

MILPERSMAN 1626-010

DEFERMENT OF DISCIPLINARY ACTION WHEN SERVICE RECORDS ARE NOT AVAILABLE

Responsible Office	NAVPERSCOM (PERS-4832)	Phone:	DSN	882-4427
			COM	(901) 874-4427
			FAX	882-2624

References	(a) JAGINST 5800.7C, Manual of the Judge Advocate General (JAGMAN) (b) Manual for Courts-Martial
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1. **Policy.** Per references (a) and (b):

a. **General Courts-Martial (GCM) action.** Members will not be tried by GCM when their original or duplicate service records are not available.

b. **Special Court-Martial (SPCM) action.** Members will not be tried by SPCM without their original or duplicate service records, **except** where the delay is likely to defer the initiation of disciplinary action for a period of more than 20 days.

c. **Nonjudicial Punishment (NJP) action.** For returning unauthorized absentees, defer mast until the record is available, if practical. Only in the most unusual cases will unauthorized absences be excused or the accused merely warned. Where such action is taken, file a signed statement of the pertinent facts in the member's service record and forward a copy to Navy Personnel Command (NAVPERSCOM), Enlisted Performance and Separations Section (PERS-4832). Nothing precludes taking NJP action without the availability of the service record.

MILPERSMAN 1626-020

ENLISTED SERVICE RECORD ENTRIES AFTER NONJUDICIAL PUNISHMENT (NJP)

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References	(a) JAGINST 5800.7C, Manual of the Judge Advocate General (JAGMAN) (b) Manual for Court-Martial (MCM) (c) Defense Joint Military Pay System (DJMS) Procedures Training Guide (d) BUPERSINST 1430.16E (e) SECNAVINST 1650.1G
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1. **Entries.** Per reference (a), upon completion of disciplinary action, record as follows:

PUNISHMENT AWARDED	ACTIONS REQUIRED
Dismissed or dismissed with warning	File in Unit Punishment Book (UPB). No service record entries required or authorized.
Oral reprimand Written admonishment Restriction Forfeiture of pay (suspended) Reduction of rate (suspended) Extra Duty Conviction by civil authorities	Make NAVPERS 1070/613 (Rev. 10-81), Administrative Remarks, entry.
Written reprimand	Make NAVPERS 1070/613 entry and prepare reprimand per reference (a).
Confinement on bread and water	Make NAVPERS 1070/613 entry and prepare confinement order.
Correctional custody	Make NAVPERS 1070/613 entry and prepare correctional custody order.
Forfeiture of pay Vacate suspended sentence (affecting pay*)	Prepare NAVPERS 1070/607 (Rev. 12-75), Court Memorandum. * Separate NAVPERS 1070/607 required (see note).
Reduction in rate Reinstatement of rate (time-in-rate (TIR) date same as original TIR date) Reinstatement of rate (TIR date effective after original TIR date)	Prepare NAVPERS 1070/607 and NAVPERS 1070/604 (Rev. 7-91), Enlisted Qualifications History, and DMRS/SDS entry.

NOTE: When vacation of a suspended sentence and a NJP occur on same day, individual NAVPERS 1070/607's are required and must be transmitted separately. If applicable, vacate suspension action first, then complete a new NAVPERS 1070/607 for the NJP as applicable. A NAVPERS 1070/604 entry may also be needed.

2. **Entry Rules**. The following are rules associated with file entries:

a. Punishments may be combined as long as they do not exceed maximums cited in reference (b), part V, para. 5(d).

b. When combined punishments require both NAVPERS 1070/607 and NAVPERS 1070/613 entries, prepare NAVPERS 1070/607 only.

c. Per reference (b), when punishment includes both reduction in rate (including suspended reduction) and forfeiture of pay, forfeiture is based on the reduced paygrade.

d. Unauthorized absence (UA). Even if excused or dismissed at NJP, record disposition on NAVPERS 1070/607. See MILPERSMAN 1600-100 for guidance on accounting UA time. Prepare NAVPERS 1070/606 (Rev. 1-77), Unauthorized Absence Record in cases of UA exceeding 24 hours. UA over 24 hours may effect:

(1) Pay (reference (c)).

(2) Lost time (MILPERSMAN 1600-100).

(3) Time in Rate (TIR) for advancement purpose (reference (d)).

(4) Good conduct eligibility (reference (e)).

e. Legal or personnel office will indicate completion of NJP by dating and initialing the appropriate section on the review of NAVPERS 1626/7 (Rev. 12-88), Report and Disposition of Offense(s), and file in the UPB.

MILPERSMAN 1626-030

DISPOSITION OF ENLISTED PERSONNEL UPON COMPLETION OF DISCIPLINARY ACTION

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References	(a) JAGINST 5800.7C, Manual of the Judge Advocate General (JAGMAN)
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1. **Policy**. Normally members are returned to their original duty station upon completion of disciplinary action. Per reference (a), the following rules apply in unusual cases:

IF the member is a ...	THEN ...
recruit who has not completed recruit training,	transfer member to Recruit Training Command (RTC), Great Lakes, IL.
FTS,	make member available per MILPERSMAN 1306-1700; or process for separation as applicable.
person not qualified for duty to which previously assigned under existing screening criteria as a result of disciplinary action,	make member available for transfer; or process for separation as applicable.
person apprehended, convicted, and confined in excess of 30 days while enroute to a new duty station,	make member available, Navy Personnel Command (NAVPERSCOM) will reassign to comparable duty; or process for separation as applicable.

2. **Procedures**

a. Availability reports will be submitted at least 3 weeks prior to completion of confinement.

b. Navy briggs provide maximum opportunity for prisoners to return to duty as productive Sailors. Individuals who have successfully completed a brig restoration program, received a

positive recommendation from the brig commanding officer (CO), and have not been awarded a discharge/dismissal at court-martial may be given an opportunity to continue their naval career, unless administrative separation processing is mandatory or the command decides otherwise.