



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
2 NAVY ANNEX
WASHINGTON, DC 20380-1775

IN REPLY REFER TO:

5102

SD

28 Jan 09

From: Director of Safety, CMC (Safety Division)
To: Safety Investigation Board Senior Members, Safety
Investigators and Board Members

Subj: CHANGES TO THE AUTHORITY FOR SAFETY INVESTIGATORS TO GRANT
WITNESS CONFIDENTIALITY WHEN INVESTIGATING GROUND MISHAPS

Ref: (a) DODI 6055.7
(b) MCO P5102.1D

1. In accordance with Ref (a), the Marine Corps is not authorized to grant witnesses the promise of confidentiality for ground mishaps. This promise can continue to be granted when investigating flight or flight related mishaps.

2. Currently, ref (b) contains verbiage indicating that promises of confidentiality for witnesses of ground mishaps are authorized. This verbiage will be changed in an imminent revision of this order. Specifically, the following changes to ref (b) are pending:

(a) Paragraph 6005; subparagraph 5 changed to remove Figure C-1 from use.

(b) Paragraph 6005; subparagraph 6 deleted in its entirety.

(c) Paragraph 7002, delete "Additionally, information given by witnesses under promise of confidentiality to safety investigation boards is privilege."

(d) Paragraph 7002; subparagraph 2 deleted in its entirety.

(e) Appendix C; paragraph 1: delete "If the witness refuses to make a statement or desires full confidentiality the designated safety investigator may grant a promise of confidentiality using Figure C-1."

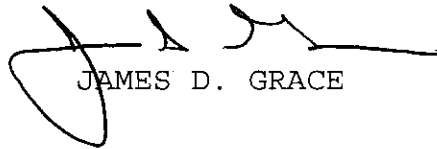
(f) Figure C-1 deleted in its entirety.

(g) Glossary G1; paragraph 24: delete "The SIB or command investigator must give the promise of confidentiality to witnesses to ensure that the information provided is used solely for safety purposes."

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(h) Glossary G1; paragraph 88: delete "That information voluntarily provided under a promise of confidentiality or information voluntarily provided under a promise of confidentiality."

3. This letter constitutes official notification and guidance regarding the granting of confidentiality to witnesses of ground mishaps, until the revision of ref (b) is completed. Questions on this matter may be submitted to the CMC (SD) Ground Safety Branch Head, LtCol Michael S. Miller at (703) 614-2147 or Michael.S.Miller5@usmc.mil.



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