

1 [REDACTED] U. S. Army, was called as a witness on 17 Nov 04, was  
2 sworn and testified as follow:

3 Questions by IO, [REDACTED]

4 Q. [REDACTED] what type of vehicle were you in on this operation?

5 A. I was in a regular GMV, sir, fifty-caliber on top of it, sir.

6 Q. If you would, what I'd like you to do here is tell me, by writing at the top, what serial  
7 you were in, Serial One or Serial Two, and what order of the movement you were in, were you  
8 vehicle 1, 2 or 3 in Serial One.

9 A. Yes, sir. [The witness did as directed.]

10 Q. Then what I would like you to do is, in the diagram of this vehicle, show me where  
11 you were seated in this vehicle by just placing your name in there and any other members who were  
12 in that vehicle with you?

13 A. Roger, sir. [The witness did as directed.] That's all I remember, sir.

14 Q. Okay, if you would print your name on there, then, at the bottom, with a signature and  
15 the date. It's the 17th of November.

16 A. [The witness did as directed.]

17 Q. I've got two diagrams here. One is a larger diagram of the area that you were  
18 operating in, and this one is a close-up of the ambush area itself.

19 A. Roger that, sir.

20 Q. What I'd like you to do with this one right here, the larger diagram, is show me  
21 where, if you can recall, where you started from with your vehicles and where you moved to and

1 stopped with your vehicles. And start by putting a square--use this pen right there. Show a square  
2 where you stopped--started and a square where you stopped.

3 A. [The witness did as directed.]

4 Q. If you would, trace the route from where you started to where you stopped.

5 A. [The witness did as directed.]

6 Q. Don't really have to do anything, beside that line.

7 A. [The witness did as directed.]

8 Q. All right.

9 A. Name and signature, sir?

10 Q. Oh, yeah, put your name down there at the bottom.

11 A. [The witness did as directed.]

12 Q. Now, on the 22nd, when this incident occurred, when you stopped at that location  
13 right there, this being a larger depiction of the area, which is right over here where you stopped, can  
14 you tell me what happened on that day?

15 A. We stopped because we heard some fire, some heavy fire or just explosions in  
16 general, and I didn't quite know if it was enemy at that time, and [REDACTED] yelled out that  
17 we're taking contact. I dismounted the GMV along with [REDACTED] and [REDACTED]. They  
18 went off to set a blocking position for the vehicle. I looked around kind of confused at what to do  
19 until I saw Corporal Tillman moving out towards the village, and he called for me to follow him. I  
20 ran out behind him, linked up with him and we started moving up the hill into the village. As soon  
21 as we hit the village, we pretty much stayed on the outskirts of the village, on the outer building.

1 Waited there for second until we hooked up with another team from [REDACTED] Once  
2 we did that, we maneuvered from the village, around the road--above the road, this way, moved up  
3 into this little saddle--not saddle, ridge. Not a ridge, whatever that's called.

4 Q. Spur?

5 A. Thank you, sir. So onto that spur, where we started shooting. At that time, Pat had  
6 said, you know, we're--enemy fired up on top of the ridgeline and he opened fire first and I saw  
7 where his tracer rounds were headed, so I started opening fire in the same general direction. That's  
8 where the enemy were. I continued firing until he--he picked up and left to go maneuver over to  
9 [REDACTED] squad with [REDACTED] to figure out what he wanted us to do. I continued  
10 firing until he came back, and when he came back, he told us--he told myself what we were going to  
11 do and I guess we intended for the AMF person to follow along with us, seeing as how he was with  
12 us anyways, pretty much the entire movement, and that's pretty much--at that time, we started taking  
13 contact from there on, then, sir.

14 Q. From where you were in that vehicle, I want you to take the pen and just trace your  
15 movements. Start with the square of your vehicle.

16 A. [The witness did as directed.] We dismounted. Then we stopped right up inside the--  
17 --

18 Q. Put an "X" up there, and note "S-1," that's your first stop, right?

19 A. [The witness did as directed.]

20 Q. Okay, at that time, then what happened?

1 A. We pretty much stayed there until he went and talked to [REDACTED] and came  
2 back and that's where we stopped, sir. That was it.

3 Q. So that's where you stayed?

4 A. Yes, sir.

5 Q. Now, you say that he directed fire. Where was he firing at?

6 A. He was shooting right up on top here, sir.

7 Q. Could you see the enemy locations?

8 A. I could see the top of the ridgeline, sir, and I saw muzzle flashes and I just saw where  
9 he was shooting, sir, so that's what I assumed-- --

10 Q. If you'd take that blue pen, right there, and draw an "X" where you saw the muzzle  
11 flashes and where you were engaging?

12 A. Right up on top of there, sir. [The witness did as directed.]

13 Q. Was the enemy firing at you from any other location that you know of?

14 A. Not that I spotted, sir.

15 Q. All right, so he went up and saw [REDACTED] and you stayed in position; is that correct?

16 A. Roger that, sir.

17 Q. And then he returned to your location?

18 A. Roger that, sir.

19 Q. You said the AMF was with you?

20 A. Roger that, sir.

1 Q. Can you kind of show me on there where the AMF was positioned, where you were  
2 positioned, and where Tillman was positioned?

3 A. Say I'm the first "X," sir. Pat would be right on top of me and the AMF was right  
4 beside me, sir.

5 Q. Right beside you or on the other side of Pat?

6 A. Right beside me. It was like, it would be Pat and me, then the AMF, sir. If we were  
7 heading generally forward, sir.

8 Q. Okay, Pat, you and the AMF?

9 A. Pretty much, sir.

10 Q. Now, what happened next?

11 A. We--I, myself, taken cover by the rock. Pat--pretty much in front of the rock, Pat  
12 taking cover to the side and the AMF just pretty much standing out in the open, shooting up at the  
13 ridgeline when Pat came back, and then not too long after he came, kind of told me the plan. It was  
14 like, he said, "Here's what we're going to do," and then we took a couple pop shots from a GMV  
15 that was heading towards us. Nothing serious, sir. Maybe a couple bursts of an M-4. Kind of got  
16 down a little bit and tried, you know, to assess the situation, what was going on, because I was  
17 actually positive we were being shot at, at that time.

18 Q. You say "actually positive being shot at, at that time," who were you being shot at by?

19 A. I don't know who was in the GMV, sir, just somebody that was--we could tell was  
20 friendly, sir.

21 Q. Can you draw on that line right there where that GMV was when it first fired at you?

1 A. Just put and "X"?

2 Q. Just put a square there. Put "GMV."

3 A. [The witness did as directed.]

4 Q. Okay, so it fired at your location?

5 A. Roger that, sir.

6 Q. With what weapons?

7 A. M-4, sir.

8 Q. And when was the AMF soldier hit?

9 A. He wasn't hit until the second encounter of friendly fire, sir.

10 Q. Okay, so they fired once?

11 A. Yeah, they--they were just--like a regular GMV, just a couple pop shots, they stopped,  
12 moved on, and then another GMV came along our way, and that's the real opening up came, sir. It  
13 was like pop shot, you know, from the road, and then it was just fifty-cal and 240, sir.

14 Q. From the same one?

15 A. From a different one, sir.

16 Q. From a different one?

17 A. Roger that, sir. Because my belief was that that first GMV that shot at us was like a  
18 cargo GMV, sir. It wasn't--I didn't, at that time, see any heavy--heavy weaponry on that, sir. It was  
19 pretty much--you know, there was nothing on it. And then the next one that came on us had a  
20 mounted fifty-cal and 240 and they were the ones that opened up on us, sir.

21 Q. Where was that second vehicle located?

1 A. They were--they were obviously behind the cargo one. They came and they pretty  
2 much stopped in the exact same spot, sir. I mean, not too far forward of that spot, and that one had a  
3 better angle on us, sir.

4 Q. Okay, so they didn't roll past you, they-- --

5 A. They stopped and fired for a good forty-five seconds to a minute. It felt like forever,  
6 so maybe it could have been like a minute, minute and thirty seconds, but it felt like a couple hours,  
7 sir, you know what I mean, sir?

8 Q. Okay, so kind of draw--show the line around the vehicle or wherever it stopped.

9 A. [The witness did as directed.] Put GMV-2, sir? It was pretty much in the same  
10 general area. I could more visually tell that they had a better angle on it, sir.

11 Q. Now, the first vehicle that fired at you, once they fired at you and you recognized it  
12 was a friendly GMV, did anybody attempt to--to signal the GMV to cease-fire?

13 A. We kind of got--Pat and myself did. We did a lot of waving up top, like hey, we're  
14 friendly, because it wasn't--it wasn't real serious. Like, they weren't really seriously shooting at us  
15 to where we thought we really, really had to get down. And I figured, you know, it was just a  
16 mistake anyway, like they shot a couple times and they were like, oh, they're friendly up there, so  
17 stop shooting. But we pretty much waved and yelled friendly, cease-fire, cease-fire a couple times.  
18 And they stopped pretty instantaneously. So we figured we were fine, we figured it was--you know,  
19 they realized we were friendly, so they just carried on, sir.

20 Q. And that vehicle stayed there?

21 A. They carried on. They moved on, sir.

1 Q. So they moved on?

2 A. Roger that, sir.

3 Q. They passed you?

4 A. Um-hmm. Roger that, sir.

5 Q. And then the second vehicle?

6 A. The second vehicle came, stopped, open fire on us for the duration of time that they

7 did, and then they carried on after, I guess, they figured we were all dead. At that time, we weren't

8 moving. When they initially opened up on us, you know, we were waving back and forth, back and

9 forth, and then when they really hit us with the fifty-cal and 240, it was pretty much screw it, got

10 down. I figured I was going to die. I just wanted to curl up and not move, sir.

11 Q. The second vehicle that came up, you said that it had pulled around?

12 A. It pretty much--it had come up, and it had come up, stopped and like moved forward

13 into like a better position.

14 Q. But you said the first vehicle went on?

15 A. Yeah, the first vehicle was completely gone, the second vehicle just came up and

16 stopped in the same position it was at, sir.

17 Q. Now, the first time you signaled?

18 A. Yeah, we had signaled-- --

19 Q. Stood up and you signaled.

20 A. Roger that, sir.

21 Q. Did anyone throw a smoke out?



1           A.     That was in the second GMV, sir. Pat was behind some pretty good cover, to where  
2 he wasn't really too much in danger, and I was completely open for getting shot. I was watching  
3 them as they were shooting at me, and I was watching the rounds when they were--and Pat could  
4 look around--and I was noticing that most of their fire seemed to be directed towards me. The AMF  
5 guy, he was dead at the time. He was lying down. I could see him lying down and I realized that  
6 they were predominately shooting at me and I guess he did, too. And he moved out from behind his  
7 cover to throw some smoke or whatever he did, because I initially thought it was a pin gun flare that  
8 he was going to set off. All I remember him was telling me, hey, don't worry, I've got something  
9 that can help us. And he popped a smoke, I guess, and that's when he got shot--one of the few times  
10 he got shot, sir.

11           Q.     Were either of you saying cease-fire?

12           A.     We were yelling as loud as we could, sir. Loud as we could.

13           Q.     And how far away was that second vehicle from you when they engaged you?

14           A.     My whole distance, you know, my idea of what the distance was, wasn't so great. So  
15 initially, I thought it was like really far, but, you know, it was probably no more than thirty meters.  
16 Thirty, thirty-five meters, sir. Real close to me, and it surprises me to this day that I just didn't get  
17 torn to pieces, sir.

18           Q.     Could you see faces in the vehicle?

19           A.     I could just see persons, sir. It was kind of like--there was enough light to where your  
20 NODs are useless, but there wasn't enough light to recognize faces, but I could tell that they were my

1 buddies, you know, I could tell that they were friendlies, guys that I worked with and I just--I mean, I  
2 didn't know who was who. I just knew that they were my friends.

3 Q. When did they stop shooting at you?

4 A. Not too long after Pat threw the smoke, because I just remember him throwing the  
5 smoke and then he started having a cry in his call, you know, and he started screaming, "My name is  
6 Pat Tillman," and he said that probably five to ten times and then he went silent completely, and then  
7 maybe five seconds after that--I mean, not too much longer, maybe fifteen seconds, sir, after he  
8 threw the smoke.

9 Q. Were they still firing while he said that?

10 A. Roger that, sir.

11 Q. What uniform was the AMF soldier wearing?

12 A. Some type of BDUs, whatever they were, sir.

13 Q. Their color?

14 A. Roger that, sir.

15 Q. I mean, what color were they?

16 A. Oh, just desert, sir.

17 Q. A desert type of BDU?

18 A. Roger that, sir.

19 Q. Had you ever worked with the AMF before?

20 A. Not really like worked with him. Like, I was surprised to see that they were going to  
21 be rolling out in our GAC, but I'd worked with him like when we would set up like a little AEO for

1 our platoon, you know, that we were just sitting in and the Afghan militia they were there a lot, back  
2 and forth, because it was pretty much on a BCP. So we were pretty much in their area, so I was used  
3 to seeing them every day, back and forth, running around. We would, you know, have competitions  
4 back and forth, talk with 'em back and forth. But I mean, I'd never gone on a mission with them  
5 before, sir.

6 Q. Who was the first person to arrive at your location after the firing stopped?

7 A. I think it was [REDACTED] sir. I mean, I just called [REDACTED]  
8 [REDACTED] a whole bunch of times and a couple guys from his squad came up and he was the first voice I  
9 recognized, that I was able to understand, because I was really just losing it at that time.

10 Q. How long did you stay there after that?

11 A. After they'd come to the scene, or after the firing had stopped, sir?

12 Q. After the firing had stopped.

13 A. I probably laid down for a minute, you know, just trying to decide what had just  
14 happened. And after about then, I started to notice I was hearing some kind of running water sound  
15 and then I noticed I was just covered in blood and the blood was just running all over me and at that  
16 time, I knew something was wrong. Probably not even a minute, a minute and a half before I started  
17 calling. I looked at Pat and realized he was dead and I called for [REDACTED] and it probably  
18 took a minute and a half, two minutes before they got to my position, sir.

19 Q. When was the first time you told someone that you were fired upon by that vehicle?

20 A. I remember I tried to tell [REDACTED] right when he came up to the position. I  
21 mean, it isn't even something [REDACTED] would probably remember, because he asked what happened and

1 I--I tried to say that we'd taken fire from a friendly, but [REDACTED] told me not to--you know,  
2 that we had--I think it was [REDACTED] but we would figure out--we would figure out this entire  
3 situation later, but right now the important to do was to set up a defensive perimeter and just try and  
4 take care of the casualties. And that night, I know I talked to [REDACTED] and I told him,  
5 because--at that--I mean, I didn't tell anybody else up until then, because [REDACTED] the only  
6 people I can remember talking to me, was him telling me not to say anything about it until, you  
7 know, it was an appropriate time to talk about it. I just remember [REDACTED] being the  
8 only appropriate guy to tell.

9 Q. And you told him that night?

10 A. Roger that, sir.

11 Q. What, exactly, did you say to him?

12 A. I told him that--I said--probably--I don't--I had--oh, my God, I can't believe Pat's  
13 dead and I was crying a lot, and Pat was everything to me. And I--he asked me, like, what had  
14 happened and I said Pat had saved my life. And he asked me how, and I said, I'm not allowed to tell  
15 you, [REDACTED] and the I realized that, you know, he was my [REDACTED] So, I told him what  
16 happened and all I remember him saying was, "Oh, my God, are you positive? Are you positive?"  
17 And I said, yeah, roger that, [REDACTED] I'm absolutely positive it was friendly fire.

18 Q. When you told this to [REDACTED] the first time, recount to me exactly what you  
19 told [REDACTED]

20 A. The first time I talked to [REDACTED] about it being friendly fire?

21 Q. Right.

1 A. I don't even remember what I did, sir.

2 Q. Sure.

3 A. I mean, right after I told [REDACTED] I told [REDACTED] And I pretty  
4 zoned out the rest of the night. Like, I just--I couldn't think, feel or do anything. I was just--I felt  
5 like I was dead the entire time. I didn't even understand if I was alive or not, you know, I thought  
6 everything was just--I was just playing a joke on myself. I just wandered around a lot, thinking I was  
7 dead, sir. So a lot of that night, I just blanked out of my memory, sir.

8 Q. But you had said earlier that you had mentioned this to [REDACTED] and that [REDACTED] said  
9 don't say anything about this.

10 A. Okay, I understand, sir. I didn't really say anything to [REDACTED] I was talking  
11 to [REDACTED] about that. I was going to tell [REDACTED] and [REDACTED] at this time  
12 didn't understand what had happened. I don't think he understood that it was friendly fire yet. I  
13 mean, he might have, I don't really know what his story is. But when he told me not to really say  
14 anything, I was kind--I think I said yeah, roger that, [REDACTED] I'll shut up. And I don't think I ever  
15 really--myself to him, told him what I saw and what had happened. I don't think I actually ever have,  
16 sir.

17 Q. You didn't tell him that it was friendly fire?

18 A. I don't think so, sir. I mean, he might have heard me say that, but-- --

19 Q. Did you tell that to [REDACTED]

20 A. I tried to, sir, I don't know if [REDACTED] heard me or understood me.

21 Q. All right. After this incident, how much longer did you stay out there, [REDACTED]

1 A. The next--we went to sleep that night for probably two to three hours after, you know,  
2 [REDACTED] and [REDACTED] relieved us. And then the next day, we got up and patrolled all day into  
3 another village, and then we left that area that night. Probably not more than a day, sir.

4 Q. When you got back to Salerno--what happened when you got back to Salerno?

5 A. We pretty much just ended up PMCS-ing the vehicles, getting all our gear off,  
6 moving into a tent. Just started basic work again. We heard that--we found out what happened, that  
7 Pat Tillman was killed. I remember just feeling crushed, that that had already gotten out, the word,  
8 and I knew that I needed to call my family, because everybody knew--that's all I could think about,  
9 that's all I cared about was talking to my parents, telling them I'm still alive, because all my friends  
10 and family knew that I worked with Pat. It's something I was really proud of. That's all I know. I  
11 just had to get hold of my family and I knew I couldn't right away.

12 Q. Why couldn't you get in touch with your family?

13 A. I think they wanted us not to really--I think they wanted us to get the word from  
14 higher that it was okay to talk, you know, get on the phone and talk to 'em. They wanted to make  
15 sure that every one of us knew not to tell what had happened, anything about the situation, because  
16 the media and the world just knew that Pat Tillman was dead, they didn't know it was friendly fire.  
17 So they wanted to make sure that we knew not to say anything specific about it and even at that time,  
18 most guys I worked with didn't know that it was friendly fire.

19 Q. Who told you not to say anything about it?

1 A. I think it was [REDACTED] sir, pretty much telling me--telling everybody in our  
2 [REDACTED], you know, pretty much keep hush-hush about the whole situation, except that we're alive and  
3 we're okay and we're safe.

4 Q. And why do you think that he told you not to talk about that?

5 A. I have no idea, sir. I mean, that's a big--we don't want--we don't want a blemish on  
6 the regiment, you know, friendly fire is a horrible thing and we don't want that getting out really. I  
7 mean, it's horrible that Pat was dead. Absolutely horrible. But it hurts even more to know that it  
8 was one of our own guys that did it that killed--and an enemy--even though it wasn't their fault, you  
9 know, there was nothing they could have done about the situation, because anybody else would have  
10 done the exact same thing in the situation. We just--we didn't want to get anything, you know, bad  
11 said about the regiment or anything like that. That was my guess to what the whole thing was about.  
12 We didn't want the world finding out what had actually happened.

13 Q. No one told you that, but that was your-- --

14 A. That was my understanding, but we were always told just not to say anything about  
15 friendly fire, sir.

16 Q. Did they give you a reason why you shouldn't say something about friendly fire?

17 A. I know like--I don't remember from who it was, but they said the big reason why not  
18 to say friendly fire is because it would harm the regiment's name. I mean, I believe that was  
19 [REDACTED] but that wasn't right at that moment, that was like later on, sir.

20 Q. Did you participate in an AAR on this back at Salerno?

1 A. I remember us talking to [REDACTED] about it. And we did talk a lot back and  
2 forth as a [REDACTED] about what had happened. We were involved in an AAR about this, sir, but I  
3 guess, it just hit me again--we did have to whole [REDACTED] you know, meeting in a tent and we just  
4 talked about it, sir. What went wrong and how to fix it, sir.

5 Q. In discussions with the [REDACTED] did the [REDACTED] ever tell you or members of that  
6 group that you all could accept blame for this?

7 A. Negative, sir.

8 Q. Did you talk to the [REDACTED] on this?

9 A. Roger that, sir.

10 Q. And when did you talk to the [REDACTED]

11 A. When I was pulling security on the building, sir. They had--it was--right after they  
12 pulled me out of the area where Pat was killed, they put me on security, just to make that I--that  
13 would be my guess, to make sure that I could still function. He came up to me, because he noticed I  
14 was--I could barely hold myself up and he asked me what was wrong and I told him that I was right  
15 there. I didn't tell him how Pat died, but I told him I was right there. And he told me everything  
16 would be okay pretty much, sir. And I was alive, even though I didn't believe it, he told me  
17 everything was going to be okay.

18 Q. You made a statement earlier, [REDACTED] that they made eye contact with you  
19 before they opened up.



1 A. What I said by that--what I meant by that, sir, is--it was, they pulled up, stopped,  
2 looked at our position directly, like--it wasn't like, stop, instant fire. It was like, stop, acquire, okay  
3 there's our targets, now we can start firing, sir. It wasn't like, hey look-- --

4 Q. So these vehicles did not--were not just firing and rolled by, they actually came up  
5 and stopped-- --

6 A. Roger that, sir.

7 Q. --looked, then fired?

8 A. I don't think the first GMV, the cargo GMV so much as stopped and acquired, as they  
9 just quickly halted, saw muzzle flashes, shot a couple times and then moved on. Then the second  
10 GMV hit us and that's the one that actually killed Pat, stopped, looked at us--because I saw them  
11 come--I mean, I didn't like make vision--see them come, like stop, but--it was pretty much, it wasn't  
12 and then they were there and then they started firing at us, sir.

13 Q. But they were stopped when they were firing?

14 A. Roger that, sir.

15 Q. They were not rolling past?

16 A. Negative, sir.

17 Q. Did they fire--did you see them fire into the village when they went by?

18 A. I didn't see any fire towards the village, sir. All I could see--everything that I--  
19 everything that I could feel was coming right on top of me, sir. Like, I know that most--I mean, I  
20 don't know for certain, but it seemed, from my point of view, from where I was, watching the whole

1 thing, like they were intent on destroying my position, just laying down with lead and then move on,  
2 sir.

3 Q. Was their light enough to recognize the faces?

4 A. Negative, sir.

5 Q. What did Sergeant Tillman--or Corporal Tillman tell you the plan was, when you  
6 moved down there?

7 A. What time, sir? After he came back from talking to [REDACTED] Or pretty much  
8 when we linked up together and started moving into the village?

9 Q. Not that. Did he tell you what the plan was going to be when you linked up in the  
10 village?

11 A. He said "Let's go kill the bad guys," pretty much. "Let's go help our boys." And he  
12 started moving and wherever he moved, I went, sir.

13 Q. And then when you got to the location, he went back and talked to [REDACTED] and then  
14 came back. Did he tell you what the plan was?

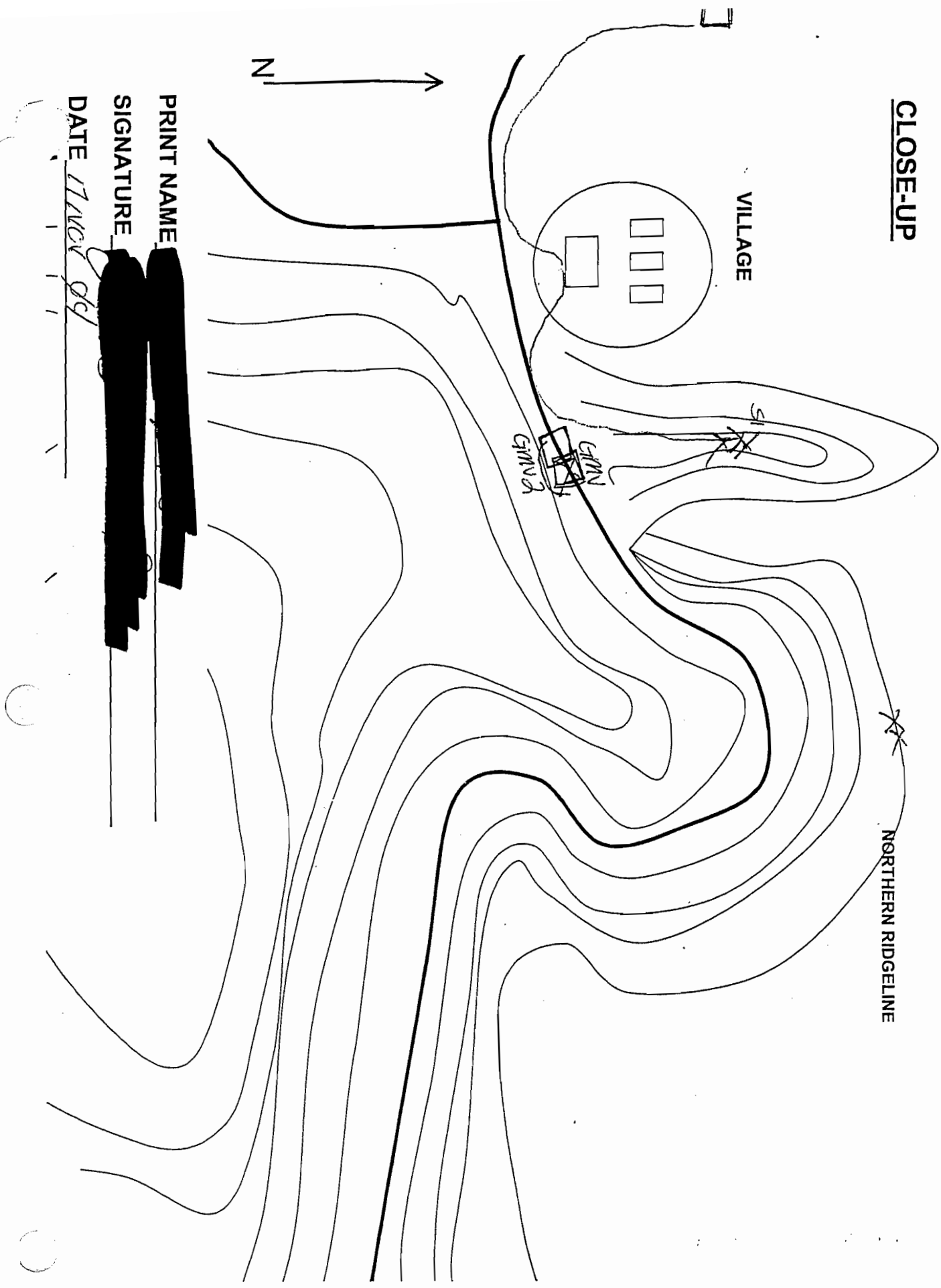
15 A. No, like the words he said were like, here's what we're going to do, and then pretty  
16 much after he said that, we started taking fire from the--like the first GMV. They just opened fire on  
17 us. He didn't really give me a--didn't see an opportunity--we didn't have an opportunity to figure  
18 out what the plan was going to be, sir.

19 Q. Okay, is there anything, [REDACTED] you'd like to add to this that we haven't  
20 asked about or anything that you can recall that would be of importance to us in this investigation?

1           A.     It's still my belief that the guys in the GMVs aren't to blame for it, sir. I don't think  
2 at all what happened to them was right. I don't feel that they did anything wrong, sir, and I was right  
3 there. You know, it should have been me dying instead of Pat, and I can still say that those guys in  
4 that GMV were some of the greatest Rangers I know, and I don't hold them responsible for anything  
5 and I know Pat wouldn't either, sir.

6 [REDACTED] then warned the witness concerning discussion of the open investigation. The witness was  
7 excused and withdrew.

CLOSE-UP



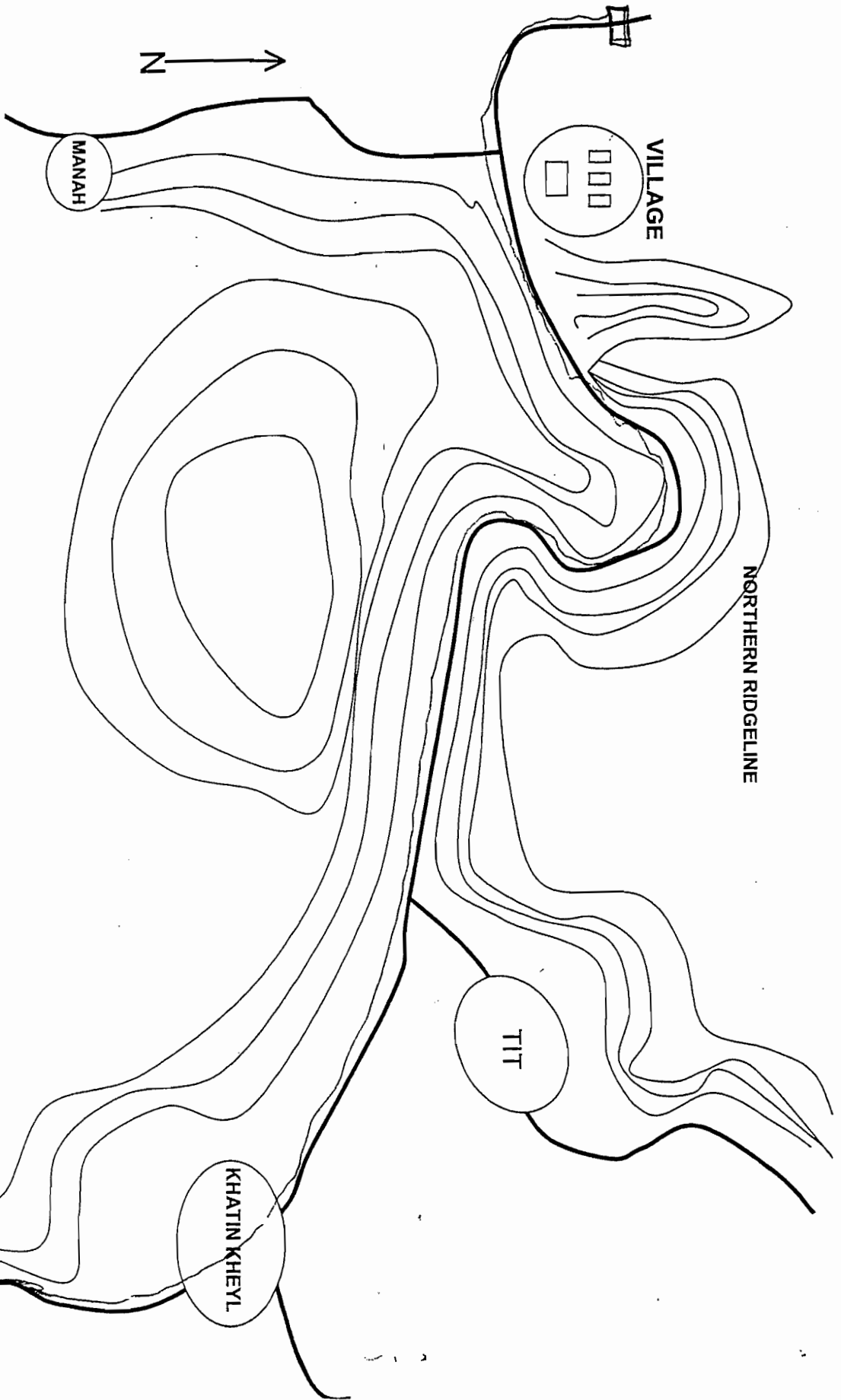
PRINT NAME

SIGNATURE

DATE

[Redacted Name]  
[Redacted Signature]

17 Nov 99



PRINT NAME

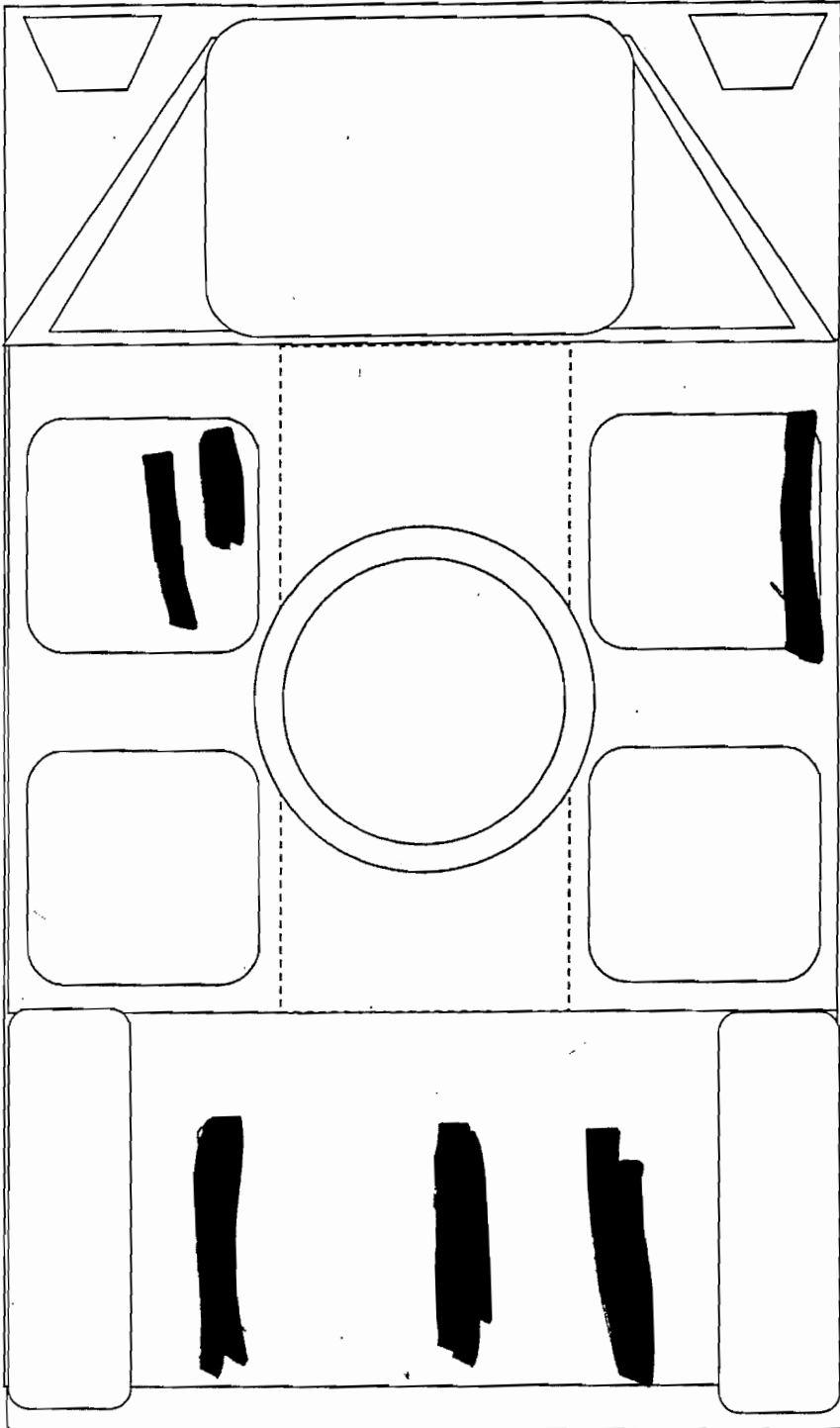
SIGNATURE

DATE

17 NOV 84

SEMIN 1 05/11/17

FRONT



PRINT NAME

SIGNATURE

DATE

17 Nov 09

[Redacted Name and Signature]