

CHAPTER 7

PUNITIVE REDUCTIONS

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CHAPTER 7

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7001. PUNITIVE REDUCTIONS

1. Enlisted Marines of any grade above Pvt may be reduced as punishment pursuant to the sentence of the nonjudicial punishment (NJP) or court-martial.

2. Commanders, as defined in paragraph 1200.3b, may reduce enlisted Marines in the grades of PFC through Sgt per Article 15, Uniform Code of Military Justice (UCMJ). (Note: A commander's reduction authority at Article 15 is equal to the commander's promotion authority.)

EXAMPLE: A battalion/squadron commander may promote a Cpl to Sgt and, therefore, may reduce a Sgt to Cpl.

3. The date of rank (DOR) to be assigned will be the date the reduction is effected. A Marine's prior time in grade (TIG) will not be used to satisfy the minimum TIG requirement for promotion to the grade from which punitively reduced.

EXAMPLE: A Marine is promoted to LCpl with DOR 1 May 1998 and reduced from LCpl to PFC effective 28 January 1999. Even though the Marine has 10 months TIG prior to the reduction, the Marine is not eligible for promotion to LCpl until 1 October 1999, based on the computation of 8 months TIG from the reduction to PFC.

4. The composite score of a Sgt punitively reduced to Cpl cannot include previous TIG as a Cpl.

7002. EFFECTIVE DATE OF REDUCTION

1. Unless suspended when imposed, a reduction effected as a result of a court-martial is effective from and including the date the sentence is ordered executed. The date of rank to be assigned will be the date the reduction is effected (i.e., the date the sentence is ordered executed).

2. Unless suspended when imposed, a reduction effected as a result of NJP is effective from and including the date imposed.

3. A vacated suspended reduction is effective on the date the suspension is vacated.

4. Marines whose sentence of reduction from NJP or a court-martial is suspended, set aside, or mitigated to a lessor punishment will be reassigned the same date of rank held before the reduction was imposed.

5. If an executed reduction is subsequently suspended or mitigated under Article 15(d) or (e) of the UMCJ, the date of rank is the date of suspension or mitigation unless the authority authorized to take final action directs that the date of rank be the Marine's original date of rank.

6. If an executed reduction is subsequently set aside under Article 15(d) or (e) of the UCMJ, the date of rank will be the Marine's original date of rank before the reduction was imposed. The date of rank may not go beyond the original date of rank.