

ADMIN LIBRARY - DO NOT REMOVE



DEPARTMENT OF THE NAVY

COMMANDING OFFICER
NAVAL STATION

PEARL HARBOR, HAWAII 96860-6000

NAVSTAPEARLINST 1620.2B
017:EEH
07 JUL 1997

NAVSTA PEARL INSTRUCTION 1620.2B

Subj: PROCEDURES FOR NONJUDICIAL PUNISHMENT

Ref: (a) MCM (1984)
(b) Uniform Code of Military Justice

Encl: (1) Report and Disposition of Offense(s) [NAVPERS 1626/7
(Rev. 8-81)]
(2) Voluntary Witness Statement [PH NAVSTA 1620/5
(Rev. 3/90)]
(3) Instructions for Preliminary Investigation
(4) Investigator's Checklist [PH NAVSTA 1620/6
(Rev. 3-90)]
(5) Suspect's Rights Acknowledgment/Statement [PH NAVSTA
1620/7 (Rev. 3-90)]
(6) Interrogation of Accused

(D)

(D)

(R)

(R)

(R)

(R)

1. Purpose. To publish the procedures in accordance with references (a) and (b) for processing reports of offenses and to set guidelines and processing times for disciplinary actions.

2. Cancellation. NAVSTAPEARLINST 1620.2A.

3. Discussion. To achieve maximum effectiveness in the administration of discipline, it is important that department heads, division officers and all other supervisor personnel comply fully with the instructions contained herein.

4. Reporting Misconduct Aboard Naval Station, Pearl Harbor, Hawaii. Any person in the military service, who has substantial reason to believe that an offense under the Uniform Code of Military Justice (UCMJ) has been committed by a military member, shall place the suspect on report using enclosure (1) and deliver the report to the Staff Judge Advocate's (SJA) Office via the member's chain of command. The report chit should include all information surrounding the offense charged. This could encompass, but not be limited to, actual statements from the accuser, statements gathered from witnesses [enclosure (2)], location of any real evidence seized in the case, and copies of any documentary evidence. Enclosures (3) and (4) should be used by a senior enlisted person or the division officer to complete the preliminary investigation. A statement should not be taken from the accused unless proper rights have been given and acknowledged by the accused. It is the responsibility of the Discipline Chief Petty Officer (DCPO) to adhere to that procedure, enclosure (5). Enclosure (6) contains important information to be used by the DCPO in the interrogation of the accused. Report chit packages should remain at the division level no longer than three calendar days from the date of the offense.

(R)

NAVSTAPEARLINST 1620.2B

07 JUL 1997

5. Processing Disciplinary Reports

a. Upon receipt by the SJA Office, the report will be logged and added to their tracking system. The SJA will then review the package and advise the DCPO of the action to be taken on the case.

b. If Executive Officer's Inquiry (XOI) or Commanding Officer's Nonjudicial Punishment (NJP) is directed by the SJA, the DCPO will prepare a formal report chit package, advise the accused of the charge(s), and process the case appropriately.

R) c. Due to the need for expedient discipline, the report will have a high priority for completion on the date it is received by any individual.

R) 6. The DCPO shall ensure all concerned parties are notified of the time and date of XOI and/or NJP. The following personnel are required to be present:

a. Accused

b. Accuser

c. Department Head/Division Officer

d. Leading Chief Petty Officer/Leading Petty Officer

e. Immediate Supervisor

f. Victims and witnesses to the offense(s)

g. Witnesses for the accused (if requested)

R) 7. Action. Administration of naval justice is one of the most important duties required of naval personnel. Not only does justice demand accuracy and judgment, it also requires that it be applied in a timely manner. Reference (a) requires that the Commanding Officer, upon receipt of charges or information indicating that a member of the command has committed an offense punishable under the UCMJ, conduct a preliminary inquiry into the case sufficient to enable the Commanding Officer to intelligently dispose of the matter. Therefore, a complete and informative pretrial inquiry report is very important to the proper administration of military justice. Strict compliance with the provisions of this instruction by all personnel within the jurisdiction of the Commanding Officer, Naval Station, Pearl Harbor, is directed.

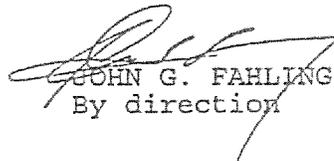
8. TAD Personnel. All disciplinary action on personnel who are assigned to Naval Station, Pearl Harbor, in a Temporary Additional Duty status, will be initially offered to the parent

NAVSTAPEARLINST 1620.2B

07 JUL 1957

command. If declined, it will be handled by the Commanding Officer, Naval Station, Pearl Harbor.

9. Assistance. Available from the Staff Judge Advocate's Office, telephone 471-3300.


JOHN G. FAHLING
By direction

Distribution:
NAVSTAPEARLINST 5605.2E
List I, Case 3 (NAVSTA depts/offices)

Stocked:
CO NAVSTA PEARL
Admin Office
Pearl harbor, HI 96860-6000

