

## MILPERSMAN 1770-140

### COMMANDING OFFICER'S LETTER TO NEXT OF KIN

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<b>References</b>	(a) DoD Instruction 1300.18 of 8 January 2008 (b) JAGINST 5800.7E, Manual of the Judge Advocate General (JAGMAN)
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1. **Policy.** Per reference (a), commanding officers will write a letter of condolence to the primary next of kin (PNOK) within 48 hours of an active duty Service member's death. Per MILPERSMAN 1770-010, the PNOK precedence is the spouse (if married), eldest child, or the eldest parent (if no spouse or child). If the PNOK is a minor, address the letter to the minor in care of the guardian or legal representative. Additional letters may be written, as circumstances warrant. If further clarification is required, contact Navy Personnel Command (NAVPERSCOM), Casualty Assistance Office (PERS-13).

2. **Notification.** Once notification of the primary next of kin has been made, per MILPERSMAN 1770-170, the deceased member's commanding officer must either personally telephone or visit the primary next of kin. This contact will allow the commanding officer to express condolences and explain the circumstances surrounding the death of the Service member by use of a more intimate form of communication, while at the same time, providing assurance that the command is taking a personal interest in the family's well-being. When a member is in transit at the time of casualty, it is the responsibility of the commanding officer, under whom the member last served, to provide a letter of condolence to the next of kin.

3. **Guidelines for Letter.** The following guidelines must be observed when preparing a letter of condolence:

a. Extreme caution must be exercised when reporting the facts surrounding the death; the facts must be consistent with official reports.

b. Ensure that the information conforms with the findings of any court or board that may be convened.

c. The fact that a court or board is to investigate the case should not delay this communication.

d. Sufficient applicable facts should be furnished about the incident, including searches or medical care, to reasonably answer all immediate questions of the next of kin.

e. If sufficient facts cannot be obtained when preparing the letter, the situation should be explained, and **supplemental information forwarded as soon as available**, or at least upon completion of the investigative report.

f. When an investigation is being conducted, the letter should advise the next of kin that Navy investigations and reviews performed by the chain of command normally take at least 120 days to complete, and may exceed 180 days. Advise the next of kin of the name and mailing address of the command that will review and release the investigation.

4. **Suggested Content of Letter.** The letter should incorporate the following suggestions:

a. Show personal consideration for the next of kin, but extreme caution must be exercised to avoid creation of any impression that the information is not factual.

b. Convey genuine compassion and human interest in the person to whom the letter is sent. This may be done by referring to some personal knowledge about the Service member or relaying some complimentary remarks about the Service member. Such remarks could reference the Service member's character, personality, work ethic, or perhaps past reference to his or her family.

c. When appropriate, state that "(he or she) did not suffer" or "(he or she) received the last rites of (his or her) faith" to provide comfort to the family.

d. Offer to assist the next of kin to show the Navy's interest.

e. Provide information concerning a will or other personal belongings.

f. Encourage the family to work through their casualty assistance calls officer (CACO) until all issues regarding pay, benefits, personal effects, household goods, and any ongoing investigations are completed.

g. Include the grade, rate, and full name of the casualty in all correspondence with the family.

5. **Additional Information Required.** The following table describes additional information to be included, depending upon the circumstances of death. Reference (b), chapter II contains further guidance.

If the death resulted from...	then...
other than hostile or natural causes	the next of kin should be advised in the letter of condolence that a judge advocate general investigation will be or has been convened, and where the next of kin may write to obtain a copy of the releasable portions of the investigation.
an aircraft mishap	the letter must advise the next of kin that an aircraft mishap board has been or will be convened, and they may obtain a copy of the releasable portions of the mishap investigation report by writing to the following:  Commander, Naval Safety Center 375 A Street Norfolk, VA 23511-4399
criminal misconduct	the letter must advise the next of kin that a Navy criminal investigation has been or will be initiated, and that a copy of the releasable portions of the criminal investigation report may be obtained by writing to the following:  Director, Naval Criminal Investigative Service Headquarters 27130 Telegraph Road Quantico, VA 22134

6. **Searches**. When searches are conducted for members in a casualty status, the next of kin will not be told that the search has been stopped, as this might allow misinterpretation. Appropriate comments regarding searches are as follows:

a. "I regret that the extensive search for your (relationship) was unsuccessful."

b. "I regret that the extensive search failed to locate any trace of your (relationship)."

7. **Sample Verbiage for Letter of Condolence - Aviation Mishap**  
(Use proper letter format.)

"On behalf of the men and women of (command name), I would like to extend my sincerest and deepest sympathy to you and all members of your family on the tragic loss of your (relationship), (first name). He/she gave his/her life in patriotic service to the Navy and nation he/she loved. You can be justifiably proud of (first name)'s accomplishments. Your (relationship) was most respected, and I was proud to have him/her in my command. All of naval aviation will miss him/her, and we share in your great loss.

With all naval mishaps, the Navy convenes a Judge Advocate General (JAG) Manual investigation. You may obtain a copy of releasable portions of the investigation by writing to me and requesting a copy. An aircraft mishap investigation board is also convened. You may also obtain a copy of releasable portions of the mishap investigation report by writing to Commander, Naval Safety Center, 375 A Street, Norfolk, Virginia 23511-4399. I encourage you to work with your casualty assistance calls officer, (CACO's rank and name). He/she will assist you in obtaining all your benefits and copies of the investigations.

Again, our hearts, thoughts, and prayers are with you in these very trying times. If I can be of help to you in any way, or if you have any special requests, please feel free to contact me anytime at (phone number)."

8. Sample Verbiage for Letter of Condolence - Traffic Accident

(Use proper letter format.)

"The tragic loss of your (relationship), (rate & name) on (date of death) saddened all members of this command. Please accept my heartfelt condolences. I want to explain the circumstances that led to his/her death as we understand them.

(Summarize events leading to the accident and recount emergency care provided prior to pronouncement of death.)

You should be very proud of your (relationship), (name). He/she was a fine young man/woman who was certainly well liked by his/her shipmates. (First name)'s achievements were many. His/her love of (list hobbies and interests) led him/her to the development of many friendships and associations. We all feel a great personal loss in his/her death.

I encourage you to work with (CACO's name), your casualty assistance calls officer, in obtaining all of your benefits. Again, please accept my deepest condolences and sympathy in your loss. If I can be of assistance at any time, please contact me."