

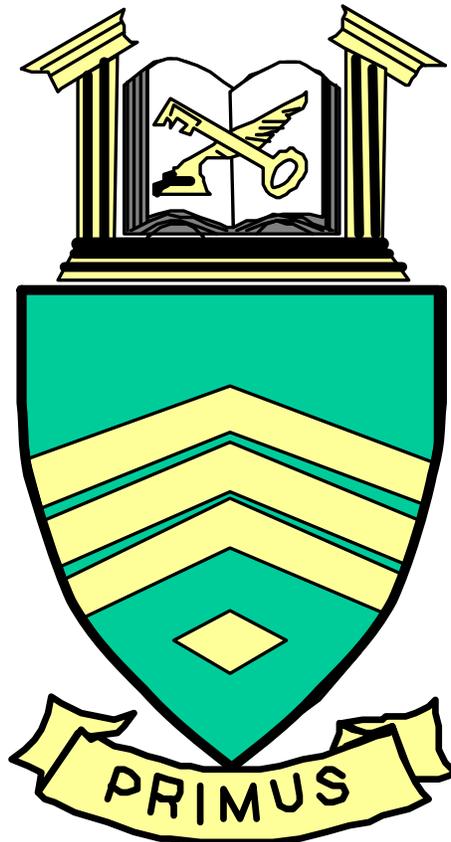
U.S. ARMY SERGEANTS MAJOR ACADEMY (FSC-TATS)

L675

OCT 04

ARTICLE 15

**TRAINING SUPPORT PACKAGE**



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## TRAINING SUPPORT PACKAGE (TSP)

<b>TSP Number / Title</b>	L675 / Article 15
<b>Effective Date</b>	01 Oct 2004
<b>Supersedes TSP(s) / Lesson(s)</b>	L675, Article 15, Oct 03
<b>TSP Users</b>	521-SQIM, First Sergeant Course
<b>Proponent</b>	The proponent for this document is the Sergeants Major Academy.
<b>Improvement Comments</b>	<p>Users are invited to send comments and suggested improvements on DA Form 2028, <i>Recommended Changes to Publications and Blank Forms</i>. Completed forms, or equivalent response, will be mailed or attached to electronic e-mail and transmitted to:</p> <p>COMDT USASMA ATTN ATSS DCF BLDG 11291 BIGGS FIELD FORT BLISS TX 79918-8002</p> <p>Telephone (Comm): (915) 568-8875 Telephone (DSN): 978-8875</p> <p>E-mail: <a href="mailto:atss-dcd@bliss.army.mil">atss-dcd@bliss.army.mil</a></p>
<b>Security Clearance / Access</b>	Unclassified
<b>Foreign Disclosure Restrictions</b>	This product/publication has been reviewed by the product developers in coordination with the USASMA foreign disclosure authority. This product is releasable to students from all requesting foreign countries without restrictions.

## PREFACE

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**Purpose**

This Training Support Package provides the instructor with a standardized lesson plan for presenting instruction for:

**Task Number**

**Task Title**

181-333-1001

Administer Military Justice in a Company

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This TSP  
Contains

## TABLE OF CONTENTS

	<u>PAGE</u>
Preface.....	2
Lesson           Section I Administrative Data .....	4
Section II Introduction.....	8
Terminal Learning Objective - Determine the correct use of nonjudicial and nonpunitive disciplinary action.....	9
Section III Presentation .....	11
Enabling Learning Objective A - Describe nonpunitive measures. ....	11
Enabling Learning Objective B - Describe the scope and procedures for nonjudicial punishment. ....	13
Enabling Learning Objective C - Identify actions taken under Article 15 notification.....	16
Section IV Summary.....	17
Section V Student Evaluation.....	18
Appendix A Viewgraph Masters   A - .....	1
Appendix B Test(s) and Test Solution(s) (N/A)   B - .....	1
Appendix C Practical Exercises and Solutions   C - .....	1

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**Article 15  
L675 / Version 1  
01 Oct 2004**

**SECTION I. ADMINISTRATIVE DATA**

<b>All Courses Including This Lesson</b>	<u>Course Number</u>	<u>Version</u>	<u>Course Title</u>
	521 SQIM	1	First Sergeant Course
<b>Task(s) Taught (*) or Supported</b>	<u>Task Number</u>	<u>Task Title</u>	
	181-333-1001	Administer Military Justice in a Company	
<b>Reinforced Task(s)</b>	<u>Task Number</u>	<u>Task Title</u>	
	None		
<b>Academic Hours</b>	The academic hours required to teach this lesson are as follows:		
		<u>Resident Hours/Methods</u>	
		1 hr 30 mins /Conference / Discussion	
		20 mins /Practical Exercise (Performance)	
	Test	0 hrs	
Test Review	0 hrs		
	Total Hours:	2 hrs	
<b>Test Lesson Number</b>		<u>Hours</u>	<u>Lesson No.</u>
	Testing (to include test review)	_____	N/A
<b>Prerequisite Lesson(s)</b>	<u>Lesson Number</u>	<u>Lesson Title</u>	
	L673	SOLDIER'S RIGHTS	

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**Clearance Access** Security Level: Unclassified  
Requirements: There are no clearance or access requirements for the lesson.

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**Foreign Disclosure Restrictions** This product/publication has been reviewed by the product developers in coordination with the USASMA foreign disclosure authority. This product is releasable to students from all requesting foreign countries without restrictions.

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**References**

<u>Number</u>	<u>Title</u>	<u>Date</u>	<u>Additional Information</u>
AR 27-10	LEGAL SERVICES: MILITARY JUSTICE	6 Sep 2002	
AR 600-20	ARMY COMMAND POLICY	15 May 2002	
MCM 2002	MANUAL FOR COURTS MARTIAL	11 Apr 2002	

**Student Study Assignments**

Before class--

- Read AR 27-10, Military Justice, Chapter 3.
- Read AR 600-20, Army Command Policy, Chapters 3 and 4.
- Read the MCM, Part V.

During class--

- Participate in class discussion and practical exercise.
- Complete PE 1.

After class--

- Turn in recoverable materials
- 

**Instructor Requirements** 1:16, FSC graduate, served as 1SG, ITC, SGITC, and VTT-ITC (VTT only) qualified.

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**Additional Support Personnel Requirements**

<u>Name</u>	<u>Stu Ratio</u>	<u>Qty</u>	<u>Man Hours</u>
One site coordinator at each VTT site to operate the TNET equipment and coordinate classroom instruction. Must be FSC grad, served as 1SG, ITC, and SGITC qualified. (Enlisted)	1:16	3	2 hrs

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<b>Equipment Required for Instruction</b>	<b>ID Name</b>	<b>Stu Ratio</b>	<b>Instr Ratio</b>	<b>Spt</b>	<b>Qty</b>	<b>Exp</b>
	441-06 LCD Projection System	1:16	1:1	No	1	No
	6730-00-577-4813 SCREEN PROJECTION: BM-10	1:16	1:1	No	1	No
	702101T134520 DELL CPU, MONITOR, MOUSE, KEYBOARD	16:16	1:1	No	1	No
	7110-00-T81-1805 DRY ERASE BOARD	1:16	1:1	No	1	No
	7510-01-424-4867 EASEL, (STAND ALONE) WITH PAPER	1:16	1:1	No	1	No
	FSC-1 TNET COMMUNICATIONS EQUIPMENT SUITE (VTT LESSON ONLY)	1:16	1:1	No	1	No
	FSC-2 TNET ROOM EQUIPMENT SUITE (VTT LESSON ONLY)	1:16	1:1	No	1	No
	FSC-3 TNET AUDIO/VIDEO LINKAGE EQUIPMENT (VTT LESSON ONLY)	1:16	1:1	No	1	No
	SNV1240262544393 36 - INCH COLOR MONITOR W/REMOTE CONTROL AND LUXOR STAND	1:16	1:1	No	1	No
	* Before Id indicates a TADSS					

**Materials Required**

**Instructor Materials:**

- VGTs: 3.
- TSP.
- MCM, AR 27-10, and AR 600-20.

**Student Materials:**

- Pen or pencil and writing paper.
- All reference material issued for this lesson.
- MCM, AR 27-10 and AR 600-20.

**Classroom, Training Area, and Range Requirements**

CLASSROOM XXI WITH T-NET CAPABILITY (VTT)  
CLASSROOM, GENERAL PURPOSE, 600 SF, 16 PN

**Ammunition Requirements**

<b>Id</b>	<b>Name</b>	<b>Exp</b>	<b>Stu Ratio</b>	<b>Instr Ratio</b>	<b>Spt Qty</b>
None					

**Instructional  
Guidance**

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**NOTE:** Before presenting this lesson, instructors must thoroughly prepare by studying this lesson and identified reference material.

Before class--

- Read all TSP material.
- Issue MCM, AR 27-10 and AR 600-20.
- The facilitator may need to create additional questions to ensure student participation continues throughout the lesson material.

During class--

- Cover all learning objectives.
- Conduct this lesson using the Small Group Instruction method and use the questions provided to generate discussion among the students at the different sites.
- The DL (VTT) instructor will select an appropriate site prior to asking a student a question.

After class--

- Collect recoverable material.
- Report any discrepancies to the Chief Instructor.

**Proponent  
Lesson Plan  
Approvals**

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<u>Name</u>	<u>Rank</u>	<u>Position</u>	<u>Date</u>
Garner, Curtiss W.	GS09	Training Specialist	
Adams, Chris L.	SGM	Chief Instructor, FSC	
Graham, Kevin L.	MSG	Chief, FSC	
Gratton, Steven M.	SGM	Chief, Functional Courses	
Bucher, George V.	GS11	Chief, CMD	
Lemon, Marion	SGM	Chief, CDDD	

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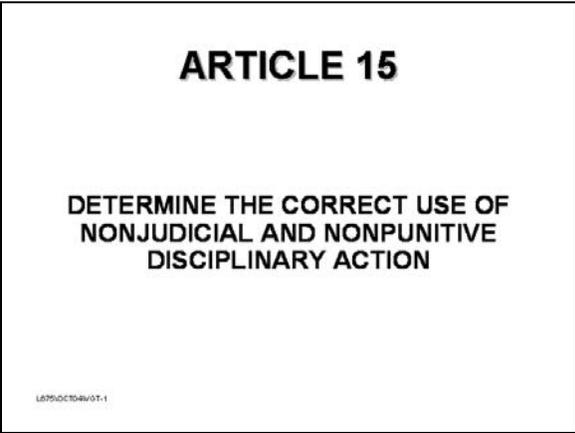
**SECTION II. INTRODUCTION**

Method of Instruction: Conference / Discussion  
Technique of Delivery: Small Group Instruction (SGI)  
Instructor to Student Ratio is: 1:16  
Time of Instruction: 5 mins  
Media: VGT-1

Motivator

**Camera: Main camera on the instructor. Ask each Distance Learning sites if they are prepared for training. Ask all site coordinators if all sites are up and if the students have all reference materials.**

**SHOW VGT-1, TITLE SLIDE**



The commander decides whether or not to impose punishment on unit personnel. Commanders also decide the type and amount of punishment. Commanders should consult with their senior leaders on the appropriate type, duration, and limits of any punishment imposed. As the first sergeant, you have a responsibility for recommending punishment for various types of misconduct within the unit. When we talk of disciplinary actions, we think of nonjudicial punishment, article 15, and the uniform code of military justice (UCMJ). Before nonjudicial action, you should always consider nonpunitive action.

---

**Terminal Learning Objective**

**NOTE:** Inform the students of the following Terminal Learning Objective requirements.

At the completion of this lesson, you [the student] will:

<b>Action:</b>	Determine the correct use of nonjudicial and nonpunitive disciplinary action.
<b>Conditions:</b>	As a first sergeant, in a classroom environment, given AR 27-10, AR 600-20, Manual for Courts-Martial (MCM) and student handouts.
<b>Standards:</b>	Determined the correct use of nonjudicial and nonpunitive disciplinary actions IAW AR 27-10, AR 600-20, and the MCM.

**Safety Requirements**

None

**Risk Assessment Level**

Low

**Environmental Considerations**

**NOTE:** It is the responsibility of all soldiers and DA civilians to protect the environment from damage.

**Evaluation**

You will take a multiple choice examination. The examination will contain questions from this and other lessons. You must correctly answer 70 percent or more of the questions on the examination to receive a GO.

---

**Instructional  
Lead-In**

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During several of the phase 1 lessons--MCM, Soldier's Rights, & Pretrial Confinement-you learned about the 1SG's role when enforcing standards and discipline. Disciplined soldiers take the right action, even if they don't feel like it. This lesson will discuss the actions that you will take and recommend to your commander when you find soldiers who do not fit the mold of a well-disciplined soldier.

**REMOVE VGT-1**

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### SECTION III. PRESENTATION

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**NOTE:** Inform the students of the Enabling Learning Objective requirements.

#### A. ENABLING LEARNING OBJECTIVE

<b>ACTION:</b>	Describe nonpunitive measures.
<b>CONDITIONS:</b>	As a first sergeant, in a classroom environment, given AR 27-10, AR 600-20, and the MCM.
<b>STANDARDS:</b>	Described nonpunitive measures IAW AR 27-10, AR 600-20, and the MCM.

1. Learning Step / Activity 1. Nonpunitive Measures

Method of Instruction: Conference / Discussion

Technique of Delivery: Small Group Instruction (SGI)

Instructor to Student Ratio: 1:16

Time of Instruction: 45 mins

Media: VGT-2

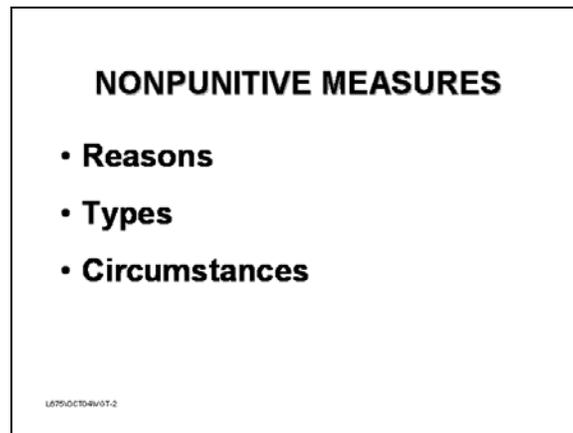
A responsibility of the unit first sergeant is to assist the commander in administering disciplinary action (punitive and nonpunitive) to the soldiers within the unit. It is essential to understand the differences. Nonpunitive measures are tools for teaching proper standards of conduct and performance and do not constitute punishment.

**NOTE:** Divide the class into 3 groups (for VTT each site is one group). Assign each group/site one of the following topics:

1. Reasons for nonpunitive measures.
2. Types of nonpunitive measures.
3. Other circumstances (i.e. who imposes, who administers, who supervises, when administered, etc.).

**NOTE:** Allow 15 minutes to complete the assignment with a 10-minute brief back. Have each group select a spokesperson. Ensure that the students discuss key elements in the lesson guide by paraphrasing the regulatory guidelines.

## SHOW VGT-2, NONPUNITIVE MEASURES



## REMOVE VGT-2

**NOTE:** Have each group leader discuss their assignment. Use the following questions to lead the discussion.

QUESTION: (GROUP 1), what types of misconduct would cause consideration of nonpunitive measures?

ANSWER: Nonpunitive measures usually deal with misconduct resulting from simple neglect, forgetfulness, laziness, inattention to instructions, sloppy habits, immaturity, difficulty in adjusting to disciplined military life, and similar deficiencies.

Ref: AR 27-10, para 3-3a

QUESTION: (GROUP 2), what type of nonpunitive measures may be taken that does not constitute punishment?

ANSWER: Denial of pass or other privileges, counseling, administrative reduction in grade, administrative reprimands and admonitions, extra training, bar to reenlistment, and military occupational specialty reclassification.

Ref: AR 27-10, para 3-3a

QUESTION: (GROUP 3), what are the other circumstances that involve utilization of nonpunitive measures?

ANSWER: Nonpunitive measures may be used for acts or omissions that may or may not be in violation of the UCMJ. NCOs may administer nonpunitive corrective action.

Ref: MCM, V-1g; AR 600-20, para 3-2c(3)

**NOTE:** Ensure students understand the fact that nonpunitive measures are corrective actions, not punishment. Place some focus on the area of extra training vs. extra duty. Extra duty is punishment received via Art 15, while extra training is normally an NCO function and one that is most abused.

AR 27-10 states, "A commander should use nonpunitive measures to the fullest extent to further the efficiency of the command before resorting to nonjudicial punishment." As previously discussed, NCOs assist the commander in administering minor nonpunitive corrective actions. These actions will assist you in maintaining good order and discipline within your unit. Using these measures appropriately provides you with an effective means of maintaining discipline without damaging a soldier's career. If the situation allows, you should always attempt to correct a minor act of misconduct with nonpunitive measures instead of nonjudicial punishment.

**CHECK ON LEARNING:**

**QUESTION:** One of your soldiers routinely evades or does a poor job during morning police call. The soldier's Platoon Sergeant has previously counseled him on his lack of performance and decides that he needs some additional training. The Platoon Sergeant informs him, that like the trash, he is supposed to be policing the many dandelions in the area. He gives the soldier a spoon and informs him that he is to dig up every dandelion in the company area. Are these actions consistent with the intent of additional training?

**ANSWER:** No. Extra training should not be conducted in a ridiculous or unnecessarily degrading manner. The training must relate directly to the deficiency and should be oriented to improving the soldier's performance.

Ref: AR 600-20, para 4-6b; AR 27-10, para, 3-3c

**Break:** TIME: 00:50 to 01:00

**B. ENABLING LEARNING OBJECTIVE**

<b>ACTION:</b>	Describe the scope and procedures for nonjudicial punishment.
<b>CONDITIONS:</b>	As a first sergeant, in a classroom environment, given AR 27-10, AR 600-20, and the MCM.
<b>STANDARDS:</b>	Described the scope and procedures for nonjudicial punishment IAW AR 27-10, AR 600-20, and the MCM.

1. Learning Step / Activity 1. Nonjudicial Punishment
  - Method of Instruction: Conference / Discussion
  - Technique of Delivery: Small Group Instruction (SGI)
  - Instructor to Student Ratio: 1:16
  - Time of Instruction: 25 mins
  - Media: VGT-3

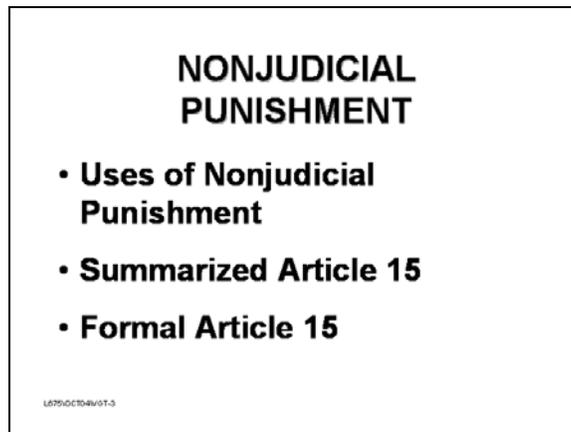
A responsibility of the unit first sergeant is to assist the commander in administering disciplinary action (punitive and nonpunitive) to the soldiers within the unit. It is essential to understand the differences. Nonpunitive measures are tools for teaching proper standards of conduct and performance and do not constitute punishment.

**NOTE:** Divide the class into 3 groups (for VTT each site is one group). Assign each group/site one of the following topics:

1. Uses of nonjudicial punishment.
2. Summarized article 15.
3. Formal article 15.

**NOTE:** Allow 10 minutes to complete the assignment with a 5-minute brief back. Have each group select a spokesperson. Ensure that the students discuss key elements in the lesson guide by paraphrasing the regulatory guidelines.

**SHOW VGT-3, NONJUDICIAL PUNISHMENT**



**REMOVE VGT-3**

**NOTE:** Have each group leader discuss their assignment. Use the following questions to lead the discussion.

QUESTION: (GROUP 1), under what circumstances would punitive measures be taken?

ANSWER: Use of nonjudicial punishment is proper in all cases involving minor offenses in which nonpunitive measures are considered inadequate or inappropriate. It is used to:

1. Correct, educate and reform offenders who cannot benefit from less stringent measures.
2. Preserve a soldier's record of service from unnecessary stigma by record of court-martial convictions.
3. Further military efficiency by disposing of minor offenses in a manner requiring less time and personnel than trial by court-martial.

Ref: AR 27-10, para 3-2

QUESTION: (GROUP 2), what are the procedures associated with summarized proceedings?

ANSWER: Ensure that the following topics are discussed: preliminary inquiry, notification and explanation of rights, decision period, hearing, appeal, recording, and filing.

Ref: AR 27-10, para 3-16a/b/c/d/e/f

QUESTION: (Group 3), who conducts the notification and explanation of rights?

ANSWER: A commissioned officer, warrant officer, or NCO (SFC or above, provided such person is senior to the soldier being notified).

Ref: AR 27-10, para 3-18a

Generally, informal proceedings are for minor offenses where the chain of command determines that the punishment should not exceed that authorized under summarized article 15. For more serious misconduct warranting greater punishment, but not court martial, formal proceedings should be the punishment of choice.

**CHECK ON LEARNING:**

QUESTION: How many types of article 15s proceedings are there?

ANSWER: Summarized and Formal.

**NOTE:** You may have students that believe there are three types of Article 15s (summarized, company grade and field grade). Allow discussion, but points out there are only two types. The company grade and field grade terminology only applies to the levels of punishment authorized under the formal article 15s. The major differences between summarized and formal are in punishment, notification procedures, filing, and the right to counsel.

Ref: AR 27-10, para 3-16 and 3-17

**C. ENABLING LEARNING OBJECTIVE**

<b>ACTION:</b>	Identify actions taken under Article 15 notification.
<b>CONDITIONS:</b>	As a first sergeant, in a classroom environment, given AR 27-10.
<b>STANDARDS:</b>	Identified actions taken under Article 15 notification IAW AR 27-10.

- 1. Learning Step / Activity 1. Notify soldier
  - Method of Instruction: Practical Exercise (Performance)
  - Technique of Delivery: Small Group Instruction (SGI)
  - Instructor to Student Ratio: 1:16
  - Time of Instruction: 20 mins
  - Media: PE-1

Now that we have a better understanding of Article 15 proceedings, we will conduct a practical exercise to reinforce that learning.

**NOTE:** Complete PE-1 (Article 15).

**CHECK ON LEARNING:** The questions throughout this lesson serve as the check on learning.

**SECTION IV. SUMMARY**

Method of Instruction: <u>Conference / Discussion</u>
Technique of Delivery: <u>Small Group Instruction (SGI)</u>
Instructor to Student Ratio is: <u>1:16</u>
Time of Instruction: <u>5 mins</u>
Media: <u>None</u>

**Check on Learning**

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The check on learning questions throughout this TSP serve as the check on learning for this TSP.

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**Review / Summarize Lesson**

1SGs serve an important role as advisers to commanders in deciding how to deal with a soldier accused of an offense. You must deal with misconduct at the lowest level that meets the needs of the army, the unit, and the soldier. Although the commander has final responsibility for this decision, your advice as a 1SG should weigh heavily. Your candid assessment of the soldier's strengths and weaknesses is a great help. Especially valuable is your estimate of the soldier's potential for rehabilitation. As leaders, your personal and professional ethics must always be exemplary. As 1SGs you have a great deal of authority and influence. You must be fair and impartial in their use. If you are not, soldiers will perceive the military justice system as unfair, thus affecting discipline and unit morale.

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**SECTION V. STUDENT EVALUATION**

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**Testing Requirements**

**NOTE:** Describe how the student must demonstrate accomplishment of the TLO. Refer student to the Student Evaluation Plan.

You will take a multiple choice examination. The examination will contain questions from this and other lessons. You must correctly answer 70 percent or more of the questions on the examination to receive a GO.

---

**Feedback Requirements**

**NOTE:** Feedback is essential to effective learning. Schedule and provide feedback on the evaluation and any information to help answer students' questions about the test. Provide remedial training as needed.

You will participate in an After Action Review (AAR) immediately following the examination for this particular lesson.

---

Terminal Learning Objective

VGT-1, Title Slide

# **ARTICLE 15**

**DETERMINE THE CORRECT USE OF  
NONJUDICIAL AND NONPUNITIVE  
DISCIPLINARY ACTION**

L675\OCT04\WGT-1

Enabling Learning Objective A

Learning Step 1

VGT-2, Nonpunitive Measures

# **NONPUNITIVE MEASURES**

- **Reasons**
- **Types**
- **Circumstances**

L675\OCT04\VGT-2

Enabling Learning Objective B

Learning Step 1

VGT-3, Nonjudicial Punishment

# **NONJUDICIAL PUNISHMENT**

- **Uses of Nonjudicial Punishment**
- **Summarized Article 15**
- **Formal Article 15**

L675\OCT04\VGT-3

**Appendix B Test(s) and Test Solution(s) (N/A)**

## PRACTICAL EXERCISE 1

<b>Title</b>	ARTICLE 15		
<b>Lesson Number/Title</b>	L675 version 1 / ARTICLE 15		
<b>Introduction</b>	This practical exercise will help you understand how to conduct Article 15 proceedings.		
<b>Motivator</b>	As the first sergeant in your company, battery, or troop, you are responsible for the conduct of Article 15 proceedings. Your commander will have limited experience in these proceedings and will rely on your knowledge. This PE gives you the opportunity to practice these skills using the knowledge gained during this lesson.		
<b>Learning Step/Activity</b>	<p><b>NOTE:</b> The instructor should inform the students of the following Learning Step/Activity requirements. (ELO C.1)</p> <p>At the completion of this lesson, you [the student] will:</p> <table border="1"><tr><td><b>Action:</b></td><td>Notify soldier</td></tr></table>	<b>Action:</b>	Notify soldier
<b>Action:</b>	Notify soldier		
<b>Safety Requirements</b>	None		
<b>Risk Assessment Level</b>	Low		
<b>Environmental Considerations</b>	None		
<b>Evaluation</b>	You will determine how well the PE went during the post-PE discussion with the instructor and observers.		
<b>Instructional Lead-In</b>	None		
<b>Resource Requirements</b>	<p><b>Instructor Materials:</b></p> <ul style="list-style-type: none"><li>• TSP.</li></ul> <p><b>Student Materials:</b></p> <ul style="list-style-type: none"><li>• Pen or pencil and writing paper.</li><li>• All reference material issued for this lesson.</li></ul>		

**Special  
Instructions**

---

Allow students time to discuss the procedures for notification of nonjudicial punishment in accordance with AR 27-10, Appendix B. Select two students in each class, one to be the first sergeant and the other to be a soldier receiving notification of Article 15 proceedings. Have the remaining soldiers act as observers to the proceedings. Give each participant the appropriate supporting documents (PE-1-3/6 & 7 for the first sergeant, PE-1-4 for the soldier receiving the Article 15, and PE-1-5 for the observers). Instruct the classes that they have 10 minutes to complete the role-playing exercise.

**NOTE:** At the completion of the role-playing, reassemble the classes and have the observers provide feedback using their student notes and AR 27-10, Appendix B. Answer all questions on PE-1-5 to guide students through the review of PE-1.

---

**Procedures**

ARTICLE 15 RECIPIENT ROLE-PLAYING INSTRUCTIONS

(For Use with Practical Exercise 1)

You are the first sergeant for Company D, 1st Bn, 5th Infantry, Fort Blank, VA. CPT Smith, your commander, authorized you to deliver a DA Form 2627 to SPC Robert L. Ager. The student playing the role of SPC Ager will have a copy of the DA Form 2627 at the beginning of the exercise.

Requirements:

- a. Use the DA Form 2627 (PE-1-8) as the basis for this practical exercise.
  - b. Modify the notification procedures found in Appendix B, AR 27-10 to perform the notification procedure.
  - c. Use AR 27-10 and part IV of the Manual for Courts-Martial (MCM) as necessary during the notification procedure (PE-1-6&7).
  - d. Do not omit any steps in the notification process.
-

## ARTICLE 15 RECIPIENT ROLE-PLAYING INSTRUCTIONS

(For Use with Practical Exercise 1)

You are SPC Robert L. Ager; a soldier assigned to Company D, 1st Bn, 5th Infantry, Fort Blank, VA. CPT Smith, your commander, authorized your first sergeant to deliver a DA Form 2627 to you.

Requirements:

- a. Use the DA Form 2627 (PE-1-8) as the basis for this practical exercise.
- b. During the reading of the Article 15, the first sergeant will tell you to read items 1 and 2 of the DA Form 2627. Choose one of the following options:
  - (1) When the first sergeant asks if you understand item #1 reply, "No."
  - (2) When the first sergeant asks if you understand item #2 reply, "No."
- c. Do not demand court-martial.
- d. You may choose any option regarding an open hearing, spokesperson, or witnesses.

## ARTICLE 15 RECIPIENT ROLE-PLAYING INSTRUCTIONS

(For Use with Practical Exercise 1)

You will observe SPC Robert L. Ager receiving a DA Form 2627 from his first sergeant.

### 1. Requirements:

- a. Use DA Form 2627 (PE-1-8) as the basis for this practical exercise.
- b. Follow along with the notification procedures found in Appendix B, AR 27-10 during the notification procedure role-play.

### 2. Points to make note of during the practical exercise:

- a. Did the first sergeant modify all "I's" in the suggested notification proceedings to "the commander" or "CPT Smith?"
- b. Did the first sergeant explain items that SPC Ager did not understand?
- c. Did the first sergeant inform SPC Ager of the maximum punishment that CPT Smith could impose? (Ref: Table 3-1, AR 27-10.)
- d. Did the first sergeant inform SPC Ager the maximum punishment he could receive in a court-martial? (Ref: MCM, Appendix 12.)
- e. Did the first sergeant read all 10 steps in the notification process?

**10.c.(4), (p IV-13) Article 86--Absence without leave**

**10.f.(4), (p IV-15) Maximum punishment.**

1. *Failing to go to, or going from, the appointed place of duty.* Confinement for 1 month and forfeiture of two-thirds pay per month for 1 month.
2. *Absence from unit, organization, or other place of duty.*
  - (a) For not more than 3 days. Confinement for 1 month and forfeiture of two-thirds pay per month for 1 month.
  - (b) For more than 3 days but not more than 30 days. Confinement for 6 months and forfeiture of two-thirds pay per month for 6 months.
  - (c) For more than 30 days. Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 1 year.
  - (d) For more than 30 days and terminated by apprehension. Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 18 months.
3. *From guard or watch.* Confinement for 3 months and forfeiture of two-thirds pay per month for 3 months.
4. *From guard or watch with intent to abandon.* Bad-conduct discharge, forfeiture of all pay and allowances, and confinement for 6 months.
5. *With intent to avoid maneuvers or field exercises.* Bad-conduct discharge, forfeiture of all pay and allowances, and confinement for 6 months.

**Army Regulation 27-10**  
**Military Justice**  
6 September 2002

**Table 3-1**  
**Maximum Punishment**

**A. Maximum Punishment for Enlisted Members**

Punishment

Admonition/Reprimand  
and  
14 Days Extra Duty  
and  
14 Days Restriction  
and  
One Grade Reduction  
and  
Forfeiture of 7 Days Pay

DA FORM 2627

**RECORD OF PROCEEDINGS UNDER ARTICLE 15, UCMJ**

For use of this form, see AR 27-10; the proponent agency is TJAG.

*See Notes on Reverse Before Completing*

NAME AGER, Robert L.		GRADE E4	SSN 000-00-0000	UNIT Co D, 1/5 Inf, Ft Blank, VA 00000-	PAY (Basic & \$830.40
<p>1. I am considering whether you should be punished under Article 15, UCMJ, for the following <sup>1/</sup> At Ft. Blank, VA, On or about 0600 hours, 5 Sep 97, you did, without authority, fail to go at the time prescribed to your appointed place of duty, to wit: Formation, Co D, 1/5 Inf, in front of Building 13. This is in violation of Article 86, UCMJ.</p> <p>2. You are not required to make any statements, but if you do, they may be used against you in this proceeding or at a trial by court-martial.</p> <p>You have several rights under this Article 15 proceeding. First I want you to understand I have not yet made a decision whether or not you will be punished. I will not impose any punishment unless I am convinced beyond a reasonable doubt that you committed the offense(s).</p> <p>You may ordinarily have an <del>an</del> open hearing before me. You may request a person to speak on your behalf. You may present witnesses or <sup>3/</sup> other evidence to show why you shouldn't be punished at all (<i>matters of defense</i>) or why punishment should be very light (<i>matters of extenuation and mitigation</i>). I will consider everything you present before deciding whether I will impose punishment or the type and <sup>4/</sup></p>					
DATE TIME	NAME, GRADE, AND ORGANIZATION OF COMMANDER JAMES A. SMITH, CPT, Co D, 1/5 Inf			SIGNATURE	
<p>3. Having been afforded the opportunity to consult with counsel, my decisions are as follow: (<i>Initial appropriate blocks</i>,</p> <p>a <input type="checkbox"/> I demand trial by court-</p> <p>b <input type="checkbox"/> I do not demand trial by court-martial and in the Article 15</p> <p>(1 I request the hearing <input type="checkbox"/> Open <input type="checkbox"/> Close (2 A person to speak in my behalf <input type="checkbox"/> I <input type="checkbox"/> Is not requested.</p> <p>(3 Matters in defense, mitigation, and/or extenuation: <input type="checkbox"/> Are not presented <input type="checkbox"/> Will be presented in person <input type="checkbox"/> Ar attache</p>					
DATE	NAME AND GRADE OF SERVICE MEMBER ROBERT L. AGER, SPC			SIGNATURE	
<p>4. In a(n) <input type="checkbox"/> Open <input type="checkbox"/> Closed hearing all matters presented in defense, mitigation, and/or considered, the following punishment is <sup>5/ 6/</sup></p> <p>5. I direct the original DA Form 2627 be filed in the <input type="checkbox"/> Performance <input type="checkbox"/> Restricted file <sup>7/</sup> of</p> <p>6. You are advised of your right to appeal to the _____ within 5 calendar days. An appeal made after that</p>					
DATE TIME	NAME, GRADE, AND ORGANIZATION OF COMMANDER			SIGNATURE	
<p>7. (<i>Initial appropriate block, date, and</i></p> <p>a. <input type="checkbox"/> I do not appeal <input type="checkbox"/> I appeal and do not submit additional <sup>8/ 9/</sup> c. <input type="checkbox"/> I appeal and submit additional <sup>8/ 9/</sup></p>					
DATE	NAME AND GRADE OF SERVICE MEMBER			SIGNATURE	
<p>8. I have considered the appeal and it is my opinion that:</p>					
DATE	NAME AND GRADE OF JUDGE ADVOCATE			SIGNATURE	
<p>9. After consideration of all matters presented in appeal, the appeal</p> <p><input type="checkbox"/> Denied <input type="checkbox"/> Granted as <sup>10/</sup></p>					
DATE TIME	NAME, GRADE, AND ORGANIZATION OF COMMANDER			SIGNATURE	
10. I have seen the action taken on my appeal.		DATE	SIGNATURE OF SERVICE MEMBER		
<p>11. ALLIED DOCUMENTS AND/OR COMMENTS <sup>11/ 12/ 13/</sup></p>					

**Feedback  
Requirements**

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You will participate in an After Action Review (AAR) immediately following the examination for this particular lesson.

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This Appendix contains the items listed in this table--

<b>Title/Synopsis</b>	<b>Pages</b>
SH-1, Advance Sheet	SH-1-1
SH-2, Student Notes	SH-2-1

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# Student Handout 1

## Advance Sheet for L675

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**Lesson Hours** This lesson consists of 1-hour small group presentation.

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**Overview** This lesson covers your duties as a first sergeant in assisting the commander by recommending punishment for various types of misconduct within the unit.

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**Learning Objectives** Terminal Learning Objective (TLO).

<b>Action:</b>	Determine the correct use of nonjudicial and nonpunitive disciplinary actions.
<b>Conditions:</b>	As a first sergeant, in a classroom environment, given AR 27-10, AR 600-20, Manual for Courts-Martial (MCM) and student handouts.
<b>Standards:</b>	Determined the correct use of nonjudicial and nonpunitive disciplinary actions IAW AR 27-10, AR 600-20, and the MCM.

Enabling Learning Objectives (ELOs).

- ELO A** Identify nonpunitive measures.  
**ELO B** Identify the scope and procedures for nonjudicial punishment.  
**ELO C** Identify actions taken under Article 15.
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**Assignment** The student assignments for this lesson are:

- Read AR 27-10, Military Justice, chapter 3.
  - Read MCM, Part V.
  - Read AR 600-20, Army Command Policy.
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**Additional Subject Area Resources** None

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**Bring to Class**

- All reference materials required for completion of this lesson.
- Writing materials.

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