

(b)(5)



UNITED STATES CENTRAL COMMAND  
OFFICE OF THE COMMANDER IN CHIEF  
7115 SOUTH BOUNDARY BOULEVARD  
MACDILL AIR FORCE BASE, FLORIDA 33621-5101

CCJA

OCT 03 2003

MEMORANDUM FOR

Commander, U.S. Central Command Air Forces, Shaw Air Force  
Base, South Carolina 29152-5000

Commander, U.S. Army Forces Central Command, Fort  
McPherson, Georgia 30330-5000

Commander, U.S. Naval Forces Central Command, FPO AE  
09501-6008

Commander, U.S. Marine Forces Central Command, Camp H.M.  
Smith, Hawaii 96861-5001

Commander, Special Operations Command Central, MacDill AFB,  
Florida 33621-5101

SUBJECT: Investigation of Suspected Friendly Fire Incident  
between elements of the 2nd Battalion, 7th Infantry  
(Mechanized) in Baghdad, Iraq, Operation Iraqi Freedom, 07 April  
2003

REF: DoD Instruction 6055.7, Accident Investigation, Reporting  
and Record Keeping

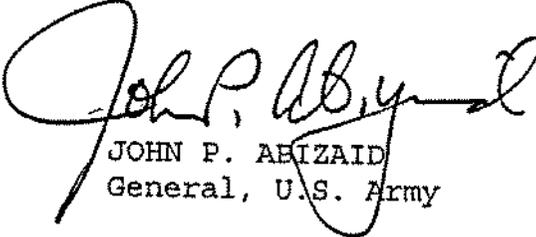
1. The Investigation Report was prepared in compliance with the reference and is approved. The findings of fact, analysis, conclusions, opinions as to the cause of the incident, and contributing factors are approved. The Report is forwarded for evaluation and action you deem appropriate to incorporate relevant lessons learned. The recommendations are approved, but in doing so I am not directing any specific action regarding either awards or disciplinary action. In these matters, I defer to the discretion of the appropriate Component Commander.
2. My staff has coordinated with Service officials for next-of-kin notification regarding the results of the investigation. I ask each of you not to release any portion of the report or make any public comments regarding the report until after such notifications.
3. USCENTCOM will make a public release regarding the report after such notifications have been made. All requests concerning the report made pursuant to the Freedom of

CCJA

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2003

Information Act and/or Privacy Act should be forwarded to  
USCENTCOM FOIA Manager.

4. All other requests for information concerning this  
investigation should be forwarded to (b)(6)(b)(3)  
USCENTCOM Staff Judge Advocate, (b)(6)(b)(3)



JOHN P. ABIZAID  
General, U.S. Army

Encl  
as



ARMY TO  
THE ARMY

DEPARTMENT OF THE ARMY  
HEADQUARTERS, V CORPS  
UNIT 29355  
APO AE 09014



AETV-CG

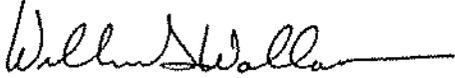
12 June 2003

MEMORANDUM THRU Commander, CJTF-7

MEMORANDUM FOR Commander, U.S. Central Command, 7115 South Boundary Boulevard,  
MacDill AFB, Florida 33621-5101

SUBJECT: AR 15-6 Investigation of the Friendly Fire Incident Involving PFC Jason Meyers

1. The subject AR 15-6 Investigation is forwarded for your review.
2. I concur with the findings and recommendations of the Investigating Officer.
3. The subject investigation satisfies the requirements of DODI 6055.7 and AR 385-40 for collateral investigations. No additional investigation is required.

  
WILLIAM S. WALLACE  
Lieutenant General, USA  
Commanding

DEPARTMENT OF THE ARMY  
3d Infantry Division (Mechanized)  
Baghdad International Airport  
Iraq 09303

AFZP-CG

MEMORANDUM THRU Commander, V Corps, Baghdad, Iraq

MEMORANDUM FOR Commander, US Central Command, 7115 South Boundary Boulevard,  
MacDill AF Base, Florida 33621-5101

SUBJECT: Results of AR 15-6 Investigation – Death of PFC Jason Meyers

1. On 7 April 2003, [REDACTED] was the executive officer of B Co 3-69 AR and was the tank commander of an M1A1 tank. [REDACTED] identified a single enemy dismount scaling a wall within his sector. [REDACTED] checked his gun tube orientation to ensure he was in sector and then contacted the attached engineer element [REDACTED] via FM radio. PFC Meyer, 11th EN Bn, was on radio watch at the time. [REDACTED] asked PFC Meyer three times if there were any friendly dismounts in the area. PFC Meyer replied that he didn't know the first two times and on the third call stated there were no friendly dismounts. [REDACTED] realized that he could not successfully target the enemy scaling the wall with his coax machine gun and his .50 cal was inoperable. [REDACTED] fired his main gun MPAT 4-5 feet above the ground where the enemy had climbed. The round went through the wall and struck the bowl of an ACE. Shrapnel from the round or from the wall struck PFC Meyer in the neck. When the TF 2-7 IN medics arrived, he was pronounced killed in action (KIA).
2. An investigation into this matter (see enclosed file) indicated that this death was the result of friendly fire. The Investigating Officer (IO) found that [REDACTED] lack of situational understanding of the immediate adjacent units, and lack of understanding of his own tank's sector of fire was the proximate cause of PFC Meyer's death. The IO found that fatigue and constant enemy contact contributed to the friendly fire, as well. The chain of command is implementing the recommended corrective actions suggested by the IO.
3. IAW DOD Instruction 6055.7 and AR 385-40, I forward this matter for initiation of an investigation into the incident.

Encl

*Buford Blount*  
BUFORD C. BLOUNT  
Major General, US Army  
Commanding

**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 [REDACTED]  
 (Appointing authority)  
 Battalion Commander

on 21 April 2003 (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/boards)* commenced at TF 2-7 IN (M) at 2100L  
 (Place) (Time)

on 21 April 2003 (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 1500 on 29 April 2003  
 (Time) (Date)  
 and completed findings and recommendations at 1400 on 30 April 2003  
 (Time) (Date)

**SECTION III - CHECKLIST FOR PROCEEDINGS**

**A. COMPLETE IN ALL CASES**

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

**FOOTNOTES:** <sup>1)</sup> Explain all negative answers on an attached sheet.  
<sup>2)</sup> 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	N
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>B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)</b>				
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)?			
<b>C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)</b>				
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 <input type="checkbox"/> )			
	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: Private First Class Meyer was killed by shrapnel from a M1A1 MPAT round fired at 072323APR03 at vicinity grid MB415756 in Baghdad, Iraq. [redacted] identified a single enemy dismount scaling a wall within his sector and after contacting the attached engineer platoon, his tank engaged the target. The tank round went through the wall and struck an ACE (B43), and shrapnel from that impact then struck Private First Class Meyer in the neck. O/A 2310 hours local, [redacted] noticed an individual walking in his sector who then began to scale an 8-10 wall across the highway from his position. He checked his gun tube orientation to ensure he was in sector (see sector sketches in Exhibits A,B,J) and then contacted the attached engineer element [redacted] via FM radio. [redacted] asked if the engineers had any dismounts in the area. Private First Class Meyer, the individual on radio watch, responded that he didn't know. As the unidentified individual continued to climb the wall, [redacted] again requested if the engineer platoon had any dismounts. Private First Class Meyer again responded that he didn't know. At no time did [redacted] speak to an individual of higher rank. [redacted] called a third time, stating he needed an immediate answer as the enemy dismount was almost completely over the wall. To [redacted] knowledge, there were no friendly forces on the other side of the wall to pass the engagement off to. Private First Class Meyer responded on the third transmission that negative, there were no engineer dismounts in the area. The engineer platoon leader, [redacted] awoke in the same track that Private First Class Meyer was pulling radio watch from to hear the third and final radio transmission. [redacted] could no longer engage with coax since the enemy dismount was over the wall. His .50 caliber machine gun was inoperable and does not possess thermal sights. [redacted] woke up his crew and fired a main gun MPAT round 4-5 feet above the ground at the spot on the wall where the enemy threat had climbed. The round went through the wall and struck the bowl of an ACE (B43). Shrapnel from the round or the wall explosion then struck Private First Class Meyer in the neck and he slumped down in the open hatch of the M113 (B16). [redacted] provided the first response to Private First Class Meyer while [redacted] went to get [redacted], the attached medic. [redacted] provided immediate aid while [redacted] sent up a 9-line Medevac request. The Task Force 2-7 IN medics that arrived pronounced Private First Class Meyer Killed in Action.

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

In view of the above findings, the (investigating officer) (board) recommends:  
 The proximate cause of this incident was [redacted] lack of situational understanding of the immediate adjacent units and lack of understanding of his own tank's sector of fire. [redacted] was unaware of the engineer platoon's location, an element attached to the company in which he serves as the Executive Officer. [redacted] and [redacted], the Company Commander, made conflicting statements concerning the rightmost limit of [redacted] sector. Furthermore, poorly cleared direct fires via FM and insufficient guard changeover briefs contributed to this incident. [redacted] identified [redacted] sectors of fire after [redacted] conducted adjacent unit coordination with B/2-7 IN and 3rd PL/1/B/3-69 AR. [redacted] rightmost limit was identified as the "blue cylinders" (three large 50ft. tall cylinders used for mixing concrete). [redacted] used these blue cylinders as an easily identifiable company TRP and placed his third platoon tanks just past the far side of the blue cylinders. Thus, [redacted] could not safely fire to the right of the blue cylinders. However, in his statement [redacted] identified his rightmost sector as being five meters to the right of the cylinders. The exact cause of the confusion between [redacted] orders and [redacted] understanding of his sector is unclear. Additionally, [redacted] gunner, stated that his rightmost limit was the end of the construction compound. He could not recall any blue cylinders being identified as a TRP. This confusion over sector limits adjoining friendly positions was largely responsible for the incident. [redacted] did not realize the location of the attached [redacted] engineer platoon. Being the company executive officer, [redacted] should have been aware of the location of every vehicle in the company. The engineer platoon was originally located at the Company CP, and then moved to a new sector tied in with third platoon. [redacted] the engineer platoon leader, moved his vehicles on line with third platoon, where they would not extend south into [redacted] sector as defined by [redacted]. Once set, [redacted] notified the CP of his vehicle grids and orientations over the company FM net. [redacted] then put out a guidons call over the company FM net that included the grid locations and weapon system orientations of the engineer platoon. Previously, [redacted] had put out the location of all tanks and Bradleys in the company with their sectors of fire. [redacted] and his gunner, [redacted], both state they did not monitor either net call and failed to realize the location of the engineers attached to their company and integrated into their company defense. [redacted] and his crew failed to [redacted] and the company CP failed to demand an acknowledgement from the Executive Officer's tank.

His sector sketch did not include their locations. He cleared his fires through a Private First Class that obviously did not understand the location of [redacted] tank. [redacted] did not include his location, his gun tube orientation, or the location and distance of the threat. Not knowing there were friendly elements behind the wall, this never occurred to him. Private First Class Meyer observed that he did not have any dismounts on the ground and [redacted] took that statement as a clearance of fire. Private First Class Meyer did not clear any vehicle locations. 3/6

Another cause of this accident deals with a lack of situational awareness. The changeover brief between guard shifts was inadequate. Someone on [redacted] tank should have monitored the multiple FM transmissions over the company net. The engineer platoon also did not provide Private First Class Meyer with the situational awareness that he needed. Either the platoon leader or platoon sergeant should have been awake or immediately awoken by the RTO. Private First Class Meyer should never have been left in the situation where he is the individual responsible for clearing fires. If Private First Class Meyer had been provided better situational awareness, or his superiors had cleared fires on the first or second transmission, [redacted] would have fired coax at the threat. Private First Class Meyer was unaware of [redacted] tank orientation and sectors of fire. A company sector sketch with adjacent units should have been present in the Platoon Leader's vehicle. The engineer platoon's lack of situational awareness needs to be considered as a mitigating factor for [redacted] decision to engage. 3/6

Certain other mitigating factors should also be considered. [redacted] estimated that he had only four to five hours of sleep over the previous 48 hours and had to make a split-second decision to engage the threat before he escaped. B/3-69 had been in constant enemy contact since moving into a blocking position east of Baghdad International Airport at 040530APR03. The enemy had been using small dismount units armed with rocket-propelled grenades and rifles, capable of killing and engaging friendly units. First [redacted] perceived an enemy dismount that was escaping over a wall and then would be able to maneuver on third platoon's rear undetected. He felt that destroying the threat immediately would possibly save his company's vehicles and soldiers. His exhaustion and the confusion of battle caused [redacted] to fire his weapon into a location that he believed was clear. In summary, I recommend the following company-wide improvements: 3/6

- 1) Ensure that all vehicles understand their sectors of fire unconditionally. I recommended adding a back brief to the company commander on sectors of fire over the company net to the company SOP. This needs to include the Executive Officer and Commander's tracks as well as any attachments.
- 2) Revise and rehearse company/team clearance of fires drills down to the crew level to include all attachments.
- 3) Situational awareness needs to be improved. Every soldier on radio watch from company commander down to private needs to understand the situation and be able to instantly react to flash traffic. RTOs and guards need to monitor all radio traffic and brief their leaders on all key traffic to include location of all friendly units.
- 4) A properly performed and executed battle handover between guard shifts must be performed, providing updated situational awareness.

In conclusion, I find many factors and several personnel contributed to this incident; however, [redacted] lack of situational awareness, poorly understood sectors of fire, and unclear FM clearance of fires remains the overriding cause of this fratricide incident. [redacted] was experiencing combat stress and fatigue on an active battlefield where his company had been in constant enemy contact for days. I believe the mitigating factors outweigh the evidence against [redacted]. [redacted] acted against a threat that he believed was going to attack friendly forces. [redacted] should be formally admonished for his actions. All elements of B/3-69 and the attached engineer platoon need to revise their SOP's as stated above. 3/6

SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)

3/6

[REDACTED]

(Recorder)

(Investigating Officer) (President)

(Member)

(Member)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-13, AR 15-6)

To the extent indicated in Inclosure \_\_\_\_\_, the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

(Member)

(Member)

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 following exceptions/substitutions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)

3/6

Concur with investigating officer's findings and recommendations. Although many factors contributed to the incident, the findings do not support that [REDACTED] actions were criminally negligent, willfully executed or malicious. His actions were executed against a perceived threat. Many factors led to the incident:

- 1) All individuals involved were in constant combat for 18 days and were experiencing combat stress and fatigue that may have influenced a series of poor judgment and events.
- 2) A lack of situational awareness of friendly elements that were located in the immediate area and close proximity.
- 3) The failure of [REDACTED] to completely understand the exact company fire plan as ordered by [REDACTED], his company commander.
- 4) The failure of both [REDACTED] and PFC Meyer, the radio telephone operator for 2nd Platoon, B Company, 11th Engineer Battalion to properly coordinate and clear fires.
- 5) The failure of [REDACTED] to demand to talk to [REDACTED], the engineer platoon leader, to clear fires. In addition, the failure of PFC Meyer to wake [REDACTED] up to coordinate the clearance of fires.

All soldiers involved executed their missions to the best of their abilities given the combat conditions on the battlefield. Although unfortunate and completely accidental, the events of the death of PFC Meyer can be mitigated in the future, but not completely ruled out as possible in the conditions that were present on the evening of 7 April 2003. Continued training and participation in field training exercises will increase clearance procedures and develop soldiers and leaders that have an increased ability to understand locations of units/vehicles/individuals on the battlefield.

[REDACTED]

3/6

DEPARTMENT OF THE ARMY  
TASK FORCE 2-7 INFANTRY (MECHANIZED)  
3D INFANTRY DIVISION (MECHANIZED)  
APO AE 09303-3101

AFZP-VAL

22 April 2003

MEMORANDUM FOR RECORD

SUBJECT: Summary of Oral Appointment

3/6

1. 1. [REDACTED], was appointed as the 15-6 investigating officer by [REDACTED]  
[REDACTED] on 21 April 2003.

2. The purpose of the investigation is to determine the events surrounding the fratricide incident involving PFC Jason Meyer.
3. No special instructions were given.
4. Point of contact for this memorandum is the undersigned.

3/6

[REDACTED]



DEPARTMENT OF THE ARMY  
HEADQUARTERS  
2D BATTALION, 7<sup>TH</sup> INFANTRY (MECHANIZED)  
3D INFANTRY DIVISION (MECHANIZED)  
APO AE 09303

REPLY TO  
ATTENTION OF:

AFZP-VAL-C

11 April 2003

3/6

MEMORANDUM FOR [REDACTED], Headquarters & Headquarters Company,  
2d Battalion, 7<sup>th</sup> Infantry (Mechanized), 1<sup>st</sup> Brigade Combat Team, APO AE 09303

SUBJECT: AR 15-6 Investigation

3/6

1. You are hereby appointed as investigating officer UP AR 15-6. You will informally investigate the circumstances surrounding the suspected fratricide death of PFC Jason Meyer in Team B, 3d Battalion, 69<sup>th</sup> Armor.
2. You will thoroughly investigate this event to determine the facts surrounding the situation and whether it was caused purely by accident or by soldier negligence. You will consider, among other things, environmental factors, battle fatigue/stress, situational awareness and understanding, and communications and clearance of fires and comment on such.
3. If you suspect a soldier of violating the Uniform Code of Military Justice, you will read that soldier his/her rights under Article 31(b), Uniform Code of Military Justice, using DA Form 3881. You will record any statements made by soldiers on DA Form 2823 and swear them to their statement. An alternative method is to have soldiers complete their statements on regular paper and write the word, "Statement" across the top of the document. No respondent will be designated, and the Privacy Act will not apply to this investigation. You will record your findings and recommendations in brief bullets on DA Form 1574. You will complete your investigation within 48 hours from the date of this memorandum and submit your investigation to me. If you need an extension on the suspense requirement, submit such a request to me as soon as you recognize the need. Before beginning your investigation, you will receive a briefing from the Administrative Law Division, DREAR, DNVN 584-0739/0740.

3/6



## Unclassified Executive Summary

**Background:** On the evening of April 7, 2003, during Operation Iraqi Freedom, Army elements were tasked to move toward central Baghdad to reinforce the success of previous attacks. Prior to sunset, these forces were ordered to take up defensive positions along the eastern and western sides of Highway 8. Several tanks were positioned on the eastern side with grid locations and fire sectors specified to the southwest and east. An attached engineer element was positioned along an east-west highway behind a wall on the western side of the street. This engineer element was supposed to be positioned to the northwest of the northernmost tank.

**Discussion:** At approximately 2300 hours local on the night of April 7, the commander of the northernmost tank observed an unidentified individual walking in his sector who then began to scale the wall on the western side of Highway 8. The normal method of attack employed by enemy forces was for one or two individuals to attack US armored vehicles with shoulder launched rocket propelled grenades or small arms fire. Given the late hour and the furtive movement of the individual, the tank commander thought this person's actions were consistent with that of the enemy. The tank commander also thought that any friendly forces on that side of Highway 8 were out of range and northeast of the wall the individual was scaling.

The tank commander checked his gun tube sight to ensure he was in sector and then contacted the attached engineer element via FM radio. He asked if the engineers had any individuals walking in the area. He was informed that there were no friendly forces walking in the tank's sector.

The tank commander could no longer engage the target with his 7.62mm M240 machine gun, so he woke up his tank crew and fired a main gun round 4 to 5 feet above the ground at the spot on the wall where the unidentified individual had climbed over. The round went through the wall and struck the bowl of a US Army combat bulldozer parked on the other side. Shrapnel from the round or the wall explosion struck a soldier in the neck resulting in his death.

DEPARTMENT OF THE ARMY  
TASK FORCE 2-7 INFANTRY (MECHANIZED)  
3D INFANTRY DIVISION (MECHANIZED)  
APO AE 09303-3101

AFZP-VAL

30 April 2003

MEMORANDUM FOR RECORD

3/4 SUBJECT: 15-6 Case Chronology for [REDACTED] Investigation

3/4 1. The following entries comprise the additional investigation regarding the fratricide case of PFC Meyer as investigated by [REDACTED]

- a. 21 2100 APR 03. Verbal notification that the undersigned would be the investigating officer.
- b. 22 1315 APR 03. [REDACTED] and [REDACTED] completed DA Form 3881, Rights Warning Procedure/Waiver Certificate.
- c. 22 1400 APR 03. Received 2<sup>nd</sup> Sworn Statement from [REDACTED]
- d. 26 1330 APR 03. Received 3<sup>rd</sup> Sworn Statement from [REDACTED] to include diagram of the incident.
- e. 26 1345 APR 03. Received 2<sup>nd</sup> Sworn Statement from [REDACTED]
- 3/4 f. 27 1230 APR 03. Received 2<sup>nd</sup> Sworn Statement from [REDACTED]
- g. 29 1130 APR 03. Received 1<sup>st</sup> Sworn Statement from [REDACTED]
- h. 29 1220 APR 03. Received 1<sup>st</sup> Sworn Statement from [REDACTED] to include diagram of the incident.
- i. 29 1430 APR 03. Received 2<sup>nd</sup> Sworn Statement from [REDACTED]
- j. 30 1400 APR 03. Completed Investigation.

3/4

[REDACTED]

DEPARTMENT OF THE ARMY  
 Task Force 2-7 Infantry  
 1<sup>st</sup> Brigade Combat Team, 3<sup>rd</sup> Infantry Division (Mech)  
 APO AE 09303-3101

AFZP-VAL

14 April 2003

MEMORANDUM FOR RECORD

SUBJECT: 15-6 Case Chronology

1. The following entries comprise the 15-6 Investigation regarding the fratricide case of PFC Meyer.

a. 072323APR03. DTG of Incident

b. 111300APR03. Verbal notification that the undersigned be the Investigating Officer.

c. 121530APR03. Received Sworn Statement from the following personnel:

3/6 (1) [REDACTED]

d. 131600APR03. Received Sworn Statement including Diagram from the following personnel:

3/6 (1) [REDACTED]  
 (2) [REDACTED]

e. 131600APR03. Received Sworn Statement from the following personnel:

3/6 (1) [REDACTED]  
 (2) [REDACTED]  
 (3) [REDACTED]

f. 131630APR03. Received 1594's from 2-7 IN and B 11E TOCs.

g. 140700APR03. Received Sworn Statement from the following personnel:

3/6 (1) [REDACTED]

h. 141200APR03. Completed Investigation.

2. Point of contact for this memorandum is the undersigned.

3/6 [REDACTED]

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

**DATA REQUIRED BY THE PRIVACY ACT**

**TY:** Title 10, United States Code, Section 3012(g)  
**PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**USES:** Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**NOTE:** Disclosure of your Social Security Number is voluntary.

1. LOCATION <u>Baghdad, Iraq</u>	2. DATE <u>22 Apr 03</u>	3. TIME <u>1315</u>	4. FILE NO.
5. NAME (Last, First, MI) [REDACTED]	8. ORGANIZATION OR ADDRESS		
7. GRADE/STATUS <u>O2</u>			

3/6

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**1. Rights**

Investigator whose name appears below told me that he/she is with the United States Army [REDACTED] and wanted to question me about the following offense(s) of which I am accused: Fratricide incident of Private First Class Meyer on 7 April 2003  
 He asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:  
 I do not have to answer any question or say anything.  
 Nothing I say or do can be used as evidence against me in a criminal trial.  
 As a personnel subject of the UCMJ I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, if I desire.

3/4

- or -

*As a civilian not subject to the UCMJ I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.  
 I am now willing to discuss the offense(s) under investigation, with or without a lawyer present. I have a right to stop answering questions at any time, or to stop answering questions privately with a lawyer before answering further, even if I sign the waiver below.*

**2. COMMENTS (Continue on reverse side)**

[REDACTED]

5

**3. Waiver**  
 I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without a lawyer present with me.

4. WITNESSES (If available) NAME (Type or Print)	3. SIGNATURE OF INTERVIEWEE [REDACTED]
5. ORGANIZATION OR ADDRESS AND PHONE NAME (Type or Print)	4. SIGNATURE OF INVESTIGATOR [REDACTED]
6. ORGANIZATION OR ADDRESS AND PHONE	5. TYPED NAME OF INVESTIGATOR <u>HAC/2-7 IN</u>
6. ORGANIZATION OF INVESTIGATOR	

3/6

**3. Non-waiver**  
 I do not want to give up my rights  
 I want a lawyer  
 I do not want to be questioned or say anything

NATURE OF INTERVIEWEE

THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

PART II - RIGHTS WARNING PROCEDURE

THE WARNING

1. WARNING - Inform the suspect/accused of:
  - a. Your official position.
  - b. Nature of offense(s).
  - c. The fact that he/she is a suspect/accused.
2. RIGHTS - Advise the suspect/accused of his/her rights as follows:
 

"Before I ask you any questions, you must understand your rights."

  - a. "You do not have to answer my questions or say anything."
  - b. "Anything you say or do can be used as evidence against you in a criminal trial."
  - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

can be a civilian you arrange for at no expense to the Government or a military lawyer detailed for you at no expense to you, or both."

- or -

(For civilians not subject to the UCMJ) You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer can be one you arrange for at your own expense, or if you cannot afford a lawyer and want one, a lawyer will be appointed for you before any questioning begins."

- d. "If you are now willing to discuss the offense(s) under investigation, with or without a lawyer present, you have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if you sign a waiver certificate."

Make certain the suspect/accused fully understands his/her rights.

THE WAIVER

"Do you understand your rights?"

(If the suspect/accused says "no," determine what is not understood, and if necessary repeat the appropriate rights advisement. If the suspect/accused says "yes," ask the following question.)

"Have you ever requested a lawyer after being read your rights?"

(If the suspect/accused says "yes," find out when and where. If the request was recent (i.e., fewer than 30 days ago), obtain legal advice whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)

"Do you want a lawyer at this time?"

(If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

"At this time, are you willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" *If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused says "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.*

SPECIAL INSTRUCTIONS

WHEN SUSPECT/ACCUSED REFUSES TO SIGN WAIVER CERTIFICATE: If the suspect/accused orally waives his/her rights but refuses to sign the waiver certificate, you may proceed with the questioning. Make notations on the waiver certificate to the effect that he/she has stated that he/she understands his/her rights, does not want a lawyer, wants to discuss the offense(s) under investigation, and refuses to sign the waiver certificate.

IF WAIVER CERTIFICATE CANNOT BE COMPLETED IMMEDIATELY: In all cases the waiver certificate must be completed as soon as possible. Every effort should be made to complete the waiver certificate before any questioning begins. If the waiver certificate cannot be completed at once, as in the case of street interrogation, completion may be temporarily postponed. Notes should be kept on the circumstances.

PRIOR INCRIMINATING STATEMENTS:

1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions.

2. If the suspect/accused was questioned as such either without being advised of his/her rights or some question exists as to the propriety of the first statement, the accused must be so advised. The office of the serving Staff Judge Advocate should be contacted for assistance in drafting the proper rights advisal.

NOTE: If 1 or 2 applies, the fact that the suspect/accused was advised accordingly should be noted in the comment section on the waiver certificate and initialed by the suspect/accused.

WHEN SUSPECT/ACCUSED DISPLAYS INDECISION ON EXERCISING HIS OR HER RIGHTS DURING THE INTERROGATION PROCESS: If during the interrogation, the suspect displays indecision about requesting counsel (for example, "Maybe I should get a lawyer."), further questioning must cease immediately. At that point, you may question the suspect/accused only concerning whether he or she desires to waive counsel. The questioning may not be utilized to discourage a suspect/accused from exercising his/her rights. (For example, do not make such comments as "If you didn't do anything wrong, you shouldn't need an attorney.")

COMMENTS (Continued)

Exhibit 4

11 MAR 03

SWORN STATEMENT PERTAINING TO THE DEATH OF PFC MEYER, JASON  
 3/6 AS SEEN BY [REDACTED]

In 7 MAR 03, the company received a change of mission to move towards central Baghdad, Iraq to reinforce the success of 2<sup>nd</sup> Brigade's attack. The company moved out of its assembly area point. When the objective became close, 1<sup>st</sup> PLT was given the order to detach to B CO, B-69 AR, which is part of Task Force 2-7 IN. I was given the grid to ~~[REDACTED]~~ <sup>B-69 AR's</sup> (Known as "Black Knight") position, and led the platoon there with 2 ACEs from A&O PLT attached. We arrived to the location, and I called [REDACTED] on the radio to let him know I was arriving. I then drove my track to his tank and talked to him face-to-face. He told me to follow him with my platoon to my sector for the night. So, I brought the platoon and followed him. When we arrived on site at my sector, myself and [REDACTED] talked on the ground about where each of my tracks was to be positioned. After it was clear in his mind and mine where my tracks were to be situated, I placed the platoon in its security position. The platoon was set before dark. Before I went to sleep, I called the grids of my leftmost and rightmost tracks up to Knight X-Ray, along with the directions that they were oriented.

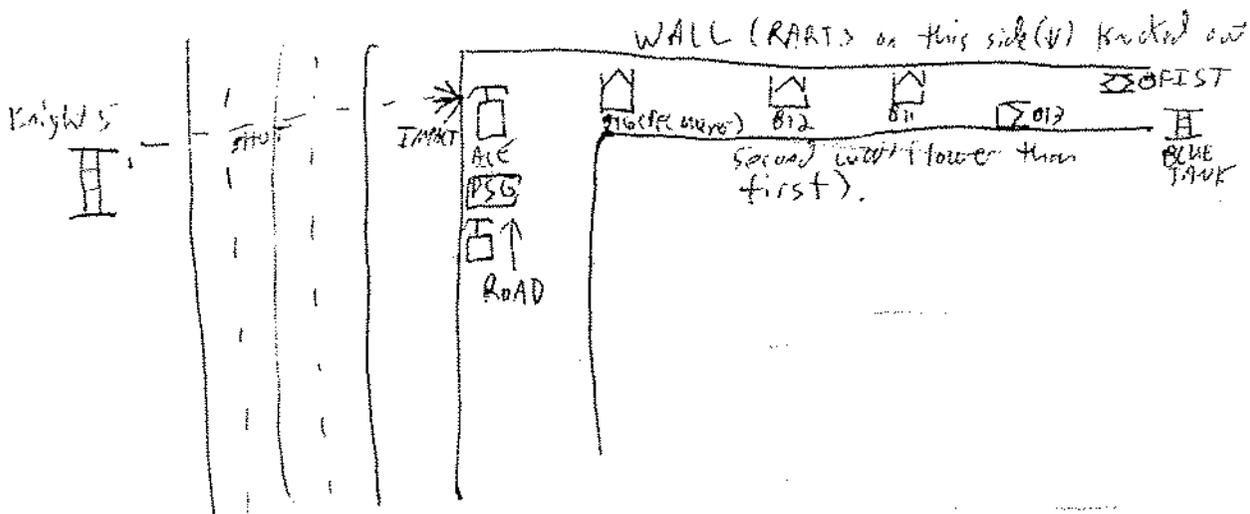
AT

I had been asleep in the track. I saw and heard PFC Meyer talking to Knight 5 on the radio. Knight 5 asked PFC Meyer if we had any dismounts on the wall (There was a wall separating my track and Knight 5's track). Since the platoon always sleeps on or around the tracks, we would have nobody on the wall, so PFC Meyer said no. At that point I heard a large boom and saw PFC Meyer jump down from the TC hatch where he had been pulling guard. I yelled at him to see if he was OK and got no response. At that point, I laid him ~~down~~ flat on his back and yelled for a medic while continuing to check PFC Meyer. I then ran to my Platoon Sergeant's HUTAWU, where the medic sleeps, and told ~~her~~ her that we had a casualty. She ran to my track and ducted PFC Meyer, and recommended that I call a MEDEVAC. So, I called Knight Band-Aid and requested a MEDEVAC. I sent SGT [REDACTED] (I can't remember <sup>his</sup> name, he was a PAO soldier that rode in my track for a day) to ground guide the medic track in. The medics arrived on site, evaluated PFC Meyer, and pronounced him dead. PFC Meyer's body was brought to the MAS and transported back by the Platoon Sergeant and 2nd Squad.

It was later seen that a main tank round had been fired. The round went through a wall, hit an ACE on the front, and lodged in the dirt that happened to

was sleeping on my and PFC Meyer's truck, along with [REDACTED] 3/6  
[REDACTED] and SGT [REDACTED].

Below is a schematic of the site:



This statement is complete and truthful to the best of my knowledge.

———— NOTHING FOLLOWS ————

3/6

[REDACTED]

3/6

STATEMENT OF [REDACTED]

ON 7 APR 03 WE WERE PLACED INTO A DEFENSIVE POSITION TO THE SOUTH OF B CO 3/69 ARMOR. THE SQUAD TRACKS WERE PLACED 100 METERS APART FROM EAST TO WEST ALONG AN UN-NAMED ROAD. TO OUR NORTH WAS THE M.A.S. AND B CO 3/69 TOC. CO. TM. "BLACK KNIGHT" WAS SPREAD OUT AROUND US PERPENDICULAR TO OUR POSITION FACING OUT AWAY FROM US SECURING AN MSR. OUR PLATOON SELECTED OUR DEFENSIVE POSITIONS BASED ON THE SECTOR GIVEN, DISTANCE, AND BUILDINGS IN OUR SECTOR. WE USED THE A.C.E. TO KNOCK HOLES IN A WALL ACROSS FROM OUR POSITIONS TO ENHANCE OUR SECTORS OF FIRE. WE STARTED GUARD AROUND 2100. EACH SQUAD WAS RESPONSIBLE TO MAN THEIR MZ UNTIL 0500. GUARD SHIFTS WERE LEFT UP TO THE SQUAD LEADERS. GUARD FOR B16 WAS SET-UP BY SGT

[REDACTED] GUARD INCLUDED [REDACTED]

3/6

PFC MEYER, [REDACTED], [REDACTED], [REDACTED]

AND [REDACTED]

AT ABOUT 2330

I WAS SLEEPING ON MY HOOD WHEN I GOT KNOCKED OFF BY A BLAST. I WAS SO DISORIENTED I GOT UP AND RAN INTO MY HUMMUV TWICE. FINALLY REALIZING WHERE I WAS I GOT TO MY RADIO I CALLED "BULLDOG X-RAY"

STILLING I THOUGHT WE WERE UNDER  
3/6 RPG ATTACK. [REDACTED] REPLY WAS, "ARE  
YOU SURE IT WASN'T A TANK FIRING?" AT  
3/6 THAT TIME [REDACTED] CAME RUNNING  
ASKING FOR THE MEDIC. I GOT OUT AND  
3/6 RAN FOR B16. [REDACTED] MET ME  
HALFWAY, COVERED IN BLOOD, AGAIN  
LOOKING FOR THE MEDIC. I ASKED  
IF HE WAS HURT BAD, HE SAID  
PFC MEYER WAS "KIA". I THOUGHT  
HE WAS IN SHOCK AND RAN TO SEE.  
HE WAS RIGHT. I RAN OVER TO  
THE ACE TO CHECK ON [REDACTED] HE  
HAD BEEN SLEEPING ON TOP OF HIS  
3/6 ACE. WHEN I GOT ~~THERE~~ THERE  
I SAW A HUGE HOLE IN THE WALL  
AND THE ACE BLADE [REDACTED] SEEMED  
OK. I RAN BACK TO MY TRUCK AND GOT  
ON THE COMPANY NET. I INFORMED

2/3/6 [REDACTED] OF PFC MEYER'S DEATH.  
NEAR THAT TIME AN AMBULANCE FROM  
THE MAS. ROLLED UP. THEY ASSESSED HIM  
AS "KIA" AND ASKED US TO MOVE OUR  
VEHICLE, B16, TO THEIR LOCATION, FOR  
BODY REMOVAL.

"SEE ATTACHED DIAGRAM"

IT SEEMS THE TANK SAW OUR SOLDIERS,  
 3/10 [REDACTED] & PFC MEYER, CHANGING  
 GUARD SHIFTS AND MISTOOK IT FOR SOMEONE  
 CROSSING A WALL. PFC MEYER HAD JUST  
 TAKEN OVER GUARD. HE WAS IN MATCH  
 BEHIND G.N. WHEN THE SHEARER HIT HIM  
 HE FELL INTO THE M113. [REDACTED]

3/6 WAS SLEEPING ON TOP OF B16, & [REDACTED]  
 [REDACTED] WAS SLEEPING INSIDE. [REDACTED]  
 I CANNOT RECALL HIS NAME, WAS ALSO  
 SLEEPING IN OR AROUND B16. [REDACTED]  
 FROM 310 PAC.

NOTHING FOLLOWS

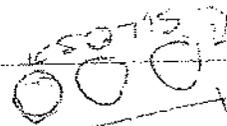
3/6

[REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]



← Z MAIN ROAD

BUILDING



BUILDING

GATE



ROAD



# Exhibit C

3/6

I, [REDACTED] want to make this statement  
On 8 APR 68 at 2330 hrs, I was relieved by PFC Meyer for weapons  
and radio guard. As I got out of the TANK Commander's hatch,  
PFC Meyer got in. I saw him put on the CUE helmet and talk  
to someone. I laid down next to the TANK commander's hatch  
and closed my eyes. Not more than ten seconds past by, that's  
when the wall next to B-43, which was being operated by [REDACTED]  
exploded. The impact blew me off the top of the B-16 vehicle.  
I landed next to the vehicle, but was unable to move. I was  
blinded and deaf for about 10 to 15 seconds. After that past, I  
went to check on the other people that were on the vehicle at

3/6

that time. They were [REDACTED], an AMO reporter, and [REDACTED].  
As I checked, I saw [REDACTED] rattling PFC Meyer's hands, only  
to get no response. I then tried to grab and pull PFC Meyer  
out. Then I tried. My pulling on his clothing only ripped the  
material. I then went to get our medic, [REDACTED] Air Platoon  
Sergeant, [REDACTED], then called in a pine line. A vehicle from  
the FAS site came to our location and said PFC Meyer was  
KIA.

3/6

PFC Meyer was then taken to the FAS site, placed in a body  
bag, and transported to [REDACTED]. [REDACTED] came  
over as soon as he heard about the incident. He said a main  
gun round caused the explosion of the wall.

Nothing Follows  
[REDACTED]

3/6

Exhibit D

12 APR 63

was on the ground, blown off as a  
3/b result of the explosion. [redacted] was  
on top of the track next to me and  
he said he was alright and that  
he was going to dismount,  
[redacted] got up and out of the track  
and tried to pull Meyer out. [redacted]  
[redacted] + [redacted] began calling for  
3/b a medic and repeatedly yelling  
[redacted]. [redacted] ran to  
the nurse to get her. I leaned in  
the TC hatch again to move Meyer's  
feet because we [redacted] couldn't get  
him out. He was snagged in the  
the track. We still couldn't get him  
out after I moved his feet so I started  
the track and just steered it to get  
more room near the back door.

On APR 7 at 2300 I heard voices  
and the beep of the radio. At the time  
I was sleeping on top of the H3 on the  
left side. I woke up to the voices and  
soon heard the whistle of an incoming  
round. I immediately reacted upon  
the flash of the impact and pulled  
my vest over my body and curled up  
behind the road cones. I quickly  
pulled on my boots and stuck my  
head down the TC hatch. I yelled  
for Lt to get up, that we had  
incoming. I expected more rounds to  
follow. He told me that he had blood  
on him and he got on the radio  
with Knight. I began yelling for [redacted] 3/b  
[redacted], [redacted], and Pfc Meyer.  
[redacted] sounded off that he

nothing serious.

We then loaded Meyer into 1-7's hummer and 1-2's track ~~car~~<sup>lead</sup> us

b the FAS, Enroute we encountered the minefield again and discovered

that mines had been moved back into the roadway, [redacted] ground

guided the hummer, I was driving and [redacted] was in 1-2, backwards.

[redacted] + [redacted] probed

the lane and passed the mines out of the roadway. 1-2 pulled

security and I monitored both nets in the hummer.

[redacted] then mounted up and we drove the lane with IR

headlights on to double proffit.

Upon her arrival, [redacted] said that

she wasn't getting anything and that he was KIA. I shut the track

down and got on the MK 19 to secure our sector. While doing so,

it came over the radio that it was frat fire that hit us. At that time,

we ceased trying to extract Meyer and I drove the track to the MMS.

There, the medics finally got Meyer out and then bagged and cataloged the body.

My adrenaline rush had died down by this time and I had begun to

feel pain in my feet. The medics looked at my feet finding minor

shrapnel wounds in each foot but

One declared clear, 1-2 ~~sets~~ moved  
~~through~~ ~~security~~ ~~through~~ ~~the~~ ~~door~~  
through while a Bradley pulled  
security.

3/6 We then continued to the FAS  
and 1-2 dismounted. With the  
help of [redacted] and 1, they  
unloaded the body and delivered  
him to the medics there.

These are the events of Apr. 7  
as I remember them.

3/6 [redacted]

## Exhibit E

It was about 2330 when I woke up out of my sleep. Then not even a minute later I heard a big "BOOM". I was just laying in the back of the Humvee scared, not knowing what to think. It was cloudy outside from all of the debris, so I couldn't see anything.

3/6

I screamed [redacted] name to make sure he was safe. (He sleeps on the hood of the Humvee.) As soon as I screamed his name, people were screaming for Doc! Doc! (me). I grabbed my Aide. Bar and the guys escorted me to the track. When I got to the track, Meyer was placed in the back of the 113 on a bench. I got there and called his name. I checked his pulse, there was none.

3/6

Then I told [redacted] to call for MEDEVAC and I continued my assignment. Within the next 2-3min, the Medic's vehicle was there, and in the spot he was pronounced a KIA.

3/6

[redacted]  
[redacted]

Exhibit F Statement

1 of 3

At approximately 0115, 08 APR 83, Team Bravo, while conducting combat operations, was involved in a fratricide incident. The company occupied its area of the 75-76 Northing along Hwy 8 with the task to secure Hwy 8 for forces to pass unhindered. I established platoon sectors and had each platoon leader cross talk with their flank/adjacent units. I also coordinated with adjacent companies. While emplacing 3<sup>rd</sup> platoon, [REDACTED], [REDACTED], [REDACTED], [REDACTED], commented about shooting over the wall. The wall ran north/south, paralleling Hwy 8. I was emplacing 3<sup>rd</sup> platoon on the west side of the wall and told my XO not to fire into the or sight of the blue "cylinder/silos" tanks. The XO was east of the wall and was to orient SW and tie in with Bravo Mech. Company. I told the XO that Blue platoon (3<sup>rd</sup>) was directly across the cylinders on the west. Therefore he could not fire near the

3/6

F

engineers. Later I replaced the Engineer platoons behind 3<sup>rd</sup> platoon for local security against infiltrating personnel. They were tied in with 3<sup>rd</sup> platoon and did not exceed past 3<sup>rd</sup> platoons sector already identified to the XO. The company was set in before dark.

Prior to sunset, the XO observed a person trying to scale the wall in front of him toward the engineer platoons.

The person could not scale the wall and therefore proceeded south toward Bravo (Mech).

At approximately 0800, 0800, the XO observed a person ~~at~~ scaling the wall while he was scanning in TIS. The XO called the

3/6

engineer platoon leader, [REDACTED], <sup>First</sup>  
(SS# ) to confirm no one was moving.

The XO reconfirmed 3x times with the engineer platoon leader that no one was moving. The EXB PL gave the XO the clearance to fire.

The XO fired an ~~FM~~ IMPAT round that went through the wall and into an ACE. The ACE's scoop was full of dirt/brick, absorbing the shock of the round. However, shrapnel

a brick flew and hit the driver of the ENG M113 (next to the ACE approx. 38 meters) in the neck resulting in instant death. The hole in the wall was to the right of the blue cylinders identified to the XO as a night TRP not to fire into or beyond.

Conclusion: Due to ongoing combat operations, + the time of night, fatigue was a contributing cause to the incident. ~~Additionally, the XO~~  
~~The XO~~ accidentally scanned outside of his sector, saw what appeared to be someone scaling the wall, and engaged after given proper clearance. ~~I~~ I do not believe there was any gross negligence ~~or~~ or willful misconduct involved in the incident.

# Exhibit G

12 APR 2003

At 072200 APR 2003 I, [REDACTED], relieved my gunner  
3/b of TIS watch/Security. My left limit was 220° to inter-  
lock fires with [REDACTED] and my right was 300° to tie  
in with elements of the Company CP. About 2310 I  
noticed a person walking in my sector who then immediately  
began to attempt to climb an 8-10 ft wall. I checked my  
gun tube orientation to ensure I was still within my  
sector. My turret was aligned with my hull which means  
my gun tube was over my front slope. This person was  
between 250-300 meters away to my direct front. I could  
not get an exact range because I was too close and the  
laser would flash zeroes. I immediately called [REDACTED]  
2 because he is the only element who would have dismounts in  
the area. His response was he did not know. I called  
again and stated that there was a person to my direct  
front and to check if it was his. His response again was  
he did not know. I told him he needed to find out now on  
the third transmission. This time his response was negative,  
as in no friendly dismounts in the area. At that point I  
could not engage with coax because the person was on top  
then on the opposite side of the wall. I woke up my  
crew and prepared them to fire the main gun. It took  
less than a minute to prepare to fire. I aimed the  
gun where the person climbed the wall about 4-5 feet

off the ground. I fired the round and Bulldog came back and said one of his men was hit. I thought the unknown person turned out to be one of his. He reported a few minutes later the soldier was KIA. I immediately pulled myself from the perimeter and had a Red Platoon tank cover my sector. Speaking with [REDACTED] I found [REDACTED] had moved into my sector on the opposite side of the wall. At no point did I see vehicle hot spots in my sector, especially through the wall because thermals can not penetrate a wall.

2/3/6

---

Nothing Else follows

3/6

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

EXHIBIT 11

DAI

OFF JOURNAL OR DUTY OFFICER'S LOG

For use of this form, see AR 220-15, the approving agency is Office of The Deputy Chief of Staff for Operations & Plans

PAGE NO. 4

NO. OF PAGES

ORGANIZATION OR INSTALLATION

LOCATION

PERIOD COVERED

TF 27W

MB 415-736

FROM HOUR 0535

DATE 7 Apr 63

TO HOUR

DATE

ITEM NO.

TIME

IN

OUT

INCIDENTS, MESSAGES, ORDERS, ETC.

ACTION TAKEN

REL

2/3/6

██████████ 416754 2050-2850 Acknowledged  
40 2040 intell update on FM by Abel Acknowledged

41 2050 Range destroy one enemy  
dismount in a bunker MB 416773 Acknowledged

42 2133 Range found 1000 RAG rounds  
attempt to destroy will  
call for fire MB 41407815

43 2226 Informed units of passage of  
2 tanks and a Brad friendly

3/6

44 2236 NEg contact w/ASIA November Informed units

45 2146 FUELER ESCORT FROM B\*\* BACT NEg contact

46 2151 A MOTORCYCLE TRAVELING AT HIGH  
SPEEDS THREW RAGE SECTION DESTROYED SENT TO HIGH

47 2201 ██████████ PUT OUT A TWTTEL UPDATE  
OF WHAT THE NEXT 24 HRS

2/3/6

48 2318 ENEMY ACTIVITY MAY CONSIST OF  
RAGE ENGAGED 3 DISMOUNTS 415773 out out net call  
Informed B-OP

49 2323 2 ENEMY DISMOUNTS DISMOUNTED  
██████████ BUILDING 6 REPORTS SOME

WAVE OF INCOMING BOUND ON  
BY THEIR SECTION

2/3/6

50 2332 ██████████ SOLDIER KTD (FATALLY)  
██████████ (HEADED REPORTEDLY) ACCIDENT INFORMED AS

TYPED NAME AND GRADE OF OFFICER OR OFFICIAL ON DUTY

SIGNATURE

DAILY OFF JOURNAL OR DUTY OFFICER'S LOG

Use of this form, see AR 220-15; the preparing agency is Office of The Deputy Chief of Staff for Operations & Plans

PAGE NO. 3

NO. OF PAGES

ORGANIZATION OR INSTALLATION

LOCATION

FROM

PERIOD COVERED

TO

TF 2-7 INF TOC

MB 415 736

HOUR 2340

DATE 7 APR 03

HOUR

DATE

ITEM NO.

TIME

IN

OUT

INCIDENTS, MESSAGES, ORDERS, ETC.

ACTION TAKEN

REF

LEFT  
Flavor  
2

51

2340

FRATRICIDE INCIDENT MB 415 756  
[REDACTED] REPORTED SEEN A DISMOUNT  
[REDACTED] DOUBLE CHECKED AND MADE SURE IT  
[REDACTED] IT WAS CLEAR, FIRED A IMPACT  
FOUND FIRE IT STRUCK WALL WENT  
THRU WALL SHRAPNEL HIT ACE AND

SENT TO Higher

[REDACTED]

52

0635

FM 3235 BATTLE ROSTER NUMBER  
OF SOLDIER FROM BLUE

SENT TO A/N

[REDACTED]

2/3/6

53

0644

[REDACTED] REPORTS NEG CONTACT

NEG CONTACT

[REDACTED]

54

0644

1 M3 INTRAP BACK TO CTCF FROM [REDACTED]

INFORMED WITS

[REDACTED]

55

0152

Reseeded minefield at  
[REDACTED] MB 409710

Acknowledge

[REDACTED]

2/3/6

56

0200

[REDACTED] S/S/S/13/1

acknowledge

[REDACTED]

57

0835

[REDACTED] reports movement  
[REDACTED] in + tower at Ridge  
Location MB 406756

Acknowledge

[REDACTED]

2/3/6

58

0230

[REDACTED] [REDACTED] 2 dismounts  
in [REDACTED] MB 413775 killed enemy  
1 M99B and 1 M113 returned to  
[REDACTED] location

Destroy [REDACTED]

[REDACTED]

59

0840

[REDACTED] location

Inform higher

60

0845

Weather advisory reported to units

return;

TYPED NAME AND GRADE OF OFFICER OR OFFICIAL ON DUTY

SIGNATURE

EXHIBIT A

DAILY STAFF JOURNAL OR DUTY OFFICER'S LOG

For use of this form, see AR 220-16; the proponent agency is Office of The Deputy Chief of Staff for Operations & Plans

PAGE NO.

NO. OF PAGES

ORGANIZATION OR INSTALLATION

LOCATION

PERIOD COVERED

FROM

TO

HOOR

DATE

HOOR

DATE

ITEM NO.

TIME

IN

OUT

INCIDENTS, MESSAGES, ORDERS, ETC.

ACTION TAKEN

3/6	32	2215		Contacted [REDACTED] and informed B6 to contact them on 942	TRACKED
	33	2243		Sent Report of Down Vehicles location and Grids to [REDACTED]	TRACKED
3/6	34	2052		B17 Reports B43 V Heavy maintenance problems thinks he might have a down hose and woman is going to check at the V in the morning	TRACKED [REDACTED]
3/6	35	2232		B27 Conducts Radiochecks	Comm OK [REDACTED]
	36	2319		317 Reports unknown incoming Round checking for any casualties at this time	sent to ABIE [REDACTED]
	37	2323		317 Reports 1 Casualty a RPG Round struck wall 416 TSG B16/D PFC MEYER	B17 currently unable to 469 PMS [REDACTED]
	38	2321		B17 Reports M13 MEDICS ARRIVED AT SCENE AND ASSESSING CASUALTY	sent to JC XRAY
3/6	39	2335		B17 Reports PFC motor KIA B17 Reports may be in front of hole in wall	ABIE XRAY SKY [REDACTED]
3/6				SOME BLADE OR A [REDACTED] IS AIRBORNE [REDACTED]	[REDACTED]

TYPED NAME AND GRADE OF OFFICER OR OFFICIAL ON DUTY

SIGNATURE

# DAILY STAFF JOURNAL OR DUTY OFFICER'S LOG

For use of this form, see AR 220-15; the proponent agency is Office of The Deputy Chief of Staff for Operations & Plans

PAGE NO.

NO. OF PAGES

ORGANIZATION OR INSTALLATION

LOCATION

PERIOD COVERED

FROM

TO

HOUR

DATE

HOUR

DATE

7 APR

TEAM NO.

TIME

IN

OUT

INCIDENTS, MESSAGES, ORDERS, ETC.

ACTIONS TAKEN

10 2339

B17 Reports A/C B1A0E  
DAMAGE Accountable Per Report of  
Personnel

SENT UP

1 2340

~~CONFIRMED~~ CONFIRMED FRATRICIDE  
Requested to know the Distance  
the A/C was from the main  
B16 Reported approx 10FT

2/3/6

NAME AND GRADE OF OFFICER OR OFFICIAL ON DUTY

SIGNATURE

# SWORN STATEMENT

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

## 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  
**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) 02 APR 03	3. TIME 1400	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS D-2	
8. ORGANIZATION OR ADDRESS B/3-69 AR			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

This will be a question and answer interview of [REDACTED] by the investigating officer, [REDACTED]. The question portion is posed by [REDACTED] and the responses are the words of [REDACTED].

1) Why was your tank scanning a wall with friendlies located behind it? Was there a depth limit to the sector? Were the sectors poorly devised or did you fail to understand them?

My sector was clearly defined. Before I went to sleep the Engineers were located near the Company CP. I did not know they moved until after the incident occurred.

2) Why use a main gun round against 1 dismount (esp. at night with friendlies and the possibility for collateral damage)? Why not pass off to the next Platoon? Could not pass off to another PLT because I was the only tank who could engage. I would have preferred to use coax, but the transmissions with [REDACTED] took too long. By the time I was off the radio the suspect was on the opposite side of the wall and 7.62 mm has no effects through a cement wall. My 50 cal was inop and has no night sight.

3) Did you check the grids the EN PLT had sent earlier and their position before firing?

10. EXHIBIT J	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 05 PAGES
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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 INDICATED.

STATEMENT OF

TAKEN AT

22 1400 APR 03

DATED

3/6

## 9. STATEMENT (Continued)

I did not monitor any transmission about [REDACTED] locations.

2 4) How close to the opposite side of the wall did you think the [REDACTED] vehicles were, did you think they could be affected by a main gun round? Where did you think the closest friendly vehicles were?

2 Did not know [REDACTED] was located on the opposite side of the wall. The closest friendly unit was [REDACTED], but they were well out of range of any effects of direct fire from my sector.

2 5) On the 3<sup>rd</sup> transmission, the ENG soldier on the radio, said that there were no [REDACTED] dismounts on the ground. He did, however clear his vehicles for a direct fire main gun engagement. Why <sup>(b)(6)</sup> ~~didn't~~ <sup>were it</sup> you more specific with the radio transmission to tell him you were engaging or to double check vehicle locations?

3/6 To me, clearing fires and asking about friendly's in the area is a hard fast sign an engagement is ensuing. ~~But~~ I ~~thought~~ thought after 3 transmissions it was clearly evident something was about to happen. I don't make net calls when I am about to engage, neither does anyone else that's why fires are cleared through friendly's.

6) Describe battlefield fatigue, lack of sleep, or other extenuating or environmental factors that played a part in your decision-making process.

~~From [REDACTED] to [REDACTED]~~  
Within the past 48 hours I had had roughly 4-5 hours of sleep because of our mission at the airport. This can severely hinder the decision making / thought process. The OP TEMPO that day as well as that week was quick and required much energy to maintain support of the mission.

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 4 PAGES

3/6

3/6  
STATEMENT OF [REDACTED] TAKEN AT 1400 DATED 22 APR 03

9. STATEMENT (Continued)

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. 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 INFLUENCE.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of April, 2003, at [REDACTED]

[REDACTED]  
MHC, 2-7 FN (M)  
FSGA, 313H  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
(Typed Name of Person Administering Oath)

Investigating Officer  
(Authority to Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

SWORN STATEMENT

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

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 KNIGHT CP, BARBADAD	2. DATE (YYYYMMDD) 26 APR 2003	3. TIME 1330	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS O-2	
6. ORGANIZATION OR ADDRESS B/3-69			

9. [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

This will be a question and answer interview with [REDACTED], B/3-69 Company executive Officer, by the investigating officer, [REDACTED]. The question portion is posed by [REDACTED] and responses are the words of [REDACTED].

- 1) Did you fire to the left or right of the blue cylinder?  
I fired to the right of the blue cylinder.
- 2) Explain your rightmost sector as given to you by the company Commander?  
My rightmost sector was to the right of the cylinder by 5 meters.
- 3) Did you have the exact location of your [REDACTED] platoon?  
Yes, [REDACTED] was North of the road that runs East to West.

End of Statement  
[REDACTED] Nothing Follows

10. EXHIBIT K	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	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

[REDACTED]

TAKEN AT

1330

DATED

26 APR 2003

9. STATEMENT (Continued)

[REDACTED STATEMENT CONTENT]

AFFIDAVIT

I, [REDACTED], 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.

[REDACTED SIGNATURE]

WITNESSES:

[REDACTED]

HHC/2-7 IN(M)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 26 day of April 2003 at Knight CP, Bashiadi, Iraq

[REDACTED SIGNATURE]

(Signature of Person Administering Oath)

[REDACTED NAME]

(Typed Name of Person Administering Oath)

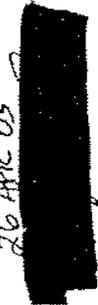
Investigative Officer  
(Authority To Administer Oaths)

2/6

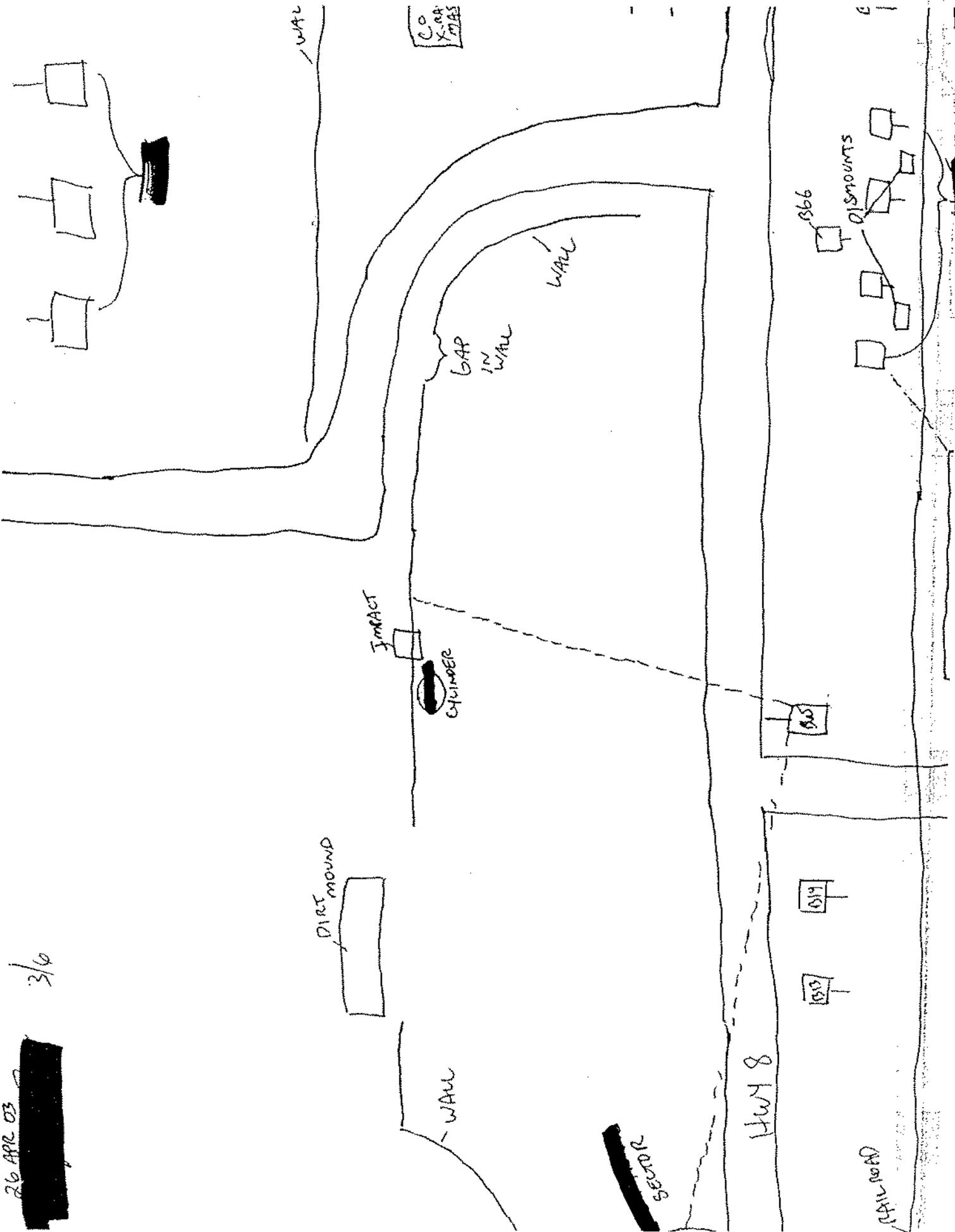
3/6

3/6

26 APR 03



3/6



SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1993 (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: Knight CP
2. DATE (YYYYMMDD): 2008 04 26
3. TIME: 1347
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: O3/CPT

8. ORGANIZATION OR ADDRESS: TM B/3-69 AR

9. [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

This will be a question and answer interview with [REDACTED] by the investigating officers, [REDACTED]. The question portion is posed by [REDACTED] and the responses are the words of [REDACTED].

1) Did all of the Platoons have a good sector sketch of all company elements to include the attached Bulldog elements? Did they have grids and perform adjacent unit coordination?

I spoke with [REDACTED] Southern most vehicle and w/ [REDACTED] regarding their sectors. Platoons were directed to cross talk w/ their adjacent elements as well, and they did. I gave [REDACTED] his right limit and he coordinated w/ [REDACTED] to determine his left limit. Grids to all positions w/ R/L azimuths were called out on the Radio that evening, to include [REDACTED] location. [REDACTED] right limit was based on my 3rd Tank plts. location. [REDACTED] was providing local security for 3rd plt. and did not exceed into [REDACTED] right limit. I was given on up from each element that they conducted adjacent unit coordination. I as well assisted w/ the coordination w/ units.

2) What exactly were your orders for [REDACTED] right limit? [REDACTED] was directed not to shoot past (or right of) the blue cylinders, an easily identifiable TRP. I explained [REDACTED] (tank) plt. was on the other side. When the enge plt. was engaged, they were providing local security behind [REDACTED] and did not exceed the right TRP of Knight Co.

10. EXHIBIT: L
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF [REDACTED] TAKEN AT Knights CE DATED 26 APR 83

9. STATEMENT (Continued)

3) Was the round fired from [REDACTED] tank to the right of his right-most limit (the blue cylinder)? yes.  
Nothing follows

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 2 OF 3 PAGES

STATEMENT OF

TAKEN AT

Knish CP

DATED

26 APR 03

3/6

9. STATEMENT (Continued)

[Large area of the page is crossed out with a large 'X' and contains a small blacked-out signature in the center.]

3/6

AFFIDAVIT

I, [Redacted], 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 [Redacted] INFLUENCE, OR UNLAWFUL INDUCEMENT.

3/6

[Redacted Signature]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 26<sup>th</sup> day of April, 2003 at Baghdad, Iraq, Knish+CP

ORGANIZATION OR ADDRESS

[Redacted Signature]  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[Redacted Name]  
(Typed Name of Person Administering Oath)

Investigating Officer  
(Authority To Administer Oaths)

3/6

INITIALS OF PERSON MAKING STATEMENT

[Redacted Initials]

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSA).  
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 Bulldog, K-Roy Baghdad, Iraq	2. DATE (YYYYMMDD) 20030427	3. TIME 1230	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS O2	
8. ORGANIZATION OR ADDRESS [REDACTED] COMPANY, 11TH ENGINEER BATTALION			

3/6

3/6

3/6

2/3/6

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

This will be a question and answer interview with [REDACTED], 1st PLT/B/11ENG, by the investigating officer, [REDACTED]. The question portion is posed by [REDACTED] and the responses are the words of [REDACTED].

1) Recount your actions once you arrived at [REDACTED] and linked-up with [REDACTED].

I arrived at B/9-69's sector and talked face-to-face with [REDACTED] who said he would take me to my sector. I followed him, with my platoon in tow, to our sector. [REDACTED] and I dismounted and talked on the ground about where my tracks would be oriented and placed. We disassembled knocking down some walls to clear sectors of fire. After we were both clear about track placement, I had the ACEs knock down walls to clear fields of fire then placed my tracks in the places [REDACTED] and I discussed. After we were set (which was about 30 minutes before dark), I called in my track grids (leftmost and rightmost) and orientation to [REDACTED].

2) How did sector line up with [REDACTED] (3rd) PLT? Were any of your vehicles South of [REDACTED] PLT (and thus in [REDACTED] sector)? There was a road running E-W along a wall that was in front of us. My platoon was lined up on this road, and at the end of my platoon's line, on the same

10. EXHIBIT M	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"		
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)

road, was a M1 from blue platoon. None of my vehicles were south of [redacted] PLT.

3/6

3) Discuss your normal clearance of direct fires drill when attached to a tank company. Why did PFC Meyer clear fires without alerting his chain-of-command? When a possible target is sighted by a guard, he first calls the other platoon tracks that may be able to see the same target and asks them to check it out, and also ensures that all friendly personnel are accounted for (so that he's not accidentally tracking a friendly soldier). If the threat is clearly enemy, he may immediately engage, and alerts the chain of command as soon as possible. If not, a leader (preferably the platoon leader, but at least an NCO) is alerted to assess the situation. All guards are aware of their sectors of fire and do not fire out of them, PFC Meyer may have cleared fires because from what I heard on the radio, he was asked if we have any personnel on the wall, which we did not (everyone was on or near their tracks). END OF STATEMENT

3/6

AFFIDAVIT

I, [redacted], 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.

[redacted signature]

(Signature of Person Making Statement)

WITNESSES:

3/6

[redacted witness name]

[redacted witness address]

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27 day of April, 2003 at Building 4-Bay Baghdad, Iraq

[redacted witness signature]

(Signature of Person Administering Oath)

[redacted witness name]

(Typed Name of Person Administering Oath)

Investigating Officer (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[redacted initials]

SWORN STATEMENT

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

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: ABLE X-Ray Baghdad Iraq
2. DATE (YYYYMMDD): 2003/04/29
3. TIME: 1130
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: E-4
8. ORGANIZATION OR ADDRESS: Bco 3-69 ARBN

9. [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
This will be a question and answer interview with [REDACTED], CP RTO, by the investigating officer, [REDACTED]. The question portion is posed by [REDACTED] and the responses are the words of [REDACTED].
1) You were the RTO on duty at [REDACTED] on the evening of 7 Apr 03?
yes.
2) Was the R/L azimuth for [REDACTED] sector of fire put out on a detailed terrain [REDACTED] element got in position?
To the best of my knowledge yes it was.
3) Do you have an official DA 1594 log for radio traffic on the evening of 7 Apr 03?
No I don't.
4) Where the platoon sectors of fire for all 3 tank/mech platoons and sector for [REDACTED] put out over the net prior to [REDACTED] being set? Can you recall the approximate time?
Yes it was put out multiple times, the last time shortly after sunset.
5) Did 1st PLT/B/11ENG send up their location and sectors of fire to [REDACTED] once set? Did you then pass this information on to the platoons?
YES and yes. The information was put out on a net call to the rest of the elements.

10. EXHIBIT: N
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]
PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

TAKEN AT

Abie X-Ray

Baghdad Iraq 28 APR 03 DATED

9. STATEMENT (Continued)

3/6 6) Did [redacted] contact [redacted] at approximately 2300 hours in order to clear fires? Yes he did. I told him to stand by while I tried to raise [redacted], [redacted] who called [redacted] to clear fires, [redacted] answered then answered, "I'm not sure, I don't know." [redacted] then stated, "That's not the answer I'm looking for I need to know if you have any elements on the ground." The voice on [redacted] then changed and stated he was clear to engage the target that he had received, as on the ground.

3/6 7) Were you involved in any more radio traffic between [redacted] and [redacted] after the first transmission? No.

End of Statement

AFFIDAVIT

[redacted] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 10/2. 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.

[redacted]  
(Signature of Person Making Statement)

WITNESSES:

3/6 [redacted]  
[redacted]  
NHC 2-7 IN.  
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29<sup>th</sup> day of April, 2003 at Abie X-Ray, Baghdad, Iraq

[redacted]  
[redacted]  
[redacted]  
(Typed Name of Person Administering Oath)  
Investigative Division  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

[redacted]

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

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: Able X-144 Baghdad, Iraq
2. DATE (YYYYMMDD): 20030429
3. TIME: 1220
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: SGT/E-5
8. ORGANIZATION OR ADDRESS: B. Co. 3-69 AR RN.

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

3/6 This will be a question and answer interview with [REDACTED] gmnis for [REDACTED], by the investigating officer, [REDACTED]. The question portion is posed by [REDACTED] and the responses are the words of [REDACTED].

1) Approximately what time were you on guard/TIS watch on the evening of 7 Apr 03?
It was around 2000 hrs in the evening. It was on shift for two hours. I was relieved around 2200 hr. by [REDACTED]

2/3/6 2) Did you receive [REDACTED] radio transmission concerning the placement and sectors of fire of your tank and mech platoons?
No.

3) Did you receive [REDACTED] radio transmission on your company net regarding their position and sectors of fire? Did you monitor [REDACTED] transmission of [REDACTED] sector that followed?
No.

4) What two nets were you monitoring from your tank?
We monitor Tank Force and Company.

5) Were your communications full mission capable on 7 Apr 03?
Yes.

10. EXHIBIT: ( )
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF [REDACTED] TAKEN AT Alle X-ray DATED 29 April 2003

9. STATEMENT (Continued)

2/16 6) Concerning your sectors of fire, what was your right most limit?  
My right limit was right-end of the ~~compound~~ construction compound.

7) Did [REDACTED] Tank Commander, identify the blue cylinder to you as your right-most limit?  
I really can't remember.

2/3/16 8) [REDACTED] states that he made adjacent unit coordination with [REDACTED] platoon and [REDACTED]. Did he pass this information to you?  
No, he just gave the right and left limit.

9) During your shift did you make any coordination yourself with [REDACTED]. Did they contact you?  
There was no radar contact during my shift.

3/16 10) Recount your battle handoff when [REDACTED] relieved you approximately 2200 hours.  
I awoken [REDACTED] about 10 minutes prior to shift and when he came on shift, I informed him that it was quiet and there was no activity.

11) Who was on shift prior to you?  
It was my loader [REDACTED]  
End of statement.

3/6  
STATEMENT OF

[REDACTED]

TAKEN AT

Abk X-ray

DATED

29 April 2003

9. STATEMENT (Continued)

[REDACTED]

3/6

AFFIDAVIT

I, [REDACTED], 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.

[REDACTED]  
(Signature of Person Making Statement)

3/6  
WITNESSED BY [REDACTED]  
[REDACTED]  
[REDACTED]  
AHC 2-7 INF (03)

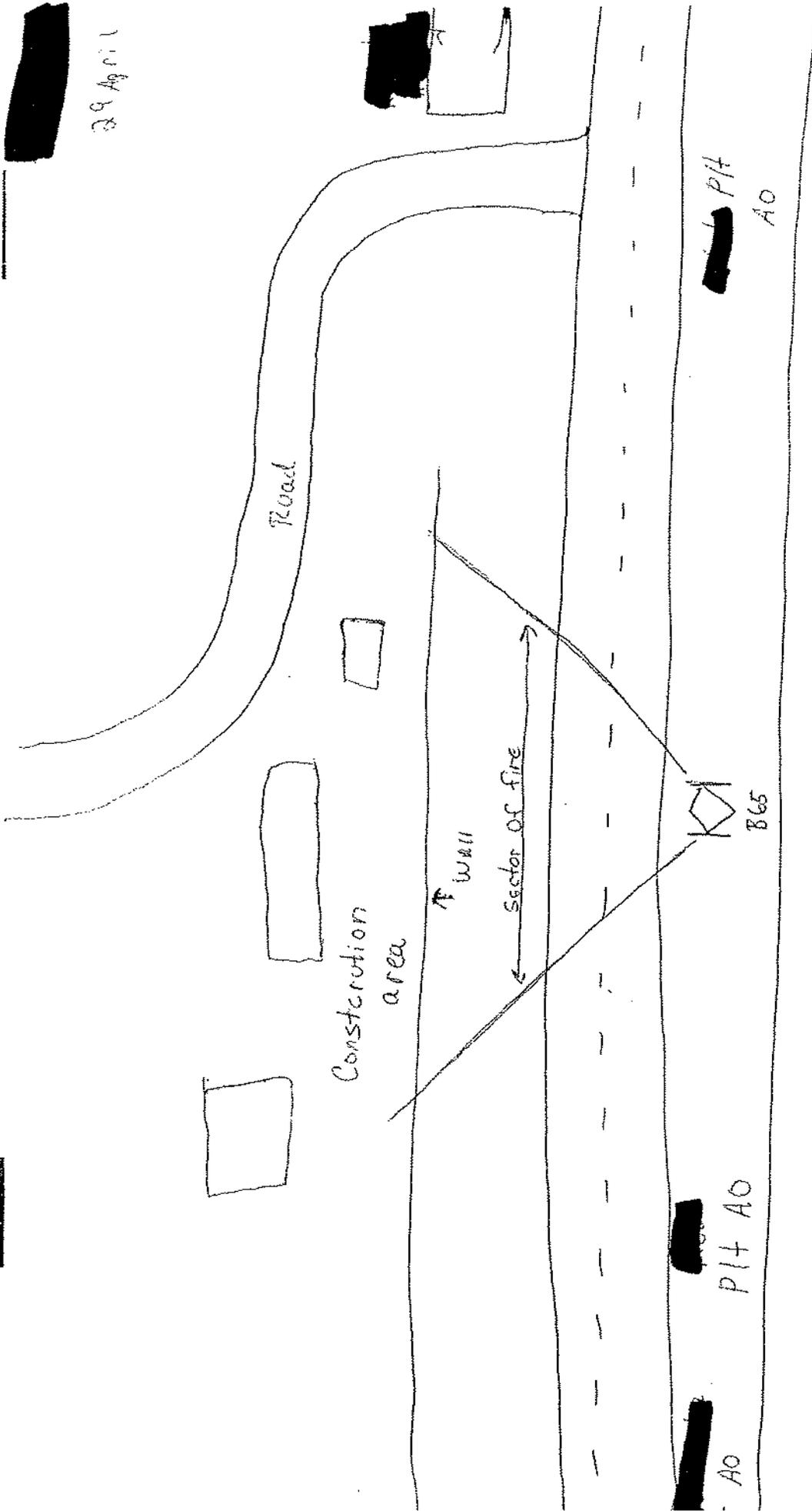
Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of April, 2003 at Abk X-Ray Baghdad, Iraq

[REDACTED]  
(Signature of person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]  
(Typed Name of Person Administering Oath)  
Investigating Officer  
(Authority To Administer Oaths)

29 April



2/3/6

SWORN STATEMENT

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

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: Bulldog X-Ray, Baghdad, Iraq
2. DATE (YYYYMMDD): 20030429
3. TIME: 1430
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: E5/SGT
8. ORGANIZATION OR ADDRESS: B Co 11th ENGR BN

3/6 I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
This will be a question and answer interview with [REDACTED], B/11ENG team leader, by the investigating officer, [REDACTED]. The question portion is posed by [REDACTED] and the responses are the words of [REDACTED].
1) You were on radio watch/guard before PFC Meyer on B/6. Approximately, what time did your shift run? My shift started at 2200 and ran through til 2330 with a ten minute wake up.
2/3/6 2) While on duty did you call in the [REDACTED] element's grid location and L/R sectors of fire to [REDACTED]? If not, who did? No, I did not. [REDACTED] called that information in.
3/6 3) During your shift did you make any additional adjacent unit coordination or receive any incoming traffic to that effect? No, I did not. The radio was pretty quiet at that time.
4) Did you know the location of [REDACTED] tank and sectors of fire prior to the incident? No, I did not.
5) Discuss your battle handover with PFC Meyer. What information did you provide him? Basically, the handover was to get into the proper uniforms, use the Night Vision Goggles, Call up any things out of the ordinary, and make myself and [REDACTED] up should a situation arise.
END OF STATEMENT

10. EXHIBIT: P
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]
PAGE 1 OF 2 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

[REDACTED]

TAKEN AT

Bulldog X-RAY

DATED

29 APR 03 1430

STATEMENT (Continued)

[REDACTED]

3/6

AFFIDAVIT

I, [REDACTED], 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.

[REDACTED]

(Signature of Person Making Statement)

3/6

WITNESSES:

[REDACTED]  
[REDACTED]  
[REDACTED]

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29<sup>th</sup> day of April, 2003 at Bulldog X-Ray, Baghdad, Iraq

[REDACTED]

(Signature of Person Administering Oath)

[REDACTED]

(Typed Name of Person Administering Oath)

Investigation Officer

(Authority To Administer Oaths)

3/6

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 2 OF 2 PAGES