

"I WOULD DO IT EXACTLY THE SAME WAY"

Situation: We saw a significant increase in enemy activity and attacks in the recent months along main supply route (MSR) TAMPA in Iraq. Tensions were high on the ground and in the air. Improvised explosive device (IED) attacks were all too common and we lost a few aircraft due to enemy activity. The new division commander (CG) decided to retain the previous commander's rule requiring Attack Weapon Teams (AWT) to escort all roadside or "under active hostile conditions" aerial medical evacuations (MEDEVAC). Though aerial MEDEVAC missions remained the number one priority in Baghdad, current operations did not always allow for an immediate AWT response. Such was the case for the IED that hit a convoy on MSR Tampa.

A roadside IED catastrophically hit the first vehicle of four in the convoy. The convoy passed a 9-Line MEDEVAC report through the brigade tactical operations center (TOC) and on to the aviation unit TOC. The on-scene commander reported two casualties as urgent surgical and the third as priority; urgent surgical meant life threatening injuries. A 9-Line MEDEVAC report gives available information immediately after an incident to include the nature of the injury and the conditions of the landing zone (LZ) for the inbound aircraft. During this 9-Line, the on-scene commander reported the LZ at the IED blast site as free from enemy activity (cold). Regardless of the "cold" conditions reported, the CG policy required an AWT for the MEDEVAC to occur. As the aviation unit TOC scrambled to get helicopters en route to the MEDEVAC site, a crippling point became allocating AWT escorts. At the time, one AWT escort was refueling on the opposite side of the IED blast site at Baghdad International Airport while the other was conducting an intercept of a rocket attack in the Green Zone.

During the flurry of activity in the TOCs, the on-scene commander on MSR TAMPA updated the 9 Line by reporting the convoy was taking small arms fire and at that point the LZ had become "hot", further increasing the need for the AWT. We identified the MEDEVAC mission aircraft and I, the CW4 pilot in command, was all systems GO and ready to leave. However, we had no AWT escort confirmed. As a purely MEDEVAC mission pilot, I have seen numerous scenarios, trained for even more, and was prepared for this mission. However, I was not prepared for the delay in getting an AWT escort to accompany my mission.

In order to keep from violating the "no solo aircraft" rule I decided to depart with my lightly armed Blackhawk helicopter partner. We would "hook up" with the AWT en route as I knew the casualties were catastrophic and I was not going to let "red tape" delay us any longer. The aviation unit TOC identified the AWT for this mission as the pair of aircraft on the ground refueling. With our MEDEVAC mission already en route, the AWT escorts at the airport struggled with the busy air traffic controllers to get clearance to take off to escort us into the LZ. After 10 long minutes the AWT escort was airborne however it was 5 minutes too late. Because I left before our AWT escort was confirmed, we arrived on scene before our AWT escorts could clear the LZ and provide airborne top cover. I authenticated the 9 Line MEDEVAC and requested permission from the aviation unit TOC to land without AWT escorts based on my assessment of the situation. Based on policy, I was denied permission to land. The on-scene commander pleaded with me to land and confirmed the LZ was secure, so I chose to land our two aircraft and loaded the casualties, although I was denied permission to do so. While on the ground, the AWT arrived, circled, and declared the LZ cold. I wondered what the possible ramifications of landing in an unsecured LZ without an AWT escort would be.

REFLECTION...

The 9-Line MEDEVAC took 68 minutes to execute violating the "Golden Hour." That is that rule that all MEDEVAC casualties arrive at the next level of medical care treatment center within 60 minutes of receiving a MEDEVAC request. In this incident, one Soldier was declared dead on arrival while the other two survived. I was formally investigated for the unauthorized landing and was found to have disobeyed a direct and lawful order from my chain of command. The policy to have an AWT escort for MEDEVAC is to mitigate the risk to the aircraft, aircrew, and Soldiers on the ground. I was relieved of my pilot-in-command status and reverted to readiness level 3 to undergo additional training prior to resuming flying missions.

As it turned out, the LZ was cold the entire time. The small arms fire reported was the sniper team that happened to be in the third vehicle of the convoy shooting at movement in the field after they established a security perimeter. The movement in the field turned out to be cows.

Given the situation, I would do it all over again (as would many of my peers). The end result of this incident, and others that followed, was the delegated authority to the aviation brigade commander to determine if an AWT escort was required or not. Although, through communication with the on-scene commander, I was able to evaluate the risk; I was not authorized to waive the requirement. Now the division commander allows his aviation commanders to make that call. For that reason, and the lives of the two Soldiers I helped to save, it was worth it.

The role of the major participants in the scenario: An experienced CW4 MEDEVAC pilot who had flown at least 100 MEDEVAC mission during this tour of duty.

Ethical dilemma at the time of the incident: I was faced squarely with the choice of landing without permission and violating the division commander's rule or getting on the ground as quickly as possible to get the critically wounded Soldiers to medical care. I was denied permission to land but I did it anyway choosing to save a life instead of following protocol.

Rules/Laws that apply: The division commander, a two star general's directive, established rules of engagement.

At what point did you say, "Enough was enough"? When and how did you take action? Although I knew Soldiers were suffering from the IED blast, I was not authorized to land in an unsecured LZ. The division commander's rule was firm and known by all. I chose to land and risk my crew's safety, the safety of the accompanying Blackhawk, and the safety of all on the ground on MSR Tampa to save 3 wounded Soldiers.

Conflict or Tension of the Seven Army Values? How did you resolve those conflicts?

Integrity, Duty, Loyalty were all in conflict. I chose the moral right and put the lives of the wounded Soldiers before ROE.

Consideration of others COAs and the 2nd or 3rd order effects. My only other choice was to delay even longer and wait for the AWT escorts but at what cost, the lives of wounded Soldiers? I knew what would happen to me as the pilot in command, I was prepared to accept responsibility for my actions but secretly hoped my chain of command would back me up based on my flying record but I knew punishment would be a reality.

How did you recognize unethical behavior? How did you process or judge this was an ethical dilemma? This was an ethical dilemma because I had to choose life over established rules. I was forced to choose between saving lives and following established rules. In doing so, I put my life and the lives of the other aircraft in jeopardy.

How did you get the courage to do the harder right? My experience in Iraq with MEDEVAC missions allowed me to make the call: it felt right in my gut. I knew from the 9-line information that the injuries were critical, so I chose to potentially sacrifice my flying career to save wounded Soldiers' lives.