

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) 2009/10/28	3. TIME 2230	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS E-4/AD	
8. ORGANIZATION OR ADDRESS B TRP, 3-61 CAV			

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

I am 29 years old. I have been in the Army for about 2 years. I was a combat engineer in the Marines for 4 years. I had a 5 year break in service. This is my first deployment and Fort Carson is my first duty station. I arrived in Afghanistan in late May. I am in 3rd Platoon and we were first at Fritsche for about 2 1/2 months and then we went to Keating. The first time that I saw Keating, I thought it was a shooting gallery. It was like the bottom of a bowl. The defenses were extremely poor. Two of the towers were immobile vehicles. All of our targets were above us and our perimeter was full of weak spots. Between the ECP (Point 1) and (Point 4) the perimeter it self created dead space that the enemy could and did use. The ANA covered (points 3 and 5). I raze I didn't get much contact because in was conseled by the trees and buildings. The trees also caused for there to be limited visibility anywhere past the asinged lateral limits. I talked to my sergeants about ways to improve the LZ.

They took the request up to thier supervisors and were told that because the COP was going to be abandon soon, they were not going to fix it up. They were also told that they didn't have the assets to hire local contractors to fix up the LZ. We fixed up Fritsche. We fortified it well and we were told that what we did there saved lives. We were unable to do the same to Keating. We definitely requested over and over to do so and we were denied everytime. When it came to fortifications and the use of force CPT (b)(3), (b)(6) was a little slow on the trigger. However, Luietenent (b)(3), (b)(6) was extremely supportive in all the efforts to fortify Fritsche and use the amount of force nesisary to overcome the enemy. When at Fritschy we checked all the claymores to ensure that they were operational. At Keating, we never checked on the claymores. I didn't know where they were and not sure if any of them went off during the attack. We didn't make any improvements on Keating. We were undermaned and we only had one Soldier maning each fighting position. We did not need to rehearse any battle drills. The several small TICs in the past helped everyone know where they needed to be and what to do. Ammo used to be stored in the barracks but was removed in preparation for the COP shut down. I had to shoot the locks off the ASP to get to the ammo.

On 3 October I woke up to machine gun fire and explotions. I was dressed in PT's. I immediately put on my ACH, IBA and boots. Someone said that the 240 at L-RAZ 2 needed to be manned. I said I would do it then grabbed two 240 A-bags and ran the estimated 75meters. I tried to use as much cover as possible ducking and bounding in order to avoid the incoming machine gun, sniper and RPG fire that was impacting all around me. At L-RAZ 2 Sergeant (b)(3), (b)(6) was manning the 50 cal. In the turret. Sergeant (b)(3), (b)(6) was on the 240 and Mase was using his M4. I placed the 240 ammo on the hood of the truck and asked Sergeant (b)(3), (b)(6) if he needed anything else. He said he needed more 240 ammo and CLP. At that time Mase was grabbing one of my M4 mags. I didn't mind because It wasn't my job to engage the enemy. My job was to ensure that L-RAZ 2 got everything it needed to continue the fight.

I then made my way back through the enemy fire to the Barracks and was franticly looking for ammo and CLP. Someone handed my two cans of WD 40 and said That all the ammo had been moved to the ASP. Once again I headed out. When I reached the ASP

10. EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF <u>4</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 2250 DATED 2009/10/28

9. STATEMENT (Continued)

So, I took aim at the closest one and fired about four rounds. The lock fell and I went in. I couldn't find any small arms ammo let alone the 240 that I needed. I then headed for the second door. By then Sergeant (b)(3), (b)(6) and others Soldiers had shown up and were stacked along the wall. He yelled for me to get down. I explained that I needed to get 240 ammo and the lube to L-RAZ 2. He saw that the ASP was locked. I said that I shot off the other lock and he nodded while stepping away. With one shot this time the lock was disabled. I opened the door and stepped in. Sergeant (b)(3), (b)(6) was right behind me. When he entered an RPG exploded at the door and blew him into the ASP. I helped him up and asked him if he was ok. He and a few of the others received small amounts of shrapnel. Sergeant (b)(3), (b)(6) tells everyone to get inside the building that was across the path. While inside We noticed that there was very little material to protect us for the enemy fire. Once again I said that I needed to get to L-RAZ 2. Sergeant (b)(3), (b)(6) then let me go.

There was no relief in the enemy fire. When I got to L-RAZ 2 no one was manning the weapons. I opened the passenger rear door and handed in the ammo and lube. Sergeant (b)(3), (b)(6) said to either get in and shut the door or get the hell out of hear. So I got in. Sergeant (b)(3), (b)(6) was in the driver seat, Mase was behind him and Sergeant (b)(3), (b)(6) was in front of me. The amount of rounds hitting the truck were increasing; sniper, machine gun and RPG. The sand bags that bordered the front and half of the driver side were taking a lot of the punishment. The 240 was poorly rigged to sit on a pipe in between the right front of the truck and the four foot high sand bags. Sergeant (b)(3), (b)(6) was on the radio communicating our situation.

Sergeant Martin opened my door handing in ammo. He was told the same thing. So he got in. We were all consolidating M4 ammo when a RPG strikes the open turret. Sergeant Martin is laying across the gunners platform and takes most of the shrapnel. I was daizzed for a while. After some descution everyone agrees that soon they would punch through the armor. I brought up the idea to use the rocks and behind the latreen (14) for cover on the movement. Everyone agreed. Sergeant (b)(3), (b)(6) and I got out to provide suppression fire for the first part of the bounding movement. I positioned myself between the right front right of the truck and the sand bags and fired in the direction of an insurgent near point 21. An RPG explodes behind me and covers mase and Sergeant Martin in dust and smoke. I then see Blood on Sergeant Martins neck as he jumps down the rocks and runs to the Latreens. I continue to fire. At the corner of my eye I see Mase and Sergeant (b)(3), (b)(6) round the corner of the latreen. I am about to start my movement when I see Sergeant (b)(3), (b)(6) Return from around the corner firing back he is hit three times then falls. Sergeant (b)(3), (b)(6) then tells me to get back into the truck, he just killed two guys behind the truck. Once in the truck I tell Sergeant (b)(3), (b)(6) that Sergeant (b)(3), (b)(6) hit and I don't know what happened to Mase or Sergeant Martin. The truck continues to get hit by RPGs, machine gun and sniper fire. Both Sergeant (b)(3), (b)(6) and I try to see if the radio works by searching all the channels. Nothing. I then see Mase crawling around the latreen on his for arms dragging his legs. I try to convince Sergeant (b)(3), (b)(6) let me go to Mase and Sergeant (b)(3), (b)(6) Sergeant (b)(3), (b)(6) says no and that I'm no good to them dead.

Time passes as we continue to try to get the radio to work and descus the very real possibility that everyone else is dead. If they were dead then we would wait till dark then crawl to the river and swim the 8 miles to COP Lowel. But in order to servive till then we had to get the turret closed. It was wedged open by the disabled 50 cal. And recage of the generator. So after cutting the L-RAZ cable I positioned myself on the gunners platform, use my head and sholders an lift as hard as I could. After a few minets I was able to remove the recage and lift the 50 cal. I then used 550 cord to lash the cover down. When I got back into the front right I noticed and RPG team setting up across the river behind the small ANP guard shack. I opened my window just enough to get the muzzle of my rifle out and send about four well aimed shot. They scattered. So I closed the window. A little later I see another man dressed in white doing something to one of the ANP trucks on the right. I opened the window and fired. The round spun him around and he stud up. I fired again and he flinched then got on his hands and knees and crawled to the bushes to the right.

Another man Dressed in brown with a pony tail was working in the truck to the left. I fired at him. He spun around and stud up also. This time I aimed higher than center mass. This round caused his head to yank away and he fell to the ground. I could see his body from under the truck. Sergeant (b)(3), (b)(6) tells nice shot. I then close the window. A few seconds later a sniper round hits the window where my rifle was sticking out. More time passes and more men pass that same spot. But this time I'm more awair of how much my rifle is sticking out.

Each time I fired after that the men twitch but keep running. We have less than half a magazeen of M4 rounds each and only well aimed chots are worth it. I then see Mase crawl out from behind the rocks. He looks up at me and asks for help. Sergeant (b)(3), (b)(6) tells me to tell him to stay there. He has cover there. Mase does it.

INITIALS _____ IN MAKING STATEMENT

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

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STATEMENT OF SPC (b)(3), (b)(6) _____ TAKEN AT 2250 DATED 2009/10/28

9. STATEMENT (Continued)

A little later We see truck one coming up behind us to help but has to fall back because all the fire we were getting they now were getting except they didn't have sand bags. They backed up until they were out of sight stopped. They were behind us ans we couldn't see them. They also stopped firing. We figured they were killed. More time passed and We see a man whereing white and carring a saw running in the direction of the trash pit (21). I tried to fire at him but was unable to get to the other side of the truck in time. More time passes. We can hear US weapons firing but don't know if its our guys firing them or the insurgents. Then we hear a horn. I'm thinking that's it's the truck behind us calling for help. I request to go check it out. Sergeant (b)(3), (b)(6) says no. I then request to try to see them from under the truck. Sergeant (b)(3), (b)(6) says Ok but wait for the machine gun fire to pick up again. We booth thought that if the insurgents were firing our weapons at US in the hills they would be distracted. If the US was firing at the insurgents in the hills they would be distracted. Eather way it was a good call. So I waited for the volley then stepped out. The tires were flat and there was no room. So I got back in and told Sergeant (b)(3), (b)(6) that under the truck was no good but the other truck was only about ten feet away. He said that I could go to the other truck. With the next volley I ran to the truck. No one was there. There was a broken radio and 249 SAW and an M4 with a 203 attached. I grabbed the two weapons and headed back. There was about enough rounds to fill up on magazeen. So we began to de-link them and load our M4 mag.

This time when I requested to go to Mase I was given the ok. On the next volley I opened the door and ran to him. He was laying next to Sergeant (b)(3), (b)(6) I first put a turnikit on his left leg, used a tree branch to splint his ankle. Next I used a pressure dressing and gaus to plug the wounds in his abdomen. Then used tape and gaus to treat the holes in his other leg. Sergeant (b)(3), (b)(6) and I agreed that I would drag him to the waterfall run off ditch then to the bridge for cover. But after seeing it I knew it was a bad Idea. So after checking Sergeant (b)(3), (b)(6) pulse I went back the the truck and told Sergeant (b)(3), (b)(6) the truck was the only safe place. He agreed and we both got out of the truck. He provided cover while I first cradled Mase picking him up. Then walked him to the rocks and set him on top on the rocks. I climbed up the ricks and dragged him to the door. Opened the door and lifted him to his seat. I then ran back around the truck because the weapons were in the seat behind him. Mase was criticy wounded and was going into shock. He had been out there about 45 minets. We all knew he wouldn't last much longer. But we still didn't know if it was our guys shooting our weapons. So I said that I'm going on a little recon IF I'm not back in ten minnets, I eather made it or don't worry about it. With the next volley I stepped out the door went down the rocks and around the latreen scanning the whole way in all directions.

When I collected myself. I assisted the Medics with information and helped move one of the Afgan guys out of the way who had a miner wound and was hiding out in the aid station away from the battle. I then went to my barracks ang got a little rest. I changed into ACUs and was told to take a position at the café and use my M14 to scan the switch backs. Time passes and My barracks is engulfed in flames. The talk has been avacuated because it to is on fire. And a very large tree is threatening the Aid station and the other barracks. So with a chaine saw I cut down the tree with B10, claymores and other ammo cooking off in the buildings spitting burning embers all over me. When the tree was down I began to remove all the small limbs by climbing under, through and on top, exposing myself until I was told that I was done. I then went back to the café and continued to scan the switch backs until the QRF and night fall arrived.

On my rear scan before my movement to the laundry trailer I saw sergeant (b)(3), (b)(6) EF Johnson radio. I keyed it and nothing. I turned it off, then on and keyed again. I heard it working then said ' this is Blue 4 golf is anyone still alive?'. I herd a voice, then ran back to the truck. I handed it to sergeant (b)(3), (b)(6) and he gave the report. The plan was that they would provide cover fire for our movement to the aid station. When the first mortar hit we could start. I heard the boom then ran around the truck and started clearing the path, and the stretcher. By that time Mase had his door open and I pulled him out and layed him down. Sergeant (b)(3), (b)(6) had come around and was ready to move. We lifted the stretcher and ran down the hill. We passed several small creators two insurgents bodies and one of my platoon members bodies on the way to the aid station. When we got there we handed Mase off and I fell to my knees in eggstion.

9. STATEMENT (Continued)

Air assets bombed the towns around us all through the day.

I never saw Mace again. But I did hear that he was being a smart ass again and that he was coherent. I also heard that he died at Bostic. I was not around Scusa when he got hit.

I didn't see any ANA when we were fighting. I did see some of them in the Aids station with minor scratches. They were cowards. I heard that they stole government computers and tried to take it on the air craft with them, when we evacuated.

I pulled a muscle in my back and some minor scratches but nothing else.

I have a few anger issues and I was emotional but after crying it all out at the mermorial ceremony, I haven't had any serious problems. It helps to talk to people.

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

***** NOTHING FOLLOWS *****

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

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 (p)(3), (b)(6) I 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, OR UNLAWFUL INDUCEMENT

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28th day of October, 2009 at FOB Bostick, Afghanistan, APO AE 09354

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

ORGANIZATION OR ADDRESS

SSG (b)(3), (b)(6) Paralegal NCO
(Type name of person Administering Oath)

Article 136, UCMJ
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIAL _____ ON MAKING STATEMENT
(b)(3), (b)(6)

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