

MILPERSMAN 1910-233

MANDATORY SEPARATION PROCESSING

Responsible Offices	NAVPERSCOM (PERS-832)	Phone: Toll Free	1-833-330-MNCC (6622)
	NAVPERSCOM (PERS-913)	Phone: Toll Free	1-833-330-MNCC (6622)
MyNavy Career Center		Phone: Toll Free E-Mail: MyNavy Portal:	1-833-330-MNCC (6622) askmncc@navy.mil https://my.navy.mil/

References	(a) 10 U.S.C. (b) SECNAVINST 5300.28F (c) DoD Instruction 1304.33 of 28 January 2015
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1. **Rationale**. Certain bases for administrative separation (ADSEP) are so detrimental to good order and discipline, mission readiness, and appropriate standards of performance and conduct, that processing for ADSEP is mandatory. Use administrative board procedures per [MILPERSMAN 1910-402](#) when the commanding officer (CO) believes circumstances surrounding the offense(s) warrant an under other than honorable characterization pursuant to [MILPERSMAN 1910-300](#). Use notification procedures in all other cases. COs must process individuals for separation who have committed the following, based on reliable evidence:

		MILPERSMAN
a.	Sexual Misconduct - Lewd and lascivious acts, rape, sexual assault, stalking, forcible sodomy, child sexual abuse, possession or distribution of child pornography, incestuous relationships, or any sexual misconduct that could be charged as a violation of or an attempt to violate reference (a) articles 120, 120a, 120b, or 120c; or equivalent criminal statute as a result of either misconduct due to commission of a serious offense or civilian conviction. If child sexual abuse (including incest) occurs, immediately notify: Commander, Navy Installations Command (CNIC) Detachment Millington Counseling, Advocacy, and Prevention Branch (N911) and Navy Personnel Command (NAVPERSCOM) Enlisted Performance and Separations Branch (PERS-832) or Reserve Enlisted Status Branch (PERS-913) as applicable. If Service member is	1910-142 or 1910-144

	retained, PERS-832 or PERS-913 will forward case to CNIC Detachment Millington for evaluation and recommendation of long-term treatment. Regardless of acceptance into rehabilitation, PERS-832 or PERS-913 may direct separation of Service member at the end of active obligated service with an RE-4 reenlistment code. If Service member is accepted, but later evaluated as a rehabilitation failure, reprocess per MILPERSMAN 1910-162 .	
b.	Sexual harassment under the following circumstances: (1) Threats or attempts to influence another's career or job in exchange for sexual favors; (2) Rewards (including bribes to influence favorably another's career) in exchange for sexual favors; or (3) Unwanted physical contact of a sexual nature, which, if charged as a violation of reference (a), could result in a punitive discharge.	1910-142
c.	Violent misconduct that resulted in, or had potential to result in, death or serious bodily injury (e.g., homicide, arson, armed robbery, assault with a deadly weapon, etc.).	1910-142 or 1910-144
d.	Possession of drug paraphernalia, which includes all equipment, products, and materials that are used, intended for use, or designed for use in injecting, inhaling, or otherwise introducing controlled substances into the human body in violation of law.	1910-142
e.	Misconduct - drug abuse including the misuse of steroids.	1910-146
f.	The unlawful use of controlled substance analogues (designer drugs), natural substances (e.g., fungi, excretions), products made or derived from hemp (including cannabidiol (CBD), regardless of the products tetrahydrocannabinol (THC) concentration), chemicals (e.g., chemicals wrongfully used as inhalants), propellants and or a prescribed drug, over-the-counter drug, or pharmaceutical compound with the intent to induce intoxication, excitement, or stupefaction of the central nervous system as defined per reference (b). The following are examples, but are not all inclusive, nor limited to the examples: spice, huffing, and natural substances such as salvia divinorum and mushrooms.	1910-142
g.	Supremacist or extremist conduct. Processing will be for misconduct (serious offense), (civil conviction), (as appropriate) or best interest of the Service.	1910-160 1910-142 1910-144 1910-164
h.	Family Advocacy Program failure, unless a waiver is obtained from PERS-832. Processing will be for misconduct (serious offense), (sexual perversion) (if applicable), (civil conviction) or best interest of the Service.	1910-162 1910-142 1910-144 1910-164
i.	Alcohol rehabilitation failure, unless waiver is obtained from PERS-832 via Office of the Chief of Naval Operations (OPNAV) Total Sailor Fitness Branch (OPNAV N170).	1910-152

j.	Multiple driving under the influence (DUI) or driving while intoxicated (DWI) counts.	1910-152 1910-142 1910-144
k.	Nonconsensual distribution or broadcasting of an intimate image that could be charged as a violation of or an attempt to violate U.S. Navy Regulations, article 1168. Processing will be for misconduct (serious offense).	1910-142
l.	Substantiated violations, as defined by reference (c), by any military recruiter or military trainer providing entry-level training.	1910-142 1910-144
m.	Any offense or situation meeting criteria for mandatory administrative separation in this table from either a prior enlistment or prior to military service (see note), use notification procedures.	1910-130 1910-134

Note: A Service member meeting the criteria for mandatory administrative separation that was not processed for separation, or was processed for separation and retained but no longer met the criteria for re-enlistment, must be processed for ADSEP under [MILPERSMAN 1910-130](#) or [1910-134](#) (as appropriate).

2. **Policy.** NAVPERSCOM retains authority to direct separation processing even for misconduct not listed above. Separation processing directed by NAVPERSCOM is mandatory. In mandatory processing cases in which an administrative board makes findings of no misconduct or recommends retention or suspended separation, forward cases to PERS-832 for active duty or PERS-913 for final action.

If a member is processed for separation by reason of misconduct for both mandatory and non-mandatory reasons, and an administrative board makes a finding of no misconduct for the mandatory reason(s) but makes a finding of misconduct and recommends separation or suspended separation for the non-mandatory reason(s), a special or general court-martial convening authority may act as the separation authority when otherwise authorized by [MILPERSMAN 1910-704](#). However, in the event the board makes a finding of no misconduct, or recommends retention for the non-mandatory reason, then the mandatory processing case must be forwarded to PERS-832.

A [NAVPERS 1070/613](#) Administrative Remarks counseling and warning that states the Service member is being retained, and that was issued after an incident that requires mandatory processing or for which processing is directed by NAVPERSCOM, is considered invalid and will not preclude separation processing.