

Major General Votel: My name is Major General Joe Votel. On a day-to-day basis, I'm the Chief of Staff down at US Special Operations Command in Tampa, but I've been appointed by the CENTCOM Commander, General Mattis, to investigate the relevant facts and circumstances surrounding the hostage rescue operations that took place up in Konar Province here a little over a week ago. An operation that you participated in, the object of which was to rescue Ms. Norgrove, a UK citizen. Do you know the operation that I'm referring to?

WITNESS: Yes, sir.

Major General Votel: And as I mentioned to you out in the hallway there, your call sign, TM6, came up in several discussions here and we think you may be able to help us fill some gaps and provide us a little bit of situational awareness on what occurred that evening. So, that is why we have asked you to come in.

This is an official investigation, and what that means is there are some things we have to go through here right up front. I will take you through it. Some of it will sound administrative to you and some will sound legalistic to you but it is a necessary function of what we are doing here. So, I would just ask for your patience as we go through this.

During the course of the interview I'm going to ask you to provide some information about yourself. The Privacy Act of 1974 requires that I inform of the authority for this requirement. This statement that I'm passing you right now, I'm sure you have probably seen these before in your military experience. It basically acknowledges that you understand that there will be information about yourself included in the report and it may be available to others as they have an opportunity to review the report. If I could ask you please to review that and print, sign, and date. Today is the 17<sup>th</sup>.

[The witness did as directed.]

Major General Votel: TM6, your testimony here today is going to be digitally recorded here. We've got a couple of things and we are basically are recording everything that we will say and talk about in here during the course of your interview. That will be transcribed

into a written document and that will become part of the official report that will be made available to General Mattis. I would just ask you, it's important today to answer every question verbally. It won't pick up on nods or points or stuff like that. I know we will refer to some pictures and perhaps a full motion video. I may or somebody else may interject just to kind of clarify for the record what we are looking at since the recorder can't see and it can only listen to what we are talking about. So, don't be disarmed if we do that.

I have put in front of you here a kind of a very simplistic diagram; it's probably familiar to you. It's the building number and scheme for Objective ~~(b)(1)1.4a, (b)(2)High~~ so as we talk about buildings and your movement around there it would be good if you could kind of use that as kind of a point of reference as we talk this. It will make it a lot easier for us to track, particularly if we have to go back and look at your statement.

Before we begin, I 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 to that extent the statement that you are making today will be a sworn statement. So, what I would like to do is to ask you to please stand and raise your right hand?

[The witness was sworn.]

Major General Votel: The time is now 1319 Zulu on 17 October 2010. I have introduced myself and to everybody who is in the room here with us right now. We are located here at Jalalabad Air Field. As I mentioned, at this time, you are not suspected of any offense under the Uniform Code of Military Justice, Federal, or local law; therefore, you are not authorized to have legal counsel present and I am not advising you of your Article 31 rights. You must answer all questions that we pose to you unless you determine that one of those questions may incriminate you as we go through this. Do you understand that?

WITNESS: Yes, sir.

Major General Votel: Again, thanks for being here. What I would like to just invite you to do, please relax and as I

mentioned to you, we think you may have insights that will be helpful to us in understanding this.

What I would like to start off with is, we are going to go through this a little bit chronologically. We've got a lot of information already on intelligence situation and what lead to this assault. I don't necessarily need to ask you about that. What I am interested in is understanding what your role was on the objective and what your specific mission was that night. So if you could just kind of free talk and just talk a little bit about what your role was kind of going into this operation.

WITNESS: Okay. It started out, we weren't going to take any dogs. I was basically attached to Alpha. Alpha is my old team, that's who I'm going back to so I've run with them before. TM1 had initially tasked me with -

Major General Votel: TM1 being the team leader?

WITNESS: Yes.

Major General Votel: Okay.

WITNESS: The team leader had tasked me with my job. Alpha was going to be primary going to 11 and 12. When we landed, my job was to over watch the 20 series as a whole. He wanted somebody with C2 who was going to be trained in hostage rescue to have eyes on in case the hostage was seen coming out of there. We knew coming in with the terraces that there was the possibility that it was going to flex based on whether they were going to get 11 or 12 immediately.

Major General Votel: Who were you moving with?

WITNESS: I was in the front with Alpha team. Coming off the helo, I was the fourth or fifth guy down the rope. I originally held waiting to see what Alpha was going to do. I had an idea they were probably going to hit the 20 series first just based on where we roped and what was visible on the movement we'd seen and just the threat that it possessed. As soon as we came up, I held down at the 20 series. As I saw them making the assault on 20 vice going around to climb to go to 11 and 12 at that point, I climbed the terrace to get into the stack and to assault with them.

Major General Votel: As they were getting ready to go to 21 and 22?

WITNESS: Right. Just as they had gotten up there. Once I saw them commit to the 20 series, that's when I made my move to go ahead and assault with them since that was my primary duty was the 20 series. They originally -

Major General Votel: About how many operators were involved in that?

WITNESS: There were - I think it was the team lead and RECCE went on the roof top with one of Alpha so it would have been three that went up on the roofs of the 20 series and then in front of the 20 series actually hitting 21 and 23, there were originally five of us and then EOD and the terp were behind me. I would have been the last one in the five that went on the lower level.

Major General Votel: All right. Go ahead, please.

WITNESS: As I climbed the terrace is about the time they engaged the first guy right outside of 23. I pushed up. I knew that -

Major General Votel: Did you observe that engagement?

WITNESS: Yes, sir.

Major General Votel: Do you recall who actually did the shooting?

WITNESS: No, sir. I didn't know until we got back who was actually the first two or three guys. I knew it was Alpha team. I mean that was the primary assault that had gone up there. I knew that we had had guys go up on to the roof but even then, I didn't know who the guys were other than I knew RECCE would go up there. I didn't know who the guys were that went to the roof initially and who the guys were that were in front. I saw the engagement but I didn't see who was in front squeezing the trigger.

Major General Votel: What type of weapon were you carrying?

WITNESS: ~~(b)(1)1.4a, (b)(2)High~~.

Major General Votel: ~~(b)(1)1.4a, (b)(2)High~~?

WITNESS: Yes, sir. We are carrying the ~~(b)(1)1.4a, (b)(2)High~~

Major General Votel: Everybody?

WITNESS: Yes, sir.

Major General Votel: I know it's difficult to (b)(1)1.4a, (b)(2)High; did you hear any fire taking place?

WITNESS: Yes, sir.

Major General Votel: (b)(1)1.4a, (b)(2)High?

WITNESS: The majority of it was - throughout the engagements, I did hear there were some unsuppressed rounds. I don't wear (b)(1)1.4a, (b)(2)High I have the bone phones and it is pretty easy to identify the two and because we all roll with our guns (b)(1)1.4a, (b)(2)High, it is fairly obvious. That's one of the things is when we hear an unsuppressed round, we know it's either - it's enemy fire unless it's a terp for some reason that's shooting, and that rarely happens. The vast majority of it was (b)(1)1.4a, (b)(2)High rounds but I did hear two or three different volleys of unsuppressed rounds.

Major General Votel: You were saying that you were just coming up on the terrace in front of building 21 when this engagement first took place down in the vicinity of 22 and 23?

WITNESS: Yes, sir.

Major General Votel: Okay. Why don't you continue from there?

WITNESS: I pushed up. I know that once I got up to 21, that was when I had heard another volley. At the time, I didn't realize that they had engaged another guy off the end of 23 but I heard another volley. I knew that the majority of the team was pushing down focused on the engagement between 23 and 25. As I came up to 21, I was focused on clearing the team's backs. I was panning the windows to make sure there was nobody else in the structures that was going to pose a threat. As I was pieing the window of 21, there were multiple bed rolls inside just general furniture and Afghan furniture and that's when I heard another round of fire. At that point -

Major General Votel: That would have been the second volley?

WITNESS: It would have been the third. I couldn't have told you at the time but reviewing the tapes, it's the third round of fire, outgoing for most. Immediately following the fire is when I had heard someone say get back. I don't know who it was. It wasn't a call like yelling to get back. It was simply a matter of I was in the middle of pieing, I heard a volley, I

heard someone say get back, so my reaction was - I was just completely in the open exposed. So my reaction was get behind cover and figure out what was going on.

Major General Votel: So where did you go then?

WITNESS: I went around to the north corner of 21. I had - I know the guy immediately to my right, almost touching shoulders with me was TM2 and then as I turned, I ran into EOD and that's when I told him to get back. As soon as I had wrapped the corner, my original intent was just to turn and get cover and see what was going on and almost right as I wrapped it, is when I heard the explosion. I didn't know what the explosion was. I turned to kind of get eyes on and see what was going. At that point, I saw guys moving out of - I don't know if it was 22 or 23 that they had sucked into but as they came out, I came out and continued to pie 21 and 22 as they pushed into that open area. As I came up to that point, I came to get in - there's actually another structure down below, 24 right here, it's a fairly decent open area between the three of them. As I came up, I passed the first guy - this was the first time that I actually saw -

Major General Votel: You're still on the terrace at this point?

WITNESS: It's on the terrace patio in front of the 20 series. As I came down past the first EKIA in front of 23 came down. As the rest of Alpha was pushing up to 11 and 12 which was the primary target, came down the stairs and that's where the second EKIA was. I saw him. I pushed down. I did not intend to go to 11 and 12 since my primary was 20 series still the upper watch. I actually knelt down at the corner of 25. I had a third EKIA there. I wasn't doing a lot of inspection at this time. It was simply a matter of I could gather that he was there. I could see that his side had been opened up from the explosion. At the time, I didn't know it was Ms. Norgrove.

Major General Votel: Did you observe a fourth body there?

WITNESS: Yes, sir. I did notice the body and I even - I mean I could see her leg. I knew it was a female leg.

Major General Votel: Right away?

WITNESS: Right away. I knew it was -

Major General Votel: But had not necessarily associated with Ms. Norgrove?

WITNESS: Yes, sir. And at the time, I wasn't looking to do further inspection. She had - I kind of glanced over - she had tucked up into the north wall of 25 and had - the explosion had pushed dirt onto her back. My focus was focusing on 24 and 25. I was the only one at this point, the rest of Alpha team had pushed up. I was watching these since this was the primary engagement. I was focused on this but since we had C2 that was going to be coming up to the 20 series, I was covering them and as well, we had Bravo coming up from the valley to the south and they were going to start at 27 so I was focused on deconfliction and any other threats that may come out of those 20 series.

Major General Votel: Let me stop you there. Let's go back to when you're kneeling at the corner of 25. I'm going to put a pen here in front of you. Please feel free to write on this. What I'm interested in and I recognize this pictures isn't exact but it's approximate and what I'm interested in is trying to the best of your recollection, indicate where you were and then indicate where the female body you saw was and where the third enemy combatant was. To the best of your recollection, what their approximate body position was on the ground in terms of whether they were facing up, down, that kind of stuff.

WITNESS: This was that small structure, 24, down here. We had one EKIA in the front of 23. You had the steps coming down and pretty much on the side of the steps was the second EKIA. Ms. Norgrove was tucked into this corner right here. Her head was to the side facing the east with her leg sticking out just around the corner of 25. I knelt right next to her.

Major General Votel: And she was on her side or back or -

WITNESS: She was on her left side into the corner of the north wall. It was her back that was exposed. I don't remember if it was her right or left leg that was kicked out. What I saw was just the back of a body with dirt on it and then the only thing exposed was her leg. The third EKIA was closer to 24. I don't remember the time exactly how he was oriented but he had been - he was over closer to 24 away from me. So as I was kneeling right next to her, I would have seen him just off to my right maybe three, four feet

away. And then, again, my focus was threats coming from 24, 25 and looking for Bravo team coming up to deconflict hitting up 26 and 27.

Brigadier Nitsch: First of all, can I say how much we respect what you do and actually the great work in this operation that was so close to being wonderfully successful. But can I just ask you a couple questions about what you could see as you went along in front of 21, 22, and 23?

WITNESS: Yes, sir.

Brigadier Nitsch: So if you're outside 22 here, what could you see down here? What was your field of view like?

WITNESS: I only had a brief moment coming down when I walked past. I can tell you at 21, I could not see anything down here. I saw the EKIA in front of 23 who was actually up on the terrace. I could not see the EKIA on the stairs. I could not see either of the bodies down by 25, nothing in the engagement. I don't know exactly at which point between 21 and 23 you could mainly because as I was coming up at this point, I was following the team. I kept eyes on this EKIA and then moved down but it's somewhere in between. It would be somewhat in the general region of 23 and 22 before you're going to start to see the base of 25.

Brigadier Nitsch: If someone was standing between 23 and 25, would you see them outside 22 and 23? If you don't know -

WITNESS: I would be assuming. I know out of 21, I couldn't see anybody unless they came up on those steps.

Brigadier Nitsch: Okay. So definitely from 21 you wouldn't see someone standing there. From outside 22 or 23, you might make out -

WITNESS: Right. You might make it out. Again, I think they would have to - from 22 it was probably a little far. There was too much defilade unless they are coming up. Once you got up to 23 and you actually approached the side, you'd be able to see more but I don't know exactly where that point was where you could identify them.

Brigadier Nitsch: In terms of the field of view looking down there using the vision equipment that you had, was it

pretty narrow? Did you feel you could make a good view of the gap between 23 and 24 for example?

WITNESS: The gap between 23 and 24 was decent.

Brigadier Nitsch: Could you pick all that up in your restricted field of view?

WITNESS: Not in a single view.

Brigadier Nitsch: You'd have to scan it.

WITNESS: Scan a little bit as you got closer. From 21 I would have been able to but from 21, I really couldn't even see 24. The terrace itself pretty much obscured 24. All I could see was the upper wall of 25.

Brigadier Nitsch: So it was pretty dead ground to you?

WITNESS: Yes, sir.

Major General Votel: Thanks for that. As you kind of transited up the terrace or patio there in front of 21, 22 and 23 and went down the stairs and in between 23 and 25 and kind of passed the four bodies; the three enemy and what we now know to be Ms. Norgrove, did they all appear to be deceased to you?

WITNESS: Yes, sir. As I was moving past as the last guy, I knew that Alpha was focused on getting up to 11 and 12. I did at least give a cursory check to each guy to make sure there wasn't a threat that was going to be there for somebody else coming up.

Major General Votel: You did a cursory check?

WITNESS: I didn't touch them. It was simply looking. I saw no movement. I saw nothing to show signs of life and at that point, went up assuming that as C2 came up they would also be covering on those bodies.

Major General Votel: And then if I could ask you to briefly continue from that point there from when you picked up and came up off your knee at the 25 and then what was your next action?

WITNESS: I held there for I don't know how long. It could have been a couple minutes. C2 had pushed us into - we had the ground force commander and the other guys come up in front of the 20 series. I let them know that I was there and I was the only one that I hadn't

pushed beyond here. The team leader, TM1, came back down at that point, hit me on the shoulder, and was like, hey, we need to finish clearing the rest of this. I came down. As he pushed up, he started to wrap - the entrance to 25 is actually on the south side over here as well as 24 is on the south side. So as we came up, he started to wrap 25 to move up to that structure. I immediately wrapped down the terrace to 24 to make sure to cover his back. Clearing 24 was a real small hay structure or somewhere to keep a couple of livestock; no threats there.

I came back around. There was actually on this south side kind of an open area so this is probably more of what it looks like. Just about the middle was the door and then there was some sort of - not a barrel but some sort of a structure of here, a column of something just a stack like a shelf or something. I came up as TM1 basically pried into this room, you could look in and you could tell that there were bed rolls and lanterns. I pushed down to this side and cleared - there was still some dead space over here.

I don't know who the second guy was that came up behind us and went in with TM1 but two guys went into 25 and cleared it. I finished clearing this dead space over here. I came back and glanced in 25 and realized it's a single structure, single room. I saw the bed rolls. I mean you could tell, it was warm inside, there had been people in there.

At this point is when EOD had come up to TM1 and said that he had a female back at the corner of 25. He just said it -

Major General Votel: Okay. So at that point, you and Tm1 are in 25?

WITNESS: Yes, sir. Pretty much in the threshold.

Major General Votel: And you're there when the EOD tech comes up and says - he physically came to him and said, hey, we got a female here and this might be Ms. Norgrove?

WITNESS: Yes, sir. He actually wasn't sure at first if it was. The only thing he said was she looked pretty young.

Major General Votel: What were the actions after that then?

WITNESS: We both immediately pushed back down to her. At this time, when we cleared 25, we could see Bravo team started to get into 27. We knew they had the rest of the structures. We pulled back. Both of us went over to Ms. Norgrove. EOD had rolled her over. I think Tm1 kind of pulled up. She had some sort of cloth that come over her face and pulled it back. You could pretty much tell immediately only because, I mean, there's not a lot of - you don't run across a lot of light complexion women. You knew it was her. She honestly at that time, she had already expired. Hesitant to identify her just because it was still hopes that it wasn't her. I think everybody instantly knew it was. I immediately started just checking for vitals. I couldn't find a pulse, didn't feel any type of breath.

Major General Votel: This checking that you did was before ~~(b) (7)(F), (b) (7)(G)~~ showed up down there?

WITNESS: Yes. When I was doing this is when Tm1 was calling ~~(b) (7)(F), (b) (7)(G)~~ to come down. He came from above 23. I assume that he was up in 11 and 12. I just know that he came down between 23 and 25 when he came to us.

Major General Votel: And again please take your time here. I know this is difficult. Can you just kind of briefly describe what you checked on Ms. Norgrove to the best of your recollection?

WITNESS: I gave her just a simple cursory check, put my ear to her mouth just to see if I could hear or feel any breath, and I checked for her pulse on her neck. I never came across anything. She was still warm to the touch but no pulse. I kind of didn't find a pulse, didn't feel any breath, I did not cut any of the clothes off or do any real examination. I just gave a cursory. I could tell that she had damage to her left ear. At about the time that I was going to just check to see that back of her head and the back of her neck to see if there was any damage is when ~~(b) (7)(F), (b) (7)(G)~~ came down. I just gave him real quick that I was unable to find any vitals and that I hadn't checked for any other major wounds. That's when he came in. He checked for the vitals, checked for the pulse on the finger.

Major General Votel: At that point, you pretty much turned her over to him; is that an accurate -

WITNESS: Yes, sir. As far as the medical care, it was turned over to him. For the duration of the op, I was there. It was pretty much; TM10, the primary <sup>4(a), (b)</sup> and myself were the two guys that were with her for the duration at that point. And then later on, it was TM6 that came up and my other dog handler, again, we didn't take any dogs so I called him over knowing - he's not an assaulter so I knew that he was going to be looking for something. I brought him over to help us so it was the two <sup>4(a), (b)</sup> and the EOD techs that were charged with trying to take care of her and prep her for extract.

Major General Votel: Anything on that?

Brigadier Nitsch: I don't think so. Could I ask you to rewind just a second, before you deployed, did you get any unusual specific instructions, anything that sort of honed into this as a hostage rescue as opposed to the types of operation that you'd been running previously?

WITNESS: Yes, sir. During the FRAGO that we got, it was - we knew that we'd been focusing on the personnel recovery event. The general mindset is for any personnel recovery operation, we're going in with a hostage rescue mentality. The primary Intel that we had was that it was the negotiator that was going to be here. It wasn't the most concrete Intel that he was. It's never a 100 percent that you're going in and that's going to happen but what I remember basically, the Intel that we had on the negotiator being there was 24 hours old which was fairly old but the bottom line is we needed to get out and do something. Everybody understood that. We knew there was a pretty good chance of the negotiator being there and there was a chance that Ms. Norgrove would be there. There was no specific Intel saying, yes, she's definitely here. We know that she's here. It was simply a matter of negotiator is here so it's a good chance she is.

Actually, I would say what most guys thought was we all came in with rations to remain over a day anticipating that the call was going to be made, we would find the negotiator and hope that she was going to be not necessarily on the target but possibly in one of the caves in the area because we'd have boots on the ground because it's not the easiest area to get into. We may remain over a day and try to clear

some of the caves and try to find her at that point. Didn't necessarily know that she was going to be on the target compound itself but we were absolutely briefed that it was a hostage rescue mission.

Brigadier Nitsch:

Can I just ask what that means to you?

WITNESS:

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

We were briefed that she could have been in man jammies. She could have been in possibly some sort of uniform and even to the extent that they briefed up that they may even give her a weapon with no bullets in it. So everybody was fairly reserved on the shot. I don't - the general rule is they were looking for facial hair and looking for something to identify that it was a man and looking for shots fired because we knew there was even a possibility that they would give her a gun.

Brigadier Nitsch:

That's been really helpful, thanks.

Major General Votel:

I just want to back up one bit here. You earlier stated when you were back in the vicinity of 21 and 22 on the terrace patio there that you did hear someone say get back. Did you attribute that to any particular person at that point?

WITNESS:

No, sir. I don't know who it was and like I said, it wasn't like someone had called it out. It was just a matter of I had heard a second a third, at the time I didn't know what it was but I had heard another volley of fire. I was in the middle of pieing a room

where from the window looking for threats and I just heard someone say it. Being that TM2 and myself were outside 21 with no cover provided from any threat coming from our right. Just as soon as I heard someone say get back from the right side, my instinctive reaction was just to move for cover and see what was going on.

Major General Votel: Within your experience in A Team and Task Force here. When a fragmentary grenade or something is employed, what's kind of the SOP? What's the expectation? What would you as an operator expect to hear?

WITNESS: General rule is (b)(1)1.4a, (b)(2)High.

Major General Votel: And that would be the indication to you that we are employing a grenade, take cover.

WITNESS: Yes, sir. If I hear "grenade," I am assuming it's incoming. If I hear (b)(1)1.4a, (b)(2)High I assume it's outgoing.

Major General Votel: Have you had an opportunity to look at the video of this?

WITNESS: Yes.

Major General Votel: I wonder, if I could invite you to go ahead and bring up the ISR video here. I'm going to play through this and then TM6, what I'd like to invite you to do is what you're seeing here if you are able to identify yourself or what you think is going on, that would really be great. I guess we're looking here at some of the initial elements moving up there.

WITNESS: ISR is on the north side. We're just off the film in the bottom right. That's the first enemy there. He engages and then that's where he stayed.

Major General Votel: So we think he actually engaged our guys?

WITNESS: Yes, sir. I believe so. I know he'd shot rounds. Again, I heard a couple of different volleys. He was the only one that I knew that was actually engaging us. The other volleys I heard around, I don't know if they were shooting at a helo or guys on the roof. I don't know.

Major General Votel: We're watching some start walking across the tops of 21 and 22, almost onto 23.

WITNESS: Yes, sir. I'm still off the footage. You've got Team lead and RECCE on the rooftop. The second enemy is coming up. The front of the force engaged him on the steps.

Major General Votel: Stop right there, please. Now if you could just back up just a little bit. Stop right there. As you can see, I think we've got an operator right there. It looks like his weapon is up and the second EKIA is either being engaged or has just been engaged at the stairway that you talked about.

WITNESS: Yes, sir.

Major General Votel: Where are you right now?

WITNESS: I am still off the screen. At this point, I had just come up - we landed one terrace down from the level of 20 series. I probably just made the climb and was moving towards 21 in the back. If there's five guys there, I would be the fifth guy probably just north of the corner of 21.

Major General Votel: Again, I know this is difficult. I'm asking you to recollect a little bit here. How long did it approximately take you to move from the time you came off the rope till the time you kind of got up to 21, single digit minutes?

WITNESS: I would definitely say single digit minutes. It was not a long time. I roped down, fourth or fifth guy down the rope. I held for only - less than 60 seconds until it was obvious that Alpha was going to assault 20 series with the primary threat and then move to the 10 series later, at that point, climbed up. I was probably at 21 within two or three minutes of us getting on the ground.

Major General Votel: At this point in the video, we're looking at three individuals that are on roof tops. It really looks like the team leader out on 23, someone on 22, someone on 21 right there at the corner. I think we've concluded the lead person is the team leader, TM1.

WITNESS: Yes, sir.

Major General Votel: Do you know who the other two might be?

WITNESS: I couldn't tell you which one is which but I believe one is TM9, the RECCE team leader and one is TM4.

Major General Votel: TM9 and TM4. Okay. And then the two individuals at the bottom of the screen there right at the crack of 21 and 22, do you know who either of those might have been?

WITNESS: At the time I didn't. Just going through the footage with (b)(1), (b)(4a), (b)(2) I'm pretty sure that is TM3 and TM5.

Major General Votel: You said you were kind of the fifth one. So you're saying between where you think TM3 and TM5 are, there's a couple more people and then there's you?

WITNESS: Yes, sir.

Major General Votel: I see.

UK SME: I've got a couple but they can wait till the end of this footage.

Major General Votel: Okay. Go ahead. So that person just coming up the - stop it right there, please. The person just coming up the terrace right there could be you?

WITNESS: Yes, sir.

Major General Votel: The one who is actually at the top?

WITNESS: Yes. Coming up and getting ready to approach the window there and that would have been myself and TM2 were the two that were in the back paired up.

Major General Votel: All right. And your focus at this particular point as you said is you're still looking in the building 21.

WITNESS: Right. My focus was 21. I knew that they were engaging somebody down to the end. I didn't know if it was somebody that was sticking their head out of 23 or coming up the steps. I didn't know anything there. I just knew they were concerned about an engagement so I was worried about covering their back from any threats in 21.

Major General Votel: Okay. Go ahead please. And again, if there's something you're seeing - so at this point, it looks like you're still actually moving right now - looks like you're going down -

WITNESS: I had been -

Major General Votel: Stop, please.

WITNESS: I had been basically looking in the window. It would have been before you could see the grenade thrown out the front there out of 22. I was looking into that northern window of 21. That's when I was pieing, looking to see. I just saw normal furniture. I didn't see anybody in there, just looking for threats. I had TM2 to my right and then when I heard get back, my instinctive point with that was just to wrap the corner and get some sort of cover and then see what was going on. And then as I pushed back, that's EOD and the terp that had pushed back on the terrace. They were obviously closer to me at the time. When I turned and started to move, I just told them to get back.

Major General Votel: And then it looks like TM2 followed you around the corner there.

WITNESS: Yes, sir.

Major General Votel: Okay. Go ahead and play it out, please. And then after the explosion, you both come back forward it looks like.

WITNESS: We came back out. TM2 came out a little quicker. Like I said I went around the corner and pretty much right after I wrapped was when I heard the explosion. I wasn't sure what it was. I kind of stuck my head around the corner looking. TM2 had pushed back out and then when I saw guys come out of 22, is when we came back out, when I came back around the corner.

Major General Votel: To the best of your recollection, I just want to make sure I document on this thing and what we think we saw in terms of people. We think the team leader right here on 23 and then there were two others that were located across the 21 and 21, who do we think those were again or who did you assess -

WITNESS: I believe it's TM9 and TM4.

Major General Votel: TM4. TM9, what's his duty position?

WITNESS: He is the RECCE team lead.

Major General Votel: The RECCE team leader, okay. And then TM4 is just another is another assaulter on the team?

WITNESS: Yes, sir.

Major General Votel: Okay. And then we think we have TM3, TM5 out here in the vicinity of 22 and 23?

WITNESS: Yes, sir.

Major General Votel: So it's one, two, and then there's two more here.

WITNESS: I believe the third one is TM10. He was ~~one of the~~ <sup>(b)(1)4a, (b)(2)High</sup> who later came down to assist me and then TM2 and then myself, TM10.

Major General Votel: And then back behind you is the -

WITNESS: EOD and the interpreter.

Major General Votel: Okay. All right.

Brigadier Nitsch: I haven't got anything else on this instance. I am very happy with the people.

Major General Votel: Okay.

UK SME: Just a couple if I may. I have every sort of sympathy and understanding of how difficult these operations are to do for real in the dead of the night, particularly to such the hard terrain. So just a couple of questions if I may. The first one, were you taking any special equipment with you onto the ground because it was a hostage rescue, for example, flash-bang grenades and stuff like that?

WITNESS: 

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

UK SME: Okay. 

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

  

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

WITNESS: Yes, sir.

UK SME: And as a matter of interest, did you or anyone else use flash-bangs to clear the other compounds when you joined the assault?

WITNESS: I did not ever use a flash-bang. I don't know. I never heard any other explosions but I don't know if anybody used a flash-bang in their area.

UK SME: So, as far as you are aware, no one was using either flash-bangs or ----

WITNESS: Not that I know of.

UK SME: ---- fragmentation grenades or thermobaric as far as you are aware?

WITNESS: No, sir.

UK SME: The other thing just to sort of wind back a little bit for the Intel, the orders, and I appreciate that the intelligence is, in your case, was 24-hours old and it related, if I've understood you correctly, to the negotiator more than the actual hostage?

WITNESS: Yes, sir.

UK SME: Were you given any sense as a team member or as a team collector for this to where the most likely place was that either the negotiator or the hostage might be?

WITNESS: No. We originally, I believe intelligence was saying, that's why it was the 10 series because they were assuming this was the primary location for it. That's why (1) (1.4a, (b) (2) was going to hit that primarily. Movement to the 20 series was simply a matter of, as we were on the helo preparing to rope, we saw guys coming out of the 20 series. I don't know how many. I specifically saw one guy that was kind of moving in and moving out of one of the buildings on the 21 to 23 from the ramp of the helo.

UK SME: So, and I understand it wasn't your decision to make but you were, so that I've got it right in my mind, you were coming in expecting to focus, as you rightly said in your mind, this is a hostage rescue so you have to close onto the hostage as quickly as possible and take no personal risk and all those good things. So, you came in expecting the team to go as hard and as fast for 12 and 11 as possible and you were going to be covering their flank as it were down on the 2 series on that terrace and then given the enemy activities you came on, that was what steered the team to go down that terrace and do the 2 series?

WITNESS: Yes, sir. We also knew, even if there was no threat here, the initial plan was to come around the north side, up to 11 and 12 but we didn't necessarily know

what the terrain was going to be like and if it was going to, you know, be indicative of us getting around to the 11 and 12, so it was basically flexible. It was going to be the team lead's call. The primary was to go around, have ~~(b) (1), (1.4a), (b) (2) High~~ come up and hit but by all means it could be hit the 20 series and then move up to the secondary depending on what the terrain was given the imagery couldn't tell exactly what routes were going to be available and how easy it would be to get to there without coming up in between.

UK SME: My last question for now, as you were clearing, sorry, as you were going down the porch on the side of the 2 series compounds, was the sense that you were just dealing with the enemy threat in order to get up to 11 and 12 or were you actually systematically clearing the buildings as you thought the hostage and afghan male might be in one of those?

WITNESS: No, we had - they were dealing with the threat. That was part of the reason I was pieing the rooms as I was going along is because I knew they were making movement. They had pushed this threat. So there was not a deliberate entrance into every room.

UK SME: I'm just trying to, and I probably didn't phrase that question well enough, but I'm just trying to understand whether the reason why that route was chosen was simply to deal with the most immediate enemy threat in order to make the quickest and safest approach to 11 and 12 or whether there was the belief that actually now, given the enemy activity you saw, you were going to find the negotiator or the hostage in the 2 series rather than the 1 series in buildings?

WITNESS: I never had any reason. There was no call on the radio. I never heard anything called to make it seem that, and my personal interpretation was simply a matter of we were addressing the immediate threat. I knew that ~~(b) (1), (1.4a), (b) (2) High~~ still was going to push up there as the primary. That was listed as the primary target. That was their primary focus. I don't know, I mean, we had seen movement, I don't know if the guys on the roof had seen movement prior to them moving up but the last word we got before we left was really that there was most of the activity was between the 10 series and they said they had seen a couple of pax go

to 25. Uhm, I had never heard any reports that anything was going on in 21 and 23. It was mostly in the 10 series. So, again it was immediate threat knowing that they were going to push up to 11, 12 assuming that was still the primary target whether they were going to find the negotiator or the hostage.

UK SME: So, after the immediate threat had been dealt with, it was still imperative to get to 11 and 12?

WITNESS: Yes, sir.

UK SME: Bravo would clear the 2 series systematically.

WITNESS: Yes, sir.

UK SME: Thank you.

Major General Votel: Okay. Thanks. What I want to do is fast forward a little bit here now. Obviously you are aware that additional facts and information became known about this a little bit later. When did you find out about the fact that a grenade had actually been thrown?

WITNESS: It was that night when they told the group over in our camp by the fire pit basically in our little enclosed structure. Uhm, they called everyone in. This was about 48 hours I believe on the 11th or the 10th rather; we cleared the target on the 10th.

Major General Votel: But it's not right after the operation?

WITNESS: No, sir.

Major General Votel: It was 48-hours after the operation?

WITNESS: It was 48-hours after. It was after we had the British Ambassador come talk to us and everything else.

Major General Votel: And, can you kind of describe that session for me? Who was in there? Was that principally the team?

WITNESS: It was just the operators that were on the op. We basically, they called us in. We had the ~~(b)(1), (b)(2)~~ High chief, the ~~(b)(1), (b)(2)~~ High commander, team leads and all the assaulters in there and they basically told us at that point that there had been some other footage that they had seen. They talked to the guys in the footage and that it turns out that there's a

possibility that one of our frag grenades had actually killed the hostage.

Major General Votel: And during the course of that discussion did someone say, yes, I threw the grenade or was there an acknowledgment of that?

WITNESS: There wasn't a verbal acknowledgement. Basically as soon as that happened, TM1 the team lead went up, got pretty emotional talking about just kind of said ----

Major General Votel: Emotional talking to the group?

WITNESS: Talking to the group. Just basically saying it was that he had watched the footage and it looks like one of our guys throws a grenade. You see him, you know, he was just saying, you can see someone swing their arm and then you see an explosion.

Major General Votel: But in the course of that discussion does anyone specifically say, yes, I threw a grenade?

WITNESS: No. Uhm, I mean at that point I think there had been a couple of guys who had found out just prior, either they had seen the video or they talked to someone else. TM5 was the guy that's fessed up as to have thrown the grenade. He never said anything in that particular meeting but there were a couple of guys that made comments to him specifically like they had known already that it was him. I didn't know at the time. It had come out prior to, I guess, just amongst a small group that had seen the video and heard about the video but based on the discussion, like I said, I don't ever remember him saying anything in that particular meeting. Uhm, but the tensions of the meeting were definitely directed towards him.

Major General Votel: Brigadier?

Brigadier Nitsch: Just for my information, what do you think the team did on the day between the end of the operation and the day the Ambassador came, in that middle day, what was sort of plan of action for the team at base camp? What was your direction, what were you doing that day?

WITNESS: There weren't any specific taskings. Guys would kind of clean off their kit or clean their weapons just daily, you know, what you would do after an op. The

camp as a whole was pretty quiet. I didn't have a lot of interaction. I live separately with, over over in the kennels. We have a separate barracks structure and I personally pretty much stayed there the whole day. The only time I left was to get food and coming back to the room I did not, I really didn't have a desire to go around and talk to anybody.

Brigadier Nitsch: And that was just because you felt it hadn't gone particularly well the day before?

WITNESS: Yes, sir.

UK SME: Can I just ask, when you came off the ground that night, the next morning, what sort of hot wash up debrief procedure did you go through as a team?

WITNESS: Uh, once we got back, the hot wash was really as a (b)(1)(1.4a, (b)(2) High There wasn't a specific team hot wash. It was just as the (b)(1)(1.4a, (b)(2) High We came around the fire pit, uh, talked through what happened. Went through the, you know, the (b)(1)(1.4a, (b)(2) High chief leads it goes through the basis of, you know, planning all the way through and when it got to specific actions on is when TM1, the team leader kind of gave it from his perspective. He was talking about what he had seen, how he'd come up around and from his perspective when he was on 23 he had engaged, he said he had engaged that third EKIA and that when he had shot him the guy had detonated. Beyond that the rest of it was walking through sort of similar what we did, they talked about how they had pushed up to 11 and 12. Bravo had landed, not necessarily further away but in a more aggressive terrain than they were anticipating so it took them longer to get up to 26 and 27. Like I said, by the time they had gotten up there, we had pretty much secured all the 10 series, the 20 series, up through 25 and had moved back to Ms. Norgrove by the time they started clearing the rest.

Brigadier Nitsch: And I take it as well as sort of during the hot wash up as well as sort of getting the sequence of events right, each guy that had squeezed the trigger talked through the reasons for doing that? You know he talks through his particular engagement, is that the way you do it?

WITNESS: Generally speaking, yes.

Brigadier Nitsch: So, when it came to the team leader and I think one other shooter, I'm not too sure, when it came to them talking about EKIA #3, when they were talking about that, was there any sense from either of them that there was someone else with that third insurgent?

WITNESS: No, sir.

Brigadier Nitsch: So, as far as they were concerned, certainly during the debrief, it was a single insurgent.

WITNESS: Yes, sir.

Brigadier Nitsch: And apart from what you just said about the team leader saying about the detonation, there was no other discussion about what might have killed the hostage?

WITNESS: No, sir. We had - we talked about the detonation because when we had finally, when ~~one of the~~ ~~(b) (6), (b) (7)(C)~~ her blouse we checked her torso, everything was intact, when we rolled her up you could see a fragmentation wound on her back. Ten maybe twenty dime-sized holes covering both lungs, heart, spine area. It was just, it was an obvious shrapnel wound.

Brigadier Nitsch: And just sort of away from this operation together, in your sort of, your personal and the troops collective experience to this and others, has that been a sort of history of coming up against suicide bombers who trap themselves off or people who have got grenade pins flattened, et cetera, et cetera?

WITNESS: Yes, sir.

Brigadier Nitsch: I mean this used to happen to us in Baghdad all the time. I mean interestingly this is the truth and it is a sort of common occurrence.

WITNESS: We've had several targets where we've come around with either pins flattened or even pins removed and the spoons are just tucked in the pocket so when you pull the grenade out, the spoon would come off. And then specifically last year, the bulk of ~~(b) (1), (4), (b) (2) High~~ Objective ~~(b) (1), (4), (b) (2) High~~ where it was TM1 that had shot. TM1 and I were the first two up top the mountain. TM1 shot ----

Major General Votel: TM1, meaning the team leader?

WITNESS: Yes. And then we were ----

Brigadier Nitsch: This was last year?

WITNESS: This was the last rotation.

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

WITNESS: No, sir, we were in Sharana and, yeah, it was the same thing. He had engaged. The dog was on the bite, as soon as we got a shot, he took the first round, shot him, and the suicide bombers vest went off.

Brigadier Nitsch: Right in front of you?

WITNESS: Yes, sir.

Major General Votel: So, just to be clear here, the only hot wash that you attended, would have been the one out around the fire pit after you got back?

WITNESS: Yes, sir.

Major General Votel: It was pretty much run by the (b)(1), (1.4a), (b)(2) High chief, who kind of does it?

WITNESS: Yes, sir.

Major General Votel: And the length of that was what, 10 to 15 minutes?

WITNESS: About 10 to 15.

Major General Votel: Okay. And no other - is it normal or not normal for the team to have their own AAR/hot wash?

WITNESS: No, not really to have our own hot wash. Guys might talk about stuff afterwards on target; really it would be only casual conversation. The only formal hot wash would be with the (b)(1), (1.4a), (b)(2) High chief doing it with the whole (b)(1), (1.4a), (b)(2) High

Major General Votel: All right. Good. Brigadier, anything else?

Brigadier Nitsch: Can I say one thing, sir. Right at the very beginning, which you said you were taking on the operation because you were trained in hostage rescue. Were you any better or any worse trained than anybody else in the team?

WITNESS: No, sir, it would have just been experience wise. Uhm, it's not that I have had any specific training. It was simply because I was an assaulter.

Brigadier Nitsch: It really is because of your experience as an assaulter you've done a tour out here as an assaulter before?

WITNESS: Yes, sir, I've done a couple as an assaulter.

Brigadier Nitsch: So, it's really just that that I wanted. I knew you all went through the training. It was just that that I wanted to understand you were just a more experienced assaulter the team leader felt would be useful to have on this operation?

WITNESS: Yes, sir.

Brigadier Nitsch: Yep. Was the general feeling that the assaulters are experienced in your team or slightly inexperienced? What's the feeling?

WITNESS: I would say everybody is above average experienced. We had been - the only new guy we had was TM5, but even then he had done the full rotation. We had done the full work up with him and he has 14 years in the service. He has plenty of time as a assaulter so while he may have been the junior man in the team, it wasn't that he didn't have experience in the task force with assaulting and he had gone through the selection process. Everyone was qualified hostage rescue.

Brigadier Nitsch: Okay, thanks.

Major General Votel: Okay, is there anything else we need to clarify from your perspective?

US SOF SME: Just one thing, sir. When a call was coming to get back, was that a verbal call, was it over the inter team net, how is that happening and was there any other communications out there which were confusing or when you look back later it was like, you know?

WITNESS: That was just a verbal. The - I really didn't hear much over the coms; usually, unless there is a specific call made to me over the net, there's usually a fair amount of traffic. I'm running with both the command and the ~~(1) (4), (b) (2) High~~ net so during the assault, I'm focused on the assault, not necessarily - I did not hear anything over the net. The command that I heard to get back; it was more of just over hearing someone. It wasn't a call out, it wasn't over the radio. It was just, I heard someone say,

get back, so my instinctive reaction was to get cover and see what was going on.

US SOF SME:

If TM5 had kind of made a call in accordance with the SOPs, would he have called FRAGOUT in a loud voice or would he have called it over the net?

WITNESS:

Just a loud voice, usually. He could have. It's sort of shooter preference. He could call FRAGOUT if it was a deliberate, you know, for whatever reason, if the tactical situation was to throw a grenade, if there hadn't been shots fired, and if there was no immediate threat then it may get called over the radio or maybe the team leader called over the radio but SOP would, I would say it's necessary to get called out so the guys around know you are getting ready to throw a fragmentation grenade.

US SOF SME:

Thanks.

Major General Votel: (b)(1)1.4a, (b)(2)High

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

Just a couple, sir. Your mission link guys may talk to each other.

WITNESS:

Yes, sir.

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

Who -- If you were getting, say who would TM5 talk to?

WITNESS:

Other guys in Alpha. I don't know a specific guy he would talk to more than anyone else.

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

That's what I was wondering. I was wondering if he just - I know the team is pretty tight but I didn't know if he hung out with someone in particular.

WITNESS:

No. I would say Alpha as a whole hangs out with Alpha.

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

And then the only other thing I had is just on here, to clarify this for later on, I want you to mark it because this "X" represented who?

WITNESS:

That's the third EKIA.

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

Okay, if you could just put 3 EKIA. And then one of location, your location just put an "S".

WITNESS:

Are you talking about where I was kneeling or ----

Major General Votel: Okay. We've done a couple different things here. We used this to kind of outline who else was on the objective.

LT (b)(1)1.4a, (b)(2)Hgh

Right, got that, sir. And this is kind of already marked, just put an "o" there because that is the open area that you were talking about, correct?

And then where was Ms. Norgrove?

WITNESS: This right here.

LT (b)(1)1.4a, (b)(2)Hgh

So, then just put an "N" right underneath that then or right next to it. There you go. That's only so later on when we are listening to it, we're like okay, this is what he was talking about.

WITNESS: Yes, sir.

Major General Votel: Okay. Thanks. Thanks very much. We are kind of coming to the end here. I want to remind you that this is an official investigation. It is protected in the sense that this report will be part of a broader investigation report that will be provided to General Mattis, the Chain of Command, for their uses as deemed appropriate. I am giving you an order not to divulge the nature of this investigation or the questions, answers, or discussions I included in this interview with anyone except the Chaplain or your counsel, you shouldn't have one or need one at this point, or unless approved by me being an inspector general or the appointing authority, General Mattis. If anyone should approach you regarding your testimony or matters discussed here you are required to report it immediately to me or to the appointing authority. I am prohibited from providing you a copy of the testimony that will be produced from this, your version of it. However, you may submit a request in writing for the report or any part thereof to the appointing authority or the Freedom of Information Act Office. The release authority will evaluate your request under both the Freedom of Information Act and the Privacy Act and provide the releasable information to you.

We're probably going to be around here for probably a little less than another 24 hours or so. It may occur to you that something comes up that we didn't talk about that you think might be relevant I would just invite you that if that does occur please let us know

and we'll quickly reconvene and have an opportunity to talk about it.

Are there any other matters that we have not covered during the last hour or so that you believe may be important to the investigation?

WITNESS: No, sir.

Major General Votel: Do you know anyone else who can provide further information concerning any other topics that we talked about here today? I think you know we talked to a variety of people here.

WITNESS: No, sir.

Major General Votel: Okay. Do you have any questions for me?

WITNESS: No, sir.

Major General Votel: Again, I want to thank you one for your service and then specifically thank you for coming in here and talking with us today. We really appreciate it.

I'm noting right now that the time is 1420 Zulu, and this interview is concluded.

[The witness departed the room.]