



DEPARTMENT OF THE NAVY  
UNITED STATES NAVAL ACADEMY  
COMMANDANT OF MIDSHIPMEN  
ANNAPOLIS MARYLAND 21402-1300

COMDTMIDNINST 1010.1B  
LEGAL  
SEP 05 2017

COMMANDANT OF MIDSHIPMEN INSTRUCTION 1010.1B

From: Commandant of Midshipmen, U.S. Naval Academy

Subj: MIDSHIPMEN HEALTH AND WELFARE INSPECTION PROCEDURES

Ref: (a) Superintendent ltr 5040 Ser 28/599 of 11 Aug 17  
(b) Manual for Courts Martial (2016 edition)  
(c) COMDTMIDNINST 5400.6T  
(d) COMDTMIDNINST 1610.2H  
(e) COMDTMIDNINST 1080.1V

Encl: (1) Standard Room Inspection Sheet  
(2) 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 1010.1A.
3. Scope and Applicability. This instruction applies to all midshipmen at the United States Naval Academy (USNA) comprising the Brigade of Midshipmen.
4. Discussion. Inspections have long been recognized as necessary and legitimate exercises of a Commander's duties and responsibilities. Consistent with references (a) through (c), the primary purpose of Health and Welfare Inspections is to determine and ensure safety, security and military fitness, foster adherence to USNA standards, to locate and confiscate unlawful weapons and other contraband, and to ensure 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. All assigned midshipmen rooms are subject to Health and Welfare Inspections, and all areas of such rooms, including confidential lockers, overhead areas (ceilings), and other hidden spaces accessible within the room, may be inspected.
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 but not limited to weapons, controlled substances, drug paraphernalia, alcohol, empty alcohol containers, unauthorized cooking appliances, and

flammable materials, will be confiscated. Midshipmen found in possession of contraband will be subject to administrative or disciplinary action pursuant to references (b) through (d).

## 7. Procedures

a. The Deputy Commandant of Midshipmen will randomly select the rooms to be inspected. The total number of rooms to be inspected during any one inspection will be determined by the Deputy Commandant.

b. Once the company and class year rooms are selected, the Deputy Commandant will notify the responsible Battalion Officer(s) who will organize and schedule the inspection. Inspections may not be performed at unreasonable times and care should be taken so that inspections do not interfere with class. Inspections should normally be conducted in the morning after reveille or during the lunch period. Inspections will ordinarily be performed within 48 hours of selection of rooms by the Deputy Commandant. Care shall be taken not to notify midshipmen in advance, to ensure the integrity of the inspection.

c. Inspection teams will typically consist of the following personnel:

(1) Two Company Officers from the battalion of the company to be inspected. Company Officers may not inspect their own company without permission from the Deputy Commandant,

(2) Two Senior Enlisted Advisors from the battalion of the company to be inspected. Senior Enlisted Advisors may not inspect their own company without permission from the Deputy Commandant,

(3) Three midshipmen occupying a striper billet of at least Platoon Commander from the battalion of the company to be inspected. No midshipman may serve on an inspection team for their own company without permission from the Deputy Commandant,

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

(5) Additional, or substitute, first class midshipmen assigned as necessary by the Battalion Officer,

(6) Battalion Officer (optional),

(7) Deputy Commandant (optional).

d. The responsible Battalion Officer will assign Company Officers and Senior Enlisted Leaders as inspectors to the rooms selected for inspection by the Deputy Commandant. At least one member of the inspection team should be assigned to monitor the passageway during the inspection. At least one midshipman from the inspection team should be assigned to each inspector as a scribe to record deficiencies/discrepancies. The midshipmen may assist the inspector with the actual inspection, but should not note any discrepancies without the approval of

the inspector. Additional midshipmen may be assigned to other related administrative duties as needed.

e. The inspection team shall assemble at a designated meeting area prior to commencing the inspection. Midshipmen occupying all rooms to be inspected should be ordered into the passageway at the start of the inspection. Midshipmen should not re-enter their room until instructed by a member of the inspection team. If the inspection is conducted during the lunch period, the midshipmen assigned to the selected rooms should be ordered to stand at parade rest outside of their rooms after fourth period. A member of the inspection team shall ensure that midshipmen do not enter a room selected for inspection once the midshipmen are notified their rooms have been selected for inspection.

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, under the supervision of the inspection team, and to open and unlock all areas to allow free and open access for inspection. Midshipmen should be ordered back into the passageway; however, they may be dismissed if the inspection occurs over the lunch period or at another time when the responsible Battalion Officer deems appropriate to allow the midshipmen to carry on with regular duties during the inspection. In either case, the inspector shall be responsible for ensuring all confidential lockers are locked at the conclusion of the inspection.

h. The inspection of each space will include:

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

(2) A physical inspection of all lockers, cabinets, and containers to determine if anything present may be detrimental to readiness, safety, security, fitness, health, and good order and discipline (including contraband), to determine if there is any unaccounted for military property or unsecured valuables, and to determine cleanliness and serviceability of uniforms and equipment.

(3) A physical inspection of any other spaces accessible within the room, including the ceiling, to determine if anything is present that may be detrimental to readiness, safety, security, fitness, health, and good order and discipline (including contraband), and to determine if there is any unaccounted for military property or unsecured valuables.

i. Rooms inspected will be held to Bravo Condition standards set forth in reference (c); however, consideration will be given if the inspection is held at a time when the midshipmen had been occupying their room immediately before the start of the inspection. Deficiencies and discrepancies will be recorded and reported using enclosure (1).

j. Contraband, as defined by reference (c), will be confiscated in accordance with reference (b) and immediately reported to the Battalion Officer. Any question regarding whether an item is contraband shall be referred to the Commandant's Legal Advisor.

(1) 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 Deputy Commandant and the Commandant's Legal Advisor.

(2) Items, other than firearms, suspected controlled substances, or suspected stolen items that are confiscated by inspectors will be sealed inside a plastic bag and identified using enclosure (2). The inspector will ensure all property is identified and secured until it can either be securely stored or delivered to the appropriate investigative authorities.

k. After an inspection is completed, the Company Officer will dismiss the midshipmen inhabiting the inspected rooms, unless they were previously dismissed pursuant to paragraph 7(g).

8. Excusals. All rooms are subject to Health and Welfare Inspections.

a. If a midshipman assigned to a room is on leave, movement order, or otherwise excused from USNA by competent authority at the time his or her room is selected for inspection, then the Battalion Officer shall notify the Deputy Commandant. The Deputy Commandant, in consultation with the Battalion Officer and the Commandant's Legal Advisor, will decide whether to proceed with the inspection (with the entire room being subject to re-inspection as soon as practicable upon the return of the midshipman), grant an extension for that room, or excuse the room. If the room is excused, the Deputy Commandant may randomly select another room from that company to be inspected.

b. If a midshipman is Sick in Room (SIR), per reference (e), at the time his or her room is selected for inspection, the inspection will normally proceed as scheduled. Reasonable accommodations may be made at the discretion of the inspector for a sick midshipman rather than placing him or her at parade rest for the duration of the inspection. If the inspector has reason to believe the nature of the midshipman's illness would be incompatible with carrying out the inspection, the inspector shall notify the Battalion Officer. The Battalion Officer may either proceed with the inspection or notify the Deputy Commandant. The Deputy Commandant, in consultation with the Battalion Officer and the Commandant's Legal Advisor, will decide whether to proceed with the inspection, grant an extension for that room, or excuse the room. If the room is excused, the Deputy Commandant may randomly select another room from that company to be inspected.

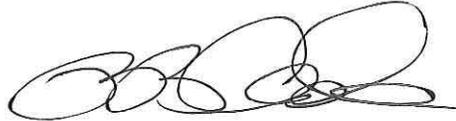
c. If a midshipman is not present and unaccounted for at the time his or her room is due to be inspected, the inspection team shall make an effort to contact the midshipman by phone and have him or her report to their room immediately. If the midshipman cannot be located or is unable to report, the inspection team shall immediately notify the Deputy Commandant via the Battalion Officer. The Deputy Commandant will provide further guidance regarding the search of that midshipman's confidential locker. No locks may be cut without authorization from the Deputy Commandant, or higher authority, in consultation with the appropriate legal advisor (i.e., Commandant's Legal Advisor or Superintendent's Staff Judge Advocate).

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9. Report. The results of the inspection shall be reported to the Battalion Officer within 24 hours using enclosure (1). Further investigations of possible conduct offenses arising from the results of the inspection will be conducted in accordance with reference (d).

10. Records Management. Records created as a result of this instruction, regardless of media or format, must be managed per Secretary of the Navy Manual 5210.1 of January 2012.

11. Review and Effective Date. The Commandant's Legal Advisor is responsible for the annual review of this instruction. This instruction will automatically expire five years after the effective date unless reissued or otherwise canceled prior to the five-year anniversary date, or an extension has been granted.



R. B. CHADWICK

Distribution:

Brigade (Electronically)

Non-Mids (Electronically)



**CONTRABAND IDENTIFICATION FORM**  
(to be attached/enclosed with confiscated items)

Company number: \_\_\_\_\_

Room number: \_\_\_\_\_

Date confiscated: \_\_\_\_\_

Inspecting Officer Name: \_\_\_\_\_

Printed name of individual who discovered item: \_\_\_\_\_

Description of item: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Location in room where item was found: \_\_\_\_\_

\_\_\_\_\_

Owner of item (if determination can be made): \_\_\_\_\_

\_\_\_\_\_  
Signature of Inspecting Officer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Individual who discovered item

\_\_\_\_\_  
Date