



DEPARTMENT OF THE NAVY
USS MINNEAPOLIS-SAINT PAUL (SSN 708)
FPO AE 09578-2388

5830
30 DEC 06

From: Commanding Officer, USS MINNEAPOLIS-SAINT PAUL (SSN 708)
To: [REDACTED]

Subj: PRELIMINARY INQUIRY INTO EVENTS OF 29 DECEMBER 2006

Ref: (a) JAG Manual (Chapter 2)

1. In accordance with reference (a), you are appointed to conduct a Preliminary Inquiry into the events on 29 December 2006.
2. You are specifically directed to make a Line of Duty/Misconduct determination for the deaths of ETCS(SS) Higgins and STS2(SS) Holtz.
3. Report your determination using reference (a) Chapter 2, Appendix A-2-h.



31 DEC 06

From: LCDR Kevin P. Schultz, USN,
To: Commanding Officer, USS MINNEAPOLIS-SAINT PAUL (SSN 708)
Subj: PRELIMINARY INQUIRY INTO EVENTS OF 29 DECEMBER 2006
Ref: (a) JAG Manual
(b) COMNAVSUBFORINST 5400.39 (SSORM)

1. This reports completion of the preliminary inquiry conducted in accordance with Article 0203 of reference (a) into the deaths of ETCS(SS) Thomas Higgins and STS2(SS) Michael Holtz on 29 December 2006. This preliminary inquiry was conducted with the specific intent of making a Line of Duty determination for the deaths of ETCS Higgins and STS2 Holtz.

2. Personnel Contacted:

- a. LCDR Brian Hogan, USN, Officer of the Deck
- b. ETC(SS) James Wilson, Bridge JA Phone Talker
- c. ETCS(SS) Robert May, Small Boat Handling Party
- d. MMCS(SS) Richard Cherland, Crew's Mess Man-in-Charge

3. Material Reviewed:

- a. USS MINNEAPOLIS SAINT PAUL (SSN 708) Maneuvering Watchbill for 29 December 2006.
- b. USS MINNEAPOLIS SAINT PAUL (SSN 708) Deck Log for 29 December 2006.
- c. USS MINNEAPOLIS SAINT PAUL (SSN 708) position log for 29 December 2006 as recorded in the Voyage Management System (VMS).

4. Summary of Findings:

- a. ETCS Higgins and STS2 Holtz were both assigned to the Small Boat Handling Party on the 29 December 2006 maneuvering watchbill.
- b. ETCS Higgins and STS2 Holtz were wearing appropriate safety gear (Kapok life jackets and safety harnesses) in accordance with Article 4318 of reference (b).
- c. The Officer of the Deck gave the Small Boat Handling Party a lawful order over to proceed topside via the Forward Escape Trunk in preparation for a personnel transfer.

- d. Through no fault of their own, ETCS Higgins and STS2 Holtz were swept overboard by a wave washing over the main deck and were unable to climb back aboard the ship due to heavy seas.

5. Recommendations:

- a. In accordance with Article 0236d of reference (a), the investigating officer recommends finding the deaths of ETCS Higgins and STS2 Holtz "in the line of duty and not due to the members' own misconduct."

/s/

K. P. SCHULTZ

FIRST ENDORSEMENT

X

Concur with recommendation.

Other: _____

/s/

E. J. RUFF, JR.