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	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
FOB JOYCE	2009/09/13	1200	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(3), (b)(6)	(b)(3), (b)(6)	O-2

8. ORGANIZATION OR ADDRESS

ETT 2-8

9.

I, (b)(3), (b)(6) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

1. What is your duty position and what was it during the mission that day?
I'm the team (b)(2)High On the mission, i was there to advice the operation officer. (b)(2)High is the senior ANA on the ground, he was planning on conduction a KLE with the village elders.

2. What are the facts and circumstances surrounding the attack on the ETT and ANA/ABP?(5Ws). Describe the nature of the attack and the rersponse from the (b)(2)High forces. Was the terrain a factor in the attack? what was the size of the enemy element?
At approximately 05301, on 8 september 2009 1st KDK, 2d BDE 201st Corps, with ABP and coalition came under a complex AAF mbush while conducting combat operations in Ganjigal Village. 1stLt Michael johnson, Gysgt Edwin Johnson, SSgt Aaron Kennefick and HM3 Jason Layton were with the foward most element of the formation. AAF initiated the Ambush on their location, and we requested a fire mission for pre plan target close to the POO. AAF were able to find their location and engaged them. They were trying to pass there exact location IOT get indirect fire support when we lost comm with them. The fire fight lasted for seven hours, even with rotary wing assets on station.

3. Identify the U.S. Service members killed or wounded in the attack and/or any subsequent engagement. Describe what the U.S. Service members were doing at the time they were killed or wounded.
1stLt Johnson, Ssgt Kennefick, HM3 Layton, and GySgt Johnson were KIA. (b)(3), (b)(6) 1stSgt (b)(3), (b)(6) and SFC Westbrook were WIA.

4. Reports indicate that the U.S. Marines were killed in action during this engagement. if so, who had operational control of these Marines? What was the mission of these Marines?
(b)(3), (b)(6) was the senior ETT on deck and he had operational control. The Marines were advising different elements of ANA during the mission.

5. What personal protective equipment was worn by the U.S Service members at the time of the incident?
They were wearing full combat gear (b)(2)High

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
	(b)(3), (b)(6)	

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 JOYCE DATED 2009/09/13

9. STATEMENT *(Continued)*

6. Report indicate that a number of U.S., Service members or ANA soldiers may have been missing and unaccounted for during the engagement.
We were comunicating with the service members and the were trying to pass their location. We lost comm with them because they KIA and we did not know the exact location. The term missing was used because we did not know at the time, their status and location. We went into the town to recover our guys.

7. Were any non-combatant Afghan Nations killed or injured as a result of the engagement? if so, where were they located during the engagement, how were they injured or killed, and by whom?
There were no non-combatant in the town, they were all fighters.

8. Did you witness any women or children either firing on United States/ANSF forces or aiding and abetting the enemy during this mission? if so, please describe and be specific as possible.
Yes, i observe a woman in red and purple garment caring PKM like ammo between the houses we were getting engaged from. i fire one round and but she slipped between the houses. we continue to recieve MG fire from that area.

9. What recommendations concerning improvements, if any, to coalition force tactics, techniques, and procedures will help avoid this type of incident in the future

(b)(2)High

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

ADF

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

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

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

DA FORM 2823, NOV 2006

APD PE v1.00

(b)(2)High

(b)(2)High

2-Pages removed for the following reason: (b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d, (b)(3), (b)(6)