

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 1203	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS E-5/RAsgt	
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? forward observer

2. HOW LONG HAVE YOU BEEN IN THE ARMY? 3years HOW LONG IN COUNTRY FOR THIS DEPLOYMENT? 5 months

3. DO YOU HAVE PRIOR COMBAT DEPLOYMENTS? yes IF SO, WHEN AND WHERE? October 2006-dec2007 Iraq

4. HAVE YOU SPENT ANYTIME AT COP KEATING? yes IS SO, WHEN WERE YOU THERE? June 2009 to August 2009.

5. WHEN DID YOU ARRIVE AT OP FRITCHE? august HOW LONG WERE YOU THERE AND WHEN DID YOU LEAVE? 3 months, 12 October 2009.

6. BRIEFLY DESCRIBE YOUR ACTIONS ON 3 OCT 09, DURING THE ATTACK ON OP FRITCHE. I woke up because of an explosion and put my gear on then ran to my position on the line. I also helped run ammo to the crew serve weapons. During the fight I was engaging targets in my sector with my M-4 for about 2 hours. Then I started running ammo to the crew served weapons for Alpha section. Then I went into tower 3 to overwatch Kamdesh for the remainder of the battle.

7. DID YOU PROVIDE ANY FIRE SUPPORT OR QRF RESPONSE TO COP KEATING ON 3 OCT 09? no we were pinned down and trying to prevent the enemy from over running fritche after a hour the mortars were able to start providing some support .

8. DID YOU EXPERIENCE ANY WEAPONS MALFUNCTIONS DURING THE ATTACK? no

COP Keating could have been more easily defended if it was in a better position. The COP was basically in a bowl surrounded by areas of higher elevation where the enemy could fire down into the COP. We should not have trusted the ASGs at the LP to overwatch our position OP Fritche. I think days leading up to the attack we were being observed by AAF disguised as goat headers and they were gaining intel on our position.

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)

this page not used

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 1. 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, OR UNLAWFUL INDUCEMENT.

(b)(3), (b)(6) _____
(Signature of Person Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of oct, 9 at FOB BOSTICK, AFGHANISTAN APO AE 09354

(b)(3), (b)(6) _____
(Typed Name of Person Administering Oath)

(b)(3), (b)(6) SFC, USA
(Typed Name of Person Administering Oath)

ARTICLE 136, UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

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