

Major General Votel: We think you may have some information to help fill in a couple of gaps for us here today so that's why we've kind of invited you in here this afternoon. First of all, I've introduced you to everyone in the room. I'm Major General Joe Votel. I'm currently the Chief of Staff at US Special Operations Command down in CENTCOM, I've been appointed by General Mattis, the CENTOM Commander, to investigate the facts and circumstances surrounding the hostage rescue operation up in Konar which occurred about a week or so ago which were aimed at the rescue of Ms. Norgrove, a UK citizen.

As I mentioned we kind of called you in here because we have some questions we would like to ask and are hoping you might be able to round some stuff out for us. During the course of the interview I will ask you to furnish some information about yourself. The Privacy Act of 1974 requires that I inform you of the authority for this requirement. This statement I am placing in front of you is basically a Privacy Act Statement similar to what you have seen before. The information you provide will be included in a report and it may be including information about yourself that others may be able to see if they are authorized to look at this report.

[The witness read the statement and signed the statement.]

Major General Votel: TM 8, your testimony here today is being digitally recorded and it will be turned into a written record afterwards and it will become part of the packet that the investigative report that we send to General Mattis. I would ask you to answer each question verbally; we won't be able to pick up on nods or anything like that. All the statements are on the record as we go through this. I've got a very simple diagram here in front of you from the objective that lists the building numbers if as we talk about things you want to refer to those these are pretty common, we've established that. Please do that. In particular with you today we are going to put a couple of photos up. I think we've got a couple of pictures of you in action here and we want to use those as kind of an opportunity to talk a little bit about what you saw there.

Witness: Sounds good.

Major General Votel: Before we do continue, I want to remind you how important it is for you to give truthful testimony. It is a violation of federal law to knowingly make a false statement under oath and the statement that we are recording and we will reproduce will be a sworn statement. So, if you would stand and raise your right hand.

[The witness was sworn.]

Major General Votel: 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 a legal counsel present and I am not advising you of your Article 31 rights. You do have to answer all questions that I ask you unless those which you think might incriminate you.

Witness: Understood.

Major General Votel: Okay. I want to go ahead and let's start, US SOF SME if you could get ready to pull that picture up but just hold just a second here. TM 8, what I'm specifically interested in you first focusing on here is kind of your examination of some of the enemy killed in action and some of the vests and potential items which might have been in those vests that coming from your expert knowledge, what they were, what they looked like, kind of your impressions, your assessment of that and I'll throw up a picture in a second that will kind of do that. But, before we get into that can you briefly talk about where you were on the objective? My understanding is you are with B Team coming up from kind of the other direction?

Witness: Yes, sir.

Major General Votel: If you could just briefly let us know about that. You can refer to this (referring to the diagram of the objective) if you need to, as you need to.

Witness: I came in on (b)(2)High, so we originally (b)(2)High in. Let's say the objective is to the left there. Myself and two other guys went up the hill to the right. We had to clear a fighting position so we went and did that while the rest of B Team made their way up. After we did that we joined up with one RECCE element that was down there and worked our way up the hill to the objective site. When I got to the objective site

there were two EKIA that I could see at the time as well as Ms. Norgrove was being covered by PJs at the time.

Major General Votel: Okay. Can you, on this diagram here, can you kind of detail for us kind of your approach into this immediate objective area? I mean did you come through the 20 series or how did you physically - Ms. Norgrove and the others, we've established, are right in here between 23 and 25 so if you could describe a little bit of how you got there.

Witness: And then I'm assuming 11 and 12 were the buildings off to the east I believe?

Major General Votel: Actually a little bit off to the north and east, yeah.

Witness: Yeah, my approach was from, like I said from the bottom of the valley there, we actually caught the trail. There was a trail, most of Bravo Team didn't catch it, and we caught the trail and made our way up. I made my way right up to here.

Major General Votel: And you are indicating right in the corner of 25?

Witness: I'm sorry, in between 23 and 25 where I believe the C2 element was positioned there. When I got to that location there was an EKIA face down. Just to the left hand side of where the PJs were working with Ms. Norgrove and then there was a second EKIA on his back, face up just a little bit further to the corner of the 23 building.

Major General Votel: And what instructions or what is your roll at this particular point?

Witness: At that point, with the one EKIA face down and reports of possible suicide vests it is my job to clear the bodies prior to anyone SSEing. I actually stood, held that position and just waited for, there were four people I believe, two (14a, (b)(2)) and two others working to get Ms. Norgrove packed up and taken to the EXFIL so I just waited until they were finished. Simultaneously the clearance of buildings, I believe 11 and 12 were going on as well as SSE was being started throughout the buildings.

Major General Votel: Okay. Good. US SOF SME, if I could ask you to pull that picture up please. This picture, just for, if you could just back out so we can identify what picture it is. This picture is EKIA 3 that we are looking at here. TM 8, I think that's you, right there?

Witness: Yes, sir.

Major General Votel: And can you kind of - this appears to be, by the nature of the injuries as what we are referring to as EKIA #3 that is located between building 23 and 25 down in the vicinity of Ms. Norgrove the one closest to her. I was wondering if you could describe for us what is going on here?

Witness: Yes, sir, as I understand it, this was the EKIA that was face down. Once Ms. Norgrove was taken out of the area, what I'm removing there is his chest rack. Rather than roll him over, I just slowly slid it out and basically what my job is, is just to check to ensure it is A) not a suicide vest and B) there's no kind of unsafe ordnance, grenades, or anything like that in the pack itself.

Major General Votel: What was your assessment regarding that rack that he's wearing there?

Witness: My assessment at the time was that it was safe to come out from under him. Like I said, I slowly took it out, cleared it as I pulled it out from underneath him. I cut the straps from off his back and then I just slowly slid it out. As I slide it out I clear it as I slide it. The chest rack itself contained three AK Magazines, a pocket full of batteries and a pocket full of batteries with an ICOM radio.

Major General Votel: Understand. Do you recall what type of batteries those were?

Witness: I believe they were double A; four for the ICOM.

Major General Votel: So, no grenades on this one that you had seen. Could you tell where there had been any damage to this particular rack as a result of injuries that that gentlemen sustained?

Witness: I was actually surprised how intact that rack was. His AK47 was blown in half and as you can see from

the picture his body sustained a significant amount of damage. So, my assessment was that he caught it in the back, you know, protecting the rack from - his body shielding the rack, it was in pretty good shape.

Major General Votel: Is it your assessment that he was kind of wearing the rack properly and that it was around his neck and it was connected to his front?

Witness: Yes, sir. Due to the fact of the way I had to cut the straps off his back, it seemed to be worn in proper fashion.

Major General Votel: Any questions?

Brigadier Nitsch: Sir, could I just ask one? TM 8, in your experience, how much force is taken to break an AK47? What sort of explosion do you think could have done the damage that you were witnessing at that point? Any ideas?

Witness:

(b)(2)High

Brigadier Nitsch: So, not wishing to put anything in your mind, what you are witnessing in terms of the injuries to the body and what you saw there in terms of the breaking of the weapon would be consistent with about a (b)(2)High pound explosive charge?

Witness: Yes, sir, about (b)(2)High pound explosive charge I would say is probably a good assessment.

Brigadier Nitsch: Okay.

UK SME: Just a very quick one. How did we account for his AK being split in half when I assume he would have had it on his front or on his chest rack?

Witness: The only thing I can think of, sir, is when you are wearing your weapon, the muzzle itself was sticking out - just the barrel itself was longer than the body.

UK SME: So you think it was basically split where it protruded from his body?

Witness: Yes, sir. You can see, yeah, that's the barrel there. I'm just assuming that that possibly was the way it was slung from him.

Major General Votel: Okay. And just for the record we are looking at a picture of, what is that called:

Commander Olivier: (b)(1)1.4a (b)(2)HIGH

Major General Votel: That shows an AK and it shows another AK that is broken apart and TM 8 was just talking to us a little bit about that. Okay. Did anything remarkable - did you clear all three of the EKIAS?

Witness: I cleared this gentleman here and the one closer to the 23 building.

Major General Votel: That would have been like along the stairs there going up to the little terrace piece?

Witness: Yes, sir.

Major General Votel: Anything remarkable about that, that you would recall?

Witness: Nothing that I would recall, sir.

Major General Votel: Did you see any indications in any of the racks that you dealt with that night and that you took off of any of the enemy killed in action or that perhaps came from other any other structures there that would give you any indication that they were either rigged or equipped with grenades or something for kind of a poor man's suicide vest kind of situation?

Witness: We had one other vest that we had to get rid of on target that had, I believe it was two or three grenades and it had a spare fuse that wasn't screwed into any kind of grenade. Other than that I didn't see anything that would be like a dead man's switch or so the only thing that it would be would be normal operation of a grenade?

Major General Votel: TM 8 did you have any occasion to clear Ms. Norgrove of any potential hazards with her?

Witness: No, sir. At the time I got there, they had already had her - the (b)(2)HIGH had already examined her and had her covered up and were getting ready to bag her for EXFIL.

Major General Votel: All right. Anything else?

Brigadier Nitsch: Just one final question, TM 8. When you were removing the vest from the third EKIA, the first one you did but actually the third in the order sequence; I'm now describing the one closest to Ms. Norgrove, was there evidence of him having been shot?

Witness: If you look at the picture, that's about as much as I can recall. I didn't necessarily look for a bullet wound at that point, I kind of thought he was dead.

Brigadier Nitsch: Nothing caught your eye?

Witness: No, sir.

Brigadier Nitsch: Thank you.

Major General Votel: UK SME?

UK SME: No, sir.

Major General Votel: US SOF SME, anything for clarification there?

Commander (b)(3), (b)(6): No, sir.

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

LTC (b)(3), (b)(6): The only thing I was wondering was who was the other PJ?

Witness: I believe it was TM 10 and 13.

LTC (b)(3), (b)(6): Thank you, that is all.

Major General Votel: TM 13 would have been the (b)(2) that was with B team?

Witness: Yes, sir.

Major General Votel: All right. TM 8, thank you very much. That helped fill in some gaps there for us. I want to remind you this is an official investigation. It is protected to in the sense that the report will be made to the appointing authority, General Mattis, and he will take action as he deems appropriate as a result of this. I am ordering you not to divulge the nature of this investigation or the questions, answers, or discussions included in this interview this afternoon with anyone except the Chaplain or your counsel unless it is approved by me an Inspector General, or the appointing authority, General Mattis. If anyone

should approach you regarding your testimony or the matters discussed here, you are required to report it to me immediately or General Mattis, I'm probably more available to you here. I am as the investigating officer, prohibited from giving you a direct copy of your testimony here today. You may submit a request in writing for the report or any part thereof to the appointing authority or the Freedom of Information Act. They will evaluate your request and then provide the releasable information to you.

We are going to be around probably for another day here. If something more comes to mind in wake of this discussion here that you think might be relevant to us, I would invite you to please let us know and we'll reconvene and discuss it, if something more comes up.

Witness: Yes, sir.

Major General Votel: Are there any other matters that we haven't covered? We have been pretty specific with you here today in terms of what information that we were seeking. Are there any other matters that we haven't covered with you that you believe may be important to our investigation?

Witness: Not that I can think of, sir.

Major General Votel: Do you know of anyone else who could provide any further information regarding any of the issues we talked about?

Witness: No, sir.

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

Witness: No, sir.

Major General Votel: All right. I'm noting the time is (b)(1)1.4a (b)(2)HIGH and this interview is concluded.

[The interview ended at (b)(1)1.4a (b)(2)HIGH, (b)(1)1.4a (b)(2)HIGH.]