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| Commandant  United States Coast Guard | 2703 Martin Luther King Ave SE  Washington, DC 20593-7213  Staff Symbol: CG-094  Phone: (202) 372-38XX  5811  [DATE] |

**MEMORANDUM**

From: [AUTHORIZED OFFICIAL] Reply to

Attn of:

To: [MEMBER’S RATE, NAME, SERVICE]

Subj: [TEMPLATE] IMPOSITION OF PRETRIAL CONFINEMENT

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| Ref: | (a) Rules for Courts-Martial (R.C.M.) 304, 305, Manual for Courts-Martial (b) Article 13, UCMJ |

1. Under the authority conferred upon be by reference (a) you are hereby ordered into pretrial confinement.
2. There is probable cause to believe that you committed the following offense(s) that may be tried at courts-martial: (DESCRIPTION OF THE OFFENSE(S) AND ARTICLE(S) OF THE UCMJ THE ACCUSED ALLEGEDLY VIOLATED)
3. Pretrial confinement is required by the following circumstances: (INDICATE THE FOLLOWING AS APPROPRIATE: THE NATURE AND CIRCUMSTANCES OF THE OFFENSE; WEIGHT, RELIABILITY OF EVIDENCE; ACCUSED'S CHARACTER; PAST RECORD OF CONDUCT; LIKELIHOOD OF FURTHER (SERIOUS) MISCONDUCT; LIKELIHOOD OF FLIGHT; TIES OF ACCUSED TO LOCALE; LESSER FORMS OF RESTRAINT CONSIDERED INADEQUATE)
4. Pretrial confinement will be served at (PLACE).
5. My decision to order you into pretrial confinement will be reviewed by an independent officer appointed by (PERSON APPOINTING IRO). This officer, called an Initial Review Officer (IRO), will consider all the information currently known, including a memorandum I will provide stating the reasons for the conclusion that pretrial confinement is necessary, and decide if there is probable cause to believe you committed these offenses and if your continued pretrial confinement is necessary.
6. You have the right to counsel. You may retain civilian counsel at no expense to the government or you may request the assignment of military counsel. Military counsel may be assigned for the limited purpose of representing you only during the pretrial confinement review.
7. You have the right to present information to the IRO. You also have the right to consult with counsel prior to the initial review and to make a statement.
8. You have the right to remain silent. Any statement you make may be used against you.
9. The IRO may extend the time for completion of the review to 10 days from the imposition of confinement. The IRO will prepare a written memorandum of the IRO's decision and you will receive a copy of that memorandum.
10. Reference (b) prohibits punishment prior to trial. Therefore, you should inform me if you are being required to perform duties with persons who have already been court-martialed and are being punished or if you are being subjected to conditions which amount to pretrial punishment.
11. Finally, should you be convicted and receive confinement as punishment at the court-martial, the period of pretrial confinement will be credited to your sentence.
12. If the IRO decides to leave you in pretrial confinement, you may request reconsideration of that decision based upon any significant information not previously considered. That request must be made in writing to the IRO.

5811  
 [DATE]

FIRST ENDORSEMENT on [NAME] memo 5811 dtd 25 May 20XX

From: [MEMBER]  
To: [COMMANDING OFFICER/OFFICER-IN-CHARGE]

Subj: IMPOSITION OF PRETRIAL CONFINEMENT

1. I have read and understand the above provisions. I [DO/DO NOT] desire assignment of military counsel.

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WITNESS' SIGNATURE MEMBER'S SIGNATURE