



DEPARTMENT OF THE NAVY
NAVY RECRUITING DISTRICT, NEW ORLEANS
400 RUSSELL AVE BLDG 192
NEW ORLEANS, LOUISIANA 70143-5077

NAVCRUITDISTNOLAINST 5800.1C
01A
15 Jul 2014

NAVCRUITDISTNOLA INSTRUCTION 5800.1C

From: Commanding Officer, Navy Recruiting District New Orleans

Subj: DISCIPLINARY REVIEW BOARD (DRB)

Ref: (a) COMNAVCRUITCOMINST 5800.3J
(b) Manual for Courts-Martial (2012 Edition)

Encl: (1) Disciplinary Review Board Report

1. Purpose. To promulgate procedure and responsibilities of Disciplinary Review Board (DRB) in the investigation of military personnel suspected of a violation of the Uniform Code of Military Justice per references (a) and (b). The DRB will serve as a pro-active management tool supporting the chain-of-command in objectively evaluating any breach of good order and discipline surrounding naval responsibilities.

2. Cancellation. NAVCRUITDISTNOLAINST 5800.1B.

3. Discussion. To meet this objective, the DRB will examine overt behavior(s), analyze the circumstances, and to the best extent possible, determine any underlying causes. The DRB shall investigate all evidence to determine the validity and seriousness of any potential offenses. The DRB is non-punitive in nature. However, the DRB may recommend corrective or disciplinary actions to the Commanding Officer for further processing.

4. Composition. In order to ensure objectivity, there will be at least three board members.

a. Board members will consist of the Command Master Chief (CMC) and at least two additional Chief Petty Officers not in the individual's direct chain-of-command.

b. The CMC acts as board chairman. The CMC may appoint one or more non-voting members to the board as deemed necessary.

The Drug and Alcohol Program Advisor (DAPA) will attend all DRBs involving charges of alcohol and/or drug abuse. The Command Managed Equal Opportunity (CMEO) officer is required to attend all DRB proceedings.

5. Duties. The DRB will:

- a. Interview individuals involved
- b. Review relevant comments from immediate chain-of-command
- c. Discuss facts and findings
- d. Make recommendations for disposition
- e. Forward written summary of findings, conclusions and recommendations/disposition to the Commanding Officer

(1) The board does not have the authority to dismiss a case. A recommendation for dismissal will be forwarded to the XO for review via the Legal Officer.

(2) A recommendation for disciplinary action will be forwarded to the XO for Executive Officers Inquiry (XOI). The Legal Officer will retain the DRB recommendations in the XOI binder if the charges are dismissed by the XO. Appropriate entries into the Unit Punishment Book (UPB) will be made after any disposition from the Commanding Officer.

6. Frequency. The Disciplinary Review Board will convene:

- a. When an individual's behavior does not respond to repeated corrective actions by immediate chain-of-command.
- b. Enclosure (1) will be used to document DRB recommendations.
- c. The Legal Officer will retain the DRB recommendations in the DRB binder.

/s/
C. A. STOVER

Distribution List:
Electronic only, via
<http://www.cnrc.navy.mil/neworleans/>

NRD NEW ORLEANS DISCIPLINARY REVIEW BOARD REPORT

From: Chairman, Disciplinary Review Board
To: Commanding Officer
Via: (1) Legal Officer
(2) Executive Officer

Subj: DISCIPLINARY REVIEW BOARD REPORT

1. A Disciplinary Review Board was convened at _____,
ICO _____ consisting of the following personnel:

_____ (Chair)

2. Chain of Command present:

3. Rights Advisement/Charges:

a. You are suspected of having committed the following
Offense(s), UCMJ Article(s):

- (1) _____
- (2) _____
- (3) _____
- (4) _____

b. You have the right to remain silent.

c. Any statement you make may be used as evidence against
you in trial by courts-martial.

d. You have the right to consult with lawyer counsel prior to any questioning. This lawyer counsel may be a civilian lawyer retained by you at your own expense, a military lawyer appointed to act as your counsel without cost to you, or both.

e. You have the right to have such retained civilian lawyer or appointed military lawyer present during this interview.

f. If you decide to answer questions now without a lawyer present, you will have the right to stop this interview at any time.

4. Chain of Command Comments:

5. Finding(s) of Fact:

FF1. _____

FF2. _____

FF3. _____

6. Discussion:

7. DRB Recommendations:

(a) Recommendation Level:

- | | |
|--|--|
| <input type="checkbox"/> Counseling | <input type="checkbox"/> Dismiss |
| <input type="checkbox"/> Division Level | <input type="checkbox"/> XOI |
| <input type="checkbox"/> Department Level | <input type="checkbox"/> Mast |
| <input type="checkbox"/> PG 13 Counseling/Warning | <input type="checkbox"/> Refer to Courts-Martial |
| <input type="checkbox"/> EMI | <input type="checkbox"/> ADSEP |
| <input type="checkbox"/> Other (see justification) | |

(b) Justification:

(c) NJP Award Recommendations:

- ___ Admonition: ___ Oral ___ Written
- ___ Reprimand: ___ Oral ___ Written
- ___ Restriction: ___ Days ___ Days Suspended
- ___ Extra Duty ___ Days ___ Days Suspended
- ___ Reduction in Rate _____ Month(s) Suspended
- ___ Forfeiture of Pay: \$ _____ for ___ Month(s)
- ___ Month(s) Suspended

DRB Chairman