



DEPARTMENT OF THE NAVY
U.S. NAVAL SUPPORT ACTIVITY
PSC 817 BOX 1
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NAVSUPPACTNAPLESINST 5420.19C
N01J
17 MAY 2018

NAVSUPPACT NAPLES INSTRUCTION 5420.19C

From: Commanding Officer, U.S. Naval Support Activity, Naples, Italy

Subj: CHIEF PETTY OFFICER DISCIPLINARY REVIEW BOARD

Ref: (a) NAVSUPPACTNAPLESINST 1626.1C

Encl: (1) DRB Recommendations Form

1. Purpose. To establish and implement procedures for a U.S. Naval Support Activity (NAVSUPPACT), Naples, Italy, Chief Petty Officer (CPO) Disciplinary Review Board (DRB).
2. Cancellation. NAVSUPPACTNAPLESINST 5420.19B
3. Background. An effective DRB is vital to maintaining good order and discipline. Not all violations of the Uniform Code of Military Justice warrant punishment and the DRB has the responsibilities, as the first administrative forum, to gather additional information, provide counseling, award Extra Military Instruction (EMI), and make recommendations for additional disciplinary measures such as Executive Officer (XO) Inquiry (XOI) or Non-Judicial Punishment (NJP). Specifically, the DRB:
 - a. Is chaired by the NAVSUPPACT Naples Command Master Chief (CMC).
 - b. Acts as a deterrent to prevent future violations by a specific individual.
 - c. Gathers facts and further information regarding an offense.
 - d. Provides documentation to accompany any future offenses by the member.
 - e. Identifies weaknesses in the member's Chain of Command (CoC) and if the CoC could have prevented or handled the offense at a lower level.
 - f. Awards EMI as appropriate and in keeping with regulations and policy.
 - g. Forwards cases to higher authority with the recommendation for further disciplinary action.

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4. Action. CPOs lead and manage the Sailor resources of the Navy they serve. As such, CPOs are responsible and accountable for:

- a. Leading Sailors.
- b. Developing junior officers and enlisted Sailors.
- c. Communicating the Navy's core values, standards and policies.
- d. Supporting the mission of NAVSUPPACT Naples and all personnel assigned.
- e. Maintaining good order and discipline and ensuring disciplinary cases are handled at the lowest level possible or, when appropriate, referred to higher authority with recommendations for further action.

5. Responsibilities

- a. The CMC or designated representative will convene the board and serve as the President of the Board.
- b. The designated Legalman (LN) will ensure the rights of the accused are provided prior to commencement of DRB and upheld during the proceedings.
- c. The Drug and Alcohol Program Advisor (DAPA) will observe and provide data in cases where it is suspected that alcohol is involved.
- d. At least four Chief, Senior Chief, and/or Master Chief Petty Officers from a variety of NAVSUPPACT Naples departments (and tenant commands when/if applicable) will make up the board and shall decide the proper recommendations for disposition.

6. Standard Operating Procedures

- a. Except as provided below, the Staff Judge Advocate will submit all cases to the CMC. All cases will contain the NAVSUPPACTNAPLESINST 5420.19B, service record of the accused, charges, evidence, and CoC comments (report chit package).
- b. The CMC will select the board members and convene the board (normally department Leading Chief Petty Officers).
- c. Before proceedings commence, the designated LN will ensure that the accused has been provided 31b Rights Advisement, has reviewed and signed the report chit, and has been provided an opportunity to review the evidence.

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d. At commencement of the proceedings, the enlisted CoC and any witnesses for the accused will be called into the chamber.

e. The accused will be escorted by a Master-at-Arms (MA) and will stand at attention, covered, in an inspection-ready uniform of the day, in front of the President of the Board. The MA will instruct the accused to render a "hand salute and report". After the accused reports, the MA will instruct the accused to "uncover".

f. The President of the Board will review the charge(s) with the accused and verify their Article 31b rights were read and their initials and signature are on the report chit. The accused will be asked if they understand the charge(s).

g. The President will present all evidence contained in the report chit package to the board. If the accused consents, the board members may ask questions relating to the charge(s). If the accused exercises the right to remain silent during the proceedings, no one may question the accused, unless the accused later waives the right to remain silent.

h. The President of the Board will ask the CoC for comments pertaining to the charge(s) and past performance of the accused. After CoC comments have been presented, the President and board members will ask any witnesses who may have been called for their statements.

i. Following the questioning, the President will instruct the MA to dismiss the accused and will ask the witnesses to step outside of the chamber.

j. The board will reach a consensus and formulate recommendations for action, which will be routed to the Commanding Officer (CO) via the XO. The accused will be called back into the room and be notified of the board's recommendation by the President.

k. The board may recommend the following administrative action via the XO to the CO:

(1) Dismissal.

(2) Dismissal with written counseling.

(3) Dismissal with EMI, consistent with limitations outlined in reference (a).

(4) XO

(5) CO's NJP and recommended punishment.

l. Following the proceedings, the CMC will forward enclosure (1) with the report chit package to the XO for review.

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7. Records Management. Records created as a result of this instruction, regardless of media and format, must be managed per Secretary of the Navy Manual 5210.1 of January 2012.

8. Review and Effective Date. Per OPNAVINST 5215.17A, NAVSUPPACT Naples will review this instruction annually on the anniversary of its effective date to ensure applicability, currency, and consistency with Federal, Department of Defense, Secretary of the Navy, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will automatically expire 5 years after effective date unless reissued or canceled prior to the 5-year anniversary date, or an extension has been granted.



T. A. ABRAHAMSON

Releasability and distribution:

NAVSUPPACTNAPLESINST 5216.4BB

Lists: I through IV

Electronic via NAVSUPPACT Naples web site:

https://www.cnic.navy.mil/regions/cnreurafswa/installations/nsa_naples/about/departments/administration_n1/administrative_services/instructions.html

DISCIPLINARY REVIEW BOARD RECOMMENDATIONS ICO [RATE FIRST MI LAST], USN

Date

Board Members:

Comments:

DRB Recommendation/Signatures/Date:

- Dismiss
- Dismiss with written counseling
- Dismiss with EMI (consistent with hours permitted by NAVSUPPACTNAPLESINST 1626.1(series).
- XOI (Counseled by Executive Officer)
- CO's NJP

- Dismiss w/warning (Not NJP)
- Admonition, Oral/Written
- Reprimand, Oral/Written
- Refer to Court-Martial
- Vacate suspended RIR

- Reduction in Rate (RIR)
- RIR Susp for ____ months
- Forfeiture: To forfeit \$ pay per month for __ mo(s)
- Restriction for ____ days
- Extra duty for ____ days

Board Member Signature

Board Member Signature

Board Member Signature