

**DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000**

IN REPLY REFER TO
BUPERSINST 1600.6A
PERS-84
14 Jan 02

BUPERS INSTRUCTION 1600.6A

From: Chief of Naval Personnel

Subj: NAVY DESERTER APPREHENSION PROGRAM (NDAP)

Ref: (a) NAVPERS 15560C, Naval Military Personnel Manual
(MILPERSMAN)
(b) Joint Federal Travel Regulations (JFTR)
(c) SECNAVINST 5820.7B
(d) SECNAVINST 5500.29B
(e) COMNAVRESFORINST 1730.4B
(f) SECNAVINST 5211.5D

Encl: (1) Naval Reserve Readiness Command (NAVRESREDCOM)
Directory

1. Purpose. To issue policies, procedures and responsibilities per references (a) through (e) for Navy Deserter Apprehension Program (NDAP). This instruction is a complete revision and should be reviewed in its entirety.

2. Cancellation. BUPERSINST 1600.6.

3. Policy. Every practical effort shall be made to cause surrender or apprehension of deserters as expeditiously as possible. To achieve this end, vigorous efforts shall be made at unit and other appropriate levels to investigate facts and circumstances surrounding absences, to initiate apprehension actions, and to expedite appropriate notification procedures.

4. Definitions. As used in this document, the following definitions apply:

a. Navy Deserter Apprehension Program (NDAP). Navy's program for apprehension of servicemembers officially declared deserters.

b. Navy Deserter Information Point (NDIP). Navy's central focal point for control, accounting, and dissemination of information concerning members administratively classified as deserters.

c. Absentee. Any member of the Armed Forces not classified administratively as deserters who are absent without authority from their appointed place of duty.

d. Deserter. A servicemember who has been administratively classified as a deserter per article 1600-010 of reference (a).

e. Detainee. Deserter/absentee in the custody of a law enforcement agency or NDAP escort.

f. Apprehension. Physical arrest or detention of another person.

g. Custody of a deserter. Legal restraint by a civil or military law enforcement agency or military organization of an individual apprehended for desertion from the Armed Forces.

5. Responsibilities

a. Commanding officers (COs)/officers in charge (OICs). Develop procedures at their command to ensure strict adherence to the requirements of NDAP as provided in this instruction and articles 1600-040 and 1600-050 of reference (a). Enclosure (1) provides addresses and phone numbers of Naval Reserve Readiness Commands (NAVRESREDCOM) for inclusion in letters to notify members' next of kin (NOK) of their unauthorized absence and return to military control.

b. Director, Corrections and Programs Division (PERS-84), Navy Personnel Command (NAVPERSCOM). Develop policies, procedures and directives as needed for apprehension of deserters and their return to military control. Provide oversight of COMNAVPERSCOM DET Navy Absentee Collection and Information Center (COMNAVPERSCOM DET NAVABSCOLLINFOCEN), Great Lakes.

c. OIC, COMNAVPERSCOM DET NAVABSCOLLINFOCEN, Great Lakes. Responsible for administering the centralized deserter information services and provide tracking, monitoring, and collection services of all Navy personnel who are administratively declared deserters. NAVABSCOLLINFOCEN serves as operational arm of the NDAP; operates a 24-hour NDIP; investigates; causes the apprehension and return (via escort or use of Technical Arrest Orders (TAO)) of military personnel administratively declared deserters; maintains central repository for deserter records and case files; make entries into National Crime Information Center Computer; places deserters/returned deserters in appropriate accounting codes in Navy's enlisted master file system; coordinates appropriate accounting codes for officer deserters/returned deserters through NAVPERSCOM (PERS-333); assists local commands and outside agencies with coordination of transportation for Navy absentees/deserters, parole violators/supervised mandatory release violators, and prisoners; reports deserter's criminal history data to Criminal Justice Information Services Division of the Federal Bureau of Investigations (FBI) for inclusion in the National Crime

Information Center criminal history database per Brady Bill laws; and ensure unit functions are executed per references (a) through (e) and other directives issued by higher authority.

d. Commanders, Naval Reserve Readiness Commands (NAVRESREDCOM). Ensure assistance and counsel is provided to an absentee's NOK per article 1600-040 of reference (a).

e. Escorts. Per reference (b), safety of absentee/deserter and escort is of primary concern. COMNAVPERSCOM DET NAVABSCOLLINFOCEN is responsible for escorting deserters apprehended by civilian law enforcement agencies. Commands can request approval from NAVPERSCOM (PERS-84) for COMNAVPERSCOM DET NAVABSCOLLINFOCEN to escort deserters already in custody of military authorities or absentees if unusual circumstances warrant their expertise. Commander, Navy Personnel Command (COMNAVPERSCOM), will fund cost of escort travel. Cost associated with an absentee's or deserter's transportation shall be charged to the pay account of the individual member.

6. Requirements

a. Escorts

(1) Escort Ethics. COMNAVPERSCOM DET NAVABSCOLLINFOCEN escorts shall not use their badges, credentials or official status for private gain and shall refrain from use of alcoholic beverages while performing escort duties.

(2) Detainee Advisement of Rights. Because detainees are not generally interrogated by escorts concerning charges they are suspected of committing, it is not necessary to advise detainees of their rights under Uniform Code of Military Justice (UCMJ), article 31. Escorts will advise detainees they are suspected of desertion or being absent without authority in violation of UCMJ article 85 or article 86. Additionally, escorts will warn detainees of the seriousness of an attempted escape in violation of UCMJ, article 95. If at any time during the mission, detainees begin a spontaneous/unsolicited comment/statement about the circumstances surrounding charges against them, escorts may listen to the disclosures, but may not comment on or encourage the disclosures in any way without advising detainees of their rights under article 31b of the UCMJ.

(3) Search and Inspection of Detainees. Purpose of search/inspection is to ensure detainee does not have any weapons or contraband, is not infested with body insects, and has no obvious injuries. Military Rules of Evidence (MRE), paragraph 314.g.1, Manual for Courts-Martial (MCM) provides authority for searches incident to a lawful apprehension. All precautions should be taken to avoid risk of physical or legal jeopardy to the escort.

(4) Detainee's Personal Gear and Medication. Only personal items that will fit in the overhead compartment on aircraft will be taken with the detainee; being inventoried, accounted for, and secured during transport. When there are items beyond that capacity, the detainee will be given reasonable opportunity to make arrangements for transport of the items at their own expense, i.e., contacting a relative, mailing the items, etc. If there is still excessive personal gear, the OIC, AOIC, or Staff Duty Officer of NACIC will be contacted for guidance.

(5) Movement of Detainees. Escorts will take all necessary precautions to ensure safety of detainee, escorts and general public.

(6) Escape. Escape of detainees should be considered serious and reported immediately to higher authority and law enforcement officials; however, action will not be taken that could reasonably be expected to endanger the life or well being of the escort or innocent bystanders.

(7) Posse Comitatus. Per reference (c), personnel assigned to COMNAVPERSCOM DET NAVABSCOLLINFOCEN, when acting as escorts or in any other capacity, have no authority to initiate or participate in civilian law enforcement activities.

(8) Armed Escorts. Escorts will not normally be armed. If required, NAVPERSCOM (PERS-84) will authorize and coordinate armed escorts.

(9) Use of Force/Deadly Force. Use of force/deadly force will be applied strictly per reference (d).

(10) Transportation of Females. Female deserters/absentees will normally not be transported with male deserters/absentees and will be accompanied by at least one female escort. Exceptions to this rule shall be requested from NAVPERSCOM (PERS-84).

(11) Human Immunodeficiency Virus (HIV) Antibody Positive Deserter/Absentee. HIV antibody positive detainees will be processed on a case-by-case basis. Special considerations include determination of HIV status via detainee's medical record or notification via DD 553, and appropriate disposition regarding treatment. HIV status of any deserter/absentee is considered confidential will not be released to anyone without a demonstrated need to know, strict compliance with provisions of the privacy act instruction in reference (f).

(12) Escort Training. Training for escorts will consist of both pre-service and in-service training. At no time will

trainee staff be permitted to perform any task without qualified supervision. Should COMNAVPERSCOM DET NAVABSCOLLINFOCEN be tasked with a detainee move or other procedure for which there are not sufficient staff, NAVPERSCOM (PERS-84) shall be contacted for assistance.

b. COMNAVPERSCOM DET NAVABSCOLLINFOCEN Equipment Accountability. Designated equipment within NDAP program will be accounted for on a NAVSUP 306, Controlled-Equipage Custody Record. OIC, COMNAVPERSCOM DET NAVABSCOLLINFOCEN will personally conduct an annual sight inventory of each piece of equipment and record results on NAVSUP 306. Additionally, OIC, COMNAVPERSCOM DET NAVABSCOLLINFOCEN will be responsible for

(1) vehicles assigned to the unit;

(2) assuring unit vehicles are properly maintained, operated in a safe manner and not used for unauthorized purposes; and

(3) ensuring vehicle credit cards are controlled.

c. Oversight/Inspections. COMNAVPERSCOM DET NAVABSCOLLINFOCEN will be inspected annually by NAVPERSCOM (PERS-84). Results of the inspection will be provided to OIC, COMNAVPERSCOM DET NAVABSCOLLINFOCEN along with a time frame for correction of noted discrepancies. Technical assistance visits will also be provided by NAVPERSCOM (PERS-84) when requested or determined necessary.

d. Reserve Chaplain Assistance. Assistance to NOK of deserters/absentees shall be provided as follows:

(1) COs/OICs will provide a copy of the NOK notification letter required by article 1600-040 of reference (a) to the appropriate NAVRESREDCOM listed in enclosure (1). Additionally, COs/OICs will promptly notify NAVRESREDCOM of an absentee's return to military control.

(2) Per references (e), NAVRESREDCOM chaplains will notify the reserve chaplain nearest NOK of member's absence or return from absence. NAVRESREDCOM chaplain will provide administrative support to the reserve chaplains including proper training, reimbursement for postage and official telephone calls, and retention of records of contact with NOK for 3 years from date of contact.

(3) Per reference (e), reserve chaplains will provide necessary assistance and counsel to NOK assigned. Reserve chaplains will receive appropriate participation credit as authorized by Commander, Naval Reserve Force (COMNAVRESFOR).

7. Forms. Following forms will be utilized when directed to escort or receive an apprehended deserter or absentee.

a. Following forms are available at Naval Inventory Control Point using requisitioning procedures contained in CD-ROM NAVSUP Pub 600(NLL), Navy Stock List of Publications and Forms or at <http://forms.daps.mil/order/>.

DD 553 (SEP 89) (EG), Deserter/Absentee Wanted by the Armed Forces (S/N 0102-LF-008-3900)

DD 1351-2 (Oct 91), Travel Voucher or Sub-voucher (S/N 0102-LF-016-2700)

NAVCOMPT 2277 (AUG 81), Voucher for Disbursement and/or Collection (S/N 0104-LF-003-008)

OPNAV 5527/1 (JUN 98), Incident Report (S/N 0107-LF-114-9600)

OPNAV 5527/1A (FEB 83), Department of the Navy Traffic Accident Report (S/N 0107-LF-055-2707)

OPNAV 5527/2 (12-82), Department of the Navy Voluntary Statement (S/N 0107-LF-055-2710)

OPNAV 5527/3 (12-82), Department of the Navy Military Suspect's Acknowledgement and Waiver of Rights (S/N 0107-LF-055-2715)

OPNAV 5527/6, (12-82), Department of the Navy Investigative Notes (S/N 0107-LF-055-2730)

OPNAV 5527/22 (12-82), Department of the Navy Evidence/Property Custody Receipt (S/N 0107-LF-055-2810)

Standard Form 1164 (NOV 77), Claim for Reimbursement for Expenditures on Official Business (S/N 0104-LF-800-0077)

b. Following forms are available at <http://web1.whs.osd.mil/ICDHOME/NICDHOME.htm>.

DD 2718 (NOV 99), Inmate's Release Order

DD 2708 (NOV 99), Receipt for Inmate or Detained Person

DD 1970 (APR 81), Motor Equipment Utilization Record

c. Following forms can be ordered through your local GSA office or at www.gsaadvantage.gov.

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Standard Form 91 (Rev 02-93), Operator's Report of Motor
Vehicle Accident (S/N 7540-00-634-4041)

d. Following forms can be obtained through Federal Bureau of
Investigation (FBI) Identification Division, Washington, D.C.
20537-9700:

FD 249, FBI Fingerprint Card

R-84, FBI Final Disposition Report

G. L. HOEWING
Rear Admiral, U.S. Navy
Deputy Chief of Naval Personnel

Distribution:

SNDL

FJA3 (COMNAVPERSCOM, MILLINGTON TN) (PERS-84, only)
FR9 (RESERVE READINESS COMMAND)
C55A (NAVPERSCOM DET NAVABSCOLLINFOCEN GREAT LAKES
IL, only)
23C (COMNAVRESFOR NEW ORLEANS, LA)

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**NAVAL RESERVE READINESS COMMAND
(NAVRESREDCOM) DIRECTORY**

Naval Reserve Readiness Command Northeast
344 Easton St.
Newport, RI 02841-1515
DSN: 948-4460/3981
COMM: 401-841-4460/3981

Naval Reserve Readiness Command Mid Atlantic
1014 N St. SE. STE 310
Washington Navy Yard
Washington DC 20374-5009
DSN: 288-3822
COMM: 202-433-3822

Naval Reserve Readiness Command Southeast
Naval Air Station
Box 90 Bldg 966
Jacksonville, FL 32212-0090
DSN: 942-2486
COMM: 904-542-2486

Naval Reserve Readiness Command Mid South
Bldg S241
5722 Integrity Dr.
Millington, TN 38054-5048
DSN: 882-5550
COMM: 901-874-5550

Naval Reserve Readiness Command South
1803 Doolittle Ave.
Fort Worth, TX 76127-1803
DSN: 739-6607
COMM: 817 782-6607

Naval Reserve Readiness Command MidWest
2601B Paul Jones St.
Great Lakes, IL 60088-2845
DSN: 792-5467
COMM: 847-688-5467

Naval Reserve Readiness Command North Central
715 Apollo Ave.
Minneapolis, MN 55450-2018
DSN: 783-3723
COMM: 612-713-3723

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Naval Reserve Readiness Command Southwest
960 North Harbor Dr.
San Diego, CA 92132-5108
DSN: 522-1833
COMM: 619-532-1833

Naval Reserve Readiness Command Northwest
Bldg 2102
2000 West Marine View Dr.
Everett, WA 98207-2600
DSN: 727-3338
COMM: 425-304-3338