

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION Jackson Barracks	2. DATE (YYYYMMDD) 20150325	3. TIME 1330	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-5	
8. ORGANIZATION OR ADDRESS 1-244th			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
Q: Were briefs or classes given on overwater and T-duck/helocasting procedures prior to beginning the training week?
A: Before I left, No classes. The first classes we got were on Sunday on the pad. They entailed rigging the procedures and working through details of how the aircraft is configured. The arrangements the Marines have are than we have. They were out there figuring it out and we were out with the MARSOC.
Q: Did you go through how the flight was going to go?
A: We did not go over calls. We went over basic crew coordination. The castmaster said he would let us know when to perform maneuver and he would let us know when the boat was disconnected.
Q: Did you do an Air Mission Brief before each day's flight operations?
A: Not an official one but we would discuss what we were doing and timelines. The PC would brief the crew. Griffin briefed the MARSOC guys.
Q: What did this brief include?
A: What we were doing, where we were going. Turns and limitations. Then we will come back and shut down and the other aircraft would do their turns.
Q: Was a contingency plan discussed prior to each flight for bad weather?
A: No just the day we had bad weather, on the tenth.
Q: Was a primary divert or alternate field specified?
A: Yes. They listed 5 airports within 1 hour of our location.
Q: Primary?
A: Primary, cant remember the primary. Any will work depending on where you are at and what you feel.
Q: On the day of the accident tell me about the Air Mission Brief prior to departure from A15: was the checklist used to include weather, air crew coordination, IIMC, Mission parameters covered?
A: No checklist. They talked about weather. The minimum weather, no minimum. The mission parameters. We talked about roll ducks. Same thing we had done the previous night prior.
Q: Where you present for a weather discussion that took place in front of G-Waynes aircraft prior to departing for night mission on 10 March 2015?
A: I remember being in front of our aircraft and talking about weather with [REDACTED] Mr. Griffin a [REDACTED] Maybe other people. We discussed if you go inadvertent, where to go, the airports. I heard the ceiling was at 200.
Q: Do you think that was accurate?
A: It was low but I didn't think anything of it. I figured it was enough.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
-------------	---	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

9. STATEMENT (Continued)

Q: Do you know what the minimum weather requirements were for the mission prior to takeoff?

A: No.

Q: Could you see the "space needle" tower to the East of A15 prior to take off? Could you see it unaided?

A: While we briefing we could see it. Once we started the rotors we could not see it anymore.

Q: Lights?

A: I did. I could see the lights on the tower but I could not see silhouette before the rotors on goggles. Rotors started and I could not see the lights.

Q: Once you took off and began to climb out what altitude do you think you would have to maintain in order to not go inadvertent IMC or into the clouds or fog?

A: 70 feet. At wires I asked them to come up to get further away from the wires. Somewhere around 100 feet and still at visibility and not in the clouds. Not sure how much farther to come up before hitting clouds.

Q: If you were uncomfortable with the weather or thought it was below what was briefed would you have told any of the other crewmembers you were uncomfortable?

A: Once we crossed the wires I became very uncomfortable. We lost the first aircraft for a minute.

Q: How far from Chalk 1 were you?

A: We weren't in "formation". 8-10 discs. I mostly was looking at the ground

Q: If you were uncomfortable do you feel a reservation to tell pilot?

A: I would say something if I ever felt uncomfortable. I process information differently. I feel I should have said something, but I didn't really process it into a thought at the time. I was concentrating on airspace surveillance.

Q: Do you think you should have aborted the mission earlier than you did? Why?

A: Of course.

Q: When you arrived on Sunday and you went to A15 what did you do that day with MARSOC?

A: We went to conference room. The pilots went in before the crew chiefs. Later the crew chiefs went in and they were discussing timeline and the different things to do and requirements for the whole week.

The 8th was dry rigging and putting in all the equipment. Training with the SPIES rigging into aircraft. We did not have the rings for the ceiling. We loaded a boat into the aircraft. We discussed how to put it in and not mess up the aircraft.

On the 9th we did SPIES and practice flying with the SPIES. Mr. Wayne did two turns with them on the ground and we did two iteration with spies on the ground. We went to the tower turned around and came back. Wet version during the day- they were in the water and picked them up. We had the rings and worked on roll ducks, day and night.

On the 10th we did caving ladders.

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED] (statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25 day of March, 2015 at Jackson Barracks

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

1. LOCATION Jackson Barracks LA	2. DATE 20 March 15	3. TIME 1355	4. FILE NO.
5. NAME (Last)	8. ORGANIZATION OR ADDRESS A 1/244 Hammond, LA		
6. SSN	7. STATUS ES/ANG		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army, [redacted] and wanted to question me about the following offense(s) of which I am suspected/accused: Violation of Army Regulation regarding use of alcohol before flight
Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

1. I do not have to answer any question or say anything [redacted]
2. Anything I say or do can be used as evidence against me in a criminal trial [redacted]
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both. [redacted]

- or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print)		X [redacted]
b. ORGANIZATION OR ADDRESS AND PHONE		[redacted]
2a. NAME (Type or Print)		5. FULL NAME OF INVESTIGATOR
		[redacted]
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR
		[redacted]

Section C. Non-waiver

1. I do not want to give up my rights
 I want a lawyer I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

Night portion of training was set to begin. Had lower visibility than expected. Briefed that if inadvertent IWC chalk 1 climbs to 3500, chalk 2 climbs to 4500. Then ~~at~~ a multiple airports were listed to recover to.

Time for engine crank had visibility of 2.5 miles under goggles. A landmark of a large tower gave active visibility range. cranked engines went into mission profile and tower was NOT VISIBLE. However, we were able to see the bay from our current position. Started route to LZ, once other aircraft crossed into bay we crossed over the road. Visibility lowered, chalk 1 called that they were aborting and initiating climb as briefed. We immediately terminated mission. Multiple crewmembers maintained visibility of the ground and able to maneuver the ACFT back to THE LANDING PAD.

SHUT DOWN aircraft, then proceeded to discuss means of contacting Chalk 1. Sent text message to have them respond with destination. After no response we tried calling out on aircraft radio, was unsuccessful so we called GUARD to call out. Proceeded to call each airport to see if they heard of Mojo 69 (chalk 1) after no airports reporting hearing from them we spread even further out to outlying airports. After 1 hour of trying to reach them it was then determined that a SAR was required. From that point forward I really had no part of ~~the~~ the process.