



DEPARTMENT OF THE NAVY

COMMANDANT OF MIDSHIPMEN
U.S. NAVAL ACADEMY
101 BUCHANAN ROAD
ANNAPOLIS, MARYLAND 21402-5100

COMDTMIDNINST 1610.2E CH-1
CONDUCT
31 Mar 11

COMMANDANT OF MIDSHIPMEN INSTRUCTION 1610.2E CHANGE TRANSMITTAL 1

Subj: ADMINISTRATIVE PERFORMANCE AND CONDUCT SYSTEM

Encl: (1) Revised Pages 2-5 through 2-8

1. Purpose. To publish change 1 to the basic instruction.
2. Action. Remove pages 2-5 through 2-8 of the basic instruction and replace with enclosure (1) of this change transmittal.


R. E. CLARK II

Distribution:
Non-Mids (Electronically)

<u>Offense Code</u>	<u>Delinquency</u>	<u>Level</u>
04.10	Harassment of another Midshipman (non-sexual). This includes, but is not limited to, offensive or unsolicited comments, e-mails, instant messages, or letters, comments or actions designed to ostracize an individual or group, or stalking.	Variable
04.11	Destruction or damage of government or private property, whether intentional or due to gross negligence. <u>EXCEPTION:</u> This does not refer to destruction or damage of one's own property. However, such an action may be covered by another offense code, depending on the circumstances. <u>NOTE:</u> Restitution for the destruction or damage may be made a part of the awarded punishment.	Major
04.12	Introduction of, or failure to remove, unauthorized persons from Bancroft or King Hall.	Major
04.13	Entering a restricted area, including roof areas or any areas marked as such.	Major
04.14	Unauthorized means of ingressing or egressing either Bancroft Hall (not including "class doors") or the Naval Academy grounds (i.e. "jumping the wall").	Major
04.15	Possession or use of a false, altered, or unauthorized identification card, pass, or similar document (includes driver's licenses, military ID cards, or other forms of identification). <u>NOTE:</u> The use or attempted use of false, altered, or unauthorized identification with the intent to deceive is an honor violation. Possession, without an attempt to use, is strictly a conduct offense.	6K
04.16	Usurping any special or basic class authorizations or privileges. (Includes unauthorized wearing of civilian clothes and the use of "class doors.")	Minor
04.17	Carelessness in operating a vehicle which results in an accident or endangers lives or property.	Major
04.18	Parking in violation of MIDREGS and/or military base regulations. <u>NOTE:</u> First Offense: 30 demerits and three Brigade tours. Second Offense: 30 additional demerits, five days restriction, and loss of decals for 30 days.	Minor

<u>Offense Code</u>	<u>Delinquency</u>	<u>Level</u>
	Third Offense: Loss of driving on the yard privileges for the remainder of the semester.	
04.19	Driving, maintaining, or operating a motor vehicle in violation of MIDREGS.	Minor
04.20	Failure to have the door fully open when members of the opposite sex are present.	Minor
04.21	Violation of UCMJ, Navy Regulations, SECNAV and OPNAV Instructions, General Orders, federal, state, or local laws.	6K/ Major

2.5 Alcohol and Drugs

a. Definitions:

(1) Alcohol - beverage with any percentage of alcohol content.

(2) Under the influence - any impairment of one's ability to function normally.

(3) Trafficking - making alcohol available in any way to someone under the legal drinking age.

(4) Narcotics and other controlled substances - amphetamines, cocaine, heroin, lysergic acid diethylamide, marijuana, methamphetamine, opium, phencyclidine, and barbituric acid, including phenobarbital and secobarbital. "Controlled substance" also applies to any substance included in Schedules I through V established by the Controlled Substances Act of 1970.

b. Prohibited anabolic steroids include all compounds banned by current Department of the Navy regulations which have not been prescribed by authorized medical personnel.

<u>Offense Code</u>	<u>Delinquency</u>	<u>Level</u>
05.01	Risky Drinking (.08 up to .15 BAC). *First offense should be documented with a Form-1.	Minor
05.02	Abusive Drinking (BAC between .16 and .2).	Major
05.03	Extreme Drinking (BAC > .2).	Major
05.04	Aiding/abetting an alcohol offense.	Major
05.05	Consumption, possession, or introduction of alcohol within/into Bancroft Hall or aboard ship.	6K
05.06	Providing alcohol to underage persons.	Major

<u>Offense Code</u>	<u>Delinquency</u>	<u>Level</u>
05.07	Being under the influence of alcohol in a nature that brings discredit upon the naval service, outrages public decency, or results in a breach of the peace.	6K
05.08	Consuming alcohol or being under the influence of alcohol while on duty.	6K
05.09	Cancelled.	
05.10	Consumption or possession of alcohol in violation of applicable federal, state, or local law (this includes underage drinking).	Major
05.11	Consumption or possession of alcohol in circumstances prohibited by MIDREGS, other than in Bancroft Hall or aboard ship (e.g., drinking as a 4/C Midshipman).	Major
05.12	Drunk driving or driving under the influence of alcohol.	6K
05.13	Use, possession, sale, or transfer of illegal drugs.	6K

2.6 Military Appearance

<u>Offense Code</u>	<u>Delinquency</u>	<u>Level</u>
06.01	Unsatisfactory appearance in uniform (pattern of behavior). NOTE: Discrepancies must be specified and should have been documented as Form-1s prior to entry as a Form-2.	Minor
06.02	Unprepared for room or uniform inspection due to laziness or negligence.	Minor
06.03	Unsatisfactory room standards (e.g. tampering with window stops or thermostat, possessing minor contraband, placing items on the outside window sill, etc.).	Minor

2.7 Absences or Tardiness

a. Timeliness and accountability are attributes of a Midshipman who is self-disciplined and possesses a strong sense of duty. Midshipmen must learn to allow sufficient time for unforeseen circumstances and delays when reporting. Timeliness to formations when a group or unit may be delayed because of an individual's tardiness should be given greater emphasis than tardy arrival to an obligation which affects only the guilty individual.

b. The magnitude of tardiness is only partly indicated by the length of time involved. The degree of judgment exercised by the Midshipman in

attempts to report for duty should also be considered. For example, a Midshipman may be only slightly late, but if actions indicate a lackadaisical attitude or unconcerned planning, that Midshipman should be dealt with more severely than one who was substantially late due to extenuating circumstances. Communication with chain of command is also paramount in accountability situations.

<u>Offense Code</u>	<u>Delinquency</u>	<u>Level</u>
07.01	Intentional absence without authority from a military obligation or formation.	Major
07.02	Absent without authority for greater than 24 hours.	Major
07.03	Absent without authority, due to negligence, from a military obligation.	Minor
07.04	Absent without authority from an academic class for fewer than 15 minutes.	Minor
07.05	Absent without authority, either intentionally or for greater than 15 minutes, from academic class.	Minor
07.06	UA after reporting for taps (i.e., "touch and go").	Major
07.07	UA from tours or restriction.	Minor