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DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
Afghanistan MP Det (CID)

29 Jul 2005

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL/SSI - 0077-2005-CID369-25432 - 5Q1

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 10 MAY 2005, 1100 - 10 MAY 2005, 1200; MAIN SUPPLY ROUTE RED, 8 MILES SOUTH FROM KABUL, NEAR GRID COORDINATE WD 0627420207, KABUL, AFGHANISTAN

DATE/TIME REPORTED: 12 MAY 2005, 1030

INVESTIGATED BY:

SA [REDACTED]

SUBJECT:

1. NONE, ; [TRAFFIC FATALITY] (NFI)

VICTIM:

1. UNKNOWN, ; CIV; AFGHANISTAN; AFGHANISTAN; MALE; UNKNOWN; CT ; [TRAFFIC FATALITY] (NFI)

INVESTIGATIVE SUMMARY:

"This is an Operation Enduring Investigation"

This investigation was initiated upon notification by the Military Police Traffic Accident Investigations, Bagram AirField, APO AE 09354, of a traffic accident fatality.

Investigation failed to establish probable cause to believe [REDACTED]

[REDACTED] B Company, 168th Infantry Regiment, Bagram AirField, APO AE 09354, committed the offense of Negligent Homicide as initially alleged.

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Further investigation revealed [REDACTED] was towing a military vehicle and traveling within convoy speed, following [REDACTED] units Standard Operating Procedures (SOP), and was driving in a safe manner appropriate for the area. [REDACTED] was traveling in when an unidentified local national, without warning, turned into the path of the vehicle [REDACTED] was driving. [REDACTED]

[REDACTED] turned the vehicle sharply to the right to avoid hitting the local national. The right mirror of the vehicle struck the local national causing him to go in-between the two vehicles and the vehicle being towed ran over the local national causing him injuries, which subsequently led to his death.

STATUTES:

EXHIBITS/SUBSTANTIATION:

Attached:

1. Agent's Investigation Report (AIR) of SA [REDACTED], 12 May 05, detailing the basis for investigation, coordination with the Traffic Accident Investigator, and the collection of the Military Police Report.
2. Military Police Report 00118-2005-MPC259, 11 May 05.
3. AIR of SA [REDACTED], 16 May 05, detailing the coordination with Mortuary Affairs and the collection of documents pertaining to the deceased local national.
4. DA Form 3894, Hospital Report of Death, 10 May 05, stating the cause of death as brain trauma and the manner of death was listed as a motor vehicle accident. The local national was also assigned as patient number 805051001.
5. DD Form 2064, Certificate of Death, 10 May 05, stating the cause of death as brain trauma and the manner of death was listed as a motor vehicle accident.
6. Convoy List of Remains of Deceased Personnel, 10 May 05, releasing the remains to family members.
7. Local National Casualty Feeder Card, 10 May 05, which reflects the local national was MEDEVAC'd from Grid WD0627420207.
8. AIR of SA [REDACTED], 16 Jun 05, detailing the review of Military Police Report 00118-2005-MPC259.

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9. AIR of SA [REDACTED], 18 Jul 05, detailing coordination with the Office of the Staff Judge Advocate and the receipt of the Commander's Inquiry.

10. Copy of the Commander's Inquiry, 12 May 05, wherein it's recommendation states no administrative or legal action be taken against [REDACTED]

11. AIR of SA [REDACTED] 27 Jul 05, detailing coordination with Mortuary Affairs.

Not Attached:

None.

The originals of Exhibits 1, 3, 8, 9, and 11 are maintained in the files of the United States Army Crime Records Center, Fort Belvoir, VA 22060-5585. The original of Exhibit 2 is maintained by the 13th Military Police Company, Bagram, AirField, APO AE 09354. The originals of Exhibits 4 through 7 are maintained in the files of Mortuary Affairs, Joint Logistics Command, Bagram AirField, APO AE 09354. The original of Exhibit 10 is maintained in the files of 168th Infantry Regiment, Kabul, Afghanistan, APOA E 09356.

This is a Final (C) Report. This report is being terminated IAW Section V, paragraph, 4-17(8), CIDR 195-1, in that the death resulted from an accident and it is clear that no criminal act was involved. Remaining leads include the interview of the medics who were at the scene, the identification of the deceased and autopsy. Commander's report of action (DA Form 4833) is not required.

REPORT PREPARED BY:

[REDACTED]

Special Agent, [REDACTED]

REPORT APPROVED BY:

[REDACTED]

Special Agent-in-Charge

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