

**PRELIMINARY INQUIRY CHECKLIST**

- \_\_\_\_\_ CA appoints a preliminary inquiry officer.
- \_\_\_\_\_ Begin work on the inquiry immediately upon hearing that you are to be appointed, whether or not you have received an appointing order in writing.
- \_\_\_\_\_ Decide what the purpose and methodology of your inquiry will be.
- \_\_\_\_\_ Can this preliminary inquiry be completed in three working days? If not, you may be trying to do too much. Further clarification from the CA may be necessary.
- \_\_\_\_\_ Has this incident involved a member of the command and/or occurred within the command? If not, are you the appropriate command to conduct the preliminary inquiry and/or any administrative investigation?
- \_\_\_\_\_ Is this incident under investigation by NCIS, the FBI, or local civilian law enforcement agencies? (If yes, refer to JAGMAN 0201(d)).
- \_\_\_\_\_ Is this considered a "major" incident? (Refer to JAGMAN Appendix A-2-a for a definition of a "major" incident.)
  - \_\_\_\_\_ If believed to be a "major" incident, refer to JAGMAN 0203(b)(2), (f), 0204(b)(5), 0210(a)(1).
- \_\_\_\_\_ Obtain any available documentation pertaining to the inquiry, i.e. copies of rules and regulations, instructions, correspondence and messages, logs, standard operating procedures, personnel records, medical records, official reports, vehicle accident report forms, etc.
- \_\_\_\_\_ Locate and preserve evidence, i.e. real objects (firearms, bullets, etc.) and note physical locations (accident sites, etc.)
  - \_\_\_\_\_ Draw up a list of possible witnesses.
  - \_\_\_\_\_ Conduct an interview of any witness you deem relevant to your inquiry, those that will provide you with enough information to understand what occurred and enable you to make an informed recommendation to the CA.
  - \_\_\_\_\_ If a witness is not physically available, an interview may be conducted via telephone or message.
  - \_\_\_\_\_ Advise any military witness who may be suspected of an offense, misconduct, or improper performance of duty, of his/her rights under Article 31, UCMJ. (Refer to page IX-1 of this handbook for a sample form.)

- \_\_\_ Advise each witness prior to signing any statement relating to the origin, incident, or aggravation of any disease or injury that he/she has suffered, of his/her right not to sign such a statement. (Refer to page IX-2 of this handbook for a sample form). *See* JAGMAN 0212(c).
  
- \_\_\_ Is a Privacy Act statement required for any witness interviewed? JAGMAN 0207(e) requires that Privacy Act statements be obtained from each witness from whom personal information is taken. (Refer to page IX-3 of this handbook for a sample form.)
  
- \_\_\_ Does the CA desire/require the outcome to be documented in writing? (If yes, refer to page II-5 of this handbook for sample format.)
  
- \_\_\_ The preliminary inquiry officer makes his/her report to the CA.
  
- \_\_\_ Which of the command options does the CA choose in light of the preliminary inquiry?
  - \_\_\_ No further action.
  - \_\_\_ Command investigation.
  - \_\_\_ Litigation-report investigation.
  - \_\_\_ Refer the case immediately to the GCMCA if case is a potential “major incident.”
  
- \_\_\_ CA reports the result of the PI to the ISIC.
  
- \_\_\_ Preserve all evidence, witness statements, documentation gathered during the preliminary inquiry, for possible use in any administrative investigation that may be subsequently convened.