

ADMINISTRATIVE REPRIMANDS

What is an administrative reprimand? Administrative reprimands are administrative tools used to censure Soldiers for substandard personal conduct. The Army expects Soldiers to demonstrate high moral character on and off duty. The issuance of reprimands is appropriate when Soldiers fall short of that expectation. Administrative reprimands are not considered “punishment” in the strict sense of the word; whereas confinement, restriction, and extra duty are considered punishment.

Does it matter where the reprimand is filed? Yes. The location in which the reprimand is filed is the most important consideration for a career Soldier. A local filing in a Soldier’s Military Personnel Records Jacket (MPRJ) has little to no long-term effect on the Soldier’s career. The reprimand does not become a part of the Soldier’s overall service record and will be destroyed after three years or when the Soldier is reassigned. On the other hand, if the reprimand is filed in the Soldier’s Official Military Personnel File (OMPF), the reprimand may have career-ending implications such as non-selection for promotion, a bar to reenlistment, or separation under the Qualitative Management Program (QMP). Army Regulation (AR) 600-37 sets forth policies and procedures for filing unfavorable information in a Soldier’s OMPF, to include the filing of administrative reprimands. Before a reprimand is filed in a Soldier’s OMPF, he or she is afforded an opportunity to submit a rebuttal statement for command consideration. Rebuttal statements submitted by the Soldier for command consideration are filed along with the reprimand, regardless of where the reprimand is filed. Army policy provides that reprimands associated with “minor behavior infractions or honest mistakes” ordinarily are not filed in a Soldier’s OMPF.

What are the provisions for reprimands concerning driving while intoxicated? AR 190-5 requires the issuance of a written General Officer Memorandum of Reprimand (GOMOR) to active duty Soldiers for the following conduct:

- (1) Conviction by courts-martial or civilian court or imposition of nonjudicial punishment for an offense of drunk or impaired driving either on or off a military installation.
- (2) Refusal to take or failure to complete a lawfully requested test to measure alcohol or drug content of the blood, breath, or urine, either on or off a military installation, when there is reasonable belief of driving under the influence of alcohol or drugs.
- (3) Driving, or being in physical control of a motor vehicle on post when the blood alcohol content (BAC) is .08 or higher, irrespective of other charges, or off-post when the BAC is in violation of the law of the State involved.
- (4) Driving, or being in physical control of a vehicle, either on or off a military installation, when lawfully conducted chemical tests reflect the presence of illegal drugs.

What Are The Procedures For Transferring Reprimands From The Performance Portion To The Restricted Portion Of My OMPF?

The Department of the Army Suitability Evaluation Board (DASEB) has authority to review a Soldier's OMPF and order the transfer of unfavorable information from the performance fiche to the restricted fiche. Promotion and other selection boards ordinarily examine only the performance fiche. Thus, the transfer of a GOMOR to the restricted fiche is beneficial for the career Soldier. In submitting an appeal for transfer, the Soldier must show that the reprimand's intended purpose has been served and the transfer is in the best interests of the Army. Ordinarily, a Soldier must satisfy each of the following criteria before the DASEB will consider an appeal:

- (1) The Soldier is Staff Sergeant or above,
- (2) At least one year has passed since imposition of the reprimand, and
- (3) An evaluation (OER or NCOER), dated after the reprimand, has been filed in the OMPF.

Showing that the reprimand has served its intended purpose may be hard to prove. The Soldier needs to show that he or she addressed the conduct which prompted the reprimand, accepted responsibility for it, corrected it, and then moved on to excel in the Army.

If you have questions, contact the Fort Bliss Legal Assistance Office at (915) 568-7141/7150 for an appointment to speak with an attorney.