

# GAO Highlights

Highlights of [GAO-24-106652](#), a report to the Committee on Armed Services, House of Representatives

## Why GAO Did This Study

The Navy and the Marine Corps impose nonjudicial punishment as a disciplinary measure for minor offenses. A service member's career can be stigmatized by a record of nonjudicial punishment, which can lead to involuntary separation with less than an honorable discharge, according to Navy and Marine Corps officials.

House Report 117-397 includes a provision for GAO to review the Department of the Navy's use of the vessel exception and policies related to nonjudicial punishment. Among other things, this report 1) describes Navy and Marine Corps guidance for using the vessel exception, and 2) assesses the extent to which the Navy and the Marine Corps report quality data for oversight of the vessel exception.

GAO analyzed guidance, policies, and data; interviewed relevant officials; and conducted one site visit onboard a vessel at sea.

## What GAO Recommends

GAO is making two recommendations to improve oversight of the vessel exception, specifically that the Navy and the Marine Corps each establish a time frame for automating processes to collect and maintain quality nonjudicial punishment data in respective personnel databases and then implement these automated processes. The Department of Defense concurred with GAO's recommendations.

View [GAO-24-106652](#). For more information, contact Brenda S. Farrell at (202) 512-3604 or [FarrellB@gao.gov](mailto:FarrellB@gao.gov).

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## MILITARY JUSTICE

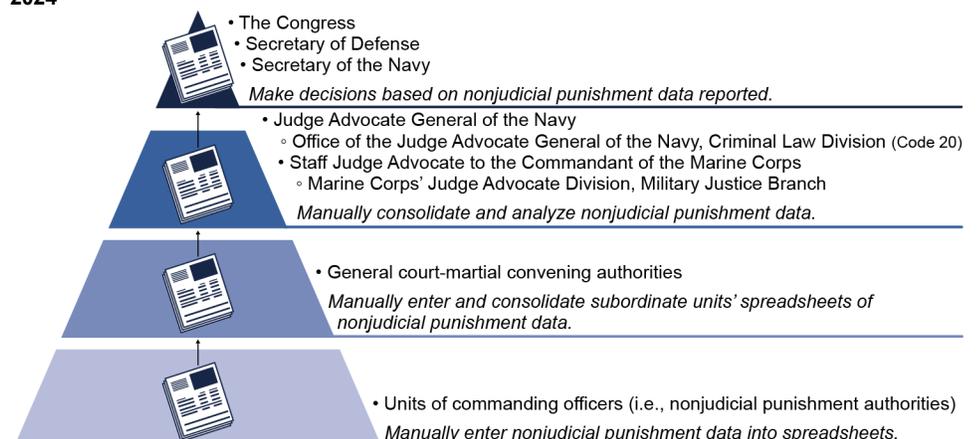
# Quality Data Needed to Improve Oversight of Navy and Marine Corps Disciplinary Measures

## What GAO Found

Nonjudicial punishment, such as forfeiture of pay or a reduction in grade, is a tool to deter misconduct, maintain discipline, and improve performance without going through the court-martial process. Service members onboard a vessel at sea cannot refuse nonjudicial punishment and demand a trial by court-martial when a commanding officer uses the vessel exception. The Navy and the Marine Corps are refining guidance on the use of the vessel exception for nonjudicial punishment and plan to evaluate policy changes as new guidance is issued. For example, in November 2023, the Department of the Navy issued guidance that restricts use of the vessel exception when a ship is undergoing maintenance and is not operational. With these ongoing efforts, the Department of the Navy is on track to improve oversight of nonjudicial punishment and the use of the vessel exception.

The Navy and the Marine Corps have processes in place to report nonjudicial punishment data. However, GAO found, and Navy and Marine Corps officials acknowledged, that the accuracy and completeness of nonjudicial punishment data are limited due to human error and lack of automated processes. The Navy planned to use an automated system by October 2022 to collect nonjudicial punishment data but did not meet this goal due to funding constraints, according to Navy officials. Further, although the Navy issued a revised policy that clarifies reporting on the use of the vessel exception in January 2024, the policy does not address data quality issues stemming from the manual compilation of data. Without establishing a time frame to automate the collection and maintenance of quality nonjudicial punishment data and then implementing these automated processes, the Navy, the Marine Corps, and Congress may be hindered in their ability to provide sufficient oversight of nonjudicial punishment and the use of the vessel exception. Such oversight would include the use of quality data to analyze trends in military justice processes and to measure the effectiveness of discipline-related initiatives.

### Navy and Marine Corps Process for Reporting Nonjudicial Punishment Data, as of January 2024



Source: GAO analysis of JAG Instruction 5800.9F and Navy and Marine Corps information; GAO (images). | GAO-24-106652