



DEPARTMENT OF THE NAVY

COMMANDANT OF MIDSHIPMEN
U.S. NAVAL ACADEMY
101 BUCHANAN ROAD
ANNAPOLIS, MARYLAND 21402-5100

COMDTMIDNINST 1010.1A
JAG
28 Dec 10

COMMANDANT OF MIDSHIPMEN INSTRUCTION 1010.1A

Subj: MIDSHIPMEN HEALTH AND WELFARE INSPECTION PROCEDURES

Ref: (a) USNAINST 5800.2A
(b) USNA/AACINST 5800.3A
(c) COMDTMIDNINST 5400.6M
(d) COMDTMIDNINST 1610.2E
(e) Uniform Code of Military Justice

Encl: (1) Contraband/Evidence Identification Form

1. Purpose. To establish guidelines and procedures for conducting Health and Welfare Inspections (H&WI) within the Brigade of Midshipmen.
2. Cancellation. COMDTMIDNINST 1010.1
3. Applicability. This instruction applies to all Midshipmen at the United States Naval Academy comprising the Brigade of Midshipmen.
4. Discussion. Inspections have long been recognized as necessary and legitimate exercises of a Commander's duties and responsibilities. The primary purpose of Health and Welfare Inspections is to determine and ensure safety, security and military fitness, foster adherence to Naval Academy standards, and to promote good order and discipline within the Brigade of Midshipmen.
5. Policy. To ensure mission readiness is maintained at the highest level, Health and Welfare Inspections will be conducted randomly and periodically as directed by the Commandant of Midshipmen.
6. Action. Health and Welfare Inspections will be conducted periodically as directed by the Commandant of Midshipmen. Consistent with references (a) through (c), any contraband discovered during an inspection, including weapons, controlled substances, alcohol, unauthorized cooking appliances and flammable materials, will be confiscated.

7. Procedures

a. The Deputy Commandant of Midshipmen will randomly select the company and class year to be inspected using a lottery.

b. Once the company and class year are selected, the Deputy Commandant will notify the responsible Battalion Officer who will organize and schedule the inspection. Inspections will normally be conducted early morning so as not to interfere with classes. The Battalion Officer will coordinate with the responsible Company Officer/Senior Enlisted Advisor to identify the rooms to be inspected. Inspections will ordinarily be performed within 48 hours of selection by the Deputy Commandant.

c. Inspection teams will consist of the following personnel:

(1) Company Officer.

(2) Company Senior Enlisted Advisor.

(3) Company Commander, Executive Officer and Platoon Commanders.

(4) Company Officer of next battalion company in numerical order (i.e., if 29th Company is to be inspected, 30th Company will provide; if 30th Company is to be inspected, 26th Company will provide).

(5) Senior Enlisted Advisor of next battalion company in numerical order (as discussed above).

(6) Additional, or substitute, Company Officers or Senior Enlisted Advisors assigned as necessary by the Battalion Officer.

(7) Additional, or substitute, First Class Midshipmen assigned as necessary by the Company Officer.

d. The responsible Company Officer will assign the above individuals to inspection teams. At least one officer or senior enlisted will be assigned per team. For purposes of efficiency, it is recommended that one officer or senior enlisted and two First Class Midshipmen be assigned to each team creating three teams of three and leaving one officer or senior enlisted

available to monitor the passageway. When First Class Midshipmen are selected for inspection, the Company Officer shall make inspection team assignments so that no First Class Midshipman inspects his or her own room. Additionally, the Company Officer will normally assign Midshipmen within the company staff to assist in recording deficiencies/discrepancies and to perform other related administrative duties.

e. Once a time has been determined for the inspection, the inspection team will assemble at the mate's desk of the respective company area. Care shall be taken not to notify Midshipmen in advance to ensure the integrity of the inspection. The selected inspectees will be ordered outside their rooms and into the passageway and called to attention and placed at parade rest. One member of the inspection team will monitor the passageway to ensure that Midshipmen do not re-enter their rooms once the inspection begins.

f. Inspection team members shall be familiar with room standards and contraband definitions established per reference (c).

g. The inspector will commence inspection by ordering the Midshipmen to enter their rooms and to open and unlock all areas to allow free and open access for inspection.

h. The inspection of each space will include:

(1) A visual inspection to ascertain the materiel and sanitary condition of the room.

(2) A physical inspection of all lockers and containers to determine if anything is present that may be detrimental to readiness, safety, security, fitness, health and good order and discipline.

(3) A physical inspection of all lockers and containers to determine if there is any unaccounted for military property, unsecured valuables, and to determine cleanliness and serviceability of uniforms and equipment.

i. Rooms inspected will be held to Condition B standards. Inspectors will exercise reasoned judgment regarding the assignment of deficiencies consistent with the policy objectives discussed in paragraphs 4 and 5.

j. Deficiencies/discrepancies will be recorded and reported using a standard Room Inspection Report Form. Except as discussed below, items of contraband will be confiscated and reported to the Battalion Officer.

k. Contraband, as defined by reference (c), will be confiscated. Any question regarding whether an item is contraband shall be referred to the Commandant's Legal Advisor. If firearms, suspected controlled substances, or suspected stolen items are discovered, the inspection will stop and the room will be secured pending notification and approval to continue. In such case, the inspector shall immediately notify the CDO and the Commandant's Legal Advisor.

l. Upon confiscation of any contraband indicated above, the inspector will ensure all property is identified and secured until it can either be securely stored or delivered to the appropriate investigative authorities.

m. Items confiscated by inspectors will be sealed inside a plastic bag and identified using enclosure (1).

n. After the inspection is complete, the Company Officer will dismiss the involved Midshipmen.

8. Excusals. All Midshipmen will participate in Health and Welfare Inspections unless on leave, movement order, or otherwise excused by competent authority. All rooms are subject to inspection, even if a Midshipman is SIQ. A final determination as to whether an SIQ Midshipman should be excused from inspection will be made by the Company Officer on a case-by-case basis.

9. Report/Action. The results of the inspection shall be reported to the Battalion Officer via the Company Officer. No formal report is required; however, Midshipmen with inspection deficiencies or found in possession of contraband will be subject to administrative or disciplinary action pursuant to references (d) and (e).

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10. Review Responsibility. The Commandant's Legal Advisor is responsible for the annual review of this instruction.



R. E. CLARK II

Distribution:
Non-Mids (Electronically)

CONTRABAND/EVIDENCE IDENTIFICATION FORM
(to be attached/enclosed with confiscated evidence)

Company number: _____

Room number: _____

Date confiscated: _____

Inspecting Officer name: _____

Printed name of individual
who discovered item (if not
Inspecting Officer): _____

Description of item: _____

Location in room where item was found: _____

Owner of item (if determination can be made):

Signature of Inspecting Officer/
Individual who discovered item

Date