

## MILPERSMAN 1920-070

### SEPARATION OF OFFICER PERSONNEL BY REASON OF SUPREMACIST OR EXTREMIST CONDUCT

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<b>References</b>	(a) Uniform Code of Military Justice (UCMJ) of 2019 (b) United States Navy Regulations - 1990 (c) SECNAVINST 1920.6D
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#### 1. Policy

a. An officer will be processed for separation following any disciplinary or administrative action if based upon any substantiated incident of serious misconduct resulting from the officer's participation in extremist or supremacist activities. The proscribed misconduct must relate to:

(1) illegal discrimination based on race, creed, color, sex, religion or national origin or

(2) advocating the use of force or violence against any Federal, State, or local Government or agency thereof, in violation of Federal, State, or local laws.

b. Most cases will involve one or more violations of reference (a) including, but not limited to:

(1) soliciting another to commit an offense per reference (a), article 82;

(2) disobedience and orders violations, per reference (a), articles 90 and 92, including violations of lawful general regulations set forth in reference (b) and punitive instructions;

(3) cruelty and maltreatment of subordinates per reference (a), article 93;

(4) wearing unauthorized insignia, decoration, badge, ribbon, device, or lapel button per reference (a), article 106a;

(5) carrying a concealed weapon per reference (a), article 114d;

(6) communicating a threat per reference (a), article 115;

(7) riot or breach of peace per reference (a), article 116;

(8) provoking speeches or gestures per reference (a), article 117);

(9) conduct unbecoming an officer and gentleman per reference (a), article 133 and

(10) disloyal statements, drunkenness and or disorderly conduct per reference (a), article 134.

c. An incident of misconduct is substantiated if it results in one or more of the following:

(1) conviction by a court-martial or civil criminal court system,

(2) imposition of nonjudicial punishment under reference (a), article 15 or

(3) determination by the convening authority, using the preponderance of evidence standard, that the member has engaged in supremacist or extremist conduct.

2. **Characterization of Service**. Characterization of service will be determined using the guidelines set forth in reference (c).

3. **Separation Procedures**. As circumstances warrant, use either notification procedures or board of inquiry procedures. Processing requirements are provided in reference (c).