



DEPARTMENT OF THE NAVY

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NAVDENCENS DIEGO INST 5522.1F
013
10 SEP 1996

NAVDENCEN SAN DIEGO INSTRUCTION 5522.1F

Subj: ADMINISTRATIVE INSPECTIONS AND CONTRABAND

Ref: (a) U. S. Navy Regulations, 1990
(b) Manual for Courts Martial, 1995
(c) SECNAVINST 1700.11C
(d) NAVDENCENS DIEGO INST 5510.1D

Encl: (1) Policy on Administrative Inspections and Contraband

1. Purpose. To establish policy and procedures for the administrative inspection of personnel and property under the jurisdiction of the Commanding Officer, Naval Dental Center, San Diego and to list those items which by law or regulation, are illegal for members of the naval service to have in their possession on board any ship, craft, aircraft, vehicle, or within any base or other place under naval jurisdiction.

2. Cancellation. NAVDENCENS DIEGO INST 5522.1E

3. Discussion. Reference (a) charges the Commanding Officer with the responsibility for ensuring the safety, well-being and efficiency of the command. Administrative inspections are essential to an effective armed force and inherent in the very concept of a military organization. They are intended to discover, correct, and deter conditions such as possession of contraband which are detrimental to military efficiency and safety.

4. Definitions. Policy and procedures for conducting Administrative Inspections in accordance with references (a) through (d), enclosure (1).

a. Administrative Inspection - as defined in reference (b), is an "examination" conducted as an incident of command, the primary purpose of which is to determine and to ensure the security, military fitness, or good order and discipline of the unit, organization, installation, vessel, aircraft, or vehicle.

b. Contraband - are objects and materials in which ownership or possession is prohibited by law or regulation.



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5. Action. All Branch Directors, Department Heads, and those personnel assigned as inspectors shall familiarize themselves with the contents of this instruction.


R. C. MELENDEZ

Distribution:
List I, Case 1,2

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POLICY ON ADMINISTRATIVE INSPECTIONS AND CONTRABAND

1. The authority to order administrative inspections is vested in the Commanding Officer and is delegated to the Executive Officer, Director, Dental Center Administration, and Directors of Branch Dental Clinics.

a. Administrative inspections are not designed to be "quests for evidence."

b. Administrative inspection shall not single out specific individuals or very small groups of individuals. There is, however, no legal requirement that the entire command or clinic be inspected.

c. Inspections shall be totally inclusive, i.e., every individual of a chosen group shall be inspected, or it shall be done by inspecting individuals according to a random basis, by inspecting individuals according to some rule of change, e.g., pulling SSN's from a hat.

d. Inspections may be either announced or unannounced.

e. Inspections may be scheduled to take place on a specific date or on the occurrence of a specific event beyond the usual control of the person ordering the inspection. Previously scheduled inspections, however, need not be pre-announced.

f. To be effective, administrative inspections must be held regularly.

g. Reasonable, natural or technological aids may be utilized in conducting an inspection. Drug detection dogs, for instance, may be used to assist during the inspection for drugs.

h. Inspections for contraband shall be previously scheduled so as to eliminate reasonable probability that the inspection is contrived. Contraband and other evidence found during an inspection shall be confiscated, tagged, and placed in safekeeping for use in disciplinary proceedings as appropriate.

2. The possession of the following items by members of the naval service is prohibited:

a. Weapons. Article 1159 of reference (a) prohibits the possession on board any ship, craft, aircraft, or naval base, of a dangerous weapon, instrument, or explosive device or compound. This includes firearms; devices which expel a projectile either by air or gas; switchblade knives; blackjack; brass knuckles; leaded clubs; a cord leather or wire garrote; or an edged weapon the blade of which is more than five inches in length, when the possession of any of the above is not necessary for the performance of duty or is not properly authorized.

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b. Alcoholic Liquors. Article 1162 of reference (a) prohibits the possession of alcoholic beverages on board any ship, craft, aircraft, or naval base, except as maybe authorized by the Secretary of the Navy. Reference (c) defines alcoholic beverages as wine, distilled spirits, and malt beverages.

c. Marijuana, Narcotics, and Controlled Substances. Article 1138 of reference (a) prohibits the possession by persons in the naval service of marijuana, narcotic substances, or other controlled substances as are defined and listed in the Controlled Substances Act of 1970.

d. Drug Abuse Paraphernalia. The use, possession, sale or transfer of drug abuse paraphernalia is a violation of UCMJ, Article 92. Reference (d) defines drug paraphernalia as all equipment, products, and materials of any kind that are used, intended for use, or designed for use in injecting, ingesting, inhaling, or otherwise introducing into the human body marijuana, narcotic substances, or other controlled substances in violation of law.

e. Instrumentalities of a Crime. Objects or apparatus used in the commission of a crime or capable of being used only in the commission of a crime are contraband. Prohibited items which fall in this category are gambling devices; illegal weapons; and altered or false armed forces identification cards.