DEPARTMENT OF DEFENSE
HEADQUARTERS, COMBINED/JOINT TASK FORCE (CJTF)-76
BAGRAM AIRFIELD, AFGHANISTAN
APO AE 09354

REPLY TO
ATTENTION OF:

CJTF-76-CG

30 March 2006

MEMORANDUM FOR COL [redacted] (b) (6)(b)(7)(c) Kandahar Airfield

SUBJECT: Appointment as Investigating Officer – Potential Fratricide Incident

1. Pursuant to AR 15-6, you are hereby appointed as an investigating officer to conduct an informal investigation into the possibility that friendly fire caused deaths and injuries to coalition forces on 282146ZMAR06 at FOB Robinson during a firefight. Particularly you should determine:

a. The facts and circumstances surrounding the firefight at FOB Robinson.

b. Whether or not friendly fire caused the death of 2 coalition forces and the injury of 5 others.

c. Any other relevant facts that contributed to the deaths and injuries of coalition forces at FOB Robinson.

2. This investigation is your primary duty until completed. Your investigation will be informal. All statements will be in written form and sworn on a DA Form 2823. If, during the course of your investigation, you come to suspect that anyone involved has violated any provisions of the Uniform Code of Military Justice (UCMJ) or other criminal laws, you will advise that person of his or her rights using a DA Form 3881, "Rights Warning Procedure/Waiver Certificate," prior to questioning.

3. Use Chapter 4, AR 15-6, to guide your investigation. You may consider any evidence in your investigation that you determine to be relevant and material to the allegations. You will make appropriate findings and recommendations based on the facts gathered by your investigation.

4. Your completed report should include:

a. This letter of appointment;

b. A completed DA Form 1574;

c. An executive summary;

d. An index of exhibits;

e. A chronology of your investigation; and

f. All exhibits labeled in successive order.

5. You will submit your report no later than 9 April 2006. Submit one completed copy of your report to the CJTF-76 OSJA for legal review. If any circumstances prevent a timely completion of your report, upon written request, you may submit the justification to the CJTF-76 OSJA for my approval.

6. You are authorized technical assistance during your investigation, such as medical personnel. Coordinate for any such assistance with the CJTF-76 staff.

7. During the course of your inquiry your legal advisor will be provided by the Office of the SJA, [redacted] b(2). They will assist you on any legal matters during the investigation.

BENJAMIN C. FREAKLEY
Major General, USA
Commanding