

# TAB 6

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: FOB HAMMER, IRAQ
2. DATE: 20070719
3. TIME: 2117
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(3)
6. GRADE/STATUS: E-7/SFC
7. ORGANIZATION OR ADDRESS: ACO1-15 IN, 3D BDE, 3D ID APO AE 09308-5956

I, (b)(6), (b)(3), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
ON 14 MAY 07 AT 0500HRS, ACO1-15 MOVED TO CONDUCT A COMPANY ATTACK ON AL-DURAYIA, IRAQ. THIS ATTACK WAS CONDUCTED WITH THE IRAQI NATIONAL POLICE. AT 0600 WE WERE STAGED AT (b)(2)High. WE WAITED FOR APPROXIMATELY 45 MINUTES FOR THE NATIONAL POLICE TO BEGIN MOVING BEHIND THE ROUTE CLEARANCE TEAM ON FOOT AND IN VEHICLES. OUR FIRST OBJECTIVE WAS LABELED NAI A1 AT (b)(2)High. I WAS MOVING WITH 1ST SQUAD ALONG WITH MY MEDIC, SPC (b)(3), (b)(6). MOVING WITH US WAS CPT (b)(3), (b)(6), ILT (b)(3), (b)(6), SGT (b)(3), (b)(6), AND SPC (b)(3), (b)(6). 1ST SQUAD WAS RESPONSIBLE FOR ENTERING AND CLEARING NAI A1 (SOUTH). NAI IA WAS THE 3 BUILDINGS SOUTH OF ROUTE CROC. WITH NATIONAL POLICE TO THE EAST AND 2ND SQUAD TO THE NORTH OUR RESTRICTIVE FIRING LINE LEFT NO WHERE TO SHOOT EXCEPT TO THE SOUTH. 1ST SQUAD ENTERED AND CLEARED NAI A1 (SOUTH). NO WEAPONS, EQUIPMENT, OR PERSONEL WERE FOUND. FROM THERE WE MOVED EAST ALONG ROUTE CROC ALONG THE WALL OF NAI A1 SOUTH COMPOUND. AT THE END OF THE WALL WE FOUND A ROAD THAT MOVED TOWARDS THE RIVER. WHILE MOVING TOWARDS THE RIVER WE FOUND A HOLE IN THE FENCE AND BEGAN TO SPREAD OUT AND MOVED TOWARDS THE EAST. WE MOVED EAST TO A SMALL HOUSE AT (b)(2)High AND ROAD THAT WENT BACK TO A GATE ON ROUTE CROC. 1ST SQUAD ENTERED AND CLEARED THE HOUSE. ONCE THIS WAS COMPLETE, CPT (b)(3), (b)(6), ILT (b)(3), (b)(6), SGT (b)(3), (b)(6), AND SPC (b)(3), (b)(6) MOVED INSIDE AND THE MEMBERS OF 1ST SQUAD MOVED TO A SHADED AREA ABOUT 5 METERS NORTH OF THE HOUSE. I MOVED TO ILT (b)(6), (b)(3) TO GIVE HIM OUR CURRENT GRID POSITION. AS I STOOD THERE ILT (b)(3), (b)(6) CALLED OUR GRID TO DRAGON 3D FIRES. CPT (b)(6), (b)(3) THEN CALLED WHITE PLATOON TO MOVE TO CONDUCT LINK UP WITH US SO WE COULD MOVE TO NAI B. AT APPROXIMATELY 0900 WE PICKED UP TO MOVE TO ROUTE CROC, AS WE BEGAN TO MOVE WE RECEIVED ONE PRECISION SHOT FROM ACROSS THE RIVER (TO THE SOUTH). WE ALL ANNOUNCED CONTACT, AS WE TURNED TO FACE CONTACT AND REPOSITION 3 ADDITIONAL SHOTS CAME FROM ACROSS THE RIVER.

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(3), (b)(6) TAKEN AT (b)(3), (b)(6) DATED (b)(3), (b)(6)
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

STATEMENT OF SFC (b)(3),(b)(6) TAKEN AT FOB HAMME (3),(b) DATED 19 Jul 07 (3),(b)

9. STATEMENT (Continued)

AS SOON AS WE TURNED TO FACE THE RIVER, WE STARTED TO RECEIVE FIRE FROM ROUTE CROC TO OUR NORTH. THE TREES AND GRASS SEEMED TO BE LIKE THEY WERE BEING CUT DOWN WITH ALL THE FIRE FROM ROUTE CROC



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

THAT IS WHEN SSG (b)(3), (b)(6) AND I BEGAN MOVING TO CHECK OUR SOLDIERS AND DOC (b)(6), (b)(3) MOVED TO TREAT SFC (b)(6), (b)(3) WHO HAD BEEN SHOT. I YELLED CEASE FIRE OUT LOUD AND OVER THE RADIO THINKING WHOEVER WAS SHOOTING FROM ROUTE CROC COULD HEAR ME. I SAW SSG (b)(3), (b)(6) MOVE TO CROC TO ISSUE A CEASE FIRE AS I MOVED TO MY SOLDIERS. EVENTUALLY THE SHOOTING STOPPED AND I ASKED FOR EACH SOLDIER'S STATUS. PFC (b)(3), (b)(6) AND PFC (b)(6), (b)(3) SAID THEY WERE HIT AND SOMEONE SAID SGT DUNCKLEY WAS HIT AND NOT MOVING. BY THEN SSG (b)(3), (b)(6) RETURNED FROM ROUTE CROC AND I ASKED HIM TO CHECK SGT DUNCKLEY'S STATUS.

INITIALS OF PERSON STATEMENT

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

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

AS I GOT TO PFC (b)(3), (b)(6), PFC (b)(3), (b)(6) CAME TO ME, AND JUST AS I WAS ABOUT TO ASK HIM TO TREAT PFC (b)(6), (b)(3) HE SAID I THINK I'M HIT. I LOOKED UP AS HE WAS TALKING AND SAW THE BLOOD FROM HIS FACE WOUND. I YELLED FOR DOC (b)(3), (b)(6) AND THEN TOLD PFC (b)(6), (b)(3) TO TREAT PFC (b)(6), (b)(3). I MOVED PFC (b)(3), (b)(6) TO THE HOUSE FOR COVER. DOC CHECK HIM OUT AND I HANDED PFC (b)(6), (b)(3) OFF TO PFC (b)(3), (b)(6) WHO HAD JUST ARRIVED. DOC (b)(6), (b)(3) MOVED TO PFC (b)(6), (b)(3) AND SSG (b)(6), (b)(3) YELLED FOR DOC (b)(6). I INFORMED THE COMMANDER I HAD 3 WIA AND 1 WIA SERIOUSLY INJURED. I MOVED TO WHERE SSG (b)(3), (b)(6) AND DOC WERE TREATING SGT DUNCKLEY, BY THEN SGT DUNCKLEY HAD PASSED AWAY. (b)(3), (b)(6) I RAN I GOT ON THE RADIO AND TOLD BLUE 2 I NEEDED HELP, ONE MINUTE LATER 1LT (b)(3), (b)(6) ARRIVED AT OUR LOCATION AND EVACUATED OUR WOUNDED, CSM (b)(6), (b)(3) AND 1SG (b)(6), (b)(3) ARRIVED. CSM (b)(3), (b)(6) AND I PLACED SGT DUNCKLEY INTO A DISASTER BAG. I COLLECTED HIS EQUIPMENT AND PUT IT INTO A VEHICLE. CSM (b)(6), (b)(3) AND I CARRIED SGT DUNCKLEY UP TO ROUTE CROC. 1LT (b)(3), (b)(6) RETURNED AND PICKED UP SGT DUNCKLEY. I THEN REPOSITIONED MY PLATOON, RECONSOLIDATED, AND REORGANIZED. END OF STATEMENT. (b)(6)

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

AFFIDAVIT

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

WITNES: (b)(3), (b)(6)  
SGT (b)(3), (b)(6)  
A. CO 1/15 INF 3 BDE 3TD APO AE 09308-5956  
ORGANIZATION OR ADDRESS  
(b)(3), (b)(6)  
SSG (b)(3), (b)(6)  
A. CO 1-15 INF 3 BDE 3TD APO AE 09308-5956  
ORGANIZATION OR ADDRESS

(b)(6), (b)(3)  
Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19th day of July, 2007 at Co P. Cahill Iraq  
(b)(6), (b)(3)  
(b)(6), (b)(3)  
Battalion XO  
(Authority To Administer Oaths)

84

(b)(2)High

**SWORN STATEMENT**

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

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN) .  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
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**DISCLOSURE:** Disclosure of your social security number is voluntary.

|   |                                  |                        |                |
|---|----------------------------------|------------------------|----------------|
| 1. LOCATION<br>COP Cahill                               | 2. DATE (YYYYMMDD)<br>2007/07/22 | 3. TIME<br>2200        | 4. FILE NUMBER |
| 5. LAST NAME, FIRST NAME, MIDDLE NAME<br>(b)(6), (b)(3) | 6. SSN<br>(b)(6), (b)(3)         | 7. GRADE/STATUS<br>E-7 |                |
| 8. ORGANIZATION OR ADDRESS<br>A Co, 1-15 IN, 3/3 ID     |                                  |                        |                |

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

Q: Did your platoon receive the initial contact?  
A: I believe the initial shots were fired at our platoon or at someone on the road (Route Croc).

Q: Was 1st Squad moving or static when you took the initial contact?  
A: 1st Squad was on a knee preparing for movement to Route Croc as the initial rounds were fired.

Q: Describe the ditch that 2/3/A was in.  
A: They were irrigation ditches may be 1 foot in depth.

Q: What was the location and the orientation of the people on the squad?  
A:

Q: Did you or anyone positively ID the enemy forces?  
A: I did not. The small house was in my line of sight. I do not know if anyone did ever positively ID the enemy.

Q: Did you physically see 2/A firing on 3/A? If yes, what makes you think this? Do you think the rounds fired by 2/A caused your platoon's casualties?  
A: I never saw 2/A, so I never saw them fire at my platoon. The accuracy of the fire being received from my platoon leads me to believe it was US forces firing at us. There is a strong possibility it was these rounds that caused our WIAs and KIA. It could have been Red (enemy) rounds, Green (ISF) rounds, or Blue (US) rounds that hit my men, but I really think it was our own forces. The damage done to our equipment and the bullet holes in our equipment are consistent with that of a 5.56mm round. We also found a brass jacketed round in a PEQ-2 that I think is from a 5.56mm round.

Q: When was the last time you knew 2/A's location and how did you know it?  
A: I was next to the company commander when he gave 2nd platoon our grid and the grid to the link up point on Route Croc. The last time I knew 2nd Platoon location was when they were dismounted near the Pepsi Factory. Nobody else had a problem finding our grid. When we called in for multiple casualties, 1SG, the CSM, and the XO found our position easily. I don't know why 2nd did not know where we were.

Q: Did you ever have communications with the company and with your platoon?  
A: I was talking to the platoon on my radio and I was next to the company commander who had communications with the company.

Q: When was the last time you had contact with 2/A?  
A: After we passed our grid to 2/A, I never talked to them again.

Q: were there any vehicles on the road at the time?  
A: Yes, there were many vehicles on the road. They belonged to the route clearance team, the combat security detachment, the National Police, and our 2nd and 3rd platoons with our M1151s and our Bradleys. All of these vehicles created a problem on the road.

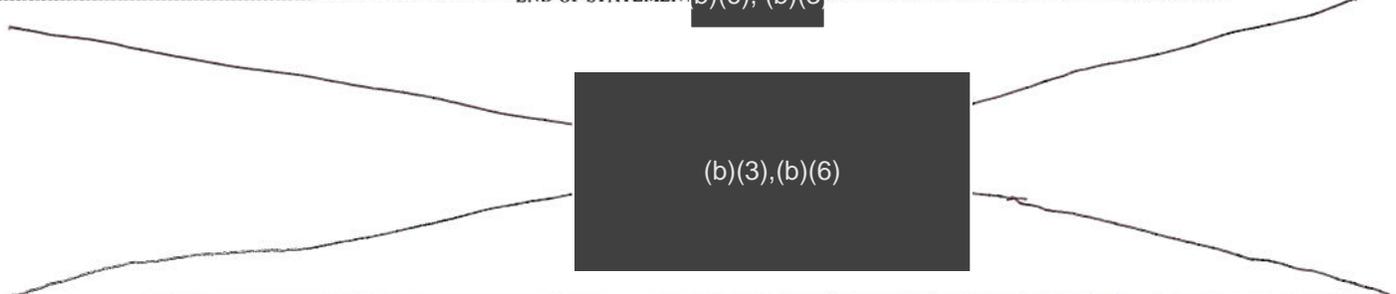
|             |   |                                     |
|-------------|---|-------------------------------------|
| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT<br>(b)(6), (b)(3) | PAGE 1 OF 2 PAGES<br>(b)(3), (b)(6) |
|-------------|---|-------------------------------------|

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 BE INDICATED.

9. STATEMENT (Continued)

Q: Did your platoon ever return fire? In what direction?
A: As far as I know, only PFC (3),(b) fired his weapon. He fired two shots across the river trying to suppress where he thought the enemy was.
Q: Did you ever see the entrance or exit wound on SGT Dunkley?
A: I saw the exit wound. It was on the lower left quadrant of his chest. It looked like the round tumbled through his chest. It resembled a knife wound.
Q: Did you know where the NP were located throughout this operation?
A: I know they were to our north and to the east in front of us for most of the time.
Q: Did the NP ever fire any rounds?
A: I only saw them fire one round. I didn't see in what direction they were firing.
Q: Did you ever see a green tipped round in the body armor of SGT Dunkley?
A: I never saw it, but I know that Doc (3),(b) saw the round.
Q: Do you think 2/A knew where 3/A was at any time?
A: I don't know.
Q: Do you think 2/A could have been firing over the heads of your platoon to fire across the river?
A: I don't know exactly where 2/A was firing. They may have been firing across the river, but trees, tree limbs, and the grass all around us were getting cut down. The rounds were impacting all around us.
Q: Have you ever spoken with anyone from 2/A about the incident? If yes, with whom? What was said?
A: I have only spoken with SSG (3),(b) He never said anything about firing the platoon's weapons at my platoon. We just spoke in general terms.
Q: Describe the slope of the ground from Route Croc to 3/A? Is it possible for someone to be in the prone and see and/or fire upon anyone from 3/A?
A: There is a drop in elevation of about 6-10 feet immediately off of Route Croc. This elevation drops over the course of approximately 30 feet in length. I think it was possible to place fire on 3/A from the prone position on Route Croc (6), (b)

END OF STATEMENT (b)(6), (b)(3)



AFFIDAVIT

I, (b)(6), (b)(3), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2 (6), (b) 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 THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

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

WITNESSES:

SGT (b)(6), (b)(3)
SGT (b)(6), (b)(3)
APC 115 L10 SGT S2D
ORGANIZATION OR ADDRESS
SSG (b)(3),(b)(6)
SSG (b)(3),(b)(6)
APC 115 L10 SGT S2D
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of July, 2007 at Camp Bull
(b)(6), (b)(3)
(b)(6), (b)(3)
Battalion XO
(Authority To Administer Oaths)

# **TAB 7**

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
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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: FOI HAMMER IRAQ (b)(6), (b)(3)
2. DATE (YYYYMMDD): 20070719 (b)(6), (b)(3)
3. TIME: 2236 (b)(6), (b)(3)
4. FILE NUMBER: (b)(6), (b)(3)
5. LAST NAME FIRST NAME MIDDLE NAME: (b)(6), (b)(3)
6. GRADE/STATUS: E-6/1st.sgd/ldr (b)(3), (b)(6)
8. ORGANIZATION OR ADDRESS: ACO 1-15 IN 3DBDE, 3DIP APOAE 09308-5956

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

on 14 May 2007 we (ACo 3rd Plt) conducted a mission into Durain as a Battalion level op. I was given the op order 13 May After receiving the order I issued the order to my squad. Our initial Area of clearance was all buildings on the south of the road in NAI AI. once clearance of the initial compound was down my squad continued clearance forward through the orchard with my squad was Blue 4 (SFC (b)(3), (b)(6) Put (b)(6), (b)(3) (Medic) Hardrock 6 (CPT (b)(3), (b)(6) his PSD & LT (b)(3), (b)(6) (Fso). We came to the second structure that was on the south side of the road I sent my squad in to clear the structure. once the structure was clear we did a secondary search of the orchard. Hardrock 6 moved up and occupied the building. 2nd sqd 3rd Plt came forward of my position and cleared the structures to my front once the orchard was searched I put my squad into a 360 degree perimeter in the orchard for local security. 2nd sqd 3rd Plt moved out and back across the road my Alpha Team lead by SGT (b)(3), (b)(6) I sent to the road for link up with a Sqd from 2nd Plt. After being on the road for about 10 to 15 min I pulled them back down to the orchard to get back in the perimeter. shortly after that we heard a single shot followed by two more. We then started receiving fire on our position. I ran up the dirt road to the main road and started yelling cease fire to a squad that was on the road. I saw ssc (b)(6), (b)(3) and LT (b)(6), (b)(3) stand up and start

10. EXHIBIT:
11. INITIALS OF PERSON MAKING STATEMENT: (b)(3), (b)(6)
PAGE 1 OF 3 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 BE INDICATED.

STATEMENT OF SSG [REDACTED] (b)(3),(b)(6) TAKEN AT FOB HAMMIR (b)(3),(b)(6) DATED 19 Jul 07 (b)(6), (b)(3)

9. STATEMENT (Continued)

yelling Cease fire. I then ran back down to my sqd. We immediately got the initial A.C.E report I saw SGT Dunkley down and ran to him first. I started my initial assesment and called PVT (b)(6), (b)(3) the pit Medic we opened his vest and saw a green tip 5.56 round in the fold of the vest and opened it the rest of the way to get to the wound the exit wound was center chest doc treated and we monitored when all life functions ceased he called it and moved on. Next person I saw was PFC (b)(6), (b)(3) he had a gunshot wound on the hand doc treated and we got him moving to the CCP. We moved to PFC (b)(6), (b)(3) who was shot in the foot. I saw PFC (b)(6), (b)(3) who appeared to be hit in the face both were moved to the CCP. The CCP was in the house that my squad had cleared the company was moving Bradley's up to collect the casualties and bring them to the PZ for air evac.

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

INITIALS OF PERSON MAKING STATEMENT [REDACTED] (b)(3),(b)(6) PAGE 2 OF 3 PAGES

STATEMENT OF

SSC

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

TAKEN AT

FOB HAMM

(3),(b)

DATED

19 Jul 07

(3),(b)

9. STATEMENT (Continued)

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

AFFIDAVIT

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

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 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

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

(Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19th day of July, 2007 at FOB HAMM

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

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

(h)

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

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

Acc 115 INF 3BDE 3ID APO AE 09308-5956  
ORGANIZATION OR ADDRESS

Battalion XV  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

3

(b)(2)High

**SWORN STATEMENT**

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**PRIVACY ACT STATEMENT**

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|  |  |                                      |                |
|--|--|--------------------------------------|----------------|
| 1. LOCATION<br>COP Cahill (3),(b)                              | 2. DATE (YYYYMMDD)<br>2007/07/22 (3),(b) | 3. TIME<br>2200 (3),(b)              | 4. FILE NUMBER |
| 5. LAST NAME, FIRST NAME, MIDDLE NAME<br>(b)(6), (b)(3)        | 6. SSN<br>(b)(3),(b)(6)                  | 7. GRADE/STATUS<br>E-6 (b)(3),(b)(6) |                |
| 8. ORGANIZATION OR ADDRESS<br>A Co, 1-15 IN, 3/3 ID (3),(b)(6) |  |                                      |                |

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

Q: Do you remember the positioning and orientation of the members of your squad?  
A:

Q: Which direction did the first three shots come from?  
A: The initial shots came from the southeast, but I do not know from which side of the river.

Q: Did the first three shots hits anyone in your squad?  
A: No.

Q: When your squad began receiving large volumes of fire, how did you know from which direction it came?  
A: The rounds were impacting towards the river. They must have come from the north because of the direction the debris was traveling.

Q: Did you ever see 2/A firing at 3/A?  
A: I saw 2/A firing, but I did not see which way their muzzles were pointing. All I know is that after the cease fire, there were no more rounds impacting in the vicinity of my platoon.

Q: Did you ever see the entrance and exit wounds on SGT Dunkley?  
A: Yes. The entrance wound was behind his left shoulder and the exit wound was on the lower left quadrant of his chest.

Q: Where did you find the green tipped round?  
A: When I opened up the first flap of his Interceptor Body Armor (IBA), the round dropped out. Doc (3),(b) pointed it out asked if that was a green tipped round and I responded, "Yes."

Q: What was the company and platoon direct fire plans?  
A: The company fire plan was the same as the platoon one. We could not fire to the north due to the NP; we could not fire to the rear due to friendly forces; we had to be careful when firing to our front because of the route clearance team in front on us; and we had to positively ID the enemy before firing to the south because of the Special Forces operations going on south of the Tigris.

Q: Did you have communications with 2nd platoon or the company?  
A: I was near the CO who had the company net and the PSG who had the platoon internal net.

Q: Where was 2/A supposed to link up with you?  
A: I was told to link up with 2/A at the intersection on Route Croc and PL Yellow.

|             |   |                   |
|-------------|---|-------------------|
| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT<br>(3),(b)(6) | PAGE 1 OF 2 PAGES |
|-------------|---|-------------------|

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

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9. STATEMENT (Continued)

Q: How would 2/A know where you were for the link up?

A: We were told to have a guide on Route Croc. I thought since I was with the company commander that they would have communications with 2/A.

Q: Did you or anyone else ever positively identify the enemy?

A: No.

Q: Did anyone ever return fire? Who? When? In what direction?

A: Yes, PFC (b)(3), (b)(6) returned 2 or 3 rounds across the river where he believed the initial rounds came from.

Q: Did you know the National Police location?

A: Unknown at this time.

Q: How many vehicles were on the road?

A: There were too many vehicles on Route Croc. There were Eliminator vehicles, National Police vehicles, the CSD, and two companies of M2 BFVs and M1151s. The roads are already narrow, but they were extremely congested with all of these vehicles.

Q: Did anyone else fire across the river?

A: I do not know.

Q: Do you think a friendly fire incident occurred? Explain.

A: Yes, I do. I have never seen a green tipped Iraqi round before. Also, the exit wound was too small to belong to a 7.62mm round fired from an AK-47 or AK-74. I also know from sight this was a 5.56mm. Finally, when I called for the cease fire from 2/A, the rounds finally stopped impacting around my platoon.

Q: If yes, do you believe this friendly fire caused the KIA and WIAs in 3/A? Explain.

A: Yes. I saw the rounds impacting from north to south.

Q: Could 2/A have been firing over your heads and onto targets on the south side of the river? Did you receive ricochets from the trees?

A: There is a small possibility 2/A was firing across the Tigris, but it is not likely. Those were not ricochets coming from the trees. Those rounds were being fired much too close to us to think they were firing across the river.

Q: Describe the slope from Route Croc to 3/A. Is it possible to see/shoot at 3/A from Route Croc?

A: There was a drop in elevation of about 5 feet right off of Route Croc. This grade of slope extended 15 feet from Route Croc. Our platoon was no more than 150 feet away from the road. I was able to run the distance in about 5 seconds when I was trying to get 2/A to cease fire.

-----END OF STATEMENT-----

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

AFFIDAVIT

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

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

(Signature) Making Statement)

WITNESSES:

SGT (b)(3), (b)(6)  
SGT (b)(3), (b)(6)  
ACo 1115 IN 300F 3ED  
ORGANIZATION OR ADDRESS  
SSG (b)(3), (b)(6)  
SSG (b)(3), (b)(6)  
ACo 1-15 INF 300F 3ED  
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of July, 2007 at CP Co. Ill

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

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

(Type)

Battalion XO  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)

PAGE 2 OF 2 PAGES (b)(6)

# TAB 8

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Fob Hammer, Iraq (3),(b)
2. DATE (YYYYMM): 20070719 (3),(b)
3. TIME: 2236 (3),(b)
4. FILE NUMBER: (3),(b)
5. LAST NAME FIRST NAME MIDDLE NAME: (b)(6), (b)(3)
6. SSN: 627-01-4603 (3),(b)
7. GRADE/STATUS: E-5 / Sgt (3),(b)
8. ORGANIZATION OR ADDRESS: A Co 1/15 Inf 3 Bde 3 ID APO AE 09308-5956 (3),(b)

9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
On 14 May 2007 Alpha Company 1-15 was tasked for Operation Beach Yellow. Before we even hit ground in Dura'iyah, we conducted a briefing as to what we were going to do and how. We already knew that there was going to be a route clearance team ahead of us for the whole mission so we couldn't fire in front of us (to the east) during the mission. We knew there was 2nd platoon and battalion vehicles behind us, to the west so we couldn't fire there. Then we were told there was going to be National Police to our North so we couldn't fire there either. The only clear sector of fire was South towards the river. Even this wasn't absolutely safe because we were told there was going to be a SF team somewhere in the area across the river. Ultimately if we were going to shoot it was going to have to be accurate shots on positively ID'd enemy positions by single shots and we weren't going to be able to use suppressive fire. When we finally got on the ground in Dura'iyah we (1st Squad) cleared our first objective while 2nd Squad simultaneously cleared the Pepsi factory. After we were done with that, we moved East along RTE Croc to a trail just south of the Pepsi factory passed our first obj. We continued to move South along the trail until we hit our LOA which was the river. We then spread out along the orchard area in a wedge formation moving east. At this point we were searching for any caches while the soldiers walking along close to river were keeping eyes on the other side searching for insurgents or any suspicious activity. Our movement was approximately 300m from the trail to the fence. When we could not go any further I took my team (Alpha team 1st Squad) to clear the building at the end of the orchard. Once this building was clear, our squad took a tactical halt and pushed out 360 degree security inside the orchard.

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(3), (b)(6) TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b)(6), (b)(3) (3), (b) TAKEN AT FOB Hamm (3), (b) DATED 19 Jul 07 (6), (b)

## 9. STATEMENT (Continued)

on the west side of the house. At this time we were trying to link up with 2nd platoon who was making their movement North down RTE Croc. SSG (b)(6), (b)(3) and myself ran up the trail leading from the house north to RTE Croc to do a face to face with 2nd Platoon. We waited there anywhere from 15 to 20 minutes before we decided to head back down to our Security position when 2nd platoon didn't show. I got back down to my position and readjusted my soldiers sector of fire and made sure they were behind adequate cover. From where we were I thought we were in good cover as there was a berm in between us and the river and we were in low ground to the road so it was almost like a little valley. We were in this position for about 20 minutes I then heard one shot followed by a good long burst, until finally everywhere around us was being suppressed. Bullets were hitting all around us within inches of everybody. I could not identify where the fire was coming from so I did not engage. After a long 2 minutes the suppressive fire started to die down. At this point we were getting reports of who was hit. PFC (b)(3), (b)(6), PFC (b)(3), (b)(6), PFC (b)(3), (b)(6) and SPC (b)(6), (b)(3) all called up that they were hit so we acted quickly to give them buddy aid and get them inside the house. We also noticed that SGT Dunckley was hit bad and eventually died on scene. Our medic reported that upon opening his vest he could see the green tipped 5.56 round just under SGT Dunckley's chest. We then called in for an evac and one of our Bradleys came down to the house so we could take the four WIA to the LZ. After that we went up to the orchard and assisted in prepping to move SGT Dunckley's body to the Bradley; when we did and started to move up to RTE Croc I had then noticed that 2nd Platoon was on line right above our position on the main road and there were 556 cases all over the ground. I then became aware that all of the WIA injuries were not that consistent with the larger 7.62 round with the exit hole on the back of SPC (b)(6), (b)(3) leg being relatively small. Also when we got back on RTE Croc

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

NP were to our north, all US forces were were just on our position and to the west, and the Route Clearance was to our East. We then proceeded to continue mission with no other casualties. When we got back to our COP, and we brought in all the soldiers gear we discovered that PFC (b)(6), (b)(3) had got shot through his weapon and the bullet fragmented out and hit his face. Upon examination of the weapon the bullet hole through his weapon was the identical size of a 5.56 round. End of Statement - (b)(6), (b)(3)

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

I, (b)(6), (b)(3) WIT HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH I 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 THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

WIT (b)(6), (b)(3) at COP Cabell base 2007  
SGT A. CO 1/15 INF 3BDE 3ID APOAE 09308-5956 (b)(6), (b)(3)  
ORGANIZATION OR ADDRESS (b)(6), (b)(3)  
SSA (b)(3), (b)(6) (Type) Battalion XO  
ORGANIZATION OR ADDRESS (Authority To Administer Oaths)

**SWORN STATEMENT**

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

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN) .  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

|   |                                  |                        |                                  |
|---|----------------------------------|------------------------|----------------------------------|
| 1. LOCATION<br>COP Cahill                               | 2. DATE (YYYYMMDD)<br>2007/07/22 | 3. TIME<br>2200        | 4. FILE NUMBER<br>(b)(6), (b)(3) |
| 5. LAST NAME, FIRST NAME, MIDDLE NAME<br>(b)(6), (b)(3) | 6. SSN<br>(b)(6), (b)(3)         | 7. GRADE/STATUS<br>E-5 |                                  |
| 8. ORGANIZATION OR ADDRESS<br>A Co, 1-15 IN, 3/3 ID     |                                  |                        |                                  |

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

Q: Do you remember the positioning and orientation of the members of your squad?  
A:

Q: Which direction did the first three shots come from?  
A: I think the first shots came from across the river and they were aimed at SGT Gonzales.

Q: Did the platoon return fire? In what direction?  
A: Yes, PFC (3),(b) fired two rounds across the river.

Q: What does "5.56 found under SGT Dunkley's chest" mean from your first sworn statement?  
A: I heard PV2 (3),(b) the platoon medic, saw a 5.56mm rounds just under the skin of SGT Dunkley's chest.

Q: Did you know where 2/A was at any time?  
A: No, I only saw them after the firing incident was complete.

Q: Did you ever see SGT Dunkley's wounds?  
A: No, I never saw SGT Dunkley's wounds.

Q: Did you ever know the National Police location?  
A: I knew they were to our north throughout the operation.

Q: Did the National Police ever fire their weapons?  
A: I didn't see anyone fore their weapons. From our position, no one could possibly see anything.

Q: Did you or anyone ever positively identify the enemy who fired the first rounds?  
A: No.

Q: What vehicles were on the road?  
A: On the road were the route clearance vehicles, the BN CSD, and our M2s and M1151s

Q: What was the company and platoon direct fire plan?  
A: Due to the friendly elements being everywhere, the platoon was limited to only firing what was positively identified as a threat and only using single shot.

|             |   |                                  |
|-------------|---|----------------------------------|
| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT<br>(b)(6), (b)(3) | PAGE 1 OF 2 (b)(6), (b)(3) PAGES |
|-------------|---|----------------------------------|

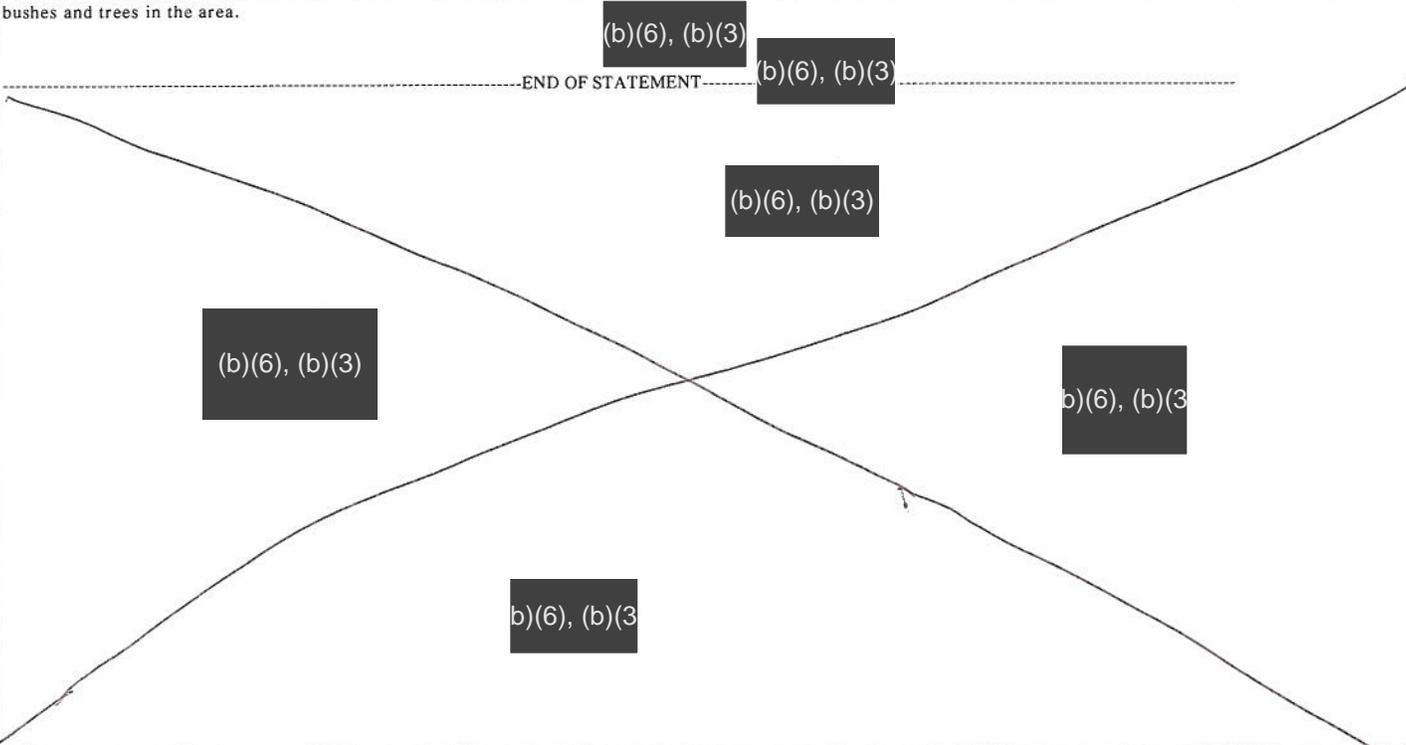
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

9. STATEMENT (Continued)

Q: Do you think a friendly fire incident occurred? Explain.  
A: Yes, I do. From the damage that was done to our PEQ-2, an M4 with a bullet hole in it, and the small exit wound on (b)(3), (b)(3) leg looked like they all came from a 5.56mm round

Q: If yes, do you believe this friendly fire caused the KIA and WIAs in 3/A? Explain.  
A: I do think 2/A caused our casualties. The suppression of the rounds were too accurate to have been coming from across the river or anywhere else except from Route Croc.

Q: Describe the slope from Route Croc to 3/A. Is it possible to see/shoot at 3/A from Route Croc?  
A: There is a drop off of about 5 feet right off of Route Croc. This grade of slope continued for 30 to 50 feet from the road. It was possible for 2/A to have placed fires onto 3/A. However, it was very difficult to see. There was a fence right off of Route Croc, and this fence had weeds and shrubs growing on it. There were also a lot of bushes and trees in the area.



AFFIDAVIT

I, (b)(6), (b)(3), 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 THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR

WITNESSES:  
SGT (b)(6), (b)(3)  
SGT (b)(6), (b)(3)  
A Co 1-15 INF 3 EDE 3 ID  
ORGANIZATION OR ADDRESS  
SSG (b)(6), (b)(3)  
SSG (b)(6), (b)(3)  
A Co 1-15 INF 3 EDE 3 ID  
ORGANIZATION OR ADDRESS

(b)(6), (b)(3)  
administer oaths, this 22nd day of July, 2007  
at Fort Campbell, Tenn  
(b)(6), (b)(3)  
(b)(6), (b)(3)  
Sattalion XO  
(Authority To Administer Oaths)

# TAB 9

**SWORN STATEMENT**

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

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

|   |   |   |                |
|---|---|---|----------------|
| 1. LOCATION<br>FOB Hammer Iraq (b)(6), (b)(3) | 2. DATE (YYYYMMDD)<br>2007-07-19 (b)(6), (b)(3) | 3. TIME<br>22:39 (b)(6), (b)(3)             | 4. FILE NUMBER |
| (b)(6), (b)(3)                                | (b)(6), (b)(3)                                  | 7. GRADE/STATUS (b)(6), (b)(3)<br>E-3 / PFC |                |

8. ORGANIZATION OR ADDRESS  
Aco 1-15 INF (b)(3), (b)(6)

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

On 14 May 2007 I was a part of 3rd Plt Aco 1-15 in a Battalion mission which was operation Beach Yellow in the Durriya area of Iraq. Our movement was west to east on route croc. We dismounted our vehicles (b)(3), (b)(6) about 2 to 300 meters before the Pepsi factory on route croc, and begin to move east. My squad, which is first squad 3rd Plt of Aco. took and cleared the building (b)(3), (b)(6) on the right side of the road and at the same time our 2nd squad took and cleared the Pepsi factory. Upon completion of (b)(3), (b)(6) clearing the buildings 1st squad we picked up and moved back onto route croc, moved east about 15 to 20 meters and moved right off the road south through a gate down a little road into the (b)(3), (b)(6) field south east of the Pepsi factory where we then all got on line and began to sweep east through the field towards the little house and me and my team which is Sgt (b)(6), (b)(3) me and PFC (b)(6), (b)(3), we moved up to the house and went in and cleared it, after that we linked up with the (b)(3), (b)(6) rest of our squad and (b)(3), (b)(6) pulled 360° security in the wooded area just north of the house about 5 meters south of the road or route croc. and we were pulling security there (b)(3), (b)(6) waiting for 2nd Plt to link up with us so that we could continue to move east on croc.

|             |   |                   |
|-------------|---|-------------------|
| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT<br>(b)(3), (b)(6) | PAGE 1 OF 3 PAGES |
|-------------|---|-------------------|

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

STATEMENT OF (b)(6), (b)(3) TAKEN AT Fob Hammer 3, (b) DATED 19 Jul 07 (3), (b)

## 9. STATEMENT (Continued)

We were polling security for about 5 to 10 mins before I saw 2nd PLT moving up route cross towards our position and they stopped parallel to our position up on the road and I could see that they were taking a knee facing our position and about two mins later one shot rang out from across the river and then two more quick shots and I got down looked towards the river and then (3), (b) SSG (b)(6), (b)(3) squad opened up fire at the same time I started shooting across the river but they weren't shoot across the river they were shooting directly into our area cause rounds started bouncing all around me and (3), (b) I looked back towards the road and all I saw were muzzle flashes coming from the guys from 2nd PLT and then I here cease fire, cease fire and the fire stopped I looked to the right of me at my buddy PFC (b)(6), (b)(3) who was bleeding badly from the face and I took him over to Doc (b)(6), (b)(3) and we began working on him and then I saw PFC (b)(6), (b)(3) and I then assisted (b)(6), (b)(3) in helping patch up the gun shot to his hand and we moved into the building for better cover and it was there that Doc (b)(6), (b)(3) began working on SPC (b)(6), (b)(3) as I cut off the boot of PFC (b)(6), (b)(3) and exposed his gun shot to the foot and I patched that up for him and prepared them for medevac and I remember

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

As I was working on PFC (b)(6), (b)(3) looking over and seeing SSG (b)(6), (b)(3) standing over SGT Donckley and I remember him saying he was dead. Then after preparing PFC (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) and SPC (b)(6), (b)(3) to get medevaced I helped SSG (b)(6), (b)(3) go to our vehicles up on the road and get a body bag for SGT Donckley and then SFC (b)(6), (b)(3) along with SGM (b)(6), (b)(3) put SGT Donckley in the body bag and carried him up to the road to get medevac and it was then when I was up on the road pulling security that I heard that SGT Gonzalez from 2nd PIT had been killed.

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

AFFIDAVIT

I, (b)(6), (b)(3), 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.

(b)(6), (b)(3) (Swearing Statement)

WITNESSES: (b)(6), (b)(3)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19th day of July, 2007 at FOB Hammer

SGT (b)(6), (b)(3)  
A CO 1/15 INF 3BDE 3FD APO AE 09308-5956  
ORGANIZATION OR ADDRESS

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

(b)(6), (b)(3)  
SSG (b)(6), (b)(3)  
A CO 1/15 INF 3BDE 3FD APO AE 09308-5956  
ORGANIZATION OR ADDRESS

Battalion XO  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(3)

**SWORN STATEMENT**

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

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN) .  
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**DISCLOSURE:** Disclosure of your social security number is voluntary.

|   |                                  |                        |                               |
|---|----------------------------------|------------------------|-------------------------------|
| 1. LOCATION<br>COP Cahill                               | 2. DATE (YYYYMMSS)<br>2007/07/22 | 3. TIME<br>2200        | 4. FILE NUMBER<br>(3), (b)(3) |
| 5. LAST NAME, FIRST NAME, MIDDLE NAME<br>(b)(6), (b)(3) | 6. SSN<br>(b)(6), (b)(3)         | 7. GRADE/STATUS<br>E-3 |                               |
| 8. ORGANIZATION OR ADDRESS<br>A Co, 1-15 IN, 3/3 ID     |                                  |                        |                               |

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

Q: Please clarify how far away from the road you stated you were in your first statement?  
A: I was 5 meters from the road.

Q: Please describe the location and orientation of the people in the 360 degree perimeter.  
A:

Q: Did you ever see 2/A on the road?  
A: Yes, I saw 2/A on the road as they came walking by us. I saw them take a knee on the road above us. (6), (b) may have seen them too.

Q: Describe the low ground you were in.  
A: There was high ground to our north on Route Croc and there was a 4 foot berm to our south. The berm concealed us from fires across the river except from the southwest.

Q: Did you or anyone else ever positively ID the enemy? Where? How did you ID?  
A: No, I did not. I do not believe anyone did.

Q: Where did the first three rounds come from?  
A: I could only tell from the audio. I think they came from across the river to the southwest. I fired two rounds in that direction across the river, and then all hell broke out. When I looked back, I saw muzzle flashes through the trees on Route Croc. The I saw the impacts around me.

Q: How do you know those were 2/A's rounds impacting next to you?  
A: I saw 4 barrels flashing above us and there were impacts all around us.

Q: Where were the National Police (NP)? Could those rounds have come from the NP?  
A: I knew the NP were to our north and in front of us. I don't think it could have been their rounds.

Q: Did you ever see SGT Dunkley's injuries?  
A: From afar I could see SGT Dunkley had an injury 6 inches under his left armpit.

Q: Did you ever see the NP during the operation?  
A: Yes, early on and well after the firing incident. I did not see them fire any rounds.

|             |                             |                     |                            |
|-------------|-----------------------------|---------------------|----------------------------|
| 10. EXHIBIT | 11. INITIALS<br>(3), (b)(3) | ON MAKING STATEMENT | PAGE 1 OF 2 (3), (b) 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 BE INDICATED.

9. STATEMENT (Continued)

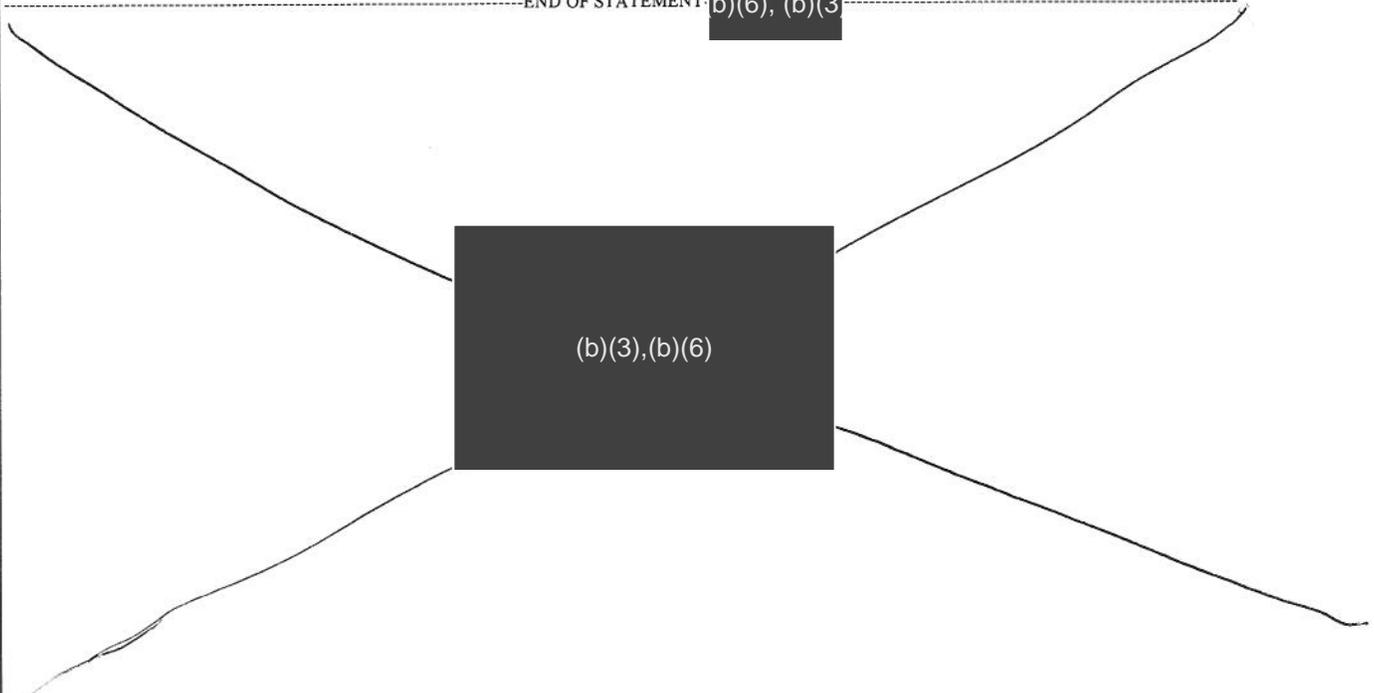
Q: Do you think a friendly fire incident occurred? Explain.

A: Yes, I do. I think the intent may have been to fire across the river, but the rounds landed all around 3/A.

Q: Describe the slope of ground from Route Croc to 3/A. Is it possible to see/fire on 3/A from Route Croc?

A: The ground decreases in elevation by about 5 feet right off of Route Croc. A friendly fire incident occurs over a 15 foot stretch from the road. The platoon was located 15 to 40 feet from Route Croc. It is possible to see and fire on 3/A from Route Croc (b)(3), (b)(6)

-----END OF STATEMENT----- (b)(6), (b)(3)



AFFIDAVIT

I, (b)(6), (b)(3), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. (b)(3), (b)(6) 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 INDUCEMENT.

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

(Making Statement)

WITNESSES:

SGT (b)(6), (b)(3)  
SGT (b)(6), (b)(3)  
AC 1/15 INF 3 BDE 330  
ORGANIZATION OR ADDRESS

SSA (b)(6), (b)(3)  
SSA (b)(6), (b)(3)  
AC 1-15 INF 3 BDE 330  
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of July, 2007 at CAP Cabill Texas

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

(Signature)

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

(Type)

Battalion XO  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF

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

# **TAB 10**

SWORN STATEMENT

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PRIVACY ACT STATEMENT

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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: FOB HAMMER IRAQ
2. DATE: 21 JUL 2007
3. TIME: 2304
4. FILE NUMBER:
6. SSN:
7. GRADE/STATUS: E-3
8. ORGANIZATION OR ADDRESS: A Co 1/15 IN 3D BDE, 3D ID APO AE 09308 5956

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

ON 14 MAY WE CONDUCTED OPERATION BEACH YELLOW IN DUR-YA. WE DISMOUNTED ON THE OUTSKIRTS OF THE TOWN AND PROCEEDED SOUTHEAST ON ROUTE CR0C WITH THE REST OF THE BATTALION. OUR SQUAD TOOK THE SOUTH SIDE OF ROUTE CR0C, SECOND SQUAD TOOK THE NORTH SIDE. EOD WAS IN THE FRONT OF THE MOVEMENT CLEARING THE ROUTE, THE REST OF OUR BATTALION WAS TO OUR WEST. OUR SQUAD CLEARED TO THE EDGE OF THE RIVER BANK. FROM THERE WE SPREAD THROUGH THE ORCHARD AND HEADED EAST CLEARING THE ORCHARD AND ANYTHING WE CAME UP TO. WHEN WE REACHED THE END OF THE ORCHARD THERE WAS A HOUSE WHICH MEMBERS OF MY SQUAD CLEARED OUT. THE CO, FSO AND THE CO'S PSD TOOK THE HOUSE AND PULLED SECURITY WHILE MY SQUAD TOOK UP THREE HUNDRED AND SIXTY DEGREE SECURITY, WHILE WE WERE WAITING TO LINK UP WITH SECOND PLATOON. WE WERE AWARE OF THE FACT THAT WE WERE SURROUNDED BY FRIENDLIES. WE HAD OUR SECOND SQUAD TO OUR EAST, EXIMINATOR TO OUR NORTH ON ROUTE CR0C. NATIONAL POLICE TO OUR WEST AND INTERMIXED WITH THE REST OF OUR FRIENDLIES. WE WERE ALSO INFORMED PRIOR TO OUR MISSION THAT SPECIAL FORCES WERE CONDUCTING OPERATION SOUTH ACROSS THE RIVER BUT WE WERE UNSURE OF THEIR LOCATION. BASICALLY WE HAD FRIENDLIES IN EVERY (b)(3) DIRECTION OF OUR LOCATION SO WE WERE VERY LIMITED ON OUR FIELDS OF FIRE. THE ONLY WAY WE COULD FIRE WAS IF WE SAW AN ENEMY ENGAGE A U.S. OR IRAQI SOLDIER WE POSITELY IDENTIFIED THEM AND TOOK A WELL AIMED SHOT. FROM OUR LOCATION WE WERE WHAT WE THOUGHT TO BE SAFE. WE COULD NOT BE FIRED UPON BY AN ENEMY FROM ANY DIRECTION.

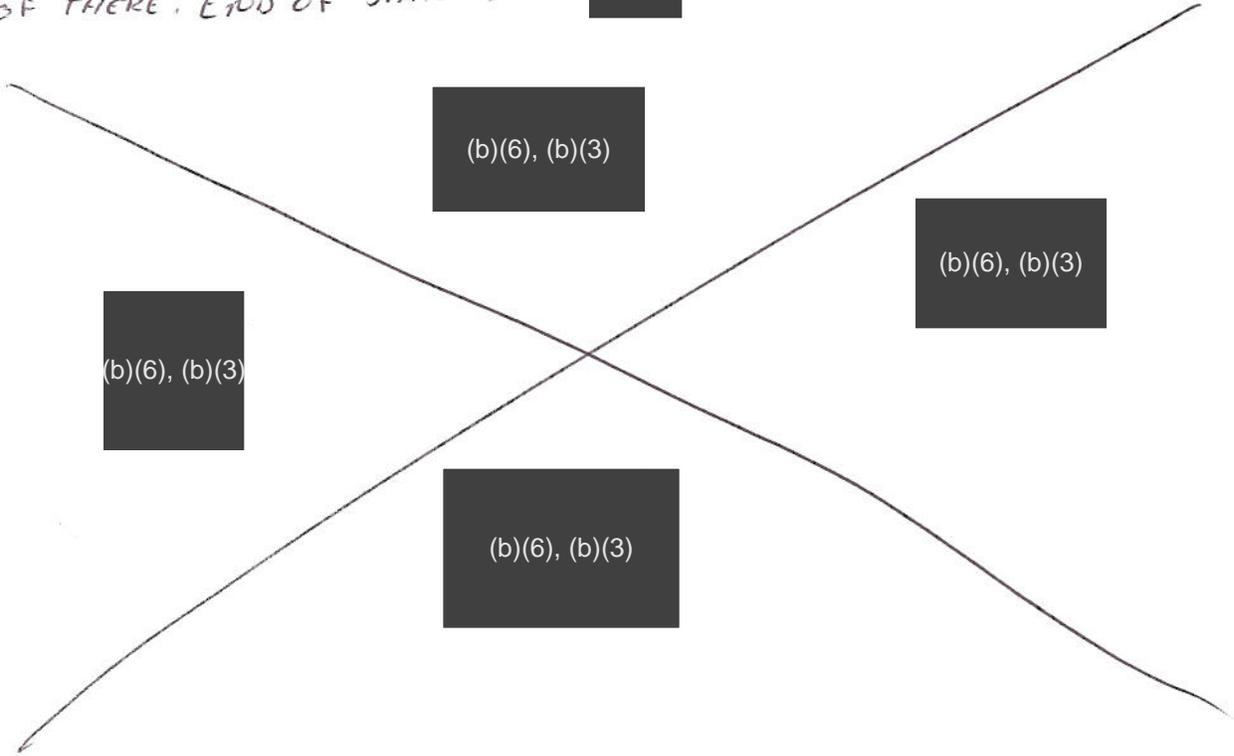
10. EXHIBIT:
11. INITIALS: (b)(3), (b)(6) PERSON MAKING STATEMENT
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(3), (b)(6) TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

STATEMENT OF PFC (b)(6), (b)(3) (3),(b) TAKEN AT FOB HAMMETT DATED 19 JUL 07 (3),(b)

9. STATEMENT (Continued)

AND THEM BE SUCCESSFUL IN HITTING ONE OF US. FRIENDLIES WERE TO OUR EAST, NORTH AND WEST, THERE WAS ALSO A LARGE BERM TO OUR SOUTH PREVENTING ANY FIRE FROM ACROSS THE RIVER. SSG (b)(6), (b)(3) SQUAD FROM SECOND PLATOON WAS THE FIRST TO REACH OUR LOCATION. HIS SQUAD TOOK A KNEE ON ROUTE CROC. AT THIS TIME THREE SINGLE SHOTS FROM ACROSS THE RIVER IMMEDIATELY AFTER THAT WE WERE FIRED UPON EVERY ONE HIT THE DIRT FROM MY POSITION I SAW SSG (b)(6), (b)(3) RUN TO THE ROAD AND YELLED CEASE FIRE AFTER HIS ACTION WE STOPPED BEING FIRED UPON. AFTER THAT WE ASSESSED THE CASUALTIES. SGT DUNCKLEY WAS KILLED. PFC (b)(6), (b)(3) SHOT IN THE FOOT, PFC (b)(6), (b)(3) SHOT IN THE HAND, PFC (b)(6), (b)(3) SHRAPNEL TO THE FACE, AND SFC (b)(6), (b)(3) SHOT IN THE BUTTOX. SGT (b)(3), (b)(6) PUT A TURNIKET ON (b)(6), (b)(3) (b)(6), (b)(3) AND DOC (b)(3), (b)(6) TREATED (b)(6), (b)(3) I TOOK (b)(6), (b)(3) TO THE HOUSE WE CLEARED (b)(3), (b)(6) AND (b)(3), (b)(6) WERE ALSO TAKEN TO THE HOUSE FOR SO DOC (b)(6), (b)(3) COULD HAVE COVER TO TREAT THEM. SGT DUNCKLEY WAS PUT IN A LITTER AND TAKEN OUT OF THERE. END OF STATEMENT (3),(b)(



INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(3) PAGE 2 OF 3 PAGES

STATEMENT OF

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

TAKEN AT

FOB HAMPTON (3), (b)

DATED

19 JUL 07 (6), (b)

9. STATEMENT (Continued)

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

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

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

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

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

**AFFIDAVIT**

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

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

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

(Taking Statement)

WITN

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19th day of July, 2007 at COP Cahill 1000

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

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

SCA  
A CO 1-15 INF 3BDE 310 APO AE 09308-5956

ORGA

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

556

APO AE 09308-5956  
ORGANIZATION OR ADDRESS

Battalion XO  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

**SWORN STATEMENT**

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

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN) .  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

|   |                                |                                     |
|---|--------------------------------|-------------------------------------|
| 1. LOCATION<br>COP Cahill                               | 2. DATE (YYYYMM)<br>2007/07/22 | 4. FILE NUMBER<br>(b)(3), (b)(6)    |
| 5. LAST NAME, FIRST NAME, MIDDLE NAME<br>(b)(3), (b)(6) | 6. SSN<br>(b)(3), (b)(6)       | 7. GRADE/STATUS<br>E-5 E-5 (3), (b) |
| 8. ORGANIZATION OR ADDRESS<br>A Co, 1-15 IN, 3/3 ID     |                                |                                     |

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

Q: Do you remember the positioning and orientation of the members of your squad when they had a 360 degree perimeter?  
A:

Q: Describe your "safe" position.

A: That was where we stopped for a tactical pause. The safe position was between the high ground to the north and the berm to our south. The berm was four feet high, so it provided excellent concealment from anyone trying to fire across the river from the south.

Q: What was the company and platoon direct fire plan?

A: Due to the friendly elements being everywhere, the platoon was limited to only firing what was positively identified as a threat and only using single shot.

Q: Did you know where 2/A was at any time?

A: No. We waited for 20 minutes for the link up on Route Croc, but it never happened. We moved our men back into the woodline with their safety as the primary concern.

Q: Did the first three shots have any impact on the squad?

A: No, there was no impact to our squad.

Q: Did the platoon return fire? In what direction?

A: I do not remember anyone in our squad firing back across the river.

Q: Did you or anyone ever positively identify the enemy who fired the first rounds?

A: No, I did not. I do not know if anyone else did.

Q: Why do you feel your squad was fired upon. What direction did the fire come from?

A: I felt the dirt hitting my legs from the proximity of the impact of the rounds. I could not tell from what directions the rounds came. However, if the squad was in the prone, no one from across the river would be able to place effective fires on the squad because of the 4' berm.

Q: Do you think 2/A had situational awareness where you were?

A: I do not know. Our platoon knew where everything was. I assume 2/A may have known also.

Q: Did you ever see the wounds on SGT Dunkley?

A: I saw from afar how he had a serious wound in his chest.

|             |   |                            |
|-------------|---|----------------------------|
| 10. EXHIBIT | 11. INITIALS OF (b)(6), (b)(3) KING STATEMENT | PAGE 1 OF 2 (3), (b) 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 BE INDICATED.

9. STATEMENT (Continued)

Q: Do you think a friendly fire incident occurred? Explain.

A: Yes. I think a friendly fire incident occurred. This is because when 2/A ceased fire, the rounds around 3/A stopped impacting.

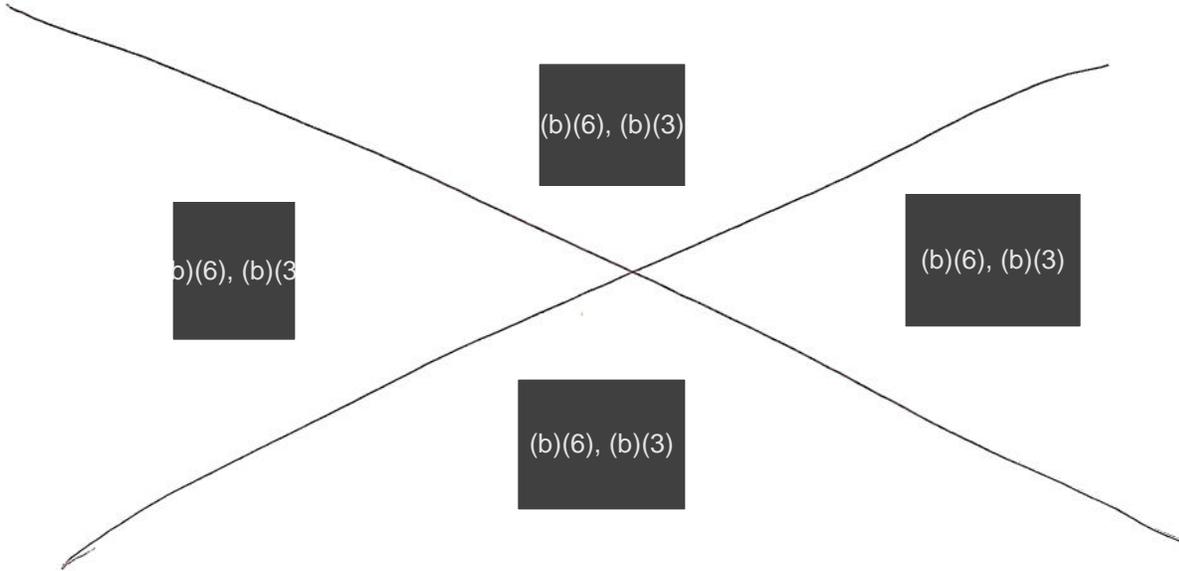
Q: Did you ever see 2/A firing on 3/A?

A: No.

Q: Describe the slope from Route Croc to 3/A. Is it possible to see/shoot at 3/A from Route Croc?

A: The elevation dropped 5 feet immediately off of Route Croc. This change in elevation extended up to 20 feet from the route. Yes, it is possible to be in the prone on Route Croc and still be able to see and fire on 3/A.

-----END OF STATEMENT-----



AFFIDAVIT

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

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

(Signature of Person Making Statement)

WITNESSES:

SGT (b)(6), (b)(3)  
SGT (b)(6), (b)(3)  
AC 715210 7800 3-D  
ORGANIZATION OR ADDRESS

SSG (b)(6), (b)(3)  
SSG (b)(6), (b)(3)  
AC 1-15 INF 38DE 3IU  
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of July, 2007 at COP Cahill, Iraq

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

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

(Type

Battalion XO  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 (b)(6), (b)(3) PAGES

# **TAB 11**

**SWORN STATEMENT**

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

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
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**DISCLOSURE:** Disclosure of your social security number is voluntary.

|   |                                |                  |            |                        |
|---|--------------------------------|------------------|------------|------------------------|
| 1. LOCATION   | 2. DATE (YYYYMMDD)<br>20070721 | 3. TIME<br>2300  | (3),(b)    | 4. FILE NUMBER         |
| 5. LAST NAME, FIRST NAME, MIDDLE NAME<br>(b)(6), (b)(3) | (3),(b)                        | 6. (b)(3),(b)(6) | (3),(b)(6) | 7. GRADE/STATUS<br>E-2 |
| 8. ORGANIZATION OR ADDRESS<br>Aco 4/15                  |                                |                  |            |                        |

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

ON 14 MAY 2007, Hardlock elements abuse conducting a mission vic. Durayia. The mission was named opw Beach Yellow. Mission purpose was to search and clear the area and drive AIF safehouse in the Durayia area. I am assigned to Blue platoon Hardlock 1/5 inf as a medic. We dismounted from our vehicles near the orchard and walked up the hardball road, clearing structures and orchards along the way. We cleared up to the house and orchard in question, and took a tactical pause to let white platoon catch up. Blue 5 set his squad in security and waited for white. After a few mtrs, we took contact. We all took cover in the trenches that were in the orchard. SSG (b)(6), (b)(3) moved to the end to tell those on the road to stop firing. I took cover in the driveway and pulled security across the river. Blue I did not know where the fire was coming from at the time. I knew it was coming from the road once a burst of fire came from my right REAR and moved up

|             |  |                   |
|-------------|--|-------------------|
| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT<br>(b)(3),(b)(6) | PAGE 1 OF 3 PAGES |
|-------------|--|-------------------|

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

STATEMENT OF

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

TAKEN AT

2300

DATED 20070721

## 9. STATEMENT (Continued)

towards the river. SGT (b)(6), (b)(3) came to the doorway of the house and motioned for me to come inside that someone was hurt. I looked at the squad and saw everyone down so I moved to the house where I saw (b)(6), (b)(3) laying with a GSW to his leg. I cut his pants off and started to put a tourniquet on when SFC (b)(6), (b)(3) called for me to come outside. I saw Sushany's injury was not life threatening so I left him in the care of HR30 and SGT (b)(3), (b)(6) I moved outside where SSG (b)(3), (b)(6) called for me to come to him. There I found SGT Dunkley, laying on his back. I opened his airway and saw he wasn't breathing. I opened his vest and found a 5.56mm round in his flap of the vest. I continued to open his vest and his top to reveal a ~~wound~~ what looked like a small calibre wound to his chest. I put a piece of taci-dram on it and checked his pulse. He had NO pulse so I moved on. I moved to (b)(6), (b)(3) and saw he was hit in the foot. I put a tourniquet on his leg and called for someone to move him into the house. I then moved to (b)(6), (b)(3) to treat his hand. I treated that wound and asked someone to help him into the house. SFC (b)(6), (b)(3) brought me (b)(6), (b)(3) who was shot or grazed in the face. I told him to move inside the house once in the house. I continued to treat and evacuate the casualties while HR6 called up a medic. one medic arrived in the form of a bandage, we moved the patients to the evac site

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

and waited for the medical birds to arrive. once at the HLZ, I saw another patient lying in the field being treated by other medics. only after the medical was complete did I learn that SGT (b)(3),(b)(6) was hit and that white Platoon was moving up the road towards our position when he was hit (b)(3),(b)(6)

Nothing Follows  
Nothing Follows  
Nothing Follows

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

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

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

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

AFFIDAVIT

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

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

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21st day of July, 2007 at COP Cahill, Iraq

HHC TF 1-15

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

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

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

HHC TF 1-15 ORGANIZATION OR ADDRESS

Battalion 4 (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(3)

white platoon

(b), (b)

△ - Blue 4, Blue 5, Blue Dec  
⊠ - Blue 5 squad

1 - ELEMENTOR GRIP TRUCK  
○ - HR 6, HR 30

(b)



14 MAY 2007 OPN BEACH YELLOW, 1-15 IN, 3/3ID



(b)(2)High

m

# SWORN STATEMENT

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

## PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN) .  
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**DISCLOSURE:** Disclosure of your social security number is voluntary.

|  |   |                                |                |
|--|---|--------------------------------|----------------|
| 1. LOCATION<br>COP Cahill (b)(6), (b)(3)                           | 2. DATE (YYYYMMDD)<br>2007/07/22 (b)(6), (b)(3) | 3. TIME<br>2200 (b)(6), (b)(3) | 4. FILE NUMBER |
| 5. LAST NAME, FIRST NAME, MIDDLE NAME<br>(b)(6), (b)(3)            | 6. SSN<br>(b)(6), (b)(3)                        | 7. GRADE/STATUS<br>E-2         |                |
| 8. ORGANIZATION OR ADDRESS<br>A Co, 1-15 IN, 3/3 ID (b)(6), (b)(3) |   |                                |                |

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

Q: From which direction did you initially take contact?  
A: I do not know where the initial contact came from.

Q: Describe what you call trenches.  
A: They are the irrigation canals that are about 1 foot in depth.

Q: When did you occupy these canals?  
A: We occupied them during our tactical pause.

Q: Did you ever see 2/A?  
A: I never saw 2/A until after the completion of the firing incident.

Q: Did you know their location? How?  
A: I knew they were behind us and moving up to us by foot to establish link up. This is what Hardrock 6 (CO) told us. He was next to us.

Q: How did SSG (b)(3), (b)(6) know people were on the road above you? How did he know these people were firing at 3/A?  
A: I don't know how he knew people on the road were firing at us. I just know that the impact of the rounds lead me to believe the firing was coming from the road.

Q: Did you or anyone else ever positively ID the enemy? Where? How did you ID?  
A: No, I did not. I do not believe anyone did.

Q: How do you know the round you saw was a 5.56mm round?  
A: It was smaller than a 7.62mm and it still had a green tip just the rounds in my magazines.

Q: Did anyone else see this round?  
A: Yes, SSG (b)(3), (b)(6) also saw the round.

Q: Did you see the entrance and exit wound on SGT Dunkley?  
A: I did not see the entrance wound, but I did see the exit wound. It was approximately 1 inch below his left nipple. It looked like a knife wound.

Q: Did you ever physically see 2/A firing on to 3/A?  
A: No, I could not see because of the vegetation.

Q: Did you ever see the NP during the operation?  
A: Yes, early on and well after the firing incident. I did not see them fire any rounds.

Q: Do you think a friendly fire incident occurred? Explain.  
A: Yes, I do. The impact of the rounds and direction of the debris they were kicking up were consistent with rounds being fired from the Rte Croc.

Q: Did you ever see SGT Gonzales' wounds?  
A: Only from afar. I know he had a head wound.

|             |  |                   |
|-------------|--|-------------------|
| 10. EXHIBIT | 11. INITIALS OF MAKING STATEMENT<br>(b)(6), (b)(3) | PAGE 1 OF 2 PAGES |
|-------------|--|-------------------|

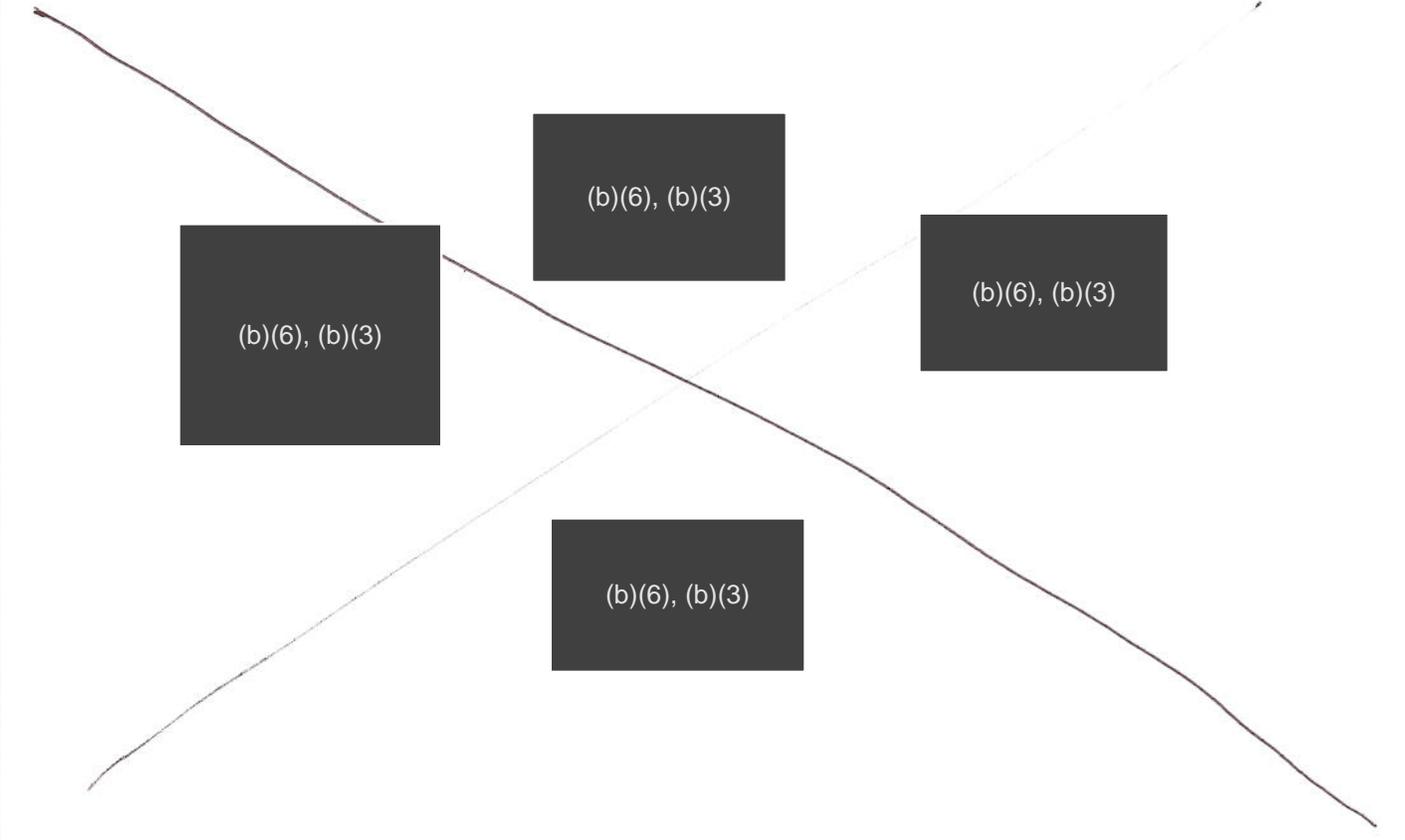
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

9. STATEMENT (Continued)

Q: Describe the slope of ground from Route Croc to 3/A. Is it possible to see/fire on 3/A from Route Croc?  
A: There is a 10 foot drop off right off of Route Croc. This slope has a length of approximately 30 feet. The platoon was approximately 45 feet away from Route Croc. It was feasible to fire on 3/A from Route Croc, but it was highly improbable to see 3/A from Route Croc due to the vegetation (b)(3), (b)(6)

-----END OF STATEMENT-----



AFFIDAVIT

I, (b)(6), (b)(3), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 33, (b)(6) FULLY UNDERSTAND THE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE,

WIT: SGT (b)(3), (b)(6)  
Sgt (b)(3), (b)(6)  
A Co 1-15 INF 3 BDE 3 ID  
ORGANIZATION OR ADDRESS  
SSG (b)(6), (b)(3)  
SSG (b)(6), (b)(3)  
A Co 1-15 INF 3 BDE 3 ID  
ORGANIZATION OR ADDRESS

(b)(6), (b)(3)  
Subscribed by law to administer oaths, this 2nd day of July, 2007 at Fort Campbell Tenn  
(b)(6), (b)(3)  
(b)(6), (b)(3)  
Battalion XO  
(Authority To Administer Oaths)