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SUBJ/NEW REQUIREMENT FOR ARTICLE 32 INVESTIGATING OFFICERS//

REF/A/DOC/SECDEF/14AUG13//

REF/B/DOC/JAG/26JUN12//

NARR/REF A IS SECDEF MEMO "SEXUAL ASSAULT PREVENTION AND RESPONSE" OF
14AUG13. REF B IS JAGINST 5800.7F, MANUAL OF THE JUDGE ADVOCATE GENERAL
(JAGMAN)//

RMKS/1. In a continuing effort to strengthen the Department of Defense's overall sexual assault prevention and response programs, the Secretary of Defense directed implementation of several measures designed to gain greater consistency of effort and enhance oversight, investigative quality, pretrial investigations, and victim support. Ref A pertains.

2. In accordance with Ref A, Section 0132 of Ref B is amended to insert the following new subsection (a): "0132 ARTICLE 32 INVESTIGATING OFFICER

a. The investigating officer (IO) in all Article 32 pretrial investigations shall be a judge advocate, qualified and certified in accordance with Article 27(b), UCMJ, and sworn in accordance with Article 42(a), UCMJ. In exceptional circumstances and in the interest of justice, a line officer may be detailed as an investigating officer. However, a line officer may not be detailed as an investigating officer in cases involving offenses under Articles 120, 120b, 120c, 125 (with a child or forcible), UCMJ, or Article 80, UCMJ (attempts to commit the previously listed articles)."

3. This amendment codifies existing practice in the Navy and Marine Corps and is effective immediately.

4. Released by Ray Mabus, Secretary of the Navy.

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