

**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) 2009/10/21	3. TIME 1225	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS 02	
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?  
Platoon Leader, 3rd Platoon, B-Trp

2. HOW LONG HAVE YOU BEEN IN THE ARMY? HOW LONG IN COUNTRY FOR THIS DEPLOYMENT?  
5 years, arrived in country on 28 May 2009

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

4. WHAT WERE YOUR ACTIONS ON 3 OCTOBER 2009?  
QRF Patrol Leader

5. WHAT WAS FIRST ENEMY ACTION YOU SAW? WHERE WERE YOU, AND WHERE DID YOU MOVE?  
As the patrol leader we SP'd OP Fritsche with approximately 40 PAX. Soon thereafter we were engaged with multiple PKM bursts; we did not see any AAF at this time. The fire was not accurate, we continued our patrol to COP Keating. About 2/3ds the way down we were about 100m from the southern end of the linkup point. At this location, we took a few pop shots and one RPG round was fired at us. The fires were not effective. However, we did receive (b)(2)High

(b)(2)High We continued our move and reached the southern end of the linkup point. We moved to the southwest to trace the edge of the linear danger area and came upon two enemy fighters hiding in a bush about 10ft off of the trail. We engaged with a 9mm and M4s to destroy the targets. The fighters had 7 RPGs, 2 launchers, 2 AK47s, (b)(2)High two full chest rigs, 1 MRE, and a surplus of AK47 ammunition. We gathered all materials and continued our move to Keating. We had negative enemy contact the rest of our patrol and arrived at Keating. Upon arrival at Keating we cleared the southern/western portions of the COP and found 6 enemy KIA on the COP. There were enemy weapons and materials co-located with the fighters. This completed our enemy contacts for 3OCT2009. It took approximately (b)(2)High to get to Keating from Fritsche.

6. DID YOU SPEND ANY TIME AT COP KEATING PRIOR TO THE ATTACK? WHAT TIME FRAME WERE YOU THERE?  
I arrived at COP Keating (from Fritsche) on 8AUGUST2009. I was there the whole time until we closed the COP. However, I had left COP Keating on 1 October 2009 to go to COP Fritsche for a property issue, but got re-routed to FOB Bostick. That is why I was not there the day of the attack.

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 2009/10/21

9. STATEMENT (Continued)

7. IN YOUR OPINION, WHAT VULNERABILITIES EXISTED AT COP KEATING?

The terrain gave the enemy the constant advantage. They had observation on us at all times. Additionally, allowing the ANA to control the eastern side of the COP was a huge disadvantage that was ultimately capitalized upon by the AAF. Having the mortar pit so far removed from the main portion of the COP allowed them to be cutoff from support. Not having any secondary barriers to close off forced a small element to defend a huge piece of ground with little cover.

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?

No one near me was injured or killed.

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

I worked with the ANA both at OP Fritsche and COP Keating. The experience was largely negative. Their refusal to do certain patrols, not wearing proper uniforms, not behaving in a military manner all greatly deteriorated our opinions of the Soldiers. My platoon got in 17 contacts with the enemy on OP Fritsche alone, in all occasions the ANP hid in their guard hootch and would not come out until the fighting was over. They would constantly attempt to gain supplies from us and sell those very supplies to people in Kamdesh and other surrounding populaces.

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

I never went into any of the villages. At OP Fritsche we held multiple Shura meetings which seemed to go well at the time, however the results never materialized. The locals only wanted money and supplies from us, they did not want to help us in any other way.

11. DESCRIBE THE ACTIONS YOU TOOK THE DAY AFTER THE INCIDENT? DESCRIBE WHAT YOU SAW? INCLUDE CASUALTIES AND WEAPONS.

An elder from Mandagal showed up at COP Keating early in the morning and told us his son was a member of the ANP. Apparently, he got word that his son was killed in the fighting and he wanted to recover his body. We setup a clearing mission for the village of Urmol. Personnel included in the clearing mission was 9 pax from my platoon and (b)(2)HighQ. We went into the village with 2 elders from Mandagal and began clearing starting with the ANP station. In the ANP guard buildings, we found multiple dead ANP and some ACU patterned gear, i.e. a 203 bandoleer. Upon entering the ANP courtyard, there were brand new fighting positions setup facing COP Keating utilizing sandbags and plywood. We found multiple dead ANP/AAF in the trenches and in assorted other places in the courtyard. Some had full ANP uniforms, some were just wearing local dress, and some had a combination of the two. Most had full chest rigs and other materials that were not normally seen as part of the ANP uniform. Upon continuing our mission we found 3 more dead AAF on the way to the next building. Scattered throughout the village were ANP uniforms laying on the ground and in trees. We cleared our way through the houses with no enemy contact. We came upon one of the last houses one with one military aged male and his elderly/sick father. They posed no threat so we searched them and continued on our way. We got to the Mosque and did a quick clear of it. We found a couple dead AAF outside of the mosque but nothing immediately inside. Due to the rubble and unsafe structure we did not enter the mosque to thoroughly clear it. The buildings with the most damage were the ANP station and the Mosque. However, these were also the areas where we found dead AAF bodies. Weapons that were found included a few AK47s and 2 RPG launchers. We found zero civilian casualties in the village. We saw a total of 2 males and 1 female in the village. Starting on 4October2009 civilian workers, ASG, and ANA started showing back up on COP Keating. Some were given flights out of the area back to Bostick/JAF. The normal amount of personnel traffic through Urmol never returned while I was at COP Keating. Most of the enemy weapons that could be recovered were destroyed.

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF

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

TAKEN AT FOB Bostick

DATED 2009/10/21

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

Subs:

administer oaths, this 21 day of October, 2009  
at FOB BOSTICK, AFGHANISTAN, APO AE 09354

\_\_\_\_\_  
ORGANIZATION OR ADDRESS

\_\_\_\_\_  
(Signature of Person Administering Oath)

\_\_\_\_\_  
ORGANIZATION OR ADDRESS

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

SFC  
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n Administering Oath)

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(Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

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