

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

U Subject: ~~(S)~~ JEN 03-019 031107DJUL06

UNCLASSIFIED

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

03-019	1652D	1/7	<p style="text-align: center;">Submitted to MNF-W I MEF FWD:</p> <p>LINE 1: 1/7</p> <p>LINE 2: At 031107D JUL 06, a B/1/7 and 3-3/7 IA combined dismounted patrol initiated an EOF at (b)(1)1.4Compilation in Husaybah when a (b)(6) (b)(6) sedan with (1) LN rapidly approached the rear of the patrol. The vehicle was initially noticed at 200m. (1)1.4Compilation a flag was signaled in an attempt to signal the driver to stop, but the driver continued at a high rate of speed. At (1)1.4Compilation the patrol fired (2) (b)(2) High rounds from an M16A4 into the road to the right side of the vehicle and the vehicle failed to stop. At (1)1.4Compilation (3) (b)(2) High shots were fired from an (b)(2) High into the passenger side hood but the vehicle remained in motion. (1)1.4Compilation the following killing shots were fired: (8-10) (b)(2) High rounds from an (b)(2) High (5-6) (b)(2) High rounds from an (b)(2) High and (8-10) (b)(2) High rounds from an (b)(2) High. The vehicle came to a halt 10m from the patrol. The on scene corpsman treated and assessed the (1) LN (b)(6) until he died on scene. A 3-3/7 IA Soldier contacted the (b)(6) Hospital and an ambulance was dispatched to the site. The ambulance transported the deceased LN to the (b)(6) Hospital. The vehicle was searched with NSTR. No CF casualties or damage reported.</p> <p>LINE 3: 031107DJUL06</p>
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7/5/2006

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			LINE 4: (b)(1)1.4Compilation
			LINE 5: None
			LINE 6: None
			LINE 7: None

RCT-7 Journal Clerk

(b)(1)1.4Compilation Al Asad, Iraq

DSN (b)(2)

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7/5/2006

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FIVE "W" REPORT

3 July 2006

Purpose: To provide information on the escalation of force (EOF) incident that took place on 3 July 2006, resulting in the death of male Iraqi civilian. Commander's investigation continues.

Who: B Company, 1st Battalion, 7th Marines

What: At approximately 1100 on 3 July 2006, Company B, 1/7 was conducting a combined dismounted patrol with 3/3/7 Iraqi Army in Husaybah, IZ. As the patrol was moving east in the vicinity of Train Road, a (b)(6) LeMans sedan driven by one Local National male rapidly approached the patrol from the rear. The vehicle was first spotted at (b)(2)High. At a distance of (b)(1)1.4Comp a Marine waved a red flag and used hand and arm signals to warn the vehicle to stop, but the driver disregarded the warnings and continued to rapidly approach the patrol. At a distance (b)(2)High, (b)(1)1.4Comp a Marine fired two (2) warning shots with (b)(2) High rounds into the deck to the right side of the vehicle's path. The driver did not respond to this warning measure and still continued to bear down on the patrol. (b)(1)1.4Comp a Marine fired (3) (b)(2)High into the engine compartment on the passenger side of the vehicle. The vehicle still did not slow down or alter its course. At a distance of (b)(2)High, (b)(1)1.4Comp killing shots were fired into the passenger compartment with (8-10) (2) High rounds with an (b)(2) High (5-6) (2) High rounds from an (b)(2) High and (8-10) (2) High rounds from an Iraqi soldier. The vehicle finally came to a halt (b)(2)High from the patrol. Due to the rapid rate of closure by the vehicle on the patrol and its high rate of speed, the patrol did not have time to employ pyrotechnics.

The corpsman on scene immediately rendered treatment to the driver but he died at the scene. The Iraqi Army soldiers with the Marine patrol contacted the Husaybah Hospital and an ambulance was sent to the scene, which transported the deceased LN male to the (b)(6) Hospital. The deceased LN male driver was identified as (b)(6) B Company Commander personally visited his family and spoke to his son, and ensured that the vehicle was returned to the family. The son explained that the driver was an older man with severely impaired sight and hearing and that he had been strictly forbidden by the family to drive for fear of his encountering Coalition Forces and neglecting to heed their warning signals. However, on this day, he went and drove without their permission and none of his family members found out until it was too late. The son further explained that he understood why the Marines had to shoot his father's vehicle because of the threat of SVBIEDs, and that the Marines did what they could to warn him. The son was provided with a claims card and direction to appear at the CMOG at (b)(2)HIGH, (b)(1)1.4Compilation on Wednesday 5 July 2006, when they will receive the appropriate CERP Condolence Payment from the Battalion Judge Advocate.

When: 031100D JULY 06

Where: Husaybah, Iraq, vic grid: (b)(2)HIGH, (b)(1)1.4Compilation

Why: This incident occurred because the driver of the vehicle in this situation disregarded EOF warnings. He continued to approach the rear of the dismounted patrol after a red flag was waved, hand and arm signals were used, warning shots, as well as disabling shots were fired. Killing shots were employed only after all the aforementioned EOF measures failed to cause the driver to slow down or alter his course away from the patrol. An inquiry is underway.

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I, Corporal [redacted] (b)(3), (b)(6) make this statement voluntarily and of my own free will.

On 060703, at 1045 I was the [redacted] (b)(3), (b)(6) for Baker (b)(1)1.4 on a security patrol in eastern Husaybah, Iraq, en route to an over watch position in the vicinity of H, (b)(1)1.4 Co. At or around 1045 I turned around to check the rear element of my patrol and saw a vehicle moving east on Train road towards my patrol about 150 meters away. I ordered Lcpl [redacted] (b)(3), (b)(6) who was my six man, to stop the vehicle. I watched Lcpl [redacted] (b)(3), (b)(6) begin to perform hand and arm signals to the vehicle so I turned around and continued on leading the patrol. Shortly there after I heard two shots fired. I turned around and saw that the vehicle was HIGH, (b)(1)1.4 Comp meters away from my rear element and increasing its speed. At GH, (b)(1)1.4 Comp meters, Lcpl [redacted] (b)(3), (b)(6) fired three disabling shots at the vehicle utilizing his (b)(2) High and [redacted] (b)(2) High rounds. The first round impacted the grill over the passenger side front tire and the next two rounds impacted on the passenger side of the hood. At the same time Lcpl [redacted] (b)(3), (b)(6) fired a burst of [redacted] (b)(2) High from his [redacted] (b)(2) High into the front driver side tire, and then a second burst into the grill. The vehicle maintained its speed and at this point it was about HIGH, (b)(1)1.4 Comp away from my patrol. Lcpl [redacted] (b)(3), (b)(6) Lcpl [redacted] (b)(3), (b)(6) and two of my Iraqi soldiers began engaging the vehicle with killing shots. Lcpl [redacted] (b)(3), (b)(6) fired approximately 15 [redacted] (b)(2) High rounds, Lcpl [redacted] (b)(3), (b)(6) fired two bursts and the Iraqi soldiers each fired four to five rounds of (b)(2) High from their [redacted] (b)(2) High. After the killing shots, the car rolled to a stop about ten meters away from Lcpl [redacted] (b)(3), (b)(6) I then set the squad in their security positions to search the car and HM [redacted] (b)(3), (b)(6) to perform triage of the driver. While I moved up to the vehicle, I could see that the driver was dead. The vehicle was searched and came up clean and Doc confirmed that the driver was dead. I ordered Lcpl [redacted] (b)(3), (b)(6) to take pictures of the scene and I got on the radio and began reporting to Baker 1 Actual. The Ambulance showed up and took the body after I checked his ID, and identified [redacted] (b)(6). The Iraqi civilians moved the vehicle which was a [redacted] (b)(6) off of the road, and Baker (b)(1)1.4 continued on to our over watch position.

[redacted] (b)(3), (b)(6)