

15 April 2011

1STLT

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

3d Platoon Commander, Alpha Company, 2d Recon Bn

DOB:

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

Place of Birth:

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

Active Duty; PEBD: 25 MAY 2007

I,

wish to make the following statement:

On 6 April 2011, 3d Platoon, was the Quick Reaction Force, staged at Patrol Base (PB) Alcatraz. On the morning of 6 April, members of the platoon, specifically the Special Amphibious Recon Corpsman, Corpsman, Team Medics, and myself were sent to compound 8 to be standing by the casualty collection point (CCP) because of an incident that resulted in casualties for (b)(1)1.4a QRF that morning. I was told that my QRF was not to be sent out and that (b)(1)1.4a QRF was enroute back to the CCP with the casualties. After waiting at the CCP for over (45) minutes, (b)(1)1.4a QRF still had not showed up and I had heard they were having issues bringing the casualties to the 611 and more issues loading the casualties into the MRAP. At that time I was instructed to launch the QRF to help picket the 611 from the 61 Northline back to Alcatraz. Upon crossing the 60 Northline, (b)(1)1.4a QRF (b)(1)1.4a (b)(1)1.4a) passed my QRF going south back to the CCP at Alcatraz. At that point in time, there was no longer a need for us to picket the 611 and myself along with our (b)(1)1.4a vic QRF returned to compound 4 at PB Alcatraz. Upon Arrival, the casualties had already be loaded into the Predevac platform, Dustoff.

~~Nothing further~~

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

1STLT, USMC

Page 1 of 1.

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

15/2011

I swear on a Pledge that the statement on the  
attached page is true to the best of my knowledge  
or belief

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

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

15 April 2011

Sworn to before me this date

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

15 April 2011

LT Col, USMC

15 April 2011

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~~Nothing further~~

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

1STLT, USMC

Page 1 of 1.

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

15/2011

I swear on a Pledge that the statement on the attached page is true to the best of my knowledge or belief

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

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

15 April 2011

Sworn to before me this date

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

15 April 2011

LT Col, USMC

APRIL 15 2011

1 of 2

I 1ST SGT (b)(3), (b)(6) GIVE THIS STATEMENT TO THE EVENTS THAT OCCURED ON APRIL 6TH, 2011. ON THE MORNING OF APRIL 6, 2011 I WAS IN MY TENT WHEN I HEARD AN EXPLOSION IN OUR AREA OF OPERATION WHICH APPEARED TO BE NORTH. I KNEW (b)(1)1.4a WAS WORKING NORTH AND HAD 2ND PLATOON TO THE SOUTH. I IMMEDIATELY WENT TO THE COMPANY ROC. I ASKED IF (b)(1)1.4a WAS IN CONTACT. THE COMPANY EXECUTIVE OFFICER (XO) CAPT (b)(3), (b)(6) WAS ON HPW AND COMPANY RADIO, MSGT (b)(3), (b)(6) THE COMPANY LOGISTICS CHIEF WAS ON THE MAP, AND THE BATTALIONS FIRE CHIEF CYSGT (b)(3), (b)(6) WAS ON THE ISR FEED AND RADIO TO THE 2ND RECON FORWARD ROC WITH CAPT (b)(3), (b)(6) WHO WAS LOCATED AT 2ND RECON FORWARD ROC AT FOB JACKSON. SGT (b)(3), (b)(6) WAS RADIO WATCH SITTING IN OUR COMPANY ROC TAKING NOTES WITH THE RADIO TRANSMISSIONS HE WAS HEARING WITH CAPT (b)(3), (b)(6) AND (b)(1)1.4a MSGT (b)(3), (b)(6) INFORMED ME THE EXPLOSION WAS A HELLFIRE WE JUST DROPPED ON Bldg 58 IN Q6D SECTOR. MSGT (b)(3), (b)(6) SAID THAT JUST CALLED A HELLFIRE STRIKE ON Bldg 58 FROM WHERE (b)(1)1.4a SAID THAT THEY WERE RECEIVING ENEMY FIRE WHICH NOW THEY ( ) IS SAYING THE HELLFIRE POSSIBLY LANDED ON HIS OWN MACHINES. CYSGT (b)(3), (b)(6) SAID HE VERIFIED WHAT HE IS SEEING IS 2 IN PRONE ON WEST SIDE OF Bldg 58 AND 2 IN FIELD. (b)(3), (b)(6) ON ISR FEED WHICH IS WHERE MESQUITE SAID THEY WERE TAKING ENEMY FIRE FROM. CAPT (b)(3), (b)(6) SAID HE VERIFIED 3 TIMES WITH (b)(1)1.4a WHERE FRIENDLY WERE LOCATED WITH (b)(1)1.4a SAID ALL OF HIS MACHINES WERE LOCATED ON G11 AND THE TREE LINE 10 METERS AOP G11 TO WEST. 2ND RECON COMPANY COMMANDER HAS GIVEN STRICT GUIDE LINES TO (b)(1)1.4a THAT THEY ARE ONLY GIVEN (b)(1)1.4a MAXIMUM DISTANCE TO WEST OFF OF G11 AT ANY GIVEN TIME TO LOOK FOR ANY COMMAND WIRE OR IEDS THAT THEY MAY COME ACROSSED. CAPT (b)(3), (b)(6) ALPHA COMPANY COMMANDER SAID HE CANNOT SUPPORT THEM IF

(1)

IF THE WERE TO PUSH FURTHER THAN ESPECIALLY IF HE ALREADY HAS A PL ZONE, I HAVE WITNESSED GUIDANCE BY CAPT (b)(3), (b)(6) . IE... DFL FROM PB ALCATRAZ WITH NO MISSION CARD, DFL WITHOUT ANY PERSONNEL FROM ALPHA COMPANY, KNOWING THEY DFL'D, AND (b)(1)1.4a CALLING IN INFORMATION THAT (b)(1)1.4a IS SEEING IN GREEN ZONE WHILE WE LOOK AT ISR FEED TO VERIFY WHAT THEY ARE SEEING IN RELATION IE COMPOUNDS NOT MATCHING UP WITH GRIDS THEY ARE GIVEN. I ALSO WITNESSED CAPT (b)(3), (b)(6) , GYSOT (b)(3), (b)(6) TALKED TO (b)(1)1.4a IN REGARDS TO HOW IMPORTANT IT IS TO KNOW EXACT LOCATIONS OF (b)(1)1.4a PERSONNEL AND EXACT LOCATIONS TO THEIR POSITION IN ORDER FOR ANY KIND OF SUPPORT FOR FIRES CAN BE GIVEN FROM ALPHA COMPANY. I HAVE ALSO SEEN CAPT (b)(3), (b)(6) AND GYSOT (b)(3), (b)(6) DENY FIRES FOR ALPHA COMPANY BECAUSE PLATOONS ARE (b)(3), (b)(6) MANEUVERING OR DISTANCE DISTANCE TO DROP FIRES WAS UNSAFE. I LOOKED AT THE MAP WHERE (b)(1)1.4a WAS LOCATED AND LOOKED AT WHERE THE HELL FIRE LANDED AND THEIR WAS (b)(1)1.4a OR MORE DISTANCE BETWEEN FRIENDLY LOCATIONS AND HELL FIRE STRIKE. (b)(1)1.4a ONCE AGAIN PUSHED FURTHER IN GREEN ZONE THAN WAS DIRECTED AND ORDERED TO BY CAPT (b)(3), (b)(6) (b)(1)1.4a ALSO STATED THAT THE PLATOON SERGEANT HAD NO COMM ON HIM WHEN HELL FIRE LANDED.

~~Swear or affirming that the us foundations in the attached statement true to the best of my belief~~

Sworn on this date.

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

1:15 2011

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

1 Apr 2011



~~SECRET//REL USA, ISAF, NATO~~

HEADQUARTER  
REGIONAL COMMAND (SOUTH WEST)  
INTERNATIONAL SECURITY ASSISTANCE FORCE  
CAMP LEATHERNECK, AFGHANISTAN  
FPO AE 96427-2513

IN REPLY REFER TO:  
5830  
IO/RPN  
27 Jul 11

MEMORANDUM FOR THE RECORD

From: Investigating Officer, Colonel (b)(3), (b)(6) USMC  
To: Commander, United States Forces - Afghanistan  
Subj: SUPPLEMENTAL INFORMATION REGARDING THE COMMAND INVESTIGATION INTO THE FRIENDLY FIRE INCIDENT ON 6 APRIL 2011 IN REGIONAL COMMAND-SOUTHWEST (RC-SW)  
Ref: (a) (U) JAGINST 5800.7E, Change Transmittal 2, Manual of the Judge Advocate General (JAGMAN), 16 September 08  
(b) (U) Commander, United States Forces-Afghanistan Appointment Memorandum dated 9 April 2011  
(c) ~~(U//FOUO)~~ COMMAND INVESTIGATION INTO THE FRIENDLY FIRE INCIDENT ON 6 APRIL 2011 IN REGIONAL COMMAND-SOUTHWEST (RC-SW), 25 April, 2011  
Encl: (56) ~~(S//REL USA, ISAF, NATO)~~ Sgt (b)(3), (b)(6) helmet camera video from 6 April, 2011

1. ~~(U//FOUO)~~ In accordance with the references (a) and (b), the enclosed video is submitted as supplemental information to the command investigation into the friendly fire incident that occurred on April 6, 2011 in Regional Command-Southwest, reference (C). It should be added to the command investigation as enclosure (56).
2. ~~(U//FOUO)~~ The video is from a helmet camera worn by Sergeant (b)(3), (b)(6) during the combat patrol conducted on April 6, 2011. The video depicts the patrol from commencement until mid way through the evacuation of the casualties.
3. ~~(U//FOUO)~~ I reviewed the entire video and find that it does not change the findings of fact, opinions, or recommendations of the command investigation. It does confirm all the findings of fact related to the conduct of the patrol, hellfire strike, and casualty evacuation process. Since it confirms the findings of the investigation it should be formally included in order to ensure a full and accurate recording of the events surrounding this friendly fire incident but does not necessitate reopening of the investigation.

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

~~SECRET//REL USA, ISAF, NATO~~

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Page 8 redacted for the following reason:

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One page totally denied:(b)(1)1.4a, (b)(2), (b)(3), (b)(5) and (b)(6) applies.

## PRIVACY ACT STATEMENT

Name: \_\_\_\_\_ (b)(3), (b)(6)  
Activity: \_\_\_\_\_  
Telephone number: \_\_\_\_\_

Rank/Rate: Capt / 03  
Unit: 2d Recon

Today, 16 April, 2011, I acknowledge that I have received the following advisement under the guidelines of the Privacy Act.

This statement is provided in compliance with the provisions of the Privacy Act of 1974 (Public Law 93-579) which requires that Federal agencies must inform individuals who are requested to furnish personal information about themselves as to certain facts regarding the information requested below.

1. **AUTHORITY:** 5 U.S.C. 301; 10 U.S.C. 972, 1201-1221, 2733, 2734-2734b., 2737, 5013, 5031-5036, 5131-5150, 5947, 6148, 7205, 7622-7623; 28 U.S.C. 1346, 2671-2680; 31 U.S.C. 240-243, 3521-3531, 3701-3702, 3717-3718; 37 U.S.C. 802; 38 U.S.C. 105; 42 U.S.C. 2651-2653; 44 U.S.C. 3101; 49 U.S.C. 1901.

2. **PRINCIPAL PURPOSES.** The information which will be solicited is intended principally and may be used for the following purposes:

a. Determinations on the status of personnel regarding entitlements to pay during disability, disability benefits, severance pay, retirement pay, increases of pay for longevity, survivor's benefits, involuntary extensions of enlistments, date of expiration of active obligated service, and accrual of annual leave.

b. Determinations on disciplinary or punitive action.

c. Determinations on liability of personnel for losses of, or damage to, public funds or property.

d. Evaluation of petitions, grievances, and complaints.

e. Adjudication, pursuit, or defense of claims for or against the Government or among private parties.

f. Other determinations, as required, in the course of naval administration.

g. Public information releases.

h. Evaluation of procedures, operations, material, and designs by the Navy and contractors, with a view to improving the efficiency and safety of the Department of the Navy.

3. **ROUTINE USES:** In addition to being used within the Department of the Navy and Defense for the purpose(s) indicated above, records of investigations are routinely furnished, as appropriate, to the Department of Veterans Affairs for use in determinations concerning

entitlement to veterans' and survivors' benefits; to Servicemen's Group Life Insurance administrators for determinations concerning payment of life insurance proceeds; to the U.S. General Accounting Office for purposes of determinations concerning relief of accountable personnel from liability for losses of public funds and related fiscal matters; and to the Department of Justice for use in litigation involving the Government. Additionally, such investigations are sometimes furnished to agencies of the Department of Justice and to State or local law enforcement and court authorities for use in connection with civilian criminal and civil court proceedings. The records of investigations are provided to agents and authorized representatives of persons involved in the incident, for use in legal or administrative matters. The records are provided to contractors for use in connection with settlements, adjudication, or defense of claims by or against the Government, and for use in design and evaluation of products, services, and systems. The records are also furnished to agencies of the Federal, State, or local law enforcement authorities, and regulatory authorities, for use in connection with civilian and military criminal, civil, administrative, and regulatory proceedings and actions.

4. MANDATORY/VOLUNTARY DISCLOSURE, CONSEQUENCES OF REFUSING TO DISCLOSE:

a. Where an individual is a subject of an investigation for purpose 2a or 2b, above: Disclosure is voluntary. You are advised that you are initially presumed to be entitled to have the [personnel determination] [disciplinary determinations] in paragraph 2, above, resolved in your favor, but the final determination will be based on all the evidence in the investigative record. If you do not provide the requested information, you will be entitled to a favorable determination if the record does not contain sufficient evidence to overcome the presumption in your favor. If the completed record does contain sufficient evidence to overcome the presumption in your favor, however, your election not to provide the requested information possible could prevent the investigation from obtaining evidence which may be needed to support a favorable determination.

b. Where an individual is a subject of an investigation for purpose 2c, above: Disclosure is voluntary, and if you do not provide the requested information, any determination as to whether you should be held pecuniarily liable for repayment of the Government's loss would be based on the other evidence in the investigative record, which possibly might not support a favorable determination.

c. Where the individual is a claimant or potential claimant in an investigation for purpose 2e, above: Disclosure is voluntary, but refusal to disclose the requested information could prevent the investigation from obtaining sufficient information to substantiate any claim which you have made or may make against the Government as a result of the incident under investigation.

d. Where the individual was treated at Government expense for injuries caused by third parties in connection with a matter being investigated for purpose 2e, above: Disclosure is voluntary, but refusal to disclose the requested information could result in a requirement for you to assign to the Government your medical care claims against third parties in connection with the incident, or authorize withholding of the records of your treatment in naval medical facilities.

e. In any other case: Disclosure is voluntary, and if you do not provide the requested information, and determinations or evaluations made as a result of the investigation will be made

on the basis of the evidence that is contained in the investigative record.

(b)(3), (b)(6) 16 Apr 11  
( late)

Capt

Bn 53A

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

HOF:

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

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

- Mission Prep: On 6 Apr 11, QRF was still at PB Alcatraz (ALC). It was there that they did all of their mission prep. At the time, they had previously done face to face coordination with both Co Cmdrs for all previous ops. The Bn had tasked them with Rte security, along Rte 611, between the 60-62 Northings. The Co Battlespace shifted at the 63 Northing. QRF was housed at ALC, therefore all their mission cards went to the A Co ROC, who would then deconflict. On 6 Apr 11, QRF turned in their mission card to the A Co ROC prior to DFL.

- Rte Security To IED: I was in the Bn ROC when the QRF hit the IED on 6 Apr 11, IVO the 62 Northings. I saw the BFT IED Report, and heard the Radio Traffic regarding their situation. It was a low order det, with no damage to pax or VICS. It was shortly after I knew the situation, from a Bn ROC perspective, was under control; I had to leave for a meeting with the Sang in DG.

- SALTA: I was called at meeting with the Sang in DG & requested in the ROC. By the time I returned to the ROC, I was informed that QRF was taking SAF, was on scene & we could see the feed, Pol was all clear, 9 line was submitted, the A Co ROC was controlling QRF had confirmed FF locations via BFT, A Co had confirmed FF locations via Radio. After watching the IOP

① The (b)(1)1.4a QRF was still receiving SAF, at this time it was a self defense situation. Again, the grids of FF & possible IWS were confirmed via radio w/ A Co.

2/2

Feed we saw the two unidentified individuals in the prone w/ weapons, one pointing eastonly, the other pointing Northernly. ① It was shortly after then, (b)(1)1.4a confirmed with us he was going have (b)(1)1.4a take a Hellfire shot, (b)(1)1.4a engaged the trgt area, round on trgt, good effects, round functioned proppdy, It was then confirmed shortly after, that this was blue on blue.

- Post Hellfire shot: We then coordinated with the A Co ROC to work the Medevac. (b)(1)1.4a QRF coordinated with A Co for a ground Medevac to ALL and QRF support. We ~~submitte~~ submitted the 9 line / ZMIST via MIRC, & coordinated with A Co to get the helos in. The helos arrived a few minutes ahead of MSQT. At ALC, an A Co Corpman declaimed the the two FWIAs as KIAs.

During the Hellfire strike, we confirmed the following grids:

(b)(1)1.4a

I swear or affirm that the information in the statement above is true to the best of my knowledge or belief

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

16 Apr 11

Sworn to before me this date  
16 April

(b)(4), (b)(6)

CPL

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

1/23 Alpha Co and Ptn, Reserve

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

April 6

Departed Friendly Lines at 0715. On our way up North my vic, vehicle 3, took in led. We continued to push North. One of our sections dismounted and pushed into the green zone. Our sniper element was attached with the dismounts. The elements took contact. Over the radio I heard we were going to have air. I heard 17 seconds and immediately there was the sound of missile blasts.

At that time Sgt. (b)(3), (b)(6) came over

the net to report that the ~~blasts~~<sup>missile</sup> had landed right on top of Doc Rast and Ssgt. Smith.

~~He~~ Immediately Hmd and Sgt. (b)(3), (b)(6) US

dismounted from my vehicle, vic 3, to go treat them. They called up for any free hands after a few minutes had gone by. I joined this support element and helped escort both Doc Rast and Ssgt. Smith. At which point it was clear that they were KIA.

However, as soon as all packs were mounted up we headed straight to AB Alcatraz. Those are my recollections of April, 6. As well that at some point there was mortar fire after Doc Rast and Ssgt. Smith got hit.

I swear or affirm that the information in the statement above is true to the best of my knowledge or belief

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

9/15/2011

Sworn to before me this date  
15 April 2010

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

1<sup>st</sup> SQ, (Team Leader)

Date April 6, 2002, Departure time was set for 0700. Insert at the 630  
Extract -619

once we reached the 630 all vic's were turned around facing south on 611. In the process of turning around, vic 3 hit an IED, which was pass to all the crew of vic 1 by the VC which was monitoring the comm, but apparently it was a very small one (more like an anti-personnel mine) no damage was done to personnel or vic and we were gonna keep rolling on with mission. Once all vic's were turn around, the dismount crew was told we were good to dismount. Once dismounted we started patrolling along the road on the 611 heading south, eventually making our way towards the wadi. (Wadi is on the west side in the Green Zone) ~~we were going to go to the wadi~~ ~~we were going to go to the wadi~~ As soon as we hit the wadi we started taking contact. We all spread out along the wadi in the prone position, trying to locate ~~the~~ where the contact was coming from. ~~It~~ It sound ~~like~~ <sup>it</sup> like it was far away coming from the tree line, but I personally was never able to identified (or any of my team members) where exactly, ~~it~~ ~~was~~ ~~coming~~ ~~from~~ As we were laying in the prone, I did see friendlies <sup>moving</sup> ~~moving~~ south to my 12 o'clock and called it out to my ~~team~~ <sup>team</sup> and it was echo left and right to everyone along the wadi that they were not clear to fire because of friendlies moving in front of us. I was only able to see them for a few seconds as I lost sight of them as they started walking in front of the compounds. We heard and it was pass over the radio and to everyone in the line that that team was taking

contact. Shortly after the word was passed that there was  
air on station and that they had spotted the muzzle  
flashes of where the contact was coming from. Then that  
they were gonna drop (bomb), ~~and it was~~ in 17 seconds. The  
word was passed along the line, ~~and~~ ~~and~~ ~~shortly~~ ~~cue~~  
all thought it was gonna be dropped in the tree lines  
or I did, but shortly very shortly after we got passed  
17 seconds, it was dropped (It was no 17 seconds at all),  
and I saw it impact right where I had seen that  
team moving by. Then the word came down that it was  
friendly fire and we had to move, my team was  
the point team (therefore we were located in the far left  
along the wadi) I told them to move we had friendly  
fire, but they were all confused as to where exactly to  
move to, so I ended up taking point ~~and~~ with everyone  
following behind me to the location of that one ~~team~~<sup>team</sup>.  
They did

(b)(1)1.4a

which helped me located  
them as I near their location. Once there, there was  
an irrigation ditch in which I set in not far from  
sergeant

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

(which was the team leader of that  
team who got hit) he told me that they were taking  
contact ~~and~~ ~~that~~ ~~he~~ from tree line and needed us  
to provide security while casualties were assess.

Doc

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

1 Sgt

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

~~and~~ were behind me and  
they went over to work on Doc Rast which was  
located behind me, ~~and~~ ~~and~~ ~~and~~ than Sgt  
next to me to my right, and the rest of the  
squad got in line inside the irrigational ditch to  
my left, providing that security. We did see movement

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

~~around the tree line and compound located in tree line, so~~ around the tree line and compound located in tree line, so we did open up on them. Once they were <sup>done</sup> assessed Doc Rast, we started moving towards vic's, first a team carrying Doc Rast, then another team carrying Sgt Smith of which I was part of. Then everyone along the line followed in trace. As we were moving more shots did go off but we couldn't tell from where. Once at the vic's casualties were loaded up, as well as dismount and we headed ~~over~~ over to Alcatraz. While we were at the casualty site we did hear ~~and~~ the BUNS in vic's go off and heard over the radio that the mounted section was taking contact as well from the East, but that I can't tell or nothing of course I wasn't there and didn't see anything. Once at Alcatraz the casualties were loaded on the bird, and that's it.

I swear (or affirm) that the information in the statement above is true to the best of my knowledge or belief

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

on 15/11

Sworn to before me this date

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

15 April 11

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

Cpl - (b)(3), (b)(6)

H.O.R.

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

We pushed out at approximately 0700, April 6 2011. I was driving vic 2 in the convoy. After 20-30 minutes of departure from PB Alcatraz, we dropped dismounts around the L3 Northy. Before we dropped dismounts we turned the trucks around orienting South on the L11. Within the first 30 minutes of being on the ground we started taking contact from the west & north. Small arms to include machine gun fire & single shot weapons. After a period of time, LT (b)(3), (b)(6) came over the radio stating we had a fire mission in progress. A shorter period of time after that, someone came on the net stating 17 seconds to impact. Before he even finished his statement we had impact. Immediately after, Sgt (b)(3), (b)(6) came on the net screaming "cease fire." LT (b)(3), (b)(6) came on asking what happened. Sgt (b)(3), (b)(6) came on the net & said "it landed right on top of them, right on top of SSgt Smith & Doc East." After that, it took a period of time for the official analysis of the first responders to come through. Eventually Sgt (b)(3), (b)(6) came on the net with "2 casualties, 1 routine, 1 urgent." From there, he & LT worked out the specifics.

Before & after the blast, we had an amplitude of "civilian" activity to the east. My focus was mostly there trying to spot hostile intent with my gunner. We heard over the radio from vic four - Cpl (b)(3), (b)(6) the driver on the com that we were receiving mortar fire. We were also receiving an ample amount of (b)(1)1.4a Vic four engaged with the Mark 19, into a hill side to our east. My gunner saw the impacts & engaged with 2 or 3 bursts with the 50 cal. Maybe 20 to 30 minutes after the Hell fire hit, my dismounts were loading back into my truck (the casualties already loaded into vic 3 & vic 4.) After an accountability check we pushed. Half way between us & Alcatraz, we passed a convoy that we later found out to be a pickett line set out for us. As soon as Alcatraz compounds came into view, I could see a group of Recon standing by to help out. We parked Hastly, dismounted the bodies & got them in the chopper - which touched down as soon as we rolled up to the LZ.

I swear that the information in the statement  
on the attached page is true to the best of my  
knowledge and belief

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

20110415

Sworn to before me this date

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

15 April 2011

## PRIVACY ACT STATEMENT

Name: (b)(3), (b)(6) — Rank/Rate: CPL  
Activity: Journal Clerk Unit: 2<sup>ND</sup> RECORD BN  
Telephone number:

Today, April 16, 2011, I acknowledge that I have received the following advisement under the guidelines of the Privacy Act.

This statement is provided in compliance with the provisions of the Privacy Act of 1974 (Public Law 93-579) which requires that Federal agencies must inform individuals who are requested to furnish personal information about themselves as to certain facts regarding the information requested below.

1. AUTHORITY: 5 U.S.C. 301; 10 U.S.C. 972, 1201-1221, 2733, 2734-2734b., 2737, 5013, 5031-5036, 5131-5150, 5947, 6148, 7205, 7622-7623; 28 U.S.C. 1346, 2671-2680; 31 U.S.C. 240-243, 3521-3531, 3701-3702, 3717-3718; 37 U.S.C. 802; 38 U.S.C. 105; 42 U.S.C. 2651-2653; 44 U.S.C. 3101; 49 U.S.C. 1901.
2. PRINCIPAL PURPOSES. The information which will be solicited is intended principally and may be used for the following purposes:
  - a. Determinations on the status of personnel regarding entitlements to pay during disability, disability benefits, severance pay, retirement pay, increases of pay for longevity, survivor's benefits, involuntary extensions of enlistments, date of expiration of active obligated service, and accrual of annual leave.
  - b. Determinations on disciplinary or punitive action.
  - c. Determinations on liability of personnel for losses of, or damage to, public funds or property.
  - d. Evaluation of petitions, grievances, and complaints.
  - e. Adjudication, pursuit, or defense of claims for or against the Government or among private parties.
  - f. Other determinations, as required, in the course of naval administration.
  - g. Public information releases.
  - h. Evaluation of procedures, operations, material, and designs by the Navy and contractors, with a view to improving the efficiency and safety of the Department of the Navy.
3. ROUTINE USES: In addition to being used within the Department of the Navy and Defense for the purpose(s) indicated above, records of investigations are routinely furnished, as appropriate, to the Department of Veterans Affairs for use in determinations concerning

entitlement to veterans' and survivors' benefits; to Servicemen's Group Life Insurance administrators for determinations concerning payment of life insurance proceeds; to the U.S. General Accounting Office for purposes of determinations concerning relief of accountable personnel from liability for losses of public funds and related fiscal matters; and to the Department of Justice for use in litigation involving the Government. Additionally, such investigations are sometimes furnished to agencies of the Department of Justice and to State or local law enforcement and court authorities for use in connection with civilian criminal and civil court proceedings. The records of investigations are provided to agents and authorized representatives of persons involved in the incident, for use in legal or administrative matters. The records are provided to contractors for use in connection with settlements, adjudication, or defense of claims by or against the Government, and for use in design and evaluation of products, services, and systems. The records are also furnished to agencies of the Federal, State, or local law enforcement authorities, and regulatory authorities, for use in connection with civilian and military criminal, civil, administrative, and regulatory proceedings and actions.

#### 4. MANDATORY/VOLUNTARY DISCLOSURE, CONSEQUENCES OF REFUSING TO DISCLOSE:

a. Where an individual is a subject of an investigation for purpose 2a or 2b, above: Disclosure is voluntary. You are advised that you are initially presumed to be entitled to have the [personnel determination] [disciplinary determinations] in paragraph 2, above, resolved in your favor, but the final determination will be based on all the evidence in the investigative record. If you do not provide the requested information, you will be entitled to a favorable determination if the record does not contain sufficient evidence to overcome the presumption in your favor. If the completed record does contain sufficient evidence to overcome the presumption in your favor, however, your election not to provide the requested information possible could prevent the investigation from obtaining evidence which may be needed to support a favorable determination.

b. Where an individual is a subject of an investigation for purpose 2c, above: Disclosure is voluntary, and if you do not provide the requested information, any determination as to whether you should be held pecuniarily liable for repayment of the Government's loss would be based on the other evidence in the investigative record, which possibly might not support a favorable determination.

c. Where the individual is a claimant or potential claimant in an investigation for purpose 2e, above: Disclosure is voluntary, but refusal to disclose the requested information could prevent the investigation from obtaining sufficient information to substantiate any claim which you have made or may make against the Government as a result of the incident under investigation.

d. Where the individual was treated at Government expense for injuries caused by third parties in connection with a matter being investigated for purpose 2e, above: Disclosure is voluntary, but refusal to disclose the requested information could result in a requirement for you to assign to the Government your medical care claims against third parties in connection with the incident, or authorize withholding of the records of your treatment in naval medical facilities.

e. In any other case: Disclosure is voluntary, and if you do not provide the requested information, and determinations or evaluations made as a result of the investigation will be made

on the basis of the evidence that is contained in the investigative record.

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

April 06, 2011  
d date)

CPL

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

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

2<sup>ND</sup> RECON. BATTALION - JOURNAL CLERK

AT THIS BATTALION, I AM ONE OF SEVEN JOURNAL CLERKS. OUR JOB IS TO PLOT AND TRACK FRIENDLY POSITIONS, AND CURRENT AND PAST SIGNIFIGANT EVENTS DURING THIS 2010-2011 DEPLOYMENT.

ON APRIL 6<sup>TH</sup> 2011, I, (b)(3), (b)(6) WAS ON WATCH IN OUR FORWARD COC IN FOB JACKSON AT THE TIME OF THE (b)(1)1.4a HELL FIRE STRIKE. ON THIS DAY MESQUITE WAS DOING A ROUTE CLEARANCE MISSION BETWEEN THE 6IN AND THE 63IN. AT APPROX. 0800 (b)(3), (b)(6) THIRD VIC IN A FOUR VIC CONVOY, STRUCK A LOW ORDER DET IED AT THE (b)(1)1.4a IND. IMMEDIATELY AFTER THE STRIKE

MESQUITE DID THERE USALL SECONDARY SWEEP PROCEDURE AND DURING THIS TIME THEY TOOK CONTACT FROM THE WEST OF 611. (b)(1)1.4a SENT BOTH THE IED STRIKE 10 LINE AND SALTA FROM THERE CONTACT VIA BLUE FORCE TRACKER AT APPROX. 0820 (b)(3), (b)(6) 0820. ON THE SALTA THEY GAVE A FRIENDLY GRID NO. (b)(1)1.4a WHICH IS ABOUT (b)(1)1.4a INTO THE GREEN ZONE OFF ROUTE 611.

ISR WAS OVER CALLED OVER HEAD TO HELP IDENTIFY WHERE THE SAF WAS COMING FROM, ON THE FEED FROM ISR THERE WERE MUZZLE FLASHES FACING EAST TOWARDS (b)(1)1.4a GIVEN POSITION. THE FEED I SAW HAD 2 PERSONEL IN THE PRONE NEXT TO A TREE LINE AND ANOTHE HUGGING A WALL. FROM THE KNOW FIGHTING STYLE OF ENEMY FORCES

THIS WAS THE SAME AS I HAVE BEEN BRIEFED ON AND HAVE SEEN IN THE 5 MONTHS I HAVE BEEN ON THIS DEPLOYMENT. THE AIRD AND WATCH D AND MYSELF ANY TIME FIRES IS CALLED VERIFY AT A MINIMUM OF THREE TIMES FRIENDLY GRID AND ENEMY GRID AND TARGET GRID FOR THE STRIKE, ON THIS DAY THE SAME ROUTINE WAS EMPLOYED. AFTER SEEING THE MUZZLE FLASHES WERE SEEN THE TARGETING PROCESS WENT INTO ACTION. FROM WHAT I SAW IN OUR COC EVERYTHING WENT AS IT HAS FOR THE LAST FOUR MONTHS WITH PROCESSING THE TARGET. ONCE ACQUIRED AND

(b)(1)1.4a

THE HELIFIRE STRIKE WAS LAUNCHED. IT WAS A FEW MIN.

AFTER THE STRIKE BEFORE WE HEARD THAT MESQUITE MIGHT HAVE BEEN HIT IN THE STRIKE. THE MEDJAC WAS SET IMMEDIATELY ~~FROM~~ AND WAS SENT TO PB ALCATRAZ TO PICK UP THE 2 WOUNDED. ON TRANSIT TO ALCATRAZ MESQUITE RADIOED IN THEY WERE KILLED IN ACTION. AT ALCATRAZ THEY WERE PROUDCED 'HEROS AT APPROX. 1020D AND 1025D.

I swear or affirm that the information in the statement above is true to the best of my knowledge or belief

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

APRIL 16, 2011

Sworn to before me this date

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

16 April 2011



UNITED STATES MARINE CORPS

II MARINE EXPEDITIONARY FORCE (FWD)

UNIT 73920

FPO-AE 09510-3920

IN REPLY REFER TO:

5800

JEC

14 Apr 11

From: Lieutenant Commander (b)(3), (b)(6) 2100 USN  
To: Colonel (b)(3), (b)(6) USMC, Investigating Officer  
Subj: COMMAND INVESTIGATION INTO THE FACTS AND CIRCUMSTANCES  
SURROUNDING THE DEATHS OF HOSPITALMAN BENJAMIN D. RAST XXX-XX-  
(b)(6) AND STAFF SERGEANT JEREMY D. SMITH XXX-XX- (b)(6) ON 06 APRIL  
2011

Ref: (a) JAGINST 5800.7E, Change Transmittal 2, Manual of the  
Judge Advocate General (JAGMAN), 16 Sep 08

1. I am a board certified Emergency Physician assigned to UK Role 3 Hospital Bastion and in charge of trauma resuscitations at this facility. I am additionally responsible for certifying the deaths of US service members who arrive at this facility.

2. I was the physician in charge of the Emergency Department on 06 April 2011.

3. At 0926 hours, we received a 9-line request for medical evacuation mission of two "CAT A" patients who were reportedly injured by blast. This was mission 04-06B. The MIST report indicated one patient with "concussion" and "in/out of consciousness" and another patient with "frag" and "blood loss."

4. Mission 04-06B was later updated (time unknown) to reflect transport of two "heroes," or service members who had been killed in action. No further details of the patients' injuries were given.

5. Mission 04-06B arrived at UK Role 3 Hospital Bastion at approximately 1100 hours with the remains of Hospitalman Rast and Staff Sergeant Smith.

6. I examined Hospitalman Rast and Staff Sergeant Smith at Mortuary Affairs and certified their deaths. A full autopsy was not performed at that time. My preliminary examination revealed the following injuries.

6. Hospitalman Rast sustained fragmentation wounds to the right side of his body, including the right arm, shoulder and back. There was a large penetrating wound to the right side of his head, behind the right ear. A supraglottic airway device had been placed pre-hospital and was in an appropriate position. Time of death was documented as 1024 hours.

Subj: COMMAND INVESTIGATION INTO THE FACTS AND CIRCUMSTANCES  
SURROUNDING THE DEATHS OF HOSPITALMAN BENJAMIN D. RAST XXX-XX-  
(b)(6) AND STAFF SERGEANT JEREMY D. SMITH XXX-XX- (b)(6) ON 06 APRIL  
2011

7. Staff Sergeant Smith sustained massive blast injuries to the head and face, with extensive open skull fractures and exposed brain tissue. Additionally, there were fragmentation wounds and partial amputations of all four extremities. Time of death was documented as 1025 hours.

8. In my professional opinion, the injuries that Hospitalman Rast and Staff Sergeant Smith sustained were unsurvivable, regardless of medical care rendered in the field, during medical evacuation or in a hospital setting.

9. In my estimation, Staff Sergeant Smith died instantaneously. Hospitalman Rast may have lived for some time after his injuries, but his wounds were fatal regardless of care rendered.

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

# PRIVACY ACT STATEMENT

Name: \_\_\_\_\_ (b)(3), (b)(6)

Rank/Rate: LCDR/04

Unit: UK Pole 3 Hospital Bastion

Telephone number: DSN 318-357-6139

Today, 14 APR, 20 11, I acknowledge that I have received the following advisement under the guidelines of the Privacy Act.

This statement is provided in compliance with the provisions of the Privacy Act of 1974 (Public Law 93-579) which requires that Federal agencies must inform individuals who are requested to furnish personal information about themselves as to certain facts regarding the information requested below.

1. **AUTHORITY:** 5 U.S.C. 301; 10 U.S.C. 972, 1201-1221, 2733, 2734-2734b., 2737, 5013, 5031-5036, 5131-5150, 5947, 6148, 7205, 7622-7623; 28 U.S.C. 1346, 2671-2680; 31 U.S.C. 240-243, 3521-3531, 3701-3702, 3717-3718; 37 U.S.C. 802; 38 U.S.C. 105; 42 U.S.C. 2651- 2653; 44 U.S.C. 3101; 49 U.S.C. 1901.

2. **PRINCIPAL PURPOSES.** The information which will be solicited is intended principally and may be used for the following purposes:

a. Determinations on the status of personnel regarding entitlements to pay during disability, disability benefits, severance pay, retirement pay, increases of pay for longevity, survivor's benefits, involuntary extensions of enlistments, dates of expiration of active obligated service, and accrual of annual leave.

b. Determination on disciplinary or punitive action.

c. Determinations on liability of personnel for losses of, or damage to, public funds or property.

d. Evaluation of petitions, grievances, and complaints.

e. Adjudication, pursuit, or defense of claims for or against the Government or among private parties.

f. Other determinations, as required, in the course of naval administration.

g. Public information releases.

h. Evaluation of procedures, operations, material, and designs by the Navy and contractors, with a view to improving the efficiency and safety of the Department of the Navy.

3. **ROUTINE USES:** In addition to being used within the Department of the Navy and Defense for the purpose(s) indicated above, records of investigations are routinely furnished, as appropriate, to the Department of Veterans Affairs for use in determinations concerning entitlement to veterans' and survivors' benefits; to Servicemen's Group Life Insurance administrators for determinations concerning payment of life insurance proceeds; to the U.S. General Accounting

Office for purposes of determinations concerning relief of accountable personnel from liability for losses of public funds and related fiscal matters; and to the Department of Justice for use in litigation involving the Government.< Additionally, such investigations are sometimes furnished to agencies of the Department of Justice and to State or local law enforcement and court authorities for use in connection with civilian criminal and civil court proceedings.< The records of investigations are provided to agents and authorized representatives of persons involved in the incident, for use in legal or administrative matters.< The records are checked by or against the Government, and for use in design and evaluation of products, services, and systems.< The records are also furnished to agencies of the Federal, State, or local law enforcement authorities, and regulatory authorities, for use in connection with civilian and military criminal, civil, administrative, and regulatory proceedings and actions.

**4. MANDATORY/VOLUNTARY DISCLOSURE, CONSEQUENCES OF REFUSING TO DISCLOSE:**

a. Where an individual is a subject of an investigation for purpose 2a or 2b, above:< Disclosure is voluntary.< You are advised that you are initially presumed to be entitled to have the [personnel determination] [disciplinary determinations] in paragraph 2, above, resolved in your favor, but the final determination will be based on all the evidence in the investigation records.< If you do not provide the requested information, you will be entitled to a favorable determination if the record does not contain sufficient evidence to overcome the presumption in your favor, however, your election not to provide the requested information possible could prevent the investigation from obtaining evidence which may be needed to support a favorable determination.

b. Where an individual is a subject of an investigation for purpose 2c, above:< Disclosure is voluntary, and if you do not provide the requested information, any determination as to whether you should be held pecuniarily liable for repayment of the Government's loss would be based on the other evidence in the investigative record, which possibly might not support a favorable determination.

c. Where an individual is a claimant or potential claimant in an investigation for purpose 2e, above:< Disclosure is voluntary, but refusal to disclose the requested information could prevent the investigation from obtaining sufficient information to substantiate any claim which you have made or may make against the Government as a result of the incident under investigation.

d. Where the individual was treated at Government expense for injuries caused by third parties in connection with a matter being investigated for purpose 2e, above: Disclosure is voluntary, but refusal to disclose the requested information could result in a requirement for you to assign to the Government your medical care claims against third parties in connection with the incident, or authorize withholding of the records of your treatment in naval medical facilities.

e. In any other case: Disclosure is voluntary, and if you do not provide the requested information, and determinations or evaluations made as a result of the investigation will be made on the bases of the evidence that is contained in the investigation record.

14 APR 2011

(signature and date)

**WITNESS STATEMENT**

Name (b)(3), (b)(6) LCDR/04 Social Security Number (b)(3), (b)(6)  
 Rank/Rate  
 Command US Contingent, UK Pole 3 Hospital Bastion Division Emergency Department  
 TAD from/to Naval Hospital Jacksonville, FL Until (give dates) 20 APR 2011  
 Whereabout for next 30 days \_\_\_\_\_ (b)(2), (b)(6) \_\_\_\_\_  
 Phone \_\_\_\_\_

I, (b)(3), (b)(6), hereby make the following statement to  
LtCol (b)(3), (b)(6), who has identified himself/herself as a preliminary  
 inquiry officer for the Personnel Support Detachment, Camp Lejeune, North Carolina.

See attached statement, consisting of two pages,  
dated 14 April 2011. Subject line: Command investigation  
into the facts and circumstances surrounding the deaths of  
Hospitalman Benjamin D. Rast xxx-xx- (b)(6) and Staff  
Sergeant Jeremy D. Smith xxx-xx- (b)(6) on 06 April 2011.

I swear (or affirm) that the information in the statement above and on the 2 attached page(s) is true to the best of my knowledge or belief.

(W) (b)(3), (b)(6) 14 April 2011 1359  
 (Date) Time

Sworn to before me this date.

(Investigator's Signature) (b)(3), (b)(6) Col, usmc 14 Apr 2011 1359  
 (Date) Time

# PRIVACY ACT STATEMENT

Name: \_\_\_\_\_ (b)(3), (b)(6)

Rank/Rate: 1cp1

Unit: 103

Telephone number: \_\_\_\_\_ (b)(2), (b)(6)

Today, April 15, 2011, I acknowledge that I have received the following advisement under the guidelines of the Privacy Act.

This statement is provided in compliance with the provisions of the Privacy Act of 1974 (Public Law 93-579) which requires that Federal agencies must inform individuals who are requested to furnish personal information about themselves as to certain facts regarding the information requested below.

1. **AUTHORITY:** 5 U.S.C. 301; 10 U.S.C. 972, 1201-1221, 2733, 2734-2734b., 2737, 5013, 5031-5036, 5131-5150, 5947, 6148, 7205, 7622-7623; 28 U.S.C. 1346, 2671-2680; 31 U.S.C. 240-243, 3521-3531, 3701-3702, 3717-3718; 37 U.S.C. 802; 38 U.S.C. 105; 42 U.S.C. 2651- 2653; 44 U.S.C. 3101; 49 U.S.C. 1901.

2. **PRINCIPAL PURPOSES.** The information which will be solicited is intended principally and may be used for the following purposes:

a. Determinations on the status of personnel regarding entitlements to pay during disability, disability benefits, severance pay, retirement pay, increases of pay for longevity, survivor's benefits, involuntary extensions of enlistments, dates of expiration of active obligated service, and accrual of annual leave.

b. Determination on disciplinary or punitive action.

c. Determinations on liability of personnel for losses of, or damage to, public funds or property.

d. Evaluation of petitions, grievances, and complaints.

e. Adjudication, pursuit, or defense of claims for or against the Government or among private parties.

f. Other determinations, as required, in the course of naval administration.

g. Public information releases.

h. Evaluation of procedures, operations, material, and designs by the Navy and contractors, with a view to improving the efficiency and safety of the Department of the Navy.

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Office for purposes of determinations concerning relief of accountable personnel from liability for losses of public funds and related fiscal matters; and to the Department of Justice for use in litigation involving the Government.< Additionally, such investigations are sometimes furnished to agencies of the Department of Justice and to State or local law enforcement and court authorities for use in connection with civilian criminal and civil court proceedings.< The records of investigations are provided to agents and authorized representatives of persons involved in the incident, for use in legal or administrative matters.< The records are checked by or against the Government, and for use in design and evaluation of products, services, and systems.< The records are also furnished to agencies of the Federal, State, or local law enforcement authorities, and regulatory authorities, for use in connection with civilian and military criminal, civil, administrative, and regulatory proceedings and actions.

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a. Where an individual is a subject of an investigation for purpose 2a or 2b, above:< Disclosure is voluntary.< You are advised that you are initially presumed to be entitled to have the [personnel determination] [disciplinary determinations] in paragraph 2, above, resolved in your favor, but the final determination will be based on all the evidence in the investigation records.< If you do not provide the requested information, you will be entitled to a favorable determination if the record does not contain sufficient evidence to overcome the presumption in your favor, however, your election not to provide the requested information possible could prevent the investigation from obtaining evidence which may be needed to support a favorable determination.

b. Where an individual is a subject of an investigation for purpose 2c, above:< Disclosure is voluntary, and if you do not provide the requested information, any determination as to whether you should be held pecuniarily liable for repayment of the Government's loss would be based on the other evidence in the investigative record, which possibly might not support a favorable determination.

c. Where an individual is a claimant or potential claimant in an investigation for purpose 2e, above:< Disclosure is voluntary, but refusal to disclose the requested information could prevent the investigation from obtaining sufficient information to substantiate any claim which you have made or may make against the Government as a result of the incident under investigation.

d. Where the individual was treated at Government expense for injuries caused by third parties in connection with a matter being investigated for purpose 2e, above: Disclosure is voluntary, but refusal to disclose the requested information could result in a requirement for you to assign to the Government your medical care claims against third parties in connection with the incident, or authorize withholding of the records of your treatment in naval medical facilities.

e. In any other case: Disclosure is voluntary, and if you do not provide the requested information, and determinations or evaluations made as a result of the investigation will be made on the bases of the evidence that is contained in the investigation record.

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

\_\_\_\_\_  
(Signature and date)

lcol

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

USMCR

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

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

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

I can't remember too many specifics other than the moment of the strike. I do remember rigging to the insertion point. My team included sgt. Smith, Doc Rast, Sgt Sgt and myself. We inserted into a small village and patrolled west to a small poppy field. It was just my team and a sniper element in my patrol. After reaching the poppy field we then turned south and began to patrol into another large fields with the ~~the~~ compounds we first took contact to our west approx 400m away. Sgt Smith was the pointman and I was right behind him. as soon as a few of us got into the field that's when we took the initial burst of PKM fire. from there we all bounded back into a small canal and continued to maneuver south approx 50 meters. from there I posted up security with my 240B and let the rest of the squad go ahead of me into the field still heading south. After the squad was through I started passing people to get to my original position within the patrol. once I got behind Doc Rast we took fire again and we began to bound back behind a small 2<sup>nd</sup> wall running North to South. All of us was behind the wall when Sgt. All of us was behind the wall except Doc Rast and Ssgt Smith, who were in the field. At that time Sgt advised us that ordnance was coming in, in 17 seconds. After a

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

few seconds that's when I heard the missile come in and impact right between sgt Smith and Doc Rast. I then held security to the west while sgt (b)(3), (b)(6) ran into the field to assess the casualties. I can't comment on any times because it was all a blur after the strike. But shortly after the other squad along with Doc (b)(3), (b)(6) and Sgt (b)(3), (b)(6) joined us and began to work on Doc Rast. Sometime after that we egress back to the trucks and made our way back to base where the medivac helo was already coming in. I forgot to put that before the hell strike we took sporadic shots from the west.

I swear or affirm that the statement above is true to the best of my knowledge or belief

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

20110415

Sworn to before me this date

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

15 April 2011

MEMORANDUM FOR THE RECORD

Subj: SUMMARY OF INTERVIEW OF (b)(3), (b)(6) ON APRIL 15, 2011

1. On April 15, 2011 at Patrol Base Alcatraz I, Major (b)(3), (b)(6) Major (b)(3), (b)(6) and Captain (b)(3), (b)(6) interviewed Lance Corporal (b)(3), (b)(6) to gather additional details on the actions related to the (b)(1)1.4a Hellfire strike on April 6, 2011. We were assisted by Lieutenant Colonel (b)(3), (b)(6) the legal representative to the investigative team.
2. Lance Corporal (b)(3), (b)(6) was 15 feet away from HN Rast. Normal order of movement was SSgt Smith, LCpl (b)(3), (b)(6), then HN Rast. On this day HN Rast had gotten into the number 2 position during the course of the movement and therefore was just ahead of LCpl (b)(3), (b)(6) LCpl (b)(3), (b)(6) identified 2 men in black moving South to North between compounds West of their position near Building 58. He had assessed an accurate burst of PKM fire originating from the West of their position. Sgt (b)(3), (b)(6) notification of "17 seconds to impact" was the first he was aware that a strike was coming. He expected the impact to be to his West where they had been receiving contact from. He indicated that Sgt (b)(3), (b)(6) had told SSgt Smith and HN Rast to take cover, "stay down," in the field.
3. I certify that this statement is an accurate summary of the interview.

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

COL USMC

I Lance Corporal (b)(3), (b)(6) was located in vic 2 as the gunner.

I do not remember the time of departure, blast or return to base.

The mounted section moved north to the insertion point, dropped off the dismounts then proceeded to turn the vics around facing south.

I heard machine gun fire then told my VC, I oriented my gun towards the east. There was a lot of fire that I heard coming from the west. On the east

I saw cars carrying local nationals from the south to the north. My job was to keep any locals from entering the convoy. At the time of the impact I was facing east,

right after the Hell fire hit, I heard Sgt. (b)(3), (b)(6) yell cease fire through the 152 Radio and that it had impacted right on top of Sgt. Smith and Doc Rest.

Lt. (b)(3), (b)(6) immediately started asking for an update about what was happening. The dismounts then proceeded to move to Sgt. Smith's position, after that I didn't hear or see anything

until they had retrieved the bodies over the vadi. They were having trouble carrying the bodies and holding security at the same time, so my VC Sgt. (b)(3), (b)(6) and the VC from vic 1

Sgt. (b)(3), (b)(6) went to assist them. They then loaded Doc Rest into the 3rd vic and Sgt. Smith into the 4th vic and we returned to base. Once we were back inside the wire the Helicopter landed, the bodies were loaded, and it took off. To the best of my abilities that is all I can remember.

I swear (or affirm) that the information in the statement above is true to the best of my knowledge or belief

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

4-15-2011

Sworn to before me this date

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

April 2011

1<sup>st</sup> Squad SAW Gunner

On 6 April 2011 I was a part of the dismount element in Vic. 4, we departed PB Alcatraz approx 0700 We Patrolled up North. To a Small Village the Vic. Turned around and We dismounted. We patrolled into the West Side green zone, My Section we did not cross the Wadi we stayed on the other side cleared a few compounds and set in about 50 to 75 meters from the Road, I was the SAW Gunner, we had the RO and the terp, Snipers and other parts of the dismounted team. Sgt (b)(3), (b)(6) team had already crossed the Wadi and they were taking contact, and returning fire on their targets. While providing security we were told to get down and stay down air was going to come in and drop a bomb. The RO told us they are going to drop the bomb in 17 seconds ~~seconds~~ two seconds after that you heard a boom, that was the missile starting up then the bigger boom it hit, I looked and it was to me right there where Sgt (b)(3), (b)(6) team was. Sgt (b)(3), (b)(6) got on the Radio and said Cease fire, you hit friendlies, we all know IS we picked up an Rast to their grid, and Sgt (b)(3), (b)(6) and the Doc was running with us they came from the Vic's. We made it to the location I was in the back element providing security then we started receiving small arms fire the snipers located it and started firing, then more targets appeared, while they were working on Doc Rast I didn't see him. Sgt (b)(3), (b)(6) yelled out to (b)(3), (b)(6) get your team to help carry Rast so I ran over there and Sgt (b)(3), (b)(6) pulled me since I had a SAW he said you see the target start to shoot. I shot to the side of me was SSgt Smith's body they moved Doc Rast out, then they got SSgt Smith's body and I was told to provide security following ~~him~~ them with his body, then I was told to help carry SSgt Smith so I did.

As we were egressing back to the Vic's we were still being

Shot at by the enemy, so we ~~had~~ haulted to take cover placing  
SSgt Smith body on the deck till we can eliminate the ~~the~~  
~~the~~ enemy. we did and I listed SSgt Smith body again  
we got to the wadi and we crossed it. we ran to the  
Vic's placed SSgt body on the deck, I provided Security till  
they listed his body up into the Vic, then I ran with the  
team bounding to our Vics and then we RTB back to PD  
Alcatraz where a bird was landing that's when I saw them  
put both of the bodies onto the bird

I swear (affirm) that the information in the  
statement above is true to the best of my knowledge  
or belief

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

15 April 2011

Sworn to before me plus date

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

5 April 2011

Lcpl

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

H.O.R.

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

1/23 Alpha Co. 2<sup>nd</sup> Plt.  
1<sup>st</sup> Section 3<sup>rd</sup> Squad

## Statement for actions on April 6, 2011

### - DFL to Objective

I was the .50 cal gunner for the 3<sup>rd</sup> Vic (6x MRAP) in the vehicle patrol. Sgt. (b)(3), (b)(6) was Driver/VC, Cpl. (b)(3), (b)(6) was sitting in VC seat, Doc (b)(3), (b)(6) (HMZ) was dismount in back along w/ my IDD (b)(3), (b)(6). The other dismounts in the back were from 2<sup>nd</sup> Section & not organic to our truck team. The approx. time for DFL was 0700 hrs. I orientated my gun to the east side of the cell for the march up to the insert point at the 630. We hit the IED between the possible LZ at 623 and the insert, but kept rolling b/c it did no damage to the truck. Approx. Insert was 0715.

### - Actions on Objective

Upon Insert, around 0715, the patrol pushed up a few hundred meters and orientated South on the left to turn around so we would be orientated South on the cell. When the dismounted <sup>(portion)</sup> first took initial contact, our vehicle had eyes on their tail end elements. My gun was orientated to the East side of the cell. I was not aware that the Hellfires were coming in. When they hit Sgt. (b)(3), (b)(6) came over the radio calling cease fire and saying it had landed right on top of Sgt. Smith + Doc Rest, and they weren't moving. Immediately Doc (b)(3), (b)(6) + Sgt. (b)(3), (b)(6) left the truck and headed for the dismounted portion of the patrol. After sometime we had spotters from the East and then eventually we took mortar fire. Vics 4 and 2 engaged. I wasn't able to due to lack of PID. There were 2 compounds and a giant tree in the way.

LCPL (b)(3), (b)(6)  
Sikw GUNNER 1st Squad.

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

HOME ADDRESS: (b)(3), (b)(6)

On the morning of 06 APRIL 2011 we departed from Alcatraz mounted in Mrap's and MATU'S. we patrolled North on the hill reached the point we had planned to dismount at. All of the vic's turned around at which point the dismounted element got out and began our foot patrol. my team stayed up by the hill and the other team pushed out to the west to patrol to the west of us. my team patrolled for about 75 meters at which point we halted to allow the other team time to get parallel to us. I took cover next to the vici. a few minutes later we heard small arms fire but could not tell where it was coming from. while taking cover I witnessed members of the team to the west pass in front of me to the west and go behind either a compound or just a wall. Shortly after that it was passed that we would have air on station in seventeen seconds. a few seconds later the round impacted the area where I saw the members of the other team moving. shortly after the round impacted Sgt. (b)(3), (b)(6) and HMG (b)(3), (b)(6) ran to our position from the trucks and notified the that friendly's were hit and my team ran them down to the casualty's at which point I moved to the South of the casualty's in a wadi and provided security to the South west. we continued to receive small arms fire from the west sporadically. once Sgt. (b)(3), (b)(6) and HMG (b)(3), (b)(6) had stabilized the casualty we egressed back to the vehicles, I provided rear security up to the vic's. once casualty's were loaded I mounted back up into vic 1 at which point we returned to Alcatraz.

I swear or affirm that the information in the statement above is true to the best of my knowledge or belief.

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

15 APRIL 2011

Sworn to before me this date.

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

15 Apr 2011

LCPL

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

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

1/23 ALPHA CO  
2ND PLT 1ST SQD  
3RD TL

ON THE MORNING OF APRIL 6, 2011 WE HAD PLANNED TO DEPART AT 0700. I'M NOT QUITE SURE WHAT THE EXACT TIME WE DEPARTED BUT WE HEADED NORTH WITH FOUR VECs TO THE INSERTION POINT OF 6303. BEFORE REACHING OUR POINT, VEC THREE HIT A SMALL IED A FEW HUNDRED METERS SOUTH OF INSERTION POINT. WE PUSHED THROUGH THE BLAST SITE TO THE DROP OFF POINT. AT WHICH POINT THE FOOT PATROL DISMOUNTED & ORGANIZED WITH THEIR RESPECTED TEAMS. WHILE SGT (b)(3), (b)(6) GUN TEAM WITH A SNIPER TEAM HEADED WEST INTO THE GREENZONE, MY TEAM ALONG WITH CPL (b)(3), (b)(6) TEAM AND A SNIPER TEAM STARTED PUSHING DOWN SOUTH SECURING THE AREA ALONG THE ROADSIDE. AFTER MOVING DOWN SOUTH A COUPLE HUNDRED METERS, WE HELD OUR POSITION IN BETWEEN TWO WADIES SO WE COULD GET A FIX ON SGT (b)(3), (b)(6) POSITION. IT WAS DURING THIS TACTICAL PAUSE THAT I HEARD OPENING FIRE FROM THE ENEMY. I ALSO HEARD SGT (b)(3), (b)(6) TEAM RETURN FIRE. FIVE TO TEN MINUTES LATER THE ENEMY OPENED UP AGAIN. AFTER THIS WORD WAS BEING PASSED THAT THEY WERE GETTING AIR AND TO TAKE COVER. ONCE THE HELLFIRE CAME IT TOOK A FEW MINUTES BEFORE WE WERE TOLD TO PUSH UP TO SGT (b)(3), (b)(6) POSITION. ON UPON GETTING THERE MY TEAM SECURED THE REAR WHILE DOC RAST WAS TRYING TO GET STABILIZED. AT THIS POSITION WE TOOK FIRE & HEARD OF RPG TALK FROM THE (b)(1)1.4a AFTER ENGAGING THE ENEMY I MOVED TO DOC RAST POSITION TO HELP CARRY HIM TO THE VEC. WITH THE DIFFICULT TERRAIN IT TOOK US LONGER THAN IT SHOULD HAVE TO EXTRACT DOC RAST. ONCE GETTING DOC RAST TO THE GX MRAP, I RETURNED TO HELP CARRY SSGT SMITH TO THE FOURTH VEC (MATV). ONCE LOADED UP WE GOT ACCOUNTABILITY OF EVERYONE AT WHICH POINT WE PUSHED BACK TO ALKATRAZ.

I swear (or affirm) that the information  
in the attached statement above is  
true to the best of my knowledge or belief.

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

20110415

Sworn to before me this date

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

15 Apr 11

received the confirmation that Section 2 was receiving enemy fire/pop shots, my alertness, already high, kicked into over drive trying to spot an ambush of any sort. The ambush did not come immediately and the next thing I ~~to~~ heard over ~~the~~ comm was that ISR was overhead and it was armed. Then I received word that a Hellfire mission was being called in; I was still actively scanning my southern sector and the traffic was still very active. Then the next thing I was informed to was that the missile would impact in 17 seconds and not even 2 seconds later I heard the sound of impact. I did not even have time to duck down because the time frame was incorrect and I felt some of the shock wave. Immediately after the strike we heard that the missile had hit the wrong target and right on top of our guys. The moments after that were pretty hectic but I was watching my sectors as soon as Vic 4 passed up that they spotted ~~an~~ enemy mortar and RPG positions off to the east but the positions were behind a hill that I could not see. Once Vic 4 & 3 commenced fire on the enemy they reported to us that they disbanded the positions and fled out of sight. As that was going on I heard on comm that we had a routine and urgent casualty and the zap #'s of the casualties. At that point we were no longer receiving a threat from the east side and that's when my VC dismounted to go help with the casualties. While ~~keeping~~ maintaining view of my sector I spotted when they brought the first casualty across the wadi and to the road. At that point we condensed the dispersion of the vics so that we could mount up and get casualties to the LZ at PB Alcatraz. I saw when Doc Rust was loaded into the 6 wheeler and then Cpl (b)(3), (b)(6) came running over to my vic requesting our body bag that we had in our vic and that is when we finally knew the extent of the casualties because ~~the~~ the comm about the condition of the casualties and their nature was not disclosed. Once the body ~~to~~ of SSGT Smith was placed into the body bag and placed in ~~the~~ Vic 4, we loaded up the last of the

2

dismounts and headed off to the LZ. Inside the vic, from the dismounts and from my VC I received the word that both SSgt Smith and Doc Rast were dead. We reached PB Alcatraz and the Recon element was outside waiting to render medical help, I instructed them from the turret what vics our dead ~~was~~ were in and with the help of our Marines and Recon, the bodies were taken out of the vics, covered completely and then transported to the bird which was on the LZ 30 seconds after we arrived. Once the bodies were loaded up the bird lifted up and was gone.

I swear (or affirm) that the information in the statement above and attached page is true to the best of my knowledge or belief.

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

20110415

Sworn to before me this date

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

20110415

20110415

1/23 A, CO. 2ND PLT

ON 20110406 (b)(1)1.4a QRF DEPARTED FRIENDLY LINES AT APPROXIMATELY 0700. LCPL (b)(3), (b)(6) WAS ACTING AS VIC 1 DRIVER. THE PATROL WAS HEADED NORTH FROM P.B. ALKATRAZ TO AN INSERTION POINT ALONG THE 611. BEFORE GETTING TO THE DROP OFF POINT LCPL (b)(3), (b)(6) HEARD OVER THE MOUNTED 152 RADIO IN THE VIC THAT VIC 3 HIT AN IED., BUT IT MISSED AND THEY WERE PUSHING THROUGH IT. AFTER REACHING THE INSERTION POINT VIC 1 LEAD THE CONVOY IN TURNING AROUND TO FACE SOUTH ON THE 621. UPON THE ENTIRE CONVOY TURNING AROUND, DISMOUNTS WERE LET OUT TO CONTINUE THEIR DISMOUNTED PATROL. SOON AFTER THE DISMOUNTED ELEMENT PUSHED OFF OF THE 621 AND INTO THE "GREEN ZONE" THE DISMOUNTED PORTION STARTED TAKING FIRE WAS RELAYED OVER THE RADIO. LCPL (b)(3), (b)(6) ALONG WITH HIS V.C., SGT (b)(3), (b)(6) REALIZED THEY DID NOT HAVE GOOD COM. WITH THE DISMOUNTED ELEMENT AND WERE NOT RECEIVING ALL TRANSMISSIONS. OVER THE RADIO LCPL (b)(3), (b)(6) HEARD FROM VIC 4 THAT THE PATROL HAD I.S.R. OVERHEAD. SOON AFTER LCPL (b)(3), (b)(6) HEARD THEY WERE GOING TO LAUNCH MISSILES. LCPL (b)(3), (b)(6) HEARD "17 SECONDS UNTIL IMPACT" AND IMMEDIATELY AFTER THAT TRANSMISSION HEARD THE MISSILE EXPLOSION. THE NEXT THING LCPL (b)(3), (b)(6) HEARD WAS THE GROUND ELEMENT SAY "IT LANDED RIGHT ON TOP OF SSGT AND DOC" THE NEXT THING LCPL (b)(3), (b)(6) HEARD WAS THAT THERE WAS "TWO CASUALTIES ONE ROTINE ZAP NUMBER ALPHA SIERA AND LAST FOUR OF THE SOCIAL". NOT LONG AFTER THAT THE DISMOUNTS CALLED FOR ASSISTANCE IN GETTING THE CASUALTIES TO THE VIC'S, LCPL (b)(3), (b)(6) V.C. CSGT (b)(3), (b)(6) IMMEDIATELY DISMOUNTED TO HELP. AFTER THE CASUALTIES WERE LOADED UP ALL OF THE DISMOUNTED ELEMENT ALSO LOADED UP INTO THE VIC'S IN ORDER TO R.T.B. TO THE LZ AT P.B. ALKATRAZ. AFTER GETTING TO THE LZ LCPL (b)(3), (b)(6) WATCHED AS MARINES FROM 2ND RECON ASSISTED IN LOADING THE CASUALTIES INTO THE CHOPPERS.

I swear (or affirm) that the information in the statement above is true to the best of my knowledge or belief

Sworn to before me this date

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

15 Army com

04110415

Lcpl

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

4-15-2011

0311 in 1/23 Alpha company 2<sup>nd</sup> PLT

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

On the morning of April 6, 2011, I was attached to a rifle team. ~~10 to 15~~<sup>15 to 20</sup> minutes after leaving the vics, the team I was with was walking alongside an irrigation canal when we heard machine gun fire to the west. I got into the water of the canal to get better cover and began scanning for targets.

Sgt (b)(3), (b)(6) then informed the Marines in our vicinity to hold fire, as Sgt (b)(3), (b)(6) machine gun was in the green zone to the west.

About 10 minutes later, ~~we~~ someone said that we had 17 seconds until detonation, 2 seconds after that was said, I heard a rocket ignite from the north. I observed the rocket impact an area about 120 meters directly west of my position. Sgt (b)(3), (b)(6) told us to pick up and start running. We ran as fast as we could to their position and the first thing I saw was (b)(1)1.4a We were in

another irrigation ditch and started to set up a defensive posture. I was scanning when Sgt (b)(3), (b)(6) yelled for me to make my way to Sgt (b)(3), (b)(6) and Doc (b)(3), (b)(6) to assist with Doc Rast. I was running to them when I saw the blast crater and staff sergeant laying on the ground. When I got to Rast, Doc and Sgt (b)(3), (b)(6) were assessing him. We then dragged him behind a wall for better cover. I took over holding G-spine while Doc and Sgt (b)(3), (b)(6) began to take off his plate carrier and ~~tried~~ tried to find his wound. Doc found a quarter sized hole on the back of Rast's neck. We applied a pressure bandage to the wound. About this time, Rast stopped breathing and I began rescue breathing. Our snipers also began firing about this time. We loaded Doc on a poleless litter and began making our way back to the trucks. Halfway to the road, a handle on the litter ripped and I began to extend the ladder that I had on my pack. We began taking more machine gun fire at this time. After it was suppressed, we put Doc on the ladder and took him the rest of the way to the trucks. He was dead before we reached the trucks.

I swear (or affirm) that the information in  
the statement attached is true to the best  
of my knowledge or belief

4-15-2011

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

Sworn to before me this date

15 April 2011

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

# PRIVACY ACT STATEMENT

Name: LCPL (b)(3), (b)(6) \_\_\_\_\_

Rank/Rate: LCPL/E-3

Unit: 2D Recon Battalion

Telephone number: \_\_\_\_\_

Today, April 16, 2011, I acknowledge that I have received the following advisement under the guidelines of the Privacy Act.

This statement is provided in compliance with the provisions of the Privacy Act of 1974 (Public Law 93-579) which requires that Federal agencies must inform individuals who are requested to furnish personal information about themselves as to certain facts regarding the information requested below.

1. **AUTHORITY:** 5 U.S.C. 301; 10 U.S.C. 972, 1201-1221, 2733, 2734-2734b., 2737, 5013, 5031-5036, 5131-5150, 5947, 6148, 7205, 7622-7623; 28 U.S.C. 1346, 2671-2680; 31 U.S.C. 240-243, 3521-3531, 3701-3702, 3717-3718; 37 U.S.C. 802; 38 U.S.C. 105; 42 U.S.C. 2651- 2653; 44 U.S.C. 3101; 49 U.S.C. 1901.

2. **PRINCIPAL PURPOSES.** The information which will be solicited is intended principally and may be used for the following purposes:

a. Determinations on the status of personnel regarding entitlements to pay during disability, disability benefits, severance pay, retirement pay, increases of pay for longevity, survivor's benefits, involuntary extensions of enlistments, dates of expiration of active obligated service, and accrual of annual leave.

b. Determination on disciplinary or punitive action.

c. Determinations on liability of personnel for losses of, or damage to, public funds or property.

d. Evaluation of petitions, grievances, and complaints.

e. Adjudication, pursuit, or defense of claims for or against the Government or among private parties.

f. Other determinations, as required, in the course of naval administration.

g. Public information releases.

h. Evaluation of procedures, operations, material, and designs by the Navy and contractors, with a view to improving the efficiency and safety of the Department of the Navy.

3. **ROUTINE USES:** In addition to being used within the Department of the Navy and Defense for the purpose(s) indicated above, records of investigations are routinely furnished, as appropriate, to the Department of Veterans Affairs for use in determinations concerning entitlement to veterans' and survivors' benefits; to Servicemen's Group Life Insurance administrators for determinations concerning payment of life insurance proceeds; to the U.S. General Accounting

Office for purposes of determinations concerning relief of accountable personnel from liability for losses of public funds and related fiscal matters; and to the Department of Justice for use in litigation involving the Government.< Additionally, such investigations are sometimes furnished to agencies of the Department of Justice and to State or local law enforcement and court authorities for use in connection with civilian criminal and civil court proceedings.< The records of investigations are provided to agents and authorized representatives of persons involved in the incident, for use in legal or administrative matters.< The records are checked by or against the Government, and for use in design and evaluation of products, services, and systems.< The records are also furnished to agencies of the Federal, State, or local law enforcement authorities, and regulatory authorities, for use in connection with civilian and military criminal, civil, administrative, and regulatory proceedings and actions.

**4. MANDATORY/VOLUNTARY DISCLOSURE, CONSEQUENCES OF REFUSING TO DISCLOSE:**

a. Where an individual is a subject of an investigation for purpose 2a or 2b, above:< Disclosure is voluntary.< You are advised that you are initially presumed to be entitled to have the [personnel determination] [disciplinary determinations] in paragraph 2, above, resolved in your favor, but the final determination will be based on all the evidence in the investigation records.< If you do not provide the requested information, you will be entitled to a favorable determination if the record does not contain sufficient evidence to overcome the presumption in your favor, however, your election not to provide the requested information possible could prevent the investigation from obtaining evidence which may be needed to support a favorable determination.

b. Where an individual is a subject of an investigation for purpose 2c, above:< Disclosure is voluntary, and if you do not provide the requested information, any determination as to whether you should be held pecuniarily liable for repayment of the Government's loss would be based on the other evidence in the investigative record, which possibly might not support a favorable determination.

c. Where an individual is a claimant or potential claimant in an investigation for purpose 2e, above:< Disclosure is voluntary, but refusal to disclose the requested information could prevent the investigation from obtaining sufficient information to substantiate any claim which you have made or may make against the Government as a result of the incident under investigation.

d. Where the individual was treated at Government expense for injuries caused by third parties in connection with a matter being investigated for purpose 2e, above: Disclosure is voluntary, but refusal to disclose the requested information could result in a requirement for you to assign to the Government your medical care claims against third parties in connection with the incident, or authorize withholding of the records of your treatment in naval medical facilities.

e. In any other case: Disclosure is voluntary, and if you do not provide the requested information, and determinations or evaluations made as a result of the investigation will be made on the bases of the evidence that is contained in the investigation record.

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

(Signature and date)

LCPL

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

0621 Radio Operator  
2nd Recon Battalion

I LCPL (b)(3), (b)(6) was the radio operator for the time of the incident on April 06 2011. I received traffic via DFT from (b)(1)1.4a. I received an IED strike at 0820 along with a salta. At 0838 I received a sitrep. At 0936 I received more information. I began receiving information regarding the injured movement back to route 611 and then to the Landing Zone. With the wheels up being passed was the last info received regarding the injured.

I swear or affirm that the information in the statement above is true to the best of my knowledge or belief.

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

16 April 2011

Sworn to before me this date

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

16 April 2011

We departed friendly lines at around 0700. I loaded up into Sgt. (b)(3), (b)(6) truck, which was Vic 1 out of our 4 vehicle convoy. We reached our insertion point around 0730, and proceeded to dismount.

I was the pointman for the dismounted element. We pushed south along the Gll for about 100 meters, and then I started moving about 20 meters to the west of the road into the green zone, and proceeded to push south along the canal.

A few minutes later we halted to push the machine team, composed of Sst Smith, Doc Rast, Sgt (b)(3), (b)(6) and Lcpl (b)(3), (b)(6) into the green zone. They were towards the rear of our patrol and I didn't have eyes on them. Approximately 15-20 minutes after we halted, we started taking contact. I took cover and started repositioning myself so I could see through a large opening in a compound wall. I saw (b)(1)1.4a and something shine in

the sunlight, which I identified to be a machine gun (RPhor PHM) at a tree line near a compound directly to my west, and I saw 2 men dressed in black set up from the prone and start sprinting with the weapon towards the compound, and I opened fire on them. I got about 3 shots off before I lost sight of them.

I told one of our snipers to position himself next to me so that he could get a better view. About 5 minutes after the gunfire stopped, I got word that we were dropping a himar on the compound to our west, bear where I saw the men run. I heard more shots fired, but couldn't tell where they

were originating from. A few minutes later I heard "~~the~~ Artillery in 17 seconds set down" and I immediately took cover. The missile impacted almost instantly after the 17 second warning, and nowhere near the building I thought we were dropping it on. Something was messed up. About 2 minutes I heard

that we had friendly fire, and was told to get up and start running. I had no idea where to go, so my squad leader, Sgt (b)(3), (b)(6) took point and we pushed across a bridge down a road between 2 compounds and into the green zone. We must have ran about 100-200 meters before we took up a defensive position in a field, ~~near the~~ about 150 meters from the compound we took contact from. I had no idea what was going on, at this point, besides the fact that we had a friendly fire casualty. I did not know who. I had the southernmost position in the formation, and had clear eyes on the blue door into the compound from where it was reported that there were individuals entering and exiting from. We started laying down suppressive fire as soon as we heard gunshots coming from a murder hole in the compound wall. We held that position for about 20 minutes, before we displaced North. I remember running through a large water filled crater, and after that we started running east back towards the road. We stopped about 100 meters from the road and I took cover behind a small wall. I looked over and I saw Ssgt Smith's body, only identifiable because of his tattoo on his arm. It was heavily burned and mutilated. We started taking fire again and the rounds impacted close by. Sgt (b)(3), (b)(6) who was next to the path by Ssgt's body, told me to head towards the canal to help get Doc Rast, who was loaded onto a ladder being used as a stretcher, across the canal. ~~one~~ This took about 5-10 minutes. Once he was across, I stayed in the canal to provide security for everyone else while they got themselves and Ssgt Smith's body across. I then displaced and got back into my truck, V.C. 1, and headed back to PB Alcatraz.

I swear (or affirm) that the information in  
the statement on the attached 2 pages is true  
to the best of my knowledge or belief.

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

20110915

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

Sworn to before me this date

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

April 2011

Reserve prior active

The morning of April 6<sup>th</sup> I loaded into the 6x MRAP second closest to the door. In the back of the 6x with me was the rest of (b)(1)1.4a and

several members of 2<sup>nd</sup> Plt. whose names I had not learned yet. as we made our way out the gate and north on 611 I turned on my GPS to acquire satellites and watched out the small windows to the rear and to the east (right side of vic) I saw nothing abnormal, locals of all ages off and on the some where north of the 60 northing and south of the 63 an IED hit our vic at first I thought I might have hit the vic in front of us because the explosion was small but then I saw the dust coming up around the right side rear window and the rear windows I knew it was our vic and that ~~that~~ (b)(1)1.4a assumed it was a low order def from previous debris that was the normal IED in that AO. After

every one rogered up that they were ok and it was sent on the radio that our vic was ok we kept moving a short way till the lead vic hit the 63 Northing where our patrol was foot patrol was supposed to be so all the vics turned around and spread back out to proper dispersion then we dismounted and one squad pushed west into the green zone while we held on the road the locals where eye balling my gun which made me suspicious that they may later report to the taliban that our Plt now had a sniper asset attached as we moved south I noticed there were NO locals around the building next to the road once we got over a culvert we pushed 20m west to a canal/ditch/wadi one I was 20m down the ditch we heard the first machine gun rip to the west we all got the clock and started scanning but on the west side of the double ditches was a wall blocking our view of the vic and the other patrol

the small arms continued sporadically for several minutes  
 at the front of our patrol was the dog handler at a break in the wall  
 he yelled that he saw guys in black moving North west to some  
 far compounds. I ran up to him and pushed across the first ditch  
 to the ridge between the two ditches where I was high enough to  
 see in to the fields to the west. I did not see the individuals  
 but held the position for some time. word was passed that  
 the other squad was trying to call in a HIMARS so we were  
 to hold our position after some time some one yelled "17 seconds"  
 and many of us yelled "take cover" I pushed my self down into the  
 ditch a ways and less than 10 seconds later I heard a missile coming  
 in from the north (inconsistent with HIMARS ~~based~~ out of leather  
 neck to the south) also the explosion had a hollow sound like  
 it was stuck in the mud NOT hitting a compound. about 1 minute  
 later we heard "blue on blue move south to the road"  
 I tried getting more info from the squad leader but  
 all I kept getting was "blue on blue" the Capt's leading  
 us needed a little guidance but we finally got to the road and  
 went west on it till we got past the buildings and moved  
 north through the field about 10-20 meters into the field  
 we saw (b)(1)1.4a pop to the north west 100-150m  
 at that point Doc (b)(3), (b)(6) shot past us sprinting to the  
 other squads position (He should get an award) once we got  
 out of the first field I could see the the blast sight which  
 looked to small for a hi Mars about a 7-10 m circle of plowed  
 earth with a with a lump of muddy clay (later to be IOD as Sgt)  
 near the middle. At this point fog of war has the sequence  
 of events out of order, but I took cover in a small ditch and started  
 scanning the buildings to the WSW between 350-450 m we were

fire had been reported (later found it was buildings near 59)  
 At some point I saw a man in white moving to the ~~center~~ of the group of compound  
 then we received fire from that compound then the temp said on I Com  
 they were going to launch an RPG from the blue door on the NW  
 side of the group of compound we all fired in that direction and no  
 RPG came later a man in white with a chest rig moved from the compound  
 we first saw a man go to 59 where I shot him and believe I hit him  
 he also was running with a man in dark grey that I did not get a good  
 shot on at some point I remember hearing some one try and get  
 amidst report while doc was feverishly working on one of the mortars  
 at another point they said they needed a body to move gear so a  
 called Sgt <sup>(b)(3), (b)(6)</sup> up since we had an M4 and could take more  
 weight and at another point there was <sup>(b)(1)1.4a</sup> about  
 spotters on the east side of the road and our own radios  
 said something about mortars and then I heard the MK19 on  
 a track open up... or at least that's what it sounded like to me.  
 Finally we started extracting to the east. I first had to move  
 north to the blast sight where I saw pieces of torn mangled muddy  
 cordura and half a camel back bladder. Halfway to the double under  
 we took a machine gun burst and every one hit the deck after a few  
 minutes we got up and kept pushing I took tail end <sup>(b)(3), (b)(6)</sup> with  
 the M240 gunner taking turns bounding back to the tracks and  
 the trucks. once we got to the truck I got accountability  
 of <sup>(b)(1)1.4a</sup> and took east side security on the 6x I was  
 a taxi driving up the hill to where I suspected the spotters/walker  
 team would have been but held my fire. once we got every  
 one back I loaded into the 6x by with 14 packs including the body  
 and the dog we got back with out incident once at alcafinz I got  
 out of truck and helped seven guys get out along with several

back packs and sniper rifles then I helped the recon  
 corporals move the body out to a stretcher one of them checked  
 his pulse with a stethoscope and wrote DOR and the time on  
 his chest. we moved the body to the chopper and picked up  
 2 new stretchers as the next body came in.

I swear or affirm that the information  
 in the statement above is true to the  
 best of my knowledge or belief.

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

20110415

Sworn to before me this date.

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

~~20110415~~

15 April 2011

SGT

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

0824

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

VIC 1 V.C.

I DON'T REMEMBER THE TIME WE LEFT. IN ROUTE ABOUT 300 M SOUTH OF OUR DISMOUNT POINT VIC 3 HIT AN IED THAT MALFUNCTIONED. WE PRESSED DOWN ROUTE 611, MADE A U TURN AND DISMOUNTED. SHORTLY AFTER DROP OFF DISMOUNTS TOOK CONTACT. I MOVED MY VIC SOUTH TO ENSURE A SOLID SBF POSITION ~~AS~~ AS WELL AS HOLDING THE SOUTH FOR BACK LAYERS. WHILE PRESSING SOUTH I STOPPED TO INVESTIGATE THE IED, THE BLASTING CAP DID NOT SET THE MAIN CHARGE, WHICH WAS A LARGE YELLOW SUG FULL OF HME. I RETURNED TO MY VIC. SHORTLY AFTER I GOT WORD OF AN MORTAR TEAM AROUND 100 M OFF THE ROAD EAST. (JUST NORTH OF CMPNT 82). VIC 4 ENGAGED, AND MY VIC ENGAGED SQUIRTERS. BEFORE THE MORTAR TM WAS ENGAGED THE HELLFIRE STRUCK. I HAD REALLY BAD COMM WITH DISMOUNTS. I DID NOT FIND OUT THE HELLFIRE HIT FRIENDLYS FOR A FEW MINUTES. ONCE I DID FIND OUT I THOUGHT EVERY ONE WAS OK DUE TO WHAT COMM I WAS PICKING UP. ONCE THE CASUALTIES WERE BROUGHT TO THE TREE LINE I LEFT MY VIC AND RAN APPROX 100 M TO HELP ANY WAY I COULD. I HELPED CARRY DOC TRAST, I THEN WENT TO <sup>(b)(3), (b)(6)</sup> LT. <sup>(b)(3), (b)(6)</sup> TO GIVE AN UPDATE THEN BACK TO HELP WITH SSGT SMITH. ONCE SMITH WAS NEXT TO VIC 4 STARTED SETTING IN SECURITY IN CASE WE WAITED FOR A BIRD. WE DECIDED TO MAKE MOVEMENT BACK TO PB ALCATRAZ. ENROUTE BACK WE PAST 2ND RECON QRF. WE PULLED UP THE HILL AND WITHIN MINUTES A MEDICAL BIRD WAS HERE.

(b)(1)1.4a

I swear or affirm that the information in the statement above and is true to the best of my knowledge or belief

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

4-15-2011

sworn to before me this date  
15 April 2011

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

I, SGT

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

LAST FOUR

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

LIVING AT

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

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

, AM A SECTION LEADER FOR 2ND PLT, ALPHA CO

1/23.

ON THE DAY OF THE INCIDENT I WAS THE VEHICLE COMMANDER FOR VIC 2

(b)(1)1.4a

QRF. MY SECTION WAS MANNING THE VEHICLES WHILE SGT (b)(3), (b)(6)

SECTION WAS OUR DISMOUNT ELEMENT THAT WE WERE TRANSPORTING (b)(3), (b)(6) TO THE INSERTION POINT. WE DEPARTED FRIENDLY LINES WITH FOUR (4) VICS.

AS WE MOVED NORTH ALONG THE G11 TO THE (b)(3) INSERTION POINT, THE CREW IN THE LEAD VIC, COMMANDED BY SGT (b)(3), (b)(6) AND MY CREW SCANNED THE ROAD FOR POSSIBLE IED'S. AS WE GOT INTO THE VIC OF THE 630 NORTHING AN IED WE MISSED DETONATED UNDERNEATH OUR (b)(3), (b)(6) 3RD VIC.

BECAUSE IT WAS A SMALL EXPLOSION AND THERE WAS NO DAMAGE TO EQUIPMENT OR PERSONNEL WE KEPT MOVING WHILE LT (b)(3), (b)(6) IN VIC 4 PUSHED UP A STRIKE REPORT. WE PUSHED UP TO THE 630 NORTHING AND OUR LEAD VIC TURNED AROUND AND HEADED BACK SOUTH. EACH VIC PUSHED TO THE 630 NORTHING AND MADE ITS TURN AROUND SO OUR FIRST VIC WAS AT ABOUT THE 6299 NORTHING AND OUR REAR VIC WAS AT THE 630 NORTHING WITH ALL VEHICLES (b)(3), (b)(6) FACING SOUTH WHEN WE OFF LOADED THE DISMOUNT ELEMENT TO BEGIN THEIR SWEEP SOUTH.

AS THE LEAD ELEMENTS PUSHED SOUTH AND WEST OFF THE G11 AND INTO THE GREEN ZONE, VIC1 AND VIC2 PUSHED SOUTH ALONG THE G11 TO KEEP EVEN WITH THE LEAD ELEMENTS OF THE FOOT PATROL WHILE THE LAST 2 VICS HELD BACK TO COVER THE REAR ELEMENTS OF THE FOOT PATROL.

WITHIN

(b)(1)1.4a

OF DISMOUNTING WE COULD HEAR GUNFIRE BREAK OUT OVER THE RADZO

AND SGT (b)(3), (b)(6) CALLED OUT THAT HIS TEAM WAS IN CONTACT AND GAVE US HIS GRID. MY VIC WAS UNABLE TO PROVIDE ANY KIND OFF SUPPORT DUE TO THE DENSITY OF THE TREELINES AND COMPOUNDS.

AS THE PATROL CONTINUED TO ENGAGE WITH THE ENEMY AND PUSH SOUTH, I HAD VIC 1 PUSH UP TO A BEND ON THE G11 TO BE ABLE TO SEE FARTHER DOWN THE ROAD TO PREVENT THEM FROM BACK LAYING IED'S AS WELL AS TO SEE IF WE

COULD FIND A BETTER SPOT TO SEE THROUGH TREELINES TO PROVIDE THE DISMOUNTS WITH BETTER SUPPORT. WHILE THAT WAS GOING ON VIC 4 PASSED UP THAT ARMED ISR WAS COMING ON STATION.

WHILE THIS WAS GOING ON THE DISMOUNTS WERE PASSING UP <sup>ON THE RADIO</sup> THAT THEY COULDN'T TELL EXACTLY WHERE THE FIRE WAS COMING FROM BUT THEY WERE ATTEMPTING TO SUPPRESS THE MOST PROBABLE AREAS.

SHORTLY AFTER THIS, VIC 4 CAME OVER THE RADIO AND STATED THAT ISR HAD SEEN MUZZLE FLASHES COMING FROM A COMPOUND AND <sup>(b)(3), (b)(6)</sup> PASSED UP THE 8 DIGIT GRID THAT THEY SPOTTED IT <sup>(b)(3), (b)(6)</sup>. I DID NOT WRITE DOWN THE GRID BUT IMMEDIATELY BEGAN TO PLOT IT ON MY BFT TO FIND IT IN RELEVANCE TO MY VIC TO SEE IF MY VEHICLE COULD HELP PROVIDE SUPPRESSION. ONCE AGAIN TREES AND ~~VARIABLES~~ <sup>(b)(3), (b)(6)</sup> COMPOUNDS PREVENTED THIS. JUST A FEW MINUTES AFTER THIS, VIC 4 CAME OVER THE RADIO THAT THEY WERE WORKING A FIRE MISSION. ALMOST IMMEDIATELY AFTER THAT "17 SECONDS! GET DOWN" CAME OVER THE RADIO FROM VIC 4. I CRANED AROUND IN MY SEAT TO SEE IF THE ROCKET WOULD LAND WHERE I EXPECTED THE COMPOUND TO BE FROM MY BFT PLOT. INSTEAD THE ROCKET HIT 400-500 METERS SOUTH OF WHERE I EXPECTED IT AND ALMOST INSTANTLY SGT <sup>(b)(3), (b)(6)</sup> CAME OVER THE RADIO CALLING "CEASE FIRE, CEASE FIRE". WHEN SOMEONE CALLED ON THE RADIO ASKING WHAT HAPPENED SGT <sup>(b)(3), (b)(6)</sup> REPLIED "THAT LANDED ON TOP OF SMITH AND DOC". AFTER A FEW MOMENTS OF STUNNED DISBELIEF THE CENTER ELEMENTS OF THE FOOT PATROL BEGAN RAPIDLY PUSHING SOUTH TO RENDER AID.

VIC 1 AND <sup>(b)(3), (b)(6)</sup> MYSELF MY TRUCK PUSHED FARTHER SOUTH TO CONTINUE TO PROVIDE THEM SUPPORT AS BEST WE COULD. SGT <sup>(b)(3), (b)(6)</sup> WAS HAVING COM DIFFICULTIES SO WE BOTH DISMOUNTED AND MET BETWEEN THE TRUCKS SO I COULD PASS ON WHAT HAD HAPPENED. WHILE WE WERE OUT OF THE TRUCK WE DISCOVERED THE IED THAT HAD STRUCK OUR 3RD VIC. WE DISCOVERED THAT ONLY A SMALL AMOUNT OF THE CHARGE HAD GONE OFF AND WE FOUND THE COMMAND WIRE. WE PULLED AS MUCH OF THE COMMAND WIRE AS WE COULD AND FOUND THE COMPOUND IT MOST PROBABLY LED TO.

AFTER THAT WE BOTH MOVED BACK TO OUR RESPECTIVE TRUCKS.

AS THE <sup>(b)(3), (b)(6)</sup> ~~TRUCKS MOVED BACK TO THE CANAL AREA AND THE ROAD THEY CALLED FOR~~  
~~HELP MOVING THE CASUALTIES ACROSS THE CANAL.~~ <sup>(b)(3), (b)(6)</sup> AS THEY WERE TREATING THE  
CASUALTIES, THE TRUCKS CAME UNDER FIRE FROM THE EAST AND VIC 4 TOOK A  
POSSIBLE MORTAR TEAM UNDER FIRE WITH ITS MOUNTED MK-19. ONCE WE GOT  
VERIFICATION, I HAD MY GUNNER HELP SUPPRESS THE AREA.

AS THE DISMOUNTS BEGAN TO MOVE THE CASUALTIES BACK TO THE ROAD THEY GAVE  
THE LOCATION THEY WERE GOING TO CROSS THE CANAL, WHICH WAS NORTH OF WHERE  
THE TRUCKS HAD PUSHED TO. I CALLED FOR THE TRUCKS TO BACK UP AND CLOSE  
OUR DISPERSION UP TO FACILITATE COVER AND LOAD THE DISMOUNTS FASTER.

AS THE DISMOUNTED ELEMENT BEGAN CROSSING THE CANAL THEY CALLED FOR HELP  
GETTING THE CASUALTIES ACROSS. I DISMOUNTED ALONG WITH THE ONLY DISMOUNT  
IN VIC 3 AND MOVED WEST TO THE CANAL TO HELP THEM. THEY HAD DOC  
RAST ACROSS THE LADDER WE CARRIED FOR ENTERING COMPOUNDS. WE GOT HIM READJUSTED  
ON IT AND WE MOVED HIM TO THE GXG AND GOT HIM LOADED. THEN MYSELF AND SEVERAL  
OTHER MARINES MOVED BACK TO HELP MOVE SSGT SMITH'S BODY ACROSS. BY THE TIME  
I GOT BACK, SGT <sup>(b)(3), (b)(6)</sup> AND THE REST OF HIS TEAM HAD THE BODY ACROSS. SGT  
<sup>(b)(3), (b)(6)</sup> WAS ASKING FOR A BODY BAG SO NO MORE MARINES WOULD HAVE TO  
SEE THE CONDITION OF THE BODY.

I SENT SEVERAL MARINES TO GET A BODY BAG FROM ONE OF THE TRUCKS.  
WHILE SGT <sup>(b)(3), (b)(6)</sup> WAS TAKING CARE OF THE BODY AND LOADING IT, I STARTED  
LOADING THE REST OF THE DISMOUNTS AND GETTING ACCOUNTABILITY. ONCE THE  
BODY WAS LOADED INTO VIC 4 <sup>(b)(3), (b)(6)</sup> I HAD SGT <sup>(b)(3), (b)(6)</sup> AND HIS LAST 2 MARINES LOAD  
INTO MY VIC, I CONFIRMED THE COUNTS WITH LT <sup>(b)(3), (b)(6)</sup> AND WE HEADED BACK TO  
ALCATRAZ.

ONCE WE ARRIVED, THE 2ND RECON MEDICAL TEAM WAS STANDING BY. WE PULLED  
THE FIRST 2 VICS PAST THEM AND MOVED THE TRUCKS WITH THE CASUALTIES  
TO THEM. THEY TOOK OVER FROM THERE AND I GOT MY MARINES TO START  
MOVING THE TRUCKS TO THE PARKING AREA AND GETTING GEARED DOWN

AND GETTING WEAPONS CLEANED AND GEAR PREPPED UNTIL WE COULD SORT EVERYTHING OUT.

I DO NOT REMEMBER SPECIFIC GRIDS BUT CAN POINT OUT TRUCK LOCATIONS AND IED STRIKE AS WELL AS GENERAL AREA OF ORIGINAL 8 DIGIT GRID GIVEN AN IMAGERY MAP.

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

SGT/USMC

I swear or affirm that the information in the statement above and is true to the best of my knowledge or belief

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

20110415

Sworn to before me this date

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

15 April 2011

SGT

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

1/23 H&S Co. Scout Sniper Plt. (Reserves)

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

Upon movement to the objective, the convoy halted around the 630 nothing. All dismounts unloaded. I was a part of the dismounts approximately 20 meters west of Route 611. Shortly into our patrol south, small arms fire was heard from the west. I got cover and stayed until word was passed that the rocket would be in route in 17 seconds. Approx. 2 mins. after explosion, word was passed to move down to the team to our west. We made movement down to them where word was passed that Sgt Smith and Doc was were hit. I was to the far south of our defensive position, unable to see the casualties. ~~After about~~ After some returned small arms fire to our west the patrol picked up and moved back east to the vehicles at route 611. I was at the rear of the movement. Once we made it to the vics. I loaded into the 6x that Doc was had been put in. We made our movement back in to friendly lines. At the vehicle I was in stopped at the entrance to our compound to unload Doc was. I helped unload him onto a litter and offloaded myself and walked to our living area.

I Swear or affirm that the information in the statement above is true to the best of my knowledge or belief

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

20110415

Sworn to before me this date

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

20110415

WCC WCC

Sgt

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

, 1694, Point Man, Dismounted Patrol,

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

From what I remember we were moving South on the <sup>west</sup> side of the 611 and stopped to do clearing in some open areas, after that my self & the dog handler moved down into a field/graveyard looking area west of the 611 there we took fire with rounds hitting the tree limbs above our head, we took cover & tried to see where the rounds were coming from, ~~the dog handler said they passed up the road's going to impact the bridge,~~ ~~the dog handler said they passed up the road's going to impact the bridge,~~ after that the dog handler said he saw muzzed flash and smudge with 1 or 2 men wearing black & I can't remember how far out but after we passed that up we were told that friendlies were moving in front of us, a few minutes later they had passed that Air was going to impact in 17 sec and 2-3 sec later the round impacted, then shortly after we ~~heard~~ heard friendly fire and started running south then cut west down a road where we saw (b)(1)1.4a we moved up to the area where I saw 2 bodies and was called up to help bring Doc Restes body back, when we got to the irrigation canal we took more SAF from the West, after Doc's body was loaded in the 6X MRAP I went back to help with SSGT Smith & ended up just giving security then loaded up and ~~went~~ went back to base.

I can explain better on a map.

I swear or affirm that the information in the statement above is true to the best of my knowledge or belief.

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

20110415

Sworn to before me on this date.

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

20110415

# PRIVACY ACT STATEMENT

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

Rank/Rate: SPC

Unit: C CO 1-214

Telephone number: (b)(2), (b)(6)

Today, April 18, 2011, I acknowledge that I have received the following advisement under the guidelines of the Privacy Act.

This statement is provided in compliance with the provisions of the Privacy Act of 1974 (Public Law 93-579) which requires that Federal agencies must inform individuals who are requested to furnish personal information about themselves as to certain facts regarding the information requested below.

1. AUTHORITY: 5 U.S.C. 301; 10 U.S.C. 972, 1201-1221, 2733, 2734-2734b., 2737, 5013, 5031-5036, 5131-5150, 5947, 6148, 7205, 7622-7623; 28 U.S.C. 1346, 2671-2680; 31 U.S.C. 240-243, 3521-3531, 3701-3702, 3717-3718; 37 U.S.C. 802; 38 U.S.C. 105; 42 U.S.C. 2651- 2653; 44 U.S.C. 3101; 49 U.S.C. 1901.

2. PRINCIPAL PURPOSES. The information which will be solicited is intended principally and may be used for the following purposes:

a. Determinations on the status of personnel regarding entitlements to pay during disability, disability benefits, severance pay, retirement pay, increases of pay for longevity, survivor's benefits, involuntary extensions of enlistments, dates of expiration of active obligated service, and accrual of annual leave.

b. Determination on disciplinary or punitive action.

c. Determinations on liability of personnel for losses of, or damage to, public funds or property.

d. Evaluation of petitions, grievances, and complaints.

e. Adjudication, pursuit, or defense of claims for or against the Government or among private parties.

f. Other determinations, as required, in the course of naval administration.

g. Public information releases.

h. Evaluation of procedures, operations, material, and designs by the Navy and contractors, with a view to improving the efficiency and safety of the Department of the Navy.

3. ROUTINE USES: In addition to being used within the Department of the Navy and Defense for the purpose(s) indicated above, records of investigations are routinely furnished, as appropriate, to the Department of Veterans Affairs for use in determinations concerning entitlement to veterans' and survivors' benefits; to Servicemen's Group Life Insurance administrators for determinations concerning payment of life insurance proceeds; to the U.S. General Accounting

Office for purposes of determinations concerning relief of accountable personnel from liability for losses of public funds and related fiscal matters; and to the Department of Justice for use in litigation involving the Government.< Additionally, such investigations are sometimes furnished to agencies of the Department of Justice and to State or local law enforcement and court authorities for use in connection with civilian criminal and civil court proceedings.< The records of investigations are provided to agents and authorized representatives of persons involved in the incident, for use in legal or administrative matters.< The records are checked by or against the Government, and for use in design and evaluation of products, services, and systems.< The records are also furnished to agencies of the Federal, State, or local law enforcement authorities, and regulatory authorities, for use in connection with civilian and military criminal, civil, administrative, and regulatory proceedings and actions.

4. MANDATORY/VOLUNTARY DISCLOSURE, CONSEQUENCES OF REFUSING TO DISCLOSE:

a. Where an individual is a subject of an investigation for purpose 2a or 2b, above:< Disclosure is voluntary.< You are advised that you are initially presumed to be entitled to have the [personnel determination] [disciplinary determinations] in paragraph 2, above, resolved in your favor, but the final determination will be based on all the evidence in the investigation records.< If you do not provide the requested information, you will be entitled to a favorable determination if the record does not contain sufficient evidence to overcome the presumption in your favor, however, your election not to provide the requested information possible could prevent the investigation from obtaining evidence which may be needed to support a favorable determination.

b. Where an individual is a subject of an investigation for purpose 2c, above:< Disclosure is voluntary, and if you do not provide the requested information, any determination as to whether you should be held pecuniarily liable for repayment of the Government's loss would be based on the other evidence in the investigative record, which possibly might not support a favorable determination.

c. Where an individual is a claimant or potential claimant in an investigation for purpose 2e, above:< Disclosure is voluntary, but refusal to disclose the requested information could prevent the investigation from obtaining sufficient information to substantiate any claim which you have make or may make against the Government as a result of the incident under investigation.

d. Where the individual was treated at Government expense for injuries caused by third parties in connection with a matter being investigated for purpose 2e, above: Disclosure is voluntary, but refusal to disclose the requested information could result in a requirement for you to assign to the Government your medical care claims against third parties in connection with the incident, or authorize withholding of the records of your treatment in naval medical facilities.

e. In any other case: Disclosure is voluntary, and if you do not provide the requested information, and determinations or evaluations made as a result of the investigation will be made on the bases of the evidence that is contained in the investigation record.

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

9 APR 11

(Signature and date)

**WITNESS STATEMENT**

(b)(3), (b)(6)	SPC	(b)(3), (b)(6)
Name CREW CHIEF	Rank/Rate	Social Security Number C CO 1-214
Position CMR 402 APO AE 09180		Organization
Address (Home or Office)		
(b)(2), (b)(6)		
Office Phone		Mobile Phone

I, (b)(3), (b)(6) hereby make the following statement for the COMMAND INVESTIGATION INTO THE FRIENDLY FIRE INCIDENT THAT OCCURRED ON 6 APRIL 2011 IN REGIONAL COMMAND-SOUTHWEST (RC-SW)(AFGHANISTAN). On 6 April 2011 at 0928, our medevac crew was called on mission (b)(1)1.4a near LZ (b)(1)1.4a. The 9-Line stated we had two marines in critical condition. The second was reported to have fragmentation wounds with blood loss. Unsure of the specific causes, but the injuries were incurred by a "Blast". We arrived near the POI less than (b)(1)1.4a later, but were told to hold our position approximately (b)(1)1.4a away from the patient location. Over the radio, the ground element reported possible enemy contact still in the area, so they were attempting to ground evac the two soldiers to FOB (b)(1)1.4a where the area was cleared. The Pilot in Command, CW2 (b)(3), (b)(6), asked the ground element what the status of the patients was. He told them multiple times that if the patients are unstable. CW2 (b)(3), (b)(6) replied "we will land anywhere and as close to the patients as possible". After circling a few more times, CW2 (b)(3), (b)(6) again contacted the ground element to check on the status. The ground element reported they were having difficulty loading the patients into their vehicles. At that time CW2 (b)(3), (b)(6) asked the crew if we would have any issues going into the LZ to extract the patients if we had approval. The crew was strongly unanimous that no one had an issue going in to get them even with possible contact in the area. Even with (b)(1)1.4a circling over head in their gunships, the ground unit held us off stating that they were still trying to move the patients to the more secure location. Around (b)(1)1.4a local time, radio calls began to come through regarding 3 patients, 2 injured 1 KIA, on the ground rather than the 2 patients originally stated in the 9-line. CW2 (b)(3), (b)(6) tried to clarify patient information twice. At (b)(1)1.4a according to my watch, clarification came across the radio that there were now 2 KIA, with no other patients. At this time, (b)(1)1.4a (b)(1)1.4a after our takeoff, we were still being told by the ground element to hold position over FOB (b)(1)1.4a. At (b)(1)1.4a we were finally cleared in to land at LZ (b)(1)1.4a landing (b)(1)1.4a later. When we landed, Sgt (b)(3), (b)(6) the Medic exited the aircraft and I waited for him and the two KIAs in the cabin. He approached a crowd and moments later, 4 Marines brought the first KIA to the aircraft where I help load him into the cabin. Less than later, the remains of the other KIA were brought into the aircraft as well. While waiting for Sgt (b)(3), (b)(6) to return, I re-secured the remains of the KIAs and made sure they were wrapped securely. Upon Sgt (b)(3), (b)(6) return, we immediately launched at approximately (b)(1)1.4a taking both Heroes to Bastion.

I swear (or affirm) that the information in the statement above and on the \_\_\_ attached page(s) is true to the best of my knowledge or belief.

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

(Witness' Signature)

19 Apr 11

(Date)

0915

Time

Sworn to before me this date.

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

(Signature of Officer Authorized to Administer Oaths per Art. 136, UCMJ)

19 Apr 11

(Date)

0915

Time

19 April 2011

MEMORANDUM FOR THE RECORD

Subj: SWORN STATEMENT ICO SENIOR AIRMAN (b)(3), (b)(6) USAF,  
REGARDING THE COMMAND INVESTIGATION INTO THE FRIENDLY FIRE  
INCIDENT THAT OCCURRED ON 6 APRIL 2011 IN REGIONAL COMMAND-  
SOUTHWEST (RC-SW)

1. On 19 April 2011 at 1407Z I swore Senior Airman (b)(3), (b)(6)  
USAF, via telephone, to his 18 April 2011 statement, which consisted  
of one page and was submitted via SIPR e-mail to Colonel (b)(3), (b)(6)  
(b)(3), (b)(6) USMC, investigating officer for the above subject  
investigation.

2. At the time of the swearing, I was located at Camp Leatherneck,  
Afghanistan, and Senior (b)(3), (b)(6) was located at March Air  
Reserve Base in California.

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

*Col, USMC*

Command Investigation Legal Advisor

**WITNESS STATEMENT**

(b)(3), (b)(6)	<b>SRA/E-4</b>	(b)(3), (b)(6)
Name <b>SENSOR OPERATOR (MQ-1B)</b>	Rank/Rate	Social Security Number <b>432 AEW</b>
Position		Organization
(b)(6), (b)(3)		
Address (Home or Office)		
DSN: (b)(2), (b)(6)		(b)(2), (b)(6)
Office Phone		Mobile Phone

I, (b)(3), (b)(6) hereby make the following statement for the *COMMAND INVESTIGATION INTO THE FRIENDLY FIRE INCIDENT THAT OCCURRED ON 6 APRIL 2011 IN REGIONAL COMMAND-SOUTHWEST (RC-SW)(AFGHANISTAN)*:

**SEE ATTACHED STATEMENT. THIS STATEMENT IS COMPRISED OF 1 PAGE.**

I swear (or affirm) that the information in the statement above and on the 1 attached page(s) is true to the best of my knowledge or belief.

(b)(3), (b)(6) \_\_\_\_\_ 18 April 2011 1145  
(Witness' Signature) (Date) Time

Sworn to before me this date.

\_\_\_\_\_  
(Signature of Officer Authorized to Administer Oaths per Art. 136, UCMJ) (Date) Time

My name is (b)(3), (b)(6) I am part of the California Air National Guard, currently on title 10 orders Dec2010 thru Dec2011. Other than working as a sensor operator on the Predator mission, I do not possess any ratings or flight experience. After receiving my CMR in April 2008 I have accumulated 1647 hours and 680 sorties in the MQ1.

On 6 April 2011 I came in to work at (b)(1)1.4a The swing shift and myself sat in on preflight briefing At (b)(1)1.4a After the briefing at (b)(1)1.4a I checked my actual flight time, which was at (b)(1)1.4a I needed to be in the seat. As part of the crew for (b)(1)1.4a we were conducting a route scan for Operation (b)(1)1.4a supporting Task Force Leatherneck. (b)(1)1.4a was our assigned JTAC. At (b)(1)1.4a we received information from (b)(1)1.4a that a convoy in our area is taking fire. The JTAC passed coords, then again another set of refined coords for the convoy. As soon as we got eyes on the convoy we received more directions to scan compounds 48, 54 and 58. I scanned compound 48 for movement, and then moved on to compound 58. Then at (b)(1)1.4a we received another radio call from (b)(1)1.4a with coords for our sensor to scan a tree line. As we scanned north following the tree line, 3 hotspots came into view. (b)(1)1.4a At this point I was fixed on the target in my field of view, I was not following the (b)(1)1.4a at this point. I was keeping my ears open to receive information from the pilot, MIC, JTAC and pilot safety observer. At this point I did

(b)(1)1.4a

After the incident, we as crew continued scanning the area as directed by the JTAC. At around (b)(1)1.4a we were swapped out of our crew positions by the mid-shift crew. After a few minutes break, the crew went into the briefing room to debrief and watched the tape of the incident for lessons learned. For the most part due to the nature of the incident the crew was silent during the reviewing of the tape and I just tried to figure out on my own lessons learned.

# PRIVACY ACT STATEMENT

Name: \_\_\_\_\_

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

Rank/Rate: SFA/E4

Unit: 1G3

Telephone number: \_\_\_\_\_

(b)(2), (b)(6)

Today, 18 APRIL, 2011, I acknowledge that I have received the following advisement under the guidelines of the Privacy Act.

This statement is provided in compliance with the provisions of the Privacy Act of 1974 (Public Law 93-579) which requires that Federal agencies must inform individuals who are requested to furnish personal information about themselves as to certain facts regarding the information requested below.

1. **AUTHORITY:** 5 U.S.C. 301; 10 U.S.C. 972, 1201-1221, 2733, 2734-2734b., 2737, 5013, 5031-5036, 5131-5150, 5947, 6148, 7205, 7622-7623; 28 U.S.C. 1346, 2671-2680; 31 U.S.C. 240-243, 3521-3531, 3701-3702, 3717-3718; 37 U.S.C. 802; 38 U.S.C. 105; 42 U.S.C. 2651- 2653; 44 U.S.C. 3101; 49 U.S.C. 1901.

2. **PRINCIPAL PURPOSES.** The information which will be solicited is intended principally and may be used for the following purposes:

a. Determinations on the status of personnel regarding entitlements to pay during disability, disability benefits, severance pay, retirement pay, increases of pay for longevity, survivor's benefits, involuntary extensions of enlistments, dates of expiration of active obligated service, and accrual of annual leave.

b. Determination on disciplinary or punitive action.

c. Determinations on liability of personnel for losses of, or damage to, public funds or property.

d. Evaluation of petitions, grievances, and complaints.

e. Adjudication, pursuit, or defense of claims for or against the Government or among private parties.

f. Other determinations, as required, in the course of naval administration.

g. Public information releases.

h. Evaluation of procedures, operations, material, and designs by the Navy and contractors, with a view to improving the efficiency and safety of the Department of the Navy.

3. **ROUTINE USES:** In addition to being used within the Department of the Navy and Defense for the purpose(s) indicated above, records of investigations are routinely furnished, as appropriate, to the Department of Veterans Affairs for use in determinations concerning entitlement to veterans' and survivors' benefits; to Servicemen's Group Life Insurance administrators for determinations concerning payment of life insurance proceeds; to the U.S. General Accounting

Office for purposes of determinations concerning relief of accountable personnel from liability for losses of public funds and related fiscal matters; and to the Department of Justice for use in litigation involving the Government.< Additionally, such investigations are sometimes furnished to agencies of the Department of Justice and to State or local law enforcement and court authorities for use in connection with civilian criminal and civil court proceedings.< The records of investigations are provided to agents and authorized representatives of persons involved in the incident, for use in legal or administrative matters.< The records are checked by or against the Government, and for use in design and evaluation of products, services, and systems.< The records are also furnished to agencies of the Federal, State, or local law enforcement authorities, and regulatory authorities, for use in connection with civilian and military criminal, civil, administrative, and regulatory proceedings and actions.

**4. MANDATORY/VOLUNTARY DISCLOSURE, CONSEQUENCES OF REFUSING TO DISCLOSE:**

a. Where an individual is a subject of an investigation for purpose 2a or 2b, above:< Disclosure is voluntary.< You are advised that you are initially presumed to be entitled to have the [personnel determination] [disciplinary determinations] in paragraph 2, above, resolved in your favor, but the final determination will be based on all the evidence in the investigation records.< If you do not provide the requested information, you will be entitled to a favorable determination if the record does not contain sufficient evidence to overcome the presumption in your favor, however, your election not to provide the requested information possible could prevent the investigation from obtaining evidence which may be needed to support a favorable determination.

b. Where an individual is a subject of an investigation for purpose 2c, above:< Disclosure is voluntary, and if you do not provide the requested information, any determination as to whether you should be held pecuniarily liable for repayment of the Government's loss would be based on the other evidence in the investigative record, which possibly might not support a favorable determination.

c. Where an individual is a claimant or potential claimant in an investigation for purpose 2e, above:< Disclosure is voluntary, but refusal to disclose the requested information could prevent the investigation from obtaining sufficient information to substantiate any claim which you have made or may make against the Government as a result of the incident under investigation.

d. Where the individual was treated at Government expense for injuries caused by third parties in connection with a matter being investigated for purpose 2e, above: Disclosure is voluntary, but refusal to disclose the requested information could result in a requirement for you to assign to the Government your medical care claims against third parties in connection with the incident, or authorize withholding of the records of your treatment in naval medical facilities.

e. In any other case: Disclosure is voluntary, and if you do not provide the requested information, and determinations or evaluations made as a result of the investigation will be made on the bases of the evidence that is contained in the investigation record.

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

18 April 2011

(Signature and date)

Statement from SSgt

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

A reserve

with 1/23 Scout Sniper Plt attached to A Co 2nd Plt.

On April 6 we were supporting (b)(3), (b)(6) section that was tasked with inserting at the 630 N on route 611. After insertion we were to sweep south along route 611 searching for anything that could be related to IED's Sgt (b)(3), (b)(6) section would operate the vehicles and provide overwatch from the road as Sgt (b)(3), (b)(6) section patrolled South.

My team which consisted of Sgt (b)(3), (b)(6), Sgt (b)(3), (b)(6) and myself. We were to be transported in the 6 seated MRAP along with Sgt (b)(3), (b)(6) team, (b)(6) the Interpreter and Doc (b)(3), (b)(6)

We left PB Alcatraz in the morning I do not remember the exact time of our departure. We left the PB and travelled North on Rte 611. While in the back of the vehicle from where I was seated I could not see out any of the windows in the vehicle.

We were travelling North along 611 for approximately (b)(1)1.4a when I bang and something hit the exterior of our vehicle. I could hear from the radio transmission that an IED had exploded under our vehicle but there was no visible damage to the vehicle. Our vehicle was third in the convoy.

After a very short drive from the IED explosion our vehicle turned around and we were told to exit the vehicle. Everyone exited the vehicle except Doc (b)(3), (b)(6) when I looked around there was a lot of buildings with a lot of local nationals standing around watching us. The local nationals consisted of men, women + children of various ages.

Sgt (b)(3), (b)(6) split his section into two separate elements. Sgt (b)(3), (b)(6) would control the other element. Sgt (b)(3), (b)(6) element was to stay close to the road + patrol South along the road. Sgt (b)(3), (b)(6)

elements was to move west a short distance from route 611 then  
Patrol South paralleling Rte 611. Sgt (b)(3), (b)(6) team was attached to  
Sgt (b)(3), (b)(6) team. My team stayed with Sgt (b)(3), (b)(6) team. Sgt  
(b)(3), (b)(6) had five teams in front and behind my team. The order of  
movement for my team was myself followed by Sgt (b)(3), (b)(6) then Sgt  
(b)(3), (b)(6)

Shortly after we exited the vehicles Sgt (b)(3), (b)(6) team moved  
directly west from our location. We waited approximately (b)(1)1.4a after  
we lost sight of Sgt (b)(3), (b)(6) team, then we started patrolling south  
on the road. One to building + compound walls we had to patrol on  
the road for approximately 50 meters. There were local nationals  
standing around watching our foot patrol for approximately the first 20 meters.  
I remember seeing 1 or 2 people follow our patrol for the 20 meters. None  
of the local nationals followed us out of Township area they did start  
and watch our patrol from within the Township.

Just south of the 527 northing the compound walls ended + a small  
field to the west of Rte 611. Our patrol moved down into the field.  
The small field was divided from larger fields to the west by two canals  
that flowed from north to south.

I had a Motorola 153 radio so I would have communication  
with Sgt (b)(3), (b)(6) I heard Sgt (b)(3), (b)(6) request Sgt (b)(3), (b)(6)  
Grid position. After Sgt (b)(3), (b)(6) gave the grid to their location he  
said they were having a hard time moving south because buildings +  
compound walls. Sgt (b)(3), (b)(6) halted our element in the small field to  
wait for Sgt (b)(3), (b)(6) to catch up with our patrol. At one point  
Sgt (b)(3), (b)(6) fired a (b)(1)1.4a to indicate his location to  
Sgt (b)(3), (b)(6) I was standing under several trees and was unable to  
see any cluster that may have been fired in the air.

We had been standing in the field for approximately (b)(1)1.4a

when I heard Gunfire, Sgt (b)(3), (b)(6) reported that gunfire was directed toward his patrol but he was unsure where the gunfire was coming from. One of marines in our patrol open fire he said he saw several Local Nationals wearing dark clothing running toward the gunfire. Sgt (b)(3), (b)(6) then moved toward the front of the patrol where the marine was located, the gunfire stopped for approximately (b)(1)1.4a. During the gunfire I heard Sgt (b)(3), (b)(6) provide his Grid Coordinates to Sgt (b)(3), (b)(6).

The Gunfire started again this time more intense. At least one of the weapons fired was an Automatic weapon. I heard over the radio Sgt (b)(3), (b)(6) pass his grid coordinates.

Radio traffic started getting very busy I do not remember who passed all the information, from the radio traffic I heard that there was a Drone flying over head and that the gunfire from building 5B. I also heard that a HIMARS mission was on the way, several minutes later I heard that a Hellfire was enroute. I heard the missile then saw it come over my right shoulder I then saw it hit approximately 175 meters to the west of my position, I then heard over the radio 17 sec till impact.

I started counting in my head till what I thought would be another impact. I stopped counting at 25 seconds. A short time later I heard Doc (b)(3), (b)(6) yell that we had casualties and we needed to get to Sgt (b)(3), (b)(6) position. We immediately started running south till we got to a small dirt road that had bridges across the canals. we then travelled directly west till we were able to get away from several compound walls.

Once we got into some open fields I saw (b)(1)1.4a 100 meters to our North west. We moved the smoke running along the field edges. Once we got to the smoke I took up a position

facing West toward a large group of compounds, I heard Doc  
(b)(3), (b)(6) say several times that he was trying to stabilize Doc  
Rast but it was difficult due to the Blood loss.

Several times I heard the 240 gunner open with several long  
Burst. Several times Suppressing fire was directed toward the compounds  
to our west. I heard someone yell they needed help moving SSgt Smith  
I ran to where he was at. SSgt Smith was already on a Polish  
litter. I grabbed some handles we then started moving directly East  
along a path between fields. We travelled approximately 75 m  
when Gunfire open up we dropped and took cover. We held our position  
for a few minutes before we continued East toward the  
vehicles that were staged on Rte 611.

we had to wade across both canals with Smith. Placed him  
in a Black Body Bag then several other marines placed him in a  
MATV. I then ran to one of the front vehicles and was in  
it with Sgt (b)(3), (b)(6) Sgt (b)(3), (b)(6) confirmed that his section  
and both teams of sniper were loaded in vehicles. I heard over  
the radio the PAX count was complete we returned to PB Alcatraz.  
I helped place both bodies in the helicopter we returned to our  
Bivvy sight.

I swear (or affirm) that the information in the  
statement above is true to the best of my knowledge  
or belief.

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

20110415

Sworn to before me Plus date

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

20110415