

~~SECRET // REL TO USA, (b)(1)1.4d FVEY~~

DEPARTMENT OF DEFENSE
 HEADQUARTERS, 1ST INFANTRY DIVISION AND
 COMBINED JOINT FORCES LAND COMPONENT COMMAND - OIR
 Baghdad, Union Ill, Iraq
 APO AE 09316

IRIZ-JA-OPL

30 March 2017

MEMORANDUM FOR CIVCAS Team, Combined Joint Task Force - Operation Inherent Resolve, APO, AE 09306

SUBJECT: CIVCAS Credibility Assessment Report (CCAR) - Strike (b)(1)1.4a Dynamic Strike on (b)(1)1.4a, (b)(1)1.4d z 23 February 2017 (CJFLCC-OIR 35/17)

1. (~~S//REL USA, (b)(1)1.4d FVEY~~) BLUF. The CIVCAS allegation is NOT CREDIBLE. A thorough review of all available evidence has been undertaken. The available evidence indicates that it is more likely than not that no CIVCAS occurred.
2. (~~S//REL USA, (b)(1)1.4d FVEY~~) CIVCAS Allegation.
 - a. (~~S//REL USA, (b)(1)1.4d FVEY~~) Source. The CAOC reported this possible CIVCAS incident.
 - b. (~~S//REL USA, (b)(1)1.4d FVEY~~) Time and Location. 23 (b)(1)1.4d FEB 17.
 - c. (~~S//REL USA, (b)(1)1.4d FVEY~~) Description. The CAOC alleged that, in the course of targeting ISIS fighters in a dynamic sedan, a CJOC-E engagement also killed or seriously injured a child who was riding in the same vehicle.
3. (~~S//REL USA, (b)(1)1.4d FVEY~~) Strike Narrative and Analysis. The following is a chronological breakdown of the strike based on analysis of relevant mlRC logs, FMV, and post-strike assessments. All times are Zulu unless otherwise specified.
 - a. (~~S//REL USA, (b)(1)1.4d FVEY~~) On 23 January 17 the (b)(1)1.4d requested that CJOC-E prosecute an engagement on a HVI. Over the course of multiple days (b)(1)1.4d had observed the HVI exit his bed-down location and enter a white van between 0500 and 0515. Each day the van drove the HVI to a mosque to pick up an associate and then travelled to a known ISIL C2 node. Sensitive intelligence corroborated the (b)(1)1.4d observations.
 - b. (~~S//REL USA, (b)(1)1.4d FVEY~~) (b)(1)1.4d provided grid coordinates of the target HVI's bed down location. Two armed ISR assets, (b)(1)1.4a, (b)(1)1.4d, (b)(8) and (b)(1)1.4a, (b)(8) (U.S.), began observing the compound at approximately 0430 and 0439, respectively. Both assets were assigned to the control of CJOC-E.
 - c. (~~S//REL USA, (b)(1)1.4d FVEY~~) At 0506 (b)(1)1.4a, (b)(1)1.4d observed five adult males and one child exit the compound where the HVI was assessed as being located. The (b)(1)1.4d LNO and the TEA identified the HVI in the group. The TEA additionally

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determined, based on sensitive intelligence, that the other adult males were also ISIS fighters. The group was observed standing on the street by a sedan. The HVI's white van identified by (b)(1)1.4d intelligence also was located at the compound.

d. (~~S//REL USA, (b)(1)1.4d FVEY~~) (b)(1)1.4a, (b)(1)1.4d observed two of the fighters get into the van and depart. Both (b)(1)1.4a, (b)(1)1.4d, (b)(8) followed the van and tracked it for approximately 30 seconds. Upon order from the ISR Liason Officer (ISRLO) (b)(1)1.4a, (b)(1)1.4d, (b)(6) (b)(1)1.4a, (b)(1)1.4d returned to observing the sedan, while (b)(1)1.4a, (b)(1)1.4d continued to observe the van. (b)(1)1.4a, (b)(1)1.4d did not observe the five adult males or child enter the sedan.

e. (~~S//REL USA, (b)(1)1.4d FVEY~~) At 0506 (b)(1)1.4a, (b)(1)1.4d returned to observe the sedan, which was then moving. At 0509 the ISRLO asked (b)(1)1.4a, (b)(1)1.4d to review who was in the sedan. (b)(1)1.4a, (b)(1)1.4d replied that the sedan had been out of the field of view and reiterated that 5 adult males and 1 child had been standing by the sedan prior to (b)(1)1.4a, (b)(1)1.4d losing sight of it. Therefore (b)(1)1.4a, (b)(1)1.4d assessed that the slant in the vehicle was 5/0/1. However (b)(1)1.4a, (b)(1)1.4d noted the current observed slant in the sedan was 2/0/0. (b)(1)1.4a, (b)(1)1.4d did not observe five adult males and a child get into the sedan. (b)(1)1.4a, (b)(1)1.4d did not observe the five adult males or child at any point.

f. (~~S//REL USA, (b)(1)1.4d FVEY~~) The vehicle made two stops where two personnel exited and reentered the vehicle, reiterating the observed slant of 2/0/0.

g. (~~S//REL USA, (b)(1)1.4d FVEY~~) The TEA determined that the observed slant of 2/0/0 was accurate. Based on sensitive intelligence and the fact that the two adult males had exited the same building as the HVI, the TEA determined that the individuals in the sedan were ISIS fighters associated with the HVI. The TEA also determined that, even if the (b)(1)1.4a, (b)(1)1.4d callout was accurate and the child was in the car, that engaging the target would be proportionate. As a result, the TEA authorized engagement of the target under ROE (b)(1)1.4a

h. (~~S//REL USA, (b)(1)1.4d FVEY~~) At (b)(1)1.4a, (b)(1)1.4d, (b)(6) struck the sedan with (b)(1)1.4a (b)(1)1.4a. At (b)(1)1.4a, (b)(1)1.4d, (b)(6) the screener posted, "UNOFFICIAL BDA: the sedan was struck and no adult males exited the sedan." Review of the FMV indicates no civilian transient activity in the vicinity of the target before the strike, and no activity post-strike consistent with civilian casualty care or mortuary affairs actions. The BDA was therefore assessed by CJOC-E to be "2x EKIA".

4. (~~S//REL USA, (b)(1)1.4d FVEY~~) Credibility Assessment. Based on a thorough assessment of all reasonably available evidence, this CIVCAS allegation is deemed NOT CREDIBLE because:

a. (~~S//REL USA, (b)(1)1.4d FVEY~~) Originally, the (b)(1)1.4a, (b)(1)1.4d screener assessed that all five adult males and one child entered the sedan. However (b)(1)1.4a, (b)(1)1.4d could only confirm that two adult males, determined to be ISIS fighters, were observed in the vehicle at the time of the strike.

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b. (~~S//REL USA, (b)(1)1.4d, FVEY~~) There is no independent report of civilian casualties from this strike.

c. (~~S//REL USA, (b)(1)1.4d, FVEY~~) There were no post-strike mortuary affairs activities observed.

d. (~~S//REL USA, (b)(1)1.4d, FVEY~~) The TEA reasonably disagreed with the (b)(1)1.4a, (b)(6) screener's assessed slant and, instead, deemed that the *observed* slant was accurate.

5. (~~U//FOUO~~) The point of contact for this CIVCAS Credibility Assessment Report is the undersigned at (b)(3) 10 USC 130b; (b)(6)

(b)(3) 10 USC 130b; (b)(6)

3 Encls

- 1. (b)(1)1.4a, (b)(6) MIRG Log
- 2. (b)(1)1.4a, (b)(6) MIRG Log
- 3. FMV, (b)(1)1.4a, (b)(6)

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I have conducted a legal review of the information in this CCAR and the supporting evidence. Based upon all reasonably available information at this time, I find that:

(b)(5)

(b)(3) 10 USC 130b; (b)(6)

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I have reviewed the information contained in this CCAR and the supporting evidence. Based upon all reasonably available information at this time, I find that:

_____ The evidence supports a finding of CREDIBLE. That is, it is more likely than not that the CIVCAS incident occurred. I direct an investigation be conducted by this command.

_____ The evidence supports a finding of CREDIBLE. That is, it is more likely than not that the CIVCAS incident occurred. However, at this time I direct no investigation be conducted by this command, as no additional information could be discovered by further investigation.

4 _____ The evidence supports a finding of NOT CREDIBLE. Without additional evidence, I direct that no further action be taken by this command.

APR 05 2017


JOSEPH M. MARTIN
Major General, U.S. Army
Commanding

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Pages 43 through 50 redacted for the following reasons:

Exhibits removed per agreement - Bates Numbers 3208-3215

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