

Summary of Changes

USMEPCOM Regulation 27-1, September 6, 2012

Legal Services

Military Justice and Legal Services

Major and administrative revisions have been made to this regulation and are highlighted in **red text**. Major revisions are identified below and throughout the regulation. Administrative revisions are not identified below but are identified throughout the regulation. Information that is obsolete and will be deleted is highlighted in **red text** with **strikethrough**. It is highly recommended that this regulation be reviewed in its entirety to have a clear understanding of all revisions. Revisions made to this regulation are as follows:

Incorporating changes effective September 6, 2012

- Paragraphs 1-5c and d: Adds authorities related to Battalion Commanders
- Paragraph 1-4b: Clarifies reporting and withholding of offenses for misconduct committed by officers or enlisted persons in the rank of E-8 or above
- Paragraph 1-5e: Adds reporting and withholding of authority for any case involving sexual assault, domestic assault or a violation USMEPCOM Regulation 600-22, Personal Relationships
- Paragraphs 1-5a & 2-1a: Eliminates references to legal support staff at Sectors
- Paragraph 2-1b: Clarifies methods for authorized clients to receive legal assistance support
- Paragraph 2-4c(1): Adds requirement for returning jury fees received in connection with jury duty
- Paragraph 2-4d: Adds information on the processing of subpoenas
- Paragraph 2-4e: Adds information on the processing of garnishments and involuntary allotment requests
- Paragraph 2-5a: Requirements for appointing and approving investigations
- Paragraph 2-5c: Designates the Office of the Staff Judge Advocate as records custodian for certain investigations

DEPARTMENT OF DEFENSE
HEADQUARTERS, UNITED STATES MILITARY ENTRANCE PROCESSING COMMAND
2834 GREEN BAY ROAD, NORTH CHICAGO, ILLINOIS 60064-3091

USMEPCOM Regulation
No. 27-1

September 6, 2012
Incorporating changes effective September 6, 2012

Effective: September 6, 2012

**Legal Services
MILITARY JUSTICE AND LEGAL SERVICES**

FOR THE COMMANDER:

OFFICIAL:

D.R. O'Brien
Deputy Commander/Chief of Staff



J.M. Davis
USMEPCOM Publications Officer

DISTRIBUTION:

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Executive Summary. This regulation prescribes policies, procedures, and responsibilities for exercising criminal jurisdiction and for obtaining legal service support.

Applicability. This regulation applies to United States Military Entrance Processing Command (USMEPCOM) personnel.

Supplementation. Supplementation of this regulation is prohibited without prior approval from Headquarters, United States Military Entrance Processing Command (HQ USMEPCOM), Attn: Office of the Staff Judge Advocate, 2834 Green Bay Road, North Chicago, IL 60064-3091.

Suggested improvements. The proponent agency of this regulation is HQ USMEPCOM. Users may send comments and suggested improvements on [Department of the Army \(DA\) Form 2028](#), Recommended Changes to Publications and Blank Forms, or by memorandum, directly to HQ USMEPCOM, ATTN: Office of the Staff Judge Advocate, 2834 Green Bay Road, North Chicago, IL 60064-3091.

Internal control process. This regulation does not contain internal control provisions.

*This regulation supersedes USMEPCOM Regulation 27-1, 17 September 2004.

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Chapter 1 Introduction

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1-1. Purpose

This regulation prescribes policy, procedures, and responsibilities for exercising criminal jurisdiction and for obtaining legal services support.

1-2. References

References are listed in [Appendix A](#).

1-3. Explanation of abbreviations and terms

Abbreviations and terms used in this regulation are explained in the glossary.

1-4. Responsibilities

Commanders will—

a. Discharge the duties contained within this regulation fairly and expeditiously. Each case of alleged misconduct will be handled on an individual basis, taking into consideration all relevant facts including the seriousness of the offense, the alleged offender's prior disciplinary record, duty performance, and the adverse impact of the offense on unit morale and discipline.

b. Notify HQ USMEPCOM Office of the Staff Judge Advocate (SJA) and the respective Sector Commander within 24 hours of the incident whenever they learn that an officer or an enlisted service member in the pay grade of E-8 or above may have engaged in misconduct for which disciplinary action could be warranted. This requirement exists independent of any requirement contained in other directives to report misconduct committed by USMEPCOM service members through command and headquarters channels.

1-5. Authority

a. USMEPCOM is a Department of Defense (DoD) command with its own General Court-Martial Convening Authority (GCMCA). USMEPCOM has a resource relationship with the Department of the Army as the detailed executive agent for USMEPCOM. The executive agent has no role in processing USMEPCOM legal actions. The Military Entrance Processing Stations (MEPS) do not have legal staffs and receive their legal support from the SJA.

b. Pursuant to [Rules for Courts-Martial \(RCM\)](#), 201(e)(2)(B), Manual for Courts-Martial, the Secretary of Defense may authorize the exercise of court-martial jurisdiction by one service over the personnel of another service in a joint command. As a joint GCMCA, the Secretary of Defense has authorized such exercise of jurisdiction to the Commander, USMEPCOM, and has provided joint special court-martial convening authority (SPCMCA) to Sector Commanders. The Secretary of Defense has also authorized the Commander, USMEPCOM and Sector Commanders the authority to convene joint courts-martial below their level of convening authority. For example, the Commander, USMEPCOM (GCMCA) also has the authority to convene a Special Court-Martial (SPCM) or a Summary Court-Martial (SCM).

c. Pursuant to Article 24, [Uniform Code of Military Justice \(UCMJ\)](#) and [RCM 1302](#), USMEPCOM Battalion Commanders have summary court-martial convening authority (SCMCA). Battalion Commanders may take any action otherwise authorized by virtue of being a SCMCA, unless otherwise withheld by a Superior Commander. The authority to take disciplinary action, either punitive or administrative under the UCMJ, in any case of misconduct involving an officer or enlisted person in the rank of E-8 or above, is reserved to the Commander, USMEPCOM. Commanders will notify SJA through the chain of command within 24 hours of learning of allegations of misconduct involving an officer or enlisted person in the rank of E-8 or above. In specific cases, Commanders wishing to dispose of such offenses at their level may request authority to take disciplinary action by coordinating with SJA to obtain approval

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from the USMEPCOM Commander. This does not prohibit Commanders from preferring court-martial charges against an officer or enlisted person in the rank of E-8 or above however, the charges must be promptly forwarded through the chain of command for disposition under [RCM 401](#).

d. SCMCA is withheld from MEPS Commanders who are not Battalion Commanders, regardless of their rank or the service of the accused.

e. The authority to take either punitive or administrative disciplinary action under the UCMJ, in any case involving sexual assault, domestic assault, or a violation of [USMEPCOM Regulation \(UMR\) 600-22](#), Personal Relationships, is reserved to Sector Commanders. Battalion Commanders will notify Sector Commanders and SJA within 24 hours of learning of allegations of sexual assault, domestic assault, or a violation of [UMR 600-22](#). Battalion or MEPS Commanders wishing to dispose of such offenses at their level may request authority to act in specific cases by coordinating with SJA to obtain approval from their Sector Commander.

Chapter 2 Legal Services

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2-1. General

a. Commanders and their staff obtain legal support by contacting SJA at HQ USMEPCOM. SJA will either provide direct assistance or, in cases where it may be necessary to do so, coordinate assistance from a supporting installation.

b. Legal service support (i.e. legal assistance) for individual service members, family members, retirees and other eligible clients (as defined in [AR 27-3](#), The Army Legal Assistance program, paragraph 2-5) is generally provided by the nearest military installation pursuant to service regulations and Inter-Service Support Agreements. The nearest legal services office may be found by using the legal services locator at <http://legalassistance.law.af.mil/content/locator.php>. Eligible clients may also contact SJA who may assist in locating other available resources. SJA does provide limited legal assistance services in the form of powers of attorney and notary services. Personnel requiring these services should contact SJA for further information.

2-2. Criminal law and administrative disciplinary actions

a. Court-martial jurisdiction for USMEPCOM military personnel. Active duty service members are subject to the UCMJ at all times and may be punished under the UCMJ for offenses they commit whether on or off-duty. Service members are also subject to the laws of the state, county, and other jurisdictions in which they reside and commit a criminal offense. Sector or Battalion Commanders will not take a UCMJ action against a service member if civilian authorities have already prosecuted or intend to prosecute the individual for the same misconduct without coordination with the SJA and approval by the Commander, USMEPCOM.

b. Initiation of court-martial charges. Any person subject to the UCMJ may prefer charges against any other service member for violation of UCMJ offenses. The formal accuser (i.e., the service member who signs a [DD Form 458](#), Charge Sheet, need not be a service member of the same service as the accused. Any charges preferred against any USMEPCOM service member must be promptly forwarded to the immediate Commander of the accused for disposition in accordance with [RCM 401](#). Preparation and preferral of the Charge Sheet should be done by SJA. Completed records must be maintained in accordance with Army Records Information Management System (ARIMS) requirements. For records numbers and disposition instructions, contact your local Records Manager.

c. Imposition of Non-Judicial punishment (NJP). NJP (Article 15, UCMJ) may be administered by a MEPS Commander on any service member of their command regardless of the branch of service of the subordinate. When conducting NJP proceedings, MEPS Commanders must follow the regulations of the disciplined service member's armed service (for Soldiers, [AR 27-10](#), Military Justice, chapter 3; for Airmen, [Air Force Instruction \(AFI\) 51-202](#), Non-Judicial Punishment; for Sailors and Marines, [Judge Advocate General Instruction \(Navy and Marine Corps\) \(JAGINST\) 5800.7E](#), Manual of the Judge Advocate General, [JAGMAN](#), chapter 1; for the Coast Guard, [United States Coast Guard Commandant Instruction \(COMDTINST\) M5810.1D](#), Military Justice Manual. Tables for NJP punishment limits for all services can be found in the Appendixes at the end of this UMR. Commanders will consult with SJA prior to initiating NJP to ensure proper compliance with service-specific rules and procedures. Completed records must be maintained in accordance with Army Records Information Management System (ARIMS) requirements. For records numbers and disposition instructions, contact your local Records Manager.

d. Superior authority who acts on appeals of NJP. The next Superior Commander in the USMEPCOM chain of command authorized to act on appeals of NJP is determined by the branch of service of the member.

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(1) For Army and Air Force personnel, the appeal is to the next superior Commanding Officer (CO) in the USMEPCOM chain of command, regardless of the Commander's branch of service.

(2) For Marine Corps personnel, the appeal will be to the U.S. Marine Corps general officer in command geographically nearest the imposing Commander, regardless of the Commander's branch of service in accordance with [JAGINST 5800.7E](#), paragraph 0117(c)(2).

(3) For Navy personnel, the appeal will be to the nearest Navy Region Commander, or to a subordinate GCMCA designated by the Region Commander for this purpose in accordance with [JAGINST 5800.7E](#), para 0117(c)(1).

(4) For Coast Guard personnel, the appeal will be the first Coast Guard flag officer in the service member's chain of command, or the Assistant Commandant for Human Resources (CG-1) if there is no Coast Guard flag officer in the chain of command in accordance with [COMDTINST M5810.1D](#), paragraph 1.F.2.

e. Administrative actions. Except for the limitations in paragraphs 1-5, Commanders in USMEPCOM have a wide range of options of administrative actions they may take against service members of their command pursuant to [RCM 306\(c\)\(2\)](#). These include, but are not limited to: reprimands; admonitions; and censures (oral or written); extra military training; administrative withholding of privileges; or any combination of the foregoing. These actions may be taken without regard to the branch of service of the imposing Commander or the person being disciplined; however, the respective regulatory requirements of the branch of service of the disciplined service member must be followed. For example, the filing of adverse documents in personnel records is governed by the regulations of the disciplined member's service. Completed records must be maintained in accordance with Army Records Information Management System (ARIMS) requirements. For records numbers and disposition instructions, contact your local Records Manager.

2-3. Claims

a. Claims filed by non-DoD personnel. Claims against the United States submitted by non-DoD personnel will be made using [Standard Form \(SF\) 95](#), Claim for Damage, Injury, or Death, and forwarded to the U.S. Army Claims Service, Fort Meade, MD by the claimant for processing. Regardless of the armed service of the member of the command whose actions prompted the claim, the claim is still forwarded to the U.S. Army Claims Service. For example, if a Navy yeoman drives a MEPS van into a civilian automobile, the civilian still submits the claim to the U.S. Army Claims Service.

b. Claims filed by members of USMEPCOM. Claims against the United States by USMEPCOM service members (personnel claims) are submitted to the claims office of the service to which the claimant belongs. Personnel claims (e.g., loss or damage to household goods) are paid from funds appropriated for each service for its own members.

2-4. Litigation

a. Actions against the Government. Legal actions filed against any USMEPCOM member (i.e., military, civilian, or contracted employee) arising out of their official activities will be referred to the SJA. Commander will notify the SJA within 24 hours of notice of litigation and immediately send a copy of the document(s) in the case to the SJA.

b. Private litigation. USMEPCOM personnel eligible to receive legal assistance who are involved in legal actions concerning their private activities may seek initial advice from the nearest legal assistance office.

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c. Civilian jury duty

(1) Active duty service members must fulfill their civic responsibility by serving on state and local juries, so long as doing so does not interfere with military duties. In accordance with [Title 10, U.S. Code, Section 982 \(10 U.S.C. 982\)](#), active duty personnel may be exempt from serving on juries if their jury duty would unreasonably interfere with the performance of their military duties or adversely affect the readiness of the member's unit, command, or activity. Commanders exercising SPCMCA, or above, have authority to determine if a service member summoned for jury duty is exempt from serving on a state or local jury.

(2) Members who receive a summons for jury duty should promptly inform their unit Commander, who will forward a copy of the summons to their Sector Commander. If the Sector Commander determines the member is exempt, they will notify the summoning state or local officials in writing on the service member's behalf, citing [10 U.S.C. 982](#) as authority. If the Sector Commander determines that the service member is not exempt, the unit will provide the service member with permissive temporary duty orders for the period of their jury service.

(3) All fees paid to service members for jury service are payable to the U.S. Treasury, less any costs incurred during the performance of jury duty (i.e. transportation costs and parking fees). Service members should contact their servicing Finance Office for further information about returning fees received from jury duty.

d. Subpoenas and other legal process documents. This paragraph pertains to any document, other than a request under the Freedom of Information Act or Privacy Act, requesting witnesses, documents, or official information for litigation purposes. Litigation includes civil cases, criminal proceedings, private litigation, and litigation in which the United States has an interest. Requests, or legal process documents, include subpoenas for records or testimony, notices of depositions, and interview requests.

(1) The SJA is the deciding official for determining whether official information may be released in response to a legal process document. Official information includes all information that is in the custody and control of the DoD, that relates to information in the custody and control of the Department, or was acquired by DoD personnel as part of their official duties or because of their official status within the Department, regardless of when or where acquired.

(2) Personnel who receive a legal process document which requests release of official information will promptly notify their chain of command and forward the document, by fax or email, to the SJA within 24 hours of receipt. The SJA will respond to the requester and coordinate any further action concerning the request. USMEPCOM personnel should not release any information requested in the legal process documents or any official information unless specifically authorized to do so by the USMEPCOM Staff Judge Advocate or designee.

e. Garnishments. Federal law authorizes the pay of federal civilian employees to be garnished for commercial obligations, child support, alimony, and arrearages in accordance with state law. While military pay may not be garnished, creditors may obtain an involuntary allotment to collect commercial judgments, child support, and alimony from military personnel. Military retirement pay may be garnished for child support, spousal support, or a property division under the Uniformed Services Former Spouses' Protection Act. Creditors and other parties are required to serve garnishments and requests for involuntary allotment through Defense Finance and Accounting Service (DFAS), which is the designated agent for service of process for USMEPCOM personnel. Such documents, however, are often erroneously delivered to the worksite. Commanders and supervisors who receive garnishment orders or involuntary allotment requests concerning USMEPCOM personnel will promptly mail the original document(s) to the SJA for review. The SJA will forward the documents to DFAS or return them to the creditor, as appropriate.

2-5. Investigations

a. Who may appoint/approve. Any Commander within USMEPCOM may appoint an investigation in accordance with [AR 15-6](#) or [RCM 303](#). In addition, the USMEPCOM Deputy Commander/Chief of Staff, Directors, and Special Staff Officers may appoint an investigation in accordance with [AR 15-6](#). Appointing authorities will normally act as approving authority. Prior to appointing any investigation the appointing authority will confer with a SJA attorney who will draft a memorandum of appointment, if deemed necessary.

b. Legal advice and review. All investigating officers within USMEPCOM will contact SJA to receive legal advice prior to starting an investigation under [AR 15-6](#) or [RCM 303](#). Investigations appointed by Battalion Commanders and above, to include Directors and Special Staff Officers which will be used for disciplinary proceedings against a service member or civilian employee, will be reviewed for legal sufficiency prior to action by the approving authority.

c. Records custodian. SJA is designated as records custodian for all investigations appointed by Battalion Commanders and above, to include Directors and Special Staff Officers. Investigating officers will ensure that SJA receives an electronic copy of the complete investigation. Completed records must be maintained in accordance with Army Records Information Management System (ARIMS) requirements. For records numbers and disposition instructions, contact your local Records Manager.

**Appendix A
References**

Section I

Publications referenced in or related to this regulation

AFI 51-202

Non-Judicial Punishment

AR 5-9

Area Support Responsibilities

AR 15-6

Procedures for Investigating Officers and Boards Officers

AR 27-3

The Army Legal Assistance Program

AR 27-10

Military Justice

AR 27-20

Claims

AR 27-40

Litigation

AR 601-270/AFR 33-7/MCO P1100.75A

Military Entrance Processing Station (MEPS)

Manual for Courts-Martial, United States

Navy JAGINST 5800.7E

Manual of the Judge Advocate General (JAGMAN)

Uniform Code of Military Justice

United States Code

USCG COMDTINST M5810.1E

Military Justice Manual

Section II

Forms referenced in or related to this regulation

AF Form 3070A

Record of Non-Judicial Punishment Proceedings (AB thru TSgt)

AF Form 3070B

Record of Non-Judicial Punishment Proceedings (MSgt thru CMSgt)

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CG-4910

Report of Offense and Disposition

DA Form 2627

Record of Proceedings under Article 15, UCMJ

DD Form 458

Charge Sheet

NAVPERS 1626/7

Report and Disposition of Offenses.

SF 95

Claim for Damage, Injury, or Death

Section III

Record Numbers/Disposition Instructions

For Record Numbers and Disposition Instructions, if applicable, contact your local Records Manager.

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**Appendix B
Army Nonjudicial Punishment Limits**

Army NJP Limits Table	Summarized	On Officers By		On Enlisted By	
		CO who is NOT a General Officer or a GCMCA	CO who is a General Officer or a GCMCA	CO who is O-3 or below (or any OIC)	CO who is O-4 or above
Admonition/Reprimand <i>plus</i> one or more of the following	Oral	Written	Written	Oral or Written	Oral or Written
Confinement on Bread & Water if attached to or embarked in a vessel (1)				3 days	4 days
Correctional Custody				7 days	30 days
Arrest in Quarters (3)			30 days		
Restriction to limits with or without suspension of duty	14 days	30 days	60 days	14 days	60 days
Extra Duties (4)	14 days			14 days	45 days
Forfeiture (5)			1/2 per 2 months	7 days pay (6)	1/2 per 2 months
Reduction in grade (7)				One pay grade	To the lowest enlisted grade (8, 9)
Right to Counsel?	None	Yes	Yes	Yes	Yes
Record of NJP	DA Form 2727-1	DA Form 2627		DA Form 2627	
Filing of NJP Record	Local File (2 year max)	OMPF Performance or restricted		OMPF Performance or restricted	

NOTES:

- 1 - Impossible only on E-3 and below. (AR 27-10, para. 3-19b(2)) Cannot be combined with Correctional Custody, Extra Duty or Restriction.
- 2 - Not available for E-4 and above unless unsuspended reduction to below E-4 is imposed. (AR 27-10 para. 3-19b(1)) Cannot combine with Extra Duty or Restriction.
- 3 - Arrest in Quarters cannot be combined with Restriction.
- 4 - Restriction and Extra Duty may be combined to run concurrently (not to exceed maximum allowed for Extra Duty).
- 5 - Forfeiture applies to the grade to which reduced even if reduction is suspended.
- 6 - Must be within one month (i.e. forfeiture must cover a month period, and cannot be divided into multiple months).
- 7 - Promotions to E-7, E-8, E-9 are done at DA level, therefore, no commander has reduction authority. (AR 600-8-19, para. 1-9(c), 3-1(b) and 4-1(a) respectively)
- 8 - If within the promotion authority of the officer imposing the reduction. For example O-4 commanders (not serving in a O-5 billet) do not have the authority to promote to E-5 or E-6 under AR 600-8-19, therefore cannot reduce from those ranks.
- 9 - Grades E-5 and above may not be reduced more than one grade. May be reduced to two grades by the "Secretary" concerned in time of war or national emergency. (MCM pt. V, para. 5b(2)(B)(iv))
- 10 - See MCM, Part V, paragraph 5d for further limitations on combinations of punishments.

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Navy/Marine Corps NJP Limits Table	Summarized	On Officers By			On Enlisted By	
		CO who is O-3 or below	CO who is O-4 or above	CO who is a General or Flag Rank	CO who is O-3 or below (or any OIC)	CO who is O-4 or above
Admonition/Reprimand (1) <i>plus</i> one or more of the following	N/A	Written	Written	Written	Oral or Written	Oral or Written
Confinement on Bread & Water if attached to or embarked in a vessel (2)	N/A				3 days	3 days
Correctional Custody (3)	N/A				7 days	30 days
Arrest in Quarters	N/A			30 days		
Restriction to limits with or without suspension of duty	N/A	15 days (4)	30 days	60 days	14 days	60 days
Extra Duties (5)	N/A				14 days	45 days
Forfeiture (6)	N/A			1/2 per 2 months	7 days pay	1/2 per 2 months
Reduction in rate (7)	N/A				One pay grade	One pay grade
Right to Counsel? (8)	N/A	Limited	Limited	Limited	Limited	Limited
Record of NJP	N/A	JAGMAN Appendix A-1-d (NAVPERS 1626/7, UPB 5812)				
Filing of NJP Record	N/A	Service-record entries on Page 13 (Navy) or Page 12 (Marine Corps) (9)				
NOTES:						
1 - JAGMAN 0114c.						
2 - Only for E-3 and below (includes unsuspended reduction to below E-4). (JAGMAN 0111b)						
3 - Only for E-3 and below (unless unsuspended reduction to below E-4 is imposed). (JAGMAN 0111b)						
4 - JAGMAN 0111a						
5 - "Normally" limited to 2 hours per day. Shall not be performed on Sunday. "Guard duty shall not be assigned as punishment." (JAGMAN 0111d)						
6 - Forfeiture applies to the grade to which reduced even if reduction is suspended.						
7 - No reduction from pay grade E-7 or above in the Navy. No reduction from pay grade E-6 or above in the Marine Corps. (JAGMAN 0111e)						
8 - See JAGMAN 109a and 109d(2). Together these sections provide the following: "There is no right for an accused to consult with counsel prior to nonjudicial punishment;" however, if an accused is given the opportunity, such advice is limited to an explanation of the legal ramifications involved in the right to refuse [NJP].						
9 - Only if JAGMAN Appendix A-1-d is used or SM was represented by a lawyer at the hearing. (JAGMAN 0109E)						
10 - See MCM, Part V, paragraph 5d for further limitations on combinations of punishments.						

Appendix D

Air Force Non-Judicial punishment limits

Air Force NJP Limits Table	Summarized	On Officers By			On Enlisted By		
		CO who is O-5 or below	CO who is O-6	General Officer or GCMCA	CO who is O-3 or below (1)	CO who is O-4 (1)	CO who is O-5
Admonition/Reprimand <i>plus</i> one or more of the following	N/A	None	Written	Written	Written	Written	Written
Confinement on Bread & Water if attached to or embarked in a vessel	N/A				Not Authorized	Not Authorized	Not Authorized
Correctional Custody	N/A				7 days	30 days	30 days
Arrest in Quarters	N/A			30 days			
Restriction to limits with or without suspension of duty	N/A	None	30 days	60 days	14 days	60 days	60 days
Extra Duties (2)	N/A				14 days	45 days	45 days
Forfeiture (3,4)	N/A			1/2 per 2 months	7 days pay	1/2 per 2 months	1/2 per 2 months
Reduction in grade	N/A				One pay grade (5)	See Notes (4, 7)	See Notes (7, 8, 9)
Right to Counsel? (8)	N/A	N/A	Yes	Yes	Yes	Yes	Yes
Record of NJP	N/A	Air Force Form 3070					
Filing of NJP Record	N/A	Filing in Selection records in possible (Officer or SNCO) (10)					
NOTES:							
1 - May not impose NJP on CMSgt or SMSgt.							
2 - Restriction and Extra Duty may be combined to run concurrently (not to exceed maximum allowed for Extra Duty).							
3 - "Commanders should impose an unsuspended reduction in grade, along with forfeiture of pay, only when the maximum exercise of Article 15 authority is warranted. (e.g. repeat offender, most serious offenses, past rehabilitative efforts have failed, or recalcitrant offender)." (AFI 51-202, par. 5.4.2)							
4 - Forfeiture applies to the grade to which reduced even if reduction is suspended.							
5 - SSgt and below.							
6 - TSgt, SSgt - one grade. SrA and below - to lowest enlisted grade.							
7 - Grades E-5 and above may not be reduced more than one grade. (May be increased to two grades by the "Secretary concerned" in time of war or national emergency." (MCM pt. V, par. 5b(2)(B)(iv))							
8 - MSgt, TSgt, SSgt - one grade. SrA and below - to lowest enlisted grade.							
9 - CMSgt, SMSgt - one grade if imposing officer is MAJCOM commander, combatant, or commander to whom promotion authority has been delegated.							
10 - Must serve offender with a notification of intent letter when imposing punishment. (LAW AFI 36-2608, Military Personnel Records System) (AFI 51-202 par. 4.8)							
11 - See MCM, Part V, paragraph 5d for further limitations on combinations of punishments.							

Appendix E
Coast Guard Non-Judicial punishment limits

Coast Guard NJP Limits Table	Summarized	On Officers By			On Enlisted By	
		CO who is O-3 or below	CO who is O-4 or above	Flag Officer	CO who is O-3 or below	CO who is O-4 or above
Admonition/Reprimand <i>plus</i> one or more of the following	N/A	Written or Oral	Written or Oral	Written or Oral	Written	Written
Confinement on Bread & Water if attached to or embarked in a vessel	N/A				Not Authorized	Not Authorized
Correctional Custody (2, 5)	N/A				7 days	30 days
Arrest in Quarters (1)	N/A			30 days		
Restriction to limits with or without suspension of duty (3, 5)	N/A	15 days	30 days	60 days	14 days	60 days (3)
Extra Duties (2)	N/A				14 days	45 days
Forfeiture	N/A			1/2 per 2 months	7 days pay	1/2 per 2 months
Reduction in grade	N/A				One pay grade (7)	One pay grade (7)
Right to Counsel? (8)	N/A	Yes	Yes	Yes	Yes	Yes
Record of NJP	N/A	CG-4910				
Filing of NJP Record	N/A	Filed in records using Court Memorandum Form CG-3304				
NOTES:						
1 - Arrest in Quarters may not be imposed in combination with Restriction.						
2 - Correctional Custody may not be imposed in combination with Restriction or Extra Duty. It shall not be imposed upon E-4 and above.						
3 - Restriction and extra duties may be combined to run concurrently or consecutively but cannot exceed the maximum that may be imposed for extra duties.						
4 - Extra duties may only be imposed on E-6 and below.						
5 - Arrest in Quarters, Correctional Custody, and Restriction may not be imposed on a reservist during inactive duty training or involuntary active duty training.						
6 - The following are not authorized punishments: Detention of Pay and Confinement on bread and water.						
7 - Only one grade authorized for E-6 and below.						
8 - See MCM, Part V, paragraph 5d for further limitations on combinations of punishments.						

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Glossary

Section I

Abbreviations

AFI

Air Force Instruction

AR

Army regulation

CG

Coast Guard

CO

Commanding Officer

DA

Department of the Army

DD Form

Defense Department Form

DoD

Department of Defense

GCMCA

General Court-Martial Convening Authority

HQ USMEPCOM

Headquarters, United States Military Entrance Processing Command

JAGINST

Judge Advocate General Instruction

JAGMAN

Judge Advocate Manual)

MCM

Manual for Courts-Martial

MEPS

Military Entrance Processing Station

NCO

Noncommissioned Officer

NJP

Non-Judicial Punishment

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OIC
Officer in Charge

OMPF
Official Military Personnel File

RCM
Rules for Courts-Martial

SPCMCA
Special Court-Martial Convening Authority

SCMCA
Summary Court-Martial Convening Authority

UCMJ
Uniform Code of Military Justice

USCG COMDTINST
United States Coast Guard Commandant Instruction

USMEPCOM
United States Military Entrance Processing Command

Section II Terms

Prefer
To initiate or swear criminal charges against a person who is subject to the Uniform Code of Military Justice.

Sexual Assault
Intentional sexual contact is characterized by use of force, physical threat or abuse of authority, or where the victim does not or cannot consent. Sexual assault includes rape, nonconsensual sodomy, indecent assault, or attempts to commit these acts. Sexual assault includes all sex related offenses which is defines as all other sexual acts in violation of the Uniform Code of Military Justice, to include indecent acts with another.