



## DEPARTMENT OF THE NAVY

COMMANDING OFFICER  
TRARON EIGHT SIX  
390 SAN CARLOS RD SUITE G  
PENSACOLA FLORIDA 32508-5503

TRARONEIGHTSIXINST 1620.1H <sup>IN REPLY REFER TO:</sup>

N1

22 Jan 2015

TRARON EIGHT SIX INSTRUCTION 1620.1H

From: Commanding Officer, Training Squadron EIGHT SIX

Subj: PROCEDURES FOR REPORTING AND INVESTIGATING VIOLATIONS OF  
THE UNIFORM CODE OF MILITARY JUSTICE

Ref: (a) Manual for Courts-Martial  
(b) Manual of the Judge Advocate General

Encl: (1) Report of Offense  
(2) NAVPERS 1626/7 Report and Disposition of  
Offense(s)  
(3) Suspect's Rights Acknowledgement/Statement  
(4) NASP 5812/3 Memorandum for the Commanding  
Officer for Non-judicial Punishment  
(5) Captain's Mast, Accused's Notification and  
Election of Rights, Accused not Attached or Embarked  
in a Vessel, Record may be used in Aggravation in  
event of later Court-Martial  
(6) Captain's Mast, Accused's Acknowledgement of  
Appeal Rights

1. Purpose. To establish procedures within this command for reporting and investigating all violations of the Uniform Code of Military Justice (UCMJ). This instruction contains numerous revisions and should be read in its entirety.

2. Cancellation. TRARONEIGHTYSIXINST 1620.1G

3. Action. The procedures for reporting and investigating violations of the UCMJ will be as follows:

a. Submit all reports of UCMJ violations by completing and forwarding enclosure (1) to the Legal officer for review. All reports initiated by the Command Duty Officer (CDO) or Squadron Duty Officer (SDO) will be recorded in the Squadron Duty Officer's Log. The Legal Officer will record the chit and forward to the XO for assignment of a Preliminary Inquiry Officer (PIO) to investigate the charge.

b. The PIO will conduct an investigation in accordance with this instruction and compile his or her report. This report will consist of the following:

- (1) Original Report of Offense chit {enclosure (1)}.
- (2) Signed NAVPERS 1626/7 Report and Disposition of offenses(s) form {enclosure (2)}.
- (3) Signed suspects rights acknowledgement/statement {enclosure (3)}.
- (4) Signed statement of any witnesses or summaries of interviews.
- (5) Original or certified copies of documentary evidence.
- (6) Completed NASP Form 5812/3, memorandum for the Commanding Officer for Non-Judicial Punishment {enclosure (4)}.
- (7) Completed form Captain's Mast, Accused's Notification and Election of Rights, Accused not Attached to or embarked in a vessel, Record may be used in Aggravation in event of later Courts-Martial {enclosure (5)}.

c. Interviewing and Investigating:

(1) Ascertain the elements of proof. The primary objective of the PIO is to collect evidence pertaining to the alleged offense(s). First, he/she must read the paragraphs in the Manual for Courts-Martial (MCM) which describe the offense(s). Each of the common offenses are described in Part IV of the MCM. In each paragraph, there is a section which lists elements of proof for that offense. The PIO is to look for anything which tends to support or negate an element of proof. The PIO must be impartial.

(2) Ascertain sentencing data. Second, the PIO will collect information to aid the Commanding Officer in deciding how the case should be resolved. Items of interest to the Commanding Officer include the accused's assigned duties, an evaluation of performance, attitude and ability to get along with others, any indication of drug/alcohol abuse and any particular difficulties/hardships the accused is willing to discuss.

d. Gathering evidence:

(1) Interrogate the witness first, not the accused.

(2) Before interviewing the accused, the investigator must be prepared. Even if the accused confesses guilt, the PIO will nevertheless collect independent evidence corroborating the confession.

(3) Witnesses who have relevant information should be requested to make a written statement. When a witness is interviewed by telephone and unavailable to execute a written statement, the PIO must summarize the interview and submit it in writing.

(4) In interviewing a witness, the PIO should seek all relevant information. One method is to start with a general survey question asking the witness to relate everything about the case, then follow up with specific questions. After the interview, the PIO should assist the witness in writing a statement that is thorough, relevant, orderly, and clear. The substance must always be the actual thoughts, knowledge, or beliefs of the witness. The assistance of the PIO must be limited to helping the witness express comments accurately in a written form.

(5) Collect the documentary evidence. This includes Police Reports, log entries, watchbills, local instruction/organization manuals, etc. When a relevant document exists, the original or certified copy will be attached to the report. The PIO has the authority to certify true copies by subscribing the words "CERTIFIED TO BE A TRUE COPY," and adding his/her signature.

(6) Collect the real evidence. This is the knife in the assault case, the stolen camera in the theft case, etc. Before the PIO seeks any real evidence, he/she must contact the Legal Officer concerning rules of search and seizure. If an item is too big to bring to Mast or a courtroom, a photograph should be taken. If real evidence is already in the custody of a law enforcement agency, it should be left there unless otherwise directed; however, the PIO may wish to inspect it personally.

e. Advising the accused of his/her rights during interrogation.

(1) Before questioning, the PIO must inform the accused of the suspected charges and ensure that he/she understands them.

(2) Enclosures (2) and (3) have been drafted to ensure that the PIO correctly advises the accused of his/her rights before asking any questions. Completing enclosure (2) must be the first order of business when meeting with the accused. Only one witness is necessary, and that witness may be the PIO.

(3) If the accused refuses to sign enclosures (2) and (3), the PIO should reread the accused's rights in the presence of an impartial observer and print "Accused refuses to sign" in the block provided for the signature of the accused. The PIO should sign as one witness and the impartial observer as the other.

f. Interrogating the accused:

(1) The accused may be questioned only if he/she has knowingly and intelligently waived all of his/her constitutional rights. Such waiver will be recorded on enclosure (3). If the accused asked whether he/she should waive his/her rights, the PIO must decline to answer or give any advice. The accused may be referred to the Naval Legal Services Office, 121 Cuddy St. Suite B., Building 680, NAS Pensacola, Florida for legal advice. The PIO cannot give legal advice.

(2) If the accused waives all rights, the PIO may question him/her, using the same procedure as suggested for interviewing witnesses, as described in paragraph 3.d(4). It is further suggested the PIO maintain, as far as possible, a low-key manner so as not to disquiet the accused. If the accused seems inclined to lie or distort, the PIO should allow it during the accused's initial oral statement. When the accused finishes, the PIO may use pointed questions to probe or confront the accused with inconsistencies or contradictions. Concerning his/her own conduct, the PIO should keep in mind that any statement or confession that is not made voluntarily may not be used as evidence.

(3) If the accused is willing to make a written statement, ensure that he/she has acknowledged and waived his/her rights on enclosures (2) and (3). The PIO must refrain from "putting words in the accused's mouth." If the statement

is typed, the accused should read it over carefully and be permitted to make changes. All changes should be initialed by the accused. The completed statement should be signed by the accused and witnessed by the PIO.

(4) If the accused does not wish to make a written statement, the PIO may attach a summary of the interrogation to his/her report. Where the accused has omitted important information in a written statement, the PIO may wish to add a summary of the omitted information.

(5) To protect the rights of the accused and ensure expeditious processing, it is required that the investigation be completed within ten working days from receipt of the Report of Offense. If additional time is needed, the PIO should request an extension in writing from the Legal Officer.

(6) Upon completion of the investigation, all enclosures will be forwarded through the Chain of Command to the Legal Officer for processing.

  
W. P. DONNELLY

Distribution:

Electronic only, via VT-86 Website:

<https://www.cnatra.navy.mil/tw6/vt86/Instructions.asp>

REPORT OF OFFENSE

Instruction: The process for putting a member of this command on report is initiated by filling out this form. The NAVPERS 1626/7 form will be prepared by the Legal Office using information recorded hereon. Be as thorough as possible. Print all entries.

		Date of report:
Name of Accused:	Rate & Division:	
Exact place of offense:	Time & Date:	
General Nature of Offense: (UA, assault, larceny, etc.)		
Detailed description of what happened (or what should have happened or what should have happened that did not happen, what was said, etc.,) in the order of occurrence.		
Other persons involved actively or passively (Name, Rate or "Civilian," and division duty station or address)		
Other persons involved, actively or passively (Name, Rate or "Civilian," and division duty station or address)		
Other witnesses: (Name, Rate or "Civilian," and division, duty station or address)		
Describe physical evidence, if any, and current location or custody		
Rank, Rate and Title of person submitting report	Signature of person submitting report	

REPORT AND DISPOSITION OF OFFENSE(S)

To: Commanding Officer, _____			Date of Report: _____				
1. I hereby report the following named person for the offense(s) noted:							
NAME OF ACCUSED		SERIAL NO. N/A	SOCIAL SECURITY NO.	RATE/GRADE	BR & CLASS	DIV/DEPT	
PLACE OF OFFENSE(S)			DATE OF OFFENSE(S)				
DETAILS OF OFFENSE(S) (Refer by article of UCMJ, if known. If unauthorized absence, give following info: time and date of commencement, whether over leave or liberty, time and date of apprehension or surrender and arrival on board, loss of ID card and/or liberty card, etc.):							
NAME OF WITNESS		RATE/GRADE	DIV/DEPT	NAME OF WITNESS		RATE/GRADE	DIV/DEPT
_____ (Rate/Grade/Title of person submitting report)			_____ (Signature of person submitting report)				
I have been informed of the nature of the accusation(s) against me. I understand I do not have to answer any questions or make any statement regarding the offense(s) of which I am accused or suspected. However, I understand any statement made or questions answered by me maybe used as evidence in the event of trial by court-martial (Article 31, UCMJ).							
Witness: _____ (Signature)		Acknowledged: _____ (Signature of Accused)					
PPE-II ST PESTP IIT	<input type="checkbox"/> PRE TRIAL CONFINEMENT	<input type="checkbox"/> RESTRICTED: You are restricted to the limits of _____ in lieu of arrest by order of the CO. Until your status as a restricted person is terminated by the CO, you may not leave the restricted limits Except with the express permission of the CO or XO. You have been informed of the times and places which you are required to muster.					
	<input type="checkbox"/> NO RESTRICTION						
_____ (Signature and title of person imposing restraint)			_____ (Signature of Accused)				
INFORMATION CONCERNING ACCUSED							
CURRENT ENL. DATE	EXPIRATION CURRENT ENL.	TOTAL ACTIVE NAVAL SERVICE	TOTAL SERVICE ONBOARD	EDUCATION	AFQT	AGE	
MARITAL STATUS	NO. DEPENDENTS	CONTRIBUTION TO FAMILY OR QTRS ALLOWANCE (Amount required by law)		PAY PER MONTH (Including sea or foreign pay if any.)			
RECORD OF PREVIOUS OFFENSE(S) (Date, type, action taken, etc Non-judicial punishment incidents are to be included.)							

**PRELIMINARY INQUIRY REPORT**

From: Commanding Officer \_\_\_\_\_ Date: \_\_\_\_\_

To: \_\_\_\_\_

1. Transmitted herewith for preliminary inquiry and report by you, including, if appropriate in the interest of justice and discipline, the preferring of such charges as appear to you to be expected evidence.

REMARKS OF DIVISION OFFICER (Performance of duty, etc.)

NAME OF WITNESS	RATE/GRADE	DIV/DEPT	NAME OF WITNESS	RATE/GRADE	DIV/DEPT

RECOMMENDATION AS TO DISPOSITION:  REFER TO COURT MARTIAL FOR TRIAL OF ATTACHED CHARGES (Complete Charge Sheet (DD Form 458) through Page 2)

DISPOSE OF CASE AT MAST  NO PUNITIVE ACTION NECESSARY OR DESIRABLE  OTHER

COMMENT (Include data regarding availability of witnesses, summary of expected evidence, conflicts in evidence, if expected. Attach statements of witnesses, documentary evidence such as service record entries in UA cases, items of real evidence, etc.)

(Signature of Investigation Officer.)

**ACTION OF EXECUTIVE OFFICER**

DISMISSED  REFERRED TO CAPTAIN'S MAST

SIGNATURE OF EXECUTIVE OFFICER \_\_\_\_\_

RIGHT TO DEMAND TRIAL BY COURT-MARTIAL  
(Not applicable to persons attached to or embarked in a vessel)

I understand that nonjudicial punishment may not be imposed on me if, before the imposition of such punishment, I demand in lieu thereof trial by court-martial. I therefore (do) (do not) demand trial by court-martial.

WITNESS \_\_\_\_\_ SIGNATURE OF ACCUSED \_\_\_\_\_

**ACTION OF COMMANDING OFFICER**

<input type="checkbox"/> DISMISSED	<input type="checkbox"/> CONF. ON _____ 1, 2, 3 DAYS
<input type="checkbox"/> DISMISSED WITH WARNING (Not considered NJP)	<input type="checkbox"/> CORRECTIONAL CUSTODY FOR _____ DAYS
<input type="checkbox"/> ADMONITION: ORAL/IN WRITING	<input type="checkbox"/> REDUCTION TO NEXT INFERIOR PAY GRADE
<input type="checkbox"/> REPRIMAND: ORAL/IN WRITING	<input type="checkbox"/> REDUCTION TO PAY GRADE OF _____
<input type="checkbox"/> REST. TO _____ FOR _____ DAYS	<input type="checkbox"/> EXTRA DUTIES FOR _____ DAYS
<input type="checkbox"/> REST. TO _____ FOR _____ DAYS WITH SUSP. FROM DUTY	<input type="checkbox"/> PUNISHMENT SUSPENDED FOR _____
<input type="checkbox"/> FORFEITURE: TO FORFEIT \$ _____ PAY PER MO. FOR ____ MO(S)	<input type="checkbox"/> ART. 32 INVESTIGATION
<input type="checkbox"/> DETENTION: TO HAVE \$ _____ PAY PER MO. FOR _____ MO(S) DETAINED FOR ____ MO(S)	<input type="checkbox"/> RECOMMENDED FOR TRIAL BY GCM
	<input type="checkbox"/> AWARDED SPCM <input type="checkbox"/> AWARDED SCM

DATE OF MAST \_\_\_\_\_ DATE ACCUSED INFORMED OF ABOVE ACTION: \_\_\_\_\_ SIGNATURE OF COMMANDING OFFICER \_\_\_\_\_

It has been explained to me and I understand that if I feel this imposition of non-judicial punishment to be unjust or disproportionate to the offenses charged against me. I have the right to immediately appeal my conviction to the next higher authority within 5 days.

SIGNATURE OF ACCUSED \_\_\_\_\_ DATE \_\_\_\_\_ I have explained the above rights of appeal to the accused.  
SIGNATURE OF WITNESS \_\_\_\_\_ DATE \_\_\_\_\_

**FINAL ADMINISTRATIVE ACTION**

APPEAL SUBMITTED BY ACCUSED DATE: _____ FORWARDED FOR DECISION ON: _____	FINAL RESULT OF APPEAL: _____
APPROPRIATE ENTRIES MADE IN SERVICE RECORD AND PAY ACCOUNT ADJUSTED WHERE REQUIRED DATE: _____ (Initials) _____	FILED IN UNIT PUNISHMENT BOOK: DATE: _____ (Initials) _____

**SUSPECT'S RIGHTS ACKNOWLEDGEMENT/STATEMENT  
(See JAGMAN 0170)**

**SUSPECT'S RIGHTS AND ACKNOWLEDGEMENT/STATEMENT**

FULL NAME (ACCUSED/SUSPECT)	SSN	RATE/RANK	SERVICE (BRANCH)
ACTIVITY/UNIT			DATE OF BIRTH
NAME (INTERVIEWER)	SSN	RATE/RANK	SERVICE (BRANCH)
ORGANIZATION		BILLET	
LOCATION OF INTERVIEW		TIME	DATE

**RIGHTS**

I certify and acknowledge by my signature and initials set forth below that, before the interviewer requested a statement from me, he warned me that:

(1) I am suspected of having committed the following offense(s): \_\_\_\_\_

\_\_\_\_\_

(2) I have the right to remain silent; - - - - -

(3) Any statement I do make may be used as evidence against me in trial by court-martial, - - - - -

(4) I have the right to consult with lawyer counsel prior to any questioning. This lawyer counsel may be a civilian lawyer retained by me at my own expense, a military lawyer appointed to act as my counsel without cost to me, or both; and - - - - -

(5) I have the right to have such retained civilian lawyer and/or appointed military lawyer present during this interview. - - - - -

(6) If I decide to answer questions now without a lawyer present, I will have the right to stop this interview at any time - - - - -

**WAIVER OF RIGHTS**

I further certify and acknowledge that I have read the above statement of my rights and fully understand them, and that, -----

(1) I expressly desire to waive my right to remain silent; -----

(2) I expressly desire to make a statement; -----

(3) I expressly do not desire to consult with either a civilian lawyer retained by me or a military lawyer appointed as my counsel without cost to me prior to any questioning; -----

(4) I expressly do not desire to have such lawyer present with me during this interview; and ----

(5) This acknowledgment and waiver of rights is made freely and voluntarily by, and without any promises or threats having been made to me or pressure or coercion of any kind having been used against me.-----

(6) I further understand that, even though I initially waive my rights to counsel and to remain silent, I may, during the interview , assert my right to counsel or to remain silent-----

NOTE: IF THE SUSPECT INDICATES HIS WILLING TO MAKE A STATEMENT, HE SHOULD FIRST BE ASKED WHETHER HE HAS MADE A STATEMETN IN RESPONSE TO QUESTIONS ABOUT THE SUSPECTED OFFENSE TO ANYONE HE BELIEVED WAS ACTING IN A LAW ENFORCEMENT CAPACITY PRIOR TO THE PRESENT INTERVIEW. IF THE SUSPECT INDICATES HE HAS PREVIOUSLY MADE SUCH A STATEMENT, ADVISE THE SUSPECT AS FOLLOWS:

**PREVIOUS STATEMENTS**

I certify and acknowledge by my signature and initials set forth below that, before the interviewer requested a statement from me, he warned me that:

(1) My previous statement may not be admissible at courts-martial and may not be usable against me. (It may not be possible to determine whether a previous statement made by the suspect will be admissible at some future court-martial; this suggests it may be wise to treat it as inadmissible and provide the cleansing warning).

(2) Regardless of the fact that I have talked about this offense before, I still have the right to remain silent now.

SIGNATURE (ACCUSED/SUSPECT)	TIME	DATE
SIGNATURE (INTERVIEWER)	TIME	DATE
SIGNATURE (WITNESS)	TIME	DATE

The statement which appears on this page (and the following \_\_\_\_ page(s), all of which are signed by me), is made freely and voluntarily by me, and without any promises or threats having been made to me or pressure or coercion of any kind having been used against me.

\_\_\_\_\_  
SIGNATURE (ACCUSED/SUSPECT)

---

---

---

---

---

---

---

---

---

---

MEMORANDUM FOR THE COMMANDING OFFICER  
FOR NONJUDICIAL PUNISHMENT

<i>Complete and return immediately - For the Commanding Officer's Use</i>					Date
Name	SSN	Rate	Br & CI	DOR	Division
			Admits to Charge(s) <input type="checkbox"/> Yes <input type="checkbox"/> No		
Supervisor's Comments:					
					Signature (Supervisor)
Division Officer's Comments and Recommendation:					
					Signature (Division Officer)
Department Head's Comments and Recommendation for Disposition:					
					Signature (Department Head)
Discipline Officer's Comments and Recommendations::					
					Signature (Discipline Officer)
Executive Officer's Comments:					
					Signature (Executive Officer)

**(CAPTAIN'S MAST)**  
**ACCUSED'S NOTIFICATION AND ELECTION OF RIGHTS**  
**ACCUSED NOT ATTACHED TO OR EMBARKED IN A VESSEL**  
**RECORD MAY BE USED IN AGGRAVATION IN EVENT OF LATER COURT-**  
**MARTIAL**  
 (See JAGMAN 0109)

Notification and election of rights concerning the contemplated imposition of nonjudicial punishment in the case of \_\_\_\_\_, assigned or attached to \_\_\_\_\_  
 \_\_\_\_\_.

**NOTIFICATION**

1. In accordance with the requirements of paragraph 4 of Part V, MCM, (2005 Ed.), you are hereby notified that the commanding officer is considering imposing nonjudicial punishment on you because of the following alleged offenses:

(note: here describe the offenses, including the UCMJ Article(s) allegedly violated)

2. The allegations against you are based on the following information:

(note: here provide brief summary of that information and list any investigations, reports, statements, etc being used as evidence)

3. You have the right to refuse imposition of nonjudicial punishment. If you refuse nonjudicial punishment, charges could be referred for trial by court-martial by summary, special, or general court-martial. If charges are referred to trial by summary court-martial, you may be not be tried by summary court-martial over your objection. If charges are referred to a special or general court-martial you will have the right to be represented by counsel. The maximum punishment that could be imposed if you accept nonjudicial punishment is:

- \*\* 60 days restriction or, if combined with extra duties, 45 days restriction;
- \*\* 45 days extra duties;
- \*\* forfeiture of one-half pay per month for two months;
- \*\* reduction to the next inferior pay grade; and
- \*\* reprimand (orally or in writing)

4. If you decide to accept nonjudicial punishment, you may request a personal appearance before the commanding officer or you may waive this right.

a. Personal appearance waived. If you waive your right to appear personally before the commanding officer, you will have the right to submit any written matters you desire for the commanding officer's consideration in determining whether or not you committed the offenses alleged, and, if so, in determining an appropriate punishment. You are hereby informed that you

have the right to remain silent and that anything you do submit for consideration may be used against you in a trial court-martial.

b. Personal appearance requested. If you exercise your right to appear personally before the commanding officer, you shall be entitled to the following rights at the proceeding:

- (1) To be informed of your rights under Article 31(b), UCMJ;
- (2) To be informed of the information against you relating to the offenses alleged;
- (3) To be accompanied by a spokesperson provided or arranged for by you. A spokesperson is not entitled to travel or similar expenses, and the proceedings will not be delayed to permit the presence of a spokesperson. The spokesperson may speak on your behalf, but may not question witnesses except as the commanding officer may permit as a matter of discretion. The spokesperson need not be a lawyer;
- (4) To be permitted to examine documents or physical objects against you that the commanding officer has examined in the case and on which the commanding officer intends to rely in deciding whether and how much nonjudicial punishment to impose;
- (5) To present matters in defense, extenuation, and mitigation orally, in writing, or both;
- (6) To have witnesses attend the proceeding, including those that may be against you, if their statements will be relevant and they are reasonably available. A witness is not reasonably available if the witness requires reimbursement by the United States for any cost incurred in appearing, cannot appear without unduly delaying the proceedings, or if a military witness, cannot be excused from other important duties; and
- (7) To have the proceedings open to the public unless the commanding officer determines that the proceedings should be closed for good cause. However, this does not require that special arrangements be made to facilitate access to the proceeding.

5. In order to help you decide whether or not to demand trial by court-martial or to exercise any of the rights explained above should you decide to accept nonjudicial punishment, you may obtain the advice of a lawyer prior to any decision. If you wish to talk to a lawyer, a military lawyer will be made available to you, either in person or by telephone, free of charge, or you may obtain advice from a civilian lawyer at your own expense.

**ELECTION OF RIGHTS**

6. Knowing and understanding all of my rights as set forth in paragraph 1 through 5 above, my desires as follows:

a. Lawyer. (Check one or more, applicable)

\_\_\_\_\_ I wish to talk to a military lawyer before completing the remainder of this form.

\_\_\_\_\_ I wish to talk to a civilian lawyer before completing the remainder of this form.

\_\_\_\_\_ I hereby voluntarily, knowingly, and intelligently give up my right to talk to a lawyer.

\_\_\_\_\_  
(Signature of witness)

\_\_\_\_\_  
(Signature of accused)

\_\_\_\_\_  
(Date)

(Note: If the accused wishes to talk to a lawyer, the remainder of this form shall not be completed until the accused has been given a reasonable opportunity to do so.)

\_\_\_\_\_ I talked to \_\_\_\_\_  
a lawyer, on \_\_\_\_\_

\_\_\_\_\_  
(Signature of witness)

\_\_\_\_\_  
(Signature of accused)

\_\_\_\_\_  
(Date)

b. Right to refuse nonjudicial punishment. (Check one)

\_\_\_\_\_ I refuse nonjudicial punishment.

\_\_\_\_\_ I accept nonjudicial punishment. I understand that acceptance of nonjudicial punishment does not preclude further administrative action against me. This may include being processed for an administrative discharge which could result in an other than honorable discharge.

(Note: If the accused does not accept nonjudicial punishment, the matter should be submitted to the commanding officer for disposition.)

c. Personal appearance. (Check one)

- I request a personal appearance before the commanding officer.
- I waive a personal appearance. (Check one)
- I do not desire to submit any written matters for consideration.
- Written matters are attached.

(Note: The accused's waiver of personal appearance does not preclude the commanding officer from notifying the accused, in person, of the punishment imposed.)

d. Elections at personal appearance. (Check one or more)

I request that the following witnesses be present at my nonjudicial punishment proceeding:

---



---



---



---



---

I request that my nonjudicial punishment proceeding be open to the public.

\_\_\_\_\_  
(Signature of witness/date)

\_\_\_\_\_  
(Signature of accused/date)

\_\_\_\_\_  
(Name of witness)

\_\_\_\_\_  
(Name of accused)

**(CAPTAIN'S MAST) (OFFICE HOURS) ACCUSED'S  
ACKNOWLEDGEMENT OF APPEAL RIGHTS**

I, \_\_\_\_\_, assigned or attached to \_\_\_\_\_  
(Rank/Rate and Name of Accused),

\_\_\_\_\_ have been informed of the following facts concerning my rights to appeal as a result of (captain's mast)(office hours) held on \_\_\_\_\_.

a. I have the right to appeal to (specifically list to whom the appeal should be addressed).

b. My appeal must be submitted within a reasonable time. Five working days, excluding weekends and holidays, after the punishment is imposed is normally considered a reasonable time, in the absence of unusual circumstances. Any appeal submitted thereafter may be rejected as not timely. If there are unusual circumstances which I believe will make it extremely difficult or not practical to submit an appeal within 5 working days, I should immediately advise the officer imposing punishment of such circumstances, and request an appropriate extension of time in which to file an appeal.

c. The appeal must be in writing.

d. There are only two grounds for appeal; that is:

(1) The punishment was unjust, or

(2) The punishment was disproportionate to the offense(s) for which it was imposed.

e. If the punishment imposed included reduction from the pay grade of E-4 or above, or was in excess of: arrest in quarters for 7 days, correctional custody for 7 days, forfeiture of 7 days' pay, extra duties for 14 days, restriction for 14 days, then the appeal must be referred to a military lawyer for consideration and advice before action is taken on my appeal.

\_\_\_\_\_  
**Signature of Accused and Date**

\_\_\_\_\_  
**Signature of Witness and Date**