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| Commandant  United States Coast Guard | 2703 Martin Luther King Ave SE  Washington, DC 20593-7213  Staff Symbol: CG-LMJ  Phone: (202) 372-38XX  5812  [DATE] |

**MEMORANDUM**

From: [COMMANDING OFFICER] Reply to

Attn of:

To: Initial Review Officer

Subj: [TEMPLATE] pretrial confinement of [confinee], uscg

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| Ref: | (a) Manual for Courts-Martial (2019 Ed.) (b) Military Justice Manual, COMDTINST M5810.1G (c) Discipline and Conduct Manual, COMDTINST M1600.2 at 1.F.3 |

1. This memorandum satisfies the requirements contained in reference (a) for a 48-hour probable cause determination by a neutral and detached officer as well as the requirement for a 72-hour review memorandum by the commanding officer.
2. In accordance with references (a), (b), and (c) I ordered pretrial confinement of [Confinee] on [date]. This confinement was ordered based upon probable cause after reviewing the matters discussed in reference (a), R.C.M. 305(h)(2)(B). Confinement is this case should continue for the following reasons:
   1. An offense triable by court-martial was committed. Specifically, violations of Article 128, assault with a dangerous weapon, and Article 86, absence from unit.
   2. [Confinee] committed the offense.
   3. Confinement is necessary because it is foreseeable that the prisoner will not appear at trial, pretrial hearing, or investigation and the nature of these offenses indicate that he poses a serious threat to safety of women within this community.
   4. Less severe forms of restraint are inadequate. No lesser restraint is sufficient to ensure that [confinee] will not quit his unit or harm others.

3. [THE NATURE AND CIRCUMSTANCES OF THE OFFENSE; WEIGHT, RELIABILITY OF EVIDENCE; ACCUSED'S CHARACTER; PAST RECORD OF CONDUCT; FACTS THAT DEMONSTRATE LIKELIHOOD OF FURTHER (SERIOUS) MISCONDUCT AND LIKELIHOOD OF FLIGHT; TIES OF ACCUSED TO LOCALE; FACTS THAT DEMONSTRATE WHY LESSER FORMS OF RESTRAINT CONSIDERED INADEQUATE

4. [Confinee] began pretrial confinement on 25 May 2020 at the [BRIG].

5. Because the charges pending against [Confinee] show a propensity for violence, I consider him a serious threat to the safety of the community. Because [CONFINEE] previously absented himself without authority from his unit, I consider lesser forms of pretrial restraint inadequate. In addition, in light of the likelihood of conviction on the charges, the prospect of further confinement being ordered as a result, and [CONFINEE’s] history of absenting himself without authority, I consider [CONFINEE] a significant flight risk.

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| Copy: | [SJA] [Brig] [Detailed Defense Counsel] |