



# UNITED STATES MARINE CORPS

TASK FORCE 2/3  
REGIMENTAL COMBAT TEAM 1  
2D MARINE DIVISION (FWD)  
UNIT 44040  
FPO AP 96807-4040

In Reply Refer To  
5830  
CO  
30 Apr 11

FIRST ENDORSEMENT on Capt (b)(3), (b)(6) CI 5830 ser SJA of 23 Apr 11

From: Commanding Officer  
To: Commanding General, 2d Marine Division (FWD)  
Via: Commanding Officer, Regimental Combat Team 1

Subj: COMMAND INVESTIGATION INTO THE LINE OF DUTY/MISCONDUCT DETERMINATION IN  
THE CASE OF LANCE CORPORAL HARRY LEW XXX XX (b)(6) /0311 USMC

1. I have reviewed the command investigation and enclosures in their entirety. I concur with the findings of fact, opinions, and recommendations of the investigating officer.

2. I specifically recommend that Lance Corporal Lew's death should be found to be in the line of duty and not due to his own misconduct.

3. I have addressed suicide prevention and hazing with the commanders while in a deployed setting to provide instruction to all Marines after this tragic incident. Upon consolidation of the Battalion, we will conduct Warrior Transition Training including suicide prevention.

4. Lance Corporal (b)(3), (b)(6) will receive battalion level non-judicial punishment for Article 128; Assault, of the UCMJ. Upon the Battalion's return to Hawaii Lance Corporal (b)(3), (b)(6) will be tried at a Summary Court-Martial for Article 93; Cruelty and Maltreatment.

5. I recommend that no further investigation is necessary.

6. This command mourns the death of LCpl Lew. His family and friends have my deepest sympathies.

7. Point of contact at this command is 2ndLt (b)(3), (b)(6) at DSN (b)(3), (b)(6), (b)(2) or via email at (b)(3), (b)(6)

(b)(3), (b)(6)



# UNITED STATES MARINE CORPS

TASK FORCE 2/3  
REGIMENTAL COMBAT TEAM 1  
2D MARINE DIVISION (FWD)  
UNIT 44040  
FPO AP 96607-4040

IN REPLY REFER TO:

5830

SJA

23 Apr 11

From: Captain [REDACTED] /4402 USMC  
To: Commanding Officer, Task Force 2d Battalion, 3d Marines

Subj: COMMAND INVESTIGATION INTO THE LINE OF DUTY/MISCONDUCT  
DETERMINATION IN THE CASE OF LANCE CORPORAL HARRY LEW XXX  
XX [REDACTED] /0311 USMC

Ref: (a) JAGINST 5800.7E, CH-2 (JAGMAN)

- Encl: (1) Command Investigation Appointment Letter 5830, dated 3 April 2011  
(2) Sworn Voluntary Statement by LCpl [REDACTED] dated 17 April 2011  
(3) Sworn Voluntary Statement by LCpl [REDACTED] dated 17 April 2011  
(4) Sworn Voluntary Statement by Cpl [REDACTED], dated 17 April 2011  
(5) Sworn Voluntary Statement by Sgt [REDACTED] dated 3 April 2011  
(6) Sworn Voluntary Statement by LCpl [REDACTED] dated 17 April 2011  
(7) Sworn Voluntary Statement by LCpl [REDACTED] dated 17 April 2011  
(8) Sworn Voluntary Statement by LCpl [REDACTED] dated 17 April 2011  
(9) Sworn Voluntary Statement by LCpl [REDACTED] dated 17 April 2011  
(10) Sworn Voluntary Statement by Capt [REDACTED] dated 17 April 2011  
(11) Sworn Voluntary Statement by 1stLt [REDACTED] dated 17 April 2011  
(12) Sworn Voluntary Statement by LT [REDACTED] dated 17 April 2011  
(13) Sworn Voluntary Statement by HM3 [REDACTED] dated 3 April 2011  
(14) Asst. CMC 8 Day Brief  
(15) EMAIL: ~~(FOUO)~~ Casualty Report-SUPP-LEW, Harry- Incident Date/Time: 2011/04/03  
(16) Task Force 2/3 Storyboard dated 3 April 2011  
(17) MCTFS Basic Individual Record (BIR), MCTFS Basic Training Record (BTR), and MCTFS Record of Emergency Data (RED), all dated 12 April 2011  
(18) Voluntary Statement by Capt [REDACTED] dated 20 April 2011



UNITED STATES MARINE CORPS  
2D MARINE DIVISION (FORWARD)  
UNIT 73530  
FPO AE 09510-3530

IN REPLY REFER TO  
5830  
CG

MAY 18 2011

THIRD ENDORSEMENT on Capt (b)(3), (b)(6) ltr 5830 SJA of 23 Apr 11

From: Commanding General  
To: File

Subj: COMMAND INVESTIGATION INTO THE LINE OF DUTY/MISCONDUCT  
DETERMINATION IN THE CASE OF LANCE CORPORAL HARRY LEW  
XXX XX (b)(6) /0311 USMC (DECEASED)

1. Closed. The subject line has been modified for administrative accuracy.
2. I have reviewed the command investigation and enclosures in their entirety. I concur with the Investigating Officer's findings of fact, opinions, and recommendations, as endorsed by the Commanding Officer, Regimental Combat Team 1.
3. I find that Lance Corporal Lew's death occurred in the line of duty and not due to his own misconduct.
4. I am satisfied with the suicide awareness training and preventive measures taken by the Commanding Officer, Regimental Combat Team 1. Naval Criminal Investigative Service (NCIS) is conducting an investigation in order to provide a thorough understanding of the circumstances that led to the death of Lance Corporal Lew. Any disciplinary action to be taken is reserved pending completion of the NCIS investigation. No further investigation is warranted.
5. 2d Marine Division (Forward) mourns the tragic loss of Lance Corporal Lew's life. We extend our deepest sympathies to his family, friends, and loved ones.
6. Point of contact for this matter is Lieutenant Colonel (b)(3), (b)(6) at (b)(3), (b)(6)

  
LEWIS A. CRAPAROTTA

Copy to:  
SJA, II MEF  
CO, RCT-1  
CO, 2/3  
SNM's Medical Record



UNITED STATES MARINE CORPS  
REGIMENTAL COMBAT TEAM 1  
2D MARINE DIVISION FORWARD  
UNIT 40145  
FPO AP 96427-0145

IN REPLY REFER TO:  
5800  
SJA  
MAY 11 2011

SECOND ENDORSEMENT on Captain (b)(3), (b)(6) ltr 5830 SJA of 23 Apr 11

From: Commanding Officer

To: Commanding General, 2nd Marine Division (Forward)

Subj: COMMAND INVESTIGATION INTO THE LINE OF DUTY/MISCONDUCT  
DETERMINATION IN THE CASE OF LANCE CORPORAL HARRY LEW  
XXX XX (b)(6) /0311

1. Forwarded.

2. I have reviewed the subject command investigation and I concur with the investigating officer's recommendation that Lance Corporal Lew's death be found in the line of duty and not due to misconduct.

3. Given the pendency of an active NCIS investigation into the matter, I withhold comment regarding the disciplinary actions recommended by the investigating officer.

4. Sergeant (b)(3), (b)(6) was responsible for the well being of the Marines in his charge. In this instance, he thrust that responsibility onto the shoulders of Lance Corporal Lew's peers. Further, he failed to intervene while those peers undertook inappropriate corrective actions. His culpability for the apparent mistreatment of Lance Corporal Lew, therefore, exceeds that of the junior Marines.

5. This command mourns the death of Lance Corporal Lew. His family and friends have my deepest sympathies.

6. Point of contact at this command is Lieutenant Colonel (b)(3), (b)(6)  
(b)(3), (b)(6) at (b)(3), (b)(6)

(b)(3), (b)(6)

Copy to:  
CO, 2/3  
File

Subj: COMMAND INVESTIGATION INTO THE LINE OF DUTY/MISCONDUCT  
DETERMINATION IN THE CASE OF LANCE CORPORAL HARRY LEW XXX  
XX (b)(6) 0311 USMC

- (19) Sworn Voluntary Statement by Cpl (b)(3), (b)(6), dated  
3 April 2011
- (20) Sworn Voluntary Statement by LCpl (b)(3), (b)(6),  
Dated 3 April 2011
- (21) Sworn Voluntary Statement by LCpl (b)(3), (b)(6),  
dated 3 April 2011
- (22) Sworn Voluntary Statement by LCpl (b)(3), (b)(6),  
dated 3 April 2011
- (23) Sworn Voluntary Statement by LCpl (b)(3), (b)(6),  
dated 3 April 2011
- (24) Sworn Voluntary Statement by Investigating  
Officer, dated 23 April 2011
- (25) Sworn Voluntary Statement by 1stLt (b)(3), (b)(6),  
dated 23 April 2011

Preliminary Statement

1. Per enclosure (1) and in accordance with the reference, I was appointed to conduct a Command Investigation into the facts and circumstances surrounding the death of Lance Corporal (LCpl) Harry Lew, United States Marine Corps, on 3 April 2011. In accordance with the reference, legal advice was directed and received from Lieutenant Colonel (b)(3), (b)(6) Regimental Combat Team 1, Staff Judge Advocate, during the course of this command investigation. All reasonably available and relevant evidence was collected.

2. This report completes the Command Investigation inquiry determining line of duty/misconduct of LCpl Harry Lew. All documentary evidence included herein is certified to be either the original or a copy which is true and accurate representation of the original document represented.

3. The only social security number that was obtained from official sources was LCpl Lew's. All others were solicited from the service member.

4. The Naval Criminal Investigative Service has also initiated an investigation into the death of LCpl Harry Lew. I have successfully worked with them throughout the course of my investigation. They have graciously provided me with all of the statements they have taken as of today's date.

5. In support of this Command Investigation, the following personnel were contacted:

- a. Special Agent (b)(3), (b)(6), (b)(7)c Naval Criminal Investigative  
Service, Camp Leatherneck, AFG

Subj: COMMAND INVESTIGATION INTO THE LINE OF DUTY/MISCONDUCT  
DETERMINATION IN THE CASE OF LANCE CORPORAL HARRY LEW XXX  
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- b. Special Agent (b)(3), (b)(6), (b)(7)c Naval Criminal Investigative Service, Camp Dwyer, AFG
- c. Special Agent (b)(3), (b)(6), (b)(7)c Naval Criminal Investigative Service, Camp Dwyer, AFG
- d. First Lieutenant (b)(3), (b)(6) U.S. Marine Corps, Executive Officer, Golf Company, Task Force 2/3
- e. Second Lieutenant (b)(3), (b)(6) U.S. Marine Corps, Battalion Adjutant, Task Force 2/3

Findings of Fact

1. LCpl Harry Lew, U. S. Marine Corps, died at approximately 0345, on 3 April 2011, inside the fighting hole he had dug earlier that morning at Patrol Base (PB) Gowragi, Nawa, Afghanistan. [encls (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16)]
2. LCpl Lew was born on 31 March 1990 and was 21 years old at the time of his death. [encl (17)]
3. LCpl Lew's Social Security Number is (b)(6). [encl (17)]
4. LCpl Lew enlisted into the United States Marine Corps on 10 Aug 2009 for period of four (4) years. [encl (17)]
5. LCpl Lew was on active duty at the time of his death. [encl (17)]
6. LCpl Lew's marital status was single, no dependents. [encl (17)]
7. LCpl Lew's Military Occupational Specialty (MOS) was 0311, Rifleman. [encl (17)]
8. LCpl Lew checked in to 2d Battalion, 3d Marines, 3d Marine Division, located at MCBH Kaneohe Bay, on 18 Feb 2010. [encl (17)]
9. LCpl Lew was a member of 3d Platoon, Golf Company, from the day he joined 2d Battalion, 3d Marines, until he died on 3 April 2011. [encls (3), (6), (7), (9), (10), (11), (14)]
10. While with 2d Battalion, 3d Marines, LCpl Lew was known as a quiet and well mannered Marine with a good sense of humor. [encls (3), (5), (7), (8), (10), (11)]

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11. While with 2d Battalion, 3d Marines, LCpl Lew never behaved in a way that would lead others to believe he had the desire or ability to harm himself. [encls (3), (4), (5), (6), (7), (8), (9), (10), (11), (12)]
12. While with 2d Battalion, 3d Marines, LCpl Lew never sought treatment for any mental or psychological disorder, to include depression. [encls (3), (4), (5), (6), (7), (8), (9), (10), (11), (12)]
13. On 3 April 2011, LCpl Lew's medical records showed no history of any mental or psychological issue. [encl (12)]
14. LCpl Lew deployed to Afghanistan with 2d Battalion, 3d Marines, in support of OPERATION ENDURING FREEDOM 10.2 in November 2011. [encls (6), (17)]
15. LCpl Lew was expected to return to Hawaii with Golf Company, 2d Battalion, 3d Marines, in June 2011. [encl (17)]
16. On 19 March 2011, (b)(7) 3d Platoon, Golf Company, 2d Battalion, 3d Marines, moved to the newly designated PB Gowragi build site, located in Nawa, Afghanistan, in order to secure the area for future construction. [encls (4), (7)]
17. LCpl Lew arrived at PB Gowragi on 23 Mar 2011, and joined (b)(3), (b)(6) Squad, 3d Platoon, Golf Company, 2d Battalion, 3d Marines. [encls (4), (6), (9)]
18. Up until 19 March 2011, LCpl Lew had spent the deployment at PB Sopar Dostan, Nawa, Afghanistan, as a member of another squad. [encls (6), (11)]
19. On his first day with (b)(3), (b)(6) Squad at PB Gowragi, LCpl Lew was involved in a firefight with enemy forces. [encls (3), (6)]
20. Also during his first day with the new squad, LCpl Lew fell asleep while standing post during an overnight mission in the field. [encls (4), (5), (6), (7), (11)]
21. A few days after LCpl Lew arrived at PB Gowragi, he was caught sleeping again, this time while on post out on an ambush patrol. [encls (4), (5), (6), (7), (8), (11)]
22. LCpl Lew was caught sleeping on post a third time at approximately 1100 on 2 April when the Company Commander, Battalion Executive Officer, and Regimental leadership stopped by PB Gowragi during a battlefield circulation. [encls (4), (5), (6), (7), (10), (11)]

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23. During this visit, the Battalion Executive Officer personally woke LCpl Lew up, and inquired into his well being as LCpl Lew was sleeping while guarding PB Gowragi's (b)(7)F control point. [encls (10)]

24. Each of the three times LCpl Lew was caught sleeping on post from 23 March 2011 to 2 April 2011, he was in an area where an enemy attack was considered imminent. [encl (4), (5), (6), (7), (9), (18)]

25. The Marines in (b)(3), (b)(6) Squad were concerned that if enemy forces attacked while LCpl Lew was asleep on post, it would lead to unnecessary Marine deaths. [encl (4), (5), (6), (7) (9), (11)]

26. Informally, in attempts to prevent LCpl Lew from falling asleep on post in the future, many Marines in (b)(3), (b)(6) Squad counseled him from 23 March 2011 to 2 April 2011. [encls (2), (5), (6), (7), (8), (9), (11)]

27. Formally, in an attempt to prevent LCpl Lew from falling asleep on post in the future, the Squad Leader, Sergeant (Sgt) (b)(3), (b)(6) informed him prior to 2 April 2011 that he was going to receive company level non-judicial punishment. [encls (5), (10), (11)]

28. At 2200 on 3 April 2011, LCpl Lew was posted as the (b)(7)F sentry for PB Gowragi's (b)(7)F facing fighting position for a standard (b)(7)F hour period. [encls (2), (6), (7), (8), (10)]

29. LCpl Lew's fighting position was one of PB Gowragi's (b)(7)F defensive posts and the one that had last received enemy fire. [encls (6), (10), (18)]

30. The standard operating procedure at the time of LCpl Lew's post was for the Sergeant of the Guard to conduct a radio check every (b)(7)F. [encls (7), (10)]

31. LCpl Lew did not respond to the 2315 radio check. [encls (7), (10)]

32. After not receiving a radio response from LCpl Lew at 2315, Sgt (b)(3), (b)(6) discovered that LCpl Lew was again sleeping on post. [encls (5), (7), (10)]

33. In response to finding LCpl Lew asleep on post again, Sgt (b)(3), (b)(6) announced over the radio that "peers should correct peers" meaning that other Lance Corporals should be correcting LCpl Lew, instead of Sgt (b)(3), (b)(6). [encls (7), (9)]

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34. Sgt (b)(3), (b)(6) instruction was inline with the Company Commander's guidance which was that "problems should be corrected at the lowest level." [encl (10)]
35. Sgt (b)(3), (b)(6) then went and woke up LCpl (b)(3), (b)(6) and LCpl Lew's Fire Team Leader, LCpl (b)(3), (b)(6), who were sleeping while on their rest cycle. [encls (2), (8), (10)]
36. At approximately 2330 on 2 April 2011, Sgt (b)(3), (b)(6) and LCpl (b)(3), (b)(6) approached LCpl Lew as he slept in his fighting position, grabbed him by his helmet, and pulled him out of the position. [encls (7), (8)]
37. Once LCpl Lew had been pulled from his fighting position, Sgt (b)(3), (b)(6) verbally berated and cursed at him in a voice loud enough to wake up many of the Marines who were sleeping on their rest cycle at PB Gowragi. [encls (2), (3), (5), (6), (7), (8), (9)]
38. At around 2345 on 2 April 2011, LCpl (b)(3), (b)(6) assumed LCpl Lew's post. [encls (2), (10)]
39. After LCpl (b)(3), (b)(6) was properly posted, LCpl (b)(3), (b)(6) ordered LCpl Lew to, while wearing his personal protective equipment (PPE) and carrying one filled sandbag, walk around and check in on the other posts. [encls (2), (7), (8)]
40. The purpose of LCpl Lew carrying around the filled sand bag was to simulate the weight of the squad which a Marine carries every time he stands post at PB Gowragi. [encl (8)]
41. After checking in on the other posts, LCpl Lew was again counseled by Sgt (b)(3), (b)(6) and LCpl (b)(3), (b)(6) for falling asleep on post. [encls (2), (8)]
42. At approximately 0001 on 3 April 2011, LCpl (b)(3), (b)(6) ordered LCpl Lew to, while wearing his PPE, dig a new chest deep fighting position which would make it harder to fall asleep in while on post. [encls (2), (5), (6), (8), (10)]
43. Additionally, LCpl (b)(3), (b)(6) ordered LCpl Lew to stand post in the fighting position until relieved, once he had finished digging it. [encl (8)]
44. LCpl (b)(3), (b)(6) reported to Sgt (b)(3), (b)(6) what he had ordered LCpl Lew to do sometime in between 0001 and 0100. [encl (8)]
45. At approximately 0050, LCpl (b)(3), (b)(6) woke up and relieved Sgt (b)(3), (b)(6) as the Sergeant of the Guard. [encls (5), (6), (10)]

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DETERMINATION IN THE CASE OF LANCE CORPORAL HARRY LEW XXX  
XX (b)(6)/0311 USMC

46. Before LCpl (b)(3), (b)(6) posted, Sgt (b)(3), (b)(6) briefed him on what had happened with LCpl Lew and informed him that LCpl Lew could go to sleep once he had finished digging the new fighting position.  
[encls (5), (6)]

47. At approximately 0100, LCpl (b)(3), (b)(6) and LCpl (b)(3), (b)(6) approached LCpl Lew as he dug the new fighting position and angrily confronted him about why he had again fallen asleep on post. [encls (2), (3), (6), (7), (9)]

48. After LCpl (b)(3), (b)(6) and LCpl (b)(3), (b)(6) had spoken with LCpl Lew for about five minutes, they walked to PB Gowragi's Combat Operations Center (COC), located (b)(7)F (b)(7)F, and spoke with LCpl (b)(3), (b)(6) about LCpl Lew. [encls (6), (7), (9)]

49. At approximately 0130, LCpl (b)(3), (b)(6) left the COC, walked to LCpl Lew's new fighting position, counseled him for falling asleep, and questioned him about why he wasn't making more progress with his new fighting position. [encls (2), (3), (6)]

50. Before returning to the COC, LCpl (b)(3), (b)(6) walked over to LCpl (b)(3), (b)(6) and told him to make sure that LCpl Lew did not stop digging. [encls (2), (6)]

51. At approximately 0145, LCpl (b)(3), (b)(6) and LCpl (b)(3), (b)(6) visited LCpl Lew again and again berated him for falling asleep on post as well as for not digging his new fighting position fast enough.  
[encls (2), (3), (6), (7), (9)]

52. During this conversation, LCpl (b)(3), (b)(6) and LCpl (b)(3), (b)(6) formed the opinion that LCpl Lew was being disrespectful which they reported to LCpl (b)(3), (b)(6) the Sergeant of the Guard, at around 0200. [encls (6), (7), (9)]

53. At approximately 0220, LCpl (b)(3), (b)(6) visited LCpl Lew again and ordered him to exit the fighting position and perform pushups, crunches, and planks all while LCpl Lew wore his PPE. [encls (2), (3), (6), (7), (9)]

54. During the physical training, which lasted for ten to fifteen minutes, LCpl (b)(3), (b)(6) ordered LCpl Lew to bolster the workout by using a filled sand bag in order to increase the intensity.  
[encls (2), (3), (6)]

55. Also during the physical training, LCpl (b)(3), (b)(6) would "stomp down" on LCpl Lew's back and legs with his foot if he failed to do an exercise properly. [encls (2), (3), (6)]

Subj: COMMAND INVESTIGATION INTO THE LINE OF DUTY/MISCONDUCT  
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XX (b)(6) /0311 USMC

56. Towards the end of the physical training, the filled sand bag broke open at which point LCpl (b)(3), (b)(6) picked it up and poured the contents on LCpl Lew's chest and face as he lay with his back on the ground. [encls (2), (6)]

57. Some of the sand got inside LCpl Lew's mouth causing him to cough. [encl (2)]

58. After LCpl (b)(3), (b)(6) left LCpl Lew and returned to the COC, LCpl Lew stood up, dusted himself off, and continued to dig the new fighting position. [encls (2), (3), (6)]

59. When LCpl (b)(3), (b)(6) returned to the COC at around 0250, he informed LCpl (b)(3), (b)(6) and LCpl (b)(3), (b)(6) of the physical training he had just put LCpl Lew through. [encls (6), (7), (9)]

60. At around 0305, LCpl (b)(3), (b)(6) and LCpl (b)(3), (b)(6) returned to counsel LCpl Lew once more only to determine that LCpl Lew was again being disrespectful by being sarcastic. [encls (2), (3), (6), (7), (9)]

61. After berating him again, LCpl (b)(3), (b)(6) kicked dirt on LCpl Lew, kicked him in the back of his flak jacket, kicked him in the back of his helmet, and punched him in the back of his helmet with a force that cut LCpl (b)(3), (b)(6) knuckle. [encls (2), (3), (7), (9)]

62. After LCpl (b)(3), (b)(6) punched LCpl Lew, LCpl (b)(3), (b)(6) told him to stop and LCpl (b)(3), (b)(6) complied. [encls (2), (3), (7), (9)]

63. At approximately 0315, LCpl (b)(3), (b)(6) walked back to the COC and LCpl (b)(3), (b)(6) walked over to LCpl (b)(3), (b)(6) fighting position. [encls (2), (7), (9)]

64. While at LCpl (b)(3), (b)(6) fighting position, LCpl (b)(3), (b)(6) and LCpl (b)(3), (b)(6) spoke for about five minutes during which LCpl (b)(3), (b)(6) told LCpl (b)(3), (b)(6) that he stopped LCpl (b)(3), (b)(6) because he didn't want it on his conscience if LCpl Lew killed himself. [encls (2), (9)]

65. At approximately 0320, LCpl (b)(3), (b)(6) left LCpl (b)(3), (b)(6), went to his berthing area, and fell asleep. [encls (2), (9)]

66. At 0343 on 3 April 2011, while crouched down in the fighting position he had just dug, LCpl Lew leaned over his M249 Squad Automatic Weapon as it pointed to the sky, placed the muzzle in his mouth, pulled the trigger, and intentionally killed himself. [encls (2), (3), (4), (6), (14), (15), (16)]

Subj: COMMAND INVESTIGATION INTO THE LINE OF DUTY/MISCONDUCT  
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67. LCpl Lew's M249 Squad Automatic Weapon fired a total of 2-3 rounds which woke up the Marines who were sleeping. [encls (2), (3), (4), (6), (7)]

68. Initially, the Marine at PB Gowragi believed they were taking enemy fire. [encls (2), (3), (6), (10)]

69. A few minutes later, when LCpl Lew was discovered dead in his fighting position, his M249 Squad Automatic Weapon was still in condition one and ready to fire. [encls (2), (6)]

70. LCpl (b)(3), (b)(6) was the first to discover that LCpl Lew had shot himself after he ran over to investigate what had happened. [encls (2), (3), (6), (10)]

71. LCpl (b)(3), (b)(6) was the second Marine to discover that LCpl Lew had shot himself when he arrived at LCpl Lew's fighting position a few seconds after LCpl (b)(3), (b)(6). [encls (2), (3)]

72. Due to the extent of LCpl Lew's injuries, as well as the lack of any vital signs, it was evident to the first responders that LCpl Lew had already passed away by the time they arrived at his fighting position. [encls (2), (3), (4), (6), (8), (13)]

73. When Sgt (b)(3), (b)(6) was informed of LCpl Lew's injuries, he immediately directed a Corpsman and two Marines to provide medical aid to LCpl Lew, and then called in a 9-line in order to initiate a medical evacuation. [encls (5), (6), (9)]

74. Once it was determined that LCpl Lew had passed away, Sgt (b)(3), (b)(6) had his body moved inside the MRAP where he remained until the Naval Criminal Investigative Service (NCIS) arrived on the scene a few hours later at approximately 0800. [encls (4), (5), (6), (8), (10), (11), (13)]

75. While at PB Gowragi investigating the scene, NCIS interviewed and took statements from the following witnesses: Sgt (b)(3), (b)(6) Cpl (b)(3), (b)(6), HM3 (b)(3), (b)(6), LCpl (b)(3), (b)(6), LCpl (b)(3), (b)(6), LCpl (b)(3), (b)(6), and LCpl (b)(3), (b)(6) [encls (2), (4), (5), (6), (7), (9), (13), (19), (20), (21), (22), (23)]

76. On 17 April 2011, NCIS traveled to Forward Operating Base (FOB) Geronimo, Nawa, Afghanistan, and conducted interviews and took statements from the following witnesses: LCpl (b)(3), (b)(6) LCpl (b)(3), (b)(6), LCpl (b)(3), (b)(6), Cpl (b)(3), (b)(6), LCpl (b)(3), (b)(6), LCpl (b)(3), (b)(6), LCpl (b)(3), (b)(6), Capt (b)(3), (b)(6) 1<sup>st</sup> Lt (b)(3), (b)(6), and LT (b)(3), (b)(6). [encls (2), (3), (4), (6), (7), (8), (9), (10), (11), (12)]

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XX (b)(6) 0311 USMC

77. NCIS did not read Article 31b Warnings to any of the witnesses prior to conducting interviews with them because they wanted to make sure the truth came out and were concerned that the 31b Warnings would have a chilling effect. [encls (6), (7), (24)]

78. Since December 2009, the Command has continually gone to great lengths to educate the Marines on the definition of hazing, ensure they understand that it is unlawful, and prevent it from occurring in the future. [encls (3), (4), (10), (11), (25)]

79. The serial number of LCpl Lew's M249 Squad Automatic Weapon is #162338. [encl 24]

80. From 21 March 2011 to 3 April 2011, the Marines at PB Gowragi received small arms fire from 4-6 enemy fighters on at least two occasions. The Marines were able to repel each attack during which the enemy forces used both AK-47s and medium machine guns. [encl 24]

81. During LCpl Lew's autopsy, it was discovered that the following message was inscribed on his left forearm: "May hate me now, but in the long run this was the right choice I'm sorry my mom deserves the truth." [encl 24]

#### Opinions

1. From 19 March 2011 to 2 April 2011, the Marines in (b)(3), (b)(6) Squad, 3d Platoon, Golf Company, 2d Battalion, 3d Marines, were in an environment most Marines never encounter throughout their entire careers. They had been attacked twice by 4-6 enemy forces using AK-47s and medium machine guns, their patrol base consisted of (b)(7)(F) and they fully expected to be attacked again. [FFs (16), (17), (19), (24), (25), (28), (29), (80)]

2. From the moment LCpl Lew arrived with (b)(3), (b)(6) Squad on 23 March 2011, until the moment he died on 3 April 2011, the circumstances suggest he suffered from an undiagnosed mental disease or defect such as severe depression. He hid all of his symptoms from his fellow Marines except for his inability to stay awake on post. The root cause of this malady is unknown. [FFs (10), (11), (12), (13), (17), (20), (21), (22), (23), (24), (26), (27), (32), (58), (66)]

Subj: COMMAND INVESTIGATION INTO THE LINE OF DUTY/MISCONDUCT  
DETERMINATION IN THE CASE OF LANCE CORPORAL HARRY LEW XXX  
XX (b)(3), (b)(6) /0311 USMC

3. The Marines in (b)(3), (b)(6) squad, not recognizing that LCpl Lew suffered from a debilitating mental health condition, interpreted his actions as apathy towards their well being. From 23 March until 2 April, they collectively tried many different courses of action to try and prevent LCpl Lew from falling asleep on post again. [FFs (23), (24), (25), (26), (27)]

4. On the night of 2 April 2011 and the morning of 3 April 2011, after discovering that LCpl Lew had fallen asleep on post a fourth time, LCpl (b)(3), (b)(6) and LCpl (b)(3), (b)(6) lost their self control, went beyond the limits of acceptable leadership, and maltreated LCpl Lew. [FFs (53), (54), (55), (56), (57), (61), (62)]

5. Sgt (b)(3), (b)(6) order that "peers should correct peers," the aggressive manner in which he had been correcting LCpl Lew, and the stressful combat environment in which they lived, were all contributing factors to LCpl (b)(3), (b)(6) and LCpl (b)(3), (b)(6) behavior. [FFs (16), (19), (24), (25), (29), (33), (34), (35), (36), (37), (39), (40), (41), (42), (46), (68)]

6. When Sgt (b)(3), (b)(6) announced that "peers should correct peers," he was not ordering, nor did he intend to order, Marines to strike or maltreat each other. Instead he was urging them to lead and properly correct themselves. [FFs (33), (34), (35)]

7. LCpl Lew's death was the result of a suicide. Per the reference, suicide creates a strong inference of lack of mental responsibility. There is no evidence that would rebut this inference. I recommend that LCpl Lew's death be found in the line of duty and not due to misconduct. [FFs (1), (66), (67), (69), (70), (71), (72), (73), (74), (79)]

8. Although LCpl Lew did not commit suicide because of LCpl (b)(3), (b)(6) and LCpl (b)(3), (b)(6) actions, they were the catalyst. [FFs (47), (49), (51), (52), (53), (54), (55), (56), (57), (59), (60), (61), (66)]

9. The note inscribed on LCpl Lew's left forearm was a suicide note which I believe he wrote sometime between 0320 and 0340 on 3 April 2011. My opinion is that he was referring to the abuse he took from LCpl (b)(3), (b)(6) and LCpl (b)(3), (b)(6) when he wrote "my mom deserves to know the truth." [FF 81]

10. LCpl (b)(3), (b)(6) and LCpl (b)(3), (b)(6) Sworn Voluntary Statements given on 3 April 2011 and 17 April 2011 will not be able to be used against them at a Court-Martial. Taking additional statements from these Marines, with the use of Article 31b Cleansing Warnings, while they are still here in Afghanistan may not do enough to properly "cleanse the taint" of the earlier statements. [FF 77]

Subj: COMMAND INVESTIGATION INTO THE LINE OF DUTY/MISCONDUCT  
DETERMINATION IN THE CASE OF LANCE CORPORAL HARRY LEW XXX  
XX (b)(6) /0311 USMC

Recommendations

1. For his failure to properly supervise his junior Marines, I recommend that Sgt (b)(3), (b)(6) receive a non-punitive letter of caution.
2. For assaulting LCpl Lew, I recommend that LCpl (b)(3), (b)(6) receive battalion level non-judicial punishment.
3. For maltreating LCpl Lew, while posted as the Sergeant of the Guard, I recommend that LCpl (b)(3), (b)(6) be tried by Summary Court-Martial.
4. That NCIS take additional statements from LCpl (b)(3), (b)(6) and LCpl (b)(3), (b)(6) using Article 31b Cleansing Warnings, once the Marines are back in Hawaii.
5. In order to prevent this from reoccurring, I recommend that 2d Battalion, 3d Marines, receive reset training on the dangers of hazing, using this specific example, prior to the next "boot drop."
6. Aside from the additional statements, I do not believe any further investigation to be necessary.

(b)(3), (b)(6)



UNITED STATES MARINE CORPS

TASK FORCE 2/3  
REGIMENTAL COMBAT TEAM 1  
2D MARINE DIVISION (FWD)  
UNIT 44040  
FPO AP 98607-4040

1st Reply Return To:

5830

CO

3 Apr 11

From: Commanding Officer

To: Captain (b)(3), (b)(6) /4402 USMC

Subj: COMMAND INVESTIGATION INTO THE LINE OF DUTY/MISCONDUCT DETERMINATION IN  
THE CASE OF LANCE CORPORAL HARRY LEW XXX XX (b)(6) 0311 USMC

Ref: (a) JAGMAN

1. This appoints you, per chapter II of the reference, to inquire into the facts and circumstances surrounding the 3 April 2011 death of Lance Corporal Harry Lew (b)(6) /0311 USMC.
2. Investigate all facts and circumstances surrounding the death, resulting injuries and damages, and any fault, neglect or responsibility. Recommend appropriate administrative or disciplinary action. Report your finding of fact, opinions, and recommendations in letter format by 23 April 2011, unless an extension of time is granted. If you have not previously done so, read chapter II of reference (a) in its entirety before beginning your investigation. In particular, your attention is directed to sections 0215-0217, 0221-0226, 0229, 0232, 0242 and appendix A-2-c(2) of reference (a).
3. You may seek legal advice from Lieutenant Colonel (b)(3), (b)(6) USMC, the Regimental Combat Team 1 Staff Judge Advocate, during the course of your investigation.
4. Point of contact for this matter is the undersigned at DSN (b)(3), (b)(6), (b)(2) VOSIP (b)(3), (b)(6), (b)(2), or via e-mail at (b)(3), (b)(6)

(b)(3), (b)(6)

Copy to:  
Files  
SNO

ENCLOSURE (1)



**ACMC 8 Day Brief**

# **2d Battalion, 3d Marine Regiment**

**Self-inflicted gunshot wound**

**11 April 11**

**FOUO**

**ENCLOSURE (4)**



# Incident Overview

## ACMC 8 Day Brief

<b>Who</b>	Lew, Harry/LCpl/21/0311/Rifleman
<b>What</b>	Suicide, self-inflicted gunshot to the head.
<b>When</b>	0330, 3 April 11
<b>Where</b>	Patrol Base Gowragi, Afghanistan

FOUO

ACMC 8 Day Brief



# Profile of SNM

## **ACMC 8 Day Brief**

- Age: 21
- Hometown: Santa Clara, CA
- Marital Status: Single
- NOK and/or Dependents: Sandy X. Lew (mother)
- PEBD: 20090810
- Date joined Command: 20100218
- MOS: 0311
- Primary Duties: Rifleman
- No medical history of suicide ideations, gestures, or attempts.



**FOUO**



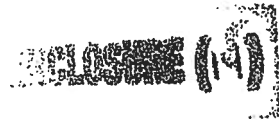
# Profile of SNM

## ***ACMC 8 Day Brief***

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- Deployments: on first deployment
- NJP: None
- Average Pros/Cons: 4.2 / 4.3
- Force Preservation Risk Category: N/A
- Mentorship Program: N/A
- Personal Awards: None (Combat Action Ribbon pending)
- Other items of interest: Transferred between squads 11 days prior to suicide due to his low performance at previous squad and the superior leadership abilities of the gaining squad's Squad Leader. From Marines that knew him, LCpl Lew appeared to be having problems at home.

—FOUO—





# Key Personnel

## ACMC 8 Day Brief

- Chain of Command:

- Fire Team Leader: LCpl [redacted] (b)(3), (b)(5)
- Squad Leader: Sgt [redacted] (b)(3), (b)(5)
- Platoon Sgt: SSgt [redacted] (b)(3), (b)(5)
- Platoon Commander: 1stLt [redacted] (b)(3), (b)(5)
- Company 1stSgt: 1stSgt [redacted] (b)(3), (b)(5)
- Company Commander: Capt [redacted] (b)(3), (b)(5)
- Battalion SgtMaj: SgtMaj [redacted] (b)(3), (b)(5)
- Battalion Commander: LtCol [redacted] (b)(3), (b)(5)

~~FOUO~~





# Summary of Events

## ***ACMC 8 Day Brief***

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- 2 - 3 April 2011
  - approximately 2300, 2 April: LCpl Lew was found asleep on post at Patrol Base (PB) Gowragi by his Squad Leader. At this time, LCpl Lew was directed to dig an additional fighting position within the PB by his Squad Leader after being relieved of watch.
  - 0100, 3 April: The Squad Leader was relieved of his duties by a Fire Team Leader and then executed a rest plan.
  - 0330, 3 April: LCpl Lew shot himself in the head with his issued M-249.

~~FOUO~~





# Significant Events Prior to Death

## **ACMC 8 Day Brief**

- 22 Mar
  - LCpl Lew was reassigned to the squad at Patrol Base Gowragi.
- 22 Mar – 2 Apr
  - LCpl Lew was found asleep on post four separate times while assigned to PB Gowragi. Each time, the Squad Leader counseled LCpl Lew and the squad about sleeping on post. The Squad Leader assigned HN (b) (3), (b) (6) to stand post with LCpl Lew to keep them both awake. LCpl Lew's assigned schedule allowed the most individual rest in the squad (b) (7)(F) Marines, including the Squad Leader plus the corpsman).

~~FOUO~~





# Significant Events Prior to Death

## **ACMC 8 Day Brief**

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- 1 Apr
  - The Squad Leader notified the Platoon Commander of LCpl Lew's sleeping incidents on post and began the process to charge LCpl Lew under article 113 of the Uniform Code of Military Justice. The Platoon Commander counseled LCpl Lew to tell him he was being charged on this date.

~~FOUO~~



# 24 Hour Events Prior To Death

## **ACMC 8 Day Brief**

- 2 Apr
  - 0900: During an RCT 1 command visit to the PB, the Company Commander and the Battalion Executive Officer noticed LCpl Lew sleeping on post.
  - 1000: RCT 1 group, the Company Commander, and the Platoon Commander departed the PB and traveled to another PB. LCpl Lew's Squad Leader was then the senior man at the PB.
  - 2030-2130: PB Gowragi was at (b)(7)(F) alert during nautical twilight.
  - 2200: LCpl Lew assumed Post (b)(7)(F) for a (b)(7)(F) hour shift. Radio checks were conducted every (b)(7)(F) by the Squad Leader.

~~FOUO~~



# 24 Hour Events Prior To Death

## **ACMC 8 Day Brief**

- 2330: The Squad Leader did not receive a radio check from LCpl Lew on Post (b)(7)(F). The Squad Leader realized that LCpl Lew was asleep and ordered him to dig a fighting position. The Squad Leader replaced LCpl Lew with another Marine to man the security post.
- (b)(7)(F) End of the guard shift. The Squad Leader was relieved by a Fire Team Leader and executed a rest plan.

~~FOUO~~

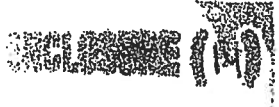


# Contributing Factors

## **ACMC 8 Day Brief**

- The conditions and duties at PB Gowragi were more primitive/intense than at the previous PB where LCpl Lew was assigned.
- LCpl Lew was at PB Gowragi on the evenings of 20 & 21 March while the position was attacked. Both attacks were short duration, direct fire events.
- LCpl Lew was new to the squad. He joined the squad on 22 March, 11 days prior to his suicide. He was quiet and got along with the rest of the squad.
- LCpl Lew was aware he was pending Company Level Non-Judicial Punishment for sleeping on post.
- The day before he died, LCpl Lew was in a regular mood. He did not present any suicidal ideations/comments.
- The Platoon Commander who was usually present at PB Gowragi was not at the position that night because he was spending the night with other Marines from his platoon at one of their other (b)(7)(F) positions.

—FOUO—





# Contributing Factors

## **ACMC 8 Day Brief**

- The platoon as a whole was under the heaviest operational tempo in the company due to the recent Significant Events in their Area of Operations as well as the development of the new Gowragi Patrol Base. Additionally, (b)(7) the patrol base were causing increased stress with the Company, Platoon, & Squad leadership.

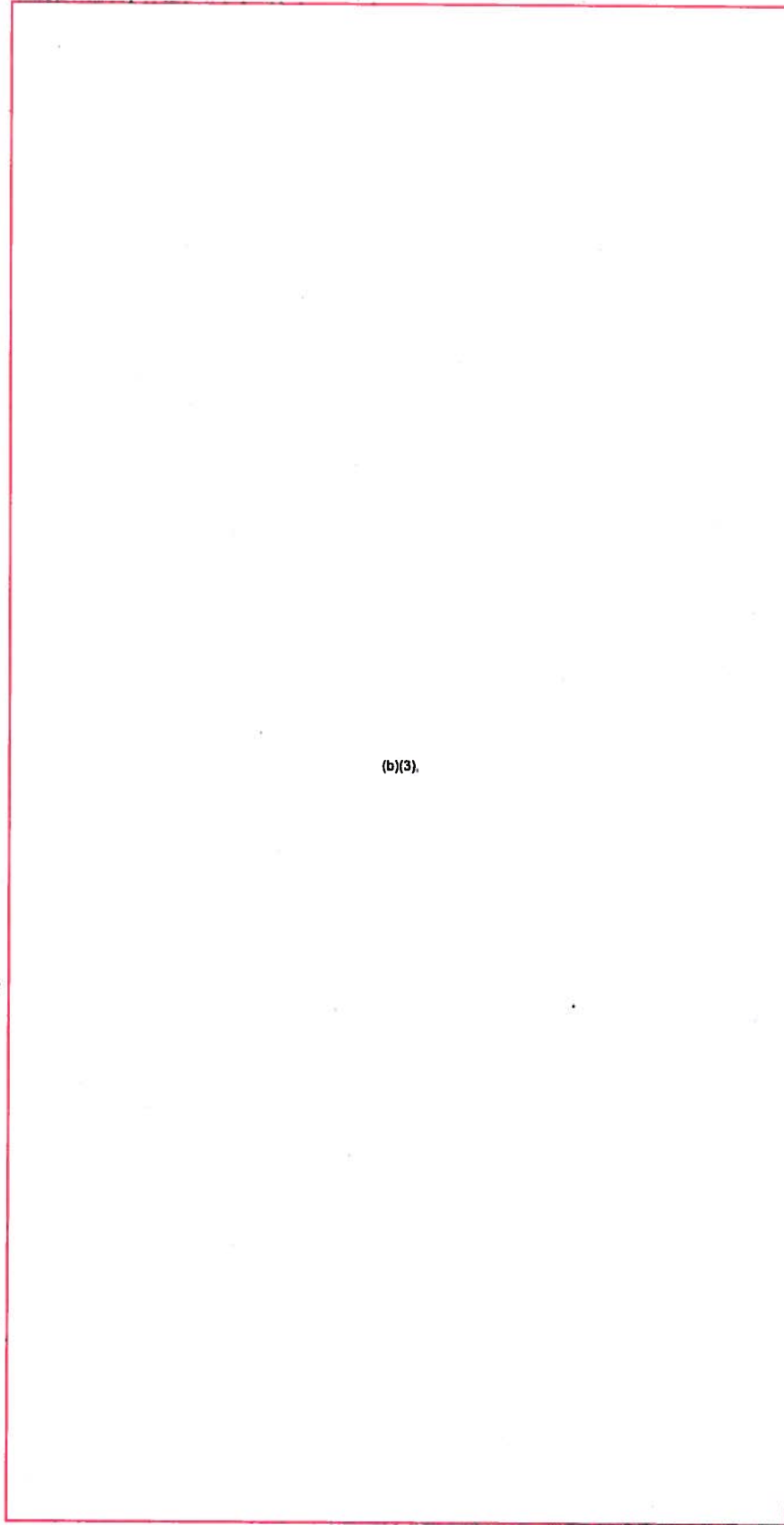
~~FOUO~~





# Overview of Incident Scene and Surrounding Area

ACMC 8 Day Brief



(b)(3)

(b)(3)

Approximate grid:

~~FOUO~~





# Overview of Incident Scene and Surrounding Area

**ACMC 8 Day Brief**

(b)(7)F

- Awaiting site / road development to begin vertical construction
- Current defensive posture consists totally of fighting positions

**FOUO**

14



# Press Interest

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## ***ACMC 8 Day Brief***

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- KTVU San Francisco on 5 April 11: "SANTA CLARA: Former High School Student Who Died In Afghanistan Remembered."

~~FOUO~~

~~CONFIDENTIAL~~ 14



# Family and CACO Issues

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## ***ACMC 8 Day Brief***

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- Next of Kin (Sandy X. Lew / mother) for LCpl Lew has been notified by HQMC Casualty Branch.

**FOUO**



# Unit/Command Actions Prior To Incident

## ***ACMC 8 Day Brief***

- PB Gowragi was established to disrupt enemy insurgent activity in a known "enemy bed-down" location and [redacted] (b)(7)F
- The Marines and Afghan Uniform Police were "dug-in" to fighting positions and [redacted] (b)(7)F
- PB Gowragi had been attacked with sporadic small arms fire over the past week and the Marines were tense and alert as a unit.
- There had been numerous reports stating that the enemy was massing to attack or overrun the PB.

~~FOUO~~

~~SECRET~~

14



# Unit/Command Actions Post Incident

## ***ACMC 8 Day Brief***

- Naval Criminal Investigative Service (NCIS) Investigators arrived on 3 April and conducted an investigation. The investigation is currently open.
- The Company Chain of Command, Battalion Chaplain, and Battalion Surgeon arrived at PB Gowragi at 0700 on 3 April. The Battalion Chaplain discussed the incident with the Marines at PB Gowragi and held a religious service. The Battalion Surgeon pronounced LCpl Lew dead at 0830. The Battalion Surgeon reviewed LCpl Lew's medical records and found no prior history of mental health issues.
- The squad that LCpl Lew was assigned to has been replaced by another squad at PB Gowragi and rotated to a more developed PB collocated with the Company Leadership.

**FOUO**



# Other Significant Information

## ***ACMC 8 Day Brief***

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- NCIS is currently conducting an investigation into the circumstances.
- The Battalion is waiting for NCIS to authorize contacting the witnesses before starting a command investigation.
- The Investigating Officer will be the Battalion Judge Advocate.

**FOUO**

114



# Commander's Actions

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## *ACMC 8 Day Brief*

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- The Battalion Commander briefed the Key Leadership at the most recent Command and Staff meeting. Each company is addressing suicide prevention and the early warning signs of suicide with their Marines and Sailors throughout their battle-space.
- The Battalion Chaplain, while conducting his frequent battlefield circulation trips, will address suicide prevention and early warning signs of suicide thoughts with the Marines, Sailors, and their Leaders at the different fixed sites.

~~FOUO~~



# CG Comments

**ACMC 8 Day Brief**

**FOUO**

14

(b)(3), (b)(6)

Capt (b)(3), (b)(6) (2/3 BN JUDGE ADVOCATE)

From: (b)(3), (b)(6) 2ndLt (b)(3), (b)(6) (2/3 S1 Adj)  
Sent: Tuesday, April 12, 2011 8:12 PM  
To: (b)(3), (b)(6) Capt (b)(3), (b)(6) (2/3 BN JUDGE ADVOCATE)  
Subject: FW: (FOUO) Casualty Report - SUPP - LEW, HARRY - Incident Date/Time: 2011/04/03 03:35

2ndLt (b)(3), (b)(6)  
Battalion Adjutant  
2d Battalion, 3d Marines  
FOB Geronimo, Afghanistan  
DSN: (b)(3), (b)(6), (b)(2)  
VOSIP: (b)(3), (b)(6), (b)(2)  
NIPR: (b)(3), (b)(6)  
SIPR: (b)(3), (b)(6)

THINK 2/3

-----Original Message-----

From: (b)(3), (b)(6) Cpl (b)(3), (b)(6) (RCT-1 S-1 ADMIN CLERK)  
Sent: Wednesday, April 06, 2011 15:05  
To: (b)(3), (b)(6) SgtMaj (b)(3), (b)(6) (2/3 BN SGTMAJ); (b)(3), (b)(6) 2ndLt (b)(3), (b)(6) (2/3 S1 Adj); (b)(3), (b)(6) GySgt

(b)(3), (b)(6)

Subject: FW: (FOUO) Casualty Report - SUPP - LEW, HARRY - Incident Date/Time: 2011/04/03 03:35

Good Afternoon Gentlemen,

Below is Supp from Div ICO LCpl Lew, Harry.

V/R

CPL (b)(3), (b)(6)

RCT-1 S-1

DSN (b)(3), (b)(6), (b)(2)

(b)(3), (b)(6)

-----Original Message-----

From: TFL CASUALTY  
Sent: Wednesday, April 06, 2011 14:53  
To: (b)(3), (b)(6) LCpl (b)(3), (b)(6) (RCT-1 S-1 ADMIN CLERK); (b)(3), (b)(6) Cpl (b)(3), (b)(6) (RCT-1 S-1

(b)(3), (b)(6)

Subject: FW: (FOUO) Casualty Report - SUPP - LEW, HARRY - Incident Date/Time: 2011/04/03 03:35

FYI

V/R

Thank you for your time and cooperation,

LCpl (b)(3), (b)(6)  
2d Mardiv FWD  
Casualty Watch Clerk NCOIC  
DSN: (b)(3), (b)(6), (b)(2)  
VOSIP: (b)(3), (b)(6), (b)(2)

-----Original Message-----

From: (b)(3), (b)(6) LCpl (b)(3), (b)(6) RC(SW) II MEF FWD G1 Casualty Watch Clerk On Behalf Of MEF FWD CASUALTY  
Sent: Wednesday, April 06, 2011 14:49  
To: Casualty PCR USMC - Deceased

(b)(3), (b)(6)

Subject: ~~(FOUO)~~ Casualty Report - SUPP - LEW, HARRY - Incident Date/Time: 2011/04/03 03:35

~~FOR OFFICIAL USE ONLY~~

THIS E-MAIL CONTAINS FOR OFFICIAL USE ONLY (FOUO) INFORMATION WHICH MUST BE PROTECTED UNDER THE PRIVACY ACT, DOD 5400.11-R. TREAT ANY ATTACHMENTS AS FOUO.

\*\*\*\*\*

DO NOT CHANGE ANYTHING BELOW THIS LINE.  
TO CHANGE THIS CASUALTY REPORT, DISCARD THIS EMAIL, RETURN TO DCIPS-FORWARD, MAKE YOUR CHANGES AND GENERATE THE EMAIL AGAIN.

\*\*\*\*\*

\*\*\*\*\*

\*\*\*\*\* CASUALTY REPORT \*\*\*\*\*

\*\*\*\*\*

Report Type: SUPP

Casualty Type: Nonhostile

Casualty Status: DECEASED

Casualty Category: Pending

Report Number: 1F100043A

Personnel Type: Regular

Personnel Affiliation: Active Duty

Personnel Category: Obligated/Voluntary Service

SSN (New/Old): (b)(6)

Last Name: LEW

First Name: HARRY

Service: United States Marine Corps

Military Rank: LCPL

Military Unit of Assignment: 2/3, RCT-1, 2D MARDIV (FWD), II MEF (FWD) (PARENT CMD: 3D MARDIV)

Date/Time of Incident (New/Old): 20110403/0335 / 20110403/0400

Incident City: GOWRAGI

Incident Country: Afghanistan

Circumstance: ON 20110403, LCPL LEW, MALE, 0311, WAS DISCOVERED WITH AN APPARENT GUNSHOT WOUND TO THE HEAD IN AN OBSERVATION POST ABOARD PATROL BASE GOWRAGGI. LCPL LEW WAS PRONOUNCED DECEASED BY THE ON-SCENE COMPETENT MEDICAL AUTHORITY. LCPL LEW WAS IDENTIFIED BY SGT (b)(3), (b)(6) BY MEANS OF PERSONAL ASSOCIATION AND ID TAGS. LCPL LEW WAS WEARING THE NEW KEVLAR HELMET, SCALABLE PLATE CARRIER WITH FRONT AND REAR ESAPI PLATES, TWO SIDE ESAPI PLATES, BALLISTIC GOGGLES AND NOMEX GLOVES.

Diagnosis Info: APPARENT GUNSHOT WOUND TO THE HEAD

Progress Report: Report Date: 20110403 Country: AF

Date/Time of Death: 20110403/0335

Place of Death Country: Afghanistan

Cause of Death: APPARENT GUNSHOT WOUND TO THE HEAD

Remarks: NAVAL CRIMINAL INVESTIGATION SERVICE (NCIS) HAS INITIATED AN INVESTIGATION INTO THE CIRCUMSTANCES OF THE INCIDENT. UPON COMPLETION OF NCIS' INVESTIGATION THE COMMAND WILL INITIATE A COMMAND INVESTIGATION. 1STLT (b)(3), (b)(6) WILL BE ASSIGNED AS THE INVESTIGATING OFFICER. THE PROPER MEDICAL AUTHORITIES WILL MAKE THE APPROPRIATE ENTRIES IN LCPL LEW'S MEDICAL RECORD. LCPL LEW'S NOK HAS NOT BEEN NOTIFIED. THIS PCR HAS BEEN VERIFIED BY MAJ (b)(3), (b)(6) (b)(3), (b)(6) BATTALION EXECUTIVE OFFICER, AT DSN: (b)(3), (b)(6), (b)(2) UNIT POINT OF CONTACT IS 2NDLT (b)(3), (b)(6) BATTALION ADJUTANT, AT DSN: (b)(3), (b)(6), (b)(2) OR AT (b)(3), (b)(6) SUPP PCR WILL FOLLOW AS NECESSARY.

SUPP A: ON 20110405, DOVER AIR FORCE BASE MORTUARY HAS CONFIRMED THAT THE CAUSE OF LCPL LEW'S DEATH WAS SUICIDE. AGENT (b)(3), (b)(6), (b)(7)c OF THE NAVAL CRIMINAL INVESTIGATION SERVICE (NCIS) IS CURRENTLY CONDUCTING THE INVESTIGATION INTO THE CIRCUMSTANCES OF THE INCIDENT. THE COMMAND HAS INITIATED A COMMAND INVESTIGATION. CAPT (b)(3), (b)(6) HAS BEEN ASSIGNED AS THE INVESTIGATING OFFICER. SUPP PCR WILL FOLLOW AS NECESSARY.

Software Version: DCIPS Forward - Version 4.0 Build: 57 Release Date: 01 MAR 2007

~~FOR OFFICIAL USE ONLY~~

(b)(3), (b)(6), (b)(4)

(b)(3), (b)(6), (b)(4), (b)(2)

(b)(3), (b)(6), (b)(4)

(b)(3), (b)(6), (b)(2), (b)(4)

(b)(3), (b)(6), (b)(4)

(b)(3), (b)(6), (b)(2), (b)(4)



# GOLF COMPANY, 2/3 SELF-INFLICTED GSW

WHO: GOLF COMPANY

WHERE: [REDACTED]

WHEN: 030420D+36 APR 11

WHAT: AT 0420, A ROUTINE MEDEVAC WAS REQUESTED FOR A MARINE WHO HAD SUFFERED A SELF INFLICTED GUN SHOT WOUND TO THE HEAD. THE MARINE, LCPL LEW, WAS ON POST FROM 022200DAPR11 TO 030100DAPR11. AT 022230DAPR11, DURING HIS SHIFT, LCPL LEW WAS FOUND ASLEEP AT HIS POST BY HIS SQUAD LEADER, SGT [REDACTED]. THE SQUAD LEADER HAD FOUND LCPL LEW ASLEEP ON POST 4 DAYS PRIOR TO THE EVENT. LCPL LEW WAS REPLACED ON GUARD AND INSTRUCTED TO BUILD A NEW FIGHTING HOLE. LCPL LEW WAS STILL DIGGING HIS NEW FIGHTING HOLE JUST BEFORE 0335, WHEN HE SUFFERED A SELF-INFLICTED GUN SHOT WOUND TO THE HEAD FROM A 3 ROUND BURST FROM HIS M249 SAW. THE SQUAD CORPSMAN, HN [REDACTED] HAD BEEN PARTNERED WITH LCPL THE DAYS PRIOR TO THE EVENT, BUT WAS NOT PARTNERED AT THE TIME OF THE INCIDENT. HN [REDACTED] STATED THAT LCPL LEW WAS HAVING PROBLEMS AT HOME AND DID NOT WANT TO BE HERE ANYMORE, THOUGH HE MADE NO COMMENTS ABOUT HARMING HIMSELF. AT APPROXIMATELY 030740DAPR11 (3) NCIS AGENTS WERE HELD INSERTED INTO PB GOWRAGI (NAMED PB HAJI SNAM DROP AT THE TIME) TO START THE PRELIMINARY INVESTIGATION. NCIS TOOK POSSESSION OF THE WEAPON AND SEARCHED THROUGH LCPL LEW'S BELONGINGS. AT 031439DAPR11, THE REMAINS AND EVIDENCE WERE FLOWN FROM PB GOWRAGI TO CAMP DWYER WITH THE NCIS AGENTS ON [REDACTED] 54 ON ASR [REDACTED]

KIA/WIA: 0/0

EKIA/EWIA: 0/0

EFFECTS OF EVENT:

AAR: ISAF REF# SA ONLY

(c)(9)

ENCLOSURE (1)

## MCTFS BASIC INDIVIDUAL RECORD

04/12/2011  
10:37:17

SSN: (b)(6) NAME: LEW, HARRY  
RUC: 00000 COMPANY CODE: PRES-GRADE: E3 RECSTAT: E COMP CODE:  
PLT CODE: TRNGRP: R-RECSTAT: RCOMP-CODE:

## \*\*\*\*\*CONTRACT INFORMATION\*\*\*\*\*

EAS: 20110403 COMPONENT CODE:  
EOS: 00000000 ECC: 20130809 RESERVE COMPONENT CODE:  
RESERVE ECC: 00000000 DATE ACCEPTED FIRST COMMISSION: 00000000  
DATE OF ENL/ACCEPT: 20090810 DOD TRNGRP: TRAINING GRP:  
AFADB: 00000000 PEBD: 20090810 MANDATORY DRILL START: 00000000 END: 00000000  
DATE OF ORIG ENTRY: 20090226 DATE OF BASIC ELIG: 00000000MDP EXT MO: 00  
LENGTH CURR ENL: 4 YRS PEF: UH INFANTRY OPTION  
LENGTH CURR ENL: 00 MOS BONUS PEF:  
LENGTH CURR EXT: 00 MONTHS COLLEGE FUND PEF:  
NO EXT CURR ENL: 00 MGIB-SR STATUS:  
TOTAL MONTHS EXT: 00 MONTHS ACTIVE DUTY MGIB STATUS: 5 OVEBP CODE: 3  
EFF DTE CURR EXT: 00000000 POST 911 GIBILL BENEFITS TR DT: 00000000  
MONTHS LAST ENL EXT: 00 POST 911 GIBILL ELIG BEGIN DT: 00000000  
TIME LOST CURR ENL: 000 DAYS DESIG MIL PILOT: 00000000  
SOURCE OF INT ENTRY MIL SER: C 6 YEAR OBL START: 00000000  
SOURCE OF ENTRY: ADDBA OCAN CODE: OCAN EFF DATE: 00000000

## \*\*\*\*\*SERVICE INFORMATION\*\*\*\*\*

PRES GRADE: E3 DOR: 20100801 ACDU RUC: 00000 MCC:  
SEL GRADE: DTE: 00000000 RESERVE RUC: MOB MCC:  
FROM RESTR STAT CD: 0 FROM RESTR TERM DTE: 00000000

WORK STATION:  
BILLET DESCRIPTION:

1TAD RUC: 00000 MCC:  
2TAD RUC: 00000 MCC:

ANNIVERSARY DATE: 00000000  
PEN: 0206211M RCN: 467339 FAPRUC: 00000 RESERVE MCC:  
DCTB: 20100217 FORMER RUC: 13120 FUTURE RUC:  
DATE JOINED PRES UNIT: 20100218 IND LOC CODE: 110 AF 0000 INVALID  
DATE JOINED SMCR: 00000000

GEO LOC CODE: DEPLOY RET DATE: 20111116 DEPLOY STAT: 1  
GEO LOC DCTB: 000000 ROTATION TOUR DATE: 00000000  
COMBAT SERV CODE: OVERSEAS CONTROL DATE: 20041228  
LAST COMBAT TOUR: 00000000 LAST PHYS EXAM: 00000000  
OFF REMOVAL DATE: 00000000 PHA DATE: 00000000  
CO DATE: 00000000 RESERVE UNIT JOIN DATE: 00000000  
LAST SEP/DISCH DATE: 00000000 REASON: 8491 DEATH OUTSIDE US NON BATTLE-GUNSHOT

PMOS: 0311 ADMOS1: ADMOS6: ADMOS11:  
BMOS: 0311 ADMOS2: ADMOS7: ADMOS12:  
SMOS: 0000 ADMOS3: ADMOS8:  
JMOS: ADMOS4: ADMOS9:  
JMOS ED: 00000000 ADMOS5: ADMOS10:

## \*\*\*\*\*PERSONAL INFORMATION\*\*\*\*\*

DATE OF BIRTH: 19900331 HOME OF RECORD: 085 06 3440 INVALID  
CITIZENSHIP: CA US COUNTRY OF ORIGIN: US UNITED STATES  
BLOOD TYPE: B O POS CIVILIAN ED LEVEL: 12 12TH GRADE  
SEX: M CERT: L HS DIPL MAJOR: AA H.S. ACADEMIC -  
RACE AGG CODE: B RACE CODE: B ASIAN  
POPULATION GROUP: ASIAN  
ETHNIC CODE: G CHINESE  
RELIGION: 75 ATHEIST  
DNA DATE: 20090810 HIV-TESTED: 000000

ENCLOSURE (17)

GOOD CONDUCT MEDAL DATE: 20090810  
ARMED FORCES RESERVE MEDAL DATE: 00000000

SMCR MEDAL DATE: 00000000

DUTY PREF1:  
DUTY PREF2:  
DUTY PREF3:

-----\*\*PERSONAL INFORMATION\*\*-----

HOME TELEPHONE NUMBER: 4087817637

CELL PHONE NUMBER:

SECONDARY PHONE NUMBER:

WORK TELEPHONE NUMBER: (b)(2)

WORK DSN PHONE NUMBER PREFIX: 000

MAILING ADDRESS: BOX 63012

MCBH KANEOHE BAY HI 968630000

ADDRESS VALIDATION: J MOL VALIDATION ONLY

WORK EMAIL:

WORK EMAIL DATE: 00000000

PERSONAL EMAIL:

PERSONAL EMAIL DATE:

SECONDARY EMAIL:

PHYSICAL ADDRESS: BKS 1655 RM 315

MCBH KANEOHE BAY HI 968630000

-----\*\*RECORD INFORMATION\*\*-----

RECORD STATUS: E SEP/DESERT/REC STATU RESERVE RECORD STATUS:

DISPUTED DATE: 00000000

DISPUTED DATA:

LAST SCREENING: 20101108

REASON: 2 ANNUAL SCREEN QUEST

SCREENING RESULT: Z ANNUAL SCREENING COMPL FOR ACDU ONLY

-----\*\*DEPENDENTS INFORMATION\*\*-----

MARITAL STATUS: S SINGLE

TOTAL NUMBER DEPENDENTS: 00

DEPN CERT CODE: NONE

DEPN GEO LOC CODE:

DATE DEPN LOC BEGAN: 00000000

SERVICE SPOUSE SSN:

CUSTODY STATUS CODE:

SERVICE SPOUSE CODE:

SPL POWER OF ATTORNEY: 00000000

SERVICE SPOUSE DATE: 00000000

\*\*\* THERE ARE NO REMARKS FOR INPUT SSN \*\*\*

-----\*\*BILLET IDENTIFICATION\*\*-----

PRESENT BILLET IDENT CODE:

RESERVE BILLET IDENT CODE:

FAP BILLET IDENT CODE:

FORMER BILLET IDENT CODE:

-----\*\*DUTY STATUS INFORMATION\*\*-----

DUTY STATUS:

DUTY LIMIT: 0/NONE

DUTY LIMIT ED: 20090810

STR CAT: 0/ON DUTY W/BILLET THAT SERVES COMMAND MSN

STR CAT ED: 20100218

COMBAT CAS:

COMBAT CAS ED: 00000000

I CERTIFY THAT MY ELIGIBILITY FOR ENTITLEMENT TO BASIC ALLOWANCE FOR HOUSING  
HAS/HAS NOT CHANGED SINCE MY LAST CERTIFICATION/UPDATE.

ENCLOSURE (1)

SIGNATURE:

DATE:

DEPN ZIP  
IF APPLICABLE

RESERVE ONLY:

I CERTIFY THAT I HAVE BEEN INFORMED ABOUT THE MOBILIZATION DELAYS/EXEMPTION PROGRAM AND ASSOCIATED POLICIES. I FURTHER CERTIFY THAT MY RETIREMENT OR DISABILITY PENSION STATUS HAS NOT CHANGED. IF MY STATUS HAS CHANGED, I HAVE COMPLETED THE NECESSARY FORMS. INITIAL: \_\_\_\_\_

BIR CERTIFICATION SIGNATURE REQUIRED FOR BOTH ACTIVE DUTY AND RESERVE MARINES:

MARINE: \_\_\_\_\_ DATE: \_\_\_\_\_ AUDITOR: \_\_\_\_\_ UD NUM: \_\_\_\_\_

ENCLOSURE (17)

## MCTFS BASIC TRAINING RECORD

04/12/2011

10:37:25

SSN: (b)(6) NAME: LEW, HARRY  
RUC: 00000 COMPANY CODE: PRES-GRADE: E3 RECSTAT: E COMP CODE:  
PLT CODE: TRNGRP: R-RECSTAT: RCOMP-CODE:

## -----\*\*UNIT TRAINING\*\*-----

BST/EST DATE: 200911 GAS MASK SIZE: C MEDIUM  
PERFORMED: 050 GAS MASK TYPE: N M40A1  
ATTEMPTED: 050 HELMET SIZE: C MEDIUM  
SCORE: 50 JOINT QUAL LEVEL: 0  
JOINT QUAL APPR DT: 00000000  
JOINT PME LEVEL: 0  
JOINT EXPERIENCE PT: 000.0

WATER SURVIVAL CODE: 4 COMBAT WATER SURVIVAL 4TH CLASS (CWS4)  
WATER SURV REQUAL DATE: 201009

WEIGHT CONTROL STATUS:  
WEIGHT CONTROL DATE: 00000000  
MIL APPEARANCE STATUS:  
MIL APPEARANCE DATE: 00000000  
WT CNT'L QY: 00 MILAP QY: 00

## -----\*\*UNIT TRAINING\*\*-----

CURRENT RIFLE QUAL DATE: 20100416 CURRENT PISTOL QUAL DATE: 000000  
CURRENT RIFLE SCORE CD: 297 CURRENT PISTOL SCORE CD:  
CURRENT RIFLE CLASS CD: S CURRENT PISTOL CLASS CD:

DISTINGUISHED DATE: 000000 DISTINGUISHED DATE: 000000  
PET DATE: 000000 PET DATE: 000000  
EXCEPTION: WAIVER EXCEPTION:  
EXCEPTION DATE: 201011 EXCEPTION DATE: 000000

EXPERT RIFLE QUALIFICATIONS: 00 EXPERT PISTOL QUALIFICATIONS: 00

INCUR OBLIG SERV DATE: 00000000  
INCUR OBLIG SERV CODE:

INTELLIGENCE TRAINING HOURS: 00

## -----\*\*SERVICE TRAINING\*\*-----

CODE	TRAINING DESCRIPTION	DATE
PI	PERSONAL IDENTIFIABLE INFORMATION	20100623
AG	GAS CHAMBER	20100527
A2	DRIVER AWARENESS (ALIVE AT 25, AAA-DIP, ETC)	20100322
AJ	SECURITY LECTURE	20091104
AF	SEXUAL HEALTH (STI/HIV) TRAINING (SF)	20091104
AL	BASIC ANNUAL LEADERSHIP TRAINING	20091104
RS	RUNNING SUIT ISSUE	20091014

## -----\*\*SERVICE SCHOOLS/SPECIAL SKILLS\*\*-----

CODE	SCHOOL/SPECIAL SKILLS	ST DATE	CODE	SCHOOL/SPECIAL SKILLS	ST DATE
T8J	LEADING MARINES DISTANCE E	PA 2011	031	INFANTRY RIFLEMAN	PA 2010
HDG	BASIC INFANTRYMAN	PA 2010	808	RECRUIT TRAINING, MALE	PA 2009

ENCLOSURE (17)

## MCTFS BASIC TRAINING RECORD

04/12/2011

10:37:25

SSN: (b)(6)

NAME: LEW, HARRY

RUC: 00000

COMPANY CODE:

PRES-GRADE: E3

RECSTAT: E

COMP CODE:

PLT CODE:

TRNGRP:

R-RECSTAT:

RCOMP-CODE:

-----\*\*TEST SCORES\*\*-----  
CLAS/ASGN TEST-TYPE: GCTTEST DATE: 20090223 GT/GCT: 103  
SCORES: RV -000 AC -000 AR -000 PA -000

ARMY RADIO CODE- SCORE: 000 DATE: 00000000 AFQT FORM #: 08E AFQT - 61  
ELEC/DP TEST- SCORE: 000 DATE: 00000000  
DLAB - SCORE: 000 DATE: 00000000

## FOREIGN LANGUAGE PROFICIENCY

## SOURCE

CODE LANGUAGE DESCRIPTION CODE TYPE TEST TEST DATE TYPE SKILL SKILL LEVEL

\*\*\* THERE ARE NO REMARKS FOR INPUT SSN \*\*\*

## -----\*\*\*MARTIAL ARTS TRAINING\*\*\*-----

CODE	COMPL DATE	INSTR	RECERT DATE	DESC	REASON REVOKED	REVOKE EFF DATE
MMB	20091014	00000000		TAN BELT	0	00000000

## -----\*\*\*INFORMATION ASSURANCE (IA)\*\*\*-----

\*\*\* THERE ARE NO REMARKS FOR INPUT SSN \*\*\*

## -----\*\*\*PHYSICAL FITNESS TEST\*\*\*-----

SCORE	DATE	CODE	CLASS	PU/FAH	CRUNCHES	RUN
252	20100420	1	1	15	100	21:50
276	20091022	2	1	22	100	22:00

## -----\*\*\*COMBAT FITNESS TEST\*\*\*-----

SCORE	EFF DATE	CODE	CLASS	MOVEMENT TO CONTACT	AMMO LIFT	MANEUVER UNDER FIRE
270	20101029	2	1	03:10	091	02:59
271	20091026	2	1	03:20	085	02:35

ENCLOSURE 117

\*\*\*\*\*MCTFS RECORD OF EMERGENCY DATA\*\*\*\*\*

04/12/2011  
10:37:32

SSN: (b)(6) NAME: LEW, HARRY  
RUC: 00000 COMPANY CODE: PRES-GRADE: E3 RECSTAT: E COMP CODE:  
PLT CODE: TRNGRP: R-RECSTAT: RCOMP-CODE:

SPOUSE NAME/ADDRESS  
SINGLE

CHILD NR/NAME/DOB/ADDRESS  
NONE

GUARDIAN NR/NAME/PHONE/RELATION/ADDRESS  
NONE

FATHER/MOTHER NAME/ADDRESS  
ALLEN LEW

742 PARK COURT  
SANTA CLARA CA 95050  
SAME AS FATHER

SANDY X LEW

DO NOT NOTIFY DUE TO ILL HEALTH NR/NAME/RELATION/ADDRESS  
NOT NOTIFY 1 NOT GIVEN  
NOT NOTIFY 2 NOT GIVEN

MIA NOTIFY NAME/RELATIONSHIP  
SEE NOK INFORMATION  
MIA ADDRESS/DIRECTIONS  
SEE NOK INFORMATION

BENEFICIARY(IES) FOR DEATH GRATUITY NR/RELATIONSHIP/PCT  
01 SANDY X LEW MO 100%  
ADDR1 SAME AS ABOVE  
ADDR2  
TELE SAME AS ABOVE

BENEFICIARY(IES) UNPAID PAY/ALLOWANCES NR/NAME/RELATION/PCT/ADDRESS  
1 SANDY X LEW MO 100% (ADDRESS NOT GIVEN)  
PAY ARREARS 2 NOT GIVEN

PERSON AUTHORIZED DIRECT DISPOSITION NAME/ADDRESS/TELEPHONE/RELATIONSHIP  
NAME/RELATIONSHIP SANDY X LEW (M)  
ADDR1 SAME AS ABOVE  
ADDR2  
TELE SAME AS BELOW

INSURANCE COMPANIES NR/NAME/POLICY NUMBER  
NONE

NEXT OF KIN NR/TELEPHONE NUMBER/RELATIONSHIP  
1 408-718-4199 M  
2 408-316-3895 F

PRIMARY NEXT OF KIN DIRECTIONS  
NONE

DATE OF CERTIFICATION 20101108

MEMBER CERTIFICATION \_\_\_\_\_ REPORT ON UD NUMBER \_\_\_\_\_

WITNESS CERTIFICATION \_\_\_\_\_ DATE CERTIFIED \_\_\_\_\_

ENCLOSURE 17

\*\*\*\*MCTFS RECORD OF EMERGENCY DATA\*\*\*\*

04/12/2011  
10:37:32

SSN: (b)(6) NAME: LEW, HARRY  
RUC: 00000 COMPANY CODE: PRES-GRADE: E3 RECSTAT: E COMP CODE:  
PLT CODE: TRNGRP: R-RECSTAT: RCOMP-CODE:

SGLI MEMBER ELECTION	ELECTS \$400,000 COVERAGE
SGLI MEMBER BENEFICIARY	MOTHER TO RECEIVE
SGLI MEMBER PAY DESIGNATION	LUMP SUM
SGLI MEMBER VA CERTIFY DATE	20101108
SGLI SPOUSE ELECTION	NO SPOUSE

MEMBER CERTIFICATION \_\_\_\_\_ REPORT ON UD NUMBER \_\_\_\_\_  
WITNESS CERTIFICATION \_\_\_\_\_ DATE CERTIFIED \_\_\_\_\_

PAGE 2 OF 2

ENCLOSURE 17

\*\*\*\* AWARDS \*\*\*\*

04/12/2011  
10:36:31

SSN: (b)(6) NAME: LEW, HARRY  
RUC: 00000 COMPANY CODE: PRES-GRADE: E3 RECSTAT: E COMP CODE:  
PLT CODE: TRNGRP: R-RECSTAT: RCOMP-CODE:

CODE	ENGLISH	NUMBER
SD	SEA SERVICE DEPLOYMENT RIBBON	001
CA	AFGHANISTAN CAMPAIGN MEDAL	001
WT	GLOBAL WAR ON TERRORISM SERVICE MEDAL	001
NN	NATIONAL DEFENSE SERVICE MEDAL	001

GOOD CONDUCT MEDAL DATE: 20090810  
ARMED FORCES RESERVE MEDAL DATE: 00000000  
SMCR MEDAL DATE: 00000000

ENCLOSURE (17)

\*\*\*\* CHRONOLOGICAL RECORD 130 REMARKS \*\*\*\*

04/12/2011  
10:37:50

SSN: (b)(6) NAME: LEW, HARRY  
RUC: 00000 COMPANY CODE: PRES-GRADE: E3 RECSTAT: E COMP CODE:  
PLT CODE: TRNGRP: R-RECSTAT: RCOMP-CODE:

UNIT ORGANIZATION	PRIMARY DUTY	REMARKS
RECRUIT PERSONNEL SUPPORT BN RTR SAN DIEGO CA RUC 34022 MCC 017	BASIC MARINE W/ENL GUARANTEE 8011 (03)	20090813 JOIN RUC 34022 MCC 017 RECRUIT
SCHOOL OF INFANTRY (STUD PERS) CAMP PENDLETON CA RUC 33353 MCC J9Y		20091104 TR MCC J9Y DU EDA 20091201
		20091202 JOIN RUC 33353 MCC J9Y GND ENTLEVEL STUD HDG
		20100217 TR MCC V23 DU EDA 20100218
	RIFLEMAN 0311	20100217 CHPRIDU
2DBN 3DMAR 3DMARDIV KANEOME BAY HI RUC 13120 MCC V23		20100218 JOIN RUC 13120 MCC V23 DU
	RIFLEMAN 0311 (13)	20100304 CHPRIDU
		20110403 DROP SPD 8491 8 RE 00 ED 20110403

ENCLOSURE (17)



# UNITED STATES MARINE CORPS

TASK FORCE 2/3  
REGIMENTAL COMBAT TEAM 1  
1ST MARINE DIVISION (FWD)  
UNIT 44040  
FPO AP 98807-4040

In Reply Refer To:  
5500  
S2  
20 Apr 11

From: Battalion Intelligence Officer, 2d Battalion, 3d Marine Regiment  
To: Battalion Judge Advocate, 2d Battalion, 3d Marine Regiment

Subject: THREAT IN GOWRAGI

1. A significant amount of enemy combatants are known to reside in an area referred to as Gowragi, Nawah-ye Barakzai District, Helmand Province, Afghanistan. Prior to 3 April, 2011 two attacks specifically targeted the Marines who were present in Gowragi. Fortunately these small arms attacks did not result in any Marine casualties. There were continuing indications that revealed future attacks were intended for the Marines static position in Gowragi, the threat was and still is very real and needless to say imminent. It is imperative all Marines are 100% alert during their designated times of duty to protect the remaining Marine unit present.

(b)(3), (b)(6)

END PAGE (18)

**Investigating Officer Comments**

I swear the following is true to the best of my knowledge:

I contacted Second Lieutenant (b)(3), (b)(6) on 10 April 2011 in order to determine the serial number for Lance Corporal Lew's M249 Squad Automatic Weapon. On 12 April 2011 he informed me that the number was #162338.

On 17 April 2011, five Naval Criminal Investigative Service Agents arrived at Forward Operating Base Geronimo in order to conduct interviews and take Sworn Voluntary Statements for their investigation into the death of Lance Corporal Harry Lew. Prior to taking statements, I asked them if they were going to read 31b Warnings to Lance Corporal (b)(3), (b)(6) and Lance Corporal (b)(3), (b)(6). I told them that the Command viewed hazing as misconduct, and that if they suspected that a Marine had hazed another Marine, 31b Warnings should be read. They later informed me that they would not be reading anyone 31b Warnings as they wanted the truth to come out. They believed that 31b Warnings would hamper their chances of receiving complete statements. Not wanting to interfere with their investigation, I let the matter go.

On 22 April 2011, I spoke with First Lieutenant Lane (b)(3), (b)(6) the Battalion Assistant Operations Officer, and confirmed the following: From 21 March 2011 to 3 April 2011, the Marines at PB Gowragi received small arms fire from 4-6 enemy fighters on at least two occasions. The Marines were able to repel each attack during which the enemy forces used both AK-47s and medium machine guns.

In late April 2011, I was informed by Special Agent (b)(3), (b)(6), (b)(7)(c) NCIS, that during the autopsy, the following message was found inscribed on LCpl Lew's left forearm: "May hate me now, but in the long run this was the right choice I'm sorry my mom deserves the truth." (b)(3), (b)(6)

(b)(3), (b)(6)

Captain, U.S. Marine Corps  
TF 2/3  
Battalion Judge Advocate  
23 April 2011

ENCLOSURE (24)

## VOLUNTARY STATEMENT

I, First Lieutenant (b)(3), (b)(6), do hereby make the following free, voluntary statement. My current unit is 2d Battalion, 3d Marine Regiment. My current billet is Battalion Logistics Officer. My duty phone number is (b)(3), (b)(6), (b)(2)

On 22 April 2011, the Investigating Officer asked me to make a statement about what the current command of 2d Battalion, 3d Marines has done to educate Marines and Sailors on hazing and any steps taken to attempt to prevent hazing. The following is true to the best of my knowledge:

At the beginning of December 2009, Lieutenant Colonel (b)(3), (b)(6) assumed command of 2d Battalion, 3d Marines right before our post-deployment leave period. After his assumption of command and prior to the leave period, LtCol (b)(3), (b)(6) held a battalion formation behind the Battalion Command Post. During this formation and among other topics, LtCol (b)(3), (b)(6) told the Battalion that we would have a large group of new Marines come to the Battalion immediately after block leave and that we should not haze them. He stated that the new Marines had already earned their right of passage into the Marine Corps, and needed to perform no further feats to be accepted as Marines or members of the Battalion and should be welcomed into the Battalion like family.

In February 2010, LtCol (b)(3), (b)(6) held another battalion formation in response to a hazing incident within the Battalion. The entire purpose of this formation was to cover hazing and the fact that it is not condoned. During this formation, LtCol (b)(3), (b)(6) read the definition of hazing off of a piece of paper, gave examples of what hazing consisted of, and told the Battalion that he would not put up with hazing and would court martial any Marine or Sailor charged with hazing. LtCol (b)(3), (b)(6) went over in detail the events that had occurred and explained why each of the situations were considered hazing. LtCol (b)(3), (b)(6) told the Battalion if there were any questions about if something was hazing or not, that means it is probably hazing and should not be conducted. Also, if there are any questions about what is or is not hazing, ask your Staff Non-Commissioned Officer In-Charge or Officer In-Charge and they will be able to answer your questions.

In the spring or summer of 2010, Brigadier General Laster denounced the series of hazing incidents within the Battalion at Dewey Square. After the Commanding General was done speaking, LtCol (b)(3), (b)(6) followed him up by reiterating what BGen Laster had just stated about hazing.

In August 2010, at Camp Wilson, LtCol (b)(3), (b)(6) spoke about hazing again after another hazing incident while at Exercise ENHANCED MOJAVE VIPER 6-10.

These are the specific instances I remember. Hazing was brought up at nearly every battalion formation.

(b)(3), (b)(6)

1STLT/USMC

23 April 2011  
DATE

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
DATE

ENCLOSURE (25)

Pg 1 of 1 *W*

