



DEPARTMENT OF THE NAVY
UNITED STATES NAVAL ACADEMY
121 BLAKE ROAD
ANNAPOLIS MARYLAND 21402-1300

USNA/NSAAINST 5800.2B
28/SJA

6 SEP 2011

USNA/NSAA INSTRUCTION 5800.2B

From: Superintendent, United States Naval Academy
Commanding Officer, Naval Support Activity Annapolis

Subj: INSPECTIONS, SEARCHES, AND SEIZURES

Ref: (a) Manual for Courts-Martial (MCM) (2008 ed.)

1. Purpose. To establish procedures and coordination of overlapping authorities for conducting searches, seizures, and inspections of persons, property, or places under military control and in areas under the control of the Superintendent, United States Naval Academy (USNA) and the Commanding Officer (CO), Naval Support Activity Annapolis (NSAA).

2. Cancellation. USNAINST 5800.2A

3. Discussion

a. All searches, seizures, inspections, or checkpoints of persons or property located onboard USNA/NSAA will be conducted in accordance with reference (a). Reference (a) permits a probable cause search to be conducted by a commander who has a "reasonable belief" that the person, property, or evidence sought is located in the place or on the person to be searched.

b. Per reference (a), the Superintendent and the CO, NSAA are authorized to issue probable cause searches of property, places, or persons under their control. Search of places or property not under military control requires coordination with local law enforcement officials. Even if the location is not under military control, authority to authorize a probable cause search of a person is vested in the commander having control over the person to be searched.

c. CO, NSAA has the authority to authorize searches and inspections onboard all of NSAA, to include USNA grounds. However, there are situations under which the Superintendent, and the CO, NSAA will have concurrent authority to approve probable cause searches, authorize seizure of property, and institute inspections.

4. Action

a. The CO, NSAA and the Superintendent will each be given the first opportunity to authorize searches of persons, places, and property under their respective commands. The Superintendent will be given the first opportunity to authorize searches occurring

6 SEP 2011

within the grounds of USNA to include academic buildings, living quarters, athletic facilities and fields, and any other property, place, or structure under the direct control of USNA.

b. If the Superintendent is not available to exercise his authority under reference (a), the authority passes to the Acting Superintendent. The CO, NSAA has independent authority under reference (a) to approve probable cause searches for places and property located onboard NSAA and USNA and may approve searches of academic buildings, living quarters, athletic facilities and fields, and any other property, place, or structure under the direct control of USNA if the Superintendent is not available to do so.

c. The Superintendent and the CO, NSAA will notify each other, or their staffs, as soon as possible regarding searches that have been approved for persons, property, and places within their overlapping areas control. If practicable, such notification should be done prior to the actual execution of the search.

d. All inspections, checkpoints, random anti-terrorism measures, and other security-related actions will be conducted in compliance with reference (a). Responsibility for routine inspections, checkpoints, and other anti-terrorism/force protection measures rests with the CO, NSAA. Any extraordinary actions or significant increases in force protection posture should be pre-coordinated with the Superintendent and his/her staff to the fullest extent possible.

e. Nothing in this instruction is intended to limit the inherent and independent authority vested in commanders under reference (a) to conduct searches, seizures, and inspections of areas under their cognizance. If there is a contradiction, reference (a) shall control.

5. Coordination

a. The points of contact for coordination and questions regarding this instruction are as follows:

- (1) Office of the Staff Judge Advocate, U.S. Naval Academy, (410) 293-1564
- (2) Security Department, Naval Support Activity Annapolis, (410) 293-3743
- (3) Region Legal Service Office, Naval District Washington, (202) 685-7046

/S/
Commanding Officer

/S/
M. H. MILLER
Superintendent

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