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UNCLAS

NAVADMIN 175/26

MSGID/GENADMIN/CNO WASHINGTON DC/N1/JUL//

SUBJ/TEMPORARY TRANSFER OF PERSONNEL UNDER INVESTIGATION//

REF/A/DOC/NAVREGS/1990//  
REF/B/DOC/UCMJ/2024//

NARR/REF A IS U.S. NAVY REGULATIONS 1990.  
REF B IS THE MILITARY JUSTICE MANUAL FOR COURTS-MARTIAL, UNITED STATES (2024 EDITION).

RMKS/1. Consistent with commander's authority and responsibility as defined in reference (a), personnel under investigation for alleged violations of the Uniform Code of Military Justice may be transferred temporarily from their parent command to another command, with the gaining command's approval and in accordance with service regulations, when required by the interests of good order and discipline.

2. In all cases where a temporary transfer is contemplated, commanders shall ensure the concurrence of a gaining commander, seek the advice of the servicing staff judge advocate, and consult with Naval Criminal Investigative Service (NCIS) or the appropriate investigating law enforcement organization.

3. When transferring a member suspected of alleged violations of Article 120, 120b, 120c, or 130 of reference (b), commanders shall coordinate with NCIS or the appropriate investigating law enforcement organization, the Sexual Assault and Response Coordinators (SARC) for the gaining and losing installations, and the appropriate commanding officers. Unless prevented by operational exigencies, transfer of members suspected of violating Article 120, 120b, 120c, or 130 of reference (b) shall be to shore commands only. In all cases, commanders will ensure continued safety of alleged victims, respect for the accused Sailor's due process rights, and the integrity of ongoing investigations. Until such time as the Sailor under investigation is detached from the parent command, commanders remain obligated to regularly communicate with the relevant NCIS agent, SARC, and gaining command.

4. In no case shall a Sailor under investigation be transferred as a form of punishment. When the Sailor's ongoing conduct poses a continued threat to the safety of other Sailors or the Sailor continues to engage in suspected violations of reference (b), commanders shall consult the servicing staff judge advocate for appropriate disposition options.

5. Released by Vice Admiral Jeffrey J. Czerewko, N1.//

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