

CHECKLIST FOR PRETRIAL CONFINEMENT

For use of this form, see AR 27-10; the proponent agency is OTJAG

NAME	GRADE	UNIT
AGE	ETS	TOTAL SERVICE TO DATE
MARRIED ___ YES ___ NO	WIFE/HUSBAND IN LOCAL AREA ___ YES ___ NO	NUMBER OF CHILDREN ___ 1 ___ 2 ___ 3 ___ OTHER _____ <i>(Specify)</i>

NUMBER OF ARTICLE 15's:

DATE	OFFENSE	PUNISHMENT

NUMBER OF PREVIOUS CONVICTIONS:

TYPE OF COURT	DATE	ARTICLE	PUNISHMENT

NUMBER OF PRESENT OFFENSES:

ARTICLE	DATE	DESCRIPTION OF OFFENSE <i>(If AWOL, from-to, etc., and whether surrendered or apprehended)</i>

PRETRIAL CONFINEMENT IS APPROPRIATE BECAUSE:

a. There is probable cause to believe an offense has been committed by the accused. *(List specific reasons why it is believed an offense has been committed by the accused.)*

b. To ensure the accused's presence at trial, pretrial hearing or investigation. *(List specific reasons why it is believed the accused may not be present and summarize the conduct of the accused which warrants pretrial confinement and tends to indicate the accused is not likely to be available for trial, pretrial hearing or investigation.)*

c. To prevent foreseeable serious criminal misconduct including any efforts at obstructing justice. *(List specific reasons why it is believed the accused may commit acts of serious criminal misconduct if not incarcerated, particularly if these acts pose a threat to others, the command or national security, and summarize the conduct of the accused which warrants pretrial confinement and tends to indicate the accused may commit future acts of serious criminal misconduct.)*

d. Lesser forms of restraint are inadequate. *(List the alternatives that have proven inadequate or summarize the reasons why it is believed such alternatives would be inadequate.)*

DATE (YYYYMMDD)

TYPED NAME, RANK, AND ORGANIZATION OF COMMANDER

SIGNATURE

DECISION OF MILITARY MAGISTRATE

TO: *(Addressee(s))*

On _____, I reviewed the circumstances concerning the continued pretrial confinement of
(Date) (YYYYMMDD)

_____. Based upon this review, I: *(Check appropriate statement)*
(Name)

_____ Determined that continued pretrial confinement is warranted.

_____ Determined that continued pretrial confinement is not warranted and order his/her release from pretrial confinement.

TYPED NAME, GRADE, AND BRANCH OF MILITARY MAGISTRATE

SIGNATURE