First Sergeant Course

Non-Judicial Punishment and Counseling Procedures
Educational Objectives (NJP):

- Understand the responsibilities of the 1stSgt.
- Understand the responsibilities of the Company Commander.
- Understand the procedures for advising a Marine of their rights under Art 31 of the UCMJ.
- Counseling: IRAM vs. MARSEPMANUAL.
NJP:

- Investigations complete.
  - CID, NCIS, JAG, PRELIM INQUIRY, etc...
- All options weighed (by CO and 1stSgt).
The 1stSgt:

Notifies the Marine that the CO is contemplating holding NJP for a specific charge. (Legal services if app).
Documentation:

- UPB entry (NAVMC 10132)
- Service Record Page 12 (NAVMC 118)
  "Booker" statement.
- Notification & Election of rights for NJP.
- Alleged Offenses.
- Appeal Rights Form.
- Other paperwork attached to NJP package.
Notetaker/Recorder

Ensure that you assign a Marine to take notes during the NJP.

Notes can be turned in to the BN Legal Office for file purposes.
The CO:

Holds NJP.
The 1stSgt:

Verifies that the punishment was proportionate, advises the Marine of appeal rights, has the Marine sign all documentation, and then forwards it to BN Legal/UD.

If referred to BN CMDR or Court Martial, coordinate via the BN Sgt Major/BN Legal.

***SAMPLE NJPS***
NAVMC 10132 (UPB)

- Blk 6: SNM signs & Dates - ART 31 Rights.
- Blk 7: CO signs & dates - Afforded Rights.
- Blk 8: Final Disposition (punishment).
- Blk 9: Suspended punishment.
- Blk 14: SNM signs & dates right to appeal.

REMARKS: CO's remarks. (Refer to)
Summary of Vacation Proceedings

- Use local letter or form.
- Document the charge causing vacation of suspended punishment.
- Document the date of original NJP; who it was conducted by; and the punishment suspended.
- "IS PUNISHMENT FOR THE ADDITIONAL OFFENSE CONTEMPLATED?"
- "WAS THE THE ACCUSED PERMITTED TO APPEAR BEFORE THE CO?"
- CO signs (within maximum punishment allowances). **FORWARD TO LEGAL/UD**!
- Right to appeal does not apply.
Pattern of misconduct or ADSEP:
- Regular page 11 wording.
  - Infraction counseling.
990618: T&ETrCo, H&S BN, MCB Quantico: I was counseled this date concerning (deficiency). The following corrective action is recommended...(and Obey all articles of the UCMJ). Assistance is available through my chain of command. Failure to take corrective action may result in limitation of further service, administrative action, and/or processing for administrative separation. I have been advised that within 5 working days after acknowledgment of this entry a written rebuttal can be submitted and such a rebuttal will be filed on the document side of my service record. I choose (to) (not to) make such a statement.

SNM ___________________   CO ___________________
Refusal to sign a page 11 per the IRAM:

- Enter "Marine refuses to acknowledge this entry".
  - By refusing, the Marine forfeits the opportunity to make a rebuttal statement.
QUESTIONS???
References:

- Manual Court Martial
- IRAM
- MC Sep & Retirement Manual