SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG

PRIVACY ACT STATEMENT

UTHORITY: 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 Afghanistan	20090911	1357	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(3), (b)(6)	(b)(3), (b)(6)	E5

8. ORGANIZATION OR ADDRESS

1-32 INF HMC Scouts

9.

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

Question A) Scout platoon (b)(2)High Squad Leader, [illegible]

B) Pre mission brief of enemy forces were talked about, recent harrassing fires from the Dan Dari village, and likely attack sites in and around the village of Gengal. Marine ETT's along with ANSF were to push into Gengal, establish OP's thru clear village, with the (b)(2)High element along with (b)(2)High and (b)(3), (b)(6) ABP were to clear the buildings on the finger just south of Gengal. At 0530 local time, Marine ETT's ANSF, Highlander, and ABP came under heavy enemy fire from the Gengal village and the surrounding high ground. The firefight lasted from 0530 to approx 1400 local time. During that duration coalition forces took fire from AK 47's, PKM machine guns, and RPG's from an estimated 50 plus enemy fighters. The enemy fired from the high ground and inside the village of Gengal. (b)(3), (b)(6)

C) The first casualties we were aware about was 1 ANSF & 1 (b)(2)High element. One with a GSW to the abdomen & the other to the leg.

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

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

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

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 2 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.

EXHIBIT III – 2 D.3

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

TATEMENT OF (b)(3), (b)(6) TAKEN AT FOB Joyce DATED 2009 09 11

9. STATEMENT *(Continued)*

D) Scout platoon was to establish an overwatch position NLT (b)(2)High local 5SEP09. We were to observe & report movement in and around the Bersel AO. As the mission progressed and every contact was made we mainly served as an FM radio relay and observed.

E) Yes, as of 2 days prior. The threats were reported that likely contact would possibly come from the Dam Dam village and every infiltrators from the village of Shergay east of Bersel village. It was also briefed of likely attack sites within the village of Bersel

F) CCA & CAS were requested to help support the operation but were denied due to other missions already planned. Once contact was made at (b)(2)High indirect fires & CCA were requested immediately. At (b)(2)High the first indirect fires from FOB Joyce were fired. (b)(2)High tried to fire a (b)(2)High mission because it was more effective & faster than trying to relay w the elements on the ground to shift from the KE's, he was denied his requests. From 0530 until 0700 repeated requests came from the (b)(2)High elements for CCA, around 0700 local is when the (b)(2)High finally showed up. A QRF was spun up and set at the mouth of the valley which consisted of 1 delta platoon & 1 infantry platoon. Neither platoon went to help for reasons unknown to me.

G) H) Unknown because almost every Afghan national has a phone on this FOB so anything is possible.

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

INITIALS OF PERSON MAKING STATEMI (b)(3), (b)(6) PAGE 2 OF 3 PAGES

DA FORM 2823, NOV 2006 APD PE v1.00

STATEMENT OF (b)(3), (b)(6) TAKEN AT FOB Joyce DATED 2009 09 11

STATEMENT (Continued)

I) Recommendations, dont allow local nationals to include terps to have cell phones on FOBs. Have dedicated CCA for a major combat op. At least 12 hrs prior have some type of (b)(2)High over AO. Have a dedicated QRT on standby. Dont question the Commander on the ground, give him what he asks for.

J) None

Question D continued)

The comm plan was suffice knowing from previous missions you have no comms in that valley even if you have an ASIP Radio. The main Freq used was the EFT Freq & was working fine until (b)(2)High jumped on & started asking questions that could have asked through us on the Bn Freq.

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

AFFIDAVIT

I, Sgt (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, C

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

(Making Statement)

WITNESSES:

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

(b)(3), (b)(6) HHC 1-32

ORGANIZATION OR ADDRESS

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

HHC 1-32

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 11 day of September 2009 at FOB Joyce

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

(Administering Oath)

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

(Typed Name)

Investigating Officer

(Authority To Administer Oaths)

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

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