## Article 15-6 Investigation

## Hostile Death Of <br> PFC Cameron K. Payne

## 11 June 2007

$2^{\text {nd }}$ Brigade Combat Team $2^{\text {nd }}$ Infantry Division


DEPARTMENT OF THE ARMY
HEADQUARTERS, MULTI-NATIONAL DIVISION - BAGHDAD

## 20 JAN 2007

AFVA-CG

## MEMORANDUM FOR RECORD

SUBJECT: Delegation of Appointing/Approval Authority for Investigations of Hostile Fire Deaths of Deployed Forces

1. Pursuant to AR 15-6, Procedures for Investigating Officers and Boards of Officers, 2 October 2006, paragraph 2-1a(3)(a), I delegate appointing and final approval authority of investigations of a death or deaths involving a deployed force, from what is believed to be hostile fire, to commanders in Multi-National Division - Baghdad exercising special court-martial convening authority. This authority may not be further delegated.
2. POC for this memorandum is (b)(3)(b)(6) or via email at
(b)(3)(b)(6)
(b)(3)(b)(6)

OSJA Administrative Law, at VOIP (b)(3)(b)(6)

JOSEṔH F. FIL, JR. Major General, USA
Commanding

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## Legal Review of AR 15-6 Investigation: Consisting of 1 Page

Document contains internal advice that is exempt from release under 5 USC 552(b)(5).


DEPARTMENY OI THE ARMI<br>HEA)(OURHRRS, 2ND BRI(GADE COMBAI TEAM<br>2ND DNFANTRY DIVISION<br>MUAH-NA! 10 NAI DIVISION BACHHAD<br>(AMPLOYALTY.IRA()ADOAL OMSM




Sll 3.11 (" : Appoinment as Investigating omeer under AR 15-6



2. You will issue Findings and Recommendations that orer the following areas al inguiry:
a. Detemine the medical catse of the Soldier seath
b. Determine the uniform and protective dupment the Soldier.
c. Identily the intomation brefedreading this ype of enemy theat active prior to the mission that the Soldier was on.
d. Deseribe the mission that the Solder was engaged in.
e. Assess the duration in time from the inital wounding until the Soldiens arival at the add station.
l. Wemify an wher eherant maters that you diseover in the course of investigating these allegations
 (b)(3)(b)(6), ho will give you an in-brief before you begin your investigatom and be arabable bo assist you during the investigation.
4. Youmay speak with any and all indiveduals that you beliese have infomation pertinent 10 your investigation. You will obtain gutance from your legal advisor if in the comse of your investigation you determine that completion thereof requies examining the conduct or performance of, or may result in Findings and Recommendations adverse to. a person senior to yourself.
5. If dumg the course of your investigation you come fo suspect that andividual you are questoming may have committed a crime. you will advise that individal of his or her right:

N/C-6-1)R





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a Are all items offered (whether or not received) or considered as evidence individually numbered of lettered as exhibits and attached to this report?
$b$ is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?
c. Has the lestimony/statement of each witness been recorded verbatim or been reduced to written form and altached as an exhibit?
d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?
e. Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?
f. Is each written stiputation attached as an exhibil and is each oral stipuation either reduced to writing and hade an exhibit or recorded in a verbatim record?
9. If official notice of any matter was taken over the objection of a respondent of counsel, is a statement of the malter

Of which official notice was taken attached as an exhibit \{para 3-f60, AR 15-6\}
B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)

4 At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (oara 5-3b, AR 15-6)?
5 Was a quorum present at every session of the boatd (para 5-2b. AR 15-6)?
6 Was each absence of any menber properly excused (para 5-2a, AR 15-6)?
7 Were members, witnesses, reporter, and intefpreter swom, if requited (para 3-1, AR 15-6)?
8 If any members who voled on findings or fecommendations were not present when the board received some evidence. does the inclosuce describe how they familiarized themselves with that evidence (para 5-2d. AR (5-6)?
C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II. Chapter 5, AR 15-6)

0 Notice to respondents (para 5-5, AR 15-6)
a. Is the meihod and date of delivery to the respondent indicated on each tetter of nolification?
b. Was the date of delivery at least five working days prior to the first session of the board?
c. Does each letter of notification indicate -
(1) The date, hour, and place of the first session of the board concerning that respondent?
(2) the matter to be investigated, including specific allegations against the respondent, if any?
(3) the respondent's rights with regard to counsel?
(4) the name and address of each witness expected to be called by the recorder?
(5) the respondent's rights to be present, present evidence, and call withesses?
d. Was the respondent provided a copy of all unclassified documents in the case fite?
e. If there were relevant classified materials, were the respondent and his cotmsel given access and an opportunity to examine them?

10 If any respondent was designated afler the proceedings began (or ollienwise was absent duing part of the proceedings)
a Was he propetly notified (para 5-5. AR 15-6)?
b. Was record of proceedings and evidence received in his absence made avaliable for examination by him and his counsef (paras-4c. AR $15-6$ )

11 Counsel ( $\rho a r a$ 5-6, AR 15-6):
a Was each respondent represented by courrser?
Name and business address of counsel:

IIf counsel is a lawyer, cheok here I
b Was respondent's counsel present at all open sessions of the board relating to that respondent?
c. If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?
12 If the sespondent challenged the legal advisor or any voting member for lack of impartiality ( $\rho a r a \operatorname{s-7}$, AR 15-6):
a. Was the challenge properfy denied and by the appropriate officer?
b. Did each member successfully challenged cease to participate in the proceedings?

13 Was the respondent given an opportunity to (para 5-8a. AR 15-6):
a. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?
b. Examine and object to the introduction of real and documentary evidence, including written statements?
c. Object to the testimony of witnesses and cross-examine witnesses other than his own?
d. Call witnesses and othervise introduce evidence?
e. Teslify as a witness?
f. Make or have his counsel make a final statement or argument (para 5-9, AR 15.6)?

14 If requested. did the recorder assist the respondent in obtaining evidence in possession of the Government and in arfanging for the presence of witnesses (para 5-8b, AR 15-6)?
15 Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?
FOOTNOTES: $1 /$ Explain all negative answers on an attached sheet
2I Use of the N/A colmm constifutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

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 ansons for tisagremon!. Adtitund/substate findings endor recommondations may be moluded in the molosure.)

(b) (5)
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I approve the findings and return this matter to the Battalion (b)(3), (b)(6) for appropriate action.


JUN 182007


DEPARTMENT OF THE ARMY

FOXTROT, $2^{\text {Sid }}$ BATTALION, $16^{11 /}$ INFANTRY REGMMENT 2ND INFANTRY DIVISION<br>MULTI-NATIONAL. DIVISION-BAGHDAD<br>FOB RUSTAMIYAII, IRAQ APO AE 09390



MEMORANDUM FOR (b)(3) (b)(6) 2nd Brigade, 2nd Infantry Division, Multi-National Division-Baghdad, FOB Loyalty, haq AP() AE 09390

SUBIECT: 15-6 lindings of death of PFC Payne, Cameron K.; (b)(3)(b)(6)

1. Summary. On 11 June 2007 at approximately 1314 hours, fourthplatoon of Delta, $2-16 \mathrm{IN}$ BN SP'd from FOB Rustamiyah on a combat patrol. PFC Payne was serving as the gunner in the second vehicle of a four-vehicle convoy. The convoy was emroute from FOB Rustamiyah to the Ranger JSS (COP Cajimat) when the convoy was attacked by a command-wire detonated, multiple arrayed copper explosively formed penctrator (EFP) at grid MB 5557487570 on/around 1355 hours. This attack resulted in one (1) damaged M1151 and two wounded United States Soldiers. PFC Payne was the most seriously injured Soldier who sustained a severe shrapnel wound to the head. At 1407 hours, PFC Payne was ground cvacuated to FOB Loyalty. At 1417 hours, the convoy arrived at Loyalty and proceeded to the hospital where he was stabilized and air evacuated to the CSH. PIC' Payne underwent emergency surgery at the CSH to relieve swelling of his brain. PFC Payne was pronounced dead at 2115 hours on 11 June 2007.
2. Findings. I find that neither PPCPayne nor any member of the convoy at fault for neither the event nor wounds that he sustamed which ultimately led to his death. The vehicle damage, injuries inflicted, and ultimately the death of PFC Payne was a result of AIF actions. PFC Payne was wearing the proper PPE (IBA, Esapi plates, Side plates, ACH, eye protection, and DAPS) when the incident occurred. He was sitting down, i.e., at neck defilade, white serving as the gumner.

## (b) (5)

3. Pont of contact for this memorandum is the undersigned at SVOIP (b)(3)(b)(6) or


Investigating Officer

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INVESTIGATING OFIPCER APPOINTMENT ORDERS
DA FORM 1574 REPORT OF PROCEEDINGS BY INVESTIGATING OFPICER
EXHIBIT A $4 / \mathrm{D} / 2-16 \mathrm{IN}$ TRIP TICKET, IIJNN07
I:XHIBIT B EVENT STORYBOARD (dated IIJUN07)
EXHIBIT C' SIERIOUS INCIDENT REPORT (SIR). $11 . J U N 07$
EXHIBIT D DA FORM 1594 (RTODUTY LOG), 11 JUN 07
EXHIBIT E STATEMENT OF MEDICAL EXAMINADION AND DUTY STATUS DA FORM 2173

EXIIBIT F ROUTE CLEARANCE GRAPHICS FOR 10-16 JUN 2007


EXHIBITI DAFORM 2823, SWORN STATEMENT:. (b)(3)(b)(6) 12JUN07

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## MISSION OF UNITS:

P: IOT BRING COMBAT ASSETS TO COMPANY A TIMELINE OF EVENTS:
TIMELINE OF EVENTS:
1355: 4/D/2-16 REPORTS AN IED STRIKE
1405: 1/A/2-16 SP COP CAJIMAT IN RESPON
1405: $1 / \mathrm{A} / 2-16$ SP COP CAJIMAT IN RESPONSE TO IED
1407: $4 / \mathrm{D} / 2-16$ IN ROUTE TO FOB LOYALTY WITH $2 \times$
M1151s AND URGENT LITTER WIA (b)(3) (b)(6)
1417: 4/D/2-16 RP FOB LOYALTY
(MB 54629 87113)
1446: 1/A/2-16 SECURED DAMAGED VEHICLE AND
ESCORT VEHICLE AT COP CAJIMAT
1440: (b)(3) (b)(QWAS STABILIZED AT FOB LOYALTY AND PREPPED FOR EVAC TO BALAD

## AEROSTAT ON STATION. 4/D/2-16 LEFT THE SCENE BEFORE AEROSTAT CONFIRMS.

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EOD ASSESSMENT:
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BN S2 ASSESSMENT: WE ASSESS THAT THIS IS A
CLEVELAND. VERY GOOD POSSIBILITY THAT HAJI RADI WAS BEHIND THIS, DUE TO LOCATION IN HIS SPHERE OF INFLUENCE.
FILENAME: 111355 JUN07, EVENT IED, 1 X DOW, ZONE
24, RIASSA, $4 / \mathrm{D} / 2-16$ IN, $2 / 2$ ID

## 2BCT / 2ID Serious Incident Report

From: RANGER MAIN

## To: STRIKE MAIN

Subject: U.S. SOLDIER DOW

1. Category: UNK
2. Type of incident: EFP STRIKE
3. DTG:
A. DTG of Incident: 111355 MAY 07
B. DTG BN was notified of Incident: 111355MAY07
C. DTG received by BDE: 10MAY07
4. Location: MB55578757
5. Personnel involved: $4^{\text {th }}$ Platoon, Company D, $2-16 \mathrm{IN}$
A. Subject: PAYNE, CAMERON C.
6. Rank or grade: PFC
7. Social Security Number: (b)(3)(b)(6)
8. Race: AMERICAN
9. Sex: $M$
10. Age: 22
11. Position: GUNNER
12. Security clearance: (b)(3)(b)(6)
13. Unit and station of assignment: $4^{\text {TH }}$ PLATOON, COMPANY D, 2-16IN, FOB RUSTAMIYAH
14. Marital Status: (b)(3)(b)(6)
B. Additional personnel involved:
15. Rank or grade(b)(3)(b)(6)
16. Social Security Number:(b)(3)(b)(6)
17. Race: CAUCASIAN
18. Sex: $M$
19. Age: 25
20. Position: PASSENGER / MEDIC
21. Security clearance: UNK
22. Unit and station of assignment: $4^{\text {TH }}$ PLATOON, COMPANY D, $2-16 \mathrm{IN}$, FOB RUSTAMIYAH
23. Marital Status: (b)(3)(b)(6)

## 2BCT / 2ID Serious Incident Report

E. Summary of incident: $111330 \mathrm{JUN} 074^{\text {TH }}$ PLATOON, COMPANY D, $2-16 \mathrm{~N}$ WAS STRUCK BY AN EFP VIC MB 556 875. THE EFP WENT OFF IN FRONT OF THE SECOND VEHICLE (D6) IN THE CONVOY. THE CONVOY WAS STOPPED WHEN A CASUALTY WAS IDENTIFIED. THE GUNNER IN THE D6 VEHICLE HAD TAKEN SHRAPNEL WOUNDS TO THE FACE AND HEAD AND WAS BLEEDING PROFUSELY. THE PLATOON MEDIC CAME UP FROM THE REAR VEHICLE TO ASSESS THE CASUALTY. THE OTHER VEHICLES BEGAN PULLLING SECURITY WITH THE MOUNTED WEAPONS SYSTEMS AND DISMOUNTED PERSONNEL. THE PLATOON TOOK SNIPER FIRE FROM THE NORTH WEST, BUT COULD NOT PID ANY ENEMY PERSONNEL. THE DISMOUNTS, INSTEAD, FIRED SUPPRESSION SHOTS IN THE GENERAL DIRECTION OF THE ENEMY THREAT. WHEN THE CASUALTY WAS LOADED BACK INTO THE VEHICLE, THE PLATOON BEGAN MOVEMENT TO FOB LOYALTY. AT VIC MB 546 871, THE TRUCK CARRYING THE CASUALTY DIED. THE CASUALTY WAS TRANSFERRED TO ANOTHER VEHICLE, PERSONNEL WERE CROSSLOADED, AND TWO VEHICLES CONTINUED THE CASEVAC PROCESS TO FOB LOYALTY, WHILE TWO VEHICLES STAYED (ONE DOWN, AND ONE FOR SECURITY). COMPANY A CAME TO RECOVER THE BROKEN DOWN VEHICLE AND THE REST OF THE CONVOY MADE IT TO FOB LOYALTY WITH NO FURTHER INCIDENTS.
F. Commanders Assessment:
6. Other Information

Racial Involvement: N/A Alcohol Involvement: N/A Last Deployment:
7. Remarks:
8. Commander reporting:
9. Point of contact:
10. Report originated by: (b)(3)(b)(6)
11. Released by:
12. Unit Notifications:

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## Duty Officer's Log, Consisting of 5 Pages

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## Statement of Medical Examination, Consisting of 1 Page

Contains personal medical information that would result in invasion of privacy, information that is exempt from release under 5 USC 552(b)(6).


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## Route Clearance Information, Consisting of 7 Pages

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 START TME： 0800
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## SWORN STATEMENT

For use of this form. see AR $190 \cdot 45$; 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 (SSA)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified
ROUTINE USES:
dISClOSURE: Your social security number is used as an additional/aternate means of identification to facilitate filing and retrieval Disclosure of your social security number is voluntary

 $\qquad$ WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 11 Junsb7, our convoy wis conducting a I5S Personal Changeover Mission ant escorting the Chaplain to company Cops. After a thorough route amigsis, we decided that a combination of

## (b)(7)

theses. As we ween turning off of maser bern rood int the would just north of R.assu. in. SED mad off in the feld/gned in fart of the mosque on then cone res. Al forest. I A ought there here no injustices, and I stopped the convoy to try wat cordon the are int
 munavered the vechates in do a tight perimeter and began going cad to the casually. We attempted to ped heron ospieloored. We put him in the rene seat af my shackle and
 the carivelty to :(b)(3)(b)(6) vah.ck. Then has whack and (b)(3)(b)(6) vechick Contmoed an to FoB Realty as my vehrick and (b)(3)(b)(6) wetick slayed to guard the domed vatick. During the incident, the graver hiss siting down. The IED strife occured Hic. MB 556875 at apron. 1330. The truck died (b)(3)(b)(6) 6 and the casualty mes durastored vices iv. MB 548871 . The cssealty arrant at FOB 10. EXHIBTT Loyalty approx. 20 minuter after the incident. NOTHINE FOLLOWS.









[^0]:    EXHIBIT PECPAYNE'SERB

