

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 1220	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS E6/AD	
8. ORGANIZATION OR ADDRESS TRP B, 3RD SQN-61ST CAV REGT, 4IBCT-4ID, APO AE 09354			

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

1. WHAT IS YOUR DUTY POSITION? PLATOON SERGEANT 1ST PLT B TRP 3-61 CAV.

2. HOW LONG HAVE YOU BEEN IN THE ARMY? 10 YEARS 1 MONTH. HOW LONG IN COUNTRY FOR THIS DEPLOYMENT? 5 MONTHS

3. DO YOU HAVE PRIOR COMBAT DEPLOYMENTS? YES. IF SO, WHEN AND WHERE? IRAQ 04-05 IRAQ 06-07

4. WHERE WAS YOUR BATTLE POSITION ON 3 October 2009 AT COP KEATING? LRASS 1, GENERATOR BY MOSQUE, WEST SIDE OF AID STATION, NORTH FACE BP, ASP, SHURA/ECP, LAUNDRY TRAILER, LATRINES.

5. WHAT WERE YOUR ACTIONS DURING THE FIGHT? WOKE UP WENT OUT TO LRASS 1 AS PART OF 100% FORCE PRO ACTING AS C2 ELEMENT BETWEEN THERE AND ECP. BP WAS MANNED BY SPC(b)(3), (b)(6) WEAPON SYSTEM MK-19, 240B TEAM SHOWED UP (SPC (b)(3), (b)(6) AND SP(b)(3), (b)(6) MOST OF THE CONTACT COMING FROM WEST SIDE OF COP, SENT 240B TEAM BACK TO 1ST PLT BARRACKS FOR RE-DISPERSION OF MAN POWER. SGT GALLEGOS REPORTS TO 1LT (b)(3), (b)(6) CONTACT REPORTS, ALONG WITH AMMO CONSUMPTION AND ATTEMPTS TO ADJUST FIRE. MOVED TO GENERATOR BY MOSQUE AND ATTEMPTED TO SUPPRESS ENEMY FIRE AND WAS PEPPERED IN THE RIGHT SIDE BY RPG, CHECKED MY AG SPC (b)(3), (b)(6) HE LET ME KNOW I WAS HIT TOLD HIM I WAS OK AND TO GET MORE AMMO AND PERSONAL. HE LEFT KEEP TRYING TO LET SGT GALLEGOS KNOW TO BRAKE OUT, TRIED TO SUPPRESS SOME MORE, SMALL ARMS FIRE FOR THOSE SIDE WAS TO INTENSE HAD TO BRAKE DISPLACE. SPC (b)(3), (b)(6) SHOWED BACK UP WITH ADDITIONAL PERSONAL, INSTRUCTED TO HOLD AREA TO THE SOUTH SIDE OF DEFAC AND MOSQUE. WENT TO AID STATION FOUND SGT KIRK WAS KIA, ALSO HAD REPORTS THAT SPC(b)(3), (b)(6) WAS TAKING SNIPER FIRE AT LRASS 1, I GRABBED A DRAGONEV FROM ANA AT THE AID STATION AND WENT TO HIS POSITION AND TRIED TO WEED OUT THE SNIPER ON NORTH FACE. LEFT POSITION TO RECONSOLIDATE AT 1ST PLT BILLETS SENT SGT HARDT TO GATHER AMMO AND PERSONAL TO PUSH TRUCK 1 (STAND 2 TRUCK 1W/ .50 CAL MG) OVER TO WEST SIDE OF MAINT. BLDG AND HELP SGT GALLEGOS AND TEAM (SGT(b)(3), (b)(6) SPC (b)(3), (b)(6) SSG MARTIN, AND PFC MACE) DISPLACE BECAUSE THEY WERE BLK ON AMMO. WENT TO TALK WITH 1LT (b)(3), (b)(6) ON SITUATION, PUSHED BACK OUT, SGT HARDT REPORTED THAT AAF WAS ON THE COP POINTING A RPG AT HIS POS AND THAT WAS LAST HEARD FROM HIM. APP (0700-0800).

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 SSG (b)(3), (b)(6) TAKEN AT FOB BOSTICK DATED 2009/10/20

9. STATEMENT (Continued)

WENT TO WEST SIDE OF AID STATION ID 3 AAF MOVING FROM ECPTO LRASS 2, THEY STOPPED BY STAND 2 TRUCK 2 WHERE ID I WITH RPG 2 WITH AK-47, HAD CHEST RIGS AND RPG BACK PACK. SHOT AND KILLED AAF CARRYING RPG DROPPED OTHER TWO THEN WITNESSED A 4TH COME FROM LRASS 2 POS AND DROP DOWN IN FRONT OF TRUCK USING IT FOR COVER AND USED HAND AND ARM SIGNALS TO SOMEONE AT ECP. WENT IN TO TOC CAME UP WITH A PLAN WITH LT (b)(3), (b)(6) AND SF (b)(3), (b)(6) ALLOW ME TO TAKE A TEAM PUSH OUT AND CLEAR UP TO GREEN PLT MORTAR POS. PUSHED OUT WITH SPC (b)(3), (b)(6) SPC (b)(3), (b)(6) SGT (b)(3), (b)(6) PFC (b)(3), (b)(6) PFC (b)(3), (b)(6) TOOK BACK ASP SET IN DEFENSIVE POS AT ASP/NORTH FACE BP, ENGAGE 2 AAF AT MAINT BAY CARRYING AK-47'S WITH CHEST RACKS. SPC (b)(3), (b)(6) GETS SHOT, BY 1 AAF CARRYING AK-47 MOVING FROM NORTH WEST TO SOUTH EAST IN FRONT OF THE NORTH SIDE OF COP. STILL RECEIVING HEAVY MG AND RPG FIRE FROM NORTH WEST UP THE LOC, URMOL, PUTTING GREEN, SWITCH BACKS, AND WATER FALL AREA. LEAVE PFC (b)(3), (b)(6) AT NORTH FACE BP WITH SGT (b)(3), (b)(6) MOVE WITH SPC (b)(3), (b)(6) SPC (b)(3), (b)(6) SGT (b)(3), (b)(6) AND TAKE BACK ECP, FIND ENEMY POSITION RIGHT OUT FRONT NO BODY JUST RPK LEFT BEHIND. LT (b)(3), (b)(6) CALL INFORMS TO COVER SGT (b)(3), (b)(6) SPC (b)(3), (b)(6) MOVE BACK FROM LRASS 2 WITH PFC MACE. SGT (b)(3), (b)(6) COME AND REJOINS TEAM AT ECP INFORMS THAT SPG GRIFFENS BODY IS OUT BY THE PISS TUBES. SGT (b)(3), (b)(6) AND SPC (b)(3), (b)(6) GATHER HIS BODY UP. GET PLAN TOGETHER WITH LT (b)(3), (b)(6) AND SF (b)(3), (b)(6) ATTEMPT TO PUSH TO GREEN PLT MORTAR POS, AND RECOVER KIA'S. ASSAULT OUT STILL TAKING MG FIRE AND RPG'S FROM WEST SIDE OF COP FIND SSG MARTIN AND SGT GALLEGOS BODY'S. MOVE THE KIA'S BACK TO THE SHURA BLDG BY SGT (b)(3), (b)(6) SPC (b)(3), (b)(6) AND PFC (b)(3), (b)(6) DEFEND AND CONTU. TO IMPROVE UNTIL QRF ARRIVES AROUND 1800-1900. CONDUCT SSE OF ENEMY BODY'S LATTER THAT NIGHT FIND SOME PAPER WORK GIVING TO S-2 ALONG WITH RADIO'S GRENADES, AMMO ECT.

6. WHAT VULNERABILITIES DID YOU SEE OR FEEL AT COP KEATING? THE LOCATION HAD TOO MUCH HIGH GROUND TO CLOSE. NOT ENOUGH PERSONAL ON THE COP TO DEFEND IT PROPERLY. NOT ENOUGH ASSETS SENT TO HELP FOR IMPROVEMENTS. THE MENTALITY WAS DON'T BUILD IT UP BECAUSE IT IS JUST GETTING TORN DOWN. NOT BEING ABLE TO EMPLOY AN EARLY WARNING SYSTEM OR SET IN SKT OR LONG DURATION OP'S. NOT ALLOWING S-2 TO DO HUMITS JOB WHEN THEY WERE NOT THERE. ECP WAS IDENTIFIED EARLY ON AS WEAK POINT AND SEVERAL REQUESTS WERE MADE TO GET OUR WELDER FIXED SO THAT WE COULD REPAIR THE GATE OURSELFS. REQUESTED MULTIPLE TIMES TO BLOW OLD CLAYMORES AND EMPLOY NEWER ONES WAS DENIED. SIMPLE MAINT REQUESTS AS SMALL AS GETTING MORE BOLTS SEND OUT FOR HUMVEE TRUCK DOORS SO WE COULD HAVE ANOTHER GUARD POSITION DIDN'T HAPPEN.

7. WHAT WAS FIRST ENEMY ACTION YOU SAW? WHERE WERE YOU, AND WHERE DID YOU MOVE? I MOVED FROM 1ST PLT BILLETS GRAB SPC (b)(3), (b)(6) AND A MK-48 LIGHT 7.62 MG AND HEAD TO GENERATOR POS WEST BY THE MOSQUE. SET IN MG POS ID FROM THERE ENEMY POS, WATER FALL AREA HAD A MG TEAM ABOVE (b)(2) High PLT MORTAR POS, ID MULTIPLE RPG'S COMING FROM SWITCH BACKS, ID MG POS FROM HOUSE ON THE NORTH SIDE OF URMOL, ID MG POS FROM HIGHER UP ON PUTTING GREEN BY SUB-GOVERNORS HOUSE. RADIO TO SGT GALLEGOS THAT I WOULD TRY AND ATTEMPT TO GIVE THEM COVERING FIRE SO THEY COULD DISPLACE BACK FROM LRASS 2. OPEN UP ON HOUSE NORTH SIDE OF URMOL, FIRED A BELT OF APP. 100 RND'S AT THAT POS, THEN GENERATOR I WAS SET ON WAS HIT BY RPG.

8. WAS ANYONE NEAR YOU WOUNDED OR KILLED? WHO, AND WHAT WAS THE NATURE OF INJURIES? WHAT WAS THE SOLDIER WEARING AT THE TIME AND WHY? WAS THE SOLDIER WEARING ALL OF THEIR BATTLE GEAR? YES SPC (b)(3), (b)(6) PEPPED IN BOTH HANDS, FULL KIT, PLATE CARRIER, ACH, EYE PRO. SPC (b)(3), (b)(6) GSW UPPER LEFT ARM, PART OF ASSAULT TEAM, HAD EVERYTHING ON EXCEPT ACU TOP AND EYE PRO. SPC GRIFFEN LOCATED OUT BY PISS TUBES, KIA, MULTIPLE INJURES, FULL KIT. SSG MARTIN, KIA FOUND UNDER THE LAUNDRY TRAILOR, FULL KIT, HIT IN LEG LOOKED LIKE SELF AID WAS DONE AND HE HAD A GSW TO BACK OF HEAD CLOSE RANGE. SGT GALLEGOS WAS RECOVERED FROM THE SOUTH WEST SIDE OF LATRINES, KIA, MULTIPLE INJURES, HE WAS WEARING HIS FULL KIT.

INITIALS OF PERSON MAKING STATEMENT

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

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9. STATEMENT (Continued)

9. DID YOU HAVE EXPERIENCE WITH THE ANA? HOW EFFECTIVE WAS THE WORKING RELATIONSHIP WITH ASSIGNED ANA/ANP ELEMENTS? THEY DID NOT WANT TO DO ANYTHING, HAD TO FORCE THEM TO DO PATROLS, MAN THERE FORCE PRO POSITIONS. THEY WERE ALWAYS RELUCTANT TO DO ANYTHING WITH OR FOR US.

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

11. ARE YOU AWARE OF ANY WEAPON MALFUNCTION DURING THE ATTACK? NO.

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

AFFIDAVIT

I, SSG (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)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of October, 2009 at FOB BOSTICK, AFGHANISTAN, APO AE 09354

ORGANIZATION OR ADDRESS

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

g Oath)

(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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Page 4 redacted for the following reason:

(b)(1)1.4a, c and g, (b)(2)High, (b)(3) and (b)(6) apply.