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Report No. IE-2008-001

January 4, 2008

Inspector General

United States

Department of Defense



Inspections and Evaluations

Review of the Investigative Documentation

Associated with the Death of

Army Corporal Stephen W. Castner in Iraq

Warning

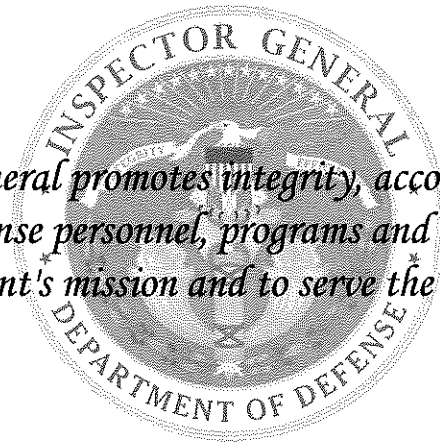
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REPORT TRANSMITTAL

We are providing this report to the Secretary of the Army for information and use. We considered management comments to our findings and recommendations in preparing this final report. The comments from the Office of the Inspector General, Department of the Army conformed to the requirements of DoD Directive 7650.3, "Follow-up on General Accounting Office (GAO), DoD Inspector General (DoD IG), and Internal Audit Reports," June 3, 2004. Therefore, additional comments are not required. The complete text of the comments is in the Management Comments appendix of this report. The DoDIG Follow-up/GAO Affairs Directorate will arrange follow-up actions on implementing the report's recommendations.



Wm Brem Morrison, III
Assistant Inspector General
for Inspections and Evaluations

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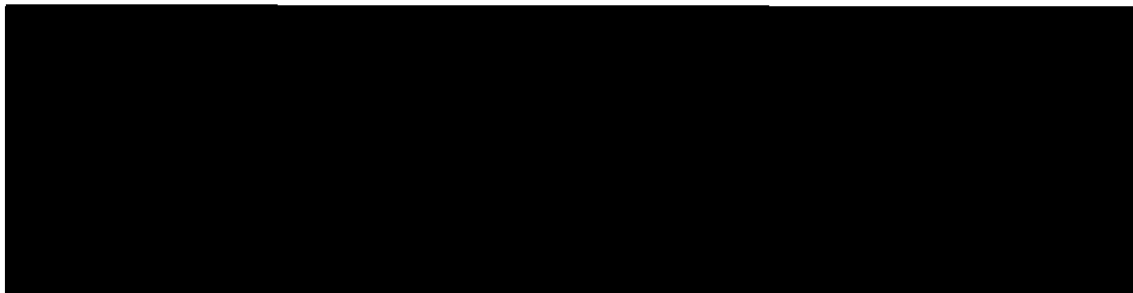
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Review of Investigative Documentation Associated with the Death of Army Corporal Stephen W. Castner in Iraq (Report No. IE-2008-001)

Background. The Honorable F. James Sensenbrenner requested this review on March 30, 2007 (Appendix A), on behalf of [REDACTED] the parents of Corporal (CPL) Stephen William Castner. CPL Castner died on July 24, 2006, from wounds when the High Mobility Multipurpose Wheeled Vehicle (HMMWV) in which he was riding as a gunner was hit by a “hand-wired” improvised explosive device (IED) which used an explosively formed projectile (EFP). The incident occurred near Tallil, Iraq during a supply convoy operation from Kuwait to Baghdad. Appendix B is a chronology of events associated with this matter.

The Deputy Commander of the 336th Transportation Group, Camp Arifjan, Kuwait, conducted an Army Regulation 15-6 (AR 15-6) investigation of the incident. Subsequently, the Staff Judge Advocate (SJA), 143rd Transportation Command, Camp Arifjan, reviewed the investigation report.

[REDACTED] obtained a copy of the AR 15-6 report and requested further investigation into three specific allegations as described in their March 28, 2007 letter to the Acting Inspector General, Department of Defense (Appendix C).



When attacked on July 24, 2006, the two-mile long convoy was comprised of three types of vehicles: (1) Security vehicles (“gun trucks”—up-armored HMMWVs); (2) Army supply vehicles driven by US soldiers (“green trucks”); and (3) Army supply vehicles driven by foreign nationals (“white trucks”). CPL Castner’s gun truck was designated B-41 and was positioned near the end of the convoy.

Summary of Results. Based on our review of the AR 15-6 investigation report and other appropriate documents and the results of our interviews, we conclude that, although we identified two administrative issues, the report is sufficient and documents the facts and circumstances related to this incident. Consequently, there is no basis to reopen the Army’s investigation.

The two administrative issues will be referred to the Office of the Secretary of the Army for appropriate action. The first issue is the need to ensure the findings within the AR 15-6 investigation are accurate and supported by sufficient evidence. Secondly, we identified an administrative discrepancy that resulted in two versions of the AR 15-6 report—the original

classified version that was provided to the appointing authority and a revised unclassified version of the original that was sent to [REDACTED]. Revising the report was contrary to preparing classified information for public release. Our report makes three recommendations to remedy the administrative issues.

With respect to the [REDACTED] request to further investigate specific allegations, we conclude as follows:

- The various commands took appropriate steps to ensure soldiers were provided with vehicles possessing a reasonable probability of force protection.
- The 180th Transportation Battalion and its superior commands (up to and including Third Army/ARCENT) ensured that their soldiers performing convoy operations were trained in accordance with existing Army procedures to properly respond to an EFP attack on a convoy. In addition, we concluded that after the IED attack, the convoy commander responded in accordance with prescribed procedures and exercised appropriate command and control actions.
- The Deputy Commander, 336th Transportation Group (the AR 15-6 Investigative Officer) and the Staff Judge Advocate of the 143rd Transportation Command did not make false official statements.

Management Comments and OIG Response. The Army had no disagreements with the findings and recommendations.

Objectives, Scope, and Methodology. As stated in our May 23, 2007 correspondence to Congressman Sensenbrenner (Appendix D), we agreed to review the Army Regulation 15-6 (AR 15-6) investigation report concerning CPL Castner's death and respond to [REDACTED] questions related to the incident and the investigation report.

We conducted this review between May and November 2007. The review process included the following steps:

- reviewed and compared the classified AR 15-6 investigation report and the AR 15-6 report that was provided to [REDACTED]
- reviewed relevant documents and information from other Army components; applicable Department of Defense and Department of the Army policies and regulations; and the Manual for Courts-Martial;
- interviewed seven witnesses, including the investigating officer, the SJA who reviewed the AR 15-6 report, the convoy commander, the convoy security element commander, two soldiers in B41 with CPL Castner, and the commander of the 180th Transportation Battalion.

Issue 1: Vehicle Protection.

[REDACTED] alleges that the 336th Transportation Group, the Third Army/Army Central

Command (ARCENT), and a subordinate command “fail[ed] to assure that soldiers were provided with vehicles having a reasonable probability of force protection.”

Our analysis showed that the various commands took appropriate steps to provide the soldiers on this mission with vehicles possessing the best protective capability available at the time of the attack.

Analysis:

The B41 gun truck was equipped with the state-of-the-art HMMWV protection that was available in-theater at the time of the IED attack. B41 was an “up-armor” M1114-type HMMWV with Level I armor, which is integrated armor that is installed during vehicle production or retrofit and includes ballistic windows. It also had fragmentation kits 1 and 2 installed and additional cupola protection. These fragmentation kits provided enhanced IED protection around doors, rocker panels and along wheel wells. The theater command accelerated the fielding of fragmentation kit 1 by 16 months--September 2005 instead of the planned January 2007. They also accelerated fielding of fragmentation kit 2 by 14 months--February 2006 instead of April 2007. While this configuration could not always defeat a direct hit from an EFP, it did provide significantly improved protection from the greater variety of IEDs on the battlefield at the time of the attack. Also, all the gun trucks in the convoy, to include B41, were equipped with operational electronic jamming devices. These devices prevent radio or mobile telephonic detonation of IEDs. Examination of B41 after the IED attack confirmed that the jamming device was operating at the time of the attack. However, this jamming device can not defeat a “hand-wired” IED.

Issue 2: Training for Convoy Operations and Convoy Commander’s Actions.

██████████ questioned if the 180th Transportation Battalion and its superior commands (up to and including Third Army/ARCENT) “assure[d] that soldiers were trained to properly respond to an EFP attack on a convoy. . . .” He also questioned if the convoy commander acted appropriately in maintaining command and control after the IED attack.

The 180th Transportation Battalion personnel and the soldiers who executed the convoy mission were trained to properly respond to an EFP attack on a convoy. Also, based on our analysis of the documents and interview statements, we conclude that the convoy commander made appropriate decisions and took appropriate action in accordance with Army doctrine and standard operating procedures.

Analysis:

The 180th Transportation Battalion (180th) consisted of several organizational elements, including mobilized National Guard companies. One of the assigned National Guard companies—“A” Company, 31st Forward Support Battalion (A/31)—ran the supply convoy on July 24, 2006. A/31 completed pre-deployment training at Camp Atterbury, Indiana, receiving the same training that CPL Castner’s unit received at Camp Shelby, Mississippi. All of the 180th units, to include A/31, were trained to conduct convoy operations and to react

to an IED attack in accordance with established procedures. The First Army documented this training. Additionally, the 180th and A/31 had been in-theater running convoys for over 10 months prior to July 24, 2006. They had accumulated over 20 million convoy-miles (miles x the number of vehicles in the convoy) of experience prior to the attack on B41.

We reviewed Army doctrine and training for tactics, techniques and procedures for conducting convoy operations in Iraq. Convoy training includes simulated exercises and drills to teach soldiers and demonstrate the proper response when confronted with enemy contact, including IED attacks. These battle drills stress that the first requirement when ambushed is to maintain the movement of the convoy and quickly proceed through the contact point in order to reduce exposure and deny the enemy the ability to engage the convoy effectively.

Consistent with standard convoy procedures, when B41 was attacked, the convoy continued through the attack zone as quickly as possible. Concealed in a cloud of smoke and dust, and unobserved by those vehicles in trail, the damaged B-41 veered off the road and into a marsh, where it came to rest in the water and among the tall reeds.

Based on our analysis of the documentation and witness statements, the convoy commander was not aware of the status of B41 immediately after the IED attack. The convoy was approximately two-miles long traveling at the prescribed speed and with appropriate vehicle intervals to minimize bunching, a prescribed tactic to enhance force protection. The convoy commander was positioned near the front of the convoy. B41 was positioned near the rear of the convoy. According to witness statements, the IED blast created a large cloud of dark smoke and dust that obscured the highway and B41. The movement of the convoy and the nature of the blast prompted the occupants of green truck 117, the vehicle immediately behind B41, to believe erroneously that they were the target of the attack. Therefore, they made a radio call on the internal convoy communications network announcing the IED attack and that they were undamaged and proceeding forward.


The convoy commander and the crews in all the “green” supply vehicles and the gun trucks monitored the convoy communications network. After the remainder of the convoy transited the attack area, the occupants in the gun truck that was at the end of the convoy (and about eight vehicles behind B41) reported over the radio network that all vehicles were clear—a judgment based on their observation that no wrecked or damaged convoy vehicles were on or beside the highway. In a stressful combat environment, initial post-attack reports can be confusing or wrong--even when the best-trained combat units are involved. Shortly after the last vehicle cleared the attack area, green truck 117 noticed and announced over the radio that B41 was no longer in front of them.

Given the initial information transmitted by green truck 117, the convoy commander, consistent with doctrine and training, ensured the convoy was well clear of the attack zone, stopped the convoy and secured it, confirmed that B41 was unaccounted for, and returned to the IED attack site with security and medical help. Based on the reconstruction of the time line (see Appendix B), approximately 15 to 20 minutes elapsed from the time of the IED

attack until the convoy commander located B41 in the marsh and initiated medical assistance. Approximately 5 minutes thereafter a medical evacuation was requested.


The convoy commander reacted appropriately in maintaining command and control after the IED attack. He was well qualified for this mission. The 180th commander rated the convoy commander as number 6 out of 50 convoy commanders with regard to experience and proficiency. Prior to the attack, the convoy commander had led 16 convoys and logged over 549,048 convoy miles. Additionally, the 180th commander accompanied the convoy commander on at least two occasions and had found no fault with his judgment, tactics, techniques, or procedures.

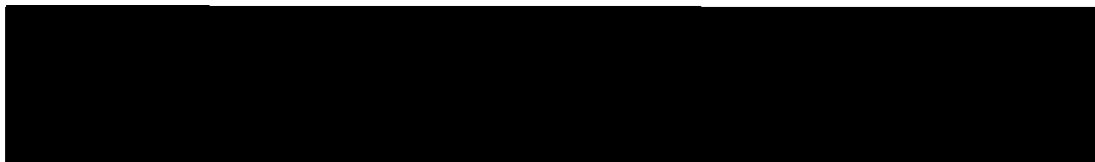
Issue 3: Statements by the Investigating Officer.

 alleged the Deputy Commander of the 336th Transportation Group, the investigating officer, made a false official statement in the AR 15-6 report of investigation with respect to how the members of the convoy responded to the IED attack.

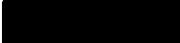

Applying the Manual for Courts-Martial criteria for characterizing a false official statement, we conclude that the AR 15-6 investigating officer had no intent to deceive and therefore, did not make a false official statement. We did, however, identify some inaccurate statements in the report, but those statements did not affect the investigation's overall conclusions about the incident.

Analysis:

The Deputy Commander of the 336th Transportation Group was the AR 15-6 investigating officer.  alleges that:





In considering  allegation, we reviewed (1) both versions of the AR 15-6 investigation—the original classified version and the version that was sent to  (2) witness statements that were part of the AR 15-6 investigation; (3) testimony we obtained from witnesses; and (4) Article 107—"False official statements," under the Manual for Courts-Martial (MCM).

To substantiate an allegation of "false official statement," Article 107 of the MCM requires that all of the following elements must be proven:

1. That the accused signed a certain official document or made a certain official statement;
2. That the document or statement was false in certain particulars;
3. That the accused knew it to be false at the time of signing it or making it; and
4. That the false document or statement was made with the intent to deceive.

The AR 15-6 report [REDACTED] received does not state that the convoy commander radioed each gun truck immediately after the IED attack. The report documents “[o]riginal radio reports stated that all gun trucks were mission capable, but then truck 117 called in that gun truck B41 was not in front of them anymore and radioed the report to the rest of the convoy.” The AR 15-6 report that was submitted to the appointing authority states: “[o]riginal radio reports stated that all gun trucks were ‘green,’ but then truck 117 called in that gun truck B41 was not in front of them any more and radioed the report to the rest of the convoy.”

Our analysis concludes that the AR 15-6 statements at issue are not accurate in light of the evidence we reviewed. Specifically, the witness statements do not support the AR 15-6 finding that original radio reports stated that all the *gun trucks* were either “mission capable” or “green.” The witness statements indicate that internal convoy radio reports immediately after the IED attack focused on the status of the *supply trucks* (i.e., the green trucks and the white trucks) and not the gun trucks. For example, we noted that one witness who was the driver of the lead green truck in the convoy stated “[a]fter the blast all of the 31st elements [i.e., the Army supply vehicles] called up that they were green.” A careful reading of the witness statements taken by the AR 15-6 investigating officer indicates that he erroneously attributed witness observations or comments regarding the status of the supply trucks with the status of the gun trucks. This erroneous conclusion was further supported by statements that the gun truck at the rear of the convoy radioed that all trucks were clear of the attack site, which included both Army supply trucks and gun trucks.

Collectively, the witness statements adequately captured the events following the IED attack. However, as one might expect, when recalling the details of a combat engagement, each individual statement reflects the stress and confusion of the moment and the different perspectives of witnesses, depending upon where individuals were in the convoy and what communications they recall hearing. The evidence we reviewed and obtained does not indicate that the convoy commander radioed each gun truck after the IED attack. Rather, we believe the facts reflect that the convoy commander was monitoring the internal convoy communications network and, following the IED attack, had believed that all convoy vehicles were clear, based on the information communicated by green truck 117—the assumed target of the IED attack—and information from the last gun truck in the convoy that reported all vehicles were clear

We found no basis to conclude that the inaccurate statements were made with intent to deceive or cover up or conceal facts. Instead, the inaccurate statements were the result of the

investigating officer attempting to characterize the witness statements as reported during the first stressful moments after the attack.

Recommendation 1: The Secretary of the Army take appropriate action to ensure that findings within AR 15-6 investigations are accurate and supported by sufficient evidence.

Issue 4: Statements by the Staff Judge Advocate.

██████████ alleged the Staff Judge Advocate (SJA) of the 143d Transportation Command made a false official statement in his legal review of the AR 15-6 report of investigation. We did not substantiate this allegation.

Analysis:

██████████ alleged that the SJA made the following four false official statements within the SJA's legal review memorandum of the AR 15-6 report of investigation:

1. "Any person suffering these wounds, given the type of IED used, and the time it took to extradite (sic) SPC Castner from the vehicle, created an inevitable result no matter what level of care was provided."
2. "Based on the autopsy report, SPC Castner was beyond the point of saving by the time the MEDAVAC (sic) flight arrived."
3. "The soldiers at the scene reacted IAW their training...."
4. "The findings [in the AR 15-6 report] are consistent with, and supported by, substantial evidence."

SJA Statements 1 & 2: ██████████ believes that statements made by the physician who performed the autopsy on CPL Castner prove that statement 1 is false and statements made by the Army medic who treated CPL Castner during the medical evacuation (MEDEVAC) helicopter flight prove statement 2 is false.

The Armed Forces Institute of Pathology (AFIP) medical examiner who performed CPL Castner's autopsy, in his preliminary autopsy report, noted the cause of death as "multiple ballistic injuries." The AFIP medical examiner's preliminary autopsy diagnosis (PAD) listed the following five groups of CPL Castner's wounds:

1. Ballistic injury of the left thigh;
2. Multiple (approximately 14) superficial and deep penetrating shrapnel injuries of the left buttock;

3. Multiple (approximately 25) superficial and deep penetrating shrapnel injuries of the posterior aspect of the left thigh;
4. Multiple (approximately 13) superficial and deep penetrating shrapnel injuries of the posterior aspect of the right thigh; and
5. Other injuries.

With respect to the ballistic injury of the left thigh, the AFIP medical examiner's PAD noted injuries to the left profunda femoris artery and left medial circumflex femoral artery.

While conducting his investigation, the AR 15-6 investigating officer asked the AFIP medical examiner by e-mail "Did [CPL Castner] lose all his blood in the 20 minutes while he was in the water (no large amounts of blood was seen)?" The medical examiner replied:

[REDACTED]

The MEDEVAC medic who treated CPL Castner on the helicopter noted in his Patient Care Report:

[REDACTED]

We note that SJA statement 1 essentially restates the opinion of the investigating officer, as stated in the classified AR 15-6 report. Based on our interview with the SJA, statement 2 was the SJA's opinion derived from the evidence presented in the investigation report. We found no evidence suggesting that the SJA made the statements with the intent to deceive. Lacking intent, there is no basis to conclude that statements 1 and 2 were false official statements.

SJA Statement 3: Because [REDACTED] believes the actions of the soldiers following the IED attack were not in accordance with their training, he alleges that SJA statement 3 is false. Specifically, [REDACTED] asserts "... [REDACTED]

[REDACTED]

The facts do not support this assertion. As we discussed in Issue 2 above, the evidence shows that the soldiers in the convoy reacted appropriately to the IED attack, consistent with their training. The facts do not support the assertion that the occupants of B41 were abandoned by their fellow soldiers. Therefore, there is no basis to conclude that statement 3 is a false official statement.

SJA Statement 4: With the exception of the factual inaccuracy discussed in Issue 3 above, we believe the AR 15-6 report adequately reflects the facts and circumstances regarding the IED attack. Therefore, there is no basis to conclude that statement 4 is a false official statement.

Administrative Issue—Inappropriate “Revision” of the Classified AR 15-6 Report.

The Army provided a revised version of the AR 15-6 investigation report to [REDACTED] which differed from the version sent to the Commander of the 336th Transportation Group, the appointing authority. The revisions in the copy of the report provided to [REDACTED] had no impact or affect on the findings and conclusions of the AR 15-6 investigative report.

Analysis:

The Army provided an unclassified version of the AR 15-6 investigation report to [REDACTED] [REDACTED] which differed from the classified version sent to the Commander of the 336th Transportation Group, the appointing authority. Examples of changes included:

- an opinion statement by the investigating officer regarding Corporal Castner’s prognosis was eliminated;
- acronyms and military identifiers and terminology were either spelled out or were replaced with a narrative description;
- amplifying or explanatory information was inserted in several paragraphs;
- certain operational details, potential security-sensitive or classified information were either deleted or replaced with narrative that was deemed acceptable for public disclosure; and
- editorial or formatting changes were made.

According to Army officials we interviewed, the version of the report sent to [REDACTED] was an administrative attempt to provide a report that would assist him, as a civilian, to better understand the facts and circumstances surrounding the death of his son, while safeguarding operational or classified matters. Also, based on our review, the version of the report sent to [REDACTED] did not affect the findings and conclusions of the report. However, notwithstanding these points, the version provided to [REDACTED] should have been a redaction of the original report.

There are Department of Defense policies governing redaction of classified reports for public release. For example, in his July 2005 memorandum, “Policy and Procedures for Sanitization of Department of Defense (DoD) Classified or Controlled Unclassified

Information Prior to Public Release,” the Under Secretary of Defense for Intelligence states that sanitization of hard copy documents should be made by physically removing information with an exacto-style knife or using black-out or tape over the information and then photocopying the document.

Although the administrative effort to improve readability of the original report for non-military readers may have merit, such a practice is contrary to DoD policy and could invite confusion and misunderstandings when compared to the official classified version.

Recommendation 2: That the Secretary of the Army take appropriate action to ensure that Army organizations release AR 15-6 reports in accordance with DoD and Department of the Army policies and regulations.

Recommendation 3: That the Commander, Third Army, provide [REDACTED] a properly redacted copy of the AR 15-6 report that was provided to the appointing authority.

Management Comments. The Army had no disagreements with the recommendations. They did note that the Preliminary Autopsy Report, conducted by the Armed Forces Institute of Pathology, listed CPL Castner’s date of birth incorrectly. We contacted the Armed Forces Institute of Pathology (AFIP) and confirmed that the final autopsy report had the correct date of birth.

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Appendix A: The Honorable F. James Sensenbrenner's Letter to the
Acting Inspector General—March 30, 2007

F. JAMES SENSENBRENNER, JR.
Fifth District, Wisconsin
COMMITTEE ON THE JUDICIARY
CHAIRMAN



Congress of the United States
House of Representatives
Washington, DC 20515-4905

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262-784-1111
OUTSIDE MILWAUKEE METRO
CALLING AREA:
1-800-242-1119

March 30, 2007

Mr. Thomas F. Gimble
Acting Inspector General
United States Department of Defense
400 Army-Navy Drive, Room 1000
Arlington, VA 22202
Attn: [REDACTED] Congressional Liaison
VIA FAX 703-604-[REDACTED]

Re: [REDACTED] on behalf of their deceased son, Stephen W. Castner

Dear Mr. Gimbel:

I am writing on behalf of my constituents who have asked for my involvement in the investigation of the death of their son, CPL Stephen W. Castner, who was killed in Iraq in July, 2006. [REDACTED] request that the Office of Inspector General of the Department of Defense review the alleged violations as described by [REDACTED] in the attached correspondence.

I would appreciate if you would please review and consider these concerns and provide me with a written response.

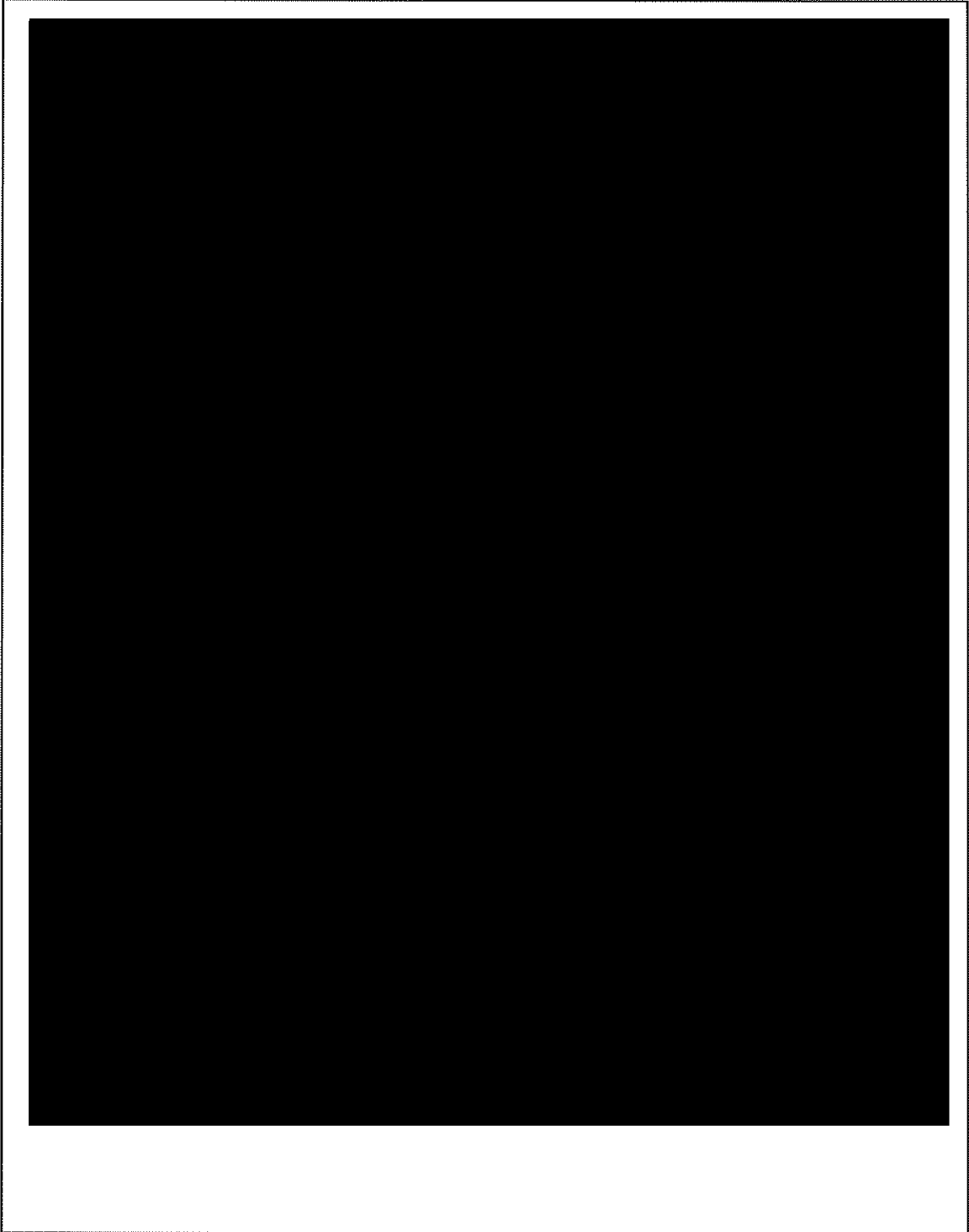
All correspondence may be forwarded to my District Office, 120 Bishops Way, #154, Brookfield, WI 53005. If you have any questions, please feel free to contact [REDACTED] in my District Office at 262-784-1111.

Thank you for your assistance with this matter.

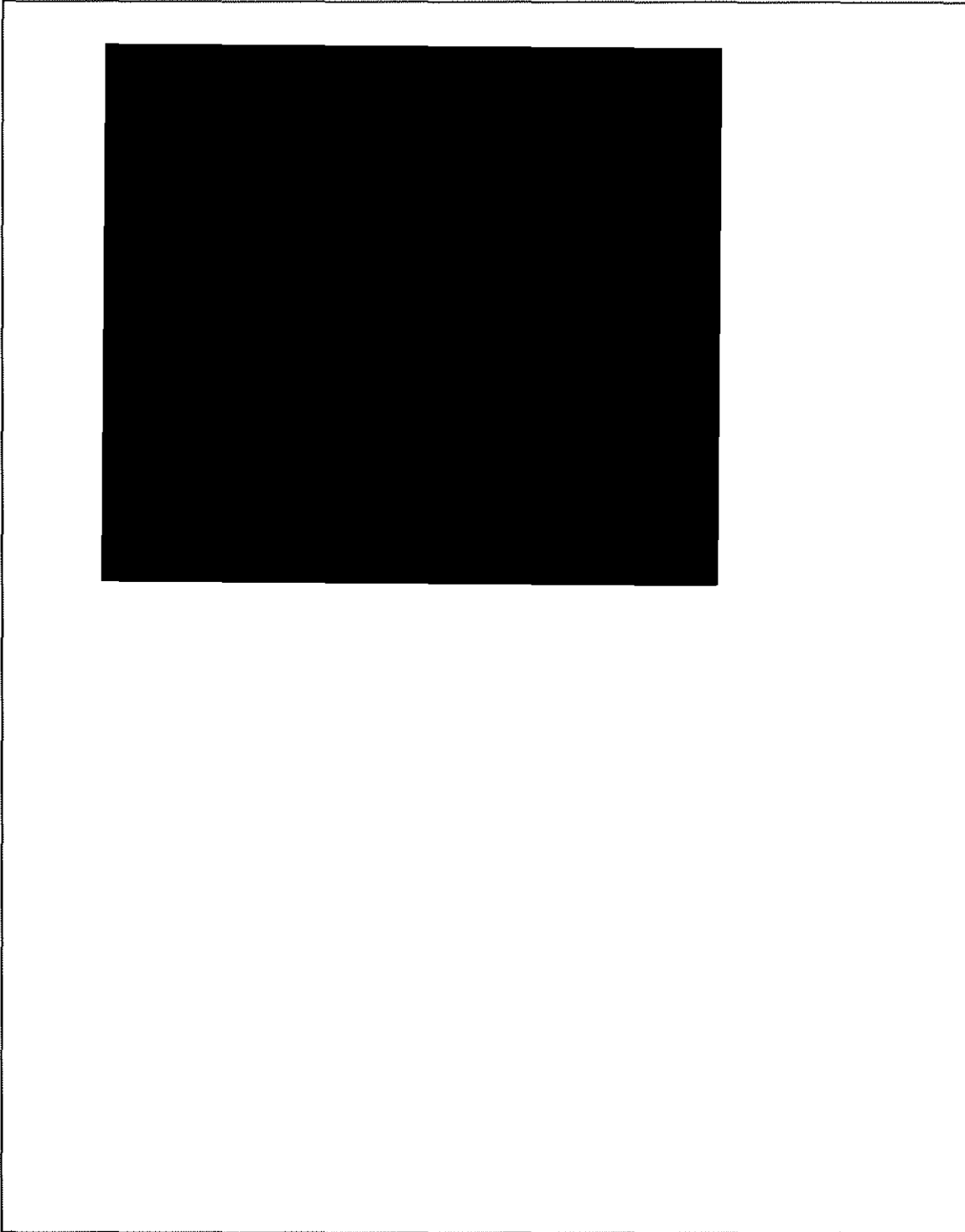
Sincerely,


F. JAMES SENSENBRENNER, JR.

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Appendix B: Chronology of Events Related to the Death of Corporal Stephen W. Castner on July 24, 2006

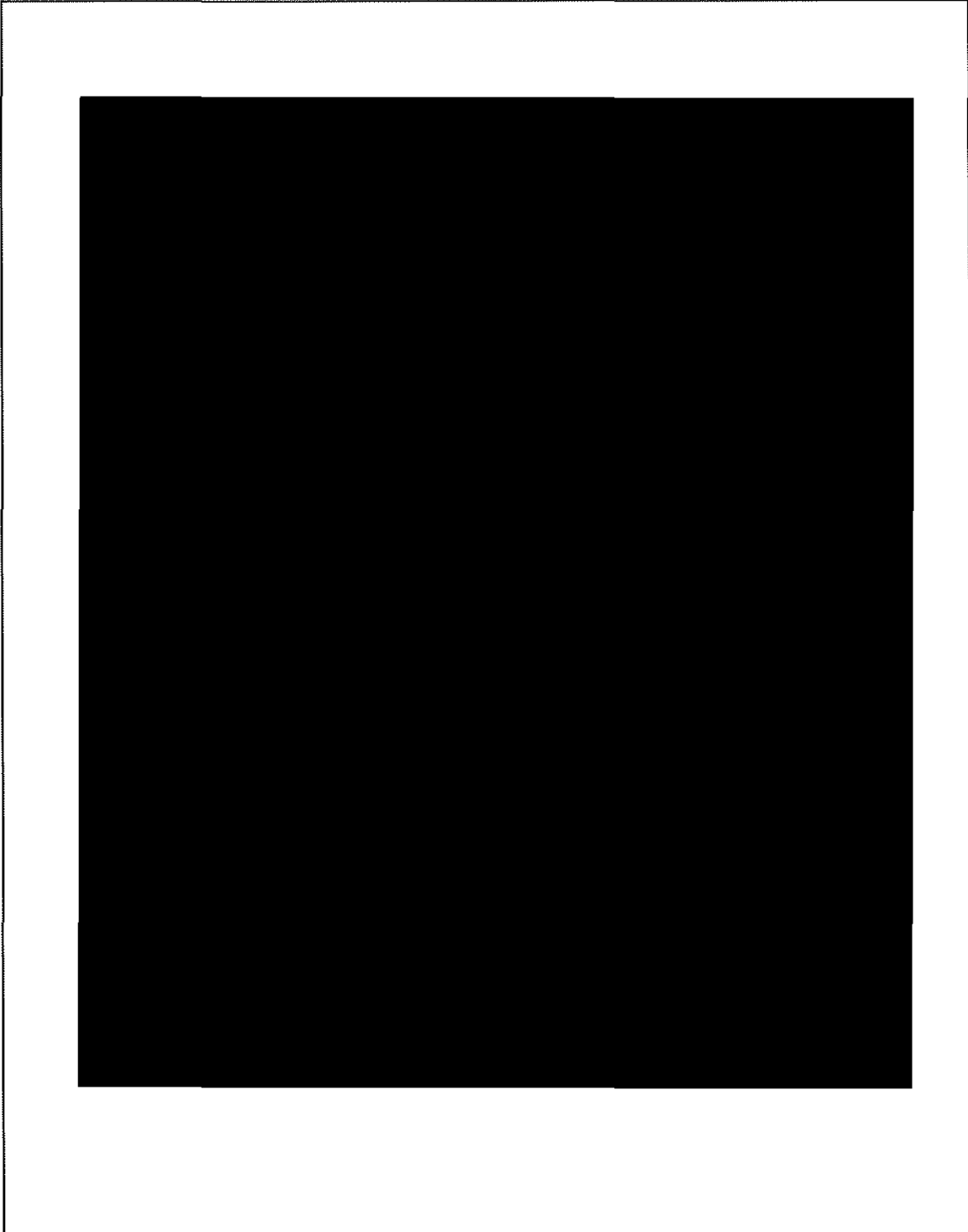
- April 22 – June 30, 2006: CPL Castner’s unit, 1/121 Field Artillery (FA), trained at Camp Shelby, MS. In addition to individual training, the unit trained to provide convoy support/protection for operations in Iraq using High Mobility, Multi-purpose Wheeled Vehicles (HMMWVs) as gun trucks.
- July 13, 2006: The Commander of 3d Brigade, 87th Division (Training Support), First Army validated 1/121 FA as trained and ready to deploy.
- July 19, 2006: CPL Castner arrived in Kuwait, along with elements of 1/121 FA.
- July 24, 2006: While conducting a convoy operation on Main Supply Route (MSR) TAMPA near Tallil, Iraq, CPL Castner’s gun truck was attacked by a hand-wired Improvised Explosive Device (IED) that used an Explosively Formed Projectile (EFP). The times below are an approximation based on a review of witness statements and Tactical Operations Center Movement Tracking System (MTS) logs, and other documents.
 - 12:59 pm: An EFP struck CPL Castner’s up-armored HMMWV gun truck (call sign B41). Because of the dust and smoke from the IED explosion, the Army supply truck (green truck) 117 behind B41 did not see it veer off the right side of the road and into a marsh with high reeds. Believing the IED attack was aimed at their vehicle, the crew of the supply truck reported “No damage” and the convoy keeps moving. Shortly thereafter, the gun truck at the rear of the convoy radioed that all trucks were clear of the attack site, which included both Army supply trucks and gun trucks.
 - 1:01-1:05 pm: Initial reports that B41 is missing.
 - 1:09 pm: Having exited the attack zone, the convoy commander halted the 3.4 kilometer (2.1 miles) long convoy and confirmed that B41 was missing.
 - Between 1:14 and 1:19 pm: The convoy commander located B41, which was partially concealed by high reeds, and the wounded crew. Trained Combat Life Savers/Emergency Medical Technicians, who were paramedics in their civilian careers, began treating the wounded, to include CPL Castner.
 - 1:25 pm: A MEDEVAC helicopter was requested, via radio. This request was forwarded to the MEDEVAC unit and received by that unit at 1:33 pm.
 - 1:55 pm: The MEDEVAC helicopter arrived at the attack site.
 - 2:05 pm: The MEDEVAC helicopter arrived at the Combat Support Hospital (CSH) with the wounded, to include CPL Castner.

– 2:53 pm: CPL Castner was declared deceased.

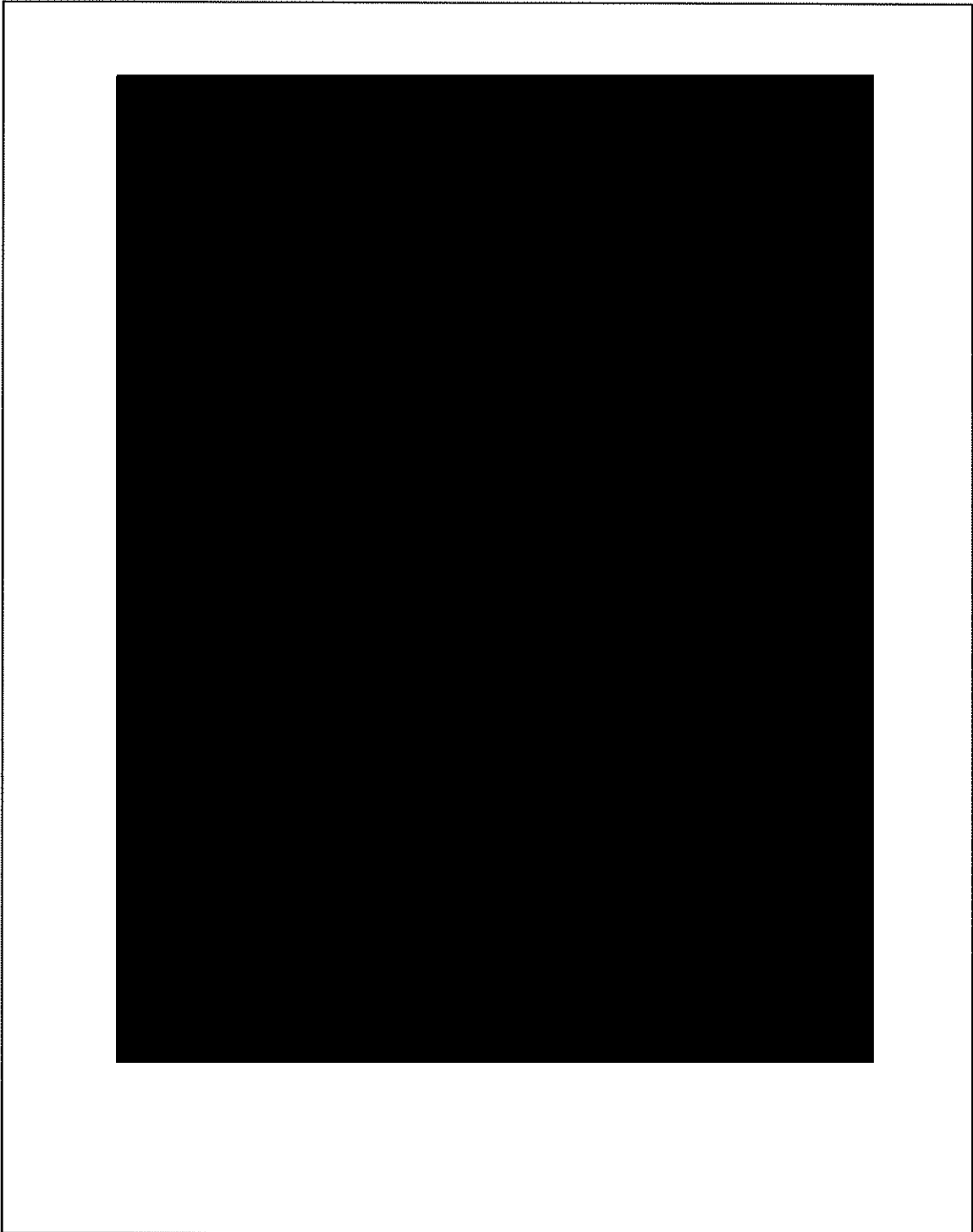
- July 28, 2006: The Deputy Commander, 336th Transportation Group was appointed as the Army Regulation (AR) 15-6 investigating officer, by the 336th Transportation Group Commander.
- August 8, 2006: The investigating officer completed the AR 15-6 investigation report.
- August 10, 2006: The 143rd Transportation Command (Forward) Staff Judge Advocate completed the legal review of the AR 15-6, concluding that the findings were consistent with, and supported by, considerable evidence and that the recommendations were consistent with the findings. He found no legal objection to the AR 15-6.

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Appendix C: [REDACTED] Letter to the Acting Inspector
General—March 28, 2007

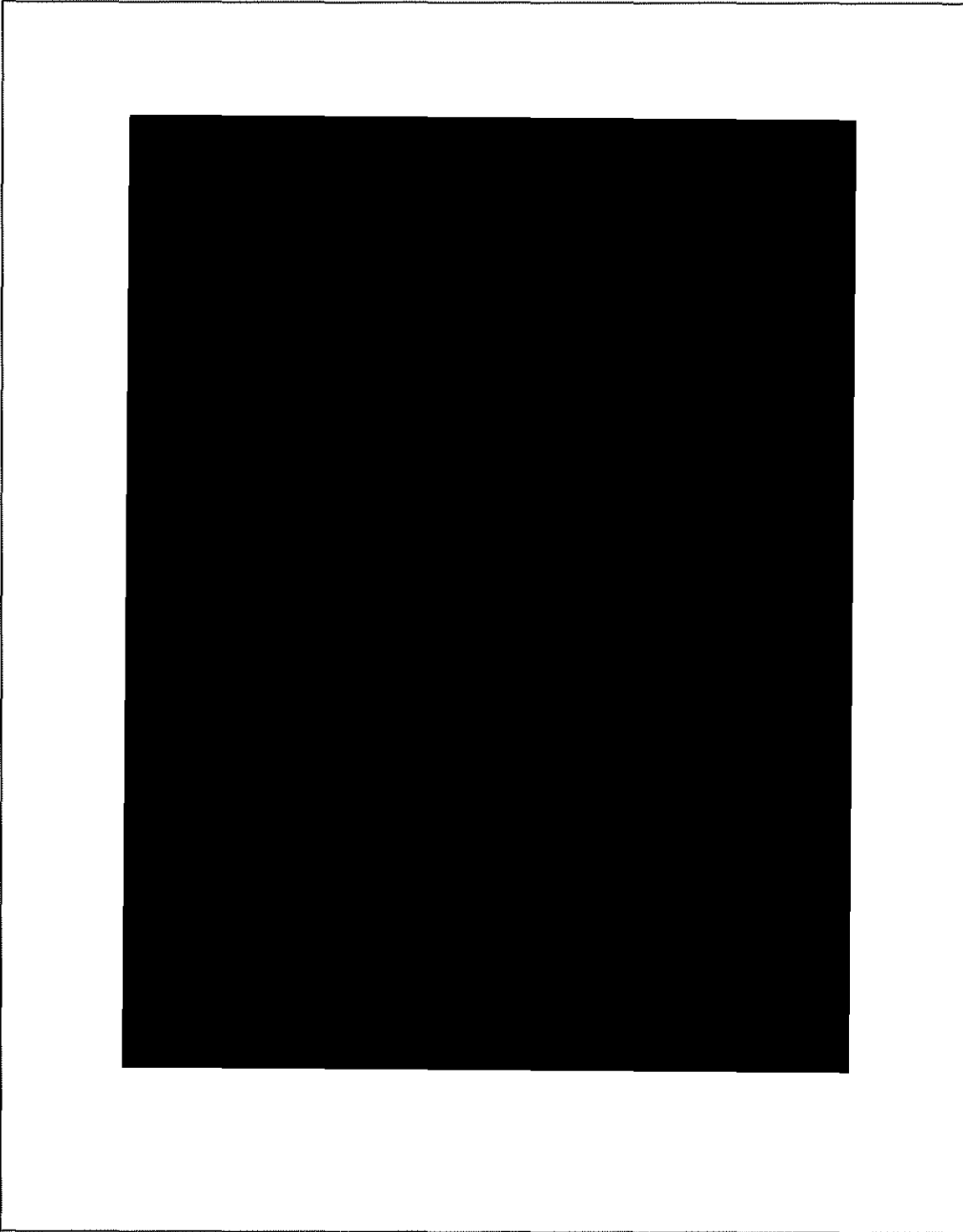


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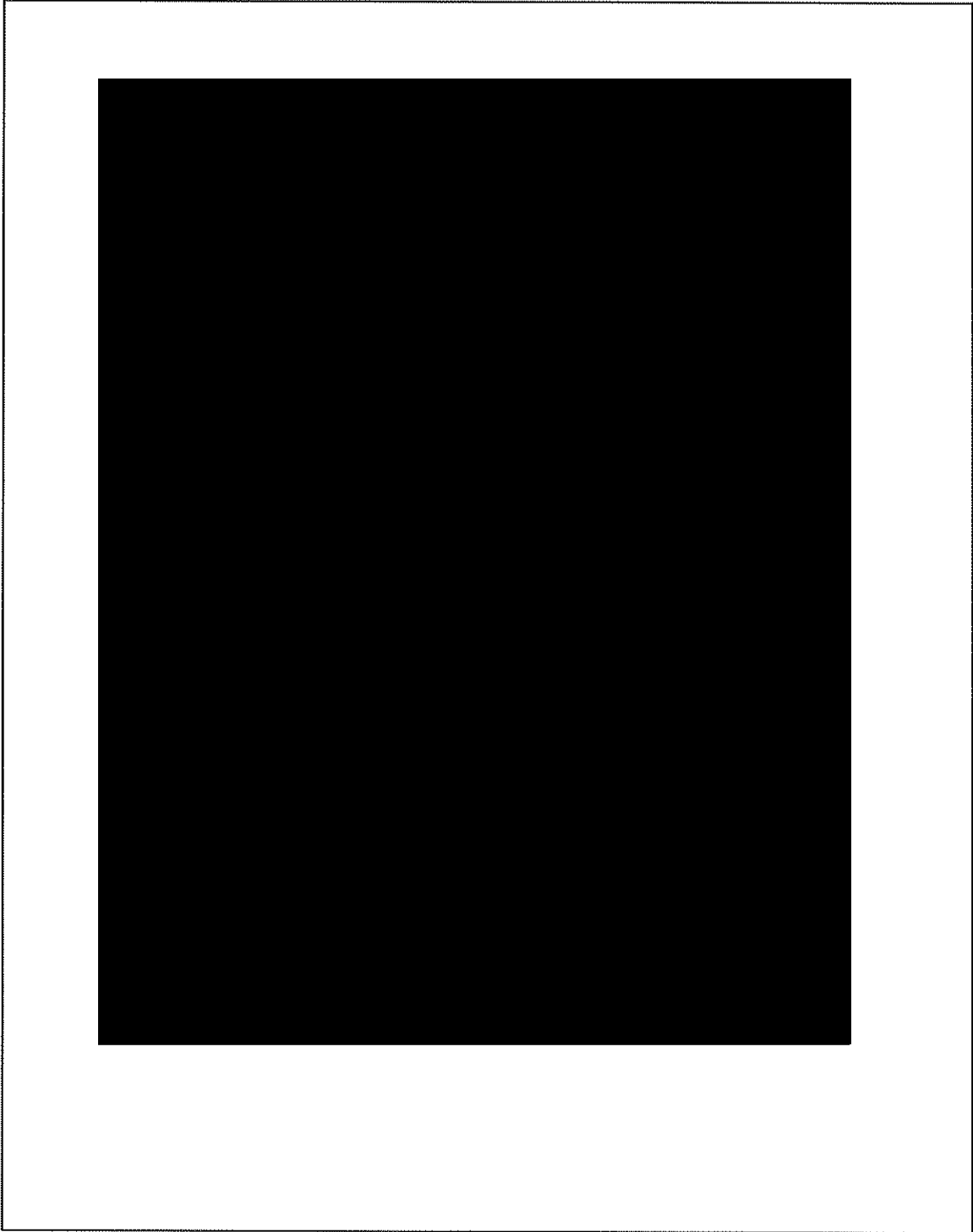


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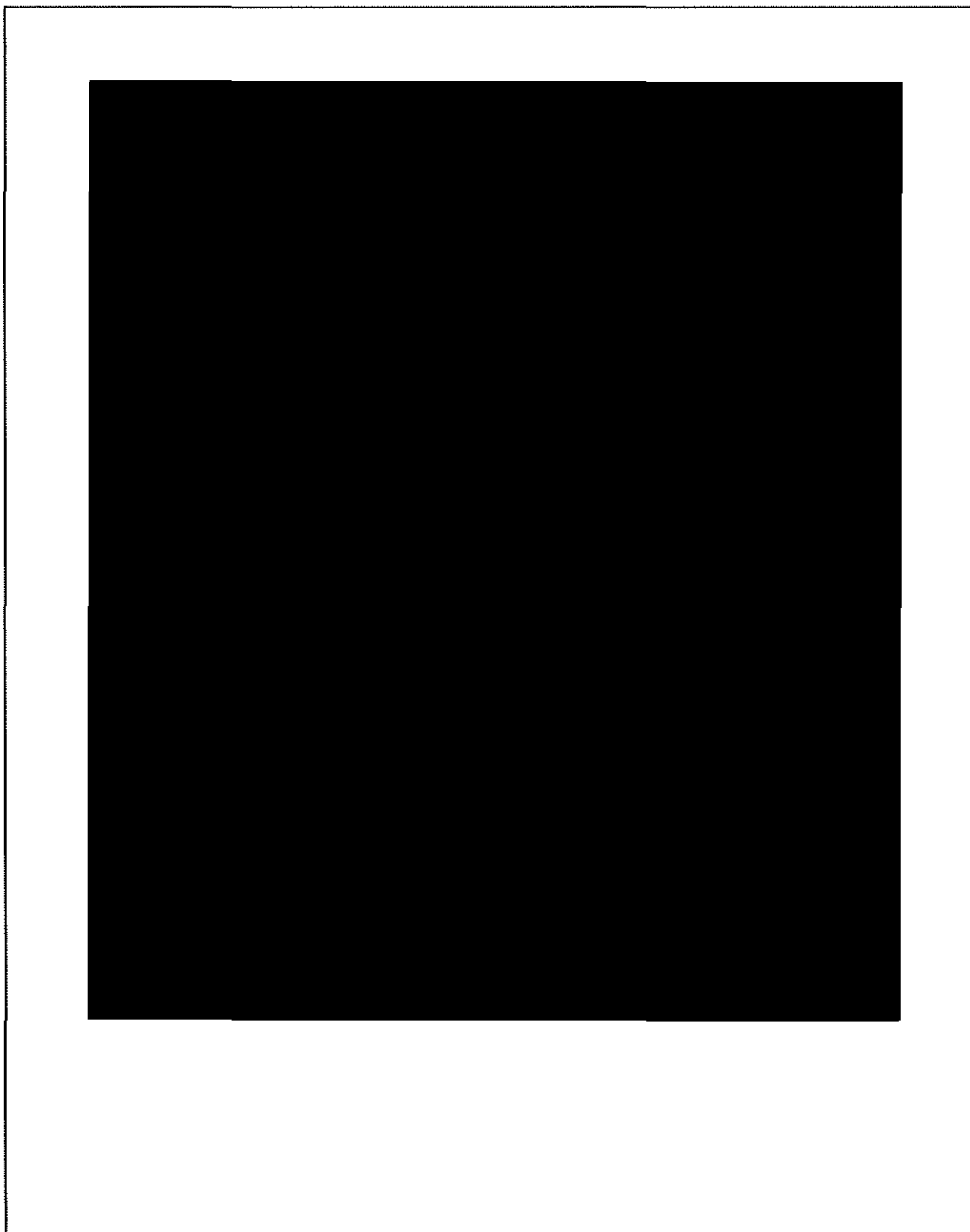


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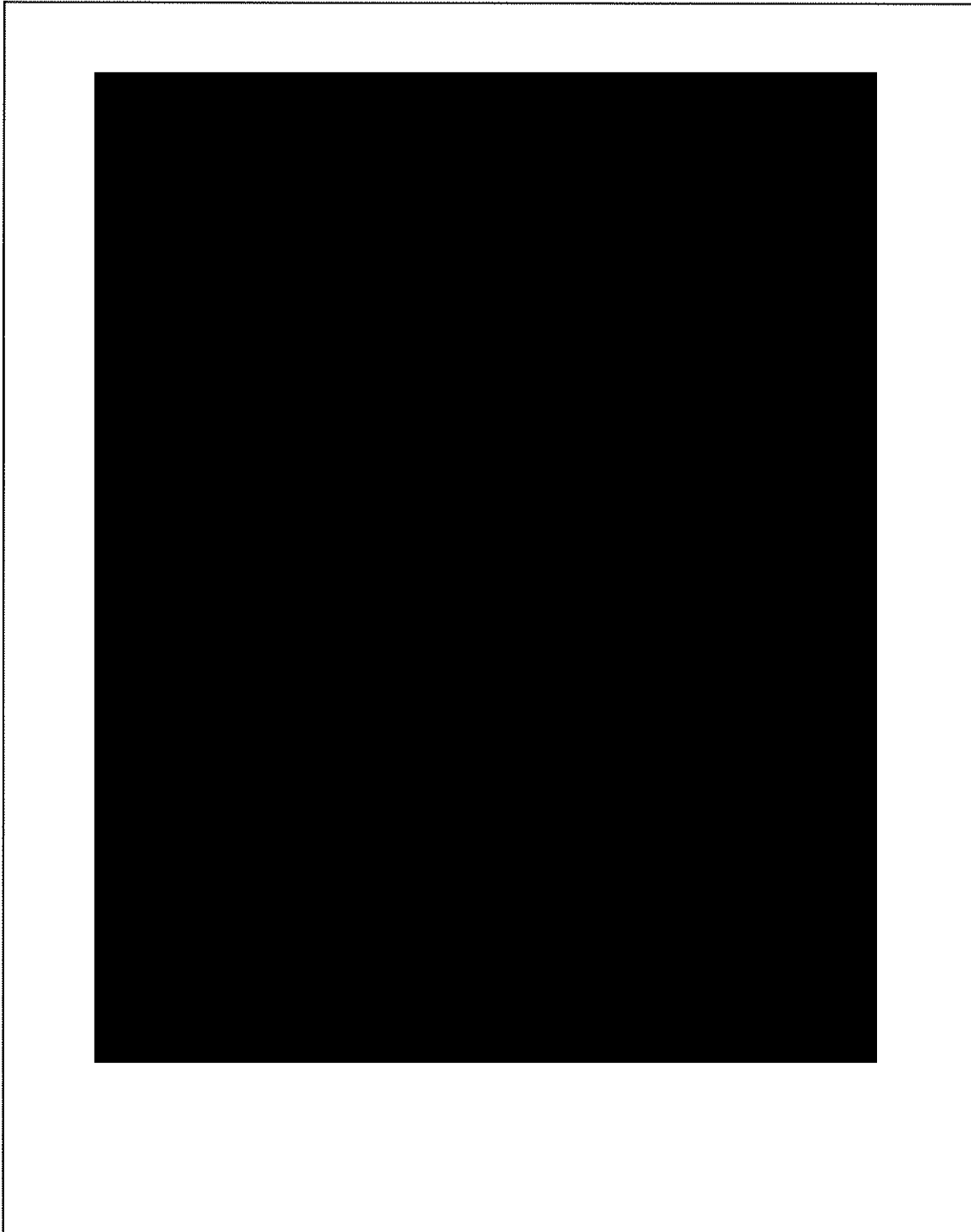


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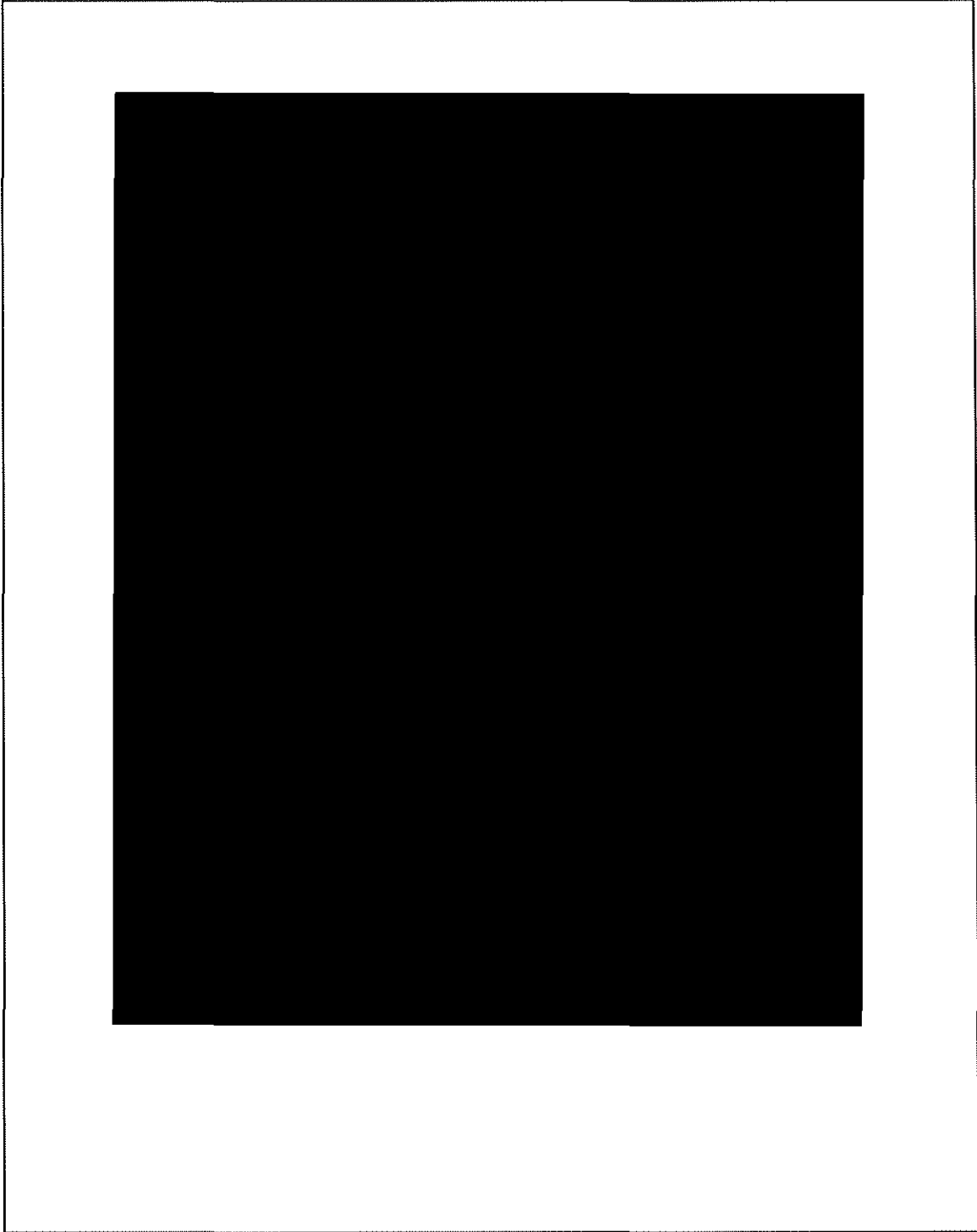


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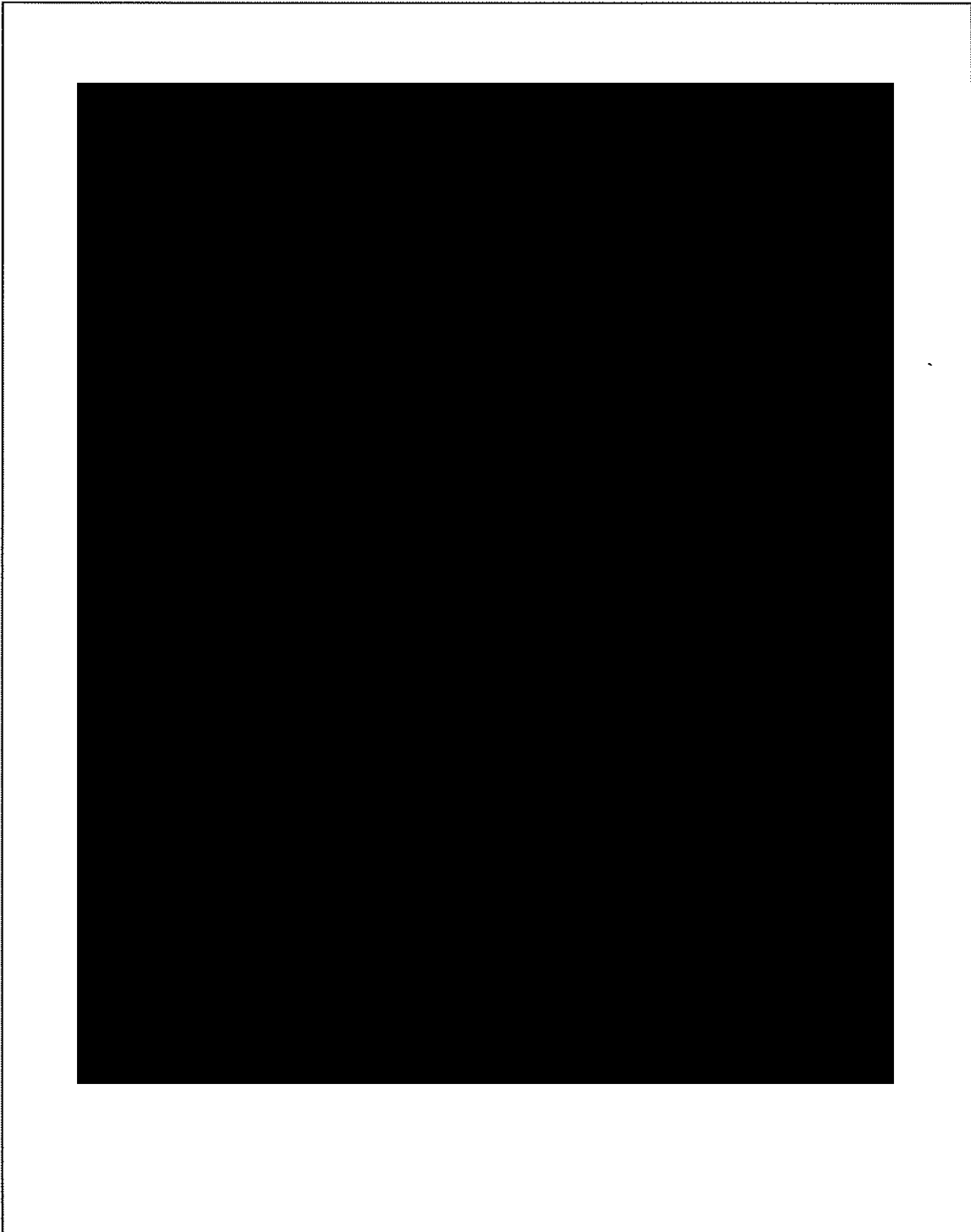
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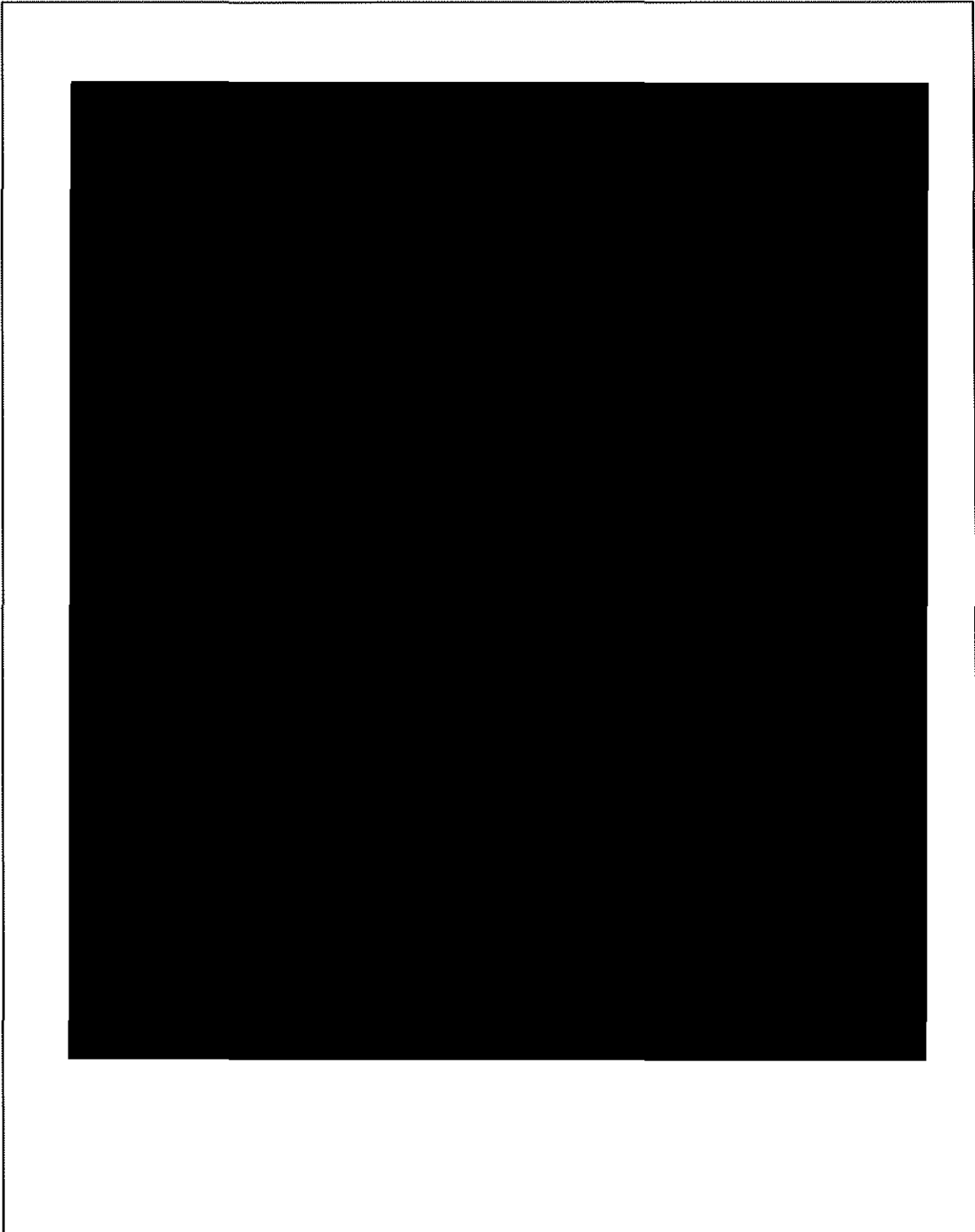
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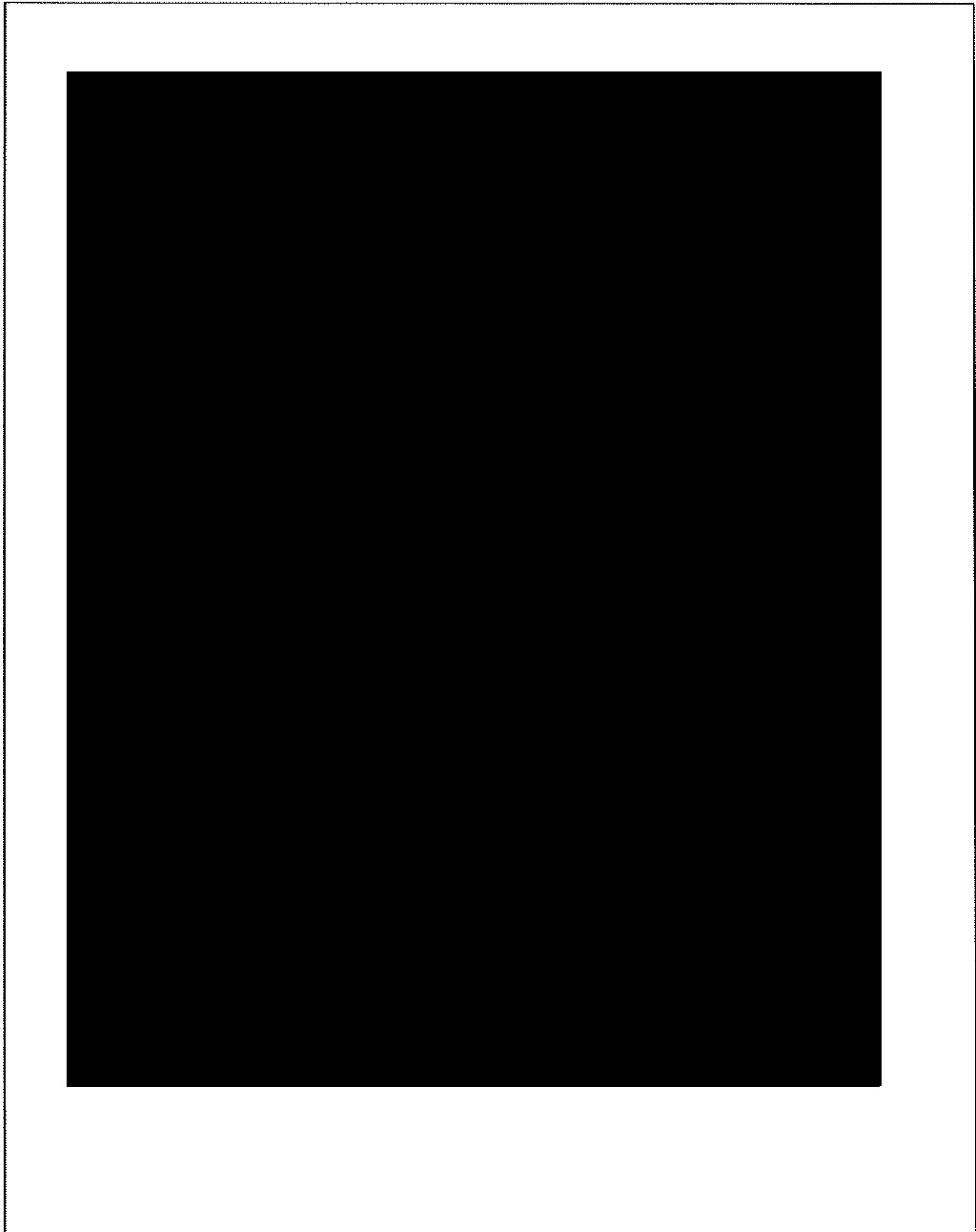


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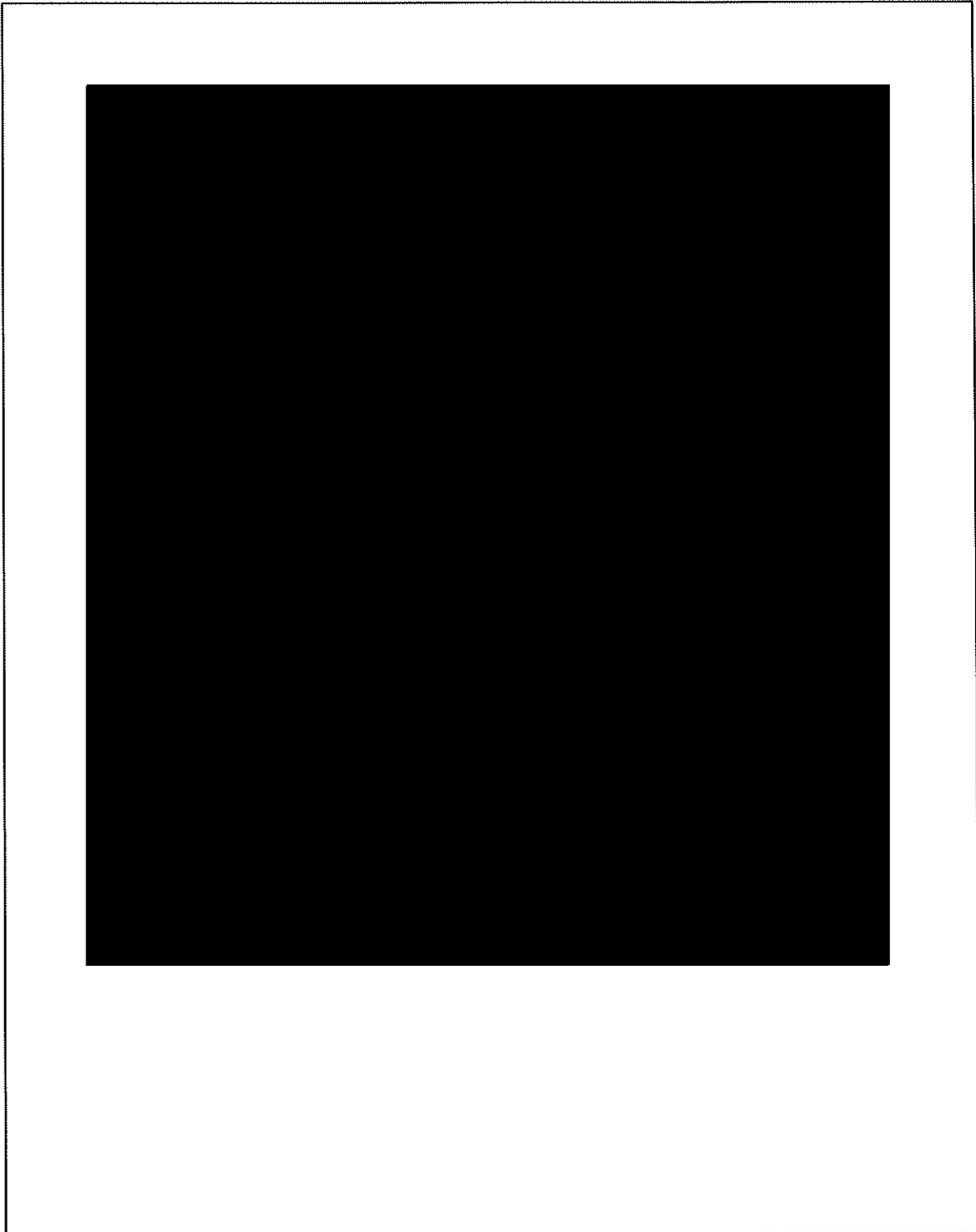


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Appendix D: OIG Letter to Congressman Sensenbrenner—May 23, 2007

INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
400 ARMY NAVY DRIVE
ARLINGTON, VIRGINIA 22202-4704

MAY 23 2007

The Honorable F. James Sensenbrenner, Jr.
Representative in Congress
Suite 154
120 Bishops Way
Brookfield, WI 53005-6249

Dear Representative Sensenbrenner:

This is in further response to your letter dated March 30, 2007, on behalf of [REDACTED] the parents of Corporal (CPL) Stephen William Castner. CPL Castner died on July 24, 2006, from wounds suffered when the Humvee in which he was riding was hit by a "hand-wired Explosively Formed Projectile (EFP)." The incident occurred near Tallil, Iraq while CPL Castner was part of a convoy en route from Kuwait to Baghdad, Iraq. The incident was subsequently investigated under an Army Regulation 15-6 (AR 15-6) investigation conducted by the Deputy Commander of the 336th Transportation Group, Camp Arifjan, Kuwait, and subsequently reviewed by the Staff Judge Advocate (SJA) of the 143rd Transportation Command, Camp Arifjan.

[REDACTED] obtained a copy of the AR 15-6 investigation and requested that further investigation be conducted into allegations of a failure to assure that soldiers were provided with vehicles having a reasonable probability of force protection, a failure to assure that soldiers were trained to properly respond to an EFP attack on a convoy, and allegations of false official statements regarding the AR 15-6 investigation.

On April 9, 2007, we advised you that we had referred your inquiry to the Department of the Army. However, upon further discussions with the Department of the Army and the U.S. Central Command, we have determined that our Office of the Deputy Inspector General for Policy and Oversight, would best be able to review the AR 15-6 investigation and address the allegations raised by [REDACTED]

We plan to initiate our review in the near future and will keep you apprised of our efforts. Should you have any questions regarding this matter, please contact me at (703) 604-8324.

Sincerely,

John R. Cranic
Assistant Inspector General
Communications and Congressional Liaison

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Appendix E: Management Comments



DEPARTMENT OF THE ARMY
OFFICE OF THE INSPECTOR GENERAL
1700 ARMY PENTAGON
WASHINGTON, DC 20310-1700

REPLY TO
ATTENTION OF

SAIG-ZXL

12 December 2007

MEMORANDUM FOR [REDACTED] DoD Inspector General, 400 Army Navy Drive,
Arlington, VA 22202-4704

SUBJECT: Request for Inspector General Records for Official Use --
SPC Stephen W. Castner

1. The Inspector General has approved release of the enclosed memo for incorporation into your final DoD report concerning SPC Stephen W. Castner.
2. If you have any questions concerning this matter, please contact [REDACTED] or me at (703) 601-[REDACTED]. If you call, be sure to provide the FOUO case number 08-136 that we have assigned to your request.

FOR THE INSPECTOR GENERAL:

Encl

[REDACTED]

Deputy Legal Advisor



DEPARTMENT OF THE ARMY
OFFICE OF THE INSPECTOR GENERAL
1700 ARMY PENTAGON
WASHINGTON DC 20310-1700

SAIG-AC (20-1e)

5 December 2007

MEMORANDUM FOR Inspector General, Department of Defense, 400 Army Navy Drive, Arlington, Virginia 22202-4704, ATTN: [REDACTED]

SUBJECT: Review of Investigative Documentation Associated with the Death of Army Corporal Stephen W. Castner in Iraq (Report No. IE - 2008-XXX)

1. We have reviewed the Investigative Documentation concerning the death of SPC Stephen W. Castner and have no disagreements with the findings.
2. We noted that the Armed Forces Institute of Pathology medical examiner that performed SPC Castner's Autopsy, in his Preliminary Autopsy Report, listed SPC Castner's birth date as 15 December 1987. SPC Castner's actual birth date was 15 December 1978.
3. The POC is [REDACTED]

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Dissemination is prohibited except as authorized by AR 20-1.

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Appendix F—Report Distribution

The Secretary of the Army

Office of the Secretary of the Army

The Inspector General, U.S. Army Inspector General Agency

Office of the Secretary of the Navy

Naval Inspector General

Inspector General of the Marine Corps

Office of the Secretary of the Air Force

Secretary of the Air Force, Office of the Inspector General

Department of the Army

Commander, Third Army

Commander, 336th Transportation Group, 88th Regional Readiness Command

Commander, 143d Sustainment Command (Expeditionary)

Commander, U.S. Central Command

Inspector General, U.S. Central Command

The Honorable James F. Sensenbrenner, Jr.

Congressional Committees and Subcommittees, Chairman and Ranking Minority Member

Senate Subcommittee on Defense, Committee on Appropriations

Senate Committee on Armed Services

Senate Committee on Homeland Security and Governmental Affairs

House Committee on Armed Services

House Committee on Oversight and Government Reform

House Subcommittee on Defense, Committee on Appropriations

The Mission of the OIG DoD

The Office of the Inspector General promotes integrity, accountability, and improvement of Department of Defense personnel, programs, and operations to support the Department's mission and to serve the public interest.

Team Members

The Joint Operations, Defense Agencies, and Service Inspectors General Division, Inspections and Evaluations Directorate, Office of the Deputy Inspector General for Policy and Oversight, Office of the Inspector General for the Department of Defense prepared this report. Personnel who contributed to the report include [REDACTED]-Division Chief, and [REDACTED]-Associate General Counsel.

Additional Report Copies

Contact us by phone, fax, or e-mail:

Inspections and Evaluations directorate, Deputy Inspector General for Policy and Oversight

COM: 703.604 [REDACTED] (DSN664 [REDACTED])

FAX: 703.604 [REDACTED]

E-MAIL: crystalfocus@dodig.mil

Electronic version available at: www.dodig.mil/Inspections/IE/Reports

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Phone: 800.424.9098 e-mail: hotline@dodig.mil www.dodig.mil/hotline

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Inspector General
Department of Defense

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