

## Officers Should Not Let Letters of Reprimand Ruin Their Careers

Q:

I am an officer and have received a letter of reprimand. What should I do?

A:

Commissioned officers and warrant officers put their military careers at risk if they view a letter of reprimand (LOR) as a slap on the wrist. An LOR, if filed in your Official Military Personnel File (OMPF), can ruin your prospects for promotion or lead to separation.

An LOR could come from the officer's immediate commander or a higher level commander in the chain of command. Such letters usually begin stating that an investigation found an officer committed an offense in violation of the Uniform Code of Military Justice (UCMJ), was derelict in his or her duties or exhibited poor judgment. For example, an officer might receive a LOR for driving under the influence or fraternizing with enlisted personnel. The commander issuing the LOR frequently takes that opportunity to remind the officer of his or her duty to set the example for subordinates, responsibility to lead and obligation of service to the nation. Officers are given an opportunity to view the evidence and submit a rebuttal to the letter, and are provided a brief time period.

When it comes to an LOR, the last thing an officer wants is for it to be filed in his or her OMPF, or performance fiche (P-fiche). This filing makes the reprimand part of his or her permanent military record. It takes a general officer (GO) to place a LOR on an officer's OMPF. In some instances, such as DUI, the filing of a LOR in an OMPF is mandatory. Officers should, therefore, emphasize in the rebuttal that the GO should dismiss or, withdraw the letter, or file it in the military personnel records jacket (MPRJ), also referred to as a local file. With a locally filed LOR, letters can remain in a service member's MPRJ for a limited period, such as 6 months, or until he or she is reassigned to a new court-martial jurisdiction. The author of a locally filed LOR may also be persuaded to throw out the letter if its recipient avoids trouble for a certain period.

Officers who have received an LOR should immediately contact a military law attorney who can prepare for them a response letter. The purpose of this response letter should be to either challenge the details pertaining to an alleged offense or raise matters of mitigation, or both. With the former approach, the letter could note any factual inaccuracies in the investigation or put forth an alibi. The goal is to convince a deciding authority that the offense did not occur as initially believed. With the latter approach, the letter could express how sorry the LOR

recipient is and how certain factors, such as a divorce filing or a child's illness, influenced his or her conduct.

If a letter of reprimand has been filed in an officer's OMPF, he or she could appeal to get the LOR removed from that file or transferred to a restricted section of it. A military law attorney could also represent an officer before a military records appeal board. LORs left on the OMPF could result in an officer being passed over for promotion or recommended for a Show Cause Board where they could be separated from the service.