

~~SECRET//REL TO USA, GBR~~

Major General Votel: I'm Major General Joe Votel. My daytime job is the Chief of Staff down at USSOCOM but I've been appointed by the CENTCOM commander General Mattis to investigate the relevant facts and circumstances surrounding the hostage rescue operation in Konar that occurred about a week or so ago that was focused on Ms. Norgrove, a UK citizen. We've asked you to come in here today to help us fill in some gaps and some of the information here to make sure we have a full and complete understanding of what happened to the best of our ability.

TM 2, during the course of the interview today, I'm going to ask you to furnish some information about yourself. The Privacy Act of 1974 requires that I inform you of my authority to do that. The statement that I'm handing you right here is a standard Privacy Act format and I'm going to ask you to review it and then print, sign, and date indicating that you acknowledge that some information about you may appear in this investigation and others may see it if they are authorized to look at the investigation.

[The witness did as directed.]

Major General Votel: The testimony this afternoon is being recorded digitally here and it will be transcribed into a written report that will be available to the appointing authority, General Mattis. I'd just ask you this afternoon to answer all of your question verbally. The tape recorder won't pick up any nods or points or things like that. We do have a couple of graphics here. A big piece of imagery, a sketch map here, and then we'll call up some full motion video and stuff on the monitor as we get through this and you can talk as we move through those. This convention here, the numbering convention for the objective is what we're commonly using. It should look somewhat familiar to you, I think. If you could just refer to where you are or what you're doing by building numbers that would really assist us. All statements here are on the record.

Before we continue, I do want to remind you how important it is to give truthful testimony. It is a violation of Federal law to knowingly make a false statement under oath and this will constitute a sworn statement on your behalf. Before we go any further,

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what I'd like to ask you to do, is please stand and raise your right hand.

[The witness was sworn.]

Major General Votel: The time is now 1502 Zulu on 17 October 2010 and we are located here at (b)(1)1.4a, (b)(2)High Air Field. I've introduced you to everybody in the room and you know who I am. You are not suspected of any offense in this under the Uniform Code of Military Justice or any Federal or local law. Therefore, I'm not advising you of your Article 31 rights. You're not authorized to have a legal counsel present here and you must answer all of the questions that we pose to you unless you determine that one of these may incriminate you. I would just remind you that we don't suspect you of anything. You are here to help us fill in information about the incident and what occurred that evening. That's the principal purpose for us calling you in.

What I'd like to do is just invite you to please relax and what we want to do is kind of keep this in a conversational tone here if we can and we want to talk a little bit about what your role was on the objective as the assistant team leader and then we'll get into a few other aspects of it. With that, let me just ask you to kind of free talk. If you could kind of take us from the point of infiltration, from when you (b)(1)1.4a, (b)(2)High in off of (b)(1)1.4a, (b)(2)High and then your movement up into the Objective (b)(1)1.4a, (b)(2)High area. And I'll just let you talk.

Witness: Upon insert hitting the terrace, I think we went up one terrace. I recall going up one terrace, moving towards the target area but I ended up being on like one terrace down from, like, the actual terrace that brought us onto where the building was. Me and there was one other behind me or beside me.

Major General Votel: You don't recall who that might have been?

Witness: I think it was TM4 - no, TM6. TM6 was either beside or behind me or somewhere around me. Coming and panning the first building, we kind of got caught up with the bushes.

Major General Votel: The first building, you mean building 21?

Witness: I was down here so it was kind of online moving. The element was online, seemed to be, or online as much as possible and then I got caught up right at the beginning of the first here (referring to the first terrace as one travels up the hill toward building 21). Immediately upon that, I was trying to make my way if I could get on top of the terrace but we couldn't so I started making my way back here (indicating that he had to travel north). I realized that we were going to have to backtrack to climb up another terrace. Getting to that point and then clearing down here, coming down here, coming up here.

Major General Votel: And you're clearing down in front of the terrace in front of 21, 22, and 23 and then coming up the scene there between 23 and 25 towards buildings 11 and 12?

Witness: Yeah. There were elements ahead of us so when we got back up here and started clearing down and getting into here, there wasn't chemlights to notify that it was cleared and I know the guys had them all on them and then coming down and clearing down and making sure that everything - and as soon as we broke this corner, I knew that 11 and 12 was our priority for the team so made my way up to 11 and 12.

Major General Votel: Good. What I want to do is just back up a little bit here and now along the way, we've established as you know is the team did encounter the enemy along the way and there were shots exchanged and some other things occurred here. What I'm interested in first establishing is can you lay out for us just really leading up to the first enemy individual that is shot and killed in the vicinity of building 22 and 23 here on the terrace. Can you kind of give us a lay down of where you think everybody in the team is at that particular point? Feel free to draw on this if you want and that would really be helpful.

Witness: It seemed like two of us down here - I want to say one or two on the actual landing. I can't remember exactly with some bodies here. I know that the bodies split and went up an additional terrace. You know it was going on the terrace that are actually these roofs. So it was kind of like amongst three terraces there was guys. Once I got caught up on those trees, it was like it kept on moving forward. I'm pretty sure (b)(1).4a, (b)(2)Hjgr was with me at that point making our way. I want to say the guys on the

terrace with the target had along the whole time. They were always ahead of us. I do remember shots being fired.

Major General Votel: I tell you what. Can I ask you to please call up the feel and I'm going to show you is the ISR feed. I think you've probably seen this. This is what's been referred to as the high resolution piece here. And again we'll try to pause this and talk a little bit through this. I think what we're looking here in the bottom right corner of the screen right now is some of the initial team approaching the objective. Would you have any idea who might be the lead at this particular point here? Would this be the team leader do you think?

Witness: To be honest with you, I don't know exactly where the team leader - all I know is that he was doing the roof. So if you backtrack who was the lead on the roof. And that's just from what I understood. I mean I didn't physically didn't see him up there but - I do remember seeing.

Major General Votel: Stop there, please.

Witness: I do remember seeing the guys walking back and forth in and out of the buildings but the shots were taken from the landing above us.

Major General Votel: What we're looking at right now on the screen is this is the point that we've established that the black figure is the first enemy that was engaged and killed and that is just outside of building 23, right around the terrace in front of building 23. So let's roll forward a few seconds, please. We're continuing to watch now. We are not starting to see right about the center of the screen - keep going where we've got someone starting to enter across the roof of building 22. Okay. Stop there, please. Who would that most likely be based on the plan or communication, inner team communication that's going on. Is that likely the team leader? Would that be his place?

Witness: Most likely. I mean, yeah, I believe from what I understand but for me to actually to say that was him, I can't say there's say TM1. I can't actually say that but from what I understood of how like him talking that he was on the roof - the first one on the roof.

Major General Votel: Okay. Let's go forward a few seconds, please. Okay. You continue to move here. We've got two individuals across there and you can see there's other enemy that are moving out of building 25 there.

Witness: Yeah.

Major General Votel: Okay. Stop right there, please. If you'd back it up just one second. What we're looking at is the second engagement right now and you can see just in the center of the bottom of the screen there is - looks like an operator with his weapon up and he engages the individual who's coming up the stairs there onto the terrace. Do you know who made that engagement?

Witness: No. Not for sure.

Major General Votel: What's the pool of possibility there? Who was the most likely and who was the pool of possibility of people that might have been in the position to take that shot? Is it TM3, TM5?

Witness: I think it was my mistake. TM6 was the guy beside me and I believe that's TM3 or TM5.

Major General Votel: And when you say "TM6," that's actually a new one we've -

Witness: TM6.

Major General Votel: TM6, okay.

Witness: He flexes back and forth. I apologize, sir.

Major General Votel: No, that's good. I'm glad I asked. I was thinking, wow, there's another guy. What we're looking is we've had two engagements. We think the friendly shooter there is either potentially TM3 or TM5 based on where people are. Across the roof there, again, we've got three individuals, one on each of the buildings. I guess we're presuming that the lead individual is the team leader on building 23. Any idea who it might be who is actually on building 22 there or 21? We've heard it could have potentially have been the RECCE team leader, TM9 or TM4.

Witness: Right. I know that from what he told me, he told me he was on the roof.

Major General Votel: What the team leader told you?

Witness: Right. TM1 said he was on the roof. TM4 told me he was on the roof. So the sequence from what they told me, they told me TM1 was first. I can't recall what TM4 said if this was him or this was him. It could be either TM9 or - but to say for sure then from what they actually told me not from what I saw on target.

Major General Votel: Thanks. I appreciate that clarification. Thanks very much. Let's go forward a few seconds here. Now before we do, what we're also looking at on the screen here is - if I could just point this out, we're seeing what we've kind of come to understand as the third enemy soldier and then another person with him who we now have subsequently determined was Ms. Norgrove. We're going to watch them move along the front to go around the corner of 25. As they're approaching the stairs here, there is another engagement and the insurgent, the enemy, is apparently hit here with gunfire. I don't know if Ms. Norgrove is. But you'll see another array of operators here and we'll stop and again we'll talk about some of these questions and who they might have been so we got a good understanding of that. Let's go forward, please. There's two individuals now who are together. All right. Stop right there.

Okay. This is actually two people, we think, standing side by side as we watch them come together. So there's one, two, three, four, five, six; any idea where you think you might be at this particular juncture?

Witness: I think that's me.

Major General Votel: Just coming up on top of the terrace?

Witness: I think that's me. Because the only reason I say that is because I know I was on the landing that was lower. I had full view but I can't say who that way because I'm not really looking at him.

Major General Votel: But closest to you either right in front of you or right behind you is TM6?

Witness: Yeah, yeah.

Major General Votel: One or the other?

Witness: Yeah, it was - definitely. It was more like who was that, it was TM6. That's TM6 on -

Major General Votel: As you're coming up onto the terrace here and, again, I recognize you're dealing with terrain, you're dealing with bushes, there are shots that are fired, et cetera, et cetera here. What are principally focused on individually? Are you looking at the buildings, are you looking down, are you able to see down the terrace here and see anything that's happening?

Witness: As soon as they started moving forward - we're online obviously and as soon as they started moving forward, I knew that they were going along so I held just looking through these windows. I think there was windows there and I was looking through them. But as soon as they made the advance, making our way back up to get up to the terrace was my focus and once that happens, you kind of put your nods (referring to night vision devices) down. You're looking down.

Major General Votel: Were you able to see this engagement that's about to take place here against the third enemy person?

Witness: No.

Major General Votel: Did you hear it?

Witness: Yeah, I heard it.

Major General Votel: And, again, I recognize as an experienced operator here, are you able to discern suppressed and unsuppressed weapons being discharged?

Witness: Yes.

Major General Votel: Did you hear one or the other or both on the objective that evening?

Witness: To be honest with you, I just heard - it might have been from the helo because I think the helo is still making their way out of there but me personally, I only want to say that I remember hearing suppressed but some guys said they heard the AK.

Major General Votel: Okay. Good. Again, we're going to roll a little bit further forward here and what I want to draw your attention to -

Witness: One thing is - yeah I pulled my ear pro, never mind, yeah I pulled my ear pro.

Major General Votel: Meaning you were wearing your (b)(1)1.4a, (b)(2)High or you were wearing something else or -

Witness: No, I wear (b)(1)1.4a, (b)(2)High phones with ear protection in it. I try to keep my ear protection in as long as possible so that I have my hearing on target. Having (b)(1)1.4a, (b)(2)High on kind of limits your ability to zero in on noise.

Major General Votel: Just before we kind of wrap it up here and, if I could ask you just to refer to that previous drawing that we made with another witness here. What I want to try to do is establish what the possibilities here of who these people are, the operators are I should say. So we think - we've got these three folks up here, probably TM1, TM9, and TM4 in some array up here. We've got two operators together right here. We think those are potentially TM3 and TM5 together although we can't really distinguish who is who there. And then following up right behind, we've got - we think based on what we've heard you (b)(1)1.4a, (b)(2)High right in here and then we've got a variety. We've got you and TM6 and with the terp in tow are kind of the last ones we're trying to account for. Does that kind of make sense to you in terms of how that would - that seems to be plausible. I know it's not exactly and we are estimating here until somebody can definitely say, yes, this was me, this was where I was. But that seems reasonable somewhere in there.

Brigadier Nitsch: My worry is the interpreter was with the EOD operator who was actually off the screen so is there any possibility - we've accounted for almost everybody. You've got TM3 and TM5.

Witness: Right.

Brigadier Nitsch: (b)(1)1.4a, (b)(2)High

Witness: Yep.

Brigadier Nitsch: TM6 and potentially yourself?

Witness: Right.

Brigadier Nitsch: We can't account for one more. I just wonder what numbers you think it might be. We're pretty sure about TM9. We're pretty sure that's TM4. That's TM1. So we've got a number or somebody else that we can't -

UK SME: Are we absolutely sure those two are assaulters in that first image?

Brigadier Nitsch: Yes, we are, yes.

Major General Votel: Yes. If you just back up, you'll see here, just watch. See they come together right there. Stop it again right there. You're exactly right, Rob. And I'll stand corrected. The EOD tech and the terp are further off to the west there.

Brigadier Nitsch: So it doesn't really matter who they were or what order they were, just who was actually physically there. So that's (b)(1)1.4a, (b)(2)High.

Major General Votel: For the record, we're looking at the INFIL chalk loads here for Objective (b)(1)1.4a, (b)(2)High.

Witness: Can you play it a little bit?

Major General Votel: We can view it as much as we need to.

US SOF SME: Are we sure this isn't EOD, terp, -- TM3, TM5, TM10, TM6, TM2, EOD, terp?

Witness: Maybe that is me because I remember getting caught on a big tree and I tried to get up there. It moves back and I remember moving back.

US SOF SME: Everybody does move back here in a minute.

Major General Votel: This is - stop there.

Witness: This is forward. I know I'm definitely in that.

Major General Votel: In this right here?

Witness: Yeah, yeah. Because I remember getting caught and I could not get up there because I tried.

Major General Votel: So this is after the third engagement, okay? The grenade has still not gone off and you are moving back in this direction along that berm right there, you think? Not necessarily behind - you recall not being in close proximity to building 21?

Witness: Well to the point - it seemed like I was right up into here to where I tried to go as far as I could and that's - maybe I was looking down here.

Major General Votel: Okay. Let's let it play out a little bit here and then we'll go back to it. Okay.

Brigadier Nitsch: Sir, can I just ask one -

Major General Votel: Yes, please.

Brigadier Nitsch: You'll have to excuse my ignorance, I'm sorry. You've got the (b)(1)1.4a, (b)(2)Hig commander. Who else would have been in his group?

Witness: In the (b)(1)1.4a, (b)(2)Hig commander's group?

Brigadier Nitsch: Yeah.

Witness: His RTO.

Brigadier Nitsch: Great. Okay. So they're one group.

Witness: Yeah. They're pretty much -

Brigadier Nitsch: So they'll travel together. We've accounted for the interpreter and the EOD operator. We've then got TM9 and TM11 which we've sort of accounted for. We've accounted for TM9.

Major General Votel: Yeah. We think TM9 is up on top of the building.

Brigadier Nitsch: TM11 we're not quite sure about.

Witness: You know what, I don't know where he was but he's in the back of the (b)(1)1.4a, (b)(2)Hig. He's like one of the last guys off the (b)(1)1.4a, (b)(2)Hig with the (b)(1)1.4a, (b)(2)Hig commander. He was in the back of the train.

Witness: Did you get TM11?

Brigadier Nitsch: No, we haven't, TM11.

Major General Votel: No, he's the one we haven't.

Brigadier Nitsch: Was he with your group on the bottom or do you think he was up on the top? He would have gone to 11 and 12 wouldn't he?

Witness: Yeah. He would have gone -

Brigadier Nitsch: His priority would have been to get to 11 and 12?

Witness: Right.

Brigadier Nitsch: Well, I don't know.

Witness: Yeah, he was.

Major General Votel: Okay, anything else? UK SME, any questions right now?

UK SME: No, not now, no.

Major General Votel: If we could just go through this one more time. All right. We're watching one engaged here. We're watching the operators begin to move across the top of the building, the enemy coming out of building 25 with Ms. Norgrove in tow, an engagement of EKIA number 2 at the steps by someone, two operators coming together. Okay. One, two, three, four, five, six, seven and a fourth going up here now. So that accounts for seven and four is eleven and then three with the (b)(1), (b)(2) commander is fourteen coming off that aircraft, and the blast takes place.

Do you recall any announcement of get down, seek cover, anything else associated with what we now know to be the employment of the grenade? Do you recall hearing any of that at all?

Witness: I remember a "back it up" or "cover" or I can't remember exactly what it was but -

Major General Votel: But you do recall - and that would have been a verbal - it wasn't something that coming across the net. It's something somebody would have verbalized shout it out or whatever?

Witness: Yeah. We try to refrain from like yelling so it was like a back out or cover.

Major General Votel: And that would have happened before the explosion?

Witness: Right.

Major General Votel: Okay. Good. Please, have a seat.

[The witness did as directed.]

Major General Votel: All right. Any other questions at this particular point here?

Brigadier Nitsch: When the team split - because as I understand it came off the aircraft and there was then a realization that the execution was not quite going to be as planned and that more was going to fall to Alpha team than originally was planned; is that correct?

Major General Votel: A modification of the plan?

Witness: Yeah. I mean, I've been on so many targets that never, ever go as planned. I do remember taking 11 and 12 as soon as I cleared the first clearing, we took a turn. My immediate mission was to get to 11 and 12 because Bravo is going to take this whole series, making my way to 11 and 12 as soon as I could.

Brigadier Nitsch: So you weren't asked to lead a separate because as the assistant commander or the deputy commander of the team, you weren't asked to lead an element of the team to clear 21, 22, and 23?

Witness: No. No, we were not asked to do that.

Brigadier Nitsch: Would that be a normal practice if you were going to break the team up, a bit of it would come under your command and a bit of it would go under the team leader?

Witness: Yeah. If there is a separate element, TM1 would be, like. He actually told me, he was, like - we went up to 11 and 12 and he realized that the location of Bravo, they weren't making to it so we just - I stayed up in 11 and 12 and conducted the SSE and TQ up there.

Brigadier Nitsch: So actually, there was no formal announcement of the changing of plans. It was just where you happened to be when you realized that you had to go past 21, 22, and 23 to get to 11 and 12 and therefore you cleared them as you went past?

Witness: Actually, yeah. Since we're stumbling on it, we're not just going to run by it. We're going to clear it because I remember going through a couple of these rooms.

Brigadier Nitsch: Great. We never formally announced or there was never any formal announcement plan has changed, now Alpha team half do the bottom half -

Witness: Right.

Brigadier Nitsch: If you had to split it, would you lead or would it be for any of the operators to lead?

Witness: To conduct?

Brigadier Nitsch: I'm trying to find out whether TM3 and TM5 ended up in a place that they wouldn't normally end up, you

know? They were getting more responsibility than would normally be the case?

Witness: Normally seeing how it went down, we would have cleared all this and then moved up to 11 and 12 but it seemed like it was such a small target and I know this is the way everybody thinks because this is the way we're trained but we hit this because there was no other way of getting up to 11 and 12 without clearing this. So we cleared this. I saw guys moving down to 25, so I knew it was a fairly small target down there. I never went down to 25 and 26. I button hooked and started making my way up to 11 and 12.

Brigadier Nitsch: Three and five wouldn't have felt - three and five shouldn't have - given that they were in the lead on the veranda, they wouldn't have felt really really exposed. They should have been able to cope with that situation as they're going along the terrace then to hook up towards 11 and 12?

Witness: Yeah.

Brigadier Nitsch: There was nothing exceptional about it for them?

Witness: Yeah. Are you asking if it was normal?

Brigadier Nitsch: Yes. I know none of these operations are normal, everything is different but there was no particular risk or threat or anything that was sort of - dislocated them or caught them out as they were moving down the front of those buildings?

Witness: No. I don't - no.

UK SME: All your operators would be comfortable if they found themselves number one in the door as we could call it, i.e. as we would call it the lead assault man?

Witness: Yes.

Major General Votel: Given that there is a potential on this objective here that we are going to - there is a potential for a hostage on here. There isn't really any significant changes in how you - how the team is operating based on that? I mean, everybody is trained to a very high level and they are ready to assume the lead if that's the way that they find themselves. So you all didn't do anything in

particular to make sure, hey, listen, in this particular thing since we are dealing with a hostage situation or potential - greater possibility of a hostage situation than on other objectives, you did not change up anything else within the order of people who were moving or -

Witness: The brief prior, I know intel was put out that she might be wearing fatigues or something, just be aware that she's not going to be necessarily - it's going to be the traditional gagged and blindfolded. It's not the traditional so be aware to make sure you target ID and target ID; target ID so that was put out. I know that that was put out but that was the only thing that was put out was make sure you target ID and she won't necessarily be wearing her own clothes. She might be in their clothes, man-jammies, or you know.

UK SME: As far as you're concerned and I completely appreciate how difficult these operations are. It's the middle of the night and the terrain is absolutely atrocious and it's very confusing. I completely understand all that. But, in your mind as you were going down the side of the 2 series of buildings, 21, 22, 23; were you still thinking, I must get to 11 and 12 because that is where we believe the hostage to be? Because as you and I both know, the hostage rescue, the emphasis is on the speed in which you can get to the hostage because that gives you the greatest chance to save him or her. Or did you think that because you'd met this resistance coming up the side that actually it might be more likely the hostage was in one of those buildings 21, 22, 24, or 25?

Witness: Yes. That's good. Because usually where the resistance is is where we need to be.

UK SME: So in your mind as these engagements were being played out, you began to think, perhaps, that the hostage might be down that row of buildings where 11 and 12 or was it cursory sort of search maybe to those buildings just to check that Ms. Norgrove wasn't in a corner or sort of tied up or whatever?

Witness: Well I think that hitting, clearing, it's usually there and that's why I cleared a couple of these but as soon as I got to the ability to go to 11 and 12,

we went to 11 and 12. I didn't know - walking over the dead bodies - I didn't know if they were coming down from 11 and 12. I didn't know if they were coming - apparently they were coming from 25. I didn't know where they were coming from. Maybe they were making their way down towards us as a opposition force as opposed to they're trying to get out of there. Watching the video, they were trying to get out of there because they were exfilling. All the personnel leaving the objective were going this way so they were actually coming out of 25 and running up the mountain to get out of there. Now I didn't know exactly what they were doing so we felt the resistance was in here so we didn't know if they were resisting 11 and 12. They were sending guys out.

UK SME: So, you still felt it important to get to 11 and 12 but you were giving a slightly more thorough than usual search of the buildings 21, 22, and 23?

Witness: Right. Like we're never going to pass one, we wouldn't have passed it so clear it and make our original objective. That's what the SOP is. You are never going to pass it and as soon as that break was made, you know, we made it up to 11 and 12 and then I remember actually calling 11 and 12 secure. I remember coming over the radio and saying, you know, 11 and 12 secure, you know, commencing TQs SSE and a call was made, let's go, no hold, go back down because there are more buildings to clear but by then they were already cleared. They said, hold what you've got and just continue what you've got.

UK SME: Nothing more from me.

Major General Votel: Do you recall any of the discussion either verbally or over the radio to indicate that we had now found Ms. Norgrove down in the vicinity of 23 and 25? How did you find out about that on the objective that she had been killed and she was down in that vicinity or did you?

Witness: I believe it came over the radio, Jackpot is KIA.

Major General Votel: Okay. Did you have any other KIA, I know you mentioned you were responsible for most of what was happening up in the vicinity of building 11 and 12, did you have any occasion to come down and see any of the (a) (b) (c) working with her or packaging her up or doing

anything more down there in the vicinity of where she was found?

Witness: No. To be honest with you, I didn't know where she was, where she was found. I know that she was somewhere down in that area. That's all I knew is that she was somewhere down in that area.

Major General Votel: And, again, as an experienced operator and what we have now kind of established, a grenade was employed, what would be the, from your perspective as the assistant team leader, what would be your expectation for an operator who was employing a grenade? What would you expect that they would do? I mean in terms of announcing it to everyone else that I'm now going to employ a grenade. I mean is it - are they calling out frag out, or is there a standard thing within the team?

Witness: Yeah, that's the SOP but I mean as the situation dictates, as long as it's clear that that's what's being - that's what's happening. I'm not going to get all over a guy because of his nomenclature but just to make sure that everybody is on board and knows that there is a frag coming out because, you know, those frags are like an uncontrolled, you know what I mean, there is not too much control on them.

Major General Votel: Based on your position and its relative, it's not exact based on what we are looking at there could be some interpretations. Was it clear to you at the time that a grenade was being employed by one of your operators, by one of the operators in the team?

Witness: I want to, you know - yeah, I guess - yeah, at the time I wasn't sure but it was like a back out so something was going on and I would imagine maybe a frag or, you know --

Major General Votel: But it could have been a variety of things, kind of improvised language? I mean, if people say, back away, move back, or whatever, it could have interpreted it a variety of different ways by people on the objective. Is that a fair statement?

Witness: Right.

Major General Votel: Any other questions or comments about that?

Brigadier Nitsch: So, you didn't think a grenade had been thrown?

Witness: Yeah, you know, I didn't because when I go back and I keep on going back, it's like I don't know if it's just the amount of training that we do but it was kind of like, hey, a grenade was thrown and I go back and I'm like, you know, what yeah, yeah, I do remember. I don't know if it is just the amount of training or just the containment fires going off or it's just so second nature that, you know if you would have asked me, I was like, you know, yeah, yeah, a grenade did get thrown out or, was it, yeah, yeah, you know what now that I think about it, yeah, it did.

Brigadier Nitsch: So, it might have been your sub-consciousness, but you certainly weren't conscious of it?

Witness: Yep - no, understanding the call came out, take cover, you know, then you are just moving on. Then after the fact, you know, after it had all surfaced it was kind of - because I started, you know, going, okay that kind of makes sense and because I was actually looking at the SSE pictures, looking at her too. You know, like, how did that happen, you know? Kind of try to piece things together because you are kind of curious out of curiosity, you know, he had his S-Vest like this.

Major General Votel: Okay. Let's move ahead of here and what I would like to kind of talk about now, let's get off of the objective and let's come back to the hotwash that takes place back here. What we've kind of established, what I understand what happened is you guys came off the aircraft and moved by busses back over here and kind of downloaded your gear and everything else. Kind of as your standard practices, the (b)(1), (b)(1.4a), (b)(2) High as well as a variety of others gather up out by the firepit out here and then we, there is kind of a (b)(1), (b)(1.4a), (b)(2) High chief led hotwash that takes place. Does that sound about right?

Witness: Uh, huh.

Major General Votel: Do you recall anything peculiar, I mean is there any mention of, any mention of throwing of a grenade or anything that comes out of that kind of sharing of information there?

Witness: No.

Major General Votel: Okay. The way that the (b)(1), 1.4a, (b)(2) - HRP leader said, did you make any comments at the?

Witness: No.

Major General Votel: Did you go to the follow-on Sensitive Site Exploitation session after that?

Witness: Yes.

Major General Votel: That's the one that was led by the J2 and specifically the purpose of that one is simply to talk about SSE that you had taken off the objective?

Witness: Yeah, and TQ.

Major General Votel: Anything peculiar come out of that, that might give some indication that --

Witness: No, nothing came out.

Major General Votel: Okay, anything else?

UK SME: Yea, just a couple. First of at the debrief, I take it all the firers said a little bit about who they were engaging or who they had engaged and why during the debrief? Is that what happened or not? So, the people who pulled the trigger, I take it you didn't find --

Major General Votel: In other words does everybody normally talk during that hotwash? I mean, do people say, hey, this is where I engaged, I didn't engage or --

Witness: Sometimes, but it's not like, it's not like mandatory that you talk about your engagement. You know, I'll put it this way, there has been engagements at a hotwash that guys haven't talked about, you know.

UK SME: So, which of those, the three enemy dead, EKIA 1, 2, and 3, which one of those if any was specifically talked about during the hotwash? Do you remember?

Witness: I want to say TM3 maybe, I can't. I don't want to say he did because it is kind of like some guys already know so they don't ask so to get the debrief over with so guys just don't ask questions, they just wait until later. If they are really interested, you know, they can just get the debrief over with because the guys want to take showers.

UK SME: I understand. I completely understand. But just so I can sort of try and picture it, effectively it's the (b)(1)1.4a, (b)(2)High chief talking through the chronology of events?

Witness: Yeah, he's the guy. He'll go through it, if he knows or he'll volunteer the information. He'll be like, okay, you know, we hit here, we cleared through here, you engaged this guy; so, they would be like, yeah, yeah, that was me. Then he would be like, okay, then we went up here and then - so sometimes he will if there is a specific scenario where he wants to explain the situation, you know, like, TM 3, do you want to take it? Sometimes that happens, sometimes it doesn't.

Brigadier Nitsch: So, to the best of your recollection, there was no specific discussion about EKIA 3, the third one?

Witness: No.

Brigadier Nitsch: Just a completely different question really and it goes back to what you were saying about grenades and training and all that sort of stuff. I understood from one of your colleagues from across the troop that you were carrying a mixture of flashbangs is what you would call them, (b)(1)1.4a, (b)(2)High grenades, and normal fragmentation grenades. In your ROC drill, rehearsals, all those, were there any specific direction given as to which one of those you should use in which mission or was that sort of left?

Witness: No, it's assumed understood.

Brigadier Nitsch: So, operator choice?

Witness: Yes. I mean, I have crash so I carry a crash on me.

Major General Votel: Just for the record, when you say 'crash' you are talking about a flash bang device?

Witness: Yes.

Major General Votel: I guess the last thing that I want to probe with you a little bit about is obviously at some point we come to recognize that a grenade was employed on this objective through kind of review of this video that we just now looked at, which was not available immediately but subsequently kind of uncovered. I wonder if you could talk about the first point at

which you kind of fully recognized or the team fully recognized that a grenade had actually been employed on this and may have contributed to the mortal injuries in Ms. Norgrove?

Witness: It was, I think it was 1 day after, I can't correspond the time.

Major General Votel: There was kind of a day in between there.

Witness: Right, right.

Major General Votel: And then you have the visit on Sunday morning by the British Ambassador who comes out here and I think, did you attend that?

Witness: Yes.

Major General Votel: Okay. And then after that at least kind of within the Task Force ~~(b)(1), (b)(4a), (b)(2) High~~ Task Force ~~(b)(1), (b)(4a), (b)(2) High~~ level it seems that's when the knowledge of that comes to light. Is that about the timing then, sometime after that meeting with --

Witness: It was sometime after that. It was, I want to say, I was sleeping or something and kind of like shortly after that it was, you know, hey, they've got different feed. You know a grenade being employed.

Major General Votel: Can you briefly describe what occurred to kind of confirm that within the team here of what actually happened? Were you part of all that discussion?

Witness: It was, no, because TM1 came in and said, hey, they have ISR feed with a grenade or ISR feed that we've got to go talk and I remember getting into uniform or something like that. So, it was kind of like briefly hit. I got ISR feed and he kind of disappeared. They were disappearing for a while and then they would briefly come in and it was kind of like, we'll talk about it, kind of like later, and that's when they pulled us all into the little B-hut and put it out.

Major General Votel: So, the team leader and ~~(b)(1), (b)(4a), (b)(2) High~~ chief pulled you all in and then basically conveyed what happened?

Witness: Right.

Major General Votel: Okay. And you weren't in any other position to observe the team leader discussing this with any

other members of the chain of command as we kind of established what happened?

Witness: No.

Brigadier Nitsch: Let me ask you, on the day in the middle, what was the focus for the team in that day in the middle? You did the operation, there was a day, then we have the Ambassador here. In that day in the middle, what was the team up to?

Witness: I know guys were sleeping later than normal.

Brigadier Nitsch: Okay.

Witness: Because it's only team leaders and assistant team leaders that go to the CUB in the morning so a lot of guys sleep as far as they can because if there is a mission that goes on they try to sleep as late as they can. It was back to as normal as it can be, I guess. I can't remember how the day went down.

Brigadier Nitsch: It just felt like a normal day in the team?

Witness: Yeah, I would say, yeah, normal.

Brigadier Nitsch: Okay. That's great. Thanks.

Major General Votel: Anything else?

UK SME: Uh, sir, just one. And to go back to the hotwash out. What discussion, if any, took place during the hot washup as to how Ms. Norgrove was killed? I would imagine that was a subject that was of interest to all of you?

Witness: Ah, no. Yeah, there were kind of things odd, you know, that was odd. I guess that would be like a little bit of the flavor, just odd things.

UK SME: You don't remember anyone offering an explanation during the hotwash as to how she died?

Witness: No, I mean it came out, it's like, asking EOD, you know, yeah it looks like her ears were bleeding a little bit, talking about the frag being in the back of her back. Us being, you know, that's our mission and she's dead. Guys were like, was she shot? Did it look like she was shot? I didn't look at her body, you know, did it look like she was shot?

Major General Votel: Was there a specific explanation, I think what he is getting after here, was there, within the hotwash, did we reach some kind of conclusion for the group as far as how she died?

Witness: Oh, S-Vest, that's what it was, it was the determination was either an S-Vest, and from what I hear, and this is all what guys say, but the grenades. TM7 said there were grenades pulled already in the chest rack. I honestly, I think, well after that hotwash, I was like, TM1 probably shot that grenade and it went off. But it is still kind of odd because it was just weird looking. I never saw the body live. I just saw it on photographs and I glimpsed down and I was like, you know that's weird but, you know, weird stuff happens all the time. I'm maybe - I'm not really that gossip guy or like to sit there and chit chat about. But life goes on.

Major General Votel: Okay. Thanks. Anything else?

UK SME: No, sir.

Major General Votel: Any questions or clarifications?

US SOF SME: No, sir.

Major General Votel: (b)(3), (b)(6) anything?

Lieutenant Colonel (b)(3), (b)(6): No, sir.

Major General Votel: Okay. I want to thank you for taking the time to come in and talk with us. This has been very, very useful. I recognize the op tempo which you guys keep and for the record how many times have you been deployed here?

Witness: This is my eighth combat deployment.

Major General Votel: Okay, so you've got a lot of ops underneath your belt here and sometimes some of this starts to run together. I know it does affect your ability to distinguish and recall details and stuff like that, so, I appreciate your efforts with us and kind of working through that. So, thank you very much.

I want to remind you that this is an official investigation. It is a protected investigation in the sense that this report will be made to General Mattis and he will ultimately make some decisions about some actions that may follow on here. I am

ordering you not to divulge the nature of this investigation or the questions, answers, or discussions included in this interview here this afternoon and this evening with anyone except for the Chaplain, your legal counsel, I don't think you have one, you don't have a need to have one, unless that discussion is approved by me, an inspector general, or General Mattis, himself. If anyone should approach you regarding your testimony or matters discussed here, you are required to report it to me immediately please. I am prohibited from giving you a copy of the testimony that will result from this discussion today. You may make a request in writing for it to the appointing authority or to the Freedom of Information Act Office, and they will evaluate your request and provide you that which is determined to be releasable.

You may think of some other things after the wake of this discussion that you think might be relevant for our consideration. If something comes up that you think might be of use for us, information wise I would appreciate you contacting me and we'll reconvene and we'll discuss. Sometimes that does happen when you have an opportunity to reflect. We will be around for about another, probably take off tomorrow morning sometime. So, if something does come up, please let us know. Are there any other matters that we haven't covered here today that you think we ought to talk about that we haven't with respect to this kind of investigation and the subject we are talking about?

Witness: No.

Major General Votel: Okay. Do you know, we are obviously talking to a variety of people, we are going to talk to TM9, talk to TM4, we've got all the other team leaders and team members that we're scheduled to interview. Can you think of anybody else that we might want to talk to that you don't think we are already tracking on?

Witness: No, just the guys from   1.4a, (b)(2) High

Major General Votel: Okay.

Witness: To determine who that body was.

Major General Votel: We'll continue down on that. Do you have any questions for us?

Witness:

No, well, actually I do have one question which is kind of like, big picture stuff, but it seems to me and I know it is a question amongst multiple guys is it seems like if they really wanted her, and it is unfortunate and horrible what happened, but it was planned, you know, as we were going onto the X and, you know, in RSTA Force and the percentage of her surviving and we are just lucky they kept her alive, but it just seemed like it was planned to where it was set up for failure. It just - I couldn't understand why we were executing going onto the X, first off the RSTA Force, and then second of all, if you really wanted her alive, then we would have planned it accordingly, you know, to where everybody had the sense of like, well, apparently they don't want her alive because if we are heloing onto the X, you know, if they wanted to we insert offset if it's going to be a horrible hike in, you know, it's horrible and we'll do it. We will always be able to do it to have her actually sneak and cover in the darkness and execute the op. But going into the X, it is just like, well apparently they don't want this girl alive because if you really want her alive then

(b)(1)1.4a, (b)(2)High

(b)(1)1.4a, (b)(2)High

That's the one

thing I couldn't understand. It was like this mission being executed, we're going to the X and (b)(1)1.4a, (b)(2)High was like, no, you are going, from what I understand, you know (b)(1)1.4a, (b)(2)High like, no you are going to the X. I was like okay. RSTA 4 is going to Konar and everybody has the understanding and the training that basically we are trained, if you get shot anywhere in the upper torso and you don't get to BAF within an hour then your chances, it is a 95% chance that the guy is going to either die or bleed out. So, we're INFILLING on the X, you know, and they are not going to be able to MEDIVAC us out any time soon if any one of us even has a, gets shot. So, pretty much, you are okay if you get hit in the extremities, but if you get hit in the torso anywhere, pretty much you are a dead man because they are not going to be able to MEDIVAC you out, out of Konar because of the terrain. I mean with the terrain is like this where are you going to MEDIVAC a guy out. So, that was kind of like --

Brigadier Nitsch: Do you believe this was weighing on everybody's mind? Because I think that is a very interesting point.

Major General Votel: I would like to just follow up on that for just a second here. First of all I'm not sure we can answer the question I think you are asking because none of us are in particular the decision process.

Witness: I understand.

Major General Votel: I want to follow up on what I think the UK SME was talking about here. Was that discussed among the operators here or is that just the gut feeling?

Witness: It wasn't discussed but I think it was just thought about. I know that other guys thought about it because it just seemed like, you know, obviously don't give a shit - it's like they don't care about us like, you know, that was my take. It just seemed like, you know, they don't obviously, it was just weird. Kind of like you don't have faith; it just seemed like a bad scenario. When you are sitting there trying to help on a terrorist and all it takes and I've seen it is one guy come out with an RPG or something and that whole bird is going to start rolling down the hill. What actually was going through my mind was, I'm going to jump out of that plane, I'm going to jump out of a helo as guys are (b)(1)1.4a, (b)(2)High because there is no, you know, if it gets shot and it starts going off, there is nowhere they can land without everybody dying. So, actually my thought process was I am going to jump out of the back of the plane to do a 10 foot drop and hit the ground and possibly survive. That was going through my mind.

Major General Votel: What was the height of the (b)(1)1.4a, (b)(2)High that you did, since you raised that?

Witness: I want to say (b)(1)1.4a, (b)(2)High maybe.

Major General Votel: Okay. So kind of what you are relaying here and again, I just want to make sure, and I know what you are kind of expressing here is just kind of your experience, your thought process on this, a guy who has been on a lot of operations kind of wondering why we would expose the force to this risk and by extension Ms. Norgrove to the risk of a operation to the X in terrain and in an environment like Konar.

Witness: If you really wanted her alive.

Major General Votel: If we really wanted to make sure.

Witness: Yeah. And maybe that is above my head and they made those decision where, you know, that was definitely a question on my mind, like, if you really wanted her alive we wouldn't be doing it this way.

US SOF SME: Can I ask a question for clarification, sir?

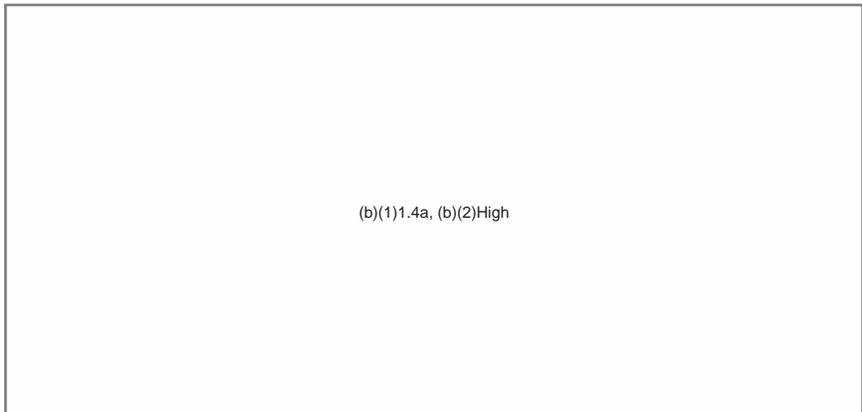
Major General Votel: Yeah, sure.

US SOF SME: In the planning portion, was there any discussion of early warning network in Konar, ACLs, 12,000 foot insert, just the balance of maybe that offset INFIL being highly likely to be compromised and then posing risk to her because now she's being moved or a terrorist act.

Witness: That could be, that could be.

US SOF SME: I think that calculus was going on in someone's mind. I'm not sure if it was communicated to you guys. I'm sure they were looking at, hey, here are the chances of success of an offset INFIL with the ACL limitations, with the early warning network in Konar, with the long walk in, maybe you remain over days versus, I'm going to try to surprise them and get at her in 60 seconds or 4 minutes. Was that discussed at all?

Witness:



(b)(1)1.4a, (b)(2)High

(b)(1)1.4a, (b)(2)High

There was a lot of activity in the AO. They knew that there was Army everywhere. They knew that there were helos constantly resupplying. So, maybe, I think, she would have had better chances, of course the whole scenario didn't work out because of how it happened but it just seemed like it was set up

for, in my opinion, there might be somewhere behind the curtains where something was discussed that I didn't know or maybe, you know, maybe just my inexperience of like, you know what, yeah, that was a point I didn't think about, but, you know, it just seemed like I always thought target after target, under the cover of darkness, maybe there's that little chance of it might get detected that we are inserting, but I think you are going to have much better chances of us having that doubt of going, I heard helo, yeah, it sounds kind of close, but, you know, maybe not and, you know, it is in the middle of the night.

Major General Votel: Sure.

Witness: And they are exhausted and if we can hit them at that, you know, 4 o'clock local, 3 o'clock local and then their second REM cycle, you know, when they are really, really caught off guard and we can get in there fairly quietly then we could probably do it. We can make that hike in quietly and be successful at it. That's just, that was my one question where maybe someone could answer it but I figured talking to you guys or someone who knows.

Brigadier Nitsch: Thank you.

Major General Votel: Okay. Good. All right. The time is now 1609 Zulu and this interview is complete. Thank you very much for coming in, we appreciate it.

[The witness departed the room.]