



NAME (Last, First, MI)	GRADE	SSN	UNIT & LOCATION
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6. The following punishment is imposed:

7. I have considered the appeal and it is my opinion that:

NAME, RANK, AND ORGANIZATION OF REVIEWING JUDGE ADVOCATE	SIGNATURE	DATE
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8. After consideration of all matters presented in the appeal, the appeal is:

Denied     Granted as follows:

NAME, RANK, AND ORGANIZATION OF COMMANDER	SIGNATURE	DATE
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9. I have seen the action taken on my appeal.

NAME AND RANK OF SERVICE MEMBER	SIGNATURE	DATE
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10. Allied Documents and/or Comments:

## ARTICLE 15 RIGHTS, MAXIMUM PUNISHMENTS, AND FILING

Article 15, UCMJ, is a federal law that permits commanding officers to conduct non-judicial proceedings for minor offenses. A Soldier may refuse Article 15 proceedings and demand trial by court-martial, unless attached to or embarked on a vessel. A Commander may find a Soldier guilty of an offense at an Article 15 proceeding only after being convinced beyond a reasonable doubt that the Soldier is guilty.

### SOLDIERS HAVE THE FOLLOWING RIGHTS AT AN ARTICLE 15 PROCEEDING:

- a. To refuse Article 15 proceedings and demand trial by court-martial. If the Soldier is attached to or embarked on a vessel, he or she is not permitted to refuse Article 15 proceedings. If a Soldier demands trial by court-martial, the trial could be a Summary, Special, or General Court-Martial. A Soldier may object to trial by Summary Court-Martial. At a Special or General Court-Martial, a Soldier is entitled to be represented by qualified military defense counsel, or by civilian counsel at no expense to the government.
- b. To request an open or closed hearing.
- c. To request a person to speak on his or her behalf.
- d. To invoke his or her rights under Article 31(b), UCMJ, to remain silent and to not make any statement regarding the offense(s) for which the Article 15 hearing is held. If the Soldier makes a statement, that statement may be used as evidence in a later trial by court-martial.
- e. To present matters in defense, extenuation, or mitigation.
- f. To discuss the Article 15 and its proceedings with an attorney in private before making these elections.
- g. To appeal the findings and punishment to the next superior authority.

### MAXIMUM PUNISHMENTS UNDER A FORMAL ARTICLE 15 FOR ENLISTED SOLDIERS IF IMPOSED BY:

A Company Grade Officer: An oral or written reprimand, restriction for 14 days, extra duty for 14 days, correctional custody for 7 days (if the Soldier is in the grade of E-3 or below and if a correctional custody facility is available), reduction of one grade (if the Soldier is in the grade of E-4 or below), and forfeiture of 7 days' pay. The amount of the forfeiture is computed at the reduced grade, even if suspended, if reduction is part of the punishment imposed.

A Field Grade or General Officer: An oral or written reprimand, restriction for 60 days, extra duty for 45 days, correctional custody for 30 days (if the Soldier is in the grade of E-3 or below and if a correctional custody facility is available), reduction of one or more grades (if the Soldier is in the grade of E-4 or below, and if imposed by a Commander of a unit authorized a Commander in the grade of O-5 or higher), reduction of one grade if the Soldier is in the grade of E-5 or E-6, and forfeiture of ½ of one month's pay for two months. The amount of the forfeiture is computed at the reduced grade, even if suspended, if reduction is part of the punishment imposed. When restriction is combined with extra duty, the maximum period of restriction is 45 days.

### MAXIMUM PUNISHMENTS UNDER ARTICLE 15 FOR COMMISSIONED & WARRANT OFFICERS IF IMPOSED BY:

A Company Grade Officer or Field Grade Officer: A written reprimand and restriction for 30 days.

*Note: The authority of company and field grade officers to impose Article 15 punishment on fellow officers is typically withheld by the General Court-Martial Convening Authority (GCMCA). Check with the command's Staff Judge Advocate before attempting to take action.*

A General Officer or GCMCA: A written reprimand, arrest in quarters for 30 days, restriction for 60 days, and forfeiture of ½ of one month's pay for two months.

### THE FILING OF ARTICLE 15 FORMS & REVIEW BY DA CAREER MANAGERS AND SELECTION BOARDS:

If a Commander finds a Soldier in the rank of Sergeant (E-5) or above guilty of one or more offenses at an Article 15 proceeding and imposes punishment, the Commander must file the Article 15 form in either the Soldier's Official Military Personnel File (OMPF) performance or restricted fiche. MOS/specialty career managers and DA Selection Boards routinely use the OMPF performance fiche. The OMPF restricted fiche is not given to MOS/specialty career managers or DA selection boards without the approval of the Commander, HRC or selection board proponent. If the Soldier is in the grade of E-4 or below at the start of an Article 15 proceeding and punishment is imposed, the form will be maintained locally and no filing in the OMPF, either in the performance or the restricted fiche, is authorized. AR 27-10, Chapter 3 provides detailed rules governing requests to transfer an Article 15 from a Soldier's performance fiche to his or her restricted fiche.

### THE NEED TO IMPROVE STANDARDS OF PERFORMANCE AND CONDUCT:

Soldiers found guilty at an Article 15 proceeding are considered to be on notice that they must improve their conduct and performance. An Article 15 may form the basis, either in whole or in part, for an administrative separation action that results in a less than honorable discharge. Soldiers are strongly encouraged to exhibit the behavior necessary to receive an Honorable Discharge. If not, one or more of the following situations may occur:

- a. The Soldier may be separated with a General Discharge under Honorable Conditions or with an Other Than Honorable Discharge.
- b. A Soldier separated with less than an honorable discharge may be barred from ever enlisting again, may encounter problems securing civilian employment, and may forfeit the many benefits generally associated with an Honorable Discharge.
- c. The Soldier should be aware that the likelihood of upgrading a less than honorable discharge, while possible, is unlikely.

ARTICLE 15 PUNISHMENT WORKSHEET

(Generated by MJOnline)

Soldier's Data: \_\_\_\_\_

Imposing Commander: \_\_\_\_\_

Type of Article 15: \_\_\_\_\_

The following maximum allowable punishment may be imposed:

Reduction:

Forfeiture

Deprivation of Liberty Punishments:

Correctional Custody: Maximum of 30 days. Note: This punishment may be imposed only if a CCF is available. Only Soldiers in grades E-1 to E3 can be placed in a CCF. May not be combined with Extra Duty or Restriction.

Extra Duty:

Restriction:

Reprimand: May be an oral or written reprimand. (Must be in writing if an officer.)

Any punishment may be suspended for up to 6 months.

Reduction to the Grade of: \_\_\_\_\_. If suspended, then (suspended for \_\_\_\_\_ days) or (reduction below the Grade of \_\_\_\_\_ suspended for \_\_\_\_\_ days/months).

Forfeiture of \_\_\_\_\_ pay per month for (one month) (two months) (suspend \_\_\_\_\_ of the forfeiture for the number of months selected for a period of \_\_\_\_\_ days/months).

Correctional Custody for \_\_\_\_\_ days, (suspended for \_\_\_\_\_ days/months).

Extra duty for \_\_\_\_\_ days, (suspended for \_\_\_\_\_ days/months).

Restriction for \_\_\_\_\_ days, (suspended for \_\_\_\_\_ days/months).

(Normal limits are Company area, Dining/Medical Facility, Place of Worship, and Place of Duty.)

Reprimand \_\_\_\_\_ (Oral \_\_\_\_\_) (Written \_\_\_\_\_).

(Reprimands for enlisted Soldiers may be oral or written and oral is typically appropriate. Reprimands of commissioned or warrant officers must be in writing.)

Date Punishment Imposed: \_\_\_\_\_

Commander's Initials: \_\_\_\_\_

RECORD OF PROCEEDINGS UNDER ARTICLE 15, UCMJ  
Continuation Sheet

Item 1, Continued: