

SHOOT FIRST – ASK QUESTIONS LATER, RIGHT?

Situation: During Operation Iraqi Freedom II, my first tour in Iraq, I was an engineer company commander in the Nineveh Province. My company was administratively assigned to an infantry battalion. The infantry battalion was in country for more than six months when we arrived. We had been in country for about a month when first platoon experienced our company's first significant enemy contact. The patrol encountered eight armed insurgents installing a rocket launcher "rack" on the side of a major supply route. The Engineer Stryker Vehicles (ESVs) rolled up on the scene so quickly that the insurgents were surprised when the lead ESV lit them up with the vehicle's spotlight. As the enemy began to scatter, the ESV gunner engaged the lead insurgent wounding him in the leg. This engagement confused and disoriented the insurgents and the remainder were quickly surrounded and subdued. Per standard operating procedures, the detained men were brought to the detention facility for interrogation. Later, once the wounded insurgent received medical attention, he started "singing like a jaybird."

I personally went to out-brief the battalion commander (BN CDR). I wanted to take advantage of the opportunity to highlight my Soldier's accomplishment to my new boss. Because my company was a brigade asset I had no requirement to inform him of this incident, particularly since the engagement occurred outside of his assigned area of operations. However, I felt it was a good news story and wanted to highlight the accomplishment of my men to a senior officer. The patrol neutralized a significant roadside threat from the battlefield, took eight bad guys out of the fight, and gained valuable intelligence from the wounded man. After briefing the BN CDR I was shocked by his initial response. Rather than praising the action of my men, he questioned why all the insurgents hadn't been killed on contact. Did he really expect us to kill every suspected insurgent on contact regardless of their actions or our control of the situation?

REFLECTION...

I was fortunate that this event occurred while I was a young company commander. This lesson has stayed with me as a reminder that operating out of fear, the fear of losing a Soldier in combat can lead to counter-productive command decisions. The information gained from the wounded insurgent in this incident had a value that is difficult to gauge. I cannot say information gained from a captured enemy is worth the life of a single Soldier. But, without this experience, the potential importance of this kind of information is something I would not even consider. The use of lethal force on the battlefield is justified in some situations. My ethical struggle in this situation was how to convey to my men that what they did was appropriate while avoiding giving them the impression that their command would second-guess their decisions in life and death moments. It is vitally important that leaders communicate with their Soldier on a regular basis about combat stress and how it can affect our decision making process.

Ethical dilemma at the time of the incident: I was not certain what to tell my Soldiers. They did a good job subduing the enemy and taking them prisoner. My BN CDR, a man I highly respected, was questioning their judgment. I did not want my men to get hurt but, at the same time, I did not want them to needlessly kill the enemy. That kind of thing often comes back to haunt you.

At what point did you say "enough is enough?" When and how did you take action? I had to figure out, pretty quickly, how to react to the BN CDR's question. I also knew I was the one who had to go back and talk to the men in first platoon. I was not on the objective during the engagement so I had to rely on firsthand accounts from platoon members. I instinctively supported my Soldiers' actions without question, but now someone I respected and sought guidance from was questioning their judgment. The BN CDR had prior combat experience and I did not. I quietly listened to his position and tried to reflect on his perspective. His perspective was that these were armed combatants actively engaged in activities that were aimed at killing coalition Soldiers. More importantly these actions were aimed at killing his, and my, Soldiers. I had to determine if and how to translate the BN CDR's message to my men without giving them the impression that I was second-guessing their actions. I told the platoon that their actions on the objective were appropriate and extremely effective in the development of hard-to-find intelligence.

Conflict or tension of the 7 Army values? How did you resolve those conflicts? It is our duty to abide by the ROE. But even the ROE leave room for interpretation. Only the senior leader/Soldier on the ground at the time of the incident can make the call.

Consideration of other COAs and the 2nd and 3rd order effects: I had time to reflect on this experience with members of first platoon during our deployment. As a unit, our viewpoint on this entire experience changed during our time in a combat environment. I honestly believe first platoon's actions would have been different after being on the ground in potentially lethal engagements over the course of several months. My own reaction would probably have been more like the BN CDR's reaction to contact with the enemy. I believe I would accept quick, decisive and lethal action over encouraging more difficult, dangerous operations, like taking enemy combatants prisoner. While this may not be "right" it is a reality of the "combat hardening" that occurs over time during repeated contact with the enemy.