4/1 ID Serious Incident Report

From: TF 1-4 CAV

Thru:

To: 4th IBCT, 1st Infantry Division (4-1 ID)

Subject:

1. Category: ESCALATION OF FORCE

2. Type of incident: ESCALATION OF FORCE

3. DTG: 091450SEP07

A. **DTG of Incident: 091450SEP07**
B. **DTG Unit was notified of Incident: 091535SEP07**
C. **DTG received :**

4. Location: (b)(2)High

5. Personnel involved:

A. Subject: (b)(3),(b)(6)
1. **Rank or grade:** SFC
2. **Sex:** M
3. **Age:** (b)(3),(b)(6)
4. **Position:** PSG
5. **Security clearance:** SECRET
6. **Unit and station of assignment:** C TRP/1-4 CAV, FRKS
7. **Duty status:** ACTIVE
8. **Marital Status:** SINGLE

B. Subject: (b)(3),(b)(6)
1. **Rank or grade:** CPT
2. **Sex:** M
3. **Age:** (b)(3),(b)(6)
4. **Position:** TROOP COMMANDER
5. **Security clearance:** SECRET
6. **Unit and station of assignment:** A TRP/1-4 CAV, FRKS
7. **Duty status:** ACTIVE
8. **Marital Status:** MARRIED

C. Subject: (b)(3),(b)(6)
1. **Rank or grade:** 1LT
2. **Sex:** M

3. **Age:** (b)(3),(b)(6)
4. **Position:** PLATOON LEADER
5. **Security clearance:** SECRET
6. **Unit and station of assignment**: C TRP/1-4 CAV, FRKS
7. **Duty status:** ACTIVE
8. **Marital Status:** MARRIED

6. **Summary of incident:** WHILE CONDUCTING A COMBAT PATROL IN THE (b)(2)High OF BAGHDAD, IRAQ, COMANCHE 6 REPORTS THAT AS THEY APPROACHED THE INTERSECTION OF (b)(2)High AND (b)(2)High THEY IDENTIFIED 2X INDIVIDUALS RUN ONCE THEY SAW COALITION FORCES AT A VERY HIGH RATE OF SPEED TO THE WEST OUT OF SIGHT OF THE COALITION FORCES. C6 DISMOUNTED AND PURSUED THE INDIVIDUALS AROUND THE BLOCK. AS THEY REGAINED PID, THE INDIVIDUALS AGAIN RAN AS FAST AS THEY COULD FROM THE DISMOUNTED COALITION ELEMENTS. THE DISMOUNTED COALITION ELEMENTS YELLED AND MADE THEIR INTENTIONS CLEAR THAT THEY WANTED THE FLEEING INDIVIDUALS TO STOP. THE DISMOUNTED COALITION TROOPS (b)(2)High ONCE THE FLEEING INDIVIDUALS DID NOT COMPLY WITH THEIR ORDERS. AS THE INDIVIDUALS RAN AS FAST AS THEY COULD TO AVOID DETENTION ONE OF THE INDIVIDUALS APPEARED TO BE REACHING INTO HIS PANTS IN A MANNER TO WHICH DISMOUNTS BELIEVED HE WAS ATTEMPTING TO WITHDRAW A WEAPON AND WAS ENGAGED BY 1X ROUND OF M4 5.56mm FROM THE ABOVE MENTIONED SFC (b)(3),(b)(6) THE OTHER INDIVIDUAL SPLIT OFF FROM THE OTHER PRIOR TO THE LETHAL ROUND BEING FIRED. NO FURTHER PID WAS ACQUIRED, AND THE DEAD BODY WAS TURNED OVER TO THE SOUTHERN NATIONAL POLICE CHECKPOINT ON AIRPLANE ROAD.

7. **Remarks:** None.

8. **Commander reporting:** LTC (b)(3),(b)(6)

9. **Point of contact:** Raider TOC

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

11. **Released by:** LT (b)(3),(b)(6) (b)(2)High

12. **Unit Notifications:**

A. Telephone

Position	Name	Time	Instructions
Battle CPT	Unknown		Initial Report

B. Email

4/1ID Serious Incident Report

Position	Name	Time	Instructions
Battle MAJ	Unknown		Notification

FOD / DOC NCO ONLY:

Current FOD & DOC NCOIC:

FOD / DOC NCO Actions:

FOD Notifications:

A. Telephone

Position	Name	Time	Instructions

B. Email

Position	Name	Time	Instructions

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 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
FOB FALCON, Baghdad, Iraq, APO	2007/09/10	1705	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(3),(b)(6)	(b)(3),(b)(6)	O3

8. ORGANIZATION OR ADDRESS

TRP C, 1st Cavalry Squadron, 4th Cavalry Regiment, 4IBCT, 1ID, FOB FALCON, Baghdad, IRAQ

9.

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

On 09SEP07, at or around 1450 local time, I was on patrol with one section of 2nd Platoon, TRP C. The patrol's task was to provide security for (b)(2)High in eastern Doura. During the patrol. The section was concentrating on the western part of (b)(2)High on (b)(2)High a portion of the AO that is has been plagued with IED's, with eight either detonating or being discovered from 28AUG07 to 09SEP07. During the patrol, my vehicle, Comanche 6, was in the lead, as we patrolled south along (b)(2)High In the vicinity of the intersection of (b)(2)High I noticed two males dismounted, between the ages of 25 and 35 turn the corner from (b)(2)High onto (b)(2)High One of our High Value Individuals, named (b)(6), (b)(2)High reportedly operates an IED cell located in this area, and multiple reporting has indicated the movement of insurgents and weapons through this intersection. One of the individuals I believed might have been him, it was over (b)(2)High meters away, so I cannot be sure. Noticeably, upon seeing us, the individuals turned and ran back around the corner. I had my vehicle speed up and stop vicinity of (b)(2)High and (b)(2)High I immediately dismounted, and waved for SFC (b)(3),(b)(6) the Platoon Sergeant of 2nd Platoon, to follow. I ran to the corner of (b)(2)High cleared around to the west and noticed no one there, so I assumed they had turned and went north on (b)(2)High Once SFC (b)(3),(b)(6) caught up to me, we sprinted to (b)(2)High and cleared around the corner north. I spotted the two males walking north on (b)(2)High and they must have assumed we would not follow, because the row of houses between (b)(2)High (b)(2)High is the Troop Boundary between Apache Troop and Comanche Troop. The insurgents in the area know this, and it is normally very difficult to pursue dismounts from one side to the other. Upon spotting the individuals, I yelled at them to stop. They turned to see us and were surprised that we were pursuing them. Upon seeing us, they began running again. In seven months of being in Iraq, experiencing several direct fire engagements and multiple detentions of suspects, these were the first two persons that have ever ran from me or from one of my platoons. Especially in (b)(2)High Normally, suspects stop and are questioned. The relationship with the community, despite the rise in IED's, is incredibly good. Most of our intelligence comes from the locals community, and the local populace is taking an active part in the security of the neighborhood. So having two individuals run from us, two dismounts, with such speed was alarming. I took off in pursuit of the two, running as fast as being in full kit will allow. I could not accurately make out what they were doing, and could not see their hands as they ran. Whether it was to grab a cell phone, grab for a gun, of pull up their pants, it is impossible to say now. I (b)(2)High of me as I ran, because I could not make out what they were doing. We all were running and it happened very fast. One broke off to an open house to the east, the other continued straight. It was at this time when SFC (b)(3),(b)(6) shot the one who had continued straight on (b)(2)High He had slowed down and was slightly behind me. At first I thought the man had laid down to surrender. He was lying face down with his arms under him. As I closed in, I could see the blood on his shirt, but his hands were still under him and he was holding something, which turned out to be a cell phone in one hand. Upon realizing this guy was no longer a threat, we called up the medic, SGT (b)(3),(b)(6) and my driver, PFC (b)(3),(b)(6) to provide treatment to the wounded individual. SFC (b)(3),(b)(6) and myself went back to clear the house that the other individual had ran into. As we cleared up, the stairs came out on the roof, it was apparent the man had escaped back into (b)(2)High via the rooftops. SGT (b)(3),(b)(6) provided treatment to the wounded individual, but he died within a minute of SGT (b)(3),(b)(6) arrival. We then consolidated and reorganized, bringing a section around from (b)(2)High

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

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	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.

STATEMENT OF (b)(3),(b)(6) TAKEN AT FOB FALCON DATED 2007/09/10

9. STATEMENT *(Continued)*

Upon investigation of the scene, the individual's cell phone started to ring. We did not answer the phone at that time. The body was pictured and searched for any evidence, but there was nothing but the cellphone. The cellphone was later turned into the Squadron S2 shop. An EXSPRAY test could not be done because of blood on the hands. The body was put into a body bag, and taken to the National Police Checkpoint at the (b)(2)High As a comprehensive search of the area in (b)(2)High was conducted, a text message was sent to the phone that said the caller was back in the Mechanics area, and if the individual that was killed needed help he could come up and get him. Our interpreter sent a text message back that said he needed picked up on (b)(2)High (b)(2)High No one came.
See Attached Diagram.

Nothing Follows

AFFIDAVIT

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

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

(b)(3),(b)(6) T - SP

1-4 CAV FOB FALCON IRAQ
ORGANIZATION OR ADDRESS

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

1-4 CAV FOB Falcon Iraq
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 17th day of Sept, 2007
at

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

MAJ MC
(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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	2. DATE *(YYYYMMDD)*	3. TIME	4. FILE NUMBER
BLDG 1109, FOB FALCON, BAGHDAD, IRAQ	2007/09/11	2057	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(3), (b)(6)	(b)(3),(b)(6)	E7/ACTIVE

8. ORGANIZATION OR ADDRESS
C TRP, 1-4 CAV, 4TH BDE, 1ST ID

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

On 9 September at about 1415, 2nd Platoon, C Troop, 1-4 Cav, 4th BDE, 1st ID was on patrol in (b)(2)High mission number (b)(2)High My truck C27 along with C6 with CPT (b)(3),(b)(6) were moving south down (b)(2)High C6 was in the lead and noticed two males peek around the corner at grid (b)(2)High the intersection of (b)(2)High C6 along with myself dismounted and pursued. We cleared the corner and moved west (b)(2)High We cleared the corner again moving north up (b)(2)High C6 saw the men and gave them the order to halt, the didn't and then C6 (b)(2)High One of the men turned east into a house while the other continued north (b)(2)High The individual appeared to be reaching at his waist for something so I fired three or four rounds. One of the rounds struck the individual in the center of the back at grid (b)(2)High C6 and myself moved north to clear the body. When I look to my rear, SGT (b)(3),(b)(6) my medic, and PFC (b)(3),(b)(6) were behind me. C6 then instructed them to clear the body and tend to wounds while we searched the house the other individual entered. We cleared the house and found no personell inside. We went back out to the street and the medic informed me the individual was dead. We secureds the sight until my Platoon Leader and two trucks arrived. We searched the man for ID and found only a cell phone. We photographed the body and the wounds, bagged him and dropped the body to northern (b)(2)High /// END OF STATEMENT, NOTHING FOLLOWS (b)(3),(b)(6)

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

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

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

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

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ 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)(3),(b)(6) TAKEN AT 2057 DATED 2007 09 11

9. STATEMENT *(Continued)*

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

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

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

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

AFFIDAVIT

I, (b)(3),(b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 17 day of Sept, 2007 at

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

MAJ MC

INITIALS OF PERSON MAKING STATEMENT

SWORN STATEMENT

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

LOCATION	DATE	TIME	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY NUMBER		GRADE/STATUS
ORGANIZATION OR ADDRESS			

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

At approx. 1430 on 9 SEPT. 2007, I was the Medic for 2nd Platoon while on Patrol in (b)(2)High. I was riding in the Platoon SGT's vehicle (C27), and we were following the C.O.'s vehicle (C6). When C6 turned onto (b)(2)High CPT. (b)(3),(b)(6) witnessed 2 Iraqi Local Nationals turn and run away. Both vehicles sped up to the end of (b)(2)High (b)(2)High where we encountered barriers. At the barriers, CPT (b)(3),(b)(6) got out of his vehicle and persued on foot. SFC (b)(3),(b)(6) the T.C. for the vehicle I was riding in, got out and ran after the suspects with CPT (b)(3),(b)(6) I got out and persued behind them with PFC (b)(3),(b)(6) when we were running west bound on (b)(2)High (b)(3),(b)(6) I Heard 4-5 shots fired. When we got to (b)(2)High we Ran North up there. SFC (b)(3),(b)(6) and CPT (b)(3),(b)(6) were 100-150m up the road. They called for me to start treating the Pt. I ran to the patient, which was 1 of the suspects. He had 1 entry wound to the back, with no exit wound. The patient was not breathing, had no Carotid Pulse, and his pupils were fixed and dialated, and non-reactive to light.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF _____ PAGES
	(b)(3),(b)(6)	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72 (EG) SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

STATEMENT *(Continued)*

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

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

AFFIDAVIT

I, (b)(3),(b)(6) , HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE ____ . 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 FR (b)(3),(b)(6) OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL I (b)(3),(b)(6) MENT.

Making Statement)

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

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 17th day of Sept., 19 2007

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

MAJ MC

(Typed Name of Person Administering Oath)

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

SWORN STATEMENT

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

LOCATION	DATE	TIME	FILE NUMBER
(b)(2)High	17SEP07	1535	
LAST NAME, FIRST, MI: (b)(3),(b)(6)	SOCIAL SECURITY NUMBER: (b)(3),(b)(6)		GRADE/STATUS: PFC

ORGANIZATION OR ADDRESS: C-TRP, 1/4 CAV, 4th IBCT, 1st ID

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

The event in question took place towards the end of our ~~afternoon~~ (b)(3),(b)(6) daytime patrol on 09 SEP07. While rolling down (b)(2)High our CO noticed two men coming around the end of the buildings bordering (b)(2)High The two men stopped in thier tracks the moment they saw us, then hurried off the way they came when we sped up to their location as soon as we reached the end of the road, the 6 dismounted and started to run in their last location's direction. 2-7 was not far behind him, but I dismounted and stood fast waiting for the medic, SGT (b)(3),(b)(6) Once he got to our truck, we took off in the same direction. We rounded the corner of (b)(2)High (b)(2)High along I heard some yelling, then 3 shots. I dropped to a Knee and scanned the area, but realized the shots were from an M-4 (by ear). I heard some more yelling as I continued, then 1 or 2 more shots. I stopped at the edge of the wall, peaked around and saw 6 + 2-7 w/ weapons aimed. SGT (b)(3),(b)(6) and I took off around the wall to thier location. When they saw us, they yelled for the medic. I then pulled security for SGT (b)(3),(b)(6) while he checked the body, but even I could tell the guy was done. Once the rest of our section got their, we cleared houses in the area and questioned people about the one that got away. That's all I can really remember.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 1 PAGES
	(b)(3),(b)(6)	

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DA FORM 2823, JUL 72 (EG) SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

STATEMENT *(Continued)*

AFFIDAVIT

I, (b)(3),(b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE (b)(3),(b)(6). I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

(Signature of Person Making Statement)

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

~~1-4 CAV (HHT)~~

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 17th day of Sept., 2007 at 1530

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

(Signature of Person Administering Oath)

MAJ MC

(Typed Name of Person Administering Oath)

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT