

hazards, or do they just kind of creep by you, what is the normal mode of operandi by the Iraqi vehicle?

The majority of them definitely stop. Most of them stop well in advance and then they either turn around or they take an alternate route before we ever get to them. They will pull off on a side road or do a U-turn right there, but definitely by the time we get to them, they always have stopped and their hazards are usually on.

18. How often did you review ROE and EOF with your patrol? Explain how you cover this information with your Soldiers.

Escalation of force was getting some pretty good attention from my superiors and being told definitely to harp on it before the patrol, so almost every patrol we went out on, we covered escalation of force real quick. Basically I have seen my guys do it, so we basically told them they are doing the right thing and to keep doing what they are doing. The actual rules of engagement, we went over several times in Kuwait, several times before we actually started patrolling. Never really much once we started patrolling, to be honest.

19. What was the timeline for your patrols' operations?

- When did you receive the Company OPOD from the CDR. Was this verbal or in paper/hard copy.
- Did you conduct an initial briefback with your CDR?
- When (DTG) did you give your Patrols NCOs a WARNORD (verbal or written)
- When (DTG) did you give the patrol order for the mission. Were all patrol members present?
- Did you conduct any rehearsals?
- When/did you conduct PCCs/PCIs?
- When (DTG) did you provide Ops graphics and fill out a trip ticket with the Company (DTG).
- Did you receive an Intel update before departing? When.
- Did you conduct a final briefback with Gator 6 before departing?
- What was planned SP time and when did the patrol SP?

It would have been on, I have a timeline written down. It was that Monday which I believe was the 21<sup>st</sup> at about 2000 or so, I was called in to the CP. We got back from our previous patrol about 0200 on the 21<sup>st</sup>. I got called in, after I finished my debrief it was about 7 or 8 hours after, the CO was out on patrol. I was told by the XO that me and my guys would be going back out the next morning, basically to get the rotation back to where the platoon sections are staggered. Because at that time, we had my other section of my platoon was coming out right after us and the vehicle situation was getting kind of crazy, so we were trying to get the rotation back on that. So, we were going out again pretty quick.

20. So, the XO actually gave you the OP order, is that correct?

I would not go as far as to say it was an OP order, but it he gave me a 6 digit grid of a possible cache and told me to find that and he told me that is what we would be going to first. Then, the next morning, when I actually came he gave me a piece of paper that said the task was to go to that grid and look for the cache and the follow one after that was just to relieve 3<sup>rd</sup> Platoon.

21. The grid we are talking about is actually the one you eventually went to, the cemetery, is that correct?

Negative Sir, it was actually this is the one where 24568 something. It was actually at the intersection of \_\_\_\_\_ there was a farm there. I am not sure where the intel came from, but I have been there several times and talked to the people there several times. The initial task was not the cemetery.

22. So you got an update from the XO that morning of the 22<sup>nd</sup> about what time do you remember?

We were supposed to head out about 0900 and we had some comm issues before we even left, so probably about 0800 or 0730.

23. So, the night before you met with \_\_\_\_\_ about 2000, did you get your NCO's together that night to give them a short brief?

Yes I did.

24. What time was that?

It was about 2200. \_\_\_\_\_ even though \_\_\_\_\_ had received shrapnel in his leg on the patrol before so he was not going to go out. We talked about what we were going to do.

25. Now, \_\_\_\_\_ was he normally one of your squad leaders or team leader?

Roger Sir, he was my weapons squad leader.

26. Is he and E6 or E5?

E6 with like 19 years in.

27. So that morning you get up, and the next big hurdle you got, you confirm it with \_\_\_\_\_ because the Company Commander is not back yet or is he back and is just not meeting with you because he is on kind of a reverse cycle?

He was back. I believe they got back about some time during the night from when I left the CP the night before, the next morning they got back, he was asleep. He had been out on patrol a good while, so I never had a face-to-face with him before I went out on patrol.

28. You mentioned you went up to the Battalion, to the S3 and stuff, what time was that?

That would have been about 0800. I am not exactly sure on the time. I am just guessing on when we were supposed to leave.

29. Did you do a final patrol brief with everybody in your section getting ready to go out?

Roger. That did not happen until about 1100 or so after we got all the issues fixed. At that time, I got the whole patrol together and basically told them what our initial task was and then I told them what the S3 told me. After we did that, we would go find the house and start the priorities of work and defenses.

30. So, your initial task again was the cache search for suspected AIF cache and that was at the grid, on the corner of \_\_\_\_\_

Yes Sir.

31. What was your second task, to establish a safe house patrol base?

I guess the second task would be to relieve in place the 3<sup>rd</sup> Platoon section that was out there and then after that, was to go find the house for the patrol base.

32. So, you did not have at this time the cache that you ended up going to the cemetery, the 200611 grid, you were not provided that information at this time?

No Sir. I was aware that there was a suspected cache there, but it was not in any of our mission.

33. So, before you left, did you see Gator<sup>1</sup> at all, before 1100 when you departed?

No. I talked to my ISG for quite a few minutes right before we departed, but I did not see Gator 6.

34. What kind of guidance did he give you or any instructions did he pass on to you?

Actually, the conversation was more towards, it was not about the mission, it was the leave coming up and the short numbers we were having.

35. What was your expected duration of your patrol when you departed?

We were told before that, the patrol schedule now they were going to try to fit it somewhere from 28 to 36 hours or so. That is our timeline we had.

36. Were you operating in a new zone, the [redacted] or had you been down to [redacted] before and were you familiar with it?

I was familiar with certain parts of [redacted]. We had been down to the intersection of [redacted] and Motorhead, down in that area the last 2 or 3 patrols that we were on. I was familiar with the southeast portion of that section.

37. What did you believe was the long term purpose of establishing the patrol base safe house?

It was basically just because that area was so bad down there at that intersection. We found, about a week before, some IED's. We had been hit before at that intersection, IED's all over that intersection. So, basically it was to just to always have eyes on that intersection, keep it clear.

38. How many soldiers in your platoon had you lost up to this point, either wounded or killed in action, prior to this patrol?

Roughly 33, lost 1 went to the (unable to transcribe from the tape), 1 was sent home because his wife had a heart transplant and was having trouble, left us with 31. 2 KIA, that makes 29. We had 1 that was out for a while because he was hearing voices in his head and they basically called him psycho. but then he was good, but the day before we went out on this patrol, he was found again to be pretty much psycho and crying and stuff like that. So, he was done, that is 28.

39. So you had 28 available, does that count the one soldier who had the IED wounds?

That does count him, so if you count him out of not going on patrol, it would be 27.

40. In your own words, tell me what happened on your patrol all the way out to occupying the safe house.

Basically we went down route [redacted] went to the 6 digit grid we were given to the expected cache. Like I said, I had been there before. I knew the family that owned the farm, they were very helpful, very cooperative family. Once we saw that, we kind of knew there wasn't much here, maybe they gave a tip that somebody put something on their farm. We searched it real quick and we went and talked to them. They said nobody had put nothing in there, they had not called anybody. We talked to them about 30 minutes and what was going on around there, pretty much the same stuff, kidnappings, Sunnis' shooting at there house and things. Took some notes on that, took some pictures and then went down route [redacted] down to [redacted] At this time too, the comms were already pretty bad. I could not communicate with the 3<sup>rd</sup> Platoon element from where I was at to where they were at. They were on route [redacted] So, I could not actually communicate with them until we got onto [redacted] It was probably about 1500 or so on the 22<sup>nd</sup>. We turned onto [redacted] at that time we got a call from [redacted] saying that there was a house up here with some suspicious people that were planting stuff in the road and ran into once they saw [redacted] They gave us a description of what he was wearing and gave us a 10 digit grid to the house. We went up to the house and got everybody out and there was one guy that did not live there. Long story short on that, we basically found the clothes in a bag, the clothes that were worn by the person, a bag that [redacted] said was the bag that was out there, but we did not find anything in it. So we ended up detaining that person and he claimed that it was his clothes and we detained him and went to another couple of houses [redacted] told us about that possibly someone had come to the initial house and took something and ran to another house. So, we check out about another 3 or 4 houses searching for anything suspicious, but we did not find anything. It was about 1630 or so we finally got down to where 3<sup>rd</sup> Platoon was. We linked up with them. Basically there mission was cordon off a booby-trapped house that they were going to JDAM at some point. We relieved them of that, they took our detainee and they also took 2 guys from our patrol because they needed 2 guys that were eye witnesses for the detainee back at Camp Stryker to do all of the paperwork. I was already short 1 on my patrol and now they took them about 2000 or so. Now, basically I had 11-12 guys and the interpreter. We stayed out all night watching that house and that road and about 0630 they JDAM'ed the house. After they JDAM'ed it we went up and assessed it to make sure it was destroyed, took pictures and all of that. I called back to Gator [redacted] and asked if they had anything further for us to do in this area, because if not, I was moving down to find the house to do the patrol base in. They gave me the go ahead to do that, so we moved down near the intersection of [redacted] and [redacted]. Probably about 300 meters northwest of the actual intersection. Set up a house, started doing priorities of work and a defense. Just clearing fields of fire, chopping down trees, burning some of the bamboo, setting up fighting positions, getting the sector sketches done, starting filling sandbags, things of that nature.

41. What time did you arrive at the house, do you recall?

It was about between 0800 and 0900. So, we were doing all of that and then about noon or so, I got a call from Gator 6 telling me to go check out the 86 digit grid, the cemetery, to go check out a possible cache there. At that time, I asked if it was alright, I would rather not take the vehicles, I would rather be dismounted out there. We were limited with the vehicles, on foot we could go where we want, possibly catch people in the act, things of that nature. Basically if it was alright to keep the vehicles at the house, some guys securing the house and overlooking the intersection while I take some other guys and take a look at this cache. He basically said I was the Commander on the ground and I could make that decision and so I did. That is what I did. I left

6 guys back at the house, took 5 and an interpreter. We took off around 1230 or so to go to the cache.

42. Did you back brief Gator 6 that you were taking 5 plus 1 forward on the radio, did you come back at any point?

I do not think I gave him specific numbers, but basically told him I am taking half out and leaving half at the house.

43. By your estimate, how far of a dismounted movement would you be traveling you think? On the map it was about 5 clicks or so, it ended up being a lot farther with the route we took. We found a serpentine through farms on the way there, the canals forcing us up to a certain road to go across the canal. It ended up taking us 3 hours to get from the house to the cemetery.

44. What kind of special equipment did you take with you on the patrol. (Mine detector, radios, signals & smokes, machineguns, Binocs, ~~\_\_\_\_\_~~ etc)?

I was carrying the mine detector, my RTO was carrying the radio and I also brought my medic with me, he had his medic bag. Other than that, it was what everybody normally carries and bottled water if they wanted.

45. You did not have a 240 or M249 with you, the highest casualty producing weapon was \_\_\_\_\_ is that correct?

That is correct Sir.

46. How many Garmins or Pluggers would you say you had with you?

Actually I am positive we had 4. I myself had a personal one, my RTO had an issued one, \_\_\_\_\_ and \_\_\_\_\_ had a personal one.

47. Did you have a Warlock Blues system or anything like that?

I had one, \_\_\_\_\_ had one, and \_\_\_\_\_ had one. I know mine was out of batteries, the batteries had run out. By the time we left we were 25-26 hours into the patrol. I am not sure if the other 2 were operational.

48. Do you have any problem with those and the radios ASIP's working together, have you had any problem?

Honestly, I do not think so. The ICOMS would be effective and we never have had any problems with the Warlock Blues and the ASIP's.

49. What special instructions (mission type orders) did you give those going on the dismounted Patrol?

Basically I showed them the map. I showed them where we were going and what we were doing. The planned route we were going to take, basically I told them why. At first I talked with \_\_\_\_\_ because I usually I always run things by them, just for a sanity check anytime we go out. Then showed everyone else where we were going, the person I left in charge of the house, I have him a 5 point and then sector sketch of the house, priorities of things that needed to be done, then we took off.

50. Who was left in charge of the crew at the house?

[redacted] That is actually a conversation we had initially, I told [redacted] and [redacted] [redacted] to between the 2 of them, to pick one to go and one to stay. They both wanted to go, we kind of talked about that real quick and you know then they brought up the point that SPC Sullivan was fully capable of handling the situation of the house. The only reason he is not an NCO is because he has a weight problem. But, upstairs I trust him as much as I trust my NCO's.

51. He has some prior OIF experience, I remember him telling me?  
Roger Sir.

52. Did you plan on or give any special instructions for a no comms contingency or what was your plan going to be if you were out of comms and could not talk?

No, I did not give any special instructions for that. Basically we had our manpack with us and did not really, once we ran out of comms half way to the cache, that is when it became decision time on whether to move on or not. Basically, I mean, it is not the first time we had run out of comms, I felt that most likely we would get back into comms, to tell you the truth. Once, we got over to the cemetery, we would be closer to the [redacted] then, which was a retrans station. So, I figured we would be able to pick that up over there. It turned out I was wrong.

53. What was your Evac plan, had you discuss if you took casualties, how you would get them out?

No, I did not cover an evac plan either Sir.

54. Had your Platoon conducted dismounted patrols at this length before in that AO prior (other than dismount and search for possible IED or clear IEDs).

We have done it before, leaving the vehicles on the street and then kind of, we have never been this far away before. We have done it leaving the vehicles on the street and going 100 meters away, a population center, around some houses, but no, not to this extent.

55. You were not directed to conduct a dismounted Patrol by Gator [redacted] or Gator [redacted]  
No Sir I was not, that was my call.

56. You mentioned he said you are the Commander on the ground, you make the decision on how you are going to do that, did he give you any other special guidance or planning guidance?  
No Sir.

57. You received the call from Gator [redacted] at about 1200 you said, at what point did you give your 5 point contingency, what point did you depart?

From when I received it, until when I left was about 30 minutes. I remember it taking about 3 hours to get to the cemetery and we got there about 1530.

58. During the day of the 23<sup>rd</sup>, do you recall cross-talking with Gator [redacted] ut in the zone at all, could you pick up their transmissions or talk to [redacted] at all?

I never talked to him directly. I did get word from my RTO that he was in 3<sup>rd</sup> Platoon. Again, we never talked to him, we were just hearing it over from what they were transmitting at that

time they were east of [redacted] Didn't know what they were doing, didn't know exactly where east of [redacted]. Actually at that time, because when we lost comms, we could hear people trying to talk to us and we could hear transmissions, but we could not transmit to them.

59. Did you cross any power lines that you think effected you, that is one of the things your RTO mentioned?

Not that I recall Sir. I mean if he mentioned it, I am sure we did, he is a smart dude, not that I recall.

60. Was there anything significant about the dismounted patrol before you hit the cache site, the expected cache site, did you see any suspicious activity or any IED's or anything like that?

No, the whole walk there it was pretty much just a normal walk. They were kind of surprised, I do not think they have ever seen coalition forces in the area because there were roads that HMMWVs would not go on. Actually by the house that got JDAM'ed, there was a crater in front of that house, we noticed like a space blanket was lying next to crater, we had not noticed it the night before. We cleared that enough where we could safely move by it, took note of it, got the grid, to call it up later that it was a possible risk, suspected material near the crater.

61. If I remember correctly, you said you lost comms about half way, so about an hour and a half in, you lost ability to transmit, but you could still receive?

Roger, it was actually more like about an hour in. I was talking half way being the distance, because the first half distance was a lot quicker than the second half.

62. You arrived at the cache site about 1530, I believe you move forward, I believe you split the group, you move forward, how long do you think you spent searching for the cache in the objective area?

45 minutes to an hour. Actually, one of the instructions I was told about the cache from Gator 6 was that, short of digging up bodies, look for caches. Short of digging up bodies in a cemetery looking for caches is a tough task. We walked around the whole thing, kicked up a little dirt here and there. We did not see anything that was overly suspicious, we really did not spend long there.

63. Now, you re-link up with your other element and you start moving towards Fatboy, correct?

Right, basically we kind of stuck to the north side of [redacted] the way there, so on the way back we would stick to the south side. We ended up on Fatboy pretty quick. To be perfectly honest with you, like when we got to the cemetery, we were pretty smoked, so finding a road that was a direct route back wasn't the best idea, but at the time we figured it was the most direct route back we ended up staying on that.

64. Now, talk me through what happened once you hit Fatboy and then the initial enemy contact that you had.

Basically, we got onto [redacted] and looking back on it, the people on the road weren't all that friendly, again they had never seen Coalition Forces, we waived but women and children would just kind of look at us. There was a store a ways down, people selling candy and stuff right next to road. We waived at them and really no response back. Basically only about 1 vehicle passed us, the rest of the vehicles stopped and turned around before they got to our position. The one

vehicle that actually came up to us, we stopped it and said we will give you 20 American dollars if we could hop in the back of the truck and drive a little ways down this road, kind of playing around with them. He was just like no, for the safety of my family. He took off and it was not really much farther after that we got hit.

65. At approximately what time do you think you made contact, did the enemy make contact with you?

It would be a guess, because we left the cemetery around 1630, so I would say anywhere from 1700 to 1730 somewhere in there we probably made contact.

66. Enemy makes contact, you talk about the enemy contact is being made, is it 1 groups or did you see more when you were split up, more than 1 group out there and what was the patrols actions that you were doing at that point?

At that time right before we got hit, we were moving staggered, basic foot march formation. I got hit right away. From what the doctors are saying, it was from a high velocity round, possibly like a sniper type rifle. I got hit in the shoulder and kind of fell into the canal that divides [redacted]. It was probably about 10 seconds more of shooting where there were rounds landing around us. Really, looking at it now and where I got hit, I can probably tell you where it was coming from, but at that time we figured it was either coming from down the road, basically from our 12 to our 9 is where we figured it was coming from. So we returned fire in the likely suspected positions that they would be in. [redacted] were in the canal and then [redacted], the medic and the interpreter were outside the canal. At that time, also, my weapon when I fell in the canal, it kind of fell into the mud. When I pulled it back up to fire it, I could not see through my 68 and I was getting 1 shot off and then pulling the charging handle, then get 1 shot off. We backed up about 50 meters or so because we were near the front, so the guys in the rear were about 50 meters behind us. So we back up in the canal about 50 meters, got out of the canal, came to there position. My call at that time, was to basically try to get to about 10 or 11 o'clock some trees and bamboo and you could tell there was like a canal in there. My thought process at that time was to get to some type of concealment. So, we start going towards that area. At this time, [redacted] is still trying to get comms, I can't remember if it was [redacted] was saying, hey Sir what if we get into house there and try to get [redacted] on the roof to get comms. It sounded like a good idea to me, so we took that route and went to the house on the south side of [redacted]. At that time, [redacted] go on the roof and the rest of us got on the roof and we were pulling security on the roof. We saw some people about where we thought we got fired upon. Some people were in the other direction, they were really far out, may about 300-400 meters at least, we fired on them. [redacted] could not get comms, so at some point in there someone asked to go get a truck next door, so we could hop in the truck and get back to the rest of my guys back at the house. It sounded like a good idea too. So, [redacted] and [redacted] went next door to get the truck. [redacted] ended up hot wiring it and then they pulled the truck up next to the house and we came out of the house. At this time I am kind of getting a little light-headed, so I laid down in the back of the Bongo truck, laid down, face up towards the cab and [redacted] and [redacted] were up front. [redacted] was driving. [redacted] was back there with me along with the medic and the interpreter, they were pulling security off the back side of the truck. Basically we started hauling ass down [redacted] towards where the rest of my guys were. I do not know how far we went, it was about a few hundred meters, and the truck just starts getting lit up. At that time, I did not see the HMMWVs coming

because I was lying down in the back, so I figured it was enemy fire. So, I kind of crawled out of the truck and got hit a few times and tried to get some cover in the canal again. It was not much longer after that when I heard [redacted] voice and it was kind of what are you guys doing up here. He came up and his medic pulled me out of the canal and started treating me. I heard one of his guys say 2 KIA [redacted] It wasn't another 15 minutes after that I was on a bird heading to Baghdad.

67. Do you recall while you were moving in the Bongo if you were still taking any kind of fire or was Ables firing outside the vehicle at suspect known or likely targets, do you remember? Roger, we were not taking any fire that I was aware of, but [redacted] had the only, if he saw something that was suspicious he fired on it a couple of times.

68. How long would you say you were in the house from the time you got to the house until the time you got in the Bongo and departed, was it about 15 minutes or longer? I was going to say 10-15 minutes.

69. What do you think the enemy forces were doing at that time, you said you saw some from the roof? Honestly, my personal opinion was that the only thing that really saved us is that they are so used to us calling for air support, because the situation when [redacted] weapon trigger mechanism I guess when he got down to take cover, got messed up to, so we really had 3 working weapons. If they would have known our situation and exploited it, it would have been tough. I think the reason they pretty much were hauling ass as far as I know, was because they are just so used to after any contact that happens, the Apaches are on the scene pretty quick. They did not know we did not have comms.

70. Do you recall if [redacted] was also trying to get a hold of [redacted] or was he trying to get a hold of the Company? He was trying everything Sir. He had his little RTO card with some of the single channel plain text FREQ's in it. He was trying any possible way just to get anybody.

71. Did you attempt to shoot up any type of your signaling devices at that time, did you have any star clusters with you? Roger, when we initially got hit, the direction it was coming from, [redacted] between the 12 and the 9, especially straight down the road where we were most vulnerable, [redacted] was trying the 203, so he probably fired about 4 or 5 rounds ATHP and I asked him if he had a star cluster on him and he said Roger he had a white star cluster and we fired that straight up into the air. That was probably 3 minutes after we initially had contact.

72. What is your Company SOP or Platoon SOP that you have been using for link-ups either daytime or nighttime and signaling and recognition, do you recall?

All of them, [redacted]

73. Do your leaders normally carry VS17 panels and markings on you?

Roger, I had one myself. I am pretty sure [redacted] had markings, at least V17 strips.

74. How long do you think you were in the Bongo, you said a couple hundred meters?  
I would say about 500 meters we got down the road at the most. That would be my guess.

75. How fast do you think you were going?  
As fast as that truck would go.

76. Did you now if [redacted] at any time or if [redacted] tried to put a weapon outside the window either signaling or do you recall the Bongo slowing down at any point or was it just kind of hauling ass the entire time?

From what I remember it was just hauling ass and once we started getting hit, it slowed down and eventually stopped pretty quick. From talking to [redacted] what he said was that he saw the HMMWV's coming at us and [redacted] had his arm outside the window waiving at them right before they shot at us. I never witnessed any of that myself.

77. Do you recall at all, you mentioned that 3<sup>rd</sup> Platoon was near [redacted] near the east side of [redacted], but at anytime did [redacted] tell you that they were on the west side of [redacted] possibly moving on [redacted]. Did he give you any update like that?  
No. I was not aware of that.

78. Do you think that your mission, or your capability to do missions is effected by the current equipment that you have, kind of shortages of equipment and personnel?  
Roger.

79. In what areas do you think you are effective and not effective as, if you were able to outfit yourself a little better, would it be just personnel or what types of equipment?  
I think personnel would be my biggest one. I mentioned it before that basically before, if you

[redacted]  
[redacted] Equipment wise, I think other than some other stuff that would not effect the situation at all, is like spot scopes and things, high powered binoculars we are always hitting on, something better than the binos we got. Other than that, I was pretty happy with the equipment.

80. On this particular patrol looking back, do you think you had enough combat power and assets to do the dismounted patrol?  
I mean looking back and you know how can I definitely do it different, at the time I did not think twice about it. I mean, I guess taking a saw would have been a good idea, but at the time I did not. I figured that we were good to go.

81. Is there anything else that you can think of off the top of your head that you would like to share with us to help us better understand the conditions that you are fighting under or just anything else that you left off because we did not ask a question about it?  
No, I think I did everything I normally do. I told the story a few times.