



REPLY TO
ATTENTION OF

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

FICI-JA-AL

26 December 2007

MEMORANDUM THRU

Staff Judge Advocate, MNC-I

FOR Chief of Staff, MNC-I

SUBJECT: Interim Report Regarding AR 15-6 Investigation -- Escalation of Force Incident of 13 December 2007 (MSR Route (b)(2)High Near Joint Security Station (2)H)

1. Purpose. To advise of the status of the subject investigation, which now involves Criminal Investigation Division (CID) activity, and to request approval of my recommendation to hold this collateral investigation open to monitor the progress of the CID investigation.

2. Background. On 13 December 2007, a military convoy traveling south on Main Supply Route (b)(2)High engaged a red GMC Suburban occupied by nine passengers. The engagement occurred just south of Joint Security Station (JSS) (2)H. Two of the passengers were killed instantly and two others were severely injured (loss of legs, loss of an arm, and serious abdominal wounds; both individuals are considered critical but stable condition at this time). The remaining five passengers were not seriously wounded. The military convoy continued without rendering aid or making a report as required by operational orders. Iraqi Police and a Quick Reaction Force from JSS (2)H responded to the scene and began gathering and preserving evidence. Without knowledge of the unit owning the military convoy, the responding unit reported the incident to military police and CID began investigating the case. This occurred on or about 15 or 16 December. I was appointed on 17 December as a collateral investigating officer, with the prime purpose to coordinate unit investigations.

3. Investigation Activity. Since my appointment, I have learned that the military convoy belongs to Special Operations Task Force-Central (SOFT-C). The convoy consisted of (2)H HMMWVs and (2)H fuel truck from Headquarters Service Company, 1/5 Special Forces Group (Airborne), posted to Forward Operating Base Kalsu. SOFT-C conducted a preliminary inquiry and investigation, which I have obtained. Copies of the SOFT-C investigation and all documents from the JSS (2)H unit have been provided to CID. The CID investigation is on-going, which includes interviews with the survivors, third-party witnesses, and forensic examination of the GMC Suburban. CID plans to interview SOFT-C personnel.

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4. Recommendation. With CID leading the investigation, I have taken steps to ensure that the command investigations do not interfere with the criminal investigation. The SOFT-C Command continues to provide CID unfettered access to all information and personnel. To monitor the conduct of the investigation, I recommend that my appointment remain open until CID releases its investigation, at which time I will evaluate and provide appropriate recom

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

Colonel, AR
MNC-I Invest (b)(3), (b)(6) Officer

FOR THE COMMANDER:

Approved / Disapproved.



JOSEPH ANDERSON
Brigadier General, USA
Chief of Staff