

**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) 2009/10/20	3. TIME 1331	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS E4/AD	
8. ORGANIZATION OR ADDRESS TRP B, 3RD SQN-61ST CAV REGT, 4IBCT-4ID, APO AE 09354			

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

1. WHAT IS YOUR DUTY POSITION?  
Forward Observer for 3rd Platoon

2. HOW LONG HAVE YOU BEEN IN THE ARMY? HOW LONG IN COUNTRY FOR THIS DEPLOYMENT?  
I have been in the army for 3 1/2 years. I have been in country for about 4 months.

3. DO YOU HAVE PRIOR COMBAT DEPLOYMENTS? IF SO, WHEN AND WHERE?  
NONE

4. WHERE WAS YOUR BATTLE POSITION ON 3 October 2009 AT COP KEATING?  
I Was in Stand two truck 2 (vicinity point 14), SGT Hardt relieved me from truck 2 then I assumed duty as an FO at the Shura building (point 1), the FO point we normally man was cover by sniper and RPG fire so we moved to the Blue Barracks (point 5), we received word AAF was in the wire and reconsolidated at the Aid Station (point 4), then we moved back to the Shura bldg to overwatch the ECP, and finally moved to the ASP (point 1) to relieve the guys there.

5. WHAT WERE YOUR ACTIONS DURING THE FIGHT?  
I was in Stand two truck 2 (vicinity of point 14) when the first RPG flew inside the COP hitting my truck with PKM and small arms following before the impact at about 0600. I then engaged with the MK-19 in the vicinity of the Putting Green (west of COP). SGT HARDT then came to relieve me so that I could try to call for fire. When I was about to leave to do my job he needed to be reloaded and since the contact had gotten worse I then stayed with him. approximately 10 minutes past till SS (b)(3), (b)(6) came to relieve me from reloading. I then ran to the Shura Bldg (point 1) stopping where I thought I would have some cover to at least get the information to get an accurate polar mission up, not being able to stop for long because of RPGS, PKM, and small fire landing around me one round actually cutting across my pant leg I had to keep moving to Shura Bldg. When I got in the door I saw SGT KIRKS helmet and kit on the ground covered in blood, he was already taken to the aid station (point 4) about 5 minutes after I made it into the Shura bldg PFC (b)(3), (b)(6) and PFC (b)(3), (b)(6) ran in as well. As PFC (b)(3), (b)(6) (another Forward Observer) and myself were trying to get eyes on any enemy through a small window facing West from the Shura bldg, SS (b)(3), (b)(6) came in to the bldg as well. The enemy then noticed us in the Shura Bldg and started to hit it with multiple RPGS, PKM, and small arms fire because the roof was not a hardened structure and the rounds were just piercing straight through we had to abandon the Shura bldg. we all went our separate ways I myself started to head back to Blue Plt barracks (point 5) stopping at any place I thought I would have cover to call for fire. Failing I continued to blue plt barracks. Turning the corner to the my barracks door I saw an SGT SCUSA lying in the dirt face down. SGT (b)(3), (b)(6) yelled at me to not stop because there was a sniper watching the door. So I continued through the door to Blue Barracks. SF (b)(3), (b)(6) SGT (b)(3), (b)(6) SGT (b)(3), (b)(6) SPC (b)(3), (b)(6) PFC (b)(3), (b)(6) and SGT (b)(3), (b)(6) were already in there. SF (b)(3), (b)(6) was giving first aid to those who had Shrap metal wounds. He then checked me because of the amount of RPGS that hit around me. After about 10 minutes in the barracks we got word that the enemy had gotten in the wire. Still trapped in our

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF <u>3</u> 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.

STATEMENT OF SPC (b)(3), (b)(6) \_\_\_\_\_ TAKEN AT 1331 \_\_\_\_\_ DATED 2009/10/20 \_\_\_\_\_

9. STATEMENT (Continued)

barracks by the sniper fire we all picked a door to grab i was guarding the door that faced the ANA SIDE (point 19) while watching the door an RPG flew inside blowing up in the room. That is the point that i went temporarily deaf for about 6 hours. After about 30 minutes to an hour inside the barracks we all had to move position to the "recovery room" of the Aid Station to fight from there. Unable to hear i was put in position watching a spur that came off of North Face where we were taking heavy fire from earlier. I then handed my Radio off to SGT (b)(3), (b)(6) (Another Forward Observer) because he was still able to hear enough to use the radio. After about an hour or two watching the spur i was moved to watch the switchbacks and to provide cover fire. I was in that position for about an hour or two. I was then told to go to the shura bldg to help hold it down and relieve a people that were already there. i watched the ecp lane for about an hour and was moved to the ASP to guard the ammo by then we had gotten word that QRF was on there way and the fighting had come to a stand still.

6. WHAT VULNERABILITIES DID YOU SEE OR FEEL AT COP KEATING?

There was nothing but high ground and hiding places all around us. We were in a bowl.

7. WHAT WAS FIRST ENEMY ACTION YOU SAW? WHERE WERE YOU, AND WHERE DID YOU MOVE?

The RPG, sniper, PKM and small arms that were hitting the stand two truck 2 that i was in. I stayed in position till relieved to do my job.

8. WAS ANYONE NEAR YOU WOUNDED OR KILLED? WHO, AND WHAT WAS THE NATURE OF INJURIES? WHAT UNIFORM WAS THE SOLDIER WEARING AND WHY? WAS THE SOLDIER WEARING ALL HIS BATTLE GEARS?

I saw SGT SCUSA after he was on the ground was in pts, running shoes, and all his gear was on. Was hit in the throat by sniper fire near LRAS 1 (in the vicinity of point 5). He was asleep when the attack began and jumped up threw on his gear.

9. DID YOU HAVE EXPERIENCE WITH THE ANA? HOW EFFECTIVE WAS THE WORKING RELATIONSHIP WITH ASSIGNED ANA/ANP ELEMENTS?

YES, Was not effective at all since they all ran..

10. DID YOU INTERACT WITH THE LOCAL COMMUNITY? HOW WERE YOU RECEIVED BY THE LOCALS?

We had minimal to no interaction with local community that i saw. We were received like we didnt belong there.

11. DID YOU EXPERIENCE ANY WEAPON SYSTEM FAILURE DURING THE INCIDENT?

None.

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, SPC (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 INFLUENCE

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20 day of OCT, 2009 at FOR BOSTICK AFGHANISTAN APO AF 09354

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

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

ARTICLE 136, UCMJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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

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