

~~FOR OFFICIAL USE ONLY~~  
~~Law Enforcement Sensitive~~

**DEPARTMENT OF THE ARMY**  
U.S. ARMY CRIMINAL INVESTIGATION COMMAND  
Afghanistan CID Office  
APO AE 09354

22 Jan 2009

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - 2ND FINAL SUPPLEMENTAL/SSI -  
0201-2006-CID369-65488 - 5H6

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 13 OCT 2006, 0600 - 13 OCT 2006, 0800; STER KALAY (42S WC 585 483),  
AFGHANISTAN

DATE/TIME REPORTED: 13 DEC 2006, 0915

INVESTIGATED BY:

SA (b)(2),(b)(6),(b)(7)(C)  
SA  
SA  
SA  
SA  
SA

SUBJECT:

1. NONE, ; [JUSTIFIABLE HOMICIDE] (NFI)

VICTIM:

1. NAWAB BUNTANGYAR, (DECEASED); (POB); (POB); MALE; OTHER; STER  
KALAY (42S WC 585 483), AF; XZ ; [JUSTIFIABLE HOMICIDE] (NFI)

INVESTIGATIVE SUMMARY:

THIS REPORT IS FOR ACI2 PURPOSES ONLY. THE ORIGINAL ROI CONTAINED

1

~~FOR OFFICIAL USE ONLY~~  
~~Law Enforcement Sensitive~~

**b(2),b(6),b(7)(C)**

~~FOR OFFICIAL USE ONLY~~  
~~Law Enforcement Sensitive~~

CLASSIFIED DATA.

REGRADE FOR OFFICIAL USE ONLY-LAW ENFORCEMENT SENSITIVE WHEN SEPERATED FROM EXHIBIT 7.

(U) THIS IS AN OPERATION ENDURING FREEDOM INVESTIGATION:

(U) This investigation was initiated based on the findings of an AR 15-6 investigation conducted by COL (b)(6),(b)(7)(C) Chief of Staff, Combined Forces Special Operations Command, Camp As Sayliyah, Quatar, APO, AE 09898 (CASQ) into the fatal shooting of Mr. BUNTANGYAR.

(U) Investigation established members of Operational Detachment Alpha (ODA) 374, Combined Joint Special Operations Task Force- Afghanistan (CJSOTF-A), FB Chamkani, Afghanistan, were justified in the killing of Mr. BUNTANGYAR. Diligent efforts positively identified Mr. BUNTANGYAR as an enemy combatant, who did not surrender to U.S. or Afghan forces prior to his death. Although Mr. BUNTANGYAR complied with directions given to him by Afghan Security Forces, his actions did not amount to a clear and unequivocal act of submission or surrender.

(U) Further investigation determined ODA members acted in accordance with published Rules of Engagement and Mr. BUNTANGYAR was a valid target.

(U) Additional investigation determined CPT (b)(6),(b)(7)(C) JSOC, Fort Bragg, NC, forwarded information, gathered by ODA 374 of Mr. BUNTANGYAR, to higher headquarters who subsequently created a second entry in the Joint Effects List.

(U) ADDED ATTACHED:

(U) 8. AIR of SA SA (b)(6),(b)(7)(C) 13 Jan 09

(U) 9. Sworn Statement of MAJ (b)(6),(b)(7)(C) 13 Jan 09

(U) ADDED NOT ATTACHED:

(U) None

~~FOR OFFICIAL USE ONLY~~  
~~Law Enforcement Sensitive~~

b(6), b(7)(C)

~~FOR OFFICIAL USE ONLY~~  
~~Law Enforcement Sensitive~~

(U) The originals of Exhibits 8 and 9 are retained in the files of USACIDC, 6010, 6th Street, Fort Belvoir, VA, 22060-5506.

(U) STATUS: This is a 2nd Final Supplemental Report. No further investigative activity is anticipated at this time. Commander's Report of Disciplinary or Administrative Action (DA Form 4833) is not required.

(U) CID reports of investigation may be subject to a Quality Assurance Review by CID higher headquarters.

THIS REPORT IS FOR ACI2 PURPOSES ONLY. THE ORIGINAL ROI CONTAINED CLASSIFIED DATA.

REGRADE FOR OFFICIAL USE ONLY-LAW ENFORCEMENT SENSITIVE WHEN SEPERATED FROM EXHIBIT 7.

Report Prepared By:

(b)(6),(b)(7)(C)

Special Agent

Report Approved By:

(b)(6),(b)(7)(C)

Special Agent in Charge

DISTRIBUTION:

Dir, USACRC, Ft Belvoir, VA

10th MP BN CID

3rd MP Group, USACIDC, Fort Gillem, GA (email only)

FILE

~~FOR OFFICIAL USE ONLY~~  
Law Enforcement Sensitive

**DEPARTMENT OF THE ARMY**  
U.S. ARMY CRIMINAL INVESTIGATION COMMAND  
Afghanistan CID Office  
APO AE 09354

17 Dec 2008

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - 1ST FINAL SUPPLEMENTAL/SSI -  
0201-2006-CID369-65488 - 5H6

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 13 OCT 2006, 0600 - 13 OCT 2006, 0800; STER KALAY (42S WC 585 483),  
AFGHANISTAN

DATE/TIME REPORTED: 13 DEC 2006, 0915

INVESTIGATED BY:

SA (b)(2),(b)(6),(b)(7)(C)  
SA  
SA  
SA  
SA

SUBJECT:

1. NONE, ; [JUSTIFIABLE HOMICIDE] (NFI)

VICTIM:

1. NAWAB BUNTANGYAR, (DECEASED); (POB); (POB); MALE; OTHER; XZ ;  
[JUSTIFIABLE HOMICIDE] (NFI)

INVESTIGATIVE SUMMARY:

THIS REPORT IS FOR ACI2 PURPOSES ONLY. THE ORIGINAL ROI CONTAINED  
CLASSIFIED DATA.

1

~~FOR OFFICIAL USE ONLY~~  
Law Enforcement Sensitive

~~FOR OFFICIAL USE ONLY~~  
~~Law Enforcement Sensitive~~

(b)(6),(b)(7)(C)

REGRADE FOR OFFICIAL USE ONLY-LAW ENFORCEMENT SENSITIVE WHEN SEPARATED FROM EXHIBIT 7.

(U) THIS IS AN OPERATION ENDURING FREEDOM INVESTIGATION:

(U) This office received a directive from HQ USACIDC to reopen this investigation.

(U) Final Report:

(U) This investigation was initiated based on the findings of an AR 15-6 investigation conducted by COL (b)(6),(b)(7)(C) Chief of Staff, Combined Forces Special Operations Command, Camp As Sayliyah, Qatar, APO AE 09898 (CASQ) into the fatal shooting of Mr. BUNTANGYAR.

(U) Investigation established members of Operational Detachment Alpha (ODA) 347, Combined Joint Special Operations Task Force- Afghanistan (CJSOTF-A), FB Chamkani, Afghanistan, were justified in the killing of Mr. BUNTANGYAR. Diligent efforts positively identified Mr. BUNTANGYAR as an enemy combatant, who did not surrender to U.S. or Afghan forces prior to his death. Although Mr. BUNTANGYAR complied with directions given to him by Afghan Security Forces, his actions did not amount to a clear and unequivocal act of submission or surrender.

(U) Further investigation determined ODA members acted in accordance with published Rules of Engagement and Mr. BUNTANGYAR was a valid target.

(U) ADDED ATTACHED:

(S) 7. AIR of SA (b)(6),(b)(7)(C) 15 Dec 08.

(U) ADDED NOT ATTACHED:

(U) None.

(U) The original of Exhibit 7 is forwarded with USACRC copy of this report.

~~FOR OFFICIAL USE ONLY~~

Law Enforcement Sensitive

(U) STATUS: This is a 1st Final Supplemental Report. No further investigative activity is anticipated at this time. Commander's Report of Disciplinary or Administrative Action (DA Form 4833) is not required.

(U) CID reports of investigation may be subject to a Quality Assurance Review by CID higher headquarters.

(b)(6),(b)(7)(C)

REGRADE FOR OFFICIAL USE ONLY-LAW ENFORCEMENT SENSITIVE WHEN SEPARATED FROM EXHIBIT 7.

Report Prepared By:

Report Approved By:

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Special Agent

Special Agent

DISTRIBUTION:

Dir, USACRC, Ft Belvoir, VA

10th MP BN CID

3rd MP Group, USACIDC, Fort Gillem, GA (email only)

FILE

~~FOR OFFICIAL USE ONLY~~

~~Law Enforcement Sensitive~~

b(6), b(7)(C)

~~FOR OFFICIAL USE ONLY~~  
Law Enforcement Sensitive

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

07 Apr 2007

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL/SSI - 0201-2006-CID369-65488 - 5H6

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 13 OCT 2006, 0600 - 13 OCT 2006, 0800; STER KALAY (42S WC 585 483),  
AFGHANISTAN

DATE/TIME REPORTED: 13 DEC 2006, 0915

INVESTIGATED BY:

SA (b)(2),(b)(6),(b)(7)(C)  
SA  
SA  
SA

SUBJECT:

1. [CHANGE] NONE, ; [JUSTIFIABLE HOMICIDE] (NFI)

VICTIM:

1. NAWAB BUNTANGYAR, (DECEASED); AFGHANISTAN; AFGHANISTAN;  
MALE; OTHER; XZ ; [JUSTIFIABLE HOMICIDE] (NFI)

INVESTIGATIVE SUMMARY:

THIS REPORT IS FOR ACI2 PURPOSES ONLY. THE ORIGINAL ROI CONTAINED  
CLASSIFIED DATA.

(b)(2),(b)(6),(b)(7)(C)

REGRADE FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE WHEN  
SEPARATED FROM EXHIBIT 2.

1

~~FOR OFFICIAL USE ONLY~~  
Law Enforcement Sensitive

b(2),b(6),b(7)(C)

~~FOR OFFICIAL USE ONLY~~  
Law Enforcement Sensitive

(U) This is an Operation Enduring Freedom (OEF) Investigation.

(U) This Report of Investigation (ROI) was initiated based on the findings of an AR 15-6 investigation conducted by COL (b)(6),(b)(7)(C) Chief of Staff, Combined Forces Special Operations Command, Camp As Sayliyah, Qatar, APO AE 09898 (CASQ) into the fatal shooting of Mr. NAWAB.

(U) Investigation established members of Operational Detachment Alpha (ODA) 374, Combined Joint Special Operations Task force-Afghanistan (CJSOFT-A), Fire Base (FB) Chamkani, Afghanistan, were justified in the killing of Mr. NAWAB. Diligent efforts positively identified Mr. NAWAB as an enemy combatant, who did not surrender to U.S. or Afghan forces prior to his death. Although Mr. NAWAB complied with directions given to him by Afghan Security Forces, his actions did not amount to a clear and unequivocal act of submission or surrender.

(U) STATUTES:

None

(U) EXHIBITS/SUBSTANTIATION:

(U) Attached:

1. (U) Agent's Investigation Report (AIR) of SA (b)(6),(b)(7)(C) 13 Dec 06, detailing the initial notification, and coordination with LCDR (b)(6),(b)(7)(C), COL (b)(6),(b)(7)(C) and SJA.
2. (S) AR 15-6 Investigation by COL (b)(6),(b)(7)(C), detailing his findings and recommendations.
3. (U) AIR of SA (b)(6),(b)(7)(C) 30 Dec 07, detailing witness interviews and suspect interviews.
4. (U) Rights Non-Waiver Certificate of CPT (b)(6),(b)(7)(C) 27 Dec 06.
5. (U) Rights Non-Waiver Certificate of MSG (b)(6),(b)(7)(C) 27 Dec 07.
6. (U) AIR of SA (b)(6),(b)(7)(C) 12 Mar 07, detailing coordination with LTC (b)(6),(b)(7)(C), SJA.

(U) NOT ATTACHED: None.

(U) The originals of Exhibits 1 and 3 through 6 were forwarded with the USACRC copy of this report. The originals of Exhibit 2 were retained in the files of CJSTOF-A, Bagram Airfield, Afghanistan.



~~FOR OFFICIAL USE ONLY~~  
Law Enforcement Sensitive

(U) This is a final report. Commander's Report of Disciplinary or Administrative Action Taken (DA Form 4833) is not required.

(b)(2),(b)(6),(b)(7)(C)

REGRADE FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE WHEN SEPERATED FROM EXHIBIT 2.

~~FOR OFFICIAL USE ONLY~~  
Law Enforcement Sensitive

~~FOR OFFICIAL USE ONLY~~  
Law Enforcement Sensitive

Report Prepared By:

Report Approved By:

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Special Agent

Special Agent in Charge

DISTRIBUTION:

Dir, USACRC, Ft Belvoir, VA

TO: Commander, USACIDC, ATTN: CIOP-ZA, 6010 6th Street, Ft Belvoir, VA  
22060

THRU: Commander, 3rd MP Group (CID), ATTN: Operations, Forest Park, GA  
30297 (CD with exhibits)

AFGHANISTAN MP DET (CID), BAGRAM AIRFIELD //CIRC-EF//

PROVOST MARSHAL OFFICE, CJTF-82 (COL (b)(6),(b)(7)(C))

PROVOST MARSHAL OFFICE, BAGRAM AIRFIELD (1LT (b)(6),(b)(7)(C))

PMO, CJTF-82 OPS NCO (SFC (b)(6),(b)(7)(C))

PM SGM, CJTF 82 (SGM (b)(6),(b)(7)(C))

PM DEP, CJTF-82 (LTC (b)(6),(b)(7)(C))

SJA, CJSOTF (MAJ (b)(6),(b)(7)(C))

SJA, USASOC, FT BRAGG, NC (CPT (b)(6),(b)(7)(C))

SPECIAL OPERATIONS COMMAND LIAISON (SA (b)(6),(b)(7)(C))

CHIEF MILITARY JUSTICE, CJTF-82 (CPT (b)(6),(b)(7)(C))

STAFF JUDGE ADVOCATE, CJTF-82 (LTC (b)(6),(b)(7)(C))

DEPUTY SJA, CJTF-82 (LTC (b)(6),(b)(7)(C))

CHIEF OF STAFF, CJTF-82, BAGRAM AIR FIELD (COL (b)(6),(b)(7)(C))

COMMANDER, 3RD SF GRP (COL (b)(6),(b)(7)(C))

COMMANDER, 3RD SF GRP SUPPORT CO (MAJ (b)(6),(b)(7)(C))

CG, CJTF-82 (MG (b)(6),(b)(7)(C))

DCG-S, CJTF-82 (BG (b)(6),(b)(7)(C))

Deputy Commander, CJSOTF-A, Bagram Aifield, Afghanistan  
FILE