

JUSTICE CHRONICLES

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U.S. Passport Fair

U.S. PASSPORT FAIR

The San Diego Passport Agency will conduct a U.S. passport fair at the Main Navy Exchange/Naval Base San Diego, Saturday, February 15, 2014. This event is open to all U.S. citizen service members, their U.S. citizen dependents and DOD personnel with access to the base, and will enable our community to apply for or renew U.S. Passports. In addition, U.S. citizens can also apply for the new U.S. Passport Card at this event.

Questions can be referred to the US Passport Agency at 1-877-487-2778, www.travel.state.gov, or by calling RLSO SW Immigration and Naturalization Division staff at (619) 556-6748 and scheduling an appointment for questions or assistance with completing the US Passport Application.

LEGAL ASSISTANCE DEPARTMENT SERVICES

The Legal Assistance Department onboard Naval Base San Diego and Naval Air Station North Island now uses an appointment based system. This will provide for greater planning and flexibility for customers, as well as reduced wait times to meet with our attorneys.

APPOINTMENT HOTLINE 619-556-2211
Naval Base San Diego and Naval Base Coronado
Attorney Services

ATTORNEY SERVICES (APPOINTMENT ONLY)
Emergency Walk-Ins will be seen on a case by case basis only.

Please call our Appointment Hotline (619)556-2211 for more information.

POWERS OF ATTORNEY/NOTARY SERVICES (WALK-IN ONLY)

Monday - Thursday 0800-1130 and 1300-1500

Friday 0900-1100

Naval Base Coronado (NAB): Wednesday 1300-1500

DISSOLUTION SEMINAR

Naval Air Station North Island (Bldg.318, 2nd Floor)

Dissolution Seminar held Wednesdays for both General Information and Paperwork. Check-in begins at 7:45 a.m. on a "first come -- first serve" basis (maximum capacity of 10 persons). Clients arriving after 8:00 a.m. (or after all seats have been filled) will not be admitted and may attend the seminar the following week.

Naval Air Station North Island (Bldg.318, 2nd Floor)

Dissolution Seminar held Monday (GENERAL INFORMATION) and Thursday (PAPERWORK). Check-in begins at 1:00 p.m. on a "first come -- first serve" basis. Clients arriving after 1:30 p.m. (or after all seats have been filled) will not be admitted and may attend the seminar the following week.

WILL EXECUTION (For clients with pending estate planning documents)

Monday – Thursday 1100 and 1500, Friday 1100

Please arrive 30 minutes prior to review your documents

NOTE: For notaries, powers of attorney, affidavits, or to execute your will, you must bring your Military ID and a State/ Government issued photo ID with a signature (i.e., passport, driver's license, state I.D.)

PARKING:

Naval Base San Diego (32nd St): across from Bldg. 56, with designated spaces for clients.

Naval Base Coronado (North Island): across from Bldg. 318. Please call ahead for wheelchair accessibility.

COMMAND SERVICES HELP DESK

In order to provide more timely service to all commands we have established a Command Services Helpdesk that is manned from 0730-1630, Monday-Friday. The Command Services Helpdesk may be reached at (619)556-5977, or by email at cmdservices.rlsosw.fct@navy.mil.

When contacting the Command Services Helpdesk by phone, one of our staff members will ask you for your name, command, a phone number or email address where you can be reached, and a brief description of the issue you are calling about.

If emailing the helpdesk, please include this same information in your email. Our staff will collect your information on an intake form that will be assigned immediately to a Command Services Department JAG or Legalman that will respond to your request. If you have an emergency requiring Command Services outside of normal business hours, contact the RLSO SW Command Duty Officer, (619)851-5129.

Please provide us with feedback on whether our Command Services Helpdesk is providing you with efficient service, because that is our primary mission.

RESULTS OF TRIAL 1ST QUARTER 2014

Navy E-2 with 1 year of service was sentenced to 6 months confinement, forfeiture of \$500.00 pay per month for 6 months, fine of \$500.00 and reduction to E-1 for unauthorized absence terminated by apprehension. This court was held on 31 October 2013.

Navy E-6 with 14 years and 10 months of service was sentenced to forfeiture of \$1,000.00 pay per month for 2 months and a reprimand for violation of a lawful general order. This court was held on 20 November 2013.

Navy E-3 with 2 years and 6 months of service was sentenced to 200 days confinement, reduction to E-1, and a Bad Conduct Discharge for failure to go to appointed place of duty, missing movement, disrespect towards a superior commissioned officer, false official statements, wrongful use of a controlled substance, larceny and wrongful cohabitation. This court was held on 25 November 2013.

Navy E-3 with 3 years and 9 months of service was sentenced to 9 months confinement, fine of \$3,000.00 and a Bad Conduct Discharge for unauthorized absence, failure to obey a lawful general order, larceny, wrongful entrance into a marriage and false swearing. This court was held on 27 November 2013.

Navy E-6 with 10 years and 8 months of service was found not guilty of violation of a lawful general regulation, maltreatment, assault, and obstruction of justice. This court was held on 5 December 2013.

Navy E-5 with 7 years and 5 months of service was sentenced to 22 months confinement and a Bad Conduct Discharge for attempt to commit a sexual act, violation of a lawful general regulation and wrongful sexual contact. This court was held on 10 December 2013.

Navy E-6 with 9 years of service was sentenced to 6 months confinement, reduction to E-1, and a Bad Conduct Discharge for violation of a lawful general regulation, false official statement and larceny. This court was held on 12 December 2013.

Navy E-6 with 15 years and 11 months of service was sentenced to reduction to E-5, reprimand, 30 days restriction and 30 days hard labor without confinement for false official statement. This court was held on 18 December 2013.

Navy E-1 with 2 years and 10 months of service was sentenced to 90 days confinement and a Bad Conduct Discharge for wrongful use of a controlled substance and restriction breaking. This court was held on 19 December 2013.

FAMILY IMMIGRATION ASSISTANCE

Region Legal Service Office Southwest (RLSO SW), Command Services Department, Immigration and Naturalization Division, provides family immigration assistance at Naval Base San Diego, Building 56. Family immigration assistance is provided on routine family immigration matters, and, when necessary referrals are provided to U.S. Citizenship and Immigration Services or the American Immigration Lawyers Association (AILA). Family immigration assistance is provided on Thursdays from 0800-1200, by appointment only.

Appointments may be scheduled by calling (619) 556-2211, during normal business hours.

OFFICER BOARD OF INQUIRY RESULTS 1ST QUARTER 2014

Navy O-3 was ordered to show cause for retention due to misconduct and substandard performance of duty: conduct unbecoming an officer and gentleman, adultery and failure to conform to prescribed standards of military department. Board members recommended retention. This Board of Inquiry was held on 22 October 2013.

Navy O-3 was ordered to show cause for retention due to misconduct and substandard performance of duty: failure to pay debts, larceny, false official statement (five specifications) and failure to conform to prescribed standards of military department.. Board members recommended separation. This Board of Inquiry was held on 24 and 25 October 2013.

Navy O-3 was ordered to show cause for retention due to substandard performance of duty: failure to conform to prescribed standards of dress, weight, personal appearance or military department. Board members recommended retention. This Board of Inquiry was held on 8 November 2013.

Navy O-3 was ordered to show cause for retention due to misconduct and substandard performance of duty: larceny and wrongful appropriation and failure to conform to prescribed standards of military department. Board members recommended separation. This Board of Inquiry was held on 12 and 13 November 2013.

Navy 0-3 was ordered to show cause for retention due to misconduct and substandard performance of duty: failure to obey order or regulation, fraternization (two specifications), failure to demonstrate acceptable qualities of leadership required of an officer in the member's grade and failure to conform to prescribed standards of military department. Board members recommended retention. This Board of Inquiry was held on 21 November 2013.

Navy 0-4 was ordered to show cause for retention due to misconduct and substandard performance of duty: fraternization, conduct unbecoming an officer and gentleman, disorderly conduct, drunkenness, failure to demonstrate acceptable qualities of leadership required of an officer in the member's grade, failure to properly discharge duties expected of officers in the member's pay grade and failure to conform to prescribed standards of military department. Board members recommended separation. This Board of Inquiry was held on 22 and 25 November 2013.

Navy 0-6 was ordered to show cause for retention due to misconduct and substandard performance of duty: failure to obey order or regulation (three specifications), false official statement (two specifications), larceny and failure to conform to prescribed standards of military department. Board members recommended separation. This Board of Inquiry was held on 25 November 2013.

Navy 0-4 was ordered to show cause for retention due to misconduct and substandard performance of duty: assault (two specifications), conduct unbecoming an officer and gentleman and failure to conform to prescribed standards of military department. Board members recommended retention. This Board of Inquiry was held on 05 December 2013.

Navy 0-3 was ordered to show cause for retention due to misconduct and substandard performance of duty: failure to obey order or regulation, conduct unbecoming an officer and gentleman, drunkenness – incapacitation for performance of duties through prior wrongful indulgence in intoxicating liquor or any drug and failure to conform to prescribed standards of military department. Board members recommended retention. This Board of Inquiry was held on 11 December 2013.

Navy 0-4 was ordered to show cause for retention due to misconduct and substandard performance of duty: failure to obey order or regulation, failure to conform to prescribed standards of military department and failure to demonstrate acceptable qualities of leadership required of an officer in the pay grade O-4. Board members recommended retention. This Board of Inquiry was held on 19 December 2013.

“SPICE” AND THE NAVAL DRUG SCREENING LABORATORY TESTING PROGRAM**Addition of Synthetic Cannabinoids (“Spice”) to the Naval Drug Screening Laboratory Testing Program**

On October 25, 2013, the Under Secretary of Defense provided notice to the Service Secretaries that synthetic cannabinoids would be added to the Drug Demand Reduction Program drug testing panel. On December 30, 2013, NAVADMIN 334/13 was released providing guidance for implementation of Spice testing. Samples are currently being screened for Spice at Naval Drug Screening Laboratories (NDSLs) with presumptive positives forwarded for confirmatory testing as discussed below. Highlights are as follows:

New Spice Testing Regime

Spice will now be tested in the normal course of drug testing at NDSLs. Unlike the prior limitations on the use of positive tests for Spice, positive specimens from the NDSLs will subject service members to the full range of disciplinary and/or administrative actions for violations of Article 112a, UCMJ, including NJP, court-martial, and/or ADSEP under MILPERSMAN 1910-146. The addition of Spice to the panel does not change how commands collect urinalysis samples for traditional random drug testing or the way positive results are reported.

Bifurcated Confirmation Process for Positive Spice Samples

There is a difference in the confirmation process for positive Spice samples as compared to other drugs because none of the NDSLs initially had the equipment or certifications necessary to perform the confirmation testing required for Spice. Transparent to the commands submitting samples, samples will be initially screened at NDSLs but then positive Spice samples will be transferred to either the Armed Forces Medical Examiner System (AFMES) in Dover, DE or at the Air Force Drug Testing Laboratory Joint Base San Antonio-Lackland in San Antonio, TX. This bifurcated confirmation process should end as NDSLs receive the new equipment and certifications required to conduct the Spice confirmation tests.

Separate Testing for Command-Directed and Probable Cause Samples

The current OPNAV Spice testing program will continue to operate to test command-directed and probable cause samples. Military Criminal Investigative Organizations (e.g. NCIS) will retain the ability to send investigative samples to AFMES under the current investigative testing processes. One reason for this is that initially not all samples submitted to the NDSLs will be tested for Spice. Therefore, until 100% of the samples are tested for Spice, in order to avoid a command-directed or probable cause sample not being tested for Spice, it must be sent through the OPNAV testing program. Also, Spice testing at the NDSLs is limited to the first-generation Spice compounds currently listed in the Controlled Substances Act while testing at AFMES is more expansive. The previous limitations on use of positive results for samples tested under the OPNAV random Spice testing program remain.

Detailed guidance and information on command-directed and probable cause tests is available on the NADAP Spice page at: http://www.public.navy.mil/bupers-npc/support/21st_Century_Sailor/nadap/Education_Training/Pages/Spice.aspx

***Enlisted
Administrative Board
Results 1st Quarter
2014***

ENLISTED ADMINISTRATIVE BOARD RESULTS 1ST QUARTER 2014

Navy E-2 was processed for separation for Misconduct- Drug Abuse. The board found misconduct and awarded an Other Than Honorable discharge. This board was held on 5 Aug 2013.

Navy E-3 was processed for Commission of a Serious Offense and Alcohol Rehabilitation Failure. The board found misconduct and awarded an Other Than Honorable discharge. This board was held on 8 Aug 2013.

Navy E-5 was processed for Physical Fitness Assessment Failure. The board found substandard performance and awarded a General discharge. This board was held on 19 April 2013.

***Command
Citizenship
Representatives***

COMMAND CITIZENSHIP REPRESENTATIVES

Per NAVADMIN 113/08, commanding officers must appoint a Command Citizenship Representative (CCR) to assist non-citizen service members with applying for naturalization.

To schedule training or for further information on becoming a Command Citizenship representative, or applying for U.S. citizenship, please call the RLSO SW Naturalization Team at (619) 556-6322.

***Victim and Witness
Assistance Program***

VICTIM AND WITNESS ASSISTANCE PROGRAM

The Victim and Witness Assistance Program is designed to ensure victims and witnesses of crime are afforded their rights throughout the criminal justice process – from initial contact by investigators through any period of confinement adjudged. The Department of Defense requires their services to establish comprehensive Victim and Witness Assistance Programs in order to enhance and protect the rights of victims of crimes committed within the military setting. OPNAVINST 5800.7A requires every command to appoint a Victim Witness Assistance Coordinator (VWAC) in writing and ensure command personnel are educated on the rights of crime victims and witnesses. Please note that the VWAP program is a separate program from SAPR and FAP, with distinct requirements. RLSO SW provides quarterly training for new VWACs.

Upcoming trainings:

Monday, 28 April 2014

Monday, 28 July 2014

Monday, 27 October 2014

Time: 1300

Location: Fleet and Family Support Center, NBSD, Bldg 259, Classroom 1

RSVP and/or Questions: Nya Ayala, (619) 556-0237, nya.ayala@navy.mil

WATERFRONT OUTREACH TRAINING

Come join us at our Monthly Legal Officer Brown Bag Lunch/Discussion!

Hosted by COMNAVSURFPAC Legal and RLSO SW Command Services

When & Where:

Thursday, 27 February 2014, NBSD, bldg. 56, Courtroom 4

Thursday, 27 March 2014, Naval Air Station North Island

Thursday, 24 April 2014, NBSD, bldg. 56, Courtroom 4

Time: 1200-1300

What: The HOTTEST legal topics of the day!

Plus JAGs will be available to answer any and all legal questions. Tell us what issues you are facing so we can train on your specific topic. RSVP is appreciated but not required. Thank you for your support.

RSVP to LT Joseph Horton at joseph.horton@navy.mil.

Waterfront Outreach Training

Mailing Address:

3395 Sturtevant St.,
Suite 9, San Diego,
CA 92136

Commercial Phone Numbers:

(619) 556-0049
DSN: 526-0049
Fax: (619) 556-1674

Hours:

0730 - 1630
Monday - Friday

SOUTHWEST REGION STAFF JUDGE ADVOCATE DIRECTORY

Command Services DH: (619) 556-2789

Command Services LCPO: (619) 556-0839

Trial Department: (619) 556-9293

NB San Diego SJA: (619) 556-5533 - DSN 526

NB Coronado SJA: (619) 545-8143 - DSN 735

NB Point Loma SJA: (619) 553-7190 - DSN 553

CNRSW SJA: (619) 532-1418 - DSN 522

NAS Lemoore SJA: (559) 998-3889/3352 - DSN 949

NB Ventura SJA: (805) 989-7309/1706 - DSN 351

NAS Fallon SJA: (775) 426-2854 - DSN 890

NAWS China Lake SJA: (760) 939-6065 - DSN 437

NSA Monterey SJA: (831) 656-2506 - DSN 756

TOPICS FOR FUTURE ISSUES

If you have a topic you'd like to see discussed in the next newsletter, please forward your request to Nya Ayala at nya.ayala@navy.mil.