

1 MAY 1995

Law

**MAINTAINING AVAILABILITY OF MILITARY
PERSONNEL INVOLVED IN LEGAL ACTIONS
AND INVESTIGATIONS**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

NOTICE: This publication is available in electronic format on the local server. If you lack access, contact your Base Publishing Office.

OPR: 6 ABW/JA (Captain Hoversten)
Supersedes MACDR 111-1, 10 December 1991

Certified by: 6 ABW/CC (Col Ohlinger)
Pages: 3
Distribution: F; X - HQ ACC/JA

This instruction establishes procedures to ensure the presence of personnel under investigation and necessary witnesses for prompt disposition of all legal proceedings.

SUMMARY OF REVISIONS

This revision incorporates the information, requirements, and procedures formerly in MACDR 111-1, and changes office symbols.

1. Applicability: This instruction applies to units within the jurisdiction of the 6th Air Base Wing (6ABW).

2. Responsibilities: When the Staff judge Advocate (6ABW/JA) has been notified by a squadron commander, Office of Special Investigations, or Security Police Investigations of an investigation that may result in preferral of charges, the 6 ABW/JA will take appropriate action to ensure the availability of all military personnel involved in the investigation.

3. Procedures:

3.1. The 6 ABW/JA or his/her designee, to ensure availability of such personnel, shall send a letter to 6th Mission Support Squadron, Personnel Relocations (6 MSS/DPMAR), identifying personnel involved in the investigation and requesting 6 MSS/DPMAR to hold the personnel and their records until proper disposition of the case has been made (see [Attachment 1](#) for sample letter). The 6 ABW/JA will forward a copy of this letter to the squadron commanders of the personnel involved.

3.2. The 6 MSS/DPMAR will ensure the personnel identified by the 6 ABW/JA are not allowed to go temporary duty (TDY) or permanent change of station (PCS) without the prior coordination and approval of the 6 ABW/JA or his/her designee. Additionally, once court-martial charges are preferred

against a member, 6 MSS/DPMAR will retain that member beyond his/her date of separation/expiration term of service, if applicable.

3.3. The squadron commanders will ensure no leave requests are granted to the personnel identified by the 6 ABW/JA until such requests are coordinated and approved by the 6 ABW/JA or his/her designee. Additionally, squadron commanders will advise the 6 ABW/JA of any pending TDY, PCS, separation, hospitalization, leave requests, or any other projected absences of their personnel who have been placed on administrative hold. Squadron commanders will coordinate with the 6 ABW/JA or his/her designee before removing personnel from administrative hold status.

CHARLES T. OHLINGER III, Colonel, USAF
Commander

Attachment 1

(APPROPRIATE LETTERHEAD)

MEMORANDUM FOR 6 MSS/DPMAR

FROM: 6 ABW/JA

SUBJECT: Placing Personnel on Administrative Hold Status Pending Investigation or Legal Action

1. Request you place the following individuals and their personnel records on hold:

RANK	NAME	SSN	UNIT
------	------	-----	------

a.

b.

2. Please coordinate with this office before removing the above personnel from administrative hold and before allowing them to take leave, go TDY, PCS, or separate from the service.

Typed Name, Grade, USAF

Judge Advocate