



DEPARTMENT OF THE NAVY  
COMMANDER NAVY RESERVE FORCES COMMAND  
1915 FORRESTAL DRIVE  
NORFOLK VA 23551-4615

COMNAVRESFORCOMINST 1626.1C  
N00C  
8 Jan 2020

COMNAVRESFORCOM INSTRUCTION 1626.1C

From: Commander, Navy Reserve Forces Command

Subj: STAFF DISCIPLINARY REVIEW BOARD

Ref: (a) MCM 2019 Edition Manual for Courts Martial, Part V

Encl: (1) Disciplinary Review Board Recommendation Sheet  
(2) Disciplinary Review Board Chairman's Script

1. Purpose. To modify the functions and authority of Commander, Navy Reserve Forces Command (COMNAVRESFORCOM) staff Disciplinary Review Board (DRB) for E-6 and below Sailors.
2. Cancellation. COMNAVRESFORCOMINST 1626.1B.
3. Discussion. The Commander is directly responsible for administration of non-judicial punishment (NJP) and delegates this authority to the Chief of Staff (CoS) for E-6 and below Sailors. Any violation of the Uniform Code of Military Justice (UCMJ) reported on E-6 and below Sailors assigned to COMNAVRESFORCOM may be investigated by the DRB. The DRB provides a means of maintaining good order and discipline, correcting minor disciplinary infractions, and promoting positive behavior changes to members of this command by involving them in the discipline process. The DRB serves as a fact finding and advisory body by investigating alleged violations, correcting behavior within its purview, and making recommendations, using enclosure (1) of this instruction.
4. Membership. The DRB will be composed of chief petty officers (CPO) assigned by the Command Master Chief (CMD CM). The DRB will have a representative from at least four disassociated divisions or departments, along with a Legal Representative, Master-at-Arms (MAA), and a Command Managed Equal Opportunity (CME O) Representative. The CMD CM will preside over all DRBs and use enclosure (2) during proceedings. In the absence of the CMD CM, a staff master chief will preside over the DRB.
5. Authority. The DRB is charged with recommending the manner of disposition and providing a summary of justification.
6. Responsibilities. The CMD CM will convene the DRB as required to expeditiously process completed report chits.

a. The DRB will review each case and take the following action:

- (1) Determine the facts surrounding the allegation.
- (2) Interview the division leading CPO, division leading petty officer of the accused, witnesses and other involved parties as necessary, to include Deputy Chief of Staffs.
- (3) Review the service record of the accused.
- (4) Forward the DRB's recommendation to legal for review and then to the CoS for disposition of the case.

b. The CoS may opt to bypass the DRB when deemed appropriate.

7. Rights of the Accused. The legal office will ensure, in writing, that the accused is afforded all rights under Article 31 of the UCMJ, using the NAVPERS 1626/7 form. DRB findings and recommendations are to be held in strict confidence to protect the rights of the accused under the UCMJ.
8. Records Management. Records created as a result of this instruction, regardless of media and format, shall be managed per Secretary of the Navy (SECNAV) Manual M-5210.1 of January 2012.
9. Review and Effective Date. Per OPNAVINST 5215.17A, COMNAVRESFORCOM N00C will review this instruction annually on the anniversary of its effective date to ensure applicability, currency, and consistency with Federal, Department of Defense, SECNAV, Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will automatically expire 10 years after effective date unless reissued or cancelled prior to the 10 year anniversary date, or an extension has been granted.

  
J. A. SCHOMMER

**Releasability and distribution:**

This instruction is cleared for public release and is available electronically only via COMNAVRESFOR Web site, <http://www.public.navy.mil/nrh/Pages/instructions.aspx>

8 Jan 2020

DISCIPLINARY REVIEW BOARD RECOMMENDATION SHEET

From: Chairman, Discipline Review Board

To: Commander, Navy Reserve Forces Command

1. On \_\_\_\_\_, a Discipline Review Board was conducted in the case of \_\_\_\_\_, accused of Violation of the UCMJ, Article(s)

2. The following board members were in attendance:

\_\_\_\_\_  
\_\_\_\_\_

3. The following representatives were in attendance from legal, CMEQ, and MAA:

\_\_\_\_\_  
\_\_\_\_\_

4. The following amplifying information was gathered or considered by the DRB in making its recommendations and is forwarded for review by the chain of command:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. The following actions were taken and the following recommendation(s) are made by the DRB as a result of review of the above named member's case:

\_\_\_\_\_ Dismiss at DRB (minor in nature).

\_\_\_\_\_ Assign Extra Military Instruction(EMI).

\_\_\_\_\_ Executive Officer's Inquiry.

\_\_\_\_\_ Refer to Commanding Officer's (CO's) Non-Judicial Punishment (NJP). *The following punishment is recommended:*

\_\_\_\_\_ Dismiss at CO's NJP with verbal warning.

\_\_\_\_\_ Restriction for \_\_\_\_ days.

\_\_\_\_\_ Extra duties for \_\_\_\_ days.

\_\_\_\_\_ Forfeiture of \$\_\_\_\_\_ pay for \_\_\_\_\_ months.

\_\_\_\_\_ Reduction in rate.

\_\_\_\_\_ Refer to court-martial.

6. Other recommendations and comments:

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Very respectfully,

\_\_\_\_\_  
Chairman

**Disciplinary Review Board  
Chairman's Script**

**MAA:** *(Direct the member to enter the room and report.)*

**CHAIRMAN:** \_\_\_\_\_, you are suspected of committing the following violation(s) of the Uniform Code of Military Justice.

**CHARGES AND SPECIFICATIONS**

**CHAIRMAN:** You do not have to make any statement regarding the offense(s) of which you are accused or suspected, and any statement made by you may be used as evidence against you at subsequent proceedings. Do you understand your right to remain silent?

**ACCUSED:** Yes/No

**CHAIRMAN:** This Disciplinary Review Board is an advisory board to the Chain of Command. The purpose of this board is not to judge guilt or innocence of your case. The members of this board have been assigned to review your case and make recommendations concerning disposition of your case. The board's recommendation could include:

1. Dismissal of the charge;
2. Dismissal with an oral and/or written warning;
3. Corrective action to be administered at a lower level such as EMI, Page 13 entry or some other form of administrative action;

**OR**

4. NJP when the evidence substantiates the charge and the circumstances clearly warrant such a recommendation.
5. Recommendation to refer the case to a court martial.

**CHAIRMAN:** Do you have any questions about this proceeding? Do you have any questions about your rights or the charge(s) against you? Do you wish to make any requests?

**ACCUSED:** (Yes/No)

**CHAIRMAN:** The members of this Board have reviewed your records and we would like to hear from you in order to develop an understanding of your case. What can you tell me about your involvement in this (these) offense(s)?

**ACCUSED:** Responds

*(Conduct the appropriate interview with the accused, witnesses, and Chain of Command.)*

**CHAIRMAN:** Is there anything else you would like me to ask of the Chain of Command or witnesses? *(If applicable)*

**ACCUSED:** Yes/No

**CHAIRMAN:** Understanding your rights, is there anything that you would like to add or say or is there any other information you want to present to the Board?

*(Dismiss accused while board deliberates. When a decision is made regarding the appropriate recommendation, recall the accused.)*

**MAA:** *(Direct member to reenter room and stand uncovered at attention.)*

**CHAIRMAN:** "The Board's recommendation is to":

**(CHOOSE ONE)**

- Dismissal with an oral and/or written warning
- Dismiss the charge without further action.
- Dismiss the charge, but assign you (XX) hours of EMI.
- Recommend this case for Captain's Mast.
- Recommend this case be referred to a court martial.

**CHAIRMAN:** \_\_\_\_\_, do you have any questions? Remember that this is only a recommendation. This recommendation may be disapproved and your case may be disposed of in some other manner.

**CHAIRMAN:** You are excused.

**MAA:** *(Direct the member to depart the room)*