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	2009/09/09		

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(3), (b)(6)	(b)(3), (b)(6)	O-4

8. ORGANIZATION OR ADDRESS

HQ, 1-32 IN, 3rd BCT, 10th MTN DIV LI

9.

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

1) Describe the facts and circumstances surround the attack on 08 Sep 09 which resulted in the death of (b)(2)High in the vicinity of Ganjgal, Afghanistan. Be as specific as possible with regard to the terrain of the attack site, time of attack, size of enemy force encountered, size of U.S. and ANSF, length of the attack, and types of AAF weapons used.

A: The village of Ganjgal is located app 3 km north/north east of FOB Joyce and is separated by a large (b)(2)High (b)(2)High The west to east running roads into the village are capable supporting (b)(2)High (b)(2)High traffic. The village lies 1 km east/northeast of the village of Damdarya; this village had been visited by ANSF in a very similar type mission 5 days earlier.

At app 0300 TF Chosin scouts occupied an OP southwest of the village and reported no unusual activity. I was not present with the ANSF for this operation. I was located at (b)(2)High for the entore operation. The first report I received from the (b)(2)High was that the ANSF had made contact with 3-5 AAF near the village and that a call for fire had been intitiated. TF 120mm mortars fired an immediate suppression mission in support of the contact. It did take (b)(2)High minutes to clear the mission based on clearing air and round units. Though slow, this did not seem to cause a problem at the time. Soon thereafter (b)(2)High was requested by the ground forces in response to an escalating situation (b)(2)High to arrive because all other (b)(2)High the AO was supporting other operations and TIC's. The QRF from JAF had to be called. It was at this time that it became apparent that the situation on the ground was getting worse. At the same time, communications with the ground forces became more and more difficult. It seemed that all US forces that were in close contact were being engaged and in the (b)(2)High began to lose situational awareness. I did not have confidence in our knowledge of the location and disposition of friendly, enemy and civillians in and around the village. This was based on our inability to talk directly to the (b)(2)High on the ground or with our (b)(2)High who had been co-located with one of the (b)(2)High elements. It was during this period of time that I did not clear artillery fires that were bieng called in and around the village, without knowledge of the exact whereabouts of friendly forces I did not feel it was worth the risk to clear the fires. That was coupled with a lack of SA in regards to the disposition of civillains in the area.

I did not have an accurate assesment of the enemy force on the ground until the first casualties started to arrive at (b)(2)High. Two casualties had been reported at about 0700 and those two were air MEDEVAC'd out. The first casualties that arrived via ground were ANA Soldiers and through an interpreter they described the situation as 150 AAF inside and around the village. I took this to mean that there were app 50 AAF based on the tendency of ANA to exagerate numbers. At this time, it became painfully clear that I had underestimated the situation on the ground and this was verified shortly afterwards as the casualty reports came in.

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

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 MAJ (b)(3), (b)(6) TAKEN AT FOB Joyce DATED 2009/09/09

9. STATEMENT (Continued)

2) Describe the ASV rollover that occurred during the incident. Describe any facts and circumstances surrounding the rollover. Be as specific as possible describing, the cause of the rollover (vehicle condition, road condition, threat level, etc) and the mechanisms used by the personnel to avoid injury. A: As reported to me, the ASV rollover occured when 3rd PLT, D/1-32 attempted to move their mounted element closer to the casualty collection point vicinity of Ganjgal Village. The roads into Ganjgal Village are unimproved (b)(2)High (b)(2)High (b)(2)High (b)(2)High The threat level at the time was moderate and I am not aware of any direct fire contact on the ASV at the time of the rollover. It was reported that all personal protective equipment and safetey restaints were utilized.

3) What was the nature, extent, and cause of loss or damage to any military equipment including to the ASV, ETT Commo, or other items involved with the events of this attack? A: The ASV was damaged during the rollover as stated above. Al weapon systems were dmaged and rendered unservicable. The vehicle is unservicable and being coded out. It was reported that the ETT commo equipment and weapons belonging to the 4 Marines killed in action were lost to AAF.

4) What was the mission, purpose of the U.S. and ANSF military members at the time of the incident. Was there a pre-mission briefing concerning enemy forces? A: The mission of the ANSF was to clear Ganjgal Village of AAF and conduct key leader engagements with village elders. The US forces task was two fold: TF Chosin Forces were in support of the operation wi(b)(2)High (b)(2)High in overwatch from an observation point and one heavy weapons platoon conducting a traffic control point to the west of the village to block traffic from entering from east to west there by preventing any type of AAF or civillian traffic from interfering with the operation. The Marine and Army ETT's were fulfilling their roles as mentors to the ANSF, ANA and ABP respectively. TF Chosin Soldiers were in support of the ANSF led operation. TF Chosin was responsible for providing indirect fires, CAS and close combat attack if needed.

5) What was the current threat analysis of the town to include any specific reported threats. A: Currently (and this is after the fact) threat reprts indicate a build up of AAF in and around Ganjgal. All reports are based on (b)(2)High and we are attempting to verify using other collection assets. Prior to the operation it was reprted that 10-15 AAF may have been in the village. This was consistent with previous reports from previous operations in and around the village. The most likely enemy course of action was that AAF would engage with soradic harrasing type small arms fire as ANSF and coaltion forces exfiltrated the village. This pattern was consistent with previous operations. To include an operation to the adjacent village 5 days earlier.

6) Who participated or had knowledge of the mission and what is the likelihood that unsecure communications were used within 24 hours prior to the mission? A: The likelihood that unsecure communications were used is within 24 hours is very high. This is based on the fact that the mission was originally planned for 7 SEP 09 and was moved back 24 hours based on the return of the ABP commander. It is unkown as to the exact numbers and names of the ANSF that had prior knowledge of the operation but it is assumed that most of the ANSF who participated knew of the operation. (b)(2)High reports after the fact indicate that AAF in and around the village were informed prior to the operation and that AAF reinforcementts arrived and planned the ambush the day prior to the attack.

7) Did anyone communicate the movement schedule/timeline to any local nationals (including ANSF, local police, local leaders, etc)? If so, describe the communication, to whom, and when prior to the mission. A: Ganjgal Village elders had invited ANSF and CF into the village during a key leader engagement 3 days prior to the operation. The ANSF did not commit to or announce a date of the key leader engagement to the village elders or any government officials during the meeting. In exchange for recording messages that pronounced support of the Serkani District Government and local Afghan National Security Forces, Coalition Forces had agreed to work with the villagers on select development projects. These include a mosque refurbishment and cistern project. This operation by ANSF was intended to show reciprocal support for the elders and discuss future visits; but it was unannounced.

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

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STATEMENT OF MAJ (b)(3), (b)(6) TAKEN AT FOB Joyce DATED 2009/09/09

9. STATEMENT (Continued)

8) What was the sequence of events regarding reporting up the chain of command during the event? A: (b)(2)High logs are attached. The logs describe the sequence of events except for the calls made via SVOIP that morning between myself and CO (b)(3), (b)(6) did not record the times or exact discussions but they were generally on par with the events as reported via (b)(2)High

9) What recommendations concerning improvements, if any, to coalition force tactics, techniques, and procedures will help to avoid this type of incident in the future. Be as specific as possible, keeping in mind mission and personnel constraints and limitations? A: Redundant communications between forces on scene and the TF TOC were not effective. We did not establish (b)(2)High (b)(2)High and that severly limited out situational awareness. We relayed (b)(2)High from the ground forces through the scout OP and scout weapons teams (b)(2)High (b)(2)High

10) Any other relevant matters pertaining to this incident? A: The overarching issue from the morning of the 8th was the lack of situational in the TF TOC and the effect it had on my ability to clear indirect fires. The (b)(2)High (b)(2)High This prevented me from making sound judgement calls in regards to clearing 155mm fires when called for by ground forces.

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

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 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS F EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY W RD. WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUEN (b)(3), (b)(6)

Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to

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

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

HHC 1-32 FOB Joyce

ORGANIZATION OR ADDRESS

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

g Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAK (b)(3), (b)(6) ENT

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