

## MILPERSMAN 1611-010

### OFFICER PERFORMANCE

<b>Responsible Office</b>	NAVPERSCOM (PERS-83)	Phone:	DSN COM FAX EMAIL	882-4426 (901) 874-4426 882-2625 <a href="mailto:PERS-834@navy.mil">PERS-834@navy.mil</a>
NAVPERSCOM CUSTOMER SERVICE CENTER		Phone:	Toll Free	1-866-U ASK NPC

<b>References</b>	<ul style="list-style-type: none"> <li>(a) BUPERSINST 1610.10C</li> <li>(b) U.S. Navy Regulations, 1990</li> <li>(c) Uniform Code of Military Justice (UCMJ)</li> <li>(d) SECNAVINST 1920.6C</li> <li>(e) OPNAVINST 6110.1J</li> <li>(f) JAGINST 5800.7E, Manual of the Judge Advocate General (JAGMAN)</li> <li>(g) NAVSUP P-1, Naval Supply System Command Manual</li> <li>(h) NAVMED P-117, Manual of the Medical Department</li> <li>(i) Defense Joint Military Pay System (DJMS) Procedures Training Guide (PTG)</li> </ul>
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1. **General Provisions.** General provisions are applicable to all officer cases involving performance or conduct.

a. If it is expected that disciplinary or adverse action (military or civilian) may be taken against an officer, the officer should not execute transfer orders until such action has been resolved. When a modification of orders is necessary, the below listed personnel (PERS) codes at Navy Personnel Command (NAVPERSCOM) should be notified by the member's commanding officer (CO) regarding the circumstances provided with recommendations and requested to issue orders as may be appropriate:

(1) NAVPERSCOM, Officer Performance and Separations Branch (PERS-834); and

(2) NAVPERSCOM, Career Management Department (PERS-4) applicable detailee division (e.g., PERS-41, 42, 43, 44, etc).

b. Additionally, if it is expected that disciplinary action (military or civilian) may be taken against an officer that has been selected for or is currently in the Naval Nuclear Propulsion Program training pipeline, or an officer with current nuclear additional qualification designators, the below listed offices should also be notified of the circumstances:

(1) Office of the Chief of Naval Operations (OPNAV), Nuclear Propulsion Program Management Branch (N133); and

(2) NAVPERSCOM, Submarine Officer Career Management Division (PERS-42).

c. When misconduct or deficiencies in performance are discovered after the submission of the report of fitness, a supplemental report of fitness, per reference (a), should be submitted as appropriate.

d. Except as provided in MILPERSMAN 1070-020, an officer must be given notice of and an opportunity to respond to all adverse matters which are being forwarded to NAVPERSCOM for inclusion in the officer's official record. The officer's intention not to make a statement shall be indicated in writing or by the expiration of a stated period of time within which the member (after having been so advised) was afforded such an opportunity and failed to submit a statement. Any doubt as to whether a particular matter is adverse will be resolved in favor of the officer by referring it to the officer. Direct the officer's attention to reference (b), article 1122 for guidelines regarding such statements.

e. COs shall inform NAVPERSCOM, PERS-834 by appropriate means of communication (letter or encrypted e-mail) of incidents involving officer performance or conduct which may be of public interest, or those which will require action by NAVPERSCOM concerning the officer's status. Unless indicated otherwise, these initial reports are intended for information and appropriate action, and not for inclusion in an officer's official record. Point of contact (POC) information shall be provided.

f. When practical to do so with clarity and without prejudice to the officer concerned, facts or details requiring reports to be classified should be omitted. Information should not be classified solely because it is embarrassing or derogatory to the member. Unless required for security reasons,

reports of nonjudicial punishment (NJP) should be designated "For Official Use Only" and transmitted in double envelopes. The outer envelope should be addressed to NAVPERSCOM (PERS-834) and the inner envelope marked "Officer Performance, For Official Use Only," as appropriate.

## 2. Misconduct - General Court-Martial

a. When court-martial charges have been preferred against an officer, the CO will immediately send a copy of the charges and specifications with explanatory information to NAVPERSCOM (PERS-834). The CO will keep NAVPERSCOM (PERS-834) informed of the status and disposition of the charges. Unless indicated otherwise, these reports are intended for information and appropriate action, not for inclusion in an official record.

b. At the conclusion of trial, the CO will forward the Report of Results of Trial letter to NAVPERSCOM (PERS-834). The report is to include a copy of the charges preferred, the disposition of each, and the final sentence adjudged as an enclosure.

c. If a discharge or dismissal was not awarded, but a guilty finding was determined on any of the charges, the CO is to provide a recommendation on whether the officer should be required to show cause for retention. The letter shall be sent via the officer if a recommendation for separation or show cause is included in the report.

d. If a recommendation to separate or to show cause is being made and the reporting officer is not a flag officer, the report of results of trial shall be submitted via the first flag officer in the chain of command. Chief of Naval Personnel does not require multiple endorsers, as this may unnecessarily delay the report being received at NAVPERSCOM. However, this does not preclude fleet, type, or group commanders from requiring the reports to be forwarded via operational or administrative channels.

## 3. Misconduct - NJP

a. When a decision is made to impose NJP on an officer, the command shall notify NAVPERSCOM (PERS-834). The initial notification may be made via encrypted e-mail and must provide the following:

- (1) Officer's rank, name, last four of SSN, designator;
- (2) Command POC;
- (3) POC phone number and or e-mail address; and
- (4) A brief description of charges and specifications.

b. If a recommendation is likely to be made to detach the officer for cause, include NAVPERSCOM (PERS-4) as an addressee to alert both detailers and placement officers. A back-fill will depend on billet prioritization.

c. When NJP is complete, the authority imposing punishment shall immediately notify NAVPERSCOM (PERS-834) by letter (i.e., Report of Nonjudicial Punishment) as soon as the results are final (i.e., when the officer declines to appeal, does not appeal within the required time, or after the appeal has been adjudicated). Refer to Exhibit 1.

d. If the officer imposing NJP is not a flag officer, the Report of Nonjudicial Punishment shall be submitted via the first flag officer in the chain of command. Chief of Naval Personnel does not require multiple endorsers as this may unnecessarily delay the report being received at NAVPERSCOM. However, this does not preclude fleet, type, or group commanders from requiring the reports to be forwarded via operational or administrative channels.

e. The officer's CO or the authority imposing the punishment will include requests/recommendations and an explanation for each in the Report of Nonjudicial Punishment on the following issues:

- (1) Whether it is requested the officer be detached for cause (DFC);
- (2) Whether the officer's misconduct warrants promotion, delay, or removal (if on a promotion list); and
- (3) Whether the officer should be required to show cause for retention.

f. The Report of Nonjudicial Punishment will be forwarded via the officer concerned for acknowledgment and an opportunity to submit a statement. The originating command will normally be

the second via addressee and may provide comments (as appropriate) on the officer's statement.

g. The letter report should be forwarded for flag endorsement as discussed above.

h. The following information and documentation should be forwarded with the report of NJP:

(a)	Offenses for which punishment was imposed.
(b)	A brief description of the circumstances surrounding the offense(s).
(c)	The punishment awarded.
(d)	A copy of the punitive letter (if one is given).
(e)	A copy of the investigation and other documents which were considered at NJP to include rights statements.
(f)	A copy of the NAVPERS 1626/7 Report and Disposition of Offense(s).
(g)	A summary of any statement, if made by the officer at NJP.
(h)	A copy of the appeal and the letter denying an appeal, or the officer's written declination to appeal.
(i)	A dated acknowledgment by the officer, that the officer has reviewed the Report of Nonjudicial Punishment, was advised of any adverse actions recommended (including detachment for cause (DFC) or show cause) by the command, and that the Report of Nonjudicial Punishment will become part of the officer's official record. The officer's acknowledgement or statement should be the first endorsement to the Report of Nonjudicial Punishment.
(j)	If an appeal is granted on only a portion of the NJP imposed, the Report of Nonjudicial Punishment should be submitted with a copy of the appeal letter, which will be included in the official record.

4. **Misconduct - Civil Offenses.** In civil cases where an officer has been arrested in connection with, or charged with a civil offense that would constitute an offense if charged under reference (c), the CO shall report initial pertinent information to NAVPERSCOM (PERS-834) by encrypted e-mail. This includes civil charges for drunk, impaired, or reckless driving. Subsequent status reports shall be submitted (as appropriate). When the results of the civil action become final, the CO shall submit a Final Civil Action Report to NAVPERSCOM by letter (Exhibit 2) following the same procedures outlined above in

paragraphs 3d through 3g. Since this letter may become a part of the officer's official record, it will include the following:

(a)	A brief description of the incident for which the officer was investigated, arrested, or tried.
(b)	A statement of the charges as filed (if applicable).
(c)	A statement of the pleading or findings (if applicable).
(d)	A statement of the sentence imposed (if applicable).
(e)	A statement listing any diversionary or mitigating actions (i.e., community service, attend Mothers Against Drunk Driving meetings, attendance at a specified class, etc.) allowed by the court resulting in a dismissal of the civil charges.
(f)	A copy of the civil court document reflecting final disposition of the matter.
(g)	The command action being taken or recommended.
(h)	A dated acknowledgment by the officer, that the officer has reviewed the Report of Final Civil Action, was advised of any adverse actions recommended (including detachment for cause (DFC) or show cause) by the command, and that the Report of Final Civil Action will become part of the officer's official record. The officer's acknowledgement or statement should be the first endorsement to the Report of Final Civil Action.

5. **Misconduct - Other.** There may be cases where an officer has committed misconduct but there is no NJP, court-martial, or civilian conviction to report. This could occur for several reasons, the most common one being because the member refused nonjudicial punishment and it was determined that the misconduct did not warrant court-martial. In such circumstances, if the officer's CO believes that the misconduct warrants show cause, the CO may forward a Report of Misconduct to NAVPERSCOM (PERS-834) following the same procedures outlined above in paragraphs 3d through 3g. The following information and documentation should be forwarded with the Report of Misconduct:

(a)	A brief description of the misconduct.
(b)	An explanation of why disciplinary action was not taken.
(c)	A copy of the investigation and other documents explaining the misconduct.
(d)	A copy of the NAVPERS 1626/7 Report and Disposition of Offense(s), if officer refused NJP.
(e)	A dated acknowledgment by the officer, that the officer has reviewed the Report of Misconduct, was advised of any

	adverse actions recommended (including detachment for cause (DFC) or show cause) by the command, and that the Report of Misconduct may become part of the officer's official record. The officer's acknowledgement or statement should be the first endorsement to the Report of Misconduct.
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6. **General Administrative Requirements Regarding Nonjudicial Punishment, Court-Martial, Civil Action, or Other Report of Misconduct**

a. Sample letters for reporting misconduct (NJP, civil conviction, or court-martial) are provided in Exhibits 1 through 3.

b. The command submitting a Report of Misconduct will include the officer's current working location or temporary additional duty (TAD) location (if removed from current duty assignment) and a unit point of contact at the alternate work location or TAD location.

c. Upon receipt of a Report of Misconduct as discussed above, Commander, Navy Personnel Command (CNPC) will take the following actions as the show cause authority (SCA):

(1) **Probationary Officers (Less than 6 years of Commissioned Service)**. If the SCA determines the officer should show cause for retention, a letter of notification of intent to initiate administrative separation proceedings will be sent to the officer via the CO.

(2) **Non-Probationary Officers or Cases Seeking an Other than Honorable Discharge**. If the SCA determines that the officer should show cause for retention before a board of inquiry (BOI), a letter of notification will be sent to the officer via the regional commander (who will act as the convening authority (CA) on behalf of the SCA for the BOI). The regional commander will provide a copy of the notification letter to the member's CO and chain of command (as appropriate).

(3) In those cases where an officer is being required to appear before a BOI, the following requirements are germane.

(a) CNPC will provide a copy of the Report of Misconduct to the regional commander simultaneously with the request for the CA to conduct a BOI.

(b) If the member, in fact, elects to appear before a BOI, the regional commander will request a copy of the official military personnel file (OMPF) from NAVPERSCOM (PERS-834). The OMPF will be provided within 5 working days.

(c) From date of notification, the member has 10 calendar days to elect whether he or she desires to appear before a BOI or elect other alternatives. An officer's failure to acknowledge the notification and elect his or her rights to which entitled constitutes a waiver of those rights. In the absence of selection of their rights, the regional commander or CA will initiate BOI proceedings.

(d) Reference (d) requires a BOI to be held within 60 days of an officer's election to appear before a BOI. Extensions of this requirement may be requested (if necessary) to NAVPERSCOM (PERS-834) via the regional commander. An extension will not be granted, except in the most unusual of circumstances.

d. Whether probationary or non-probationary, if the officer is not required to show cause for retention, NAVPERSCOM (PERS-834) will notify the officer of this determination via the officer's CO.

e. Other actions recommended by the CO or flag officer, (i.e., detached for cause (DFC), promotion delay, and filing of official documents into member's record) will be completed.

7. **Misconduct - Impacting Pay Matters**. CO's or commanders will report the results of all cases of unauthorized absences and any punishment from NJP or court-martial which involves a forfeiture or fine via their local personnel support detachment (PERSUPP DET) or disbursing officer to the Defense Finance and Accounting Service, Cleveland Center (DFAS-CL). This report will be in addition to the aforementioned report. The report shall include the inclusive dates of the unauthorized absence and or the details concerning the forfeiture or fine.

8. **Substandard Performance**

a. If a commanding officer believes that an officer's performance is substandard and warrants separation for cause, per enclosure (3) of reference (d), the CO may forward a request for administrative separation for cause to NAVPERSCOM (PERS-834)



via the member concerned and the first flag officer in the chain of command, if the requestor is not a flag officer.

b. Enclosure (3) of reference (d) provides a full list of the types of substandard performance that warrant separation for cause. A few common reasons for requesting separation for cause due to substandard performance are discussed below:

(1) **Physical Fitness Assessment (PFA) Failure.** A CO must forward a request for administrative separation for substandard performance if an officer fails three PFAs in a 4-year period from the date of the last failure. The package must contain a PFA Failure Notification received by the member prior to the third failure, per reference (e). Separation for cause due to PFA failure is authorized by paragraph 1a(9) of reference (d) under substandard performance.

(2) **Adjustment Disorder.** In enclosure (3) of reference (d), adjustment disorder is not expressly listed as a basis under substandard performance for separation for cause. In order for a CO to request an officer who has been diagnosed with adjustment disorder be administratively separated for cause, the CO must articulate how the adjustment disorder is impacting the officer's performance to such an extent that separation for cause due to substandard performance, per enclosure (3) of reference (d), is warranted.

(3) **Personality Disorder.** In order for a CO to request an officer be administratively separated for cause due to personality disorder, the requirements of paragraph 1a(6) of enclosure (3) of reference (d) must be met. The CO must articulate how the personality disorder interferes with the officer's performance of duty to such an extent that separation for cause due to substandard performance is warranted.

9. **Non-Punitive Actions Administered Orally or by Letter of Caution.** Non-punitive actions administered orally or by Non-punitive Letter of Caution, not intended for inclusion in the permanent record of the officer, are not considered punishment within the purview of reference (c), but are considered non-punitive measures as described in reference (f), section 0105(b). Notation thereof shall not be made in a fitness report, and a copy of such letter shall not be forwarded to NAVPERSCOM for inclusion in the officer's official record. The performance of duty or facts upon which the action was based,

may properly be mentioned in the next fitness report of the officer concerned.

10. **Matter of Interest Filing in Official Record**

a. COMNAVPERSCOM determines whether records or reports of formal or informal investigations, courts of inquiry, or other matters contain matters of interest that should be filed in the official record of any present or former officer. A matter of interest filing is normally used to ensure that the entire report of a matter, rather than excerpts, which might appear in either reports of fitness, letters of commendation, letters of censure, or other means is available for future reviewing, examining, or selection authorities. Matter of interest filings are administrative actions and will not be used in lieu of, or as a substitute for, commendatory or disciplinary action, or appropriate markings and comments in a fitness report.

b. In cases where additional information regarding an officer's performance becomes available subsequent to detachment and transfer to another command, or after a fitness report for the period in question has already been submitted, a supplementary fitness report is normally considered more appropriate than a request for a matter of interest filing. In those cases in which a matter of interest has been recommended and the information might be construed to reflect derogatively on the officer whose record it would be filed in, the officer shall be afforded the opportunity to review the matter and shall submit a signed statement or declination to make a statement to NAVPERSCOM (PERS-834). Final determination regarding the matter of interest filing shall be made by COMNAVPERSCOM after receipt of the officer's statement.

11. **Adverse Report of Fitness**

a. In the case of an adverse report of fitness, per reference (b), the adverse matter will not be placed in an officer's record without the officer's knowledge.

b. If a fitness report contains an adverse matter, it shall be referred to the member, along with a Letter Referring Adverse Report to Officer for Statement, as the officer may choose to make a statement. If the officer does not desire to make a statement at that time, the officer shall state this officially by annotating the appropriate box on the fitness report. The

reporting senior shall forward the report directly to NAVPERSCOM, Performance Evaluations Division (PERS-32).

c. If a report referred to an officer for signature is not returned to the reporting senior within a reasonable length of time, the reporting senior shall enter an authorized explanatory phrase, per reference (a), in the signature block and forward the report to NAVPERSCOM (PERS-32). If the officer on whom an adverse report is made has been detached, the report shall be forwarded to the officer directly, not via the new reporting senior, except when the officer has been hospitalized. Refer to reference (a) for actions to follow if the officer fails to respond or refuses to sign the adverse report.

d. In all cases in which a matter may be construed as possibly reflecting adversely against an officer, Chief of Naval Personnel resolves the issue in favor of the officer concerned and gives the officer the benefit of seeing the material with the opportunity to comment thereon.

**12. Information which Alleges Indebtedness, Nonsupport, or Paternity**

a. When a CO is in receipt of information which alleges a claim of indebtedness, nonsupport of the officer's legal dependents, or paternity of a child born out of wedlock, regarding an officer under their command, and it becomes apparent to the CO that the officer has

(1) flagrantly mishandled personal financial affairs;

(2) repeatedly disregarded a valid court order, current mutual support agreement, or MILPERSMAN 1754-030 and controlling directives requiring them to contribute to the support of their legal dependents; or

(3) admitted paternity or was formally adjudicated to be the father of an illegitimate child, and willfully neglected to meet the obligations that may attach thereto in such a manner as to bring discredit upon the naval service

the CO shall take such action as indicated in paragraph 12b below.

b. Being guided by the merits of each case, a CO should consider:

- (1) An appropriate notation in the officer's next regular report of fitness;
- (2) CO's NJP;
- (3) Referral to court-martial; or
- (4) Request show cause, when NJP is refused and a court-martial not appropriate.

c. The mere involvement of an officer in any non-support, paternity, or indebtedness situation should not be the sole factor for considering action outlined above. However, an officer must be morally and professionally qualified for their present rank, and for promotion to the next higher grade. When an officer's conduct in such cases does, in fact, does bring discredit upon the naval service, a CO should take appropriate action to address the matter.

13. **Unauthorized or Unexplained Absence - Policy.** In all cases of unauthorized or unexplained absence (including failure to report in compliance with official orders, missing movement, or absence over leave or liberty) the CO shall immediately notify NAVPERSCOM (PERS-834) by encrypted e-mail at [PERS-834@navy.mil](mailto:PERS-834@navy.mil) and the servicing PERSUPP DET or personnel support activity of all facts and circumstances surrounding the officer's absence. When a naval officer has been absent for 10 days and has not been declared a deserter, notify the next-of-kin (NOK) by letter (sample provided in paragraph 14 below). If the officer returns prior to being declared a deserter, notify the NOK of such return. When an officer has been absent for more than 30 days, a DD 553 Deserter/Absentee Wanted by the Armed Forces will be issued on the 31st day of absence. DD 553 shall be issued immediately if it initially appears that the officer may have intended to desert or defect, or is absent without authority without regard to length of absence and has gone to, or remains in, any foreign country and while in such foreign country has requested, applied for, or accepted any type of asylum or residence permit from such country or any governmental agency thereof. DD 553 may be accessed by using the following link: <http://www.dtic.mil/whs/directives/infomgt/forms/eforms/dd0553.pdf>.

14. **Unauthorized Absence - Sample Letter**

(Use proper letter format.)

"I regret the necessity of informing you that your (son/daughter, or insert other relationship as appropriate) (insert full name and rank), who was attached to (this/the) ship (or command as appropriate) has been on unauthorized absence since (fill in). Should you know of the whereabouts of your (son/daughter or other relationship), it is suggested that you urge (him/her) to surrender to the nearest naval or other military activity immediately since the gravity of (his/her) offense increases with each day of (his/her) absence. Should your (son/daughter) remain absent for 30 days, (he/she) will be declared a deserter, and a federal warrant will be issued. Information concerning (his/her) absence will be provided to the National Crime Information Center which, in turn, is available to all law enforcement agencies throughout the country."

15. **Distribution of DD 553**

a. The original DD 553 shall be forwarded to Director, Corrections and Programs Office (PERS-OOD) with copies to

(1) Navy Absentee Collection and Information Center (NACIC), Millington, TN;

(2) Director, Naval Criminal Investigative Service NCIS;

(3) Next of kin;

(4) Recruiting station nearest the absentee's home of record;

(5) Headquarters of state police of the absentee's home state;

(6) Chief of police in city given as current residence, as well as, each of the cities in and adjacent to the port in which the absence occurred; and

(7) any other place where it is believed that the absentee may be located (such as a leave address previously used, and not covered above).

**NOTE:** Maximum notification to Armed Forces agencies near the place where the unauthorized absence occurred will be made. In foreign ports when the assistance of civil authorities is required, the CO will prepare and sign a descriptive report and send it to the nearest consul of the United States.

b. In case of aliens believed to be in a foreign country, send a copy of DD 553 to the following:

Department of State Attn: Visa Officer-SCA/VO State Annex No. 2 Washington, D.C. 20520
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c. For U.S. citizens believed to be in a foreign country, send a copy to the following:

Department of State Passport Office/PTLS 1425 K Street, N.W. Washington, D.C. 20524
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d. A copy of DD 553 shall be filed in the officer's service record, but removed upon the officer's return and completion of administrative and or disciplinary action. NAVPERSCOM will normally notify the Federal Bureau of Investigation (FBI) concerning absentees. When unusual circumstances exist such as unauthorized absentees who are escaped prisoners, or are dangerous, the local CO may notify the FBI.

16. **Absentee's Personal Effects**. When DD 553 is issued, the CO shall cause the absentee's personal effects to be collected, inventoried, and placed in safekeeping. Instructions for the appointment of an inventory board and detailed description of its duties are contained in reference (g). The personal effects of an absentee will be held at the absentee's parent command for 3 months, after which they will be disposed of per reference (g). If an officer returns to naval jurisdiction **within 3 months** after commencement of absentee status, the officer's personal effects will be returned to the officer at the officer's request, should the officer so desire. If the officer returns to naval jurisdiction **after 3 months** following commencement of unauthorized absence, the officer's personal effects may be forwarded at the officer's own expense, provided the officer is still in naval custody.

17. **DD 616 Report of Return of Absentee.** After DD 553 has been issued, it will remain effective until such time as the officer's return to naval jurisdiction, at which time DD 616 will be issued. DD 616 may be accessed by using the following link:

<http://www.dtic.mil/whs/directives/infomgt/forms/efoms/dd0616.pdf>.

18. **Absentee's Health and Pay Records.** The absentee's health and pay records will be handled following instructions contained in references (g) and (h), respectively. A copy of the officer's records maintained by the command and a copy of DD 553 will be forwarded to NAVPERSCOM (PERS-OOD) and NACIC following 30 days absence; but for administrative purposes, the absentee will remain attached to the absentee's parent command until further instructions are received from NAVPERSCOM. Members who become absentees subsequent to detachment, but prior to reporting to a new duty station, are attached for administrative purposes to the first activity to which ordered to report for duty.

19. **Upon the Absentee's Return.** Upon an absentee's return from unauthorized absence, the CO receiving the absentee shall report the circumstances by message to NAVPERSCOM (PERS-OOD) and NACIC Millington, TN, including action taken or contemplated, and submit DD 616 to NAVPERSCOM with copies to addressees listed on the previously issued DD 553 (if available). NAVPERSCOM will distribute copies of the DD 616 if the addressees are unknown by the CO receiving the absentee. Appropriate disciplinary action, as warranted, shall be initiated by the CO of the command to which the absentee returns, unless the absentee returns to other than their assigned duty station, in which case NAVPERSCOM will determine the responsible CO and issue appropriate orders. The CO of the officer concerned will initiate any checkage of pay or the loss of earned leave credit in cases of unexcused absence. Reports of such action will be submitted to the disbursing officer for forwarding to DFAS-CL.

**Exhibit 1**

**SAMPLE LETTER FORMAT FOR REPORTING NONJUDICIAL PUNISHMENT**

From: Commanding Officer, [Command]  
To: Commander, Navy Personnel Command (PERS-834)  
Via: (1) [Officer Concerned]  
(2) Commanding Officer, [Command]  
(3) [Immediate Superior and or First Flag Officer]  
Subj: NONJUDICIAL PUNISHMENT REPORT ICO LT JOE E. SAILOR, USN,  
999-99-0000/9999  
Ref: (a) MILPERSMAN 1611-010  
Encl: (1) Report and Disposition of Offense (NAVPERS 1626/7)  
(2) Procedural documents (if applicable)  
(3) NCIS investigation or other source (if applicable)  
(4) Punitive letter of reprimand (if applicable)  
(5) Summary of NJP (if applicable)  
(6) NJP Appeal and Response (if applicable)

1. Per reference (a), this Report of Misconduct in the case of LT Sailor is forwarded for review and action. On (date) nonjudicial punishment was imposed on LT Sailor for violation of Uniform Code of Military Justice Article # and # (offense). Enclosure (1) is the report and disposition of offense from the proceedings. Enclosure (2) contains \_\_\_\_\_. Enclosure (3) is the report of investigation provided by Navy Criminal Investigative Services (if applicable, or whatever the derivative source authority).

2. At the nonjudicial punishment proceeding, LT Sailor pled guilty/not guilty to \_\_\_\_\_. I found RANK/NAME guilty of \_\_\_\_\_. I awarded him/her \_\_\_\_\_. By his actions, LT Sailor has shown his character is not in keeping with the standards expected of a naval officer.

3. A copy of the punitive letter of reprimand is attached as enclosure (4). Details of the hearing and the circumstances of the offenses are set forth in enclosure (5). RANK/NAME acknowledged receipt of his punitive letter of reprimand on (date).



Subj: NONJUDICIAL PUNISHMENT REPORT ICO LT JOE E. SAILOR, USN,  
999-99-0000/9999,

4. As reflected in enclosure (6), RANK/NAME did not appeal the punishment (or) appealed his punishment to (ISIC) and his appeal was denied on (date). Accordingly, NJP is now final and will be reflected in the fitness report that covers the date NJP was imposed.

5. After fully reviewing the facts and opinions of this case, the following administrative actions are requested or recommended.

a. I request/do not request RANK/NAME be detached for cause (DFC). (If requesting DFC, explain why the officer must be removed from the command.)

b. RANK/NAME's misconduct warrants promotion delay or removal (if on a promotion list). (Explain recommendation.)

c. RANK/NAME should be or should not be required to show cause for retention in the naval service. (Explain recommendation.)

6. By copy hereof, RANK/NAME is notified of his or her right, per reference (a), to submit his or her comments, within 10 days of receipt, concerning this report of NJP [and the letter of reprimand, detachment for cause request, and show cause recommendation (include as appropriate)] which will be included as adverse matter in his or her official record. RANK/NAME is also hereby notified that those in the endorsement chain may choose to make recommendations different than those contained in this letter. His or her comments or declination to make a statement will be reflected in his or her endorsement to this letter.

CO SIGNATURE

**Exhibit 2**

**SAMPLE LETTER FORMAT FOR REPORTING FINAL CIVIL ACTION**

From: Commanding Officer, [Command]  
To: Commander, Navy Personnel Command (PERS-834)  
Via: (1) [Officer Concerned]  
(2) Commanding Officer, [Command]  
(3) [Immediate Superior and/or First Flag Officer]

Subj: FINAL CIVIL ACTION REPORT ICO LT JOE E. SAILOR, USN,  
999-99-0000/9999

Ref: (a) MILPERSMAN 1611-010

Encl: (1) Local/State Police  
(2) Local/State Court Case Information, Charges,  
Conviction  
(3) Officer's Signed Acknowledgement/Statement

1. Per reference (a), the following information is submitted:

a. Name: LT Joe E. Sailor, USN, XXXX/Desig

b. Civilian Jurisdiction: San Diego, California

c. On 13 April 2012, LT Sailor, while driving to his home, was pulled over by a San Diego Police Officer and arrested for driving under the influence (DUI) of alcohol. His blood alcohol content level was .XX%.

d. Brief description of incident:

e. Sentence imposed:

2. Enclosures (1) and (2) are provided for your consideration.

3. LT Sailor was/was not referred to Substance Abuse Rehabilitation Program Screening, etc.

4. After fully reviewing the facts and opinions of this case, the following administrative actions are requested or recommended.

a. I request/do not request RANK/NAME be detached for cause (DFC). (If requesting DFC, explain why the officer must be removed from the command.)

Subj: FINAL CIVIL ACTION REPORT ICO LT JOE E. SAILOR, USN,  
9999-99-0000/9999

b. RANK/NAME's misconduct warrants promotion delay or removal (if on a promotion list). (Explain recommendation.)

c. RANK/NAME should be or not should not be required to show cause for retention in the naval service. (Explain recommendation.)

5. By copy hereof, RANK/NAME is notified of his or her right, per reference (a), to submit his or her comments, within 10 days of receipt, concerning this report of final civil action [and the letter of reprimand, detachment for cause request, and show cause recommendation (include as appropriate)] which will be included as adverse matter in his or her official record. RANK/NAME is also hereby notified that those in the endorsement chain may choose to make recommendations different than those contained in this letter. His or her comments or declination to make a statement will be reflected in his or her endorsement to this letter.

CO SIGNATURE

**Exhibit 3**  
**SAMPLE LETTER FORMAT FOR REPORTING COURTS-MARTIAL**

From: Commanding Officer, [Command]  
To: Commander, Navy Personnel Command (PERS-834)  
Via: (1) [Officer Concerned]  
(2) Commanding Officer, [Command]  
(3) [Immediate Superior and/or First Flag Officer]  
  
Subj: COURT-MARTIAL REPORT ICO LT JOE E. SAILOR, USN,  
999-99-0000/9999  
  
Ref: (a) MILPERSMAN 1611-010  
  
Encl: (1) Results of Trial  
(2) Memorandum of Pre-Trial Agreement (if applicable)  
(3) Court-Martial Order  
(4) Punitive letter of reprimand (if applicable)  
(5) Stipulations of Fact (if applicable)  
(6) Voluntary Resignation/Retirement Request (if  
applicable)  
(7) NCIS Investigation or other supporting documents

1. Per reference (a), this report of court-martial in the case of LT Sailor is forwarded for review and action. On (date), LT Sailor was found guilty at a trial by [type] court-martial for violation of Uniform Code of Military Justice Article # [list charges and specification(s)]. He/She was awarded \_\_\_\_\_.

2. Details of the trial, the circumstances of the offenses, and disposition are set forth in enclosures (1) through (5). A copy of LT Sailor's punitive letter of reprimand is attached as enclosure (4) (if applicable).

3. As part of LT Sailor's pre-trial agreement, he/she waived his/her rights to a board of inquiry and submitted a qualified resignation/retirement request for consideration, (enclosure (6)).

4. Enclosure (7) is the report of investigation provided by Navy Criminal Investigative Services (if applicable, or whatever the derivative source authority).

5. The court-martial is now final and will be reflected in the fitness report that covers the date approved by the convening authority.

Subj: COURT-MARTIAL REPORT ICO LT JOE E. SAILOR, USN,  
999-99-0000/9999

6. After fully reviewing the facts and opinions of this case, the following administrative actions are requested or recommended.

a. I request/do not request RANK/NAME be detached for cause (DFC). (If requesting DFC, explain why the officer must be removed from the command.)

b. RANK/NAME's misconduct warrants promotion delay or removal (if on a promotion list). (Explain recommendation.)

c. RANK/NAME should be or not should not be required to show cause for retention in the naval service. (Explain recommendation.)

7. By copy hereof, RANK/NAME is notified of his or her right, per reference (a), to submit his or her comments within 10 days of receipt concerning this report of court-martial [and the letter of reprimand, detachment for cause request, and show cause recommendation (include as appropriate)] which will be included as adverse matter in his or her official record. RANK/NAME is also hereby notified that those in the endorsement chain may choose to make recommendations different than those contained in this letter. His or her comments, or his declination to make a statement, will be reflected in his or her endorsement to this letter.

CO SIGNATURE