

**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 2200	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS E5/AD	
8. ORGANIZATION OR ADDRESS TRP B, 3RD SQN-61ST CAV REGT, 4IBCT-4ID, APO AE 09354			

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

1. WHAT IS YOUR DUTY POSITION? BRAVO SECTION TEAM LEADER

2. HOW LONG HAVE YOU BEEN IN THE ARMY? HOW LONG IN COUNTRY FOR THIS DEPLOYMENT? 6YRS IN ARMY/ 4MONTHS IN COUNTRY

3. DO YOU HAVE PRIOR COMBAT DEPLOYMENTS? IF SO, WHEN AND WHERE? YES/ 2 DEPLOYMENTS IN IRAQ (RAMADI 04-05, BAGHDAD 06-07)

4. WHERE WAS YOUR BATTLE POSITION ON 3 OCTOBER 2009 AT COP KEATING? WHEN CONTACT STARTED I WAS IN BLDG #5, RED PLT NEEDED AMMO, THEN MOVED TO BLDG #1 ASP, THEN MOVED TO BLDG # 22 DUE TO RPGS, THEN MOVED TO BLDG #5, THEN BLDG #1, THEN BLDG #5, THEN BLDG #4, THEN TO BLDG # 1, THEN TO BLDG #4, THEN TO BLDG # 5,8,12,11,AND 19, END AT BLDG #4.

5. WHAT WERE YOUR ACTIONS DURING THE FIGHT? 0600 HRS WAS AWAKE LAYING IN BED IN BLDG #5, WHEN I HEARD AN EXPLOSION. GOT OUT OF BED TO TELL OUR PLT TO GET THEIR GEAR ON WE ARE IN CONTACT. I DID A HEAD COUNT AND REPORTED TO SGT (b)(3), (b)(6) THAT BLUE PLT WAS GREEN ON PERSONEL. HE THEN WENT TO THE TOC TO GIVE THEM THE UP ON PERSONEL. WHILE HE WAS GONE SGT (b)(3), (b)(6) AND MYSELF WERE MONITERING THE RADIO AND TRYING TO FIGURE OUT WHERE THE CONTACT WAS COMING FROM. SGT (b)(3), (b)(6) RETURNED AND TOLD THE PLT THAT WE HAD HEAVY CONTACT FROM ALL DIRECTIONS. TRAFFIC CAME OVER THE RADIO THAT RED PLT NEEDED AMMO RAN TO THEIR POSITIONS. BEING THAT BLUE PLT WAS ON MANUEVER PLT THAT WEEK WE WERE TO RUN AMMO TO THE PLT THAT WAS ON FORCE PROTECTION. SO SGT (b)(3), (b)(6) AND MYSELF GATHERED A TOTAL OF 7 GUYS (SGT (b)(3), (b)(6) SGT (b)(3), (b)(6) SPC (b)(3), (b)(6) SPC (b)(3), (b)(6) SPC GRIFFIN, PFC (b)(3), (b)(6) AND MYSELF) AND HEADED OUT OF BLDG #5 TO GO TO ASP BLDG #1. ENROUTE TO BLDG # 1 WE WERE TAKING CONTACT FROM EVERY WHERE, BOTH SMALL ARMS AND RPGS WERE HITTING AROUND US. WE ARRIVED BETWEEN BLDG #22, AND BLDG #6. SGT (b)(3), (b)(6) WAS LOOKING AROUND THE CORNER OF THE HESCOS TO MAKE SURE IT WAS CLEAR FOR US TO MOVE, AT THAT MOMENT AN RPG IMPACTED IN FRONT OF HIM KNOCKING HIM TO THE GROUND. I PICKED HIM UP AND SAID WE HAVE TO MOVE, WE THEN MOVED TO ASP BLDG #1. ALL THREE

10. EXHIBIT	11. INITIALS (b)(3), (b)(6)	MAKING STATEMENT	PAGE 1 OF <u>3</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" N 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 SGT (b)(3), (b)(6) TAKEN AT FOB BOSTICK DATED 2009/10/20

9. STATEMENT (Continued)

GRAB AMMO SGT (b)(3), (b)(6) TURNED TO GO INTO THE ROOM BUT AN RPG HIT THE GROUND NEXT TO HIM AND THREW HIM INTO THE ROOM INSTEAD AND PEPPERED HIM WITH SHRAPNEL, I CHECKED HIM AND DETERMINED HIS WOUNDS WERE OK FOR THE MOMENT. AFTER WE GOT AMMO WE STARTED RUNNING AMMO TO THE FIGHTING POSITIONS IN BLDG #1, BY BLDG# 15, AND JUST WEST OF BLDG# 16. AS WE WERE RETURNING TO HEAD BACK TO BLDG # 5, AN RPG IMPACTED NEXT TO ME AND THREW ME INTO BLDG #6. I REMEMBER GETTING UP AND TELLING THE GUYS TO GET BACK INTO BLDG#22 SO WE COULD GET COVER AND CHECK AND MAKE SURE THE GUYS WERE GOOD, AT THAT TIME ANOTHER RPG HIT THE HESCO NEXT TO THE DOOR OF BLDG #22. ONCE I FELT IT WAS CLEAR SGT (b)(3), (b)(6) AND MYSELF GATHERED THE GUYS AND RAN BACK TO BLDG # 5, ONCE AGAIN BE ENGAGED BY SMALL ARMS TO THE POINT YOU COULD FEEL THE ROCKS AND DIRT HITTING US IN THE LEGS. WE ARRIVED AT BLDG #5 AND LINKED UP WITH SP (b)(3), (b)(6) AND HE WORKED ON SGT (b)(3), (b)(6) WOUNDS. 10 MINUTES LATER WE GOT THE CALL OVER THE RADIO THAT RED PLT NEED MORE AMMO, SO WE WENT TO HEAD OUT THE DOOR, THIS TIME SPC SCUSA AND SP (b)(3), (b)(6) HEADED OUT FIRST. AS SPC SCUSA GOT 5 STEPS OUT THE DOOR HE WAS SHOT IN THE NECK AND FELL TO THE GROUND, SP (b)(3), (b)(6) WAS THEN TOOK A GRAZING WOUND TO HIS WAIST (RIGHT SIDE). HE THEN LOW CRAWLED BACK INTO BLDG # 5. I WAS AT THE DOOR AND GRAB HIM AND PULLED HIM IN THE DOOR. I THEN LOOKED AT SPC SCUSA LYING ON THE GROUND. WE KNEW IT WAS A SNIPER, DUE TO THE SINGLE SHOTS THAT WERE COMING FROM THE NORTH FACE AREA. I DIDNT WANT TO THE SNIPER SEEING WHAT HE DID SO I WENT OUT TO PICK UP SCUSA AND CARRY HIM TO BLDG #4. AS I DID I HEARD A SHOT COME FROM THE NORTH AND FELT MY WEAPON FALL TO GROUND, AS I WENT TO PICK IT UP I HEARD A SECOND SHOT AND THAT ROUND HIT THE WALL ABOVE MY HEAD, I FIGURED THE SNIPER HAD A GOOD VIEW OF ME AND I WENT TO TURN AND I HEARD A THIRD SHOT AND IT HIT LRAS1 WHICH IS LOCATED OUTSIDE OF BLDG #1, THAT ROUND FRAGMENTED AND WENT INTO MY RIGHT ARM, AND LEFT CALF. I LOW CRAWLED INTO BLDG #5 AND LOOK AT SGT (b)(3), (b)(6) AND SAID WE LOST SCUSA, BUT WE GOT TO GET HIM OUT OF THERE. SO WE GRABBED TWO CANS OF SMOKE AND WENT TO THE DOOR AND DEPLOYED BOTH SMOKE GRENADES AND WAITED FOR THEM TO BUILD ENOUGH COVER, WE THEN RAN OUT AND GRABED SCUSA AND CARRIED HIM TO BLDG #4 AND THE RETURNED TO BLDG #5. ONCE BACK IN THE BLDG I INFORMED SP (b)(3), (b)(6) THAT WE LOST SCUSA. WE THEN ALL MOVED TO THE SOUTH SIDE OF BLDG#4 TO GATHER RESOURCES AND PERSONEL. ONCE THERE WE GOT WORD OVER RADIO THAT THE ENEMY WAS IN THE WIRE. AT THREE DIFFERENT LOCATIONS, JUST SOUTH OF BLDG # 9, AND 21, AND AT THE ECP, AND THEY WERE IN BLDG # 19. SO SGT (b)(3), (b)(6) AND MYSELF WERE ASKED TO GO CLEAR BLDG #5,8,12,7,AND 19. ALL BUILDINGS WERE CLEAR EXCEPT BLDG 19. ENEMY WERE IN THE CAMP SO SGT (b)(3), (b)(6) AND MYSELF WENT INTO THE COMPOUND TO CLEAR IT BUT THERE WAS TO MUCH SMOKE FROM A FIRE BURNING IN THE COMPOUND, AND COULDN'T GET ALL THE WAY INTO THE COMPOUND, SO WE FOUND A CLEAR SPOT TO ENGAGE ENEMY FROM AND ANY ENEMY THAT WE SAW WE ENGAGED UNTIL WE SEEN NO MORE. ONCE WE FELT IT WAS CLEAR WE SECURED THE EAST, NORTH EAST SIDE OF THE COP. WE THEN HEARD SHOT BEING FIRED FROM THE NORTH FACE AREA. SGT (b)(3), (b)(6) LOCATED THE POSITION DUE TO DUST KICKING UP EVERY TIME A SHOT WAS FIRED. HE FIRED AT THAT POSITION, AND KEPT THE ENEMY PINNED DOWN AND I ENGAGED WITH MY M203 WITH 2 ROUND AND WE SEEN THE ENEMY FALL AND ROLL DOWN THE HILL. WE HAD EYES ON THE BODY AND CONFIRMED HE WAS DEAD. AFTER THAT WE HAD 10 TO 15 ENEMY COMING IN FROM THE DIVING BOARD AREA (200 METERS EAST OF KEATING) AND ENGAGED AND KILL ATLEAST 8. WITH M4 AND M203.

6. WHAT VULNERABILITIES DID YOU SEE OR FEEL AT COP KEATING? LOCATED IN THE LOW GROUND, SUROUNDED BY HIGH GROUND. WERENT ENOUGH TOWERS, OR PERSONEL. WE FOUGHT WITH ROUGHLY 32 PERSONEL AGAINST HUNDREDS. I KNOW IT WONT HAPPEN BUT THE AFGHAN FORCES ARE HORRIBLE. ANA ENGAGED US, ANA LEFT, ALONG WITH THE ASG. I SPEAK FOR MANY BUT WOULD PEFER NOT TO WORK WITH ANY AFGHAN FORCE.

7. WHAT WAS FIRST ENEMY ACTION YOU SAW? WHERE WERE YOU, AND WHERE DID YOU MOVE? ENEMY IN BLDG #19, I WAS IN THE ANA COMPOUND AND STAYED THERE TO ENGAGE ENEMY.

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

8. WAS ANYONE NEAR YOU WOUNDED OR KILLED? WHO, AND WHAT WAS THE NATURE OF INJURIES? WHAT UNIFORM WAS THE SOLDIER(S) WEARING AND WAS THE SOLDIER(S) WEARING THEIR FULL BATTLE GEAR? SPC SCUSA WAS KILLED, SHOT IN NECK, WEARING PLATE CARRIER, ACH, EYE PRO, T-SHIRT, PT SHORTS, PT SHOES. SGT (b)(3), (b)(6) WOUNDED, SHRAPNEL TO RIGHT ARM, WEARING IOTV, PT UNIFORM, AND PT SHOES.

9. DID YOU HAVE EXPERIENCE WITH THE ANA? HOW EFFECTIVE WAS THE WORKING RELATIONSHIP WITH ASSIGNED ANA/ANP ELEMENTS? NOT FIRST HAND, JUST SEEN THEM AROUND COP, BUT HEARD BOTH ANA AND ANP LACKED THE WANT TO WORK.

10. DID YOU INTERACT WITH THE LOCAL COMMUNITY? HOW WERE YOU RECEIVED BY THE LOCALS? NO DIDNT INTERACT WITH LOCALS.

11. DID YOU EXPERIENCE ANY WEAPON SYSTEM FAILURE DURING THE INCIDENT? HAD NO WEAPON MALFUNCTIONS. I USED M4, M203, AND M240B.

AFFIDAVIT

I, SGT (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. 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)  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of OCT, 09 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  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

ARTICLE 136, UCMJ  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT  
(b)(3), (b)(6)