

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

Major General Votel: Good morning. I have Brigadier Nitsch, a UK SME, LTC (b)(3), (b)(6) and a US SOF SME with me.

TCDR, I just want to remind you are - what I'm going to do is ask you a few additional questions on a specific topic here. I do want to remind you that you're under oath here and just as we did last week. We are recording this and it will become part of the transcript. Are you acknowledging all that?

WIT: Yes, sir, I understand all.

Major General Votel: I'll start off with the questions here and kind of open it up. We got some information yesterday afternoon and it regarded TM5. In particular, what we became aware of was that on Objective 1.4(a), (b)(2)High 1.4(a), (b)(2)High I don't know the exact day, but it was at least in between 1.4(a), (b)(2)High and 1.4(a), (b)(2)High there were two other operations that the 1.4(a), (b)(2)High conducted. But on 1.4(a), (b)(2)High we received information that TM5 threw a grenade (b)(2)High without identifying the other side and then threw a 1.4(a), (b)(2)High grenade into a small structure that didn't require that, at least assessed by the force or the unit did not require that level of force. He had not identified who was in the structure which ultimately collapsed and he was verbally counseled on those actions.

I wonder if you were aware of all that and if you could talk a little bit with us about your impressions and what occurred there.

WIT: Yes, sir. I didn't have any first-hand knowledge of that. The C2 on 1.4(a), (b)(2)High position was up on the ridge line above the target. I only came in as we went into SSE mode. I wasn't present for either of the grenades that were thrown. I just received a debrief from my 1.4(a), (b)(2)High chief which he received through his team leader, TM1, and just saying that there was some questionable use of grenades and then that he was counseled. I have about the same knowledge you do as far as the exact employment to what went on but I wasn't there right there on target with those guys.

Major General Votel: You just said you didn't observe it and most of your information about this came in kind of the post-operation debrief phase?

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WIT: Yes, sir. Just my (a), (b)(2) High Chief just a quick conversation where or I believe when we were de-jocking in the ready room just, hey, TM5 had some questionable employment of grenades, you know, but just talked to him off line and set it straight and gave him a quick counseling. That was about the extent of it.

Major General Votel: Okay. Were you at the hotwash or any of the operation debriefs that evening?

WIT: I didn't - that evening, if I remember correctly, sir, I believe I did the - generally if anything on target is significant occurred, I would just give a quick dump with my (a), (b)(2) High Chief in our ready room and let him run the hotwashes and then I would just basically report straight to the TF Commander just to kind of get the - because I knew we were going to have to - any evening when more than a couple of EKIA involved, we generally had to produce special story boards so I was sort of expediting my post-mission procedures and getting straight over to TF (a), (b)(2) High no, I was not present for the hotwash that evening.

Major General Votel: Okay. Good. Did the fact that TM5 had had this experience, did it influence you or any other members in the chain of command, did that come up as you were preparing for a potential hostage rescue on Objective (a), (b)(2) High?

WIT: I knew he had been counseled. I honestly, sir, from the (a), (b)(2) High commander level we're not down in the weeds very much with the task stuff because the guys are comfortable with their guys and then we trust them and we go with what they provide for us. So, no, I didn't personally weigh in on that.

Major General Votel: Okay. Thank you. And when we spoke the other evening, you didn't consider this to be a factor that we might want to consider in the investigation? Did it just not register to that level or any thoughts on that?

WIT: No, sir. I mean I was trying to - from the get go, I've been trying to be as forthright as possible and we didn't go down - in our interview before, we really didn't go down any roads of historic. If we had touched on it, I absolutely would have brought it

up but I wasn't - nothing was intentionally left off. It was just not something that we hit.

Major General Votel: Is there anything else that you recall about TM5's performance in the time that he's been in the (a), (b)(2) High or in A team that would give you any pause about his performance or how you might expect that would act on an objective? Did you have any concerns about him at any other time during the deployment or during your train-up period?

WIT: I didn't see - like I said, sir, the team leader really handled the guys like at the tactical level. I really did not batting in the weeds on that stuff so I really didn't see anything that was a direct flag for me. I knew he was a new guy who wasn't the number one guy and maybe was being watched by his guys closely but nothing to the point where anybody could have foreseen any sort of red flag that was, you know, obviously which we wish we had, but nothing to the level that anybody had concerns of pulling him off of operations.

Major General Votel: Okay. Thanks. I'd like to just turn it over to the Brigadier here to see if he has any particular questions.

Brigadier Nitsch: Good morning.

WIT: Yes, sir.

Brigadier Nitsch: Can I just ask you a couple of questions? They are all pretty straight forward. How often do sort of issues of conduct, how often does the (a), (b)(2) High Chief bring them to your attention?

[The phone call was disconnected.]

[The phone interview continued.]

Major General Votel: Hey, are you there?

WIT: I am, sir. I think I got cut off. I believe the question was if there's issues around combat and how often are they brought to my attention; is that correct?

Brigadier Nitsch: That's bang on, so really the questions I'm asking is clearly the (a), (b)(2) High Chief came to you and mentioned the

grenade incident. How often does the (a), (b)(2) High Chief mention instances to you?

WIT: I wouldn't know a specific number off the top of my head. I'd have to go back through every op but if it's something that he's going to counsel somebody in regards to, he'd just kind of let me know he's going to counsel them. There's nothing - I don't have a solid number. I'd have to go through ops but I really don't think there's anything else to be honest with you.

Brigadier Nitsch: It's certainly not the number, it was just is it a regular occurrence or is it something that is exceptional?

WIT: No. If he had concerns with the guy, he's going to let me know, hey, I'm going to counsel him and I'm going to talk to him about this or -

Brigadier Nitsch: And that is reasonable regular or very rare?

WIT: Pretty rare, sir, pretty rare.

Brigadier Nitsch: Okay. Thank you. You mentioned that TM5 was the new guy, perhaps not number one, being watched closely; was he being watched closely more than anybody else of his length of service with Task Force in your experience?

WIT: Maybe a hair, you know, I think it - maybe the way he carried himself or something, just - nothing tactically or anything just the way he interacted and just maybe a hair but nothing significantly and nothing more than usual on the tactical level.

Brigadier Nitsch: Great. Thanks, that's really clear. Was your impression that he probably was perhaps sitting out, he was still trying to find his way in the team so perhaps he was sitting slightly outside the group that sits at the center of Team Alpha?

WIT: To be honest with you, sir, I really don't know the dynamics of the inner team function that well, who gets along with who. He seemed to get along with the guys just fine from my vantage point.

Brigadier Nitsch: That's great. Just the last question I've got for you and I think it's a quote that you used, the

questionable use of grenades. During this tour or and also perhaps during training, the two questions I've got is during this tour, could you recall any other examples of the questionable use of grenades; and during training, did the questionable use of grenades come up as an issue at all?

WIT: During training, I never saw any and I'd never had any concerns during this deployment cycle other than the other that were brought to my attention. Again, I'd have to go through and actually and find out exactly what was thrown on every single target but nothing has been brought to my attention so I assume there's been no issues at the same level.

Brigadier Nitsch: That's great. So no issues during training or during the ops, less the incident on ~~1.4(a), (b)(2)High~~ and obviously the one on ~~1.4(a), (b)(2)High~~?

WIT: Yes, sir, that is correct.

Brigadier Nitsch: That's great. Thanks a lot, good to speak to you.

Major General Votel: Okay, please.

UK SME: Yeah, TCDR, hi, it's the UK SME. Sorry to have missed you over the weekend as the General said I was delayed in transit. But, may I start by saying how full of admiration I am for the bravery and tenacity of your guys on target and the professionalism and integrity of all the guys that we interviewed when I finally got here on Monday. I appreciate that this is very difficult times for you.

Just a couple of questions. First of all, apart from the counseling given to TM5, were there any other supervisory measures that you put into place to ensure that questionable use of the grenade was not repeated subsequently?

WIT: No, sir, I did not put anything in place personally. Most of the tactical level stuff is handled at the team level.

UK SME: Okay but as far as you are aware, did any one like the team leader or the ~~1.4(a), (b)(2)High~~ chief put into place any supervisory measures?

WIT: Sir, it would be a little bit of speculation on my behalf but I'm fairly confident that if ~~(a), (b)(2)High~~ chief had to speak to one of the junior guys then that guy got a firm talking to from his team leader who I'm sure said, hey, I'm going to be watching your actions. So, you know, based on how we do business, I don't have firsthand knowledge that that's exactly how it went down but I'm more or less him getting talked to by ~~the (a), (b)(2)High~~ chief, he knows his team leader is watching him.

UK SME: Yea, okay. That makes sense and that chimes with the way something like this might have been dealt with, you know, within the UK so that makes sense to me. The other question is going back to the interview, which I was not present at, and I just want to understand whether or not you record the incident on ~~1.4(a), (b)(2)High~~ and the subsequent counseling but didn't deem it relevant to the line of questioning or whether you didn't recall it because it just hadn't been a significant enough event in your mind to be at the forefront of your consciousness when you were going through what we all understand is quite a difficult interview process?

WIT: Yes, sir, that is pretty much it. It just wasn't in the forefront of my mind. If we had gone down that road it would have come up and it just wasn't something that I intentionally left out or sought to bring up. It just didn't seem overwhelming at all with what was going on at the time.

UK SME: That's great. I don't have any more questions. Thank you.

Major General Votel: Okay, thanks.

US SOF SME: Hey, good morning. I have a little bit of a separate topic just to clarify on the original interview that we did and definitely appreciate the tough situation you are in trying to go through that and talk through that. You did make a comment that, you know, we've got to evaluate here and it was near the end of the discussion and the comment went something to the point of, "you know, I might not be surprised if TM5, you know, threw the grenade to cover up the fact that he shot Ms. Norgrove." So far it has not been our assessment that that has happened, and with a couple

of days of hindsight, can you elaborate on that statement or give any clarity as to why you said that or any indications from the objective or afterwards that would support that conclusion?

WIT: No, I think that was just - maybe I'm just in ah in what happened and I just felt, you know, a 10 meter shot with someone not shooting back at you, I would have felt that there was almost no way possible that he wouldn't have been able to see his targets clearly and then after having seen his targets I just added up in my head that that could have happened in that sequence. I don't know. I really don't know. I mean the march and the pause between the shots being taken, how long it took to get a grenade out, how deliberate it was thrown, why was it thrown, why would you throw a grenade in that situation. You are throwing a grenade within 10 meters of where you are at, personally, to what end? There was no fire coming from that direction. There was no further movement seen from that direction so it gave me a lot of room to question and maybe I said that out of frustration but I don't believe it's beyond the scope of possibility at all.

UK SME: Sorry, can I just jump in there with a supplementary?

WIT: Yes, sir.

UK SME: So, in your view, you think that the throwing of the grenade was deliberate and done over a sort of longer period rather than being a sort of immediate response?

WIT: Well, any grenade thrown, sir, I feel would be deliberate and you would have to go through the process of getting it out and throwing the pin and getting it out of your hand just in time for deliberation as that process is going on, obviously. As far as a reflex, no, I don't think any of us have that reflex built into us at that level. The time, I've only watched the film just a few times when I was in the interview I watched it. I don't know the exact amount of time between the shots fired and the actual grenade going out. It just seemed like enough time with no one shooting at you that a decision could be made. So, I think there was a conscious decision made to throw the grenade obviously.

US SOF SME: Hey, do you have any indications that TM5 shot Ms. Norgrove or are you just coming to that conclusion because you saw him shoot and you've seen, you know, actions on the video that make it plausible that she may have been shot. Are there any indications outside that that Alpha 5 shot Ms. Norgrove or saw Ms. Norgrove?

WIT: No, no, there's not. I'm sorry if I - that's my perception having watched the video. I haven't talked to TM5.

US SOF SME: Okay. Thank you.

Major General Votel: Okay. TCDR?

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

Major General Votel: Anybody else? Okay, General Votel again, I think we've concluded anything that we have here. I can't think of any other questions that immediately come to mind. I want to thank you for taking some time here this morning to talk with us. I think you probably appreciate because you are obviously a very mature and experienced leader here that our obligation as kind of the investigating panel here is to make sure we run down all information gaps and make sure we can understand and rationalize what happens. That is kind of the phase that we are in here right now. That's kind of the reason of our line of questioning here this morning. I appreciate you indulging us.

Let me ask just one final question. That is, really in retrospect from our discussion on Saturday evening and then reflecting on this, is there anything else that you might be aware of that we might need to consider or be aware of or that you think we ought to be tracking on that we might not at this point?

WIT: Uhm, no, there is nothing earth shattering, sir. I think it's been pretty thorough. As far as the background stuff, I think it has been hit now and, no, there's nothing. I mentioned in our interview which is just a whole other can of worms that I think it is a systemic problem that goes way back to how we are vetting and things like that but that's just another huge that doesn't really pertain to this investigation. So, no, I think we've hit what needs to be hit, sir.

Major General Votel: Okay. I do recall your discussion about the selection of candidates into the organization, I believe it is in the testimony from the other day, so I do have that. I noted there that there wasn't anything earth shattering. Is there anything at a degree less than earth shattering; I'm obliged to ask these questions, but is there anything at a degree less than earth shattering we might want to know?

WIT: No, I don't think so, sir.

Major General Votel: Okay. Anything else from the team here?

Brigadier Nitsch: No, I don't think so.

Major General Votel: Thanks again. I would just remind you of the warning that I passed you the other day. Please don't discuss this with anybody else with the exception of the Chaplain or the lawyer that is appropriate unless you and I have talked and I have given you permission. Once again, thanks for your candidness and thanks for your time, TCDR, and we wish you the very best of luck here.

WIT: Yes, sir. Thank you for your time and no problem. Would you like me to have the (b)(2) High call at 1130?

Major General Votel: That would be good. About 10 minutes from now.

WIT: Yes, sir, thanks again for your time.

Major General Votel: Thanks.