

**SAMPLE COMMAND INVESTIGATION CONVENING ORDER**

Ser Info  
Date

From: Commanding Officer, Headquarters Battalion, Marine Corps Base, Camp  
Pendleton, CA

To: Captain \_\_\_\_\_, USMC

Subj: COMMAND INVESTIGATION OF THE FIRE THAT OCCURRED AT \_\_\_\_\_ ON  
\_\_ AUGUST 19\_\_

Ref: (a) JAG Manual

1. This appoints you, per chapter II of reference (a), to inquire into the facts and circumstances surrounding the fire that occurred at \_\_\_\_\_ on \_\_ August 19\_\_.

2. Investigate the cause of the fire, resulting injuries and damages, and any fault, neglect, or responsibility therefor, and recommend appropriate administrative or disciplinary action. Report your findings of fact, opinions, and recommendations in letter form by \_\_ September 19\_\_, unless an extension of time is granted. If you have not previously done so, read chapter II of reference (a) in its entirety before beginning your investigation.

3. You may seek legal advice from \_\_\_\_\_ during the course of your investigation.

4. By copy of this appointing order, Commanding Officer, Headquarters Company, is directed to furnish necessary clerical assistance.

\_\_\_\_\_  
Colonel, U.S. Marine Corps

Copy to:  
CG, MCB CamPen, CA  
CO, HQCo, HQBn, MCB, CamPen, CA

**SAMPLE COMMAND INVESTIGATION REPORT**

Ser Info  
Date

From: Captain \_\_\_\_\_, USMC  
To: Commanding Officer, Headquarters Battalion, Marine Corps Base, Camp  
Pendleton, CA

Subj: SAME AS SUBJECT ON CONVENING ORDER

- Encl: (1) Appointing order and modifications thereto (if any were issued)  
(2) Summary (or verbatim) of sworn (or unsworn) testimony of \_\_\_\_\_ (a  
witness)  
(3) Summary (or verbatim) of sworn (or unsworn) testimony of \_\_\_\_\_ (a  
witness)  
(4) Statement of \_\_\_\_\_, signed by witness  
(5) Description of \_\_\_\_\_ (evidence found at  
scene of the accident)  
(6) Photograph of \_\_\_\_\_ depicting \_\_\_\_\_

NOTE: Testimony of each witness, observations of the investigator, photographs, diagrams, and suitable reproductions of tangible evidence should be listed and attached as enclosures to the investigative report. The location of all original evidence, such as logs, charts, tangible items, and so forth, and the name and phone number of the official responsible for its safekeeping must be stated in the report, either on each enclosure or in the preliminary statement.

Preliminary Statement

1. Paragraph 1 of an investigative report must contain information in the form of a "preliminary statement." Contents may require continuation in one or more additional paragraphs. In general, see section 0217(c) for required contents. Where applicable, an investigating officer should indicate the name and organization of any judge advocate consulted. Extensions of time to complete the report should be noted here. Also state in appropriate cases that the matter was first referred to NCIS and NCIS expressed no objection to proceeding with the investigation.

Findings of Fact

1. \_\_\_\_\_ [encls ( ), ( )]
2. \_\_\_\_\_ [encls ( ), ( )]
3. \_\_\_\_\_ [encl ( )]

Note: Findings of fact constitute an investigating officer's description of details of events based on evidence. Findings must be as specific as possible about time, places, and persons involved. Each fact may be made a separate finding. An investigating officer may determine the most effective presentation for a particular case. Each fact must be supported by testimony of a witness, statement of the investigating officer, documentary evidence, or tangible (real) evidence attached to the investigative report as an enclosure. Each finding of fact should reference each enclosure that supports it.

Opinions

1. \_\_\_\_\_ [FF ( )]
2. \_\_\_\_\_ [FF ( )]
3. \_\_\_\_\_ [FF ( )]

Note: An opinion is a reasonable evaluation, reference, or conclusion based on facts found. Each opinion must be supported by findings of fact. Determination of line of duty and misconduct is properly stated as an opinion.

Recommendations

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

Note: If an investigating officer recommends trial by court-martial, a charge sheet drafted by the investigating officer may be prepared and submitted to the convening authority with the investigative report. See R.C.M. 307, MCM, 1984. **The charge sheet should not be signed; i.e., charges should not be preferred since preferral starts the "speedy trial clock" running. Before preferring charges, the local legal service office or staff judge advocate should be consulted.** Unless specifically directed by proper authority, an investigating officer must not notify an accused of charges. Notification is the responsibility of the commanding officer of an accused. See R.C.M. 308 and 707, MCM, 1984. If a punitive letter of reprimand or admonition is recommended, a draft of the recommended letter must be prepared and forwarded with the investigative report. Proposed nonpunitive letters of caution must not be forwarded with the report. See section 0218.

\_\_\_\_\_  
(SIGNATURE OF INVESTIGATING OFFICER)