

STATEMENT OF _____

TAKEN AT _____

DATED _____

9. STATEMENT (Continued)

Nothing Follows

AFFIDAVIT

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.



(Signature of Person Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

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



(Signature of Person Administering Oath)



(Typed Name of Person Administering Oath)

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE 5 OF 5 PAGES

[redacted] was interviewed by [redacted] on 23 November 2005 at 2315 and testified in substance as follows:

The SOP in place for recognition of friendlies whether mounted or dismounted from these vehicles is during the day is via 17 panel for near recognition and far recognition would be FM via radio for far. Night time you flash your lights twice and you receive three back. There are different ways to use it if they do not have a FM radio. They can use clusters. There is nothing that I could think of that would come in place if all of this does not work out.

[redacted] brief on the mission to recon this area to make a route from this dirt road to [redacted]. It was more like a FRAGO because we knew what our mission was.

I do not remember receiving updated enemy threat during the brief.

Every time we go out we receive an action on contact, Rule of Engagement, and Escalation of Force. Escalation is shout at the person, show your weapon, show force, shoot a warning shot, and shoot to kill. I can't think of what RAMP is right now.

All vehicles are equipped with [redacted]. There were radio checks completed through the platoons as well as other companies. I remember hearing a Communication check right before this incident happened.

When we dismount we always have a man pack and all the leaders have ICOMs. ICOMs are only on platoons frequencies.

We left a little bit late today. Some of the guys had to go pick up the interpreter and they forgot to pick up the trip ticket. We had not gone out for a couple of days and I don't know why. The guys got a kind of a mental lapse about what we are doing here but after we got out of the wire we had to get our heads on straight. We left the wire on [redacted] down by [redacted]. We went a way we never gone before. This was a new area we were supposed to be scouting out.

We didn't do a train model or anything. Everyone knew the route we were looking for because it runs parallel with [redacted]. About 1430, [redacted] said over the radio that we were about to link up with second platoon. [redacted] and the TPT guys left the trucks back here while they went to find a route around this road to a bridge. We are getting motars from there but we can not get there.

[redacted] asked the TPT guys if they wanted to stay or go and they said they wanted to stay, so we took off down the road coming onto the road we're on now. I'm the last vehicle in a four vehicle convoy, so I first heard the shots and my vehicle kept on rolling a little bit, then we stopped, got out and started pulling security from the shots. Then I saw the Bongo truck rolling up and I saw the .50 cal and the 240 open up on it. Before it came to a stop, I saw a body look like it jumped out of the back of the Bongo truck and rolled down into the canal. Once all the firing stopped, I was running up to see what

was going on and they said that it was friendlies in the vehicle so I said, "Oh fuck!" and ran up to the vehicle. I saw the vehicle there, I saw [redacted] leaning out the door. I checked him real quick and he was just barely alive. He died probably seconds later. [redacted] was laying outside the vehicle, [redacted] was down inside the canal and was kind of walking around a little bit because he was just hit in the knee. I [redacted] call a 9-line up. I got [redacted] and a couple guys working on [redacted] and we started just doing what we could for them right there. [redacted] and [redacted] were both pretty much dead; there was nothing we could do for them. They were no longer breathing, so we brought out attention to [redacted], the interpreter, [redacted]. We patched them all up, got the medevac in and got them out of here.

I don't recall any communications coming through during the incident or immediately prior to the incident. As soon as I heard the shots, we came to a stop, jumped out and started pulling security. When I saw the Bongo truck had stopped, I took off up there and was probably out of the vehicle for a couple hours.

During our patrol, we had communications with 2nd platoon. I don't recall exactly what was said, but I know we had communication with 2-4A. I don't remember what he said, but I just remember talking to 2-4A.

Friendly adjacent units were briefed during our mission briefing. We have a safe house right down the road here. We were going to do our mission, and then spend so many hours at the safe house. We were going to be relieving 2nd platoon, I guess.

I do not have anything else to add that would aid in finalizing this inquiry.

STATEMENT OF _____

TAKEN AT _____

DATED _____

9. STATEMENT (Continued)

Nothing follows

AFFIDAVIT

I, _____, 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.



(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____

at _____



(Signature of Person Administering Oath)



(Typed Name of Person Administering Oath)

(Authority To Administer Oath)

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 4 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

THORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 /SSM/
ADJUDICATORY 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: Zone 2, IAAW
2. DATE (YYYYMMDD): 20051123
3. TIME: 2250
4. FILE NUMBER:
5. LAST NAME FIRST NAME MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/TITLE: P-2
8. ORGANIZATION OR ADDRESS: APO 21502ND INF REG 101ST ABN DIV (AASLT)

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

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

ADDITIONAL PAGES MUST CONTAIN THE HEADINGS "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.

[redacted] as interviewed by [redacted] on 23 November 2005
at 2253 and testified in substance as follows:

I feel free to answer the questions you are about to ask pertaining the incident. We go by the ROE for mounted and dismounted recognition of friendly signals. We have them to flash their lights, at night we use NODS and they flash back with the IR. In the daylight we usually have them flash their lights to but you can see a HUMVEE coming. There was nothing put out to us if a friendly is driving a different vehicle.

We found out last night that we would wake up at 0530 for a mission at 0800 today. We received our mission brief this morning from [redacted]. I do not remember receiving an updated enemy threat. During that briefing, we went over action on contact and ROE. Being in the vehicle, if we take contact from the left, the gunner turn to the left and we dismount to the right. If we take contact from the right, the gunner turn to the right and we dismount to the left. Once we get positive identification of our enemies we can defend ourselves. When using the Escalation of Force, you go from lowest to highest. There is a system we use as RAMP.

Every vehicle we should have an ASIP and CINGARS radio. There was a radio check with [redacted]. When we leave the wire, I believe we make radio checks with other platoons since they are leaving the wire too. We were briefed that second platoon was going to be out here. I believe that we communication between the two platoons.

We left the wire about 0800 this morning. We drove around trying to get to the other side of the canal. We tried to get through 1st battalions area but they denied us access. We came back down through [redacted]. Two of our vehicles made a right after these houses which the street was blocked off. They made a u-turn to get to the other side of the street. The next thing I knew that starting shooting. Then they were screaming [redacted]. I grabbed my aid bag and starting running toward the canal. I saw [redacted] was shot up pretty bad. I grabbed somebody else to help me get him out the canal. I starting assessing his wounds and I stabilized him. We other people working the other two people that were wounded. [redacted] was second platoons medic. I saw we had two KIAs.

I didn't treat any of the KIAs. I only treated [redacted]. I believe all the wounds were from us.

I didn't see from which direction the bongo truck come from. I was in the back vehicle.

I didn't hear any communications come across before the engagement of the Bongo truck. I don't remember any communications from battalion, second or third platoon going out before the incident.

When we are giving the brief, we give out the frequency and how to call the nine line. The EFR guys and myself treat and it depends on who is left to call the nine line.

It was briefed this morning what to do if the event were to occur. The key leaders and squad leaders have ICOMs and they are on a platoon frequency. They do cross communication with other platoons with the ICOMs. I don't remember if there was any communication between the platoons during the incident. I have nothing else to add to the investigation of the incident today.

STATEMENT OF _____ TAKEN AT _____ DATED _____

4. STATEMENT (Continued)

Nothing Follows

AFFIDAVIT

_____, 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.

[Signature]
(Signature of Person Making Statement)

WITNESSES:

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

ORGANIZATION OR ADDRESS

[Signature]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

THORITY: 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 CAMP STAYKER	2. DATE (YYYYMMDD) 2005 12 04	3. TIME 1400HRS	4. FILE NUMBER
5. LAST NAME FIRST NAME, MIDDLE NAME [REDACTED]		7. GRADE/STATUS E4	
8. ORGANIZATION OR ADDRESS A CO 2/302 ND INF REG 10 TH ABN DIV (AASLT)			

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

1. EXPLAIN EOF & ROE IN YOUR WORDS.
 - EOF IS USING FORCE IN A MATTER THAT GOES FROM LOWEST TO HIGHEST SUCH AS FIRST SIGNALING A VEHICLE TO STOP, THEN FIRE A WARNING SHOT WITH AN M4 THEN SHOOTING YOUR AUTOMATIC WEAPON.
 - ROE IS A METHOD OF WHAT TO DO WHEN ENCOUNTERING A POSSIBLE THREAT, THEN AFTER IDENTIFYING IT WHAT STEPS TO TAKE TO DEFEND YOURSELF
2. WHAT WAS YOUR DUTY POSITION & WHAT TRUCK WERE YOU IN?
 - I AM 3RD PLTG (A CO 2/302) MEDIC & I WAS IN THE LAST VEHICLE
3. DID YOU KNOW 2ND PLT HAD A DISMOUNTED PATROL WEST ALONG?
 - NO I DID NOT.
4. WHAT WAS SUSPICIOUS ABOUT THE BONGO TRUCK?
 - IT WAS COMING FAST AT US IN THE OTHER SIDE OF THE CANAL.
5. DID YOU BELIEVE THE BONGO TRUCK HAD A HOSTILE FORCE OR WAS DISPLAYING HOSTILE INTENT? WHY DID YOU BELIEVE THIS?
 - YES I DID BELIEVE THEY HAD BOTH BECAUSE THEY WERE COMING FAST IN THE OTHER SIDE OF THE CANAL.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 9 PAGES
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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



TAKEN AT

CAMP STRIKER

DATED

20051204

B. STATEMENT (Continued)

6. How many escalation of force or warning shots your Plt fired?

- I do not know

7. What is the general situation in your AO.

- Lots of IEDs, mortars, and recently in the Gator Swamp, small arms RPGs and sniper fire.

8. Did you observe weapons in/outside the Bongo truck?

- No

9. Did you observe anyone in the back? What were they doing?

- No

10. Did you fire @ the Bongo truck?

- No

Who else in your vehicle fired at the Bongo truck?

- Nobody, I believe.

12. Have you observed suspicious Bongo trucks in your AO?

- Yes

13. What were your actions after the shooting?

- I waited to be called up to treat casualties, which I did not know they were friendly until I jumped in the canal and found



14. Did you assist with the casualty eval? Did you observe anything unique with regards to  on the TC's side?

- I evaluated  and treated him. They only thing unique with regards to  was that his arm was hanging and it was ripped by the bullets so you could see the bone.

15. Did you find any of 2nd Plt's weapons on the ground? What type?

- After MEDEVAC we found their M4s.

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 4 PAGES

STATEMENT OF

[REDACTED]

TAKEN AT

CAMP STRAKER

DATED

20051204

B. STATEMENT (CONTINUED)

16. DOES YOUR VEHICLE HAVE HEADSETS TO COMMUNICATE?
 - NOT BETWEEN TC & DRIVER, BUT WE DO HAVE RADIOS TO COMMUNICATE WITH OUR COMPANY, BN, AND WITHIN OUR PLT.
17. WHEN WAS THE LAST TIME YOU REHEARSED ROUTE IN YOUR PATROL?
 - BEFORE WE LEFT ON OUR LAST PATROL
18. AT ANY TIME WERE YOU AWARE 2ND PLT WAS DISMOUNTED WEST ALONG FATBOY.
 - NO
19. DO YOU HAVE PREVIOUS COMBAT EXPERIENCE?
 - NO
20. WHAT SPECIAL EQUIPMENT DO YOU THINK YOUR PLT NEEDS TO BETTER CONDUCT YOUR MISSION?
 - MORE BINOCULARS.
21. WHAT IS THE VBIED THREAT IN YOUR AO? (LOW, MED, HIGH)
 - HIGH. WE FOUND A VBIED MAKING FACTORY A FEW WEEKS BACK
22. WHO ELSE IN YOUR VEHICLE FIRED AT THE BONGO TRUCK?
 - NOBODY I BELIEVE
23. WHAT LESSONS HAVE YOU LEARNED FROM THE INCIDENT ^{AND} ~~AND~~ WHAT SHOULD WE SHARE WITH OTHER UNITS?
 - KEEP TRAINING PERSONNEL ON MEDICAL AID SUCH AS CLS, EFR.
24. HAVE YOU/YOUR PLT TRAINED ON NONSTANDARD EVACUATIONS PRIOR TO COMBAT.
 - YES, NOW MORE AFTER THE INCIDENT.

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 3 OF 4 PAGES

STATEMENT OF

TAKEN AT

CAMP STEINER

DATED

20051204

4. STATEMENT (Continued)

25. HAD YOUR PLT PRACTICED/TRAINED ON ANY NONSTANDARD MEDEVAC/
CASEVAC WITH CIVILIAN VEHICLES?

- YES, NOW WE RECOGNIZE THE IMPORTANCE OF MARKING IT FOR
FRIENDLY RECOGNITION.

26. ANYTHING ELSE YOU WOULD LIKE TO SHARE?

- No.

NOTHING FOLLOWS

AFFIDANT

_____, 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 INDUCEMENT.

(Signature of person Making Statement)

WITNESSES:

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

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 4 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 9 USC Section 2851; 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 Camp Southern Infil	2. DATE (YYYYMMDD) 20051205	3. TIME 1100hrs	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS Aco 2/502			

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

- What is your duty position, what vehicle were you traveling in, where were you sent and what duty position?
 1A Driver, the last vehicle Drivers sent Driver
- What is your current experience, are you an OIF veteran?
 2A this is it, no I was not
- Are you trained and qualified on the weapon system your were manning on the patrol?
 3A yes, M4
- What was your Patrols mission on the 23rd of November?
 4A we did meet and greet and were sent to link up with 2nd platoon
- Where you aware 2nd platoon was operating west along Ft Bag what did you know about 2nd Platoon's activities/mission and location on the 23rd of November?
 5A I knew they were out there we were sent to link up with them.
- What is the general enemy situation in your area of operations?
 6A mainly IEDs
- What is the US/CD threat to your platoon and company?
 7A to watch out for them we haven't seen any of them yet
- Prior to the mission on the 23rd did the patrol conduct review of force and ROE? How often do you review GOF-ROE?
 8A yes we did before every patrol
- Have you been in an essential of force situation where warning shots or disabling shots into Iraqi vehicle occurred?
 9A no I haven't
- in your own words explain essential of force and how it would apply in the event of an approaching suspicious Iraqi vehicle.
 10A try to get it to turn around if it still speeds up fire a warning shot if it still coming use the bigger weapons.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF _____ PAGES
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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 _____ TAKEN AT _____ DATED _____

B. STATEMENT (Continued)

11. What enemy contacts by what type have you been involved in (IEDs/Mines/RPG Small Arms VBEDS) since you assumed the zone.
 - 11A. At that time just IEDs.
12. How is radio communications out in Sector.
 - 12A. they can't Allways go some static
13. Have you observed Bongo trucks in your AO. Have they been involved with/ near Sustained AIT Activity.
 - 13A. yes they have.
14. As you remember the Incident with 2nd Platoon explain in detail what you recall from the time you observed the Bongo truck up to the point you remember it was leaving forces.
 - 14A. I saw it drive line hit the tree and seen people come out the back and saw it was friendly.
15. Did you observe any weapons exposed outside the Bongo truck or muzzle flashes or anyone standing in the bed of the truck above the cab.
 - 15A. no I didnt.
16. Did you fire into the Bongo truck with what weapon/ how many rounds estimated. Did anyone in your crew fire as well.
 - 16A. no I didnt Not sure if  Did it not were else Did enter.
17. Describe what you observed with relation to the Bongo truck.
 - 17A. I didnt really seen until it hit the tree.
18. Did you observe any Rifle fire or Explos from the Bongo truck.
 - 18A. no I didnt.
19. Did you observe anyone standing or waving a weapon from the truck.
 - 19A. no I didnt.
20. What is your Pit Set for Daylight Sighting / Observation.
 - 20A. just mark the vehicle with sighting or just stop and get out.
21. Did the gunner on the truck or  engage.
 - 21A. the gunner Did not  Dont know
22. Is there anything else you would like to state.
 - 22A. no that esent.
23. While doing of  equipment what you need to do the Patrol your mission.
 - 23A. none that I can think of.

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF _____

TAKEN AT _____

DATED _____

B. STATEMENT (Continued)

Robert Lewis



INITIALS OF PERSON MAKING STATEMENT



PAGE OF PAGES

STATEMENT OF _____

TAKEN AT _____

DATED _____

STATEMENT (Continued)

Husb...

[Signature]

_____, 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.

[Signature]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, 20____.

ORGANIZATION OR ADDRESS _____

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS _____

(Typed Name of Person Administering Oath)

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF 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 (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 Bldg 7 Inmate	2. DATE (YYYYMMDD) 23 Nov 03	3. TIME 2300	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [Redacted]	6. SSN [Redacted]	7. GRADE/STATUS [Redacted]	

8. ORGANIZATION OR ADDRESS
Aco 2/502

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

[Redacted]

See attached

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF _____ PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

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STATEMENT OF _____

TAKEN AT _____

DATED _____

9. STATEMENT (Continued)

Yacht in Lagos

[Handwritten signature]

AFFIDAVIT

12 _____, 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.

[Handwritten signature]

(Signature of Person Making Statement)

WITNESSES:

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

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

SWORN STATEMENT

For use of this form, see AR 180-45; the proponent agency is COCSOPS

PRIVACY ACT STATEMENT

THORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 8397 dated November 22, 1943 (SSN).
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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION 2. DATE (YYYYMMDD) 3. TIME 4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME 6. SSN 7. GRADE/STATUS

8. ORGANIZATION OR ADDRESS
A co 2/502 3rd plt

9. I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
1. What is your duty position. What vehicle were you traveling in, where were you seated and what duty position.
I am a SAW gunner in my squad. I was in the rear vehicle and I was in the turnett as the gunner.
2. What is your combat experience. Are you an OIF veteran.
I have no combat experience other than the two mounts I have been here. No I am not and OIF veteran.
3. Are you zeroed and qualified on the weapon system you were manning on the patrol.
No, I am not zeroed or qualified on the 240B.
4. What was your Patrol's Mission on the 23rd of November
We were to find a bridge across the canal on [redacted].
5. Where you aware 2nd platoon was operating west along [redacted] what did you know about 2nd platoon's activities/mission and location on the 23rd of November.
I did not know they were west on [redacted] I did know that their vehicles were behind us west on [redacted].

10. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT PAGE 1 OF _____ 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 _____

TAKEN AT _____

DATED _____

B. STATEMENT (Continued)

6. What is the general enemy situation in your area of operation.

They are pissed off and very active.

7. What is the VBIED threat to your platoon and company.

None so far, but we did find a VBIED making factory.

8. Prior to the Mission on the 23rd did the Patrol leader review Escalation of Force and ROE. How often do you review EOF-ROE.

Yes. We review EOF and ROE just about every patrol.

9. Have you been in an escalation of force situation where warning shots or disabling shots into an Iraqi vehicle occurred.

Yes, I have shot warning shots for driving at the convoy to fast.

10. In your own words explain escalation of force and how it would apply in the event of an approaching suspicious Iraqi vehicle.

I would shot stop. Then I would show my weapon and intent to use it. I would then shoot a warning shot from an M4. Then I will take the vehicle out with the crew served weapon.

11. What enemy contacts by what type have you been involved in since you assumed the zone.

We have been in IED's, mortars, RPG's, and small arms fire since we have been here.

12. How is radio communications out in sector.

Communications with Gator & ray comes and goes, but Humvee to Humvee is good.

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

13. Have you observed bongo trucks in your AO. Have they been involved with/near suspected AIF activity.

Yes, we will find bongo trucks near IED explosions.

14. As you remember the incident with 2nd Platoon, explain in detail what you recall from the time you observed the Bongo truck up to the point you realized it was friendly forces.

All I saw was the SO. cal using the truck. There was so much dust and smoke I could not see very well. I did see some one jump out of the back of the truck.

15. Did you observe any weapons exposed outside the Bongo truck or muzzle flashes or anyone standing in the bed of the truck above the cab.

No, I did not see those things.

16. Did you fire into the Bongo truck with what weapon/how many rounds estimated. Did anyone in your crew fire as well.

No I did not fire, ~~we~~ no one in my truck fire either.

17. Were you aware 2nd platoon was operating west on _____?

No I was not aware.

18. Was your Company or platoon trained/Rehearsed on non-standard medical evacuation with civilian vehicles.

No, we are not trained on non-standard medical evacuation.

19. Do you wear headset with your crew.

No I do not.

20. Are you briefed on a Bolo list prior to missions.

Sometimes we are briefed.

21. Do you recall hearing a firefight around 1600.

Yes I recall a firefight west on _____

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

STATEMENT OF _____

TAKEN AT _____

DATED _____

9. STATEMENT (Continued)

Nothing follows



AFFIDAVIT

_____, 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.


(Signature of Person Making Statement)

WITNESSES:

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

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

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SWORN STATEMENT

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

PRIVACY ACT STATEMENT

THORITY: 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 Zone Ince 2. DATE (YYYYMMDD) 2005 11 23 3. TIME 2200 4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME 6. SSN 7. GRADE/RATE/EC

8. ORGANIZATION OR ADDRESS # A Co 2-503 2nd plt

9. I, [redacted] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
See attached

10. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT PAGE 1 OF 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.

We had on and off communications with second platoon today. We knew that they were on [redacted] and, in fact, they were telling us if we had vehicle traffic coming behind us. We knew they were behind us. I was in the trail vehicle and if they told us a truck was coming, ten minutes later a truck came. We had comms with them and we knew pretty much where they were at.

We left the wire and started clearing roads. We didn't go down [redacted] we went down a different way to get here. We finally found a spot where we could get across safely and get on [redacted]. We just kept clearing and we found a small cache, four magazines and 7.62 ammo out here in the reeds. We came across a blockade in the road and we found a way around that. As we were waiting to get around the blockade, we heard a gunfight, rounds going off and possibly some mortars so we hurried up. It was coming from the direction of the accident today, down [redacted]. So we went down the road and the next thing I heard was shots coming from our lead vehicle. I turned around and all I could see was dust and sparks from the bullets hitting the ground and the truck and everything. All I knew was that it was a civilian truck and there were probably insurgents in it.

It was a Bongo pickup truck.

I couldn't see how many people were in the truck. By the time I turned around, the cab was full of smoke, dust, and dirt. I couldn't make out anybody. After about 10 or 15 shots, I saw someone jumping out of the vehicle, but I couldn't tell anything; I just saw the silhouette of a person jumping out of the truck. I heard, "cease fire," and the next thing I knew, someone was calling for a medic and we know what happened from there. We all got out, rendered first aid, pulled security, called in a 9-line medevac, and got on one of the birds.

The KIAs from today were in the Bongo truck that we engaged. Apart from that, all I know is what I've heard.

The Bongo truck was engaged because it was speeding toward our position. When a vehicle is speeding toward you, you shout, you show your weapon, you yell at them, [redacted] which means stop, do all kinds of stuff trying to get their attention and then you shoot them. All I can say is, that vehicle was speeding and they lit it up because it was too close. If it was a VBIED, we were going to be history because, even though they were across the canal.

There is nothing else I have to share about the incident or anything leading up to the incident.

[redacted]

STATEMENT OF _____

TAKEN AT _____

DATED _____

9. STATEMENT (Continued)

nothing follows

AFFIDAVIT

_____, 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.

(Signature of Person Making Statement)

WITNESSES:

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

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oath)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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