

SUMMARIZED RECORD OF PROCEEDINGS UNDER ARTICLE 15, UCMJ

For use of this form, see SMDR 27-10, Chapter 3; the proponent agency is ALNG-OSJA.

A summarized Article 15 may only be used for enlisted personnel. The punishments that may be imposed are limited to: extra duty for 14 days or less, restriction for 14 days or less, an oral reprimand/admonition, or any combination thereof. The imposing commander will ensure that the Soldier understands the rights found on page 2 of this form. An NCO will normally go over these rights with the Soldier.

NAME	GRADE	SSN	UNIT & LOCATION

1. On _____, 20____ the above Soldier was informed that the commander was considering imposition of nonjudicial punishment under the provisions of Article 15, ACMJ, Summarized Proceedings, for the following misconduct:

2. The member was advised that no statement was required, but that any statement made could be used against him or her in the proceeding or in a court-martial. The member was also informed of the right to demand trial by court-martial, the right to present matters in defense, extenuation and/or mitigation, for which any matters presented would be considered by me before deciding whether to impose punishment, the type or amount of punishment, if imposed, and that no punishment would be imposed unless I was convinced beyond a reasonable doubt that the service member committed the misconduct. The service member was afforded the opportunity to take 24 hours to make a decision regarding these rights. No demand for trial by court-martial was made. After considering all matters presented, the following punishment was imposed:

Guilty of all offenses OR Guilty of the offenses not lined out OR Not guilty of all offenses (*destroy form*)

Based on the findings, I imposed the following punishment(s):

Extra Duty for _____ days (*max of 14*) Restriction for _____ days (*max of 14*) Oral reprimand or admonition

The punishment(s) of _____ (was/were)

suspended, to be automatically remitted if not vacated before _____ (date)

3. I advised the Soldier of his or her right to appeal to the next superior authority within five calendar days, that an appeal made after that time could be rejected as untimely, and that the punishment was effective immediately unless otherwise stated. The Soldier:

Elected immediately not to appeal Requested a reasonable time to decide whether to appeal.

NAME, RANK, AND ORGANIZATION OF COMMANDER	SIGNATURE	DATE

4. (*Initial appropriate block, date, and sign*)

a. I do not appeal. b. I appeal and do not submit matters for consideration. c. I appeal and submit additional matters

NAME AND RANK OF SERVICE MEMBER	SIGNATURE	DATE

5. After consideration of all matters presented in appeal, the appeal is:

Denied Granted as follows:

NAME, RANK, AND ORGANIZATION OF COMMANDER	SIGNATURE	DATE

6. I have seen the action taken on my appeal.	SIGNATURE OF SERVICE MEMBER	DATE

7. ALLIED DOCUMENTS AND/OR COMMENTS

SUMMARIZED ARTICLE 15 RIGHTS, MAXIMUM PUNISHMENTS, AND FILING:

Article 15, ACMJ, is a state law that permits commanding officers to conduct nonjudicial proceedings for minor offenses. A Soldier may not refuse Article 15 proceedings and demand trial by court-martial, unless the Commander intends to impose a restriction on liberty. 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.

Summarized Article 15 procedures are the most informal type of Article 15 proceeding and are governed by the rules in SMDR 27-10, Chapter 3, and paragraph 3-16. Summarized Article 15 procedures may not be used for warrant or commissioned officers.

SOLDIERS HAVE THE FOLLOWING RIGHTS AT A SUMMARIZED ARTICLE 15 PROCEEDING:

- a. To refuse Article 15 proceedings and demand trial by court-martial the Commander must have imposed restriction on liberty. If a Soldier demands trial by court-martial, the trial could be a Summary, Special, or General 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 remain silent and to not make any statement about the charged offenses. Any statement made may be used against the Soldier in any other proceeding, including a trial by court-martial.
- c. To confront witnesses, to examine the evidence, and to present matters in defense, extenuation, or mitigation.
- d. To appeal the findings and punishment to the next superior authority.
- e. To be given a reasonable amount of time (*normally 24 hour*) whether to accept summarized Article 15 procedures or to demand trial by court-martial if the Commander is imposing a restriction on liberty. Because of the limited nature of potential punishments under a summarized Article 15 proceeding, the Soldier has no right to consult with legal counsel.

MAXIMUM PUNISHMENTS UNDER SUMMARIZED ARTICLE 15 PROCEEDINGS:

Regardless of the rank of the commander imposing a summarized Article 15, the maximum punishment may not exceed 14 days extra duty, 14 days restriction, an oral reprimand or admonition, or any combination thereof.

THE RECORDING AND FILING OF SUMMARIZED ARTICLE 15 FORMS:

The proceedings will be reflected on AGO Form 2627-1. This form will be maintained locally in the unit's nonjudicial punishment file (*file number 27-10f*). The form will be destroyed at the end of two years from the date of imposition of the punishment, or upon the Soldier's transfer from the unit, whichever occurs first. A copy will be provided to the Soldier if a request is submitted during the filing period. The AGO 2627-1 is not filed in the Soldier's Official Military Personnel File (*OMPF*).

THE NEED TO IMPROVE STANDARDS OF PERFORMANCE AND CONDUCT:

Soldiers found guilty at any Article 15 proceeding, including a summarized proceeding, are considered to be on notice that they must improve their conduct and performance. An Article 15, whether summarized or formal, may form the basis, in whole or in part, for an administrative separation 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.
- e. The Soldier should know that the likelihood of upgrading a less than honorable discharge, while possible, is unlikely.

Continuation Sheet, AGO Form 2627-1, Pertaining to: