



**DEPARTMENT OF THE NAVY**  
U.S. NAVAL SUPPORT ACTIVITY NAPLES ITALY  
PSC 817 BOX 1  
FPO AE 09622-0001

NAVSUPPACTNAPLESINST 5800.4C  
N01J  
30 JUL 2021

NAVSUPPACT NAPLES INSTRUCTION 5800.4C

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

Subj: LIBERTY RISK POLICY

Ref: (a) U.S. Navy Regulations 1990  
(b) JAGINST 5800.7G, Manual of the Judge Advocate General  
(c) North Atlantic Treaty Status of Forces Agreement  
(d) COMNAVREGEURAFCENTINST 1050.3

Encl: (1) Liberty Risk Assignment Template

1. Purpose. Per section 0921 of reference (a) and section 0104b of reference (b), this instruction provides the U.S. Naval Support Activity (NAVSUPPACT), Naples, Italy liberty risk policy.

2. Cancellation. NAVSUPPACTNAPLESINST 5800.4B

3. Background. Liberty risk assignment is a legal status implemented to maintain favorable Host Nation (HN) relations critical to the continued U.S. presence in the area of responsibility. Liberty for U.S. military personnel overseas is a privilege that entails inherent responsibilities to positively represent the U.S. abroad. Foreign nationals may form opinions of the U.S. based on observations of our military. NAVSUPPACT Naples requires all military personnel to act appropriately on liberty. Good conduct and high moral principles enhance the U.S. military's reputation and foster favorable attitudes toward the U.S. The goal of this policy is to ensure all personnel can enjoy HN culture without losing liberty privileges due to the ill-considered actions of a few. A member whose conduct is discrediting or that demonstrates an inability to behave appropriately on liberty represents a risk where such behavior would embarrass the U.S. government to our HN and international partners under reference (c).

4. Scope. This instruction applies to all U.S. military personnel assigned temporarily or permanently to NAVSUPPACT Naples. Deployed units should follow procedures established by their administrative chain of command and coordinate with NAVSUPPACT Naples for situational awareness and for any necessary support.

5. Liberty Risk Policy. An individual will be classified as a liberty risk when necessary to protect U.S. foreign relations as discussed in section 0104b of reference (b). Assignment to liberty risk may be based on behavior that risks potential discredit upon the U.S. military. Examples of such behavior include, but are not limited to, excessive or chronic intoxication, fighting, theft, malicious mischief, refusal to pay lawful debts, personal appearance that is lewd, inflammatory or contentious.

6. Liberty Risk Classifications. NAVSUPPACT Naples assigns one of four classes of liberty risk consistent with reference (d). Enclosure (1) contains a modifiable template for use in assigning liberty risk. The templates are meant only to facilitate the classification process. Liberty risk determinations will be made on case-by-case bases depending on the level of risk a member represents. Unique circumstances may require hybrid classifications.

30 JUL 2021

7. “By Direction” Authority. The authority to designate a member as a liberty risk is within the sole purview of the Commanding Officer (CO). However, the following individuals are authorized to sign liberty risk orders “by direction”:

- a. Executive Officer (XO)
- b. Staff Judge Advocate (SJA)
- c. Command Duty Officer

8. Administration of Liberty Risk Personnel. In keeping with the stated purpose of this policy, as far as practicable, the following guidelines apply to administering this policy:

- a. Members on liberty risk will not be required to muster with personnel on restriction.
- b. Members on liberty risk will be allowed to sign-in visitors onto base and will be assigned normal work duties.
- c. There will be no other restrictions placed on members in a liberty risk assignment not reasonably connected with the purpose of preventing liberty incidents.

9. Limitations. Liberty risk assignment should be administered judiciously and use the least possible temporary constraint required. Liberty risk will not be used as punishment or as a substitute for restriction or pretrial restraint. At no time will personnel placed on liberty risk be made to surrender their Common Access Card (CAC). Placing a member on liberty risk is an administrative action. Administrative limitation of liberty may not be imposed to satisfy the need to take disciplinary action and may not be awarded as Non-Judicial Punishment (NJP). However, nothing prohibits the commencement of liberty risk prior to NJP or the continuation of liberty risk subsequent to NJP.

10. Liberty Risk Assessment Review and Responsibilities. The status of liberty risk personnel will be reviewed as follows:

- a. In all cases where a member is placed on liberty risk, the SJA’s office will review the case within 72 hours.
- b. In keeping with this policy, a liberty risk assignee’s chain of command will monitor the assignee’s attitude and demeanor and will review the status of every assignee on a monthly basis. A person may regress to a more restrictive classification, progress to a more lenient classification, or be removed from liberty risk at any time if a special review is conducted.
- c. The NAVSUPPACT Naples SJA monitors the overall policy. Any member placed on liberty risk status may appeal their status in a written memorandum submitted to the CO via the XO at any time. Any questions concerning this policy should be directed to the SJA.

11. Records Management

- a. Records created as a result of this instruction, regardless of media and format, must be maintained and dispositioned per the records disposition schedules located on the Department of the Navy Assistant for Administration, Directives and Records Management Division portal page at:

<https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-Information-Management/Approved%20Record%20Schedules/Forms/A;;Items.aspx>.

b. For questions concerning the management of records related to this instruction or the records disposition schedules, please contact the local records manager or the OPNAV Records Management Program (DSN-16).

12. 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 be in effect for 10 years unless revised or cancelled in the interim and will be reissued by the 10-year anniversary date if it still required, unless it meets one of the exceptions in OPNAVINST 5215.17A, paragraph 9. Otherwise, if the instruction is no longer required, it will be processed for cancellation as soon as the need for cancellation is known following the guidance in OPNAV Manual 5215.1 of May 2016.



J. W. STEWART

Releasability and distribution:

NAVSUPPACTNAPLESINST 5216.4DD

Lists: I through IV

Electronic via NAVSUPPACT Naples web site:

[https://www.cnic.navy.mil/regions/cnreurfacent/installations/nsa\\_naples/about/departments/administratio\\_n\\_n1/administrative\\_services/instructions.html](https://www.cnic.navy.mil/regions/cnreurfacent/installations/nsa_naples/about/departments/administratio_n_n1/administrative_services/instructions.html)

30 JUL 2021

LIBERTY RISK ASSIGNMENT TEMPLATE

1616  
Ser N01J/  
Date

From: Commanding Officer, U. S. Naval Support Activity, Naples, Italy  
To: SN Liberty A. Risk, USN, XXX-XX-6789

Subj: LIBERTY RISK ASSIGNMENT

Ref: (a) JAGINST 5800.7G  
(b) NAVSUPPACT NAPLES INST 5800.4C  
(c) COMNAVREGEURAFCENTINST 1050.3

1. Per references (a) through (c), you are hereby designated a

Class A Liberty Risk. The purchase or consumption of alcoholic beverages is prohibited.

Class B Liberty Risk. Off-base liberty is not authorized during the hours of 2100 to 0600. When personnel are authorized to reside in off-base housing, they must remain within their residence for the period of 2100 to 0600, unless performing military duties. The purchase or consumption of alcoholic beverages is prohibited.

Class C Liberty Risk. Off-base liberty will be authorized only when accompanied by a command-approved E-6 or above. The escort must be senior in rank to the person assigned as a liberty risk. Off-base liberty will expire each night at 2100. The escort will be responsible for the member's conduct on liberty, may not consume alcohol, and must remain with the member at all times. The purchase or consumption of alcoholic beverages is prohibited.

Class D Liberty Risk. Off-base liberty is not authorized. The purchase or consumption of alcoholic beverages is prohibited.

2. This designation will remain in effect indefinitely until I order an amendment or termination to this status and provide you written notice of any such change. The Staff Judge Advocate will review this liberty risk determination within 72 hours. Failure to comply with this order may subject you to further disciplinary or administrative action. Periodic telephonic checks or visits to your quarters may be made to ensure compliance with this order.

SIGNATURE BLOCK  
By direction

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I acknowledge receipt of the above order and will comply with its terms.

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SIGNATURE/DATE

Copy to:  
Executive Officer  
Staff Judge Advocate  
Department Head  
Security Officer

Enclosure (1)