

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 Camp Taji, Iraq	2. DATE (YYYYMMDD) 2007 07 12	3. TIME 1020	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(6)	7. GRADE/STATUS CW3	
8. ORGANIZATION OR ADDRESS BG 1-227 AVN			

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

ON 12 July 07, while conducting combat operations, in support of 2-16FV in Zone 30, responded to a TIC, ground unit was taking small arms and RPG fire, from Grid (b)(2)High spotted 11 individuals w/ AK-47 & RPG overlooking the ground unit, immediately noticed individual with RPG come around the corner and attempt to fire at ground unit, requested immediate clearance of fires and was granted by H26 & Bushmaster C, fired about 20 rounds 30mm killing 5 AIF, while monitoring a van pulled up troops to extract bodies & weapons, requested clearance of fires & was granted by H26 3 AIF KIA, 3 WIA, 1 UAV destroyed.

AT approximately 1130 while searching to the east, spotted 5-10 more individuals with AK-47's & RPG, fired 20 rounds 30mm, individuals dispersed into a 4 story abandoned building located (b)(2)High, maintained fire, observed 1 more individual walking with AK47. Individual heard our radio wash & proceeded into same building, requested from Bushmaster C clearance of fires he stated as long as you had fire of individuals with weapons going into building you were cleared to engage, I told Bushmaster C once we would be engaging with Hellfire missiles, made 2 runs. First missile was a K2 we aimed at the bottom floor, next 2 missiles were M model aimed at 1st and 3rd floor of building. All 3 missiles hit target destroying target, total AIF KIA from viewing relieving team as they had eyes on civilians extracting bodies from building was 8-11 AIF KIA.

Final result 21 KIA, 3 WIA, 1 UAV destroyed, 1 building destroyed.

And no damage to ground prepared for future combat operations, ground unit safely returned to FOB Qustameyah. Nothing follows (b)(6)

10. EXHIBIT A (I)	11. INITIALS OF PERSON MAKING STATEMENT (b)(6)	PAGE 1 OF 2 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 BE INDICATED.

STATEMENT OF

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

TAKEN AT

Camp Taji

DATED

12 July 07

9. STATEMENT (Continued)

Nothing

Follows

Follows

Nothing

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 HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INFLUENCE.

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

Person Making Statement

WITNESSES:

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

B Co 1-227 Avn
ORGANIZATION OR ADDRESS

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

B Co 1-227 Avn
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12th day of July, 2007

at

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

U.S. ARMY JAG OFFICER

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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1. LOCATION CAMP TAJI, IRAQ	2. DATE (YYYYMMDD) 2007/07/20	3. TIME 1330	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(6)	7. GRADE/STATUS CW3	
8. ORGANIZATION OR ADDRESS B/1-227th AVN, 1st Air Cavalry Brigade			

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

LTC (b)(6), (b)(3) I've reviewed your video from the engagement and have a few questions. After receiving the target handover from your wingman and identifying the group of individuals with weapons, you were on a downwind leg preparing for the engagement when you got tally on an individual looking around the corner of a house. Where was your wing man then?

CW3 (b)(6), (b)(3) The wing man was at my four o'clock. He was covering me, probably about 400 meters away.

LTC (b)(6), (b)(3) Did he have tally on the group of individuals then?

CW3 (b)(6), (b)(3) Yes. He's the one that initially saw the guys. Once we had eyes on too, we came around. We were probably, I don't remember, 800 meters away, orbiting in a circular pattern.

LTC (b)(6), (b)(3) Okay, you received a handover from your wing man, identified the group of individuals with weapons, and then initiated the engagement sequence, what were you looking for when you turned inbound to the engagement area?

CW3 (b)(6), (b)(3) I was looking for AKs and RPGs. After they initially came around, I said locate the guys, once you have them, you're clear to engage and don't stop until they're all dead.

LTC (b)(6), (b)(3) At that time, did you get tally on any weapons?

CW3 (b)(6), (b)(3) We saw the RPG at the corner, and then we came around the building and saw the guys huddled with weapons just before we engaged.

LTC (b)(6), (b)(3) When did you first identify the van?

CW3 (b)(6), (b)(3) The initial indication, sir when we rolled up and checked in, they said we had a black car, blue car, cant remember probably black, 4-door passenger vehicle that keeps dropping off enemy personnel and picking them up from that area. So our initial indication of that was when we first arrived on the scene. After the engagement, it had to have been two to three minutes maybe a little more, but we noticed another vehicle pull up. Initially, (b)(6), (b)(3) was looking at the corner for more weapons and possible bad guys up there. The van pulled up, guys jumped out, before he had the chance to get the line of sight down there, I noticed individuals moving to where the bodies were and where the weapons were. That's why I immediately called the ground guys and said we have guys extracting personnel and weapons.

LTC (b)(6), (b)(3) That's good information. I didn't read the anything about the vehicle in your statement. Did the ground guys indicate that a black or blue sedan was there?

CW3 (b)(6), (b)(3) They said a black 4-door sedan. It was dropping folks, and it was doing it all day they said. I forgot to put that in my debrief, but...

LTC (b)(6), (b)(3) The van comes up, you engage it. Did you acquire or see at anytime the size or shape of people in the van?

CW3 (b)(6), (b)(3) I saw, when they opened up the doors, three to four individuals. I saw them go in and out, extract the personnel and weapons, and carry the guy back to the van. I did clear the individuals in the van.

10. EXHIBIT A (II)	11. INITIALS OF PERSON MAKING STATEMENT (b)(6)	PAGE 1 OF 2 PAGES
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9. STATEMENT (Continued)

LTC (b)(6), (b)(3) Did you see anything in the van?

CW3 (b)(6), (b)(3) I couldn't see inside the van, but they ran around right after I had seen them extract weapons and individuals.

LTC (b)(6), (b)(3) As you saw on the tape, they didn't have any weapons. So, what drove you then? What threat made you want to engage the van?

CW3 (b)(6), (b)(3) Well the friendlies were 300 meters away and from the initial report that a black car, sedan had been coming in and dropping off insurgents, taking them out, moving them to different locations. That was my whole thought process.

***** END OF TRANSCRIPT *****

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 HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(3)
(b)(6)(b3) (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this (b)(6), (b)(3) 20th day of July, 2007 at Camp (b)(6), (b)(3)

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

LTC (b)(6), (b)(3)
(Typed Name of Person Administering Oath)
15-6 Investigation Officer
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(6)

SWORN STATEMENT

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1. LOCATION Camp Taji, Iraq	2. DATE (YYYYMMDD) 2007/07/12	3. TIME 16:55	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(6)	7. GRADE/STATUS CW2	
8. ORGANIZATION OR ADDRESS BCO 1-227th ARB Unit 5010-0010 APO, AE 09378			

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

On 12 July 2007 in support of combat operations CZ18/19 responded to a TIC (Troops in Contact) in Zone 30. I was in the lead aircraft CZ18. Prior to arrival in Zone 30 I contacted Bushmaster 06 for a situation report. Bushmaster 06 informed me that the elements on the ground had been receiving small arms and RPG fire from the east of their position and he wanted the team to search for the AIF teams. CZ 18/19 proceeded to search for AIF. CZ19 spotted approximately 10-15 AIF with weapons preparing to engage the friendly forces. I then got the AIF in my TADS and observed the individuals with AK-47's and RPG launchers. One AIF was leaning around a corner with an RPG preparing to engage friendly forces so I called Bushmaster 06 to ask for clearance of fire. H26 who was the commander of the element receiving fire and Bushmaster 06 then gave the team clearance to fire. Both CZ18/19 engaged the AIF with approximately 200 rounds of 30mm. Team observed one wounded AIF try to crawl away and kept eyes on target to walk H26 onto the area. CZ18/19 then observed a black minivan arrive on the scene and begin to take the wounded man into the vehicle along with some weapons. CZ18 asked for permission to engage from H26 and was granted permission to fire. CZ18/19 engaged with approximately 70 rounds of 30mm destroying the vehicle and killing the AIF. Total BDA for this engagement was 11 KIA, 3 WIA, 1xVan, and multiple AK-47's and RPG's.

While team was providing security for H26 at the first engagement area H26 informed the team that they were receiving small arms fire from the S/SW and wanted to team to recon the area for AIF. CZ18 then located 5xAIF with AK-47's and 1xRPG. Team was given clearance to engage by H26. I then observed a child and some other noncombatants in the vicinity of the AIF so decided to hold off on the engagement until the non-combatants were clear. After the non-combatants were clear CZ18 the engaged the AIF with 20x30mm. There were 2 possible WIA and I observed the individuals run into a large multistory building. The team then searched the area for more AIF. CZ 19 reported a red SUV that has possible AIF in it and team followed and observed the vehicle but could not get PID on any weapons. The team then returned to the engagement area. Upon arrival I observed another AIF with an AK-47 walking too the building. When the AIF heard our rotorwash he then ran into the building the other AIF had gone into. The building was a 4 story building that looked abandoned and half finished and possibly still under construction. We then asked H26 for clearance to engage the building with hellfire missiles. H26 granted the team clearance to fire. The team proceeded to engage the building with 3 hellfire missiles. CZ 18 fired 1xK2 and 1xN missiles, CZ 19 fired 1x N missile. There were approximately 10 AIF KIA during this engagement. Team then did BHO with CZ 03/04 because the team needed to refuel at the FARP.

Team returned to the area after refuel and did another BHO with CZ03/04. I then contacted Ranger 14 for a situation report. Ranger 14 gave numerous grids for possible ambush sites and indirect fire POO's. Team conducted recon with no further sightings of AIF forces. The team then escorted the friendly elements back to FOB Rustimayha and RTB'd mission complete, no battle damage to our aircraft. Total BDA assessed after viewing gun tapes and debrief was 21 KIA, 3 WIA, 1xVan, and multiple AK-47's and RPG's.

Nothing Follows (b)(6)

10. EXHIBIT A (III)	11. INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(3)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"
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STATEMENT OF (b)(6), (b)(3) TAKEN AT Camp Taji DATED 12 JULY 07

9 STATEMENT (Continued)

Nothing follows
Nothing follows

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 1. 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)
(Signature of Person Making Statement)

WITNESSES:

(b3)(b6)
B G 1-227th AVN
(b)(6), (b)(3)
ORGANIZATION OR ADDRESS
(b)(6), (b)(3)
B G 1-227 AVN
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20th day of JULY, 2007 at CAMP TAJI (b)(6), (b)(3)
(Signature of Person Administering Oath)
(b)(6), (b)(3)
(Typed Name of Person Administering Oath)
US ARMY JAG OFFICE
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(6)

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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1. LOCATION Camp Taji, Iraq	2. DATE (YYYYMMDD) 2007/07/12	3. TIME 1705	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(6)	7. GRADE/STATUS CW4	
8. ORGANIZATION OR ADDRESS B CO. 1-227TH AVN			

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

On 12 July 07, I was crewed with CPT (b3)(b6) in an AH-64D. Our mission was to conduct an Armed Recon Patrol from 0930 local to 1400 local. We were trail aircraft of a team of 2 AH-64D. Our callsign was Crazy Horse 19 and wingman was Crazy Horse 18.

At approximately 1020, we received a call from Attack Mike to respond to a TIC in zone 30. My wingman, CW3 (b)(6), (b)(3) and CW2 (b)(6), (b)(6), made contact with Bushmaster 6 and H26, the ground unit reported that they had taken small arms and RPG fire. A few minutes later both aircraft saw several individuals with AK-47's and RPG. They were peeking around the corner of a building and I saw one individual engage the ground unit. CrazyHorse 18 immediately called for a clearance of fires and it was granted by H26 and Bushmaster6. My aircraft engaged the hostile individuals with 30mm. A short time later a van pulled up and began extracting wounded and weapons. Once again clearance of fires was granted and we engaged with 30mm. Approximately 1130am Crazy Horse 18 engaged another group of 5-10 individuals with AK-47's and RPG's. I saw these individuals disperse into a building and we did not engage. Shortly after, Crazy Horse18 saw individuals run into an abandoned building that appeared to be under construction. Crazy Horse 18 requested clearance to engage the building with hellfire missiles. Crazy Horse 18 engaged with a K-2 hellfire missile on his first pass, we engaged with a N model missile, and CrazyHorse 18 engaged with one more N model missile.

At approximately 1140 we departed zone 30 for the farp at Taji.

During these two engagements, my aircraft fired 90 rounds 30mm and one N model missile. After tape review and debrief and estimated 21 AIF KIA, 3 WIA, 1 van destroyed and one building damaged.

The ground unit safely recovered to FOB Rustamiyah.

Neither CrazyHorse aircraft sustained battle damage and are postured for future combat operations.

Nothing Follows (b)(6)

10. EXHIBIT A (IV)	11. INITIALS OF PERSON MAKING STATEMENT (b)(6)	PAGE 1 OF 2 PAGES
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STATEMENT OF (b)(6), (b)(3) TAKEN AT CAMP TASI DATED 12 JUL 07

9. STATEMENT (Continued)

NOTHING FOLLOWS

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 HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

WITNESSES:

(b)(6), (b)(3)
BC 1-227
ORGANIZATION OR ADDRESS

(b)(6), (b)(3)
BC CO (b)(6) 1-227 ARB
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12th day of JULY, 2007 at CAMP TASI

(b)(6), (b)(3)
(Signature of Person Administering Oath)

(b)(6), (b)(3)
(Typed Name of Person Administering Oath)

U.S. ARMY JAG OFFICER
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT
(b)(6)

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(6)	7. GRADE/STATUS CW4	

8. ORGANIZATION OR ADDRESS
B/1-227th AVN, 1st Air Cavalry Brigade

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

LTC (b)(6), (b)(3) After going through your statement, the first question I have is what was the perceived threat? You were called over to support troops in contact. What were the conditions and the perceived threat when your team arrived on station?

CW4 (b)(6), (b)(3) The perceived threat that I had sir was that the ground forces that day were in contact with insurgents and at some point prior to them calling for our support, they had received small arms and RPG fire.

LTC (b)(6), (b)(3) Once on scene, who got tally on the insurgents first.

CW4 (b)(6), (b)(3) I believe we did, I believe I was looking at the individuals standing by a flat bed truck.

LTC (b)(6), (b)(3) In an open area?

CW4 (b)(6), (b)(3) Yes, sir. Where we ended up engaging later on. I think I called out there's four or five and I think those three had weapons. Sir, I haven't seen my tape at all. CPT (b)(6), (b)(3) pulled a few pieces from the tape and we did a little AAR. But, I have not had a chance to sit and review that tape since it happened. Just to let you know. I believe I called out three, four or five guys with weapons and then as I looked around I would probably estimate that there were probably 23-30 individuals in the area.

LTC (b)(6), (b)(3) Once you had positive ID, you conducted a handover with your wingman, (b)(6), (b)(3). They saw the individual crouching by the building on the corner. Where were you located at this point?

CW4 (b)(6), (b)(3) Yes sir, I was roughly at there four o'clock.

LTC (b)(6), (b)(3) Did you have tally on the insurgents at that point? Were you watching naked eye and was your front seat covering lead or the target?

CW4 (b)(6), (b)(3) Yeah, I was watching naked eye and front seater was scanning for targets. When lead came around the corner, I was watching naked eye. Then we came around the same corner and it came into view. I was looking at CPT (b)(6), (b)(3) video at that point and I saw the guy crouch behind the corner which now, what I hear was a camera. But, yes sir, we came around the corner, CPT (b)(6), (b)(3) had his TADS on that and I was watching. I think I even made the comment...I can't remember if I said he's firing, or I saw a flash. I think you can probably hear it on the tape and what caught my concern was at the end of the alley that he was peaking around was a HMMWV, so I think that's when I called (b)(6), (b)(3) and he said yea they saw the same thing. Both aircraft decided when we got around the corner we would engage in that direction. Because going by that alley happened very quickly.

LTC (b)(6), (b)(3) Yes, real quick. From the perspective you had, you were nearly over the road when you acquired the guy crouching at the corner. You were almost perpendicular to the road when you crossed it.

CW4 (b)(6), (b)(3) Yes, I had good situational awareness. It was easy to maintain situational awareness because it was a North/South road and the insurgents were on a road. Hotel 26 even called out we have no friendlies East of our position. That was the thing that made me feel comfortable right off the bat is having a good mindset of what's occurring.

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STATEMENT OF

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

TAKEN AT

Camp Taji

DATED

2007/07/20

9. STATEMENT (Continued)

LTC (b)(6), (b)(3) Okay, you guys continued to set up for the engagement. Your front seat wanted to engage, the building intervened and you couldn't see the targets. As you turned around, you could see them coming into view, one to two heads at a time. Lead engaged the guys on the corner. At that point you guys were pretty close behind them, had you transitioned to a shooter-shooter formation?

CW4 (b)(6), (b)(3) Correct.

LTC (b)(6), (b)(3) And so you came behind them, engaged, and when they departed the area, did you begin firing then?

CW4 (b)(6), (b)(3) Ok, I'm not sure, sir. I think we started firing when they were still firing because people were scattering all over the place. I think we started while they were still firing.

LTC (b)(6), (b)(3) We'll have to make sure, it's a shame you haven't watched the tape yet.

CW4 (b)(6), (b)(3) Yes, sir.

Note: We stopped the interview and viewed Crazyhorse 19's video tape.

***** END OF TRANSCRIPT *****

AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20th day of July, 2007 at Camp Taji (b)(3)(b6)

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

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

15-6 Investigation Officer

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

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5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(6)	7. GRADE/STATUS O-3	
8. ORGANIZATION OR ADDRESS HHC 1-227 AVN REGT			

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

I, Captain (b)(6), (b)(3) was the Co-Pilot Gunner on the 0930 - 1400 ARP (Armed Recon Patrol) on 12JUL07. I was flying trail with Pilot-In Command, CW4 (b)(6), (b)(3). Our call sign was Crazy Horse 19. Lead, Crazy Horse 18, was CW3 (b)(6), (b)(3) Air Mission Commander and pilot, and his Co-Pilot Gunner was CW2 (b)(6), (b)(3). Around 1000 hrs, Attack Mike contacted Crazy Horse 03 and 04 for a Troops in Contact in Zone 30. Crazy Horse 03 and 04 were scheduled to refuel at the FARP and did not have enough station time to respond. Attack Mike passed the Troops in Contact to us. We contacted Bushmaster 06 shortly after receiving the grid and contact information from Attack Mike.

Upon arriving on station in Zone 30, lead was in contact with Bushmaster H26 and Bushmaster 6. Bushmaster was conducting operation Cure and was receiving small arms and RPG fire from South of their position. At approximately 1020 hrs, I identified 3 military aged males with AK-47s and one male with an RPG, they were with 10-15 other military aged males. I was unable to determine if all of them had weapons. After viewing the gun tape, we were able to determine that several others had weapons and one AIF had a machine gun, possibly a RPK. The AIF were firing around the corner to the East towards several of Bushmasters M1114 HWWMVs near the gas station. Crazy Horse 18 received clearance of fires from Bushmaster H26. IAW the current ROE because we had witnessed the AIF firing at Coalition forces (hostile act), we did not need clearance of fires, but we had time to ask. Crazy Horse 18 initiated fire at the personnel with weapons and I engaged the same group. I fired approximately 50 rounds of 30mm. We engaged vic (b)(2)High. Soon after our engagement, a van and 4-5 military aged males arrived at the engagement site and began loading personnel and weapons into the van. Bushmaster cleared us to engage the van and personnel. Crazy Horse 18 initiated fire and I fired approximately 40 rounds at the personnel and the van.

We remained above the engagement site while Bushmaster sent ground forces to the site. Bushmaster arrived and reported 11 x AIF KIA and found RPGs and RPG rounds at the site. We also witnessed a loaded RPG lying 2-3 blocks south of the engagement site that had been dropped by fleeing AIF. Bushmaster found two wounded female children at the engagement site. Bushmaster reported that the first child was wounded and pulled from the van. We were unable to determine that there were children in the vehicle and never saw any children prior to or during the engagement. After reviewing the gun tape, were able to determine that both wounded children came from the van. Bushmaster immediately MEDEVACd both girls to FOB Loyalty for medical care.

At approximately 1100 hours, we observed another group of military aged males about 400 meters east of Bushmaster's position, at (b)(2)High. At least 3 of them had AK-47s and another had a RPG. After viewing the gun tape, another AIF had a fully loaded tactical vest and machine gun. Crazy Horse 18 received clearance of fires from Bushmaster H26 and 06. There were 3 groups with 6-7 males in each group. There was a boy with one group of personnel with weapons and Crazy Horse 18 waited a few minutes waiting for the boy to leave. After the boy was clear from the group, Crazy Horse 18 fired at the personnel with weapons. I was unable to determine which group had the weapons, due to target obscuration from buildings and dust, and I did not engage. The AIF scattered into several buildings, many of them went across the street into what appeared to be a vacant building under construction at (b)(2)High. The unfinished building was very large and about 3 stories tall and had construction material laying next to it and rebar sticking out of the top. I spotted 3-4 military aged males near this building get into a red SUV and drive away to the West. We reported this to Bushmaster H26 and followed the SUV for 5-10 minutes. Bushmaster was still receiving sporadic small arms fire and we returned to their position. When we returned to the building site, Crazy Horse 18 observed several of the same AIF in the street with weapons. The AIF fled into the same building. I had off tuned our radio to report to Attack Mike and begin a battle hand over with Crazy Horse 03 and 04 to allow us to return to Taji for refuel and rearm. Crazy Horse 18 told us that we were clear to engage the building with a hellfire. I am unsure who gave the clearance of fires. Around 1125 hrs, Crazy Horse 18 engaged the ground floor with a K model missile and appeared to only have knocked down the surrounding wall. We engaged the same building with a N model missile at the ground floor where we'd previously seen the AIF enter the building. Crazy Horse 18 then engaged the second floor of the building with another N model missile.

After our missile engagements, we completed the Battle Hand Over with Crazy Horse 03 and 04. They continued to provide security and reconnaissance to Bushmaster while we returned to Taji to rearm and refuel. At the time of our departure to Taji, Bushmaster elements were still receiving small arms and RPG fire. We returned to Zone 30 at approximately 1220 hrs. Crazy Horse 03 and 04 told us to contact Ranger 14. Ranger 14 and Bushmaster elements were preparing to exfiltrate the area and return back to FOB Rusty. We continued to provide security and reconnaissance of several areas for suspected complex attacks that Ranger had received intel on. We did not engage any other targets after returning from the FARP. At approximately 1330, all Bushmaster elements had returned to FOB Rusty. We completed a battle hand over with Crazy Horse 10 and 11 and returned to FOB Taji, Mission Complete (b)(6).

10. EXHIBIT A (VI)	11. INITIALS (b)(6)	12. SIGNATURE (b)(6)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(6), (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.

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 CAMP TAJI, IRAQ	2. DATE (YYYYMMDD) 2007/07/20	3. TIME 1330	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(6)	7. GRADE/STATUS CPT	
8. ORGANIZATION OR ADDRESS HHC/1-227th AVN, 1st Air Cavalry Brigade			

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

LTC (b)(6), (b)(3) What was the perceived threat when you arrived on station?

CPT (b)(6), (b)(3) When I checked in with the ground unit, they reported small arms and RPG fire. We'd been in the area for probably 10-15 minutes and they were still taking small arms fire which is very unlikely for that area. Once the apaches are on station, everything kind of dies down, but as we were there, they still continued to take sporadic small arms fire at the HMMWVs and the friendly units that were in the neighborhood. They gave us a report that they heard small arms fire coming, I think, from the South. They said the fire was coming from vicinity of the Mosque that was there, so that's how we started to focus our search and look at the street corners. The avenues of attack, I guess for the ground guys. They said that the fires were coming from ground level, so that's why we focused on the streets and not rooftops.

LTC (b)(6), (b)(3) Did you observe or was there any knowledge of a camera man or any media being in the area?

CPT (b)(6), (b)(3) No sir, in fact I've never heard of anything like that before.

LTC (b)(6), (b)(3) Once on station, I understand your crew had tally on the bad guys first?

CPT (b)(6), (b)(3) Yes, sir.

LTC (b)(6), (b)(3) Did you observe any weapons, or anything? What keyed you in?

CPT (b)(6), (b)(3) Well, there was a group of people. Initially there was probably about 10-15 guys that were kind of gathering, so that's what keyed us in on where to start looking. At first, we picked out an AK-47, and then we continued to watch and picked out another AK-47. We picked out a guy who had something slung across his back, couldn't identify what it was. I don't remember if we lased and stored the target. Then we sent it to lead, and got them focused in on looking at it too.

LTC (b)(6), (b)(3) Good engagement with good effects on the target. Moving to the next portion of that engagement, when did you first identify the van?

CPT (b)(6), (b)(3) I think we made at least one or two circles around the target area and I don't remember. We got the call on our internal frequency saying something about the van. I was kind of off looking at some of the neighboring blocks and stuff like that, so I didn't notice that right away. We were up with Attack Mike giving a SITREP on the engagement that had just happened at the time the van arrived on station.

LTC (b)(6), (b)(3) After you engaged the van, the situation was pretty peaceful or calm down there, despite what had just happened. Were there any additional threats to the area or did you perceive any threats to the ground forces?

CPT (b)(6), (b)(3) Sometime after the engagement we got reports that the ground forces were still taking sporadic small arms fire. So we continued our search in the neighborhoods, and probably 20 or 30 minutes after our engagement we found another group of individuals with machine guns, AK47s and RPGs.

LTC (b)(6) Was that further East at the building on the corner?

10. EXHIBIT A (VII)	(b)(6) PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (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) TAKEN AT Camp Taji DATED 2007/07/20

9. STATEMENT (Continued)

CPT (b)(6), (b)(3) Yeah. That's the vicinity where we saw them it. What the ground unit was reporting is that they were still taking fire. Even when the ground unit arrived at the first engagement site, there was small arms fire. I don't remember if they said it was from the South or if it was from the West. I don't remember off hand. We were still looking for guys at ground level with small arms.

LTC (b)(6), (b)(3) Do you think your knowledge of ROE and the law of armed conflict adequately prepared you for this engagement?

CPT (b)(6), (b)(3) You know, I know we go through ROE a lot, and you'll be like oh okay, I'm tired of talking about the ROE. I think the heat of the moment is always the one thing that sometimes you might not have control over or you have to actively stop yourself and be like wait, think through it again, you know, and I talked with some of the other guys after the engagement. The situation changes after you've done the first engagement or whatever, the situation is totally different. I never thought of it that way. I would have to go through those steps again. Now, what was five minutes ago is not the same.

LTC (b)(6), (b)(3) You said that some of the guys mentioned that you moved from the part from engaging the people and then the van.

CPT (b)(6), (b)(3) Right, that's part of it, I think because we were up Attack Mike making the spot report we kind of lost some situational awareness of what was going on with the ground unit. When we came up the ground unit's frequency again, we caught the tail end of the call that we were cleared to fire.

LTC (b)(6), (b)(3) You guys were cleared to fire on the van?

CPT (b)(6), (b)(3) Roger, sir.

LTC (b)(6), (b)(3) Initially, I asked a lot about the perceived threat. You saw the guy on the corner and stated he had an RPG. What were you thinking then?

CPT (b)(6), (b)(3) We first saw people standing by the trailer in the courtyard and as we were coming around and started to lose visibility because of the buildings, we saw the one guy standing at the corner. From what I could see, he was in a crouching position on that corner and focused down the street where the friendly HMMWVs were parked. They were a few blocks down the road. From what I could tell, it looked just like a weapon and the guy was in a crouching posture as with a weapon. Because there were guys with RPGs and AK47s right there in that same spot, that's what we assumed it was. I couldn't tell if it was an RPG or an AK-47, but it looked like someone coming around the corner engaging friendly forces. So, we already had a report of the small arms fire at friendly forces in that direction and here we saw a guy leaning around the corner with something in his hands at the friendly forces, right next to guys who we knew had weapons.

LTC (b)(6), (b)(3) How was visibility out there?

CPT (b)(6), (b)(3) Visibility was good. Once we started the engagements of course, it kicked up dust so you know, it's harder to see in your target area once the first rounds hit...have to wait for the dust to settle, or someone to move out of the dust.

***** END OF TRANSCRIPT ***** (b)(6)

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

PAGE 2 OF 3 PAGES

STATEMENT OF

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

TAKEN AT

Camp Taji

DATED

2007/07/20

9. STATEMENT (Continued)

(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 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths at Camp Taji, 2007

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

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

15-6 Investigation Officer

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

PAGE 3 OF 3 PAGES

Subject: (b)(6), (b)(3) **(Air Mission Commander / Instructor Pilot)**
Crazyhorse 18 – Back Seat (AH-64D – Tail # 394)

1. Rank: CW3
2. Social Security Number: (b)(6)
3. Race: (b6)
4. Sex: Male
5. Age: (b6)
6. Position: (b6) (b6)
7. Security clearance: Secret
8. Unit and station of assignment: (b6)
9. Duty Status: Deployed on duty
10. Marital Status: (b6)
11. Experience: (b3)(b6)
12. (b6)
13. Readiness Level 1: (b3)(b6)
14. Pilot in Command:
 - a. First Time PIC Status Achieved: (b3)(b6)
 - b. Achieved PIC Status in 1-227th : (b3)(b6)

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

Subject: (b)(6), (b)(3) **(Pilot)**
Crazyhorse 18 – Front Seat (AH-64D – Tail # 394)

1. Rank: CW2
2. Social Security Number: (b)(6)
3. Race: (b6)
4. Sex: Male
5. Age: (b6)
6. Position: (b6)
7. Security clearance: Secret
8. Unit and station of assignment: (b6)
9. Duty Status: Deployed on duty
10. Marital Status: (b6)
11. Experience: (b6)
12. (b6)
13. Readiness Level 1: (b6)
14. Pilot in Command: (b6)

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

Subject: (b)(6), (b)(3) **(Maintenance Test Pilot/Pilot in Command)**
Crazyhorse 19 – Back Seat (AH-64D – Tail # 379)

1. Rank: CW4
2. Social Security Number: (b)(6)
3. Race: (b6)
4. Sex: Male
5. Age: (b6)
6. Position: (b6)
7. Security clearance: Secret
8. Unit and station of assignment: (b6)
9. Duty Status: Deployed on duty
10. Marital Status: (b6)
11. Experience: (b6)
12. (b6)
13. Readiness Level 1: (b6)
14. Pilot in Command:
 - a. First Time PIC Status Achieved: (b6)
 - b. Achieved PIC Status in 1-227th : (b6)

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

Subject: (b)(6), (b)(3) **(PI) in AH-64D Tail # 379**
Crazyhorse 19 – Front Seat (AH-64D – Tail # 379)

1. Rank: CPT
2. Social Security Number: (b)(6)
3. Race: (b6)
4. Sex: Male
5. Age: (b6)
6. Position: (b6)
7. Security clearance: Secret
8. Unit and station of assignment: (b6)
9. Duty Status: Deployed on duty
10. Marital Status: (b6)
11. Experience: (b6)
12. (b6)
13. (b6)
14. Pilot in Command: (b6)

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