



## DEPARTMENT OF THE NAVY

TRAINING SQUADRON NINE  
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MERIDIAN, MS 39309-5404

TRARONNINEINST 1626.2E  
N125  
15 Apr 15

### TRARON NINE INSTRUCTION 1626.2E

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 1626.2D

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 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 XO 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.

TRARONNINEINST 1626.2E  
15 Apr 15

(4) Referral to Captain's Mast.

(5) Referral to Trial by Courts-Martial.



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Distribution:  
TRARONNINEINST 5216.1 (Series)  
List I

**REPORT AND DISPOSITION OF OFFENSE(S)**

To: Commanding Officer, _____				Date of Report: _____	
1. I hereby report the following named person for the offense(s) noted:					
NAME OF ACCUSED		SERIAL NO. N/A	SOCIAL SECURITY NO.	RATE/GRADE	BR. & CLASS USN
PLACE OF OFFENSE(S)			DATE OF OFFENSE(S)		
DETAILS OF OFFENSE(S) (Refer by article of UCMJ, if known. If unauthorized absence, give following info: time and date of commencement, whether over leave or liberty, time and date of apprehension or surrender and arrival on board, loss of ID card and/or liberty card, etc.):					
NAME OF WITNESS		RATE/GRADE	DIV/DEPT	NAME OF WITNESS	
_____ (Rate/Grade/Title of person submitting report)			_____ (Signature of person submitting report)		
I have been informed of the nature of the accusation(s) against me. I understand I do not have to answer any questions or make any statement regarding the offense(s) of which I am accused or suspected. However, I understand any statement made or questions answered by me maybe used as evidence in the event of trial by court-martial (Article 31, UCMJ).					
Witness: _____ (Signature)			Acknowledged: _____ (Signature of Accused)		
PPE-II ST PESTP IIT	<input type="checkbox"/> PRE TRIAL CONFINEMENT		RESTRICTED: You are restricted to the limits of _____ in lieu of arrest by order of the CO. Until your status as a restricted person is terminated by the CO, you may not leave the restricted limits Except with the express permission of the CO or XO. You have been informed of the times and places which you are required to muster.		
	<input type="checkbox"/> NO RESTRICTION				
_____ (Signature and title of person imposing restraint)			_____ (Signature of Accused)		
<b>INFORMATION CONCERNING ACCUSED</b>					
CURRENT ENL. DATE	EXPIRATION CURRENT ENL.	TOTAL ACTIVE NAVAL SERVICE	TOTAL SERVICE ONBOARD	EDUCATION	AFQT
MARITAL STATUS Single	NO. DEPENDENTS	CONTRIBUTION TO FAMILY OR QTRS ALLOWANCE (Amount required by law)		PAY PER MONTH (Including sea or foreign pay if any.)	
RECORD OF PREVIOUS OFFENSE(S) (Date, type, action taken, etc Non-judicial punishment incidents are to be included.)					

**PRELIMINARY INQUIRY REPORT**

From: Commanding Officer \_\_\_\_\_ Date: \_\_\_\_\_  
 To: \_\_\_\_\_

1. Transmitted herewith for preliminary inquiry and report by you, including, if appropriate in the interest of justice and discipline, the preferring of such charges as appear to you to be expected evidence.

REMARKS OF DIVISION OFFICER (Performance of duty, etc.)  
 \_\_\_\_\_  
 \_\_\_\_\_

NAME OF WITNESS	RATE/GRADE	DIV/DEPT	NAME OF WITNESS	RATE/GRADE	DIV/DEPT

RECOMMENDATION AS TO DISPOSITION:  REFER TO COURT MARTIAL FOR TRIAL OF ATTACHED CHARGES  
 (Complete Charge Sheet (DD Form 458) through Page 2)  
 DISPOSE OF CASE AT MAST  NO PUNITIVE ACTION NECESSARY OR DESIRABLE  OTHER

COMMENT (Include data regarding availability of witnesses, summary of expected evidence, conflicts in evidence, if expected. Attach statements of witnesses, documentary evidence such as service record entries in UA cases, items of real evidence, etc.)  
 \_\_\_\_\_  
 \_\_\_\_\_

(Signature of Investigation Officer.)

**ACTION OF EXECUTIVE OFFICER**

DISMISSED  REFERRED TO CAPTAIN'S MAST  
 SIGNATURE OF EXECUTIVE OFFICER \_\_\_\_\_

**RIGHT TO DEMAND TRIAL BY COURT-MARTIAL**

(Not applicable to persons attached to or embarked in a vessel)

I understand that nonjudicial punishment may not be imposed on me if, before the imposition of such punishment, I demand in lieu thereof trial by court-martial. I therefore (do) (do not) demand trial by court-martial.

WITNESS \_\_\_\_\_ SIGNATURE OF ACCUSED \_\_\_\_\_

**ACTION OF COMMANDING OFFICER**

<input type="checkbox"/> DISMISSED	<input type="checkbox"/> CONF. ON _____ 1, 2, 3 DAYS
<input type="checkbox"/> DISMISSED WITH WARNING (Not considered NJP)	<input type="checkbox"/> CORRECTIONAL CUSTODY FOR ___ DAYS
<input type="checkbox"/> ADMONITION: ORAL/IN WRITING	<input type="checkbox"/> REDUCTION TO NEXT INFERIOR PAY GRADE
<input type="checkbox"/> REPRIMAND: ORAL/IN WRITING	<input type="checkbox"/> REDUCTION TO PAY GRADE OF _____
<input type="checkbox"/> REST. TO _____ FOR _____ DAYS	<input type="checkbox"/> EXTRA DUTIES FOR _____ DAYS
<input type="checkbox"/> REST. TO _____ FOR _____ DAYS WITH SUSP. FROM DUTY	<input type="checkbox"/> PUNISHMENT SUSPENDED FOR _____
<input type="checkbox"/> FORFEITURE: TO FORFEIT \$ _____ PAY PER MO. FOR ___ MO(S)	<input type="checkbox"/> ART. 32 INVESTIGATION
<input type="checkbox"/> DETENTION: TO HAVE \$ _____ PAY PER MO. FOR _____ MO(S) DETAINED FOR ___ MO(S)	<input type="checkbox"/> RECOMMENDED FOR TRIAL BY GCM
	<input type="checkbox"/> AWARDED SPCM <input type="checkbox"/> AWARDED SCM

DATE OF MAST \_\_\_\_\_ DATE ACCUSED INFORMED OF ABOVE ACTION: \_\_\_\_\_ SIGNATURE OF COMMANDING OFFICER \_\_\_\_\_

It has been explained to me and I understand that if I feel this imposition of non-judicial punishment to be unjust or disproportionate to the offenses charged against me. I have the right to immediately appeal my conviction to the next higher authority within 5 days.

SIGNATURE OF ACCUSED \_\_\_\_\_ DATE \_\_\_\_\_ I have explained the above rights of appeal to the accused.  
 SIGNATURE OF WITNESS \_\_\_\_\_ DATE \_\_\_\_\_

**FINAL ADMINISTRATIVE ACTION**

APPEAL SUBMITTED BY ACCUSED \_\_\_\_\_ FINAL RESULT OF APPEAL: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 FORWARDED FOR DECISION ON: \_\_\_\_\_

APPROPRIATE ENTRIES MADE IN SERVICE RECORD AND PAY ACCOUNT ADJUSTED WHERE REQUIRED \_\_\_\_\_ FILED IN UNIT PUNISHMENT BOOK: \_\_\_\_\_  
 DATE: \_\_\_\_\_ (Initials) \_\_\_\_\_ DATE: \_\_\_\_\_ (Initials) \_\_\_\_\_