



5830
18 Aug 2006

MEMORANDUM

From: C. D. Wurster, VADM
CG PACAREA (P)

To: [REDACTED], CAPT
CGD SEVENTEEN (dr)

Subj: BOARD OF INVESTIGATION, DEATHS OF USCGC HEALY PERSONNEL

Ref: (a) Administrative Investigations Manual, COMDTINST M5830.1

1. You are hereby designated senior member of a Board of Investigation under chapter 4 of reference (a). Other members of this board are:

LCDR [REDACTED], CG MLC PAC (lj)
LCDR [REDACTED], COMDT (G-LMI)

2. You shall inquire into the facts and circumstances surrounding the deaths of USCGC HEALY personnel on 17 August 2006.

3. See chapter 6 and enclosure (12) of reference (a) as to specific facts that must be determined. You must express an opinion as to the line of duty and misconduct status of any injured or deceased Coast Guard members. You may recommend appropriate administrative or disciplinary action. You are not required to conduct a hearing. You are not required to take testimony under oath. No opinion shall be expressed concerning liability for any claims or potential claims.

4. Because there is the potential for claims and/or litigation against the United States, paragraphs 1-c-2.c and 4-A-3.d of reference (a) shall be complied with, and the following language applies and shall be included in the first paragraph of your investigative report and interim reports:

This investigation is appointed in contemplation of litigation and to assist attorneys acting on behalf of the Judge Advocate General of the Coast Guard and representing interests of the United States in this matter.

5. Your investigation shall be initiated as soon as possible. Your final report is due to me on or before 23 October 2006. If you are unable to meet this deadline, provide an explanation for the delay in a statement to me in advance of the applicable deadline.

6. Your investigative report shall follow the format of enclosure (5) of reference (a). Should you believe that a modification of this format is appropriate, communicate that fact to the Pacific JAG Officer and me in advance.

7. To the extent feasible, coordinate the collection of evidence with the MISHAP Board appointed to investigate the deaths--except for witness statements taken by the MISHAP Board

ENCLOSURE(1)

PAGE 1 OF 2 PAGES.

(b)(6)&(7)(C)

Subj: BOARD OF INVESTIGATION,
DEATHS OF USCGC HEALY PERSONNEL

5830
18 Aug 2006

under the promise of confidentiality. To the extent they are relevant and known to you, you may adopt any findings of that board.

8. You shall comply with the Privacy Act of 1974 and Article 31 of the Uniform Code of Military Justice (see section 2-H and paragraph 4-A-2.c of reference (a)).

9. Because this investigation is conducted in contemplation of litigation, you shall consult with the Pacific JAG Office or me should you have any questions about this assignment. Unless authorized by the Pacific JAG Officer, do not discuss or share your deliberations with anyone other than Coast Guard Counsel, the Pacific Area Chief of Staff, and me.

#

Copy: CG PACAREA (Pp, Pr, Pl)
CGD SEVENTEEN (d/dcs, dl)
COMDT (G-LCL, G-RC)
USCGC HEALY
LCDR [REDACTED] (MLCPAC)
LCDR [REDACTED] (G-LMI)

ENCLOSURE(1) PAGE 2 OF 2 PAGES.

2

(b)(6) & (7)(c)