**Section 400.300 Preliminary Inquiry Into Reported Offenses**

a) Any person may report an offense subject to trial by court-martial. Ordinarily, any military authority that receives a report of an offense shall forward as soon as practicable the report and any accompanying information to the immediate commander of the suspect. Competent authority superior to that commander may direct otherwise.

b) Upon receipt of information that an SFM member is accused or suspected of committing an offense triable by court-martial, the immediate commander shall make or cause to be made a preliminary inquiry into the charges or suspected offenses.

c) The preliminary inquiry may be informal, but should include an examination of the charges and an investigative report or other summary of evidence. The inquiry should gather all reasonably available evidence bearing on guilt or innocence and any evidence relating to the aggravation, extenuation or mitigation of the conduct that the person is accused or suspect of committing.

d) If a person is accused or suspected of misconduct of a serious or complex nature, the commander should seek the assistance of civilian law enforcement personnel or military police in conducting any inquiry or further investigation.

e) The commanding officer should always consult with his or her judge advocate for appropriate legal guidance when notified of a potential offense, and use that legal guidance in directing the preliminary inquiry into the charges and offenses.