO CRAWL INSIDE THE HOUSE WHEN THE INCIDENT HAPPENED.
 WHEN SGT **(b)(6), (b)(3)** ROUNDED THE CORNER HE SAW THE MAN HOLDING
 A PISTOL AT HIM. HE TOOK A STEP BACK AND WHEN HE HEARD THE MAN
 ATTEMPT TO FIRE HE WENT BACK IN AND SHOT. HE HIT THE MAN
 IN THE DOOR A COUPLE TIMES. THE MAN DISAPPEARED INTO A DINED
 ROOM. WE PROCEEDED TO CLEAR THE HOUSE AND WE FOUND THE
 MAN I CALLED SPC **(b)(6), (b)(3)** IN AND HE PROVIDED MEDICAL
 TREATMENT. WHILE HE WAS DOING THAT WE FOUND THE CARV AND
 GOT THE TRUCK READY TO MOVE HIM TO THE CAS. AS SOON
 AS SGT **(b)(6), (b)(3)** SAID HE WAS READY TO BE MOVED WE TOOK HIM
 TO THE HOSPITAL. WHEN WE GOT TO THE HOSPITAL HE IMMEDIATELY
 WENT INTO SURGERY. THE SURGEONS SAID HE HAD A HEARD ATTACK
 WHILE IN SURGERY AND DIED, AND THEY BROUGHT HIM BACK TO
 SEC. AFTER THAT WE ALL RETURNED TO FOB FALCON.

NOTHING FOLLOWS
(b)(3)(b)(6)

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

007203
EX 0

9. STATEMENT (Continued)

NOT USED

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

AFFIDAVIT

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

WITNESSES:

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

C Co, 2-12 IN

FoB Falcon Baghdad, Iraq
ORGANIZATION OR ADDRESS

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

C Co, 2-12 IN

FoB Falcon Baghdad, Iraq
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of January, 2009

at FoB Falcon, Baghdad, Iraq

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

(Signature of Person Administering Oath)

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

(Type name of Person Administering Oath)

(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

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 Fort Falcon	2. DATE (YYYYMMDD) Dec 20 13	3. TIME 17:38	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(6), (b)(3)	7. GRADE/STATUS E-5	
8. ORGANIZATION OR ADDRESS Co 7-2 2 BCT 71D			

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

1. Q Describe what happened when you entered the house.

On the night of 29 December 2008 my platoon conducted a targeted raid on a house in Al Ain, UAE. We hit the target house to find nothing so we were ordered to move to the adjacent house and search it. We entered the house to make sure we were not oversteering. I was the first man up to the door followed by SSGT (b)(6), (b)(3); PVT (b)(6), (b)(3); PVT (b)(6), (b)(3). I rammed the door down with a battering ram and entered the front door. I proceeded to clear the room to my immediate left. Upon rounding the corner I saw a partial face hidden behind a door and an arm holding a pistol. The man fired three times unsuccessfully. Once I had P.I.D. I fired at the man and he disappeared. I followed him and found the man sitting on his couch reading. We called for the medic to treat him. I then proceeded to clear the rest of the house (b)(3)(b)(6).

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

007205 EX P

STATEMENT OF

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

TAKEN AT

Fog Falcon

DATED

20170113

9. STATEMENT (Continued)

2. Describe what happened after Ali Morad Jaafer was wounded

We cleared the house and Doc stabilized the man and we made our trucks ready to bring him to the hospital. All I know is we loaded him in one of our trucks and left for the CSM. On the way our Doc Spc (b)(6), (b)(3) treated him further. We arrived at the CSM. The man was moved into the operating room and we filled out sworn statements, with the MPs there. After an hour or so the MPs said we could leave and we headed back to our FOB (b)(6), (b)(3)

NOT USED (b)(6), (b)(3)

INITIALS

ON MAKING STATEMENT

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

PAGE

2 OF 3

PAGES

9. STATEMENT (Continued)

NOT USED
(b)(6), (b)(3)

AFFIDAVIT

I, _____ (b)(6), (b)(3), 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 INFLUEN

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

(Signature of Person Making Statement)

WITNESSES:

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

C Co, 2-12 IN

FoB Falcon Baghdad, Iraq

ORGANIZATION OR ADDRESS

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

C Co, 2-12 IN

FoB Falcon Baghdad, Iraq

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of January, 2007

at FoB Falcon, Baghdad, Iraq

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

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 Falcon, Baghdad, Iraq	2. DATE (YYYYMMDD) 2007 01 13	3. TIME 1930	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(6), (b)(3)	7. GRADE/STATUS PFC/E-3	
8. ORGANIZATION OR ADDRESS Co, 2-12 IN,			

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

Q: Describe what happened when you entered the house.

I was the 4th man in a 4 man fireteam entering the house first. I was following Sgt **(b)(6), (b)(3)**, SSG **(b)(6), (b)(3)** and PVT **(b)(6), (b)(3)**. Sgt **(b)(6), (b)(3)** kicked in the door and entered when shortly after engaged a target in the house. After the shooting stopped, he yelled "he's got a pistol." We entered the house fully and began clearing. I kicked in the second door on the right and entered to find a man and a woman sitting on a couch and SFC **(b)(6), (b)(3)** who entered the first door on the right.

NOT USED
(b)(6), (b)(3)

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(3)	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.

007208
EX Q

STATEMENT OF

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

TAKEN AT

FORB Falcon

DATED

20070113

9. STATEMENT (Continued)

2. Describe what happened after Ali Morad Jaa'fer was wounded.

When SFC (b)(6), (b)(3) and I saw the wounded man in question, he yelled for our medic, SPC (b)(6), (b)(3) to get into the room. SPC (b)(6), (b)(3) began treatment on the man and as directed by SFC (b)(6), (b)(3), I took the woman to the other end of the room and pulled security on her. A short time later the wounded man was taken out to the Evac. vehicle and I cleared the room about 1 minute later and returned to my vehicle.

NOT USED

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF

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

TAKEN AT

FOB Falcon

DATED

2007-01-13

9. STATEMENT (Continued)

NOT USED

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

AFFIDAVIT

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

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)(6), (b)(3)

(Signature of Person Making Statement)

WITNESSES:

SS6 (b)(6), (b)(3)

CO, 2-12 IN

FOB Falcon, Baghdad, Iraq

ORGANIZATION OR ADDRESS

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

CO, 2-12 IN

FOB Falcon, Baghdad, Iraq

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of January, 2007

at FOB Falcon, Baghdad - Iraq

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

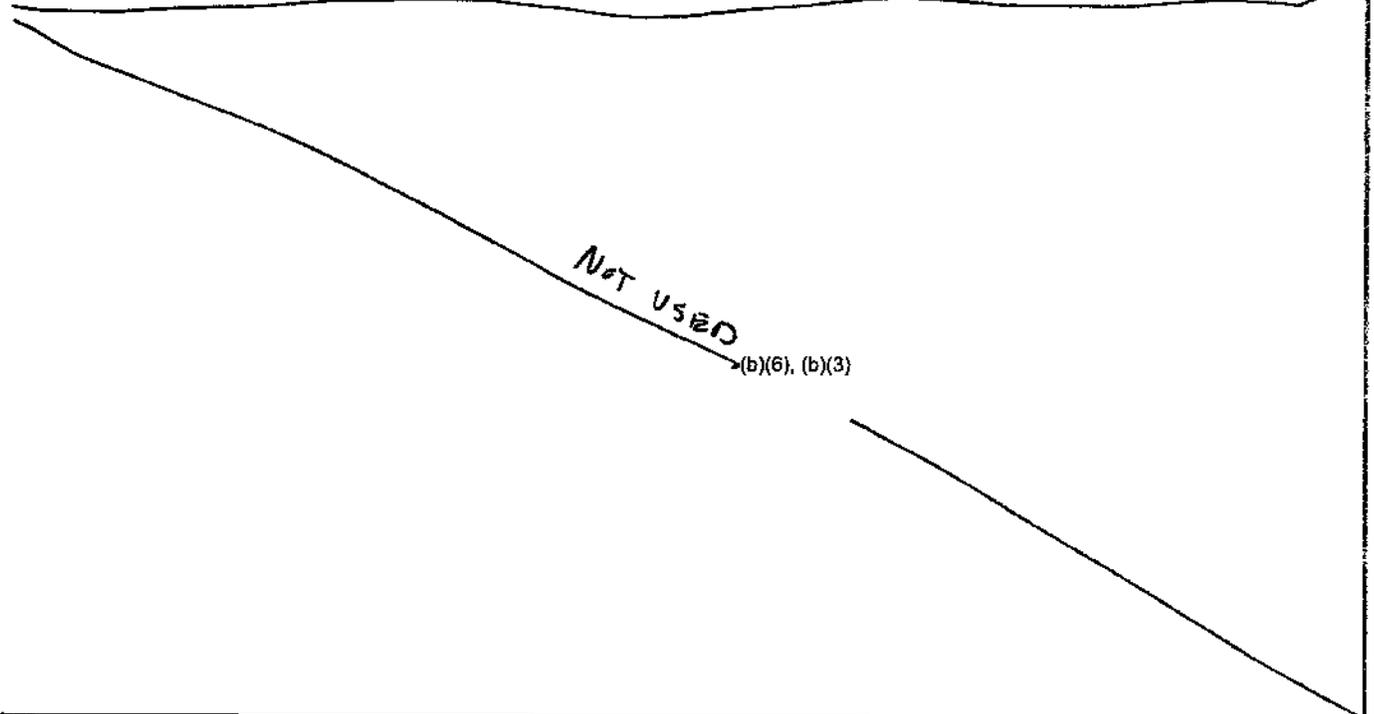
PRIVACY ACT STATEMENT

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 Falcon, Baghdad, Iraq	2. DATE (YYYYMMDD) 2007Jan13	3. TIME 19:30	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(6), (b)(3)	7. GRADE/STATUS E-2	
8. ORGANIZATION OR ADDRESS Cco 2-12			

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

1. Q: Describe what happened when you entered the house.
 Sgt. (b)(6), (b)(3) entered the house, SSA (b)(6), (b)(3) follow. By the time I was at the door there was limited room, so I waited to proceed. When the first person entered the second door I heard gunfire. After the gunfire we entered, and finished clearing the house, which is when we found the individual and called the medic.



10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(3)	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

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

STATEMENT OF

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

TAKEN AT

19:30

DATED

2007 Jan 13

9. STATEMENT (Continued)

Q: Describe what happened after Ali Morad Jaa'fer was wounded

medic was called, and he treated the individuals

NOT USED

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2

OF

3

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

STATEMENT OF

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

TAKEN AT

19:30

DATED

2007 Jan 13

9. STATEMENT (Continued)

NOT USED

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

AFFIDAVIT

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

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

(Signature of Person Making Statement)

WITNESSES:

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

CCO, 7-12 IN

FOB Falcon, Baghdad, Iraq

ORGANIZATION OR ADDRESS

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

CCO, 7-12 IN

FOB Falcon, Baghdad, Iraq

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of January, 2007 at FOB Falcon, Baghdad, Iraq

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

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 Falcon, Baghdad, Iraq
2. DATE (YYYYMMDD): 2007 0113
3. TIME: 1930
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(3)
6. SSN: (b)(6), (b)(3)
7. GRADE/STATUS: E-4
8. ORGANIZATION OR ADDRESS: Co 2-12 2BCT FOB Falcon

I, (b)(6), (b)(3) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
Describe what happened when you entered the house after (b)(6) was wounded. (b)(3)(b)(6)
I loosely wrapped his throat and jaw area with one roll of Kerlix and checked his vital signs including his ability to breath. He had a strong pulse and was breathing well and no other life threatening wounds so we evac'ed him right away. En route to the CASH(28th) he stopped breathing and his heart stopped. I leaned him forward and was about to start an advanced airway(king LTD) when his heart started beating and he started breathing again. About 10 minutes later we arrived at the CASH and handed him off to their medical personnel. I had also put a naso airway in his nose and he pulled it out about 5 minutes later.

Not USE (b)(6), (b)(3)

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

9. STATEMENT (Continued)

NOT USED (b)(6), (b)(3)

AFFIDAVIT

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(b)(6), (b)(3) (Signature of Person Making Statement)

WITNESSES:

CPT (b)(6), (b)(3)
C Co, 2-12 IN
FOB Falcon Baghdad, Iraq
ORGANIZATION OR ADDRESS
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of January, 2007 at FOB Falcon Baghdad, Iraq

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

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

(Authority To Administer Oaths)

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

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION <i>FJB Falon</i>	2. DATE (YYYYMMDD) <i>20070114</i>	3. TIME <i>1315</i>	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME <i>(b)(6), (b)(3)</i>	6. SSN <i>(b)(6), (b)(3)</i>	7. GRADE/STATUS <i>031A5</i>	
8. ORGANIZATION OR ADDRESS <i>HHC 7-25A 2307 210</i>			

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

1. Q: How did your battalion receive the MGL tip that led to the raid on 25 A?

Illegible Text

2. Q: Who made the decision to action the tip?

Illegible Text

3. Q: What was your test to determine if the tip was reliable? Do you currently have a vetting system to determine tip reliability?
Unit 210 individuals on the front porch of a car in the driveway, that had recently been driven. We have a tip vetting system.

4. Q: C Company Commander mentioned that there was (b)(2)High showing the target house with a couple of individuals standing around a car, possibly guarding it. Do you recall this footage and do you know what happened to it?
Yes, but were unable to view.

5. Q: Would it be unusual for a couple of individuals to be standing outside a house at this time due to the fact that...

Illegible Text

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT <i>(b)(6), (b)(3)</i>	PAGE 1 OF <u>3</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ EN AT _____ DATED _____"

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EX T

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

STATEMENT OF (b)(6), (b)(3) TAKEN AT Fog Falcon DATED 2017/01/14

9. STATEMENT (Continued)

6 Q You mentioned in your storyboard that "another tip proved to be false" How many MOI tips prior to this have proved to be false and how many since? What is your success rate for executing a time sensitive target on a tip?

We receive a lot of tips. Many through our company tips lines - walk up to us and the like. I cannot accurately give an exact number. (b)(6), (b)(3)

Detony, Felton

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF

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

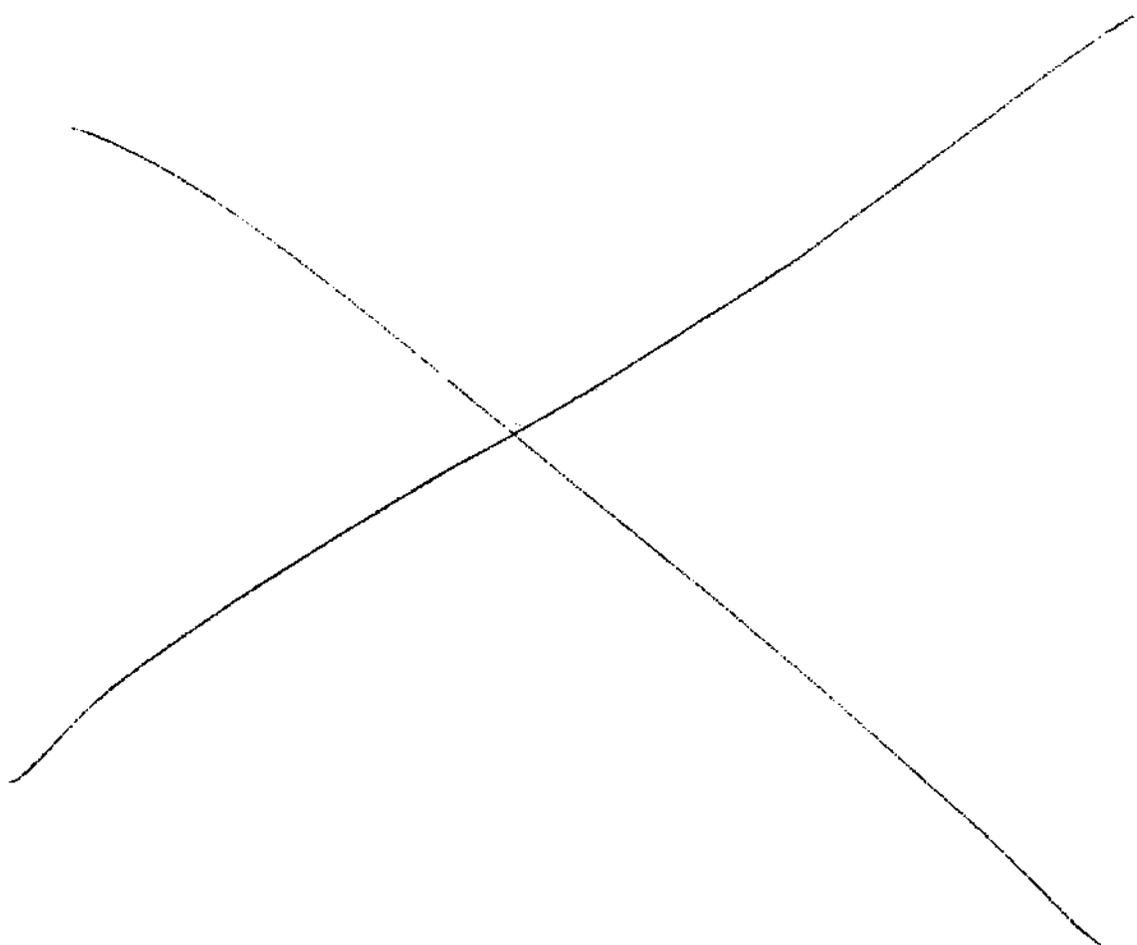
TAKEN AT

FoB Falcon

DATED

2007 0114

9. STATEMENT (Continued)



AFFIDAVIT

(b6), (b3)

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

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14th day of January, 2007

at FoB Falcon - Dispatch Prog

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

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION FOB Falcon, Baghdad, Iraq	2. DATE (YYYYMMDD) 20070114	3. TIME 2100	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE INITIAL (b)(6), (b)(3)	6. SSN	7. GRADE/STATUS 03/AD	
8. ORGANIZATION OR ADDRESS Co, 2-12 IN, FOB Falcon, Baghdad, Iraq			

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

1. Q: Explain the room clearing / house entry procedures your company uses.

A

(b)(2)High

2. Q: Describe the training your company has conducted on room clearing / house entry procedures.

A: THE COMPANY COMPLETED Building & Room Clearing AT MTL; AND ALSO DID PLT LIVE FIRES, PLT COMBINED LIVE FIRES, THE BN'S PIMAON CANYON TRAINING & SQUAD LIVE FIRES PRIOR TO ME TAKING COMMAND. THERE HAVE ALSO BEEN WALK-THRU / TALK THRU SESSIONS ON ROOM CLEARING WHILE IN IRAQ AT PLATOON LEVEL

3. Q: Did you provide information to **(b)(6)** on her husband's location and condition?

A: YES 1LT (b)(6), (b)(3) WENT TO HER HOUSE & TALKED TO HER AND HER DAUGHTER about his whereabouts, AND THAT HE WAS STABLE (WHICH WAS THE REPORT WE RECEIVED FROM THE (S4))

4. Q: How many times have you or your company visited her since the incident?

A: 2 IN PERSON

5. Q: What damages were caused to House # 26 during the incident that you recall?

A: THE FRONT DOOR WAS KICKED IN & THE KNOB LATCH WAS BROKEN. THERE WERE ALSO 6 OR 7 BULLET HOLES OR RICHNETS FROM ROUNDS IN THE LEAD ROOM IN THE HOUSE. THE FREEZER THAT SAT IN THE HALLWAY BY THE STAIRS WAS ALSO DAMAGED & HAD 4 BULLET HOLES IN IT

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(3)	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF **V** 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)(6), (b)(3) TAKEN AT Fog Farm DATED 20070114

9. STATEMENT (Continued)

6. Q Did you provide a means of reciprocating for the damages?

A: YES THE WIFE WAS GIVEN A CF'S CLAIMS CARD

7. Q: Why did you pick 2nd Platoon for this operation?

A: THEY ARE MY "GO TO" PLATOON, THEY HAVE A VERY GOOD PLATOON SGT, AND PL. THEY ALSO HAVE VERY GOOD JUNIOR NCO'S WITH PREVIOUS DEPLOYMENT EXPERIENCE.

8. Q Do you ever create storyboards for platoon level operations? Can you provide me an example if so?

A: YES, STORYBOARDS ARE GENERALLY CREATED AFTER OPS ARE COMPLETED & THEY ARE GENERALLY PRODUCED BY BN. THE COMPANY CREATES CONOPS FOR PRE-MISSION GRAPHICS, AND YES I WILL PROVIDE AN EXAMPLE

9. Q: How long do you normally spend planning a platoon operation?

A: IT IS DRIVEN BY WHEN WE RECEIVE THE TIP, OR AS WE COLLECT INTELL ON THE TARGET, THERE IS NO SET TIMELINE FOR CREATING A STORYBOARD. (b)(2)High (b)(2)High

10. (b)(2)High

A: IT USUALLY TAKES THE NP'S WHOLE TO GET READY FOR A M OP AND WE DID NOT FEEL LIKE WE SHOULD WAIT FOR THEM TO PREP WHEN THERE WAS A KIDNAPPING SUSPECTED AND THE POSSIBILITY OF THE PERSON BEING MOVED. NP'S ARE INCLUDED IN OUR DAILY PATROLS AND ALL OPERATIONS EXCEPT WHEN IT IS A SHORT NOTICE, TIME SENSITIVE MISSION. THIS IS DUE TO OUR LACK OF TIME TO GET THEM PREPPED & BRIEFED & REHEARSED ON THE OPERATION.

NOT USED

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF

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

TAKEN AT

FOB Falcon

DATED

20070114

9. STATEMENT (Continued)

NOTHING FOLLOWS

AFFIDAVIT

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

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

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of January, 2007

at FOB Falcon, Baghdad, Iraq

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

CCO, 2-12 IN

FOB Falcon Baghdad, Iraq

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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1. LOCATION: FOB FALCON BAGHDAD IRAQ
2. DATE (YYYYMMDD): 20070114
3. TIME: 2100
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(3)
6. SSN: (b)(6)
7. GRADE/STATUS: O2 / RA
8. ORGANIZATION OR ADDRESS: C/2-12 IN, 2 BCT, 21D

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

1. Q: When were you notified of the operation? How much planning time did you have for this operation?
I was notified while working out at the gym on FOB Falcon at approximately 2130 the day of the operation. I had approximately 30-45 minutes for solid planning.

2. Q: Why was your platoon picked for this operation? Were you familiar with the target area?
I was picked based on my platoon's performance in prior operations. The target area was within our company AO, my other platoon section was familiar with the area.

3. Q: What kind of order or instructions did you issue your platoon prior to departing FOB Falcon?
I gave the OPORD and detailed instructions at the gate on FOB Falcon prior to departing. My main focus was situation and Scheme of Manuever to include actions on the objective.

4. Q: (b)(2)High
(b)(2)High
The adjacent searches were determined on the ground.

5. Q: What damages were caused to House # 26 during the incident that you recall?
The outer door (gate) was breached and the wood door leading into the house was kicked in. The door in front of the stairway was shot numerous times inside the house.

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

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007222 EX V

STATEMENT OF (b)(6), (b)(3) TAKEN AT FAB FALCON DATED 14 JAN 07

9. STATEMENT (Continued)

6. Q: How do you pick who in your platoon or in a section enters a house / room first?

This is based on the situation on the ground. At any point a team could find themselves in the lead. SSG (b)(6), (b)(3) squad was closer as the ME because they are co-located with my section.

7. Q: What type of training has your platoon had on room clearing / house entry procedures?

We conducted numerous live-fire operations prior to my arrival. I was a part of Pinta-Canyon MOUT, NTC exercises, Platoon Combined Arms live-fire

8. Q: What type of training has your platoon had on the rules of engagement?

and numerous training events at Fort Carson including glass houses. (classes)

We brief ROE as part of each mission brief to include Escalation of Force. Prior to deployment and upon arrival in country we received rules of engagement briefs.

NOTHING FOLLOWS

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF _____ (b)(6), (b)(3) TAKEN AT FOB Falcon DATED 14 JAN 07

9. STATEMENT (Continued)

[Large area with diagonal lines indicating redaction]

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

AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES:

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

C Co, 2-12 IN
FOB Falcon Baghdad, Iraq
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14th day of JANUARY 07 at FOB FALCON IRAQ

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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1. LOCATION: FOB Falcon, Baghdad, Iraq
2. DATE (YYYYMMDD): 2007 01 14
3. TIME: 2020
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(3)
6. SSN: (b)(6)
7. GRADE/STATUS: E-6 SSG
8. ORGANIZATION OR ADDRESS: Co 212 IN 2501 240 FOB FALCON

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

1 Q: What training have you gone through on room clearing / house entry procedures?
OUR BATTALION CONDUCTED SEVEN MONTHS OF TRAIN-UP FOLLOWED BY AN NTC ROTATION PRIOR TO DEPLOYING. BEFORE THAT I HAVE BEEN DOING THIS JOB FOR SEVEN YEARS.

2 Q: How often have you been the first man in during an entry / clearance?
I HAVE BEEN THE POINT MAN FOR MORE THAN 200 RAIDS.

3 Q: What training have you received on the rules of engagement?
I HAVE RECEIVED MANY BRIEFINGS AND UPDATES ON ROE.

4 Q: Did you know that if the target house was empty, you would search the adjacent houses prior to arriving at the target area?
ON NEARLY EVERY RAID I HAVE DONE, IF THE TARGET WASN'T THERE
(b)(2)High

5 Q: What damages were caused to House # 26 during the incident that you recall?
THE DOOR WAS BROKEN IN AND ONE OF THE DOORS INSIDE WAS SHOT UP.

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING *STATEMENT OF _____ TAKEN AT _____ DATED _____

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

STATEMENT OF

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

TAKEN AT

FoB Falcon

DATED

2007-01-14

9. STATEMENT (Continued)

Q.2: You were the first man in the target house, why did you become the second man in ~~the~~ House 26?

MY SHOULDER WAS HURTING FROM A PREVIOUS INJURY SO SGT (b)(6), (b)(3) BREACHED FOR ME.

NOT USED

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF _____ (b)(6), (b)(3) TAKEN AT FoB Falcon DATED 20070114

9. STATEMENT (Continued)

Not USED

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(b)(6), (b)(3)
(Signature of Person Making Statement)

WITNESSES:

SGT (b)(6), (b)(3)
C Co, 2-12 IN
FoB Falcon, Baghdad, Iraq
ORGANIZATION OR ADDRESS

PFC (b)(6), (b)(3)
C Co, 2-12 IN
FoB Falcon, Baghdad, Iraq
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of January, 2007 at FoB Falcon, Baghdad, Iraq

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

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

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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PAGE 3 OF 3 PAGES

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1. LOCATION FOD Filer	2. DATE (YYYYMMDD) 20170114	3. TIME 20:00	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(6)	7. GRADE/STATUS FS	
8. ORGANIZATION OR ADDRESS CC 7-17 ZBCI 711D			

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

1. Q: What training have you gone through on room clearing / house entry procedures?
I have had extensive training on numerous ranges and MOUT exercises in Korea, Colorado, and twice in Kuwait. Room clearing is one of the major things we do in our unit. Our leaders stress it's important.

2. Q: How often have you been the first man in during an entry / clearance?
I am normally the first man in because I am an NCO and will not freak out or be hesitant while in a hot situation. I have done so for one year my first time in Iraq and now again on my second tour.

3. Q: What training have you received on the rules of engagement?
we have had numerous classes in Kuwait and in Iraq on the rules of engagement and any updates or changes to it. we also go over them within the platoons.

4. Q: Did you know that if the target house was empty, you would search the adjacent houses prior to arriving at the target area?
I did not know, that command is usually (b)(2)High
(b)(2)High

5. Q: What damages were caused to House # 26 during the incident that you recall?
As far as I know the front door was broken into and on door inside the house has about four gunshots in it.

10. EXHIBIT	11. INITIAL S.O.F. PERSON MAKING STATEMENT (b)(6), (b)(3)	PAGE 1 OF 2 PAGES
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007228

STATEMENT OF (b)(6), (b)(3) TAKEN AT Fog Falcon DATED 2007 11 01

9. STATEMENT (Continued)

Q. & S. You were in what position in the target house? Why did you become the first man in house 26?

I was the first man because I am an WCC and have extensive knowledge and experience with conducting raid and clearing rooms.

I was the second man in the Target house because I had to retrieve the weathering room to use as the door.

NOT USED

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

PAGE 2 OF 3 PAGES

SWORN STATEMENT

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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 <i>FOB Falcon, Baghdad, Iraq</i>	2. DATE (YYYYMMDD) <i>2006 01 14</i>	3. TIME <i>2200</i>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME <i>(b)(6), (b)(3)</i>	6. SSN <i>(b)(6)</i>	7. GRADE/STATUS <i>E-6 / AD</i>	
8. ORGANIZATION OR ADDRESS <i>HHC, 2-12 IN, FOB Falcon, Baghdad, Iraq</i>			

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

1. Q: Do you recall the MOI tip that led to the raid conducted on 25 December 2006? How did the tip come to the battalion and who made the decision to act on the tip?
yes. I recall the tip the tip came from Co. (b)(6), (b)(3) it was brought to us by (b)(6), (b)(3) via the Battalion Commander's interpreter. The decision to take action was from the Battalion Commander (LTC (b)(6), (b)(3) and CPT (b)(6), (b)(3) & they had spoken to CPT (b)(6), (b)(3) who is Charlie Company's commander

2. Q: Who was involved in planning the operation?
LTC (b)(6), (b)(3) CPT (b)(6), (b)(3) and CPT (b)(6), (b)(3)

3. Q: What planning went on and what products were produced?
They planned their installation conditions that were going to be set. They also planned what was going to be done while in the area and their exit route. The products that were produced were graphics from the CPOF (Command Post of the Future) with highlighted routes of exit and install with the respective maps also highlighted.

4. Q: How much time was available for receipt of tip until execution and can you provide me a timeline of the evening?
2 1/2 to 3 hrs

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT Q6(3)(b)(6) 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)

~~NOT USED~~

AFFIDAVIT

I, SSC (b)(6), (b)(3), 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)(6), (b)(3)
(Signature of Person Making Statement)

WITNESSES:

(b)(6), (b)(3)
PHC, 2-12 IN
FOB Falcon, Baghdad, Iraq
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of January, 2007 at FOB Falcon, Baghdad, Iraq

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

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

(Authority To Administer Oaths)

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

SWORN STATEMENT

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

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 FALCON
2. DATE: 20080114
3. TIME: 2200
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(3)
6. SSN: (b)(6)
7. GRADE/STATUS: O-3/AD
8. ORGANIZATION OR ADDRESS: HHC, 2-12 IN

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

1. Q: Do you recall the MOI tip that led to the raid conducted on 25 December 2006? How did the tip come to the battalion and who made the decision to action the tip? Yes. The tip was MOI directed to GEN (b)(6), (b)(3) the G/2 NP Commander. He then called LTC (b)(6), (b)(3) interpreter, who informed LTC (b)(6), (b)(3) of the situation. It was at this point that LTC (b)(6), (b)(3) began to gather the S-3, CPT (b)(6), (b)(3), and the company commander, CPT (b)(6), (b)(3), to develop a course of action.

2. Q: Who was involved in planning the operation? LTC (b)(6), (b)(3) CPT (b)(6), (b)(3), CPT (b)(6), (b)(3), CSM (b)(6), (b)(3), and MAJ (b)(6), (b)(3), the Battalion executive officer. CSM (b)(6), (b)(3) and MAJ (b)(6), (b)(3) were present. However, I honestly do not recall the extent to which they were involved in the planning.

3. Q: What planning went on and what products were produced?

(b)(2)High, (b)(6)

4. Q: How much time was available for receipt of tip until execution and can you provide me a timeline of the evening? I remember, vaguely, the planners entering the TOC to develop a COA based on the tip approximately 2100-2200. They spent approximately an hour or so doing COA. CPT (b)(6), (b)(3) SP from FOB FALCON approximately 2330. I remember because it wasn't quite Christmas yet. CPT (b)(6), (b)(3) waiting as long as possible for TUAV. Finally, he executed the mission without TUAV which did arrive on scene shortly after. Approximately 0030, they entered the target house. At 0045, reported target house was a "dry hole", and they began a secondary search of immediate area. At 0100, they reported the engagement resulting in 1xLW KIA from a ricochet which struck

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

007232 EX BB

9 STATEMENT (Continued)

him in the jaw. The medics treated him on scene. At 0130, they reported being en route to the CSH with the 1xLN WIA. At 0200, CPT (b)(6), (b)(3) reported that their secondary search of the immediate area resulted in nothing significant to report, and they began to exfil. At 0300, CPT (b)(6), (b)(3) and LT (b)(6), (b)(3), the company XO, arrived at the TOC for a debrief with the .38 pistol which the 1xLN WIA pointed at the squad entering his home and pulled the trigger three times. Thankfully, the pistol was not loaded. I, CPT (b)(6), (b)(3) (Night Battle Captain), and CPT (b)(6), (b)(3) began to discuss in length all the details. I began the storyboard with the pictures taken and updated the SIGACT. CPT (b)(6), (b)(3) began the SIR at the TOC. Approximately 0500, all products were complete and sent to 2/1 CAV.

~~Nothing Follows
Nothing Follows~~

AFFIDAVIT

I, _____ (b)(6), (b)(3), 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 REWARD OR PUNISHMENT, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUEN

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

(Signature of Person Making Statement)

WITNESSES:

SS6 (b)(6), (b)(3)
HHC, 2-12 IN
FOB Falcon, Baghdad, Iraq
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of January, 2007

at FOB Falcon, Baghdad, Iraq
(b)(6), (b)(3)

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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



REPLY TO THE
ATTENTION OF:

DEPARTMENT OF THE ARMY
15TH BRIGADE SUPPORT BATTALION
2ND BRIGADE COMBAT TEAM, 1ST CAVALRY DIVISION
FOB FALCON, BAGHDAD, IRAQ
APO AE 09361

AFVA-2BCT-15 BSB-XO

14 January 2007

MEMORANDUM FOR RECORD

SUBJECT: Phone Conversation between Investigating Officer and CPT (b)(6), (b)(3)
(b)(6), (b)(3) Commander, Bravo Company 2-12 Infantry Battalion

1. The following facts are the result of a phone conversation that took place on 26 January 2006 at 0930 between the Investigating Officer and CPT (b)(6), (b)(3) CPT (b)(6), (b)(3) was unavailable for an interview due to current operations.

2. CPT (b)(6), (b)(3) was the 2-12 Infantry Battalion S-3 on 24 – 25 December 2006. LTC (b)(6), (b)(3) (b)(6), (b)(3) the battalion commander, received a Ministry of Intelligence (MOI) tip from General (b)(6), (b)(3) the 6-2 National Police Commander. (b)(2)High (b)(2)High (b)(2)High

(b)(2)High This was after curfew hours, however, this type of activity alone was not uncommon or suspicious.

3. LTC (b)(6), (b)(3) made the decision to give the mission to Charlie Company. This decision was based on the fact that it was in (b)(6) Charlie Company's Area of Operations. He alerted the Charlie Company commander who came to the battalion TOC. At the TOC, the Company Commander, Battalion S-3 and Battalion Commander developed the plan to raid the house.

4. There were approximately two hours between receipt of the mission until the patrol departed FOB Falcon. (b)(2)High The battalion receives tips from the National Police once to twice daily. It takes action on approximately 33% of the tips. The battalion routinely searches adjacent houses to a target house, in case the target house is a dry hole.

5. That Battalion S-2, Battle Captain, and Battle NCO may be able to provide some additional information on the planning that took place prior to and actions during execution of the mission.

6. POC for the memorandum is the undersigned at (b)(6) or SIPR (b)(6)

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

MAJ, OD
Investigating Officer

I fully understand the contents of the entire memorandum above. The statements are true. I have made the statements freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

(b)(2)High, (b)(1)1.5a

007235

EX DD

(b)(1)1.5a, (b)(2)High

007236

EX DD

(b)(1)1.5a, (b)(2)High

007237

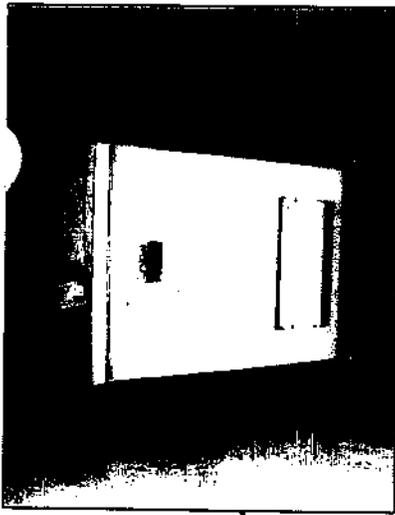
EX DD

4

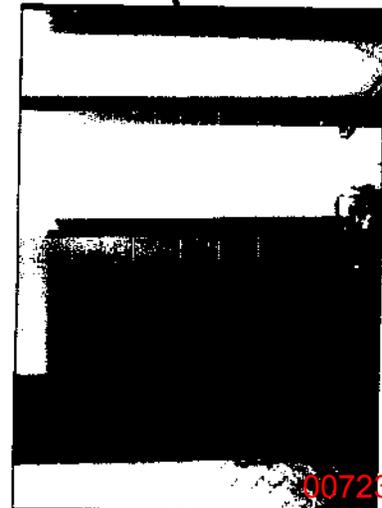
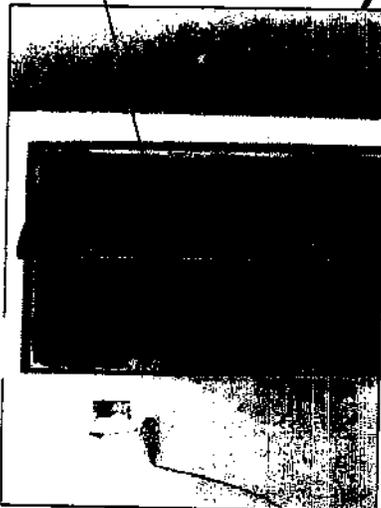
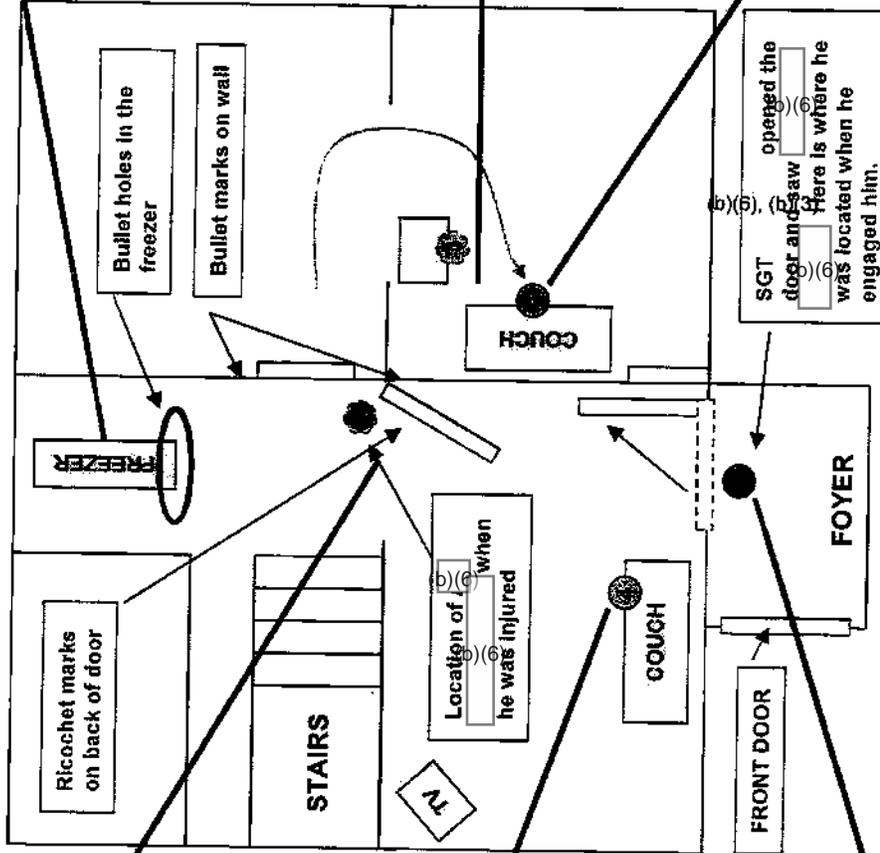
(b)(2)High

007238

EX EE



Door open to approximate position. (b)(6) was standing behind this door.



As C Company entered the house, (b)(6) attempted to fire his .38 (1) and was wounded as he was engaged by SGT (b)(6). He moved to the room and sat on the couch (2). His wife, (b)(6), sat on the chair next to him (3). When CPT (b)(6) entered the house, he moved her to the other room (4) so SP8 (b)(6) could treat (b)(6) until he was evacuated. (b)(6), (b)(3)

007239

(b)(2)High

007240

EX GG

(b)(2)High

007241

EX GG

(b)(2)High

007242

EX GG

(b)(2)High

007243

EX GG

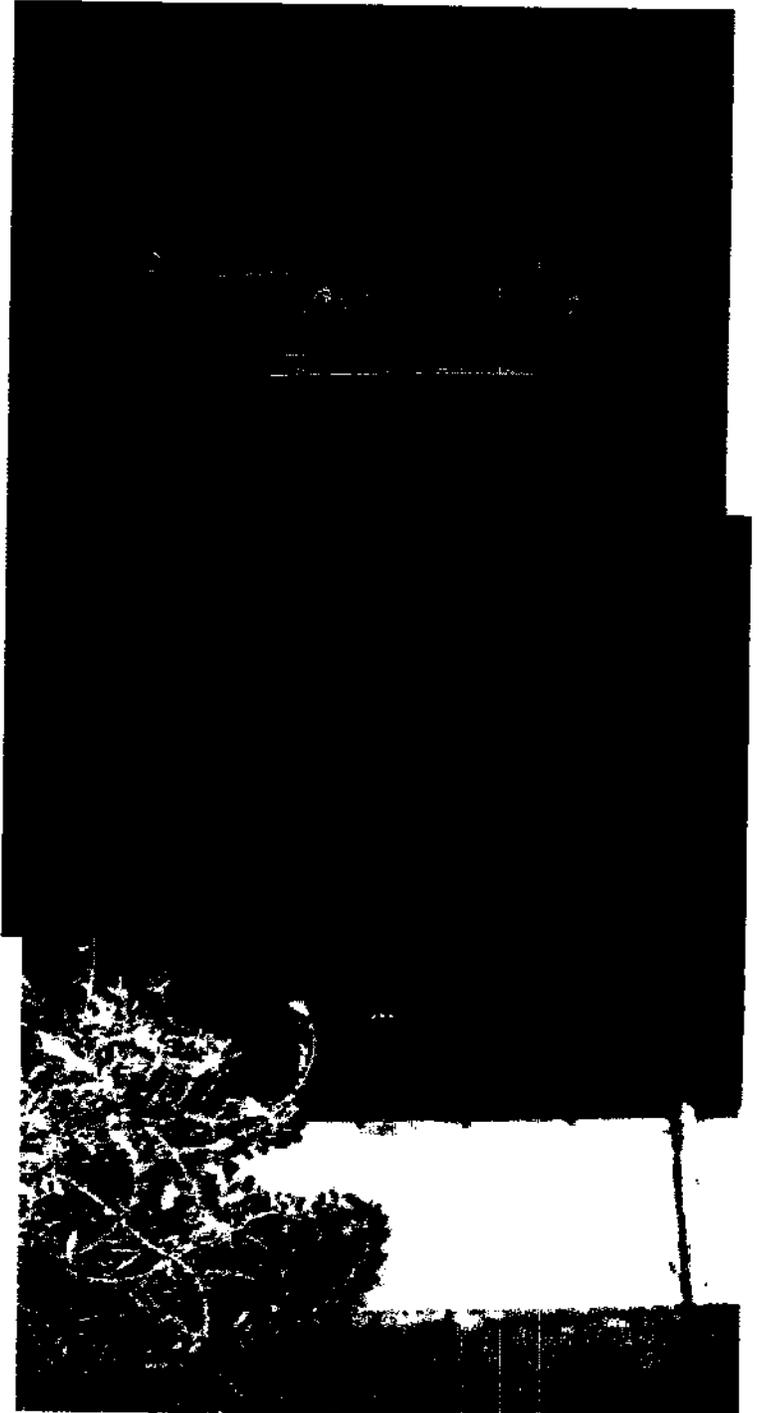
(b)(2)High

007244

EX GG

Damage to House # 24

Damaged outer gate



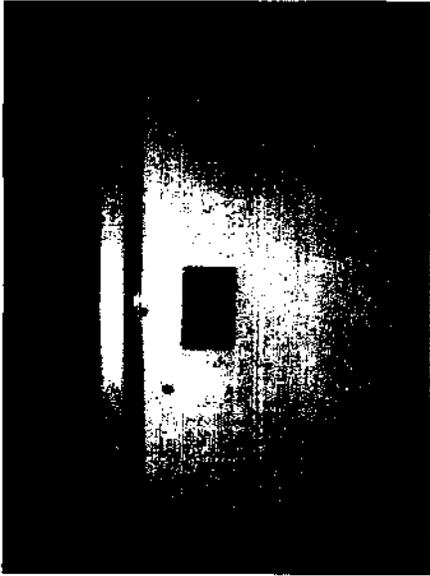
007245

Damage to House # 26

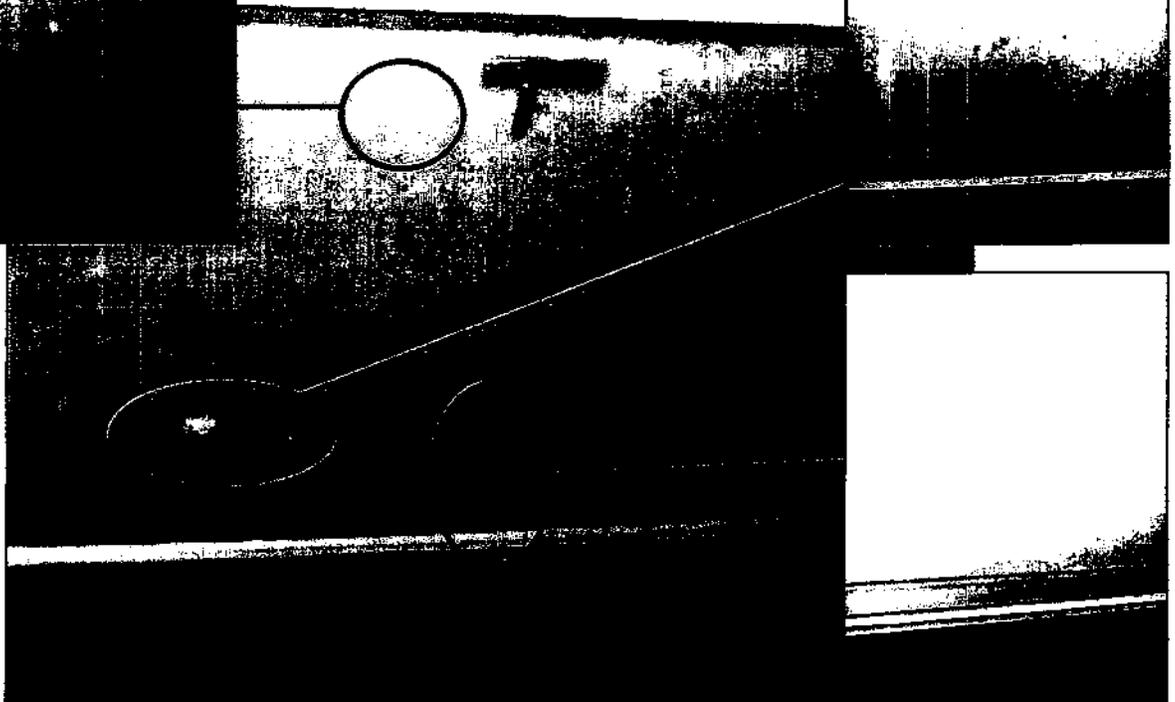
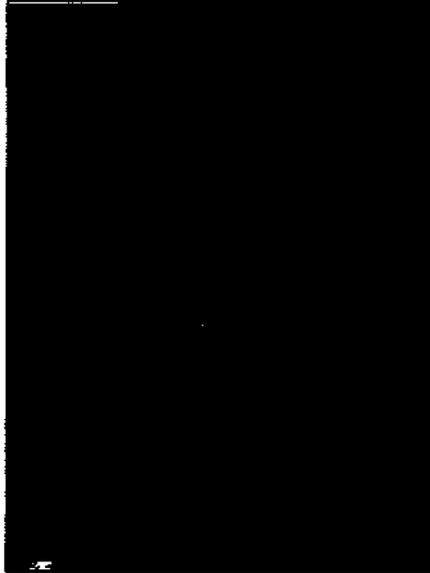
Ricochet and bullet holes in door



Bullet holes in freezer



Bullet hole in wall next to door





REPLY TO THE
ATTENTION OF

DEPARTMENT OF THE ARMY
15TH BRIGADE SUPPORT BATTALION
2ND BRIGADE COMBAT TEAM, 1ST CAVALRY DIVISION
FOB FALCON, BAGHDAD, IRAQ
APO AE 09361

AFVA-2BCT-15 BSB-XO

22 January 2007

MEMORANDUM FOR RECORD

SUBJECT: Conversations between Investigating Officer and CPT (b)(6), (b)(3) and MAJ (b)(6), (b)(3) Executive Officer, 2-12 Infantry Battalion

1. The following facts are the result of conversations between the investigating officer and CPT (b)(6), (b)(3) on 13, 14, and 21 January 2007 and MAJ (b)(6), (b)(3) on 21 January 2007.

2. **Why did the Soldiers decide to bust down the door instead of using the (b)(2)High (b)(2)High if this was not the target house?** CPT (b)(6), (b)(3) made the decision to bust down the door based on the time sensitive nature of the tip: kidnap victim; the fact that often time addresses delivered with tips are incorrect; and that (b)(6), (b)(2)High (b)(6), (b)(2)High

a. **Was the (b)(2)High a TTP the unit should have used?** The investigating officer (IO) believes (b)(5) (b)(5), (b)(6)

b. **Did the captain have the authority to change that TTP?** According to the Battalion Executive Officer, MAJ (b)(6), (b)(3), the decision on how to enter the house is delegated to the (b)(2)High

3. **Why did SGT (b)(6), (b)(3) fire 7 rounds?** SGT (b)(6), (b)(3) fired until he no longer saw a threat. The arm with a pistol and face no longer appeared in the doorway. The IO believes this is because (b)(6) was injured. SGT (b)(6), (b)(3) entered the house with his weapon on safe and switched the weapon to semi automatic before firing.

a. **Why didn't any hit if he was trying?** (b)(6) had a natural defilade behind the open door. That coupled with the lack of lighting in the front room may have contributed to his not hitting (b)(6)

b. **Was the injury to the gentlemen caused by a direct hit or a ricochet?** According to the amount of damage to the jaw, and the angle of human tissue on the wall, it seems that whatever caused the injury (b)(6) was a ricochet rather than a direct hit.

c. **SGT (b)(6), (b)(3) said "civilian man fired 3 times unsuccessfully."**

i. **Was the SGT getting fired at and just misfires or no ammo in the pistol?** When the pistol was recovered it was empty and no rounds were found in the area.

007247

EX II

AFVA-2BCT-15 BSB-XO

SUBJECT: Conversations between Investigating Officer and CPT . (b)(6), (b)(3) and MAJ
(b)(6), (b)(3) , Executive Officer, 2-12 Infantry Battalion

ii. ***If so, why did he wait till the guy fired three times before he fired?*** SGT(b)(6), (b)(3) wanted to positively identify that it was a weapon prior to firing. He also had a momentary hesitation reviewing the rules of engagement in his mind prior to firing.

4. POC for the memorandum is the undersigned a (b)(6) or (b)(6)
(b)(6)

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

MAJ, OD
Investigating Officer

I fully understand the contents of the entire memorandum above. The statements are true. I have made the statements freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

007248

9. STATEMENT (Continued)

Not used

AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of January, 2007

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

at FOB Falcon, Baghdad, Iraq

Co, 2-12 IN

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

FOB Falcon, Baghdad, Iraq

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

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

Co, 2-12 IN

(Typed Name of Person Administering Oath)

FOB Falcon, Baghdad, Iraq

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

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 Falcon, Baghdad, Iraq		2. DATE (YYYYMMDD) 2007 01 14	3. TIME 2000	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(3)		6. SSN (b)(6)		7. GRADE/STATUS PFC/E3
8. ORGANIZATION OR ADDRESS C Co, 2-12 Inf, FOB Falcon, Baghdad, Iraq				

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

1 Q: What training have you gone through on room clearing / house entry procedures?
Basic Training, Training on numerous occasions at Ft. Carson, training received in ~~Ram~~ Kuwait

2 Q: What training have you received on the rules of engagement?
Classes and reminders by senior NCO's

3 Q: Did you know that if the target house was empty, you would search the adjacent houses prior to arriving at the target area?
Yes, we would search all questionable target houses

4 Q: What damages were caused to House # 26 during the incident that you recall?
Doors kicked in during entry, bullet holes

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

Not used
(b)(6), (b)(3)

AFFIDAVIT

I, (b)(6), (b)(3), 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)(6), (b)(3)
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of January, 2007 at FoB Falcon Baghdad, Iraq

PVZ (b)(6), (b)(3)
Co, 7-12 IN
FoB Falcon, Baghdad, Iraq
ORGANIZATION OR ADDRESS

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

Sgt (b)(6), (b)(3)
Co, 7-12 IN
FoB Falcon Baghdad, Iraq
ORGANIZATION OR ADDRESS

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

(Authority To Administer Oaths)

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

SWORN STATEMENT

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

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 Falcon, Baghdad, Iraq	2. DATE (YYYYMMDD) 2007 Jan 14	3. TIME 2400	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(6)	7. GRADE/STATUS E-2	
8. ORGANIZATION OR ADDRESS CC, 2-12 IN, FOB Falcon, Baghdad, Iraq			

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

1. Q: What training have you gone through on room clearing / house entry procedures? **Basic, AIT, NTC**

2. Q: What training have you received on the rules of engagement? **Basic, AIT, NTC**

3. Q: Did you know that if the target house was empty, you would search the adjacent houses prior to arriving at the target area? **yes.**

4. Q: What damages were caused to House # 26 during the incident that you recall? **GATE, and door beside stairs**

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

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

TAKEN AT FOB Falcon

DATED 2007 01 14

9. STATEMENT (Continued)

NOT USED

AFFIDAVIT

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

Signature of Person Making Statement

WITNESSES:

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

CCO, 7-12 IN

FOB Falcon, Baghdad, Iraq

ORGANIZATION OR ADDRESS

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

CCO, 7-12 IN

FOB Falcon, Baghdad, Iraq

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of January, 2007 at FOB Falcon, Baghdad, Iraq

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

Signature of Person Administering Oath

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES