



## DEPARTMENT OF THE NAVY

TRAINING SQUADRON NINE  
101 FULLER ROAD SUITE 221  
MERIDIAN MS 39309-5404

IN REPLY REFER TO:

TRARONNINEINST 1626.2C

N125

1 Jul 11

### TRARON NINE INSTRUCTION 1626.2C

From: Commanding Officer, Training Squadron NINE

Subj: PROCEDURES FOR LEGAL REPORTS AND DISPOSITION OF OFFENSES

Ref: (a) Manual for Courts-Martial 2008 (MCM)  
(b) U.S. Naval Regulations 1990  
(c) JAGMAN Chapter 2, 2008

Encl: (1) NAVPERS 1626/7 (Rev 12-88)

1. Purpose. To set forth the procedures to be utilized within this command for the processing and disposition of reports of alleged offenses. The guidelines prescribed herein, although not all encompassing, are published for the benefit of command leadership at each level of authority. It is the goal of this command and in the spirit of military law that offenses be disposed of at the lowest possible level necessary to instill discipline, correct deficiencies or punish offenders as appropriate. However, in no instance shall informal or administrative measures be used as a substitute for formal punitive action as authorized by reference (a).

2. Cancellation. TRARONNINEINST 1626.2B

3. Background. As authorized by reference (a), anyone may report offenses of persons subject to trial by courts-martial. Article 1137 of reference (b) imposes a general order upon each member of the naval service to report any and all offenses committed by persons in the Department of the Navy (DON) to proper authority. Although ultimate authority and responsibility to dispose of offenses reside with the Commanding Officer (CO), decisions on how offenses shall be disposed of will be based to the maximum extent possible on recommendations from the chain of command, from the work center supervisor through the Department Head (DH) and Executive Officer (XO). In order of severity, reports of offenses are to be disposed of as follows:

a. Dismissal. No action on an offense is taken.

b. Administrative Action. As specifically prescribed by references (a) and (c), these actions may include admonition, reprimand, extra military instruction (EMI), administrative counseling/warning, withholding of privileges, or extra duty.

c. Non-Judicial Punishment. COs may consider Non-Judicial Punishment (NJP) under Article 15 of the Uniform Code of Military Justice (UCMJ). If the nature of the offense is such that non-punitive measures do not appear adequate or appropriate, then the use of NJP may be warranted. NJP is authorized to impose prompt disciplinary punishment for minor violations of the UCMJ.

d. Referral of Charges for Trial by Courts-Martial. Any person subject to the UCMJ may prefer charges for Trial by Courts-Martial. Only the CO may dispose of charges actually preferred through referral of charges to Trial by Courts-Martial or dismissal.

e. Forwarding for Disposition. An offense may be forwarded by the CO to a superior or subordinate authority for disposition.

4. Action. In order to ensure that reports of offenses are processed in a manner consistent with the intent of this instruction and reference (a), the following procedures shall be strictly adhered to in all but the most unusual of cases:

a. When an alleged offense has been committed, it shall be reported as soon as practicable to the Legal Officer by use of the "Report and Disposition of Offenses," (NAVPERS Form 1626/7) enclosure (1).

b. Legal Officers shall review and record the report of offenses in the Unit Punishment Book and take the following action:

(1) If the offense is minor in nature, the report of offense shall be routed directly to the accused's Division Officer for appropriate action or to the DH with a recommendation for further investigation.

(2) If the report is of a serious nature, or one that is likely to draw interest outside the command, it will be forwarded immediately to the XO for review prior to referral to the DH or assignment to the Preliminary Investigating Officer (PIO) for further informal investigation.

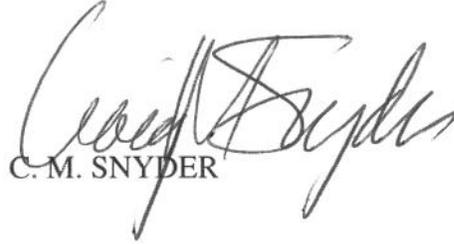
c. Reports of offenses originally reviewed by the Legal Officer, DH or XO and determined to be of a serious nature, likely to draw interest outside the command or in need of further investigation, shall require an informal investigation. The XO shall assign an investigating officer based on recommendations from the Legal Officer who will in turn conduct the investigation in accordance with the procedures as set forth in the MCM and JAGMAN. Upon completion of investigations, cases shall be reviewed by the Legal Officer who will make a recommendation to the Executive Officer as to the most appropriate action. An Executive Officer Inquiry will be held utilizing any of the following results:

(1) Dismissal of the case.

(2) Appropriate non punitive measure, i.e. Letters of Reprimand.

(3) Administrative action at the division/department level, i.e. extra duty, EMI.

- (4) Referral to Captain's Mast.
- (5) Referral to Trial by Courts-Martial.



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