

# 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 Social Security Number (SSN).  
**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.  
**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.  
**DISCLOSURE:** Disclosure of your SSN and other information is voluntary.

1. LOCATION FOB BOSTICK, AFGHANISTAN	2. DATE (YYYYMMDD) 2009/10/22	3. TIME 1047	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS E-3	
8. ORGANIZATION OR ADDRESS TRP B, 3RD SQN-61ST CAV REGT, 4IBCT-4ID, APO AE 09354			

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

1. WHAT IS YOUR DUTY POSITION? My MOS is 13F and I was the main Forward Observer (FO) on the ground.
2. HOW LONG HAVE YOU BEEN IN THE ARMY? HOW LONG IN COUNTRY FOR THIS DEPLOYMENT? I have been in the Army for 1 year 5 months. And I have been in country for 6 months.
3. DO YOU HAVE PRIOR COMBAT DEPLOYMENTS? IF SO, WHEN AND WHERE? No, I have never deployed before.
4. HAVE YOU SPENT ANYTIME AT COP KEATING? IS SO, WHEN WERE YOU THERE? Yes, I have spent time at COP Keating from the months of June 2009 until August 2009. ( In August 2009 my platoon (b)(2) High made our way to OP Fritche)
5. WHEN DID YOU ARRIVE AT OP FRITCHE? HOW LONG WERE YOU THERE AND WHEN DID YOU LEAVE? I arrived at OP Fritche in the month of August in 2009 and was there until October 12, 2009
6. BRIEFLY DESCRIBE YOUR ACTIONS ON 3 OCT 09, DURING THE ATTACK ON OP FRITCHE. On the day of October 3, 2009 when the attack on OP fritche happen, I started was on guard in tower 3. My guard shift started at 0400 that morning. The first round was a mortar that hit about 0609 on OP Fritche. I called up the contact report to the SOG and the shortly after we started to take sniper fire in tower 3 as well as small arms from the east hilltop and village (which was to the Northeast. The tower was canted so it faced most of the village.). I started to return fire with the M46 (light weight SAW) to suppress some of the fire from the hilltop and village. SGT (b)(3), (b)(6) came into the tower (that was his battle position during an attack) and started scanning the sector of fires covered by the M2 (.50 Cal). About 5 mins in the tower, and time for others to get to their battle positions, I left the tower to go to my position and to call for fire on the enemy and their battle positions. At this point in the battle, we were taking heavy small arms fire (SAF), mortars (which were spot on for the most part almost everyone hitting the OP), sniper fire, and RPGs. I ran to the TOC where we keep extra weapons and some ammo and grabbed a M240B and some ammo and ran back to my position which was on the South side where most of the small arms, RPG, and mortar fire was coming from. I started to put rounds down range and called in for fire on enemy positions. The only mortars I accessed to shoot at that time was the 60mm, because the 120mm pit at Keating was pinned down and since we didn't have a SGT mortar-man at Fritche they wouldn't let the gunners fire the 120mm that we had. After we had started to make and impact on the enemy with the 60mm mortars, they began to lay down heavy fire and over the mortar pit and suppressed our 60mm. Once we didn't have the use of our 60mm, we didn't have anymore mortar fire. The only thing we could do at that point was put accurate and heavy small arms fire down range. As we began to put rounds down range, we started taking sniper fire from the north. SSG (b)(3), (b)(6) (which on the M19) was then shoot in the abdomen area so his weapons system went down and rounds were hitting all around the area of the M19.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 3 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 INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b)(3), (b)(6) \_\_\_\_\_ TAKEN AT FOB BOSTICK DATED 2009/10/22

9. STATEMENT (Continued)

The medic(Sp(b)(3), (b)(6) and the PSG (SSG Martin) looked him over the round did not make it through his body armor so he was alright for the most part. And he jumped back on the M19 shortly after (The rounds where still hitting heavy and it didn't look like it was letting up anytime soon.). I then took a round the the Army Combat Helmet (ACH) which made a skipping motion that went into the ACH hit the top of my head and then back up and stuck in my ACH. I was knocked out for about 10 - 15 sec I couldnt feel anything move or see, but I could hear what was going on around me. After the 10-15sec I was flipped over by Spc. (b)(3), (b)(6) and he asked was I alright but I couldn't answer at that time. SS(b)(3), (b)(6)mped down off his weapon and Spc. (b)(3), (b)(6) jumped on at that point I came to him and yelled that I had been hit in the head and SS(b)(3), (b)(6)oked at me and told me to stay calm and lay still the medic and the PSG came and checked me out. He said I would be fine, the round didn't go all the way in and it had come out. I jumped back on the M240B to send more rounds down range and about 8 mins later, S(b)(3), (b)(6)me to jump on the gun. I then ran back to tower 3 which was under such heavy fire, no one could fight from that position. SGT(b)(3), (b)(6)nd SGT(b)(3), (b)(6)when into the tower to blow the Claymores. I ran into the tower to get the LAW. Once I retrived the LAW, I ran back to the line on the South side right from the same place I took the round and tried to shoot the LAW. It mis fired and I tried to shoot it again but the the LAW miss fired once more ( That happen 4 times). Since the LAW would not fire SGT (b)(3), (b)(6) shot the TOW at the enemy positions ( he fired 7 TOWs). The fire from SGT (b)(3), (b)(6) helped surpress most of that fire from the enemy and we where able to shoot mortors agains and I started to call for fire on postions once more. After we had been under such heavy fire the mortors got permission to shoot the 120mm mortors and thats is what I think made a big change for that moment on in the battle.

7. DID YOU PROVIDE ANY FIRE SUPPORT OR QRF RESPONSE TO COP KEATING ON 3 OCT 09? No I didn't provide any fire support or QRF resopnse to COP Keating.

8. DID YOU EXPERIANCE ANY WEAPONS MALFUNCTIONS DURING THE ATTACK? Yes the M19 on the south wall went down, but the part the broke we had extra so we got it back up a running in about 3mins top.

END OF STATEMENT

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)  
THIS PAGE NOT USED

**AFFIDAVIT**

I, (b)(3), (b)(6), 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 INFL

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

*(Signature of Person Making Statement)*

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of OCT, 09/22 at FOB BOSTICK, AFGHANISTAN. APO AE 09354

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

*(Signature of Person Administering Oath)*

ORGANIZATION OR ADDRESS

(b)(3), (b)(6) SFC, USA

*(Type Name of Person Administering Oath)*

ORGANIZATION OR ADDRESS

ARTICLE 136, UCMJ

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

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

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