

**United States Corps of Cadets
Regulation 351-1**

Cadet Disciplinary System

**Office of the Commandant
United States Military Academy
West Point, New York
7 June 2024**

UNCLASSIFIED

SUMMARY of CHANGE

USCC Regulation 351-1
Cadet Disciplinary Code

This revision, dated 7 June 2024 —

Re-adds level of punishment guidance from past versions of this regulation.

Re-adds restriction guidance from past versions of this regulation.

Adds late and absent guidance.

Modifies the point at which TAC teams must flag cadets for academics.

Clarifies the policy for flagged cadets who are deficient on the IOCT.

Removes maximum punishments by type and offense.

Removes the script for the conduct of nonjudicial proceedings.

Removes USMA form 2-3. The current version can be found on the BTD SharePoint page.

Removes disciplinary tour service and credit language, which is found in BTD Policy Letter #4.

Clarifies cadet preparatory time between notification and hearing as 48 hours.

Adds guidance on submission timelines for conduct review packets for first class cadets.

Cadet Disciplinary System

By order of the United States Military Academy Commandant of cadets:

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Commandant of Cadets

History. This publication is a major revision incorporating existing guidance from Army regulations policies.

Summary. This regulation governs the United States Corps of Cadets (USCC) disciplinary system and is written to inform the Corps of Cadets on the tenants of the disciplinary system.

This regulation supersedes and replaces all previous versions of USCC Regulation 351-1. This disciplinary system is both developmental and correctional in nature. The intent of the procedures contained herein are to ensure the good order and discipline of the Corps of Cadets.

Applicability. This regulation applies to all cadets of the United States Military Academy.

Proponent. The proponent of this regulation is the USCC Brigade Legal Office.

Supplementation. Supplementation of this regulation is prohibited without

prior approval of the USCC Brigade Legal Office.

Suggested Improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to the USCC Brigade Legal Office, USMA.

This regulation supersedes USCC Regulation 351-1, dated 16 June 2023

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Chapter 1

Introduction

1-1. Purpose

The Cadet Disciplinary System exists to maintain good order and discipline within the United States Corps of Cadets (USCC). This system is both developmental and correctional. The intent of the procedures contained herein are to ensure the good order and discipline of the Corps of Cadets and serve to develop the leaders of the cadet Chain of Command.

1-2. References

See Appendix A

1-3. Explanation of abbreviations and terms

See Appendix B

1-4. Responsibilities

a. Regulations and Discipline Office. The Brigade Tactical Department Regulations and Discipline Office will serve as the official custodian of the Cadet Disciplinary System and ensures all aspects are properly executed. The Regulations and Discipline Office maintains a record of all cadet disciplinary actions and monitors the processing, to include, but not limited to, databases, imposition of punishment, tours, forfeiture of pay, amount, start date, and end date. Specifically, the Regulations and Discipline Office is responsible for:

- (1) Maintaining all cadet disciplinary files, and records of all proceedings related to cadet conduct and misconduct;
- (2) Assisting with entering cadet sanctions into the cadet disciplinary system application in the Academy Management System;
- (3) Assisting with entering the records related to Article 10 Hearings, Conduct Hearings, and Misconduct Hearings into the cadet disciplinary system application in the Academy Management System;
- (4) Support to the Brigade Tactical Department in ensuring extra duty tours are accurately reflected in the cadet disciplinary system application in the Academy Management System;
- (5) Processing forfeiture of pay actions to the Defense Finance and Accounting Service (DFAS);

b. Brigade Legal Office.

a. The Brigade Legal Office is responsible for advising Commanders and Leaders at all levels within USCC on actions related to the Cadet Disciplinary System. As the primary legal support within USCC, the Brigade Legal Office is responsible for:

- (1) Serving as the primary advisor on all investigations and inquiries, both formal and informal, for actions or misconduct within the USCC;
- (2) Providing review of all informal investigations and inquiries, and coordinating legal reviews for all formal investigations in accordance with Army Regulation 15-6;
- (3) Reviewing all Article 10 Hearing and Conduct Review packets for legal sufficiency prior to referral to a proceeding, and providing timely feedback to the Command regarding the packets;
- (4) Assisting with entering cadet sanctions into the cadet disciplinary system application in the Academy Management System;
- (5) Assisting with entering the records related to Article 10 Hearings, Conduct Hearings, and Misconduct Hearings into the cadet disciplinary system application in the Academy Management System;

c. Tactical Leaders. Tactical Officers and Non-commissioned Officers at all levels are responsible for the successful execution and enforcement of the Cadet Disciplinary System. Tactical Officers are responsible for:

- (1) Establishing withholding policies;
- (2) Exercising discretion in the Article 10 Hearing process and other administrative actions;
- (3) Executing the Article 10 hearing process in accordance with Chapter 2 of this regulation;
- (4) Ensuring cadets are counseled, when required, and that counseling is done in accordance with Army Techniques Publication 6-22.1 and this regulation;
- (5) Initiating and removing flags for cadets in a timely manner;
- (6) Verifying Cadet Observation reports and taking appropriate action;

- (7) Managing and supervising the execution of extra duty tours, and keeping accurate records concerning hours served;
 - (8) Guiding cadets through the special leader development program; and;
 - (9) Managing cadet conduct records, reviewing records, and identifying cadets for conduct review.
- d. Simon Center for the Profession of Military Ethic. The Simon Center for the Profession of Military Ethic is primarily responsible for character development of cadets. Specific to the Cadet Disciplinary System, the Simon Center for the Profession of Military Ethic is responsible for:
- (1) Providing the Special Assistant to the Commandant for Character, to serve as the Special Leader Development Program (SLDP) Manager;
 - (2) Managing the SLDP, to include maintaining templates for enrollment and disenrollment, educating leaders on the responsibilities associated with SLDP, and ensuring compliance of packets for approval;
 - (3) Tracking enrollment and completion of SLDP for all cadets.

Chapter 2

Article 10 Hearings

Section I

Applicable Policies

2-1. General

Cadets are subject to the punitive articles of the Uniform Code of Military Justice (UCMJ). Cadet disciplinary infractions and minor violations of the UCMJ will be primarily adjudicated through an administrative hearing, known as an Article 10 Hearing. A complete list of the punitive articles of the UCMJ, and the elements of each article, which may be adjudicated at an Article 10 Hearing is provided in Appendix C.

2-2. Limitation on the use of Article 10 Hearings

- a. Violations of covered offenses, as defined in Section 533 of the Fiscal Year 2022 National Defense Authorization Act, will not be adjudicated through the Cadet Disciplinary System without prior coordination with the Brigade Legal office.
- b. Covered offenses as of the date of this publication include: Articles 117a (wrongful broadcast), 118 (murder), 119 (manslaughter), 120 (rape and sexual assault), 120b (sexual assault of a child), 120c (other sexual misconduct), 125 (kidnapping), 128b (domestic violence), 130 (stalking), 132 (retaliation), and 134 (child pornography), Uniform Code of Military Justice, any conspiracy, solicitation, and attempts to commit covered offenses and known and related offenses.
- c. Additional withholding of adjudication by the Commandant, Brigade Tactical Officer, or Regimental Tactical Officers is established through USCC and Brigade Tactical Department policy letters.

2-3. Relationship of Article 10 Hearings to other nonpunitive measures

General. Imposition of an Article 10 Hearing is proper in all cases involving minor offenses in which nonpunitive measures are considered inadequate or inappropriate. If it is clear that an Article 10 Hearing will not be sufficient to meet the interests of good order and discipline, more stringent measures should be taken. Prompt action is essential for an Article 10 Hearing to have the proper corrective effect.

a. A Tactical Officer should use other nonpunitive measures to the fullest extent to further the efficiency of the command before resorting to an Article 10 Hearing. Article 10 Hearings may be imposed to—

- (1) Correct, educate, and reform offenders who the imposing Tactical Officer determines cannot benefit from less stringent measures.
- (2) Further military efficiency by disposing of minor offenses in a manner requiring less time and personnel than a misconduct hearing or a trial by court-martial.

b. Reprimands and admonitions.

- (1) Tactical Officers have authority to give admonitions or reprimands either as an administrative measure.
- (2) A written administrative admonition or reprimand will contain a statement that it has been imposed as an administrative measure and not as punishment pursuant to the UCMJ.

c. Extra training or instruction. One of the most effective nonpunitive measures available to a Tactical Officer is extra training or instruction (see AR 600–20). It is used when a cadet's duty performance has been substandard or deficient. For example, a cadet who fails to maintain proper attire may be required to attend classes on the wearing of the uniform and stand inspection until the deficiency is corrected. The training or instruction must be appropriately tailored to curing the deficiency, and oriented to improving the cadet's performance in their problem area. Brief physical exercises are an acceptable form of corrective training for minor acts of indiscipline (for example, requiring the cadet to do ten push-ups for arriving late to formation), so long as it does not violate the Army's policies prohibiting hazing, bullying, and unlawful punishment. Extra training or instruction may be conducted after duty hours. Normally, Tactical Officers should not impose an Article 10 Hearing for an offense for which a cadet previously received corrective training or extra military instruction and successfully completed the training or instruction.

2–4. Personal exercise of discretion

- a. A Tactical Officer will personally exercise discretion in the Article 10 Hearing process by—
 - (1) Evaluating the case to determine whether proceedings pursuant to USMA Regulation 1-10 should be initiated in lieu of an Article 10 Hearing.
 - (2) Determining whether the cadet committed the offense(s).
 - (3) Determining the amount and nature of any punishment, if punishment is appropriate.
- b. No superior (Brigade, Regimental, or Battalion Tactical Officer) may direct that a subordinate authority impose punishment pursuant to an Article 10 Hearing or issue regulations, orders, or so-called “guides” that either directly or indirectly suggest to subordinate Tactical Officers that—
 - (4) Certain categories of offenders or offenses should be disposed of by punishment pursuant to an Article 10 Hearing.
 - (5) Predetermined kinds or amounts of punishment should be imposed for certain categories of offenders or offenses.
- c. A Tactical Officer (Brigade, Regimental, or Battalion Tactical Officer) may send or return a case to a subordinate for appropriate disposition if necessary and within the jurisdiction of the subordinate. A Tactical Officer may also reserve personally, or to the Tactical Officer's delegate, the right to exercise authority over a particular case or over certain categories of offenders or offenses (see para 2–2).

2–5. Referral to superior

- a. Article 10 Hearings should be administered at the lowest level of command commensurate with the needs of discipline, after thoroughly considering—
 - (1) The nature and circumstances of the offense.
 - (2) The character and experience of the offender.
- b. If a Tactical Officer determines that the Tactical Officer's authority is insufficient to impose a proper punishment, the case may be referred to an appropriate higher level (Battalion, Regiment, Brigade Tactical Officer, or to the Commandant). The same procedure will be followed if the authority of the Tactical Officer to impose an Article 10 Hearing has been withheld or limited (see para 2–2). In transmitting a case for action by a higher level, no recommendation of the nature or extent of the punishment to be imposed will be made. Transmittal should normally be accomplished by written correspondence, either via electronic mail or written memorandum.

Section II Authority

2–6. Who may impose an Article 10 Hearing

- a. Tactical Officers. Unless otherwise specified in this regulation or if authority to impose punishment through an Article 10 Hearing has been limited or withheld by a superior (Battalion, Regiment, Brigade Tactical Officer or the Commandant) (see para 2–2), any Tactical Officer is authorized to exercise the disciplinary powers conferred by this regulation.
- b. Limits on Delegation. Tactical Officers may not delegate authority to cadets.

2-7. Double punishment prohibited

When an Article 10 Hearing has been imposed for an offense, punishment may not again be imposed for the same offense. Punishment may not be increased, upon appeal or otherwise. When a Tactical Officer determines that an Article 10 Hearing is appropriate for a particular cadet, all known offenses determined to be appropriate for disposition and ready to be considered at that time, including all offenses arising from a single incident or course of conduct, will ordinarily be considered together and not made the basis for multiple punishments. This provision does not restrict the Tactical Officer's right to prefer court-martial charges for an offense previously punished through imposition of an Article 10 Hearing.

2-8. Statute of limitations

An Article 10 Hearing may not be imposed for offenses that were committed more than two years before the date of imposition.

Section III Procedures

2-9. General

Tactical Officers must impose Article 10 Hearings in an absolutely fair and judicious manner.

2-10. Preliminary inquiry

a. Inquiry. Upon receipt of information that a cadet has committed an offense triable by court-martial, the cadet's immediate Tactical Officer will, pursuant to the Rules for Courts-Martial (RCM) 303, cause or conduct a preliminary inquiry sufficient to make an appropriate initial disposition. Any allegations of sexual assault must be immediately referred to the U.S. Army Criminal Investigation Command (CID) for investigation and will not be investigated by the Tactical Officer unless referred back to the Tactical Officer by law enforcement. The requirements of Army Regulation (AR) 15-6 do not apply to preliminary inquiries conducted for the purpose of making an initial disposition. Interviews of suspected cadets by the command are generally discouraged at this stage, and all such interviews must comply with the requirements of UCMJ, Article 31 and AR 15-6. A preliminary inquiry for disposition will be conducted expeditiously and may be accomplished through formal or informal witness interviews and a cursory review of available evidence, including police reports and other documents. Such a preliminary inquiry will, at a minimum, determine—

- (1) Whether it is likely that an offense was committed.
- (2) Whether it is likely that the cadet was involved.
- (3) The character and military record of the cadet.
- (4) Whether referral to an appropriate investigative agency is required.

b. Disposition. Upon completion of the preliminary inquiry, the Tactical Officer will make an initial disposition of the offense(s) in accordance with RCM 306. Tactical Officers must consult their legal advisor prior to disposing of any matter. Possible dispositions include—

- (1) Closing the case without action.
- (2) Referring the case to an appropriate investigative agency.
- (3) Ordering further investigation pursuant to AR 15-6.
- (4) Referring the case to a higher level (Battalion, Regimental, Brigade Tactical Officer, or the Commandant).
- (5) Taking appropriate punitive or administrative action.

2-11. Tactical Officer's guide for notification and imposition

In all cases, other than summarized proceedings, Tactical Officers should use Appendix E of this regulation as a guide in conducting the proceedings.

2-12. Summarized proceedings

a. Preliminary inquiry.

(1) A Tactical Officer, after a preliminary inquiry into an alleged offense by a cadet, may use summarized proceedings if it is determined that, should punishment be found to be appropriate, it should not exceed—

- (a) Extra duty tours of 10 hours.
- (b) Restriction for 14 days.
- (c) Withdrawal of privileges for 14 days.
- (d) Oral reprimand or admonition.
- (e) Any combination of the above.

(2) The rules and limitations concerning punishments in section IV and provisions regarding clemency in section V are applicable.

b. Notification and explanation of rights. If an imposing Tactical Officer determines that summarized proceedings are appropriate, the designated Noncommissioned Officer (NCO) or the Tactical Officer personally will notify the cadet verbally and in-writing via the USMA Form 2-3 of the following:

(1) The imposing Tactical Officer's intention to initiate proceedings pursuant to an Article 10 proceeding.

(2) The fact that the imposing Tactical Officer intends to use summarized proceedings and the maximum punishments that can be imposed pursuant to these proceedings.

(3) The right to remain silent.

(4) Offenses that the cadet allegedly has committed and the articles of the UCMJ allegedly violated.

(5) The right to confront witnesses, examine the evidence, and submit matters in defense, extenuation, and/or mitigation, as well as the amount of time the cadet will be given in which to submit matters.

(6) The right to appeal.

c. Cadet's Response. The cadet will be given a minimum of 48 hours to gather matters in defense, extenuation, and/or mitigation. Because of the limited nature of the possible punishment, the cadet has no right to consult with legally qualified counsel. If the cadet voluntarily waives the 48-hour period to gather matters, the hearing may proceed immediately following the initial notification.

d. Hearing. All hearings will be open, unless the cadet requests a closed hearing, in writing, and the Tactical Officer approves the request. The hearing will consist of the following:

(1) Consideration of evidence, written or oral, against the cadet.

(2) Examination of available evidence by the cadet.

(3) Presentation by the cadet of testimony of available witnesses or other matters, in defense, extenuation, and/or mitigation.

(4) Determination of guilt or innocence by the imposing Tactical Officer. Before finding a cadet guilty, the Tactical Officer must be convinced beyond a preponderance of the evidence that the cadet committed the offense(s).

(5) Imposition of punishment or termination of the proceedings.

(6) Explanation of right to appeal, if found guilty of any offense(s).

e. Appeal. The decision to appeal will be recorded in block 5, USMA Form 2-3. The cadet will be given a reasonable time (normally no more than 5 calendar days) within which to submit an appeal. The cadet may, pending submission and decision on the appeal, be required to undergo the punishment imposed, but once submitted, such appeal will be promptly decided. If the appeal is not decided within 3 calendar days, excluding the day of submission, and if the cadet so requests, further performance of any punishments involving deprivation of liberty will be delayed pending the decision on the appeal.

(1) The appeal authority for a Company or Battalion Article 10 Hearing is the Regimental Tactical Officer.

(2) The appeal authority for a Regimental Article 10 Hearing is the Brigade Tactical Officer.

(3) The appeal authority for a Brigade Article 10 Hearing is the Commandant.

(4) The appeal authority for a Commandant Article 10 Hearing is the Superintendent.

2–13. Formal proceedings

A Tactical Officer who, after a preliminary inquiry or appropriate investigation determines that punishment, if it should prove to be appropriate, might exceed extra duty tours for 10 hours, restriction for 14 days, withdrawal of privileges for 14 days, oral reprimand or admonition, or any combination thereof, will proceed as set forth below.

2–14. Notification and explanation of rights

a. General. The imposing Tactical Officer will ensure that the cadet is notified of the Tactical Officer's intention to dispose of the matter pursuant to the provisions of this regulation and the maximum punishment that the Tactical Officer could impose. The cadet will be provided a copy of USMA Form 2-3 with items 1 and 2 completed, including the date and signature of the imposing Tactical Officer. The imposing Tactical Officer may authorize a Tactical NCO, to deliver (but not sign) the USMA Form 2-3 and inform the cadet of the cadet's rights. The cadet will be provided with a copy of USMA Form 2-3 and supporting documents and statements for use during the proceedings. The cadet will return the copy to the Tactical Officer for annotation. A copy of the proceedings will be given to the cadet for retention when all proceedings are completed.

b. Right to remain silent. The cadet will be informed that—

(1) The cadet is not required to make any statement regarding the offense(s) the cadet is alleged to have committed, and

(2) Any statement made may be used against the cadet in the proceedings or in any other proceedings, including a trial by court-martial.

c. Right to counsel. The cadet will be informed of the right to consult with counsel and the location of counsel.

d. Other rights. The cadet will be informed of the right to—

(1) Fully present the cadet's case in the presence of the imposing Tactical Officer

(2) Call witnesses.

(3) Present evidence.

(4) Request that the cadet be accompanied by a spokesperson.

(5) Request a closed hearing.

(6) Examine available evidence.

e. The cadet will be given a reasonable period of time (normally a minimum of 3 business days) in which to consult with counsel. If the cadet is unable to receive legal assistance, the deadline to consult with counsel may be extended by the imposing Tactical Officer.

f. Hearing.

(1) The cadet will be allowed to personally present matters in defense, extenuation, or mitigation in the presence of the imposing Tactical Officer

(2) Ordinarily, hearings are open. The proceedings are not adversarial in nature. However, a cadet may request an open or closed hearing. In all cases, the imposing Tactical Officer will, after considering all the facts and circumstances, determine whether the hearing will be open or closed. An open hearing is a hearing open to the public but does not require the Tactical Officer to hold the proceeding in a location different from that in which the Tactical Officer conducts normal business—that is, the Tactical Officer's office. A closed hearing is one in which the Tactical Officer decides that members of the public will not attend. The fact that a cadet requests and is granted a closed hearing does not preclude announcement of punishment as provided in paragraph 2–17. The fact that a closed hearing has been granted does not preclude appearance of witnesses. The Tactical Officer may grant a request for a closed hearing, yet allow the attendance of certain members of the chain of command or others deemed appropriate to the conduct of the proceedings.

g. Spokesperson. The person who may accompany the cadet to the proceeding and who speaks on the cadet's behalf need not be a lawyer. An offender has no right to legal counsel at the proceedings. The cadet may retain civilian counsel to act as the cadet's spokesperson at no cost to the government. However, the Tactical Officer need not grant a delay for the appearance of any spokesperson, to include civilian counsel so retained. No travel fees or any other costs may be incurred at government expense for

the presence of the spokesperson. The spokesperson's presence is voluntary. Because the proceedings are not adversarial in nature, neither the cadet nor spokesperson (including any attorney present on behalf of the cadet) may examine or cross-examine witnesses, unless permitted by the imposing Tactical Officer. The cadet or spokesperson may, however, indicate to the imposing Tactical Officer relevant issues or questions they wish to explore or ask.

h. Witnesses. The cadet's request for witnesses in defense, extenuation, or mitigation will be restricted to those witnesses reasonably available, as determined by the imposing Tactical Officer. To determine whether a witness is reasonably available, the imposing Tactical Officer will consider the fact that neither witness nor transportation fees are authorized. Reasonably available witnesses will ordinarily include only personnel at the installation concerned and others whose attendance will not unnecessarily delay the proceedings. Any witnesses not physically present may be permitted to testify by telephone or other electronic means if the imposing Tactical Officer deems the testimony relevant, necessary, and not cumulative.

i. Evidence. The imposing Tactical Officer is not bound by the formal rules of evidence before courts-martial and may consider any matter, including unsworn statements, the Tactical Officer reasonably believes to be relevant to the offense.

j. Action terminating proceedings. If, after evaluation of all pertinent matters, the imposing Tactical Officer determines that the Article 10 Hearing is not warranted, the cadet will be notified that the proceedings have been terminated and all copies of USMA Form 2-3 will be destroyed.

k. Imposition of punishment. Punishment will not be imposed unless the Tactical Officer is convinced by a preponderance of the evidence that the cadet committed the offense(s). If the imposing Tactical Officer decides to impose punishment, ordinarily the Tactical Officer will announce the punishment to the cadet. The Tactical Officer may, if the Tactical Officer desires to do so, explain to the cadet why a particular punishment was imposed.

l. Right to appeal. The appellate rights and procedures that are available to the cadet will be explained.

Section IV Punishment

2–15. Rules and limitations

a. Whether to impose punishment and the nature of the punishment are the sole decisions of the imposing Tactical Officer. However, Tactical Officers are encouraged to consult their NCOs on the appropriate type, duration, and limits of punishment to be imposed. Additionally, as NCOs are often in the best position to observe a cadet undergoing punishment and evaluate daily performance and attitude, their views on clemency should be given careful consideration.

b. The maximum punishments for each offense are listed in Appendix D of this regulation.

2–16. Effective date and execution of punishments

Imposition of punishment is effective upon completion of the Article 10 Hearing. The imposing Tactical Officer may delay imposition of punishment, upon a cadet's written request, if a cadet chooses to appeal the hearing.

2–17. Announcement of punishment

The Tactical Officer may announce the disposition of all cases involving punishment. This may be done orally, as in a routine formation, and/or in writing by posting a formal notice on bulletin boards or other such locations. Announcements of punishments will omit all personally identifiable information.

Section V Suspension, Vacation, Mitigation, Remission, and Setting Aside

2–18. Clemency

The imposing Tactical Officer, a successor-in-command, or the next higher level Tactical Officer (Battalion, Regimental, Brigade Tactical Officer, or the Commandant) may—

- a. Remit or mitigate any part or amount of the unexecuted portion of the punishment imposed.
- b. At any time, suspend probationally any part or amount of the unexecuted portion of the punishment imposed.

2-19. Suspension

a. Ordinarily, punishment is suspended to grant a period during which a cadet may show that the cadet deserves a remission of the remaining suspended punishment. Suspension of punishment may not be for a period longer than 6 months from the suspension date. In the case of summarized proceeding pursuant to paragraph 2-12, suspensions of punishment may not be for a period longer than 3 months from the date of suspension. Further misconduct by the cadet, within the period of the suspension, may be grounds for vacation of the suspended portion of the punishment (see para 2-20). Unless otherwise stated, an action suspending a punishment automatically includes a condition that the cadet not violate any punitive article of the UCMJ.

b. The suspended punishment will be automatically remitted without further action at the expiration of the stated period of suspension.

2-20. Vacation of suspension

a. Vacation is the act of removing a punishment's suspension, allowing the previously-suspended punishment to go into effect.

(1) A Tactical Officer may vacate any suspension, provided the suspended punishment is of the type and amount the Tactical Officer could impose and where the Tactical Officer has determined that the cadet has committed misconduct during the suspension period.

(2) The Tactical Officer is not bound by the formal rules of evidence before courts-martial and may consider any matter, including unsworn statements, the Tactical Officer reasonably believes to be relevant to the misconduct.

(3) There is no appeal from a decision to vacate a suspension.

b. The cadet must be given an opportunity to appear before the Tactical Officer authorized to vacate the suspension to rebut the information on which the proposed vacation is based. Tactical Officers will make a formal determination, in writing, documenting a decision to vacate a punishment's suspension.

2-21. Mitigation

Mitigation is a reduction in either the quantity or quality of a punishment. Mitigation is appropriate when the recipient has, by the recipient's subsequent good conduct, merited a reduction in the severity of the punishment or the punishment imposed was disproportionate to the offense or the offender.

2-22. Remission

Remission is an action whereby any portion of the unexecuted punishment is canceled. Remission is appropriate under the same circumstances as mitigation.

2-23. Setting aside and restoration

a. Setting aside and restoration is an action whereby the punishment or any part or amount, whether executed or unexecuted, is set aside and any rights, privileges, or property affected by the portion of the punishment set aside are restored. The punishment is "wholly set aside" when the Tactical Officer who imposed the punishment, a successor-in-command, or the next higher level Tactical Officer (Battalion, Regimental, Brigade Tactical Officer, or the Commandant) sets aside all punishment imposed upon an individual pursuant to this regulation. In addition, the imposing Tactical Officer or successor in command may set aside some or all of the findings in a particular case. If all findings are set aside, then the Article 10 Hearing itself is set aside and removed from the cadet's records. The basis for any set-aside action is a determination that, under all the circumstances of the case, the imposition of the Article 10 Hearing or punishment has resulted in a clear injustice. "Clear injustice" means that there exists an unwaived legal or factual error that clearly and affirmatively injured the substantial rights of the cadet. An example of clear injustice would be the discovery of new evidence unquestionably exculpating the cadet.

b. Normally, the cadet's uncorroborated sworn statement will not constitute a basis to support the setting aside of punishment.

2-24. Amnesty

At the request of a visiting head of state (not a former head of state), the Commandant may elect to grant amnesty to the Corps of Cadets for outstanding extra duty hours. Amnesty will only be granted for hours received as a result of Summarized and Company Article 10 Hearings and does **NOT** apply to any other Article 10 Hearings or disciplinary actions. This amnesty may be total or partial as directed by the Commandant. Demerits are not remanded when amnesty is granted. Amnesty will only be granted once during any given academic year. Amnesty does not apply to reduction in rank, restriction, or the punitive withdrawal of privileges imposed as part of an Article 10 Hearing (i.e., cadets on restriction remain on restriction).

Section VI Appeals

2-25. General

a. Only one appeal is permissible. An appeal not made within a reasonable time may be rejected as untimely by the appeal authority. A reasonable time will vary according to the situation; however, an appeal (including all documentary matters) submitted more than 5 calendar days after the punishment is imposed will be presumed to be untimely, unless the appeal authority, in the appeal authority's sound discretion for good cause shown, determines it to be timely.

b. If, at the time of imposition of punishment, the cadet indicates a desire not to appeal, the appeal authority may reject a subsequent election to appeal, even though it is made within the 5-day period. Although a suspended punishment may be appealed, no appeal is authorized from the vacation of suspended punishment.

2-26. Who may act on an appeal

The next superior authority to the Tactical Officer who imposed the punishment will act on an appeal. If the Tactical Officer acted pursuant to a delegation of authority, the appeal will be acted on by the authority next superior to the delegating officer. If, at the time of appeal, the cadet is no longer of the imposing Tactical Officer's command, the next higher level Tactical Officer of the imposing command will act on the appeal.

2-27. Procedure for submitting an appeal

All appeal notifications will be made on USMA Form 2-3 and forwarded through the imposing Tactical Officer or successor-in-command, when applicable, to the next higher level Tactical Officer (Battalion, Regimental, Brigade Tactical Officer, or the Commandant) as the appeal authority. The appeal authority will act on the appeal unless otherwise directed by competent authority. The cadet may attach documents to the appeal for consideration. A cadet is not required to state reasons for the appeal; however, the cadet may do so.

2-28. Action on the appeal

a. The imposing Tactical Officer or the successor-in-command may take any action on the appeal with respect to the punishment that the next higher level Tactical Officer (Battalion, Regimental, Brigade Tactical Officer, or the Commandant) could take. If the imposing Tactical Officer or a successor-in-command suspends, mitigates, remits, or sets aside any part of the punishment, this action will be recorded on item 8 of USMA Form 2-3.

b. The appellant will be advised and asked to state whether, in view of this action, the appellant wishes to withdraw the appeal. Unless the appeal is voluntarily withdrawn, the appeal will be forwarded to the appropriate authority. An officer forwarding the appeal may attach any matter in rebuttal of assertions

made by the cadet. When the cadet desires to appeal, the imposing Tactical Officer, or the successor-in-command, will make available to the cadet reasonable assistance in preparing the appeal and will promptly forward the appeal to the appropriate superior authority.

c. Once the cadet has submitted an appeal, including all pertinent allied documents, the appeal normally should be decided within 5 calendar days (3 days for summarized proceedings). The appeal authority may conduct an independent inquiry into the case. In acting on an appeal, the appeal authority may exercise the same powers as may be exercised by the imposing Tactical Officer or the imposing Tactical Officer's successor-in-command.

2-29. Filing

a. Summarized Article 10 Hearings. After completion of actions by the Tactical Officer and any appeal, the Tactical Officer will review the USMA Form 2-3 for completeness and correctness, and electronically transmit the digital USMA Form 2-3 with all supporting documents to the USCC Brigade Legal Office to be recorded in the Automated Discipline System and filed in the company file. The Brigade Tactical Department Regulations and Discipline Office will assist the USCC Brigade Legal Office, when necessary, with entering the USMA Form 2-3 into the Automated Discipline System and recording sanctions.

b. Formal Article 10 Hearings. After completion of actions by the imposing Tactical Officer and any appeal, the digital USMA Form 2-3 with all supporting documents will be sent to the USCC Brigade Legal Office for filing. The Brigade Tactical Department Regulations and Discipline Office will assist the USCC Brigade Legal Office, when necessary, with entering the USMA Form 2-3 into the Automated Discipline System and recording sanctions.

c. In cases where the imposing Tactical Officer imposed a forfeiture of pay sanction, the Brigade Tactical Department Regulations and Discipline Office will forward the USMA Form 2-3 to DFAS for processing.

Chapter 3 Counseling and Other Administrative Actions

3-1. General

Counseling should be conducted in accordance with Army Techniques Publication 6-22.1 in order to: demonstrate genuine interest in subordinates, help subordinates understand their role in accomplishing the unit's mission, acknowledge and reinforce exceptional work or dedication, evaluate subordinates' potential for development, provide subordinates with assistance or resources to address issues or further strengths, empower subordinates to identify and solve issues on their own so they are more self-reliant, identify issues before they become significant problems, and identify and pre-empt causes of sub-standard performance.

3-2. Procedures

a. Counseling is required by the Tactical Officer or Tactical NCO in the following circumstances:

- (1) A flag is initiated on a cadet.
- (2) A cadet fails Army Standards under AR 600-9 or Field Manual 7-22.
- (3) A cadet is suspended or removed from their position or duties.
- (4) A cadet is identified as "at risk" for separation under AR 150-1, but is not otherwise flagged.

b. Counseling conducted according to this paragraph must be documented on a DA Form 4856 and signed by both the cadet and counselor. Tactical Officers are encouraged to use the Digital DA Form 4856 located on the Cadet Information System to document the counseling.

3-3. Suspension and Relief from Duty

Any cadet suspended or relieved from duty must be notified in writing prior to the effective date of suspension and/or relief. Follow-on actions may include reinstatement, reassignment within the current chain of command, rehabilitative transfer out of their current organization, or other remediation at the discretion of the Tactical chain of command.

a. Suspension. Any cadet officer or cadet noncommissioned officer who demonstrates a poor sense of duty, or who is suspected of committing serious misconduct, or who otherwise appears to be unable or unwilling to meet the required standards, may be temporarily suspended from assigned command or staff duties until such time as the situation is resolved. Company Tactical Officers, Regimental Tactical Officers, and the Brigade Tactical Officer are authorized to suspend cadet officers and noncommissioned officers. The Brigade Tactical Officer will be advised of these actions by the chain of command.

b. Relief. Company or Battalion Tactical Officers, with the approval of the Regimental Tactical Officer, are authorized to relieve for cause cadet noncommissioned officers (excepting the cadet command sergeants majors). Regimental Tactical Officers, with the approval of the Brigade Tactical Officer, may relieve for cause cadet lieutenants. The Brigade Tactical Officer, with the approval of the Commandant of Cadets, may be relieve for cause a cadet captain or command sergeant major.

c. Reinstatement. The suspending or relieving authority or other higher level Tactical Officer within the chain of command may reinstate a suspended or relieved cadet.

3–4. Removal from Competitive Club and Extracurricular Activities

Members or managers of competitive club teams or other extracurricular activities will be removed from all such activities in accordance with subparagraphs a through c below. Team activities include meetings, practices, training, competition, and social functions. Extracurricular activities include all organized cadet activities under the supervision of the Director of Cadet Activities (DCA) or the Office of the Dean. The removal of members of Corps Squad teams is conducted in accordance with USMA Regulation 350-12.

a. A cadet whose misconduct is substantiated by a board or investigating officer at a Misconduct Hearing, convened in accordance with AR 150-1, paragraph 6-17, and USMA Regulation 1-10, will be removed from all team, club and or extracurricular activities until such time as the Superintendent takes action on the case. The Tactical Officer will notify the Army West Point Athletic Association, DCA, or the Office of the Dean as appropriate.

b. A cadet who is recommended by the Commandant to the Superintendent for separation, suspension, or turn-back as a result of a Conduct Hearing will be temporarily removed from all team and extracurricular activities until the Superintendent takes action on the case. The Commandant may also direct similar removal for cases involving lesser action, i.e., probation, etc.

c. Cadets who are adjudged punishment as a result of an Article 10 hearing are ineligible to participate in competitive club and extracurricular activities until all punishment is complete.

d. Removal or suspension from competitive club and extracurricular activities as a result of a finding that a cadet committed an honor violation will be enacted in accordance with USCC Pamphlet 15-1.

Chapter 4

Suspension of Favorable Personnel Actions (Flag)

Section I

General

4–1. Purpose

a. The purpose of a flag is to prevent and/or preclude—

(1) Execution of favorable actions to a cadet

(2) Movement of a cadet when it is in the best interests of the academy for the cadet to remain at USMA until cleared of ongoing actions.

b. Flags are not used for punishment or restriction, but only as an administrative tool.

c. The flag is not the final disposition. A flag is emplaced during some type of disciplinary or administrative action until that action is concluded.

4–2 Authority

At USMA, the authority to initiate a flag is typically vested in the cadet's chain of command. This can include the cadet's Tactical Officer, Tactical NCO, or other senior officers with the authority to make such decisions.

4-3. Reasons for initiating a flag

a. A cadet at USMA can be flagged for various reasons, including but not limited to:

- (1) Academic deficiency: A grade of "D" or "F" if 30% or more of course grade is posted at the 6-, 10-, or 15-week grade postings; falling below required peg points. If below 30%, Company TACs may flag cadets at their discretion.
- (2) Physical deficiency: Failing an IOCT or failing an ACFT, failure to meet ABCP standards;
- (3) Violation of regulations or policies: Failing to comply with academy regulations or policies, such as failing to wear proper uniform, or engaging in activities that are prohibited by the academy;
- (4) Lack of performance: Failing to fulfill military or other duties and responsibilities as a cadet;
- (5) Other deficiencies in the Academic, Physical, Military, or Character pillars as defined in other Army, USMA, or USCC Policies and Regulations; or
- (6) Pending Investigation: Cadet is pending investigation for honor, misconduct, or honor;
- (7) Awaiting Adjudication: Allegations substantiated against a cadet through a preliminary inquiry, administrative investigation, at a Conduct Hearing, at a Misconduct Hearing, Honor Investigative Hearing, or Article 10 Hearing, and the cadet is pending final action in the case.

Section II

Initiation and Removal of Flags

4-4 Initiating a flag

a. It is the Tactical Officer's responsibility to ensure that a flag is immediately initiated on a cadet when a circumstance has been identified requiring imposition of a flag.

b. The imposing Tactical Officer or Tactical NCO will initiate a separate flag for each identified circumstance that requires imposition of a flag.

c. Within 24 hours of initiating a flag, the individual imposing the flag will counsel the cadet in accordance with Chapter 3 of this regulation and provide specific instruction on what favorable actions will be suspended as a result of the flag, conditions for removal of the flag, and timeline for review of the flag.

4-5 Removing a flag

a. Conditions for removing a flag include, but are not limited to:

- (1) Investigations. Remove the flag when one of the following conditions are met:
 - (a) The investigation results in no adverse findings against the cadet.
 - (b) When no action against the cadet is taken following an investigation or hearing.
- (2) Punishment. Remove the flag when punishment is complete.
- (3) Involuntary separation or discharge. Remove the flag on the date HQDA or the appropriate commander approves retention of the cadet, or on the date the cadet's discharge orders are published.
- (4) Army Body Composition Program. Remove the flag on date of compliance.
- (5) Army Combat Fitness Test. Remove the flag on the date the cadet passes the record ACFT.

Section III

Favorable Actions

4-6. General

Cadets who are actively flagged are not considered to be in good standing, and are ineligible for favorable personnel actions in accordance with Table 4-1. Exceptions to the restrictions below may be granted by the Tactical Officer who is the next higher level Tactical Officer in the chain of command.

4-7. Restriction

Restriction imposed under Article 10 proceedings or Superintendent's action is quarters limits with the following modifications:

a. Loss of privileges. Cadets who are on restriction may not exercise authorizations or privileges unless specifically authorized in writing by the Company Tactical Officer. Cadets on restriction must sign in/out on a log maintained on their door every time they depart their cadet room (except for the nearest latrine) after their last class Monday through Friday, and from reveille on Saturday through TAPS on Sunday. The restriction is in effect continuously 24 hours per day, 7 days a week.

b. During the summer leave and training months, any unserved portion of punishment remaining from the academic year is suspended from the start of the spring term TEEs until after Re-orgy week of the fall term. The leave periods for Winter Break, Thanksgiving, and Summer are not counted in computing restriction start and end dates.

c. Cadets are required to perform all normal duties and requirements commensurate with their rank and must abide by post limits for attendance at official activities for applicable class weekends.

d. Cadets on restriction may:

(1) Attend one scheduled on-post religious service per week.

(2) Attend one 90-minute period in Arvin Gymnasium each day for personal conditioning between 0520 and 1930 hours provided there are no conflicting duties (this may include running within post limits).

(3) Use the library for academic reasons.

(4) Study in a company designated study room in their company barracks.

(5) Use Keller Army Hospital and the Cadet Health Clinic for sick call and official appointments.

(6) Use the cadet mess hall for no more than 60 min for each optional meal.

	Academic Deficiency	Enrolled in SUDCC	ACFT Failure / IOCT Deficient / ABCP Enrollment	Upon completion of honor preliminary hearing	Pending Investigation (not including honor)	Adjudication for Honor or Misconduct	Enrolled in SLDP
Pass	X	X	X	X	X	X	X
Trip Section	X					X	
Driving Privileges	X	X		X	X	X	X
Civilian Clothes				X	X	X	
Alcohol Privileges	X	X	X	X	X	X	X
Walking Privileges						X	
Awards	X	X	X	X	X	X	X

TABLE 4-1. RESTRICTIONS FOR FLAGGED CADETS

X = Cadet is not eligible for this privilege until flag is removed in AMS.

Chapter 5

Cadet Observation Reports

5-1. General

Cadets, Officers, NCOs, Civilian Staff and Faculty, and any Academy Official may report outstanding or deficient cadet behavior by filing Cadet Observation Reports (CORs) through the Academy Management System. CORs serve as an available means to document cadet behavior.

5-2. Procedures

a. Individuals making observation reports will fill in the information requested to the best of their knowledge. Individuals preparing the report should be as specific as possible about the conduct observed. "Date Observed" should be the actual date that the behavior took place rather than the date of the report's preparation.

b. Responsibilities

(1) Observing cadet/Officer/Professor. The observer of a cadet's behavior writes a COR as soon as possible following the event in question.

(2) Company Regulations and Discipline Officer. The Company Regulations and Discipline Officer receives notification of all CORs and provides weekly updates on all CORs received to the cadet Company Commander and First Sergeant, and the Tactical Officer and NCO.

(3) Cadet Leadership. The cadet Company Commander and First Sergeant will provide recommended courses of action for all cadets that receive a COR (adverse administrative action, no action, counseling, commendation, etc.).

(4) Tactical Officer. The Tactical Officer approves all actions taken related to a COR.

c. Observation reports resulting in Article 10 Hearings will be attached to the USMA Form 2-3 (Appendix F) in accordance with Chapter 2 of this regulation.

Chapter 6

Cadet Extra Duty Tours

6-1. General

Extra duty tours, commonly referred to as area tours/hours include walking tours, sitting tours, or fatigue tours, and are a sanctioned punishment under the Cadet Disciplinary System.

6-2. Requirements

a. Tour formations will be held for all cadets serving tours to establish accountability and conduct inspection. All formations will take place at the Central Guard Room, unless otherwise published by the Brigade Tactical Department. Cadets will be escorted from the Central Guard Room by the Duty Officers to conduct tours following accountability formation and inspection.

(1) All Brigade, Regiment, and Company Duty Officers must report to disciplinary tours inspections, when their unit has anyone serving tours.

(2) The uniform for walking tours is the seasonal dress uniform, under arms with respect to class and rank. Duty Officers will wear the seasonal dress uniform.

(3) The uniform for sitting tours is the seasonal dress uniform.

(4) The uniform for fatigue tours is the Army Combat Uniform.

(5) The Officer in Charge or Brigade Discipline Officer will determine the appropriate over garments for tours.

b. Cadets are required to pass a uniform inspection to serve tours.

(1) Cadets who fail inspection are released to their room to fix the discrepancies and must return within the hour. The Regimental Duty Officer will annotate lost tour credit on the cadet's unit tour card, and each failed uniform inspection equals an hour of lost credit.

(2) When the extra duty tour uniform is White Over Gray or Dress Gray, the cadet with the best uniform may be selected by the Brigade Duty Officer to be released one hour early and receive full credit for the day.

6-3. Tour Schedule

The Brigade Regulations and Discipline Officer is responsible for publishing the schedule for Tours prior to the completion of Reorganization Week in the fall and spring semesters. The Brigade Tactical Department will publish instructions outlining when accelerated tours will be served (i.e. Term End Exams and Graduation Week). The standard timeline is established in Table 6-1 below.

Day	Time	Event	Location
Friday	1630-1700	Accountability/In-Ranks	Central Guard Room
	1700-1850	Walking Tours	North Area
		Sitting Tours	Drafting Room
		Fatigue Tours	As Directed by BTDCSM
Saturday/Sunday	1230-1300	Accountability/In-Ranks	Central Guard Room
	1300-1850	Walking Tours	North Area
		Sitting Tours	Drafting Room
		Fatigue Tours	As Directed by BTDCSM
Federal Holidays	1230-1300	Accountability/In-Ranks	Central Guard Room
	1300-1850	Walking Tours	North Area
		Sitting Tours	Drafting Room
		Fatigue Tours	As Directed by BTDCSM
Monday (In-Season Athletes only)	1900-1930	Accountability/In-Ranks	Central Guard Room
	1930-2320	Sitting Tours	Drafting Room

TABLE 6-1. EXTRA DUTY TOUR SCHEDULE

6–4. Types of Disciplinary Tours

All cadets will report to inspection at the Central Guard Room unless excused by their Tactical Officer or NCO, or the Officer in Charge. Cadets will serve sitting tours or fatigue tours as specified by the Tactical Officer or NCO on the tour card for each disciplinary period. Tactical Officers and NCOs will annotate any changes or reasons for authorized absence from tours on the tour card. A tour hour consists of 50 minutes of activity (marching, studying, physical work) and 10 minutes of rest.

a. **Walking Tours.** Walking tours require cadets to march across a designated portion of North Area, under arms, at 120 steps per minute. The Brigade Tactical Department Sergeant Major may limit the availability of walking tours at any time, and direct fatigue tours for cadets, when needed.

b. **Sitting Tours.** Sitting tours require cadets to sit at a desk or stand within an arm's reach of that desk and serve their punishment while reading, studying, or writing. Cadets serving sitting tours are authorized to bring only academic books and academic study materials. Cadets may listen to music while serving sitting tours, but may not watch movies, shows, or other videos. Sitting tours are conducted in the designated Drafting Rooms on the sixth floor of Washington Hall. Cadets serving sitting tours on Sundays are authorized to attend an on-post religious service, but must report to CGR in the appropriate uniform by 1230 hours. Cadets will only serve sitting tours when specifically authorized or prescribed by their Company Tactical Officer or NCO including:

- (1) Cadets on academic probation.
- (2) Cadets excused by the USCC Surgeon due to a physical profile.
- (3) In-Season Corps Squad or Competitive Club Athletes.
- (4) Upon request of the cadet.

c. **Fatigue Tours.** Cadets may serve fatigue tours by executing work details. Fatigue tours will be directed by the Officer in Charge, or the Brigade Tactical Department Sergeant Major.

6–5. Disciplinary Tour Service and Credit

See BTD Policy Letter #4 – Cadet Extra Duty Tours.

Chapter 7

Special Leader Development Programs

7–1. General

The Special Leader Development Program (SLDP), is a rehabilitative program. A developmental coach guides the cadet through structured reflection and introspection. Accordingly, the developmental coach helps the cadet examine and modify their behavior, thoughts, values, and beliefs. The cadet is ultimately responsible for making the changes necessary for moral-ethical growth and development. The purpose of SLDP is to enable cadets to critically evaluate and reflect on their values and behaviors. In doing so, a cadet has an opportunity to grow in self-awareness, moral understanding, and moral courage that demonstrate the Army values and inspire Honorable living. In this process, the developmental coach provides "guided reflection," meeting with the cadet to discuss their character development and to provide feedback on the cadet's submitted work.

7–2. Applicability

SLDP is designed to address and correct a character deficiency following a cadet's violation of equal opportunity, harassment, other incident violating an individuals' dignity and respect, as directed by the Commandant or Superintendent during a board proceeding, or at the recommendation of a Tactical Officer with approval from the Commandant. This regulation does not include guidance or requirements for the SLDP following a violation of the cadet Honor Code (SLDP-H). For SLDP-H program requirements, see USCC Pamphlet 15-1.

7–3. Program Goals

The desired end-state of SLDP includes three objectives: Ownership, Internalization, and Character Development. The program will be considered successful if cadets demonstrate ownership

(acknowledgment of one's role in wrongdoing, an understanding of the consequences, and a willingness to change), internalization (acceptance of the Army Values and a commitment to living and leading honorably), and character development (demonstrated behavior change by the cadet)

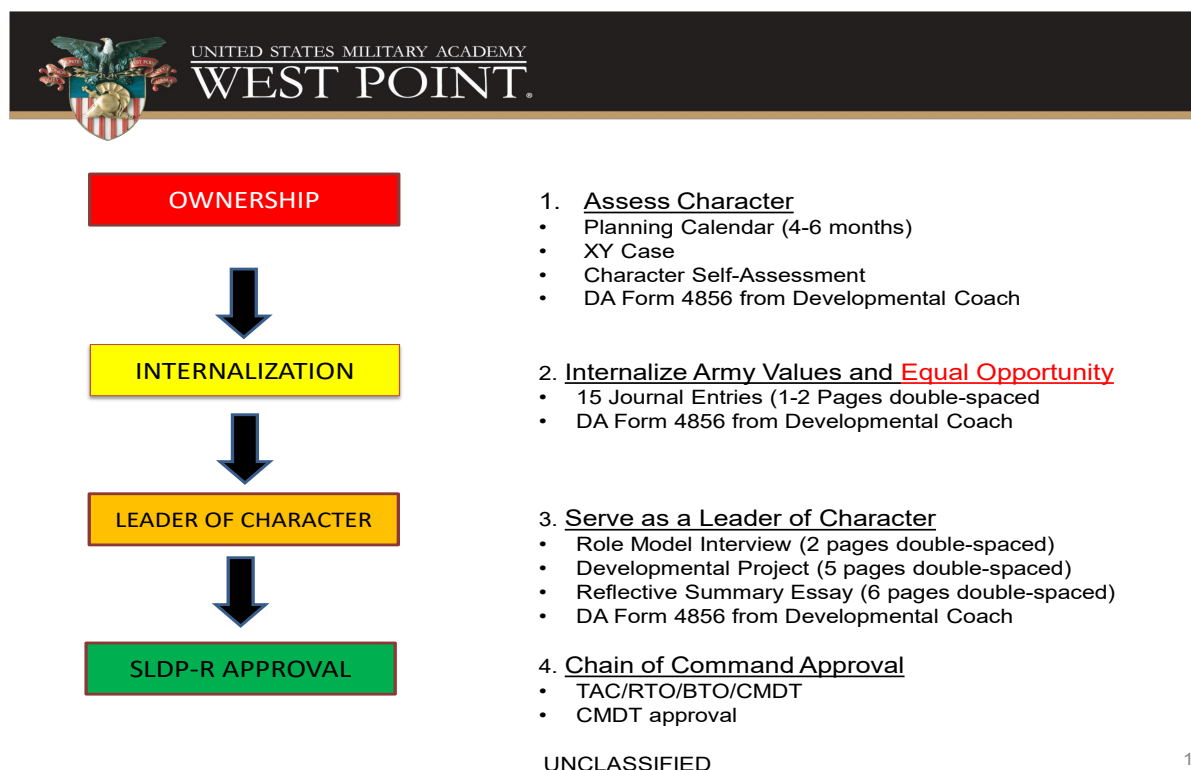


FIGURE 7-1. SLDP PROGRAM OUTLINE

7-4. Duties and Responsibilities

a. ACT Education Officer—The ACT Education Officer supervises the progress of cadets enrolled in SLDP. Specific duties include tracking each cadet's progress through SLDP and providing a weekly update to the SLDP Program Manager.

b. SLDP Program Manager—The Special Assistant to the Commandant for Character will serve as the SLDP Program Manager. The USCC Equal Opportunity Advisor may serve as the Program Manager in the absence of a Special Assistant to the Commandant for Character.

(1) Maintains template memorandums for enrollment, disenrollment, portfolio requirements, and other products required by the program.

(2) Ensures that each cadet is assigned a Developmental coach. cadets enrolled in SLDP are responsible for providing nominations.

(3) Coordinates and/or conducts program in-brief with cadet and developmental coach to establish the individuals' responsibilities and ensure the standards for successful completion are understood.

(4) Maintains an updated SLDP roster and sends a weekly update to the ACT Education Officer.

(5) Reviews the cadet's portfolio before its submission to the Commandant.

(6) Maintains a copy of the cadet's completed portfolio for a minimum of 6 years following the cadet's graduation or separation from the Academy.

c. Commandant—The Commandant is the final approval authority for the following:

(1) If a cadet is placed on administrative or medical leave, the Commandant determines whether the program may continue or if SLDP will be placed on a hold status.

(2) Determines if a cadet may conduct a hybrid SLDP program when also enrolled in SLDP-H. The duration and make-up of the hybrid SLDP are at the sole discretion of the Commandant.

(3) Serves as the final approval authority for any SLDP developmental coach assignment.

d. Developmental coach —

(1) Developmental coaches do not need to have an existing relationship with cadet before SLDP.

Tactical Officers can also submit potential developmental coach names to the SLDP Program Manager.

(2) The following persons are not eligible to serve as a developmental coach:

(a) The cadet's current instructor, chaplain, or coach.

(b) The SLDP Program Manager, Special Assistant to the Commandant for Honor, the USCC Brigade Equal Opportunity Advisor, or Director of the Simon Center for the Profession of Military Ethic.

(c) Anyone in the cadet's SLDP approval/recommendation process.

(d) Any staff or faculty scheduled for a permanent change of station or departure from USMA within nine months.

(3) If an individual is no longer qualified or able to serve as developmental coach after initial selection, a new developmental coach will be selected and serve for the remainder of the SLDP.

7-5. General Program Requirements

a. Enrollment—A memorandum signed by the Commandant is required to enroll a cadet in SLDP officially.

b. Program Completion—The Commandant is the approval authority for the completion of SLDP. If a cadet does not successfully complete SLDP, the Commandant may recommend the Superintendent vacate a separation suspension, and the cadet may be separated from the Academy.

c. Confidentiality—Before the start of the program, the cadet must be notified that their communications (verbal and written) are not confidential. The developmental coach should inform the cadets that they must report certain information to appropriate officials. Such information includes indications that the cadet poses a danger to themselves or others, or criminal acts.

d. Privacy—Despite limitations on confidentiality, the content of SLDP is considered private. This means that developmental coaches will not volunteer personal and sensitive information about the cadet outside of an official capacity. This does not preclude the developmental coach from providing the necessary information through the officer CoC to the Commandant about the cadet's developmental progress in the program. The developmental coach needs to develop a trusting relationship with the cadet.

7-6. Completed SLDP Portfolio Requirements

a. Organization—The program portfolio aims to provide an organizing framework that can accurately represent the scope, nature, and quality of a particular SLDP.

b. Program portfolio—The program portfolio will be organized in a three-ring binder in the following order:

(1) Reflective Summary Essay—The purpose of the reflective summary essay is to provide the cadet with a final opportunity to reflect upon the developmental experience of SLDP and should summarize their entire journey. The essay should not be a diary of what the cadet did but rather an explanation of the lessons learned and personal growth. The summary will be no less than six pages, double-spaced. This should be the final product completed by the cadet for the SLDP portfolio.

(2) Planning Calendar—The cadet will put all planning and execution dates on a calendar for every SLDP portfolio requirement. The recommended format is one-month sheets, but the design is up to the cadet. The Center for Enhanced Performance publishes an academic calendar that can be used to base the planning calendar.

(3) Character Self-Assessment—The cadet will assess their adherence to, belief in, and ability to lead others concerning the seven Army Values. There is no page minimum for this requirement, but the cadet will discuss their character concerning each Army Value.

(4) Journals—Journaling reinforces the reflective and rehabilitative processes of SLDP. Journaling allows the cadet to document actions and reflect upon the associated thought processes behind those actions. The goal is to reflect upon events that involve the cadet's moral bearings. Additionally, journaling

provides an excellent opportunity to discover personal habits related to moral decision-making. The cadet should write brief descriptions of events that stimulated or challenged their character or ethical beliefs.

(a) Requirement—Each cadet is required to complete a total of 15 journal entries. No more than one journal will be written weekly to ensure proper time for reflection and introspection.

(b) Format—Each journal will be titled and checked for spelling and grammar. The length of each journal is one to two pages, double-spaced. All journals will be typed.

(c) The developmental coach will provide a recommended journal topic list and provide feedback on all journals in the manner they deem most effective. If feedback is added to the journals, the feedback will be included in the final portfolio submission.

(5) Military Role Model Emulation—The purpose of role model emulation is to reinforce the rehabilitative process by providing the cadet with a tangible example of an individual who exemplifies the values of USMA and the Army in their life. Role-model emulation will also assist in the admission and reflection processes.

(a) Selection—Cadets may select any active duty or retired Officer or NCO to serve as their military role model. Cadets may not select a role model who recommends approval for the cadet's SLDP completion (Tactical Officer or NCO through Superintendent).

(b) Format—The cadet will provide a two-page double-spaced reflection on the interview. Additionally, the cadet will include the questions they asked their role model and the role model's responses.

(6) Developmental Project—The developmental project aims to reinforce the rehabilitative process with experiential learning. This project will help the cadet understand how the dignity and respect relate to personal and professional values. All three phases - planning, execution, and review - will serve this purpose.

(a) Format—All developmental projects will include a five-page double-spaced reflection explaining the project and its link to character development.

(b) Options—Developmental coaches are provided a great deal of autonomy in shaping the cadet's developmental project. Projects should be individually tailored to best impact each cadet's developmental needs. Typical projects include literary reviews, community service projects, and videos. The Commandant is the final approval authority if a developmental coach is unsure if a proposed developmental project meets the program requirements.

(c) Coordination and Resources—Cadets are responsible for coordinating their program activities and resources.

(7) Counseling—At a minimum, developmental coaches are required to provide initial, mid-term, and final written counseling. Counseling will be recorded on a DA Form 4856.

(8) In-Progress Reviews—Cadets enrolled in SLDP will be reviewed by a board at the mid-point and the end of the SLDP program. The board will consist of two cadets serving on Brigade Staff and tasked by the Brigade Prevention representative, and one of the cadet company prevention representatives. There are two purposes of the mid-point evaluation: 1) to make a recommendation to the Commandant on the progress of the cadet and 2) to provide feedback to the cadet and developmental coach. Their recommendation may include changing the developmental coach (due to a mismatch or lack of progress), lengthening the developmental timeline, or maintaining the current program. If cadets have made exceptional progress and a final evaluation would be deemed excessive, the board may recommend submission of the packet without the last board review.

(9) Recommendations—Each packet will include three recommendations: one from the company Tactical Officer (or TAC NCO), one from the ACT Education Officer (or the Brigade Prevention Officer if the ACT Education Officer is unavailable), and one from the developmental coach. These recommendations will be in memorandum format to the Commandant of Cadets and speak to the cadets' development within the program and their potential for continued service as a leader of character.

(10) Experiential Learning—Cadets may be required to complete experiential learning opportunities as directed by the Commandant, the USCC Equal Opportunity Advisor, or the developmental coach.

7-7. Program Duration

a. Progress—The cadet will report the progress of their SLDP weekly to the cadet ACT Education Officer at a specified time; failure to do so will result in a negative COR from the ACT Education Officer to the cadet. The ACT Education Officer will report the progress of all SLDP cadets to the SLDP Program Manager weekly. Any delays or problems the cadets may have during SLDP should be reported immediately to the ACT Education Officer to ensure program completion.

b. Duration—The duration of this program is four to six months from the start (in-brief) to the end (portfolio submission to the ACT Education Officer). No periods of inactivity exist for SLDP (i.e., Summer Leave, Winter Leave, and Spring Break). Upon submission of the portfolio to the ACT Education Officer, the timeline stops as the portfolio is routed to the Commandant for approval. The cadet is still enrolled in SLDP, and all consequences apply until the Commandant approves the portfolio.

c. Developmental Focus—Successful remediation is both an objective and subjective evaluation and is not based solely on the completion of requirements or a timeline. If a program is terminated, the cadet will be assigned a new developmental coach, and the program will restart. If a cadet is not remediating, the program may be terminated early at the developmental coach's request and the Commandant's approval.

d. Extension Requests—If a cadet does not complete the program in six months, extensions must be submitted to the Commandant for approval. The cadet will submit extensions for failure to satisfy requirements. The developmental coach will submit extensions for insufficient development. Timeline extensions are granted on a one-month basis. Copies of each timeline extension request will be included in the final portfolio.

e. Program Completion—The developmental coach will prepare a memorandum with their recommendation and submit it along with the cadet's portfolio. The cadet will secure a recommendation from the TAC before submission to the ACT Education Officer for review. The ACT Education Officer will route the completed portfolio for approval or disapproval from the chain of command. Upon approval by the Commandant, the SLDP ACT Program Manager will inform the cadet, developmental coach, and the chain of command.

Chapter 8 Conduct Reviews and Conduct Hearings

8-1. General

A cadet's standing in conduct is either proficient or deficient. A cadet is proficient in conduct as long as that cadet continues to meet the standards of conduct expected of members of the Corps of Cadets.

8-2. Deficient Status

Cadets are considered deficient in conduct status when one or more of the following occurs:

- a. The cadet violates the terms of his or her Conduct Probation.
- b. The cadet exceeds the six-month demerit allowance. See table 8-1.
- c. The cadet's misconduct is substantiated at two Brigade-Level or higher Article 10 Hearings.
- d. The cadet receives three Field Grade (Regiment and above) Article 10 Hearings.
- e. The cadet receives an "F" grade for Military Development.
- f. The cadet receives a "D" grade for Military Development and a recommendation for referral to a Conduct Hearing is made by the Brigade Tactical Officer.
- g. The cadet fails to successfully complete a Special Leader Development Program.
- h. The cadet receives more than 6 negative CORs in a six-month period.

8-3. Conduct Packet Review and Submission.

When one of the eight conditions occur as outlined above, the cadet is considered deficient in conduct and a conduct packet is prepared for referral to a Conduct Hearing. A conduct packet will be prepared by the cadet's Regiment and should be submitted to the USCC Brigade Legal Office within seven (7)

working days after the cadet is identified as deficient. The conduct packet will contain the following documents:

- a. Memoranda from the tactical chain of command. The memoranda will state a recommendation for conduct status in terms of changing or maintaining the cadet's current standing, and if the cadet should be referred to a Conduct Hearing.
- b. Documentation of a cadet's conduct that supports the chain of command recommendations (e.g. CORs, cadet periodic reviews, cadet record briefs (CRB), SLDP documentation).
- c. Company and Regimental Tactical Officers will recommend conduct status as either proficient with a recommended probation period, or deficient with recommendation to refer the cadet to a Conduct Hearing.
- d. Demerit Review. A copy of the cadet's demerit-review from the Automated Discipline System will be included.
- e. A copy of all Article 10 Hearings adjudicated against the cadet.
- f. Conduct review packets for 1CL Cadets will be submitted no later than the conclusion of the academic semester directly proceeding the Cadet's final semester at USMA.

8-4. Conduct Probation

Conduct probation may be directed in writing by the Commandant in lieu of referring a cadet to a Conduct Hearing based upon the recommendations of the chain of command.

- a. Cadets deficient in conduct will be notified in writing and counseled by their Tactical Officer. The probation focuses on the deficiency, but may also include loss or reduction of privileges to facilitate the probation.
- b. The Probation will be in effect for a minimum of one semester, but it can be longer based on the recommendation of the Tactical chain of command and with approval from the Commandant.
- c. Tactical officers will conduct a written initial counseling and monthly review of all cadets placed on conduct probation. These written counselings will be filed in the cadet's local counseling file, and be available for higher level review.
- d. The terms of the probation will be violated, and a Conduct Hearing will be referred, upon any of the following circumstances:
 - (1) The cadet receives sanctions resulting from a single Regimental-level, Brigade-level, or Commandant-level Article 10 hearing during the probation period.
 - (2) The cadet receives sanctions resulting from two (2) Company-level or Battalion-level Article 10 hearings during the probation period.

8-5. Conduct Hearing

A Conduct Hearing is an investigation to confirm if a cadet is deficient in conduct. An Investigating Officer will be appointed to conduct a hearing and make findings and recommendations as to whether the cadet possesses a lack of qualification, as defined in AR 150-1, paragraph 7-7.

- a. Investigating Officers will be officers serving at the rank of Captain promotable or above, not currently serving within the Brigade Tactical Department, and appointed in-writing by the Deputy Commandant, USCC.
- b. Except for the IO qualifications and appointment authorities listed above, the notification, execution, and post-hearing processing for all Conduct Hearings will comply with the requirements for a standard Misconduct Hearing, as outlined in USMA Regulation 1-10 through the chain of command recommendation by the Commandant.
- c. If the Commandant recommends separation, turn-back to another class year, or delayed graduation, the packet will be processed to the Superintendent in accordance with USMA Regulation 1-10.
- d. If the Commandant does not recommend separation, turn-back to another class year, or delayed graduation the packet will not be processed to the Superintendent, and the Commandant will take final action in the case.

8-6. Records Maintenance

The Brigade Tactical Department Regulations and Discipline Office will maintain the record of all conduct packets prepared, conduct probations, and the record of proceedings for all Conduct Hearings in accordance with AR 25-400-2.

AUGUST (FOURTH CLASS YEAR) THROUGH DECEMBER (THIRD CLASS YEAR)					
AUG-JAN	SEP-FEB	OCT-MAR	NOV-APR	DEC-MAY	JAN-JUN
144	144	144	144	144	144
FEB-JUL	MAR-AUG	APR-SEP	MAY-OCT	JUN-NOV	JUL-DEC
138	132	126	120	114	108
AUGUST (THIRD CLASS YEAR) THROUGH DECEMBER (SECOND CLASS YEAR)					
AUG-JAN	SEP-FEB	OCT-MAR	NOV-APR	DEC-MAY	JAN-JUN
108	108	108	108	108	108
FEB-JUL	MAR-AUG	APR-SEP	MAY-OCT	JUN-NOV	JUL-DEC
105	102	99	96	93	90
AUGUST (SECOND CLASS YEAR) THROUGH DECEMBER (FIRST CLASS YEAR)					
AUG-JAN	SEP-FEB	OCT-MAR	NOV-APR	DEC-MAY	JAN-JUN
90	90	90	90	90	90
FEB-JUL	MAR-AUG	APR-SEP	MAY-OCT	JUN-NOV	JUL-DEC
87	84	81	78	75	72
AUGUST (FIRST CLASS YEAR) THROUGH GRADUATION					
AUG-JAN	SEP-FEB	OCT-MAR	NOV-APR	DEC-MAY	JAN-JUN
72	72	72	72	72	72

TABLE 8-1. DEMERIT ALLOWANCE BY CLASS YEAR

Appendix A

References

Section I

Required Publications

AR 15-6

Procedures for Administrative Investigations and Boards of Officers (Cited in *paras. 1-4, 2-10.*)

AR 25-400-2

Army Records Management Program (Cited in *para. 8-6.*)

AR 150-1

USMA Organization, Administration, and Operation (Cited in *paras. 3-2, 3-4, 8-5.*)

AR 600-9

The Army Body Composition Program (Cited in *para. 3-2.*)

AR 600-20

Army Command Policy (Cited in *paras. 2-3, 3-2.*)

USMA Regulation 1-10

Procedures for Misconduct Hearings (Cited in *paras. 2-4, 3-4, 8-5.*)

USMA Regulation 350-12

Intercollegiate Athletics (Cited in *para. 3-4.*)

USCC Pamphlet 15-1

The Cadet Honor Code, System, and Committee Procedures (Cited in *paras. 3-4, 7-2.*)

ATP 6-22.1

The Counseling Process (Cited in *paras. 1-4, 3-1.*)

FM 7-22

Holistic Health and Fitness (Cited in *para. 3-2.*)

Section II

Related Publications

A related publication is a source of additional information. The user does not have to read a related reference to understand this publication.

AR 27-10

Military Justice

USMA Regulation 27-10

USMA Supplement to Army Regulation 27-10

USCC Regulation 600-20

United States Corps of Cadets Command Policy for Conduct, Appearance, and Living Standards

USCC Pamphlet 420-1

Guide to Standards of Cadet Living Areas and Barracks Arrangement

USCC Pamphlet 600-20

Guide to United States Corps of Cadet Conduct Policy

USCC Pamphlet 670-1

Guide to the Cadet Appearance and Wear of USMA Uniforms and Insignia

Section III**Prescribed Forms**

Unless otherwise indicated, DA Forms are available on the APD website (<https://armypubs.army.mil>), and USMA Forms are available on the USMA G5 Publications Page ([Located Here](#)).

DA Form 4856

Developmental Counseling Form

USMA Form 2-3

Record of Proceedings Under Article 10, Cadet Disciplinary System

Appendix B

Glossary of Terms

ABCP

Army Body Composition Program. The ABCP is governed by AR 600-9, and dictates the acceptable height, weight, and body fat percentage for a cadet.

ACFT

Army Combat Fitness Test. The ACFT is the physical test of record for the Army.

ACT

ACT is an acronym, which stands for “Addressing Sexual Harassment/Assault Prevention, Creating Healthy Climates, Tackling Holistic Health.” The ACT program is designed to help cadets take ownership of recognizing and preventing harmful behaviors and ensuring resources are readily provided to cadets in need.

AR

Army Regulation.

Article 10 Hearing

An Administrative Hearing used to address minor misconduct by cadets. The Article 10 Hearing process is executed in a similar manner to an Article 15 Hearing pursuant to the Uniform Code of Military Justice and Army Regulation 27-10.

BTD

Brigade Tactical Department. The BTD oversees and manages the Corps of Cadets, providing guidance and support for military, physical, and character training, as well as managing the day-to-day operations. The BTD is responsible for implementing the Cadet Disciplinary System.

Brigade Tactical Officer

The Brigade Tactical Officer (BTO) is the head of the Brigade Tactical Department. The BTO is responsible for the oversight and management of all operations within the Corps of Cadets, as well as managing the training and development of four Regimental tactical Officers, 36 Company Tactical Officers, and all NCOs assigned to cadet companies.

COR

Cadet Observation Report. A COR is an electronic report used to notify the command of discipline or other infractions, as well as commendatory behavior by cadets. CORs may be filed by any individual at USMA with access to the Cadet Information System.

Covered Offenses

A set of offenses, defined in Section 533 of the Fiscal Year 2022 National Defense Authorization Act, that must be routed through the Office of the Special Trial Counsel prior to any adjudication by the Command.

DCA

Directorate of Cadet Activities. DCA is responsible for managing and overseeing the cadet clubs at USMA, as well as the Cadet Fine Arts Forum, and several catering and retail outlets that service the cadets and their guests.

IOCT

Indoor Obstacle Course Test. The IOCT is required to be taken and passed by cadets at various times during their training. Cadets who fail the IOCT are at risk for graduation, and may be placed on remedial physical training programs.

NCO

Non-commissioned Officer.

Peg Points

Peg points are the minimum grade point average required for the respective academic, military, and physical pillars at USMA. If a Cadet falls under the required peg point, they may be deemed deficient in that pillar and face potential separation from the Academy.

RCM

Rules for Courts-Martial. The RCM govern the procedures and punishments in all courts-martial and, whenever expressly provided, preliminary, supplementary, and appellate procedures and activities.

Regimental Tactical Officer

The Regimental Tactical Officer (RTO) oversees the training and management of an individual regiment of cadets. The Corps of Cadets is organized into four regiments of approximately 1,200 cadets each.

SLDP

Special Leader Development Program. This program is a developmental program aimed at confronting and correcting flaws or weaknesses in a cadet's demonstrated character.

SUDCC

Substance Use Disorder Clinical Care. SUDCC (previously known as ASAP-Rehab) is the Army's model for providing outpatient substance use disorder and other behavioral health care in an integrated, unit-aligned, and co-located manner. The SUDCC includes assessment, treatment, and aftercare, for service members and other beneficiaries within an integrated medical and behavioral health model to enhance health and readiness.

TAC Team

The TAC Team consists of the Tactical Officer, who is the legal commander for a cadet company, and the Tactical NCO, who is the senior enlisted advisor for that company.

UCMJ

Uniform Code of Military Justice. The UCMJ governs conduct of all Soldiers, including cadets, and violations of the UCMJ may result in administrative or criminal action.

USCC

United States Corps of Cadets.

USMA

United States Military Academy.

Appendix C

Articles of the UCMJ Which May Be Adjudicated at an Article 10 Hearing

C–1. Article 83 (10 U.S.C. 883)—Malingering

Elements.

- a.* That the cadet was assigned to, or was aware of prospective assignment to, or availability for, the performance of work, duty, or service;
- b.* That the cadet feigned illness, physical disablement, mental lapse, mental derangement, or intentionally inflicted injury upon himself or herself; and
- c.* That the cadet's purpose or intent in doing so was to avoid the work, duty, or service.

C–2. Article 84 (10 U.S.C. 884)—Breach of medical quarantine

Elements.

- a.* That a certain person ordered the cadet into medical quarantine;
- b.* That the person was authorized to order the cadet into medical quarantine;
- c.* That the cadet knew of this medical quarantine and the limits thereof; and
- d.* That the cadet went beyond the limits of the medical quarantine before being released therefrom by proper authority.

[Note: If the offense involved violation of a medical quarantine imposed in response to emergence of a “quarantinable communicable disease” as defined in 42 C.F.R. § 70.1, add the following element]

- e.* That the medical quarantine was imposed in reference to a quarantinable communicable disease (to wit: _____) as defined in 42 C.F.R. § 70.1.

C–3. Article 86 (10 U.S.C. 886)—Absence without leave

Elements.

- a.* Failure to go to appointed place of duty.
 - (1) That a certain authority appointed a certain time and place of duty for the cadet;
 - (2) That the cadet knew of that time and place; and
 - (3) That the cadet, without authority, failed to go to the appointed place of duty at the time prescribed.
- b.* Going from appointed place of duty.
 - (1) That a certain authority appointed a certain time and place of duty for the cadet;
 - (2) That the cadet knew of that time and place; and
 - (3) That the cadet, without authority, went from the appointed place of duty after having reported at such place.
- c.* Absence from unit, organization, or place of duty.
 - (1) That the cadet absented himself or herself from his or her unit, organization, or place of duty at which he or she was required to be;
 - (2) That the absence was without authority from anyone competent to give him or her leave; and
 - (3) That the absence was for a certain period of time.

[Note: if the absence was terminated by apprehension, add the following element]

 - (4) That the absence was terminated by apprehension.
- d.* Abandoning watch or guard.
 - (1) That the cadet was a member of a guard, watch, or duty;
 - (2) That the cadet absented himself or herself from his or her guard, watch, or duty section;
 - (3) That absence of the cadet was without authority; and

[Note: If the absence was with intent to abandon the cadet's guard, watch, or duty section, add the following element]

 - (4) That the cadet intended to abandon his or her guard, watch, or duty section.
- e.* Absence from unit, organization, or place of duty with intent to avoid maneuvers or field exercises.
 - (1) That the cadet absented himself or herself from his or her unit, organization, or place of duty at which he or she was required to be;
 - (2) That the absence of the cadet was without authority;
 - (3) That the absence was for a certain period of time;
 - (4) That the cadet knew that the absence would occur during a part of a period of maneuvers or field exercises; and

- (5) That the cadet intended to avoid all or part of a period of maneuvers or field exercises.

C-4. Article 87 (10 U.S.C. 887)—Missing movement; jumping from vessel

Elements.

- a.* Missing movement.
- b.* That the cadet was required in the course of duty to move with a ship, aircraft, or unit;
- c.* That the cadet knew of the prospective movement of the ship, aircraft, or unit; and
- d.* That the cadet missed the movement through design or neglect.

C-5. Article 87b (10 U.S.C. 887b)—Offenses against correctional custody and restriction

Elements.

- a.* Breach of restriction.
 - (1) That a certain person ordered the cadet to be restricted to certain limits;
 - (2) That said person was authorized to order said restriction;
 - (3) That the cadet knew of the restriction and the limits thereof; and
 - (4) That the cadet went beyond the limits of the restriction before being released therefrom by proper authority.

C-6. Article 89 (10 U.S.C. 889)—Disrespect toward superior commissioned officer; assault of superior commissioned officer

Elements.

- a.* Disrespect toward superior commissioned officer.
 - (1) That the cadet did or omitted certain acts or used certain language to or concerning a certain commissioned officer;
 - (2) That such behavior or language was directed toward that officer;
 - (3) That the officer toward whom the acts, omissions, or words were directed was the superior commissioned officer of the cadet;
 - (4) That the cadet then knew that the commissioned officer toward whom the acts, omissions, or words were directed was the cadet's superior commissioned officer; and
 - (5) That, under the circumstances, the behavior or language was disrespectful to that commissioned officer.
- b.* Striking or assaulting superior commissioned officer.
 - (1) That the cadet struck, drew, or lifted up a weapon against, or offered violence against, a certain commissioned officer;
 - (2) That the officer was the superior commissioned officer of the cadet;
 - (3) That the cadet then knew that the officer was the cadet's superior commissioned officer; and
 - (4) That the superior commissioned officer was then in the execution of office.

C-7. Article 90 (10 U.S.C. 890)—Willfully disobeying superior commissioned officer

Elements.

- a.* That the cadet received a lawful command from a superior commissioned officer;
- b.* That this officer was the superior commissioned officer of the cadet;
- c.* That the cadet then knew that this officer was the cadet's superior commissioned officer; and
- d.* That the cadet willfully disobeyed the lawful command.

C-8. Article 92 (10 U.S.C. 892)—Failure to obey order or regulation

Elements.

- a.* Violation of or failure to obey a lawful general order or regulation.
 - (1) That there was in effect a certain lawful general order or regulation;
 - (2) That the cadet had a duty to obey it; and
 - (1) That the cadet violated or failed to obey the order or regulation.
- b.* Failure to obey other lawful order.
 - (1) That a member of the armed forces issued a certain lawful order;
 - (2) That the cadet had knowledge of the order;
 - (3) That the cadet had a duty to obey the order; and
 - (4) That the cadet failed to obey the order.)

- c.* Dereliction in the performance of duties.
 - (1) That the cadet had certain duties;
 - (2) That the cadet knew or reasonably should have known of the duties; and
 - (3) That the cadet was (willfully) (through neglect or culpable inefficiency) derelict in the performance of those duties.

C-9. Article 104 (10 U.S.C. 904)—Public records offenses

Elements.

- a.* That the cadet altered, concealed, removed, mutilated, obliterated, destroyed, or took with the intent to alter, conceal, remove, mutilate, obliterate, or destroy, a certain public record; and
- b.* That the act of the cadet was willful and unlawful.

C-10. Article 105 (10 U.S.C. 905)—Forgery

Elements.

- a.* Forgery—making or altering.
 - (1) That the cadet falsely made or altered a certain signature or writing;
 - (2) That the signature or writing was of a nature which would, if genuine, apparently impose a legal liability on another or change another's legal rights or liabilities to that person's prejudice; and
 - (3) That the false making or altering was with the intent to defraud.
- b.* Forgery—uttering.
 - (1) That a certain signature or writing was falsely made or altered;
 - (2) That the signature or writing was of a nature which would, if genuine, apparently impose a legal liability on another or change another's legal rights or liabilities to that person's prejudice;
 - (3) That the cadet uttered, offered, issued, or transferred the signature or writing;
 - (4) That at such time the cadet knew that the signature or writing had been falsely made or altered; and
 - (5) That the uttering, offering, issuing or transferring was with the intent to defraud

C-11. Article 105a (10 U.S.C. 905a)—False or unauthorized pass offenses

Elements.

- a.* Wrongful making, altering, counterfeiting, or tampering with a military or official pass, permit, discharge certificate, or identification card.
 - (1) That the cadet wrongfully and falsely made, altered, counterfeited, or tampered with a certain military or official pass, permit, discharge certificate, or identification card; and
 - (2) That the cadet then knew that the pass, permit, discharge certificate, or identification card was false or unauthorized.
 - b.* Wrongful sale, gift, loan, or disposition of a military or official pass, permit, discharge certificate, or identification card.
 - (1) That the cadet wrongfully sold, gave, loaned, or disposed of a certain military or official pass, permit, discharge certificate, or identification card;
 - (2) That the pass, permit, discharge certificate, or identification card was false or unauthorized; and
 - (3) That the cadet then knew that the pass, permit, discharge certificate, or identification card was false or unauthorized.
 - c.* Wrongful use or possession of a false or unauthorized military or official pass, permit, discharge certificate, or identification card.
 - (1) That the cadet wrongfully used or possessed a certain military or official pass, permit, discharge certificate, or identification card;
 - (2) That the pass, permit, discharge certificate, or identification card was false or unauthorized; and
 - (3) That the cadet then knew that the pass, permit, discharge certificate, or identification card was false or unauthorized.
- [Note: When there is intent to defraud or deceive, add the following element:]
- (4) That the cadet used or possessed the pass, permit, discharge certificate, or identification card with intent to defraud or deceive.

C-12. Article 106 (10 U.S.C. 906)—Impersonation of officer, noncommissioned or petty officer, or agent or official

Elements.

- a.* That the cadet impersonated an officer, noncommissioned officer, or petty officer, or an agent of superior authority of one of the armed forces, or an official of a certain government, in a certain manner; and
- b.* That the impersonation was wrongful and willful.
[Note 1: If intent to defraud is in issue, add the following element:]
- c.* That the cadet did so with the intent to defraud a certain person or organization in a certain manner.
[Note 2: If the cadet is charged with impersonating an official of a certain government without an intent to defraud, use the following element:]
- d.* That the cadet committed one or more acts which exercised or asserted the authority of the office the cadet claimed to have.

C-13. Article 106a (10 U.S.C. 906a)—Wearing unauthorized insignia, decoration, badge, ribbon, device, or lapel button

Elements.

- a.* That the cadet wore a certain insignia, decoration, badge, ribbon, device, or lapel button upon the cadet's uniform or civilian clothing;
- b.* That the cadet was not authorized to wear the item; and
- c.* That the wearing was wrongful.
[Note: If applicable, add the following element]
- d.* That the cadet wore any of the following decorations: (Medal of Honor); (Distinguished Service Cross); (Navy Cross); (Air Force Cross); (Silver Star); (Purple Heart) (or any valor device on any personal award).

C-14. Article 107 (10 U.S.C. 907)—False official statements; false swearing

Elements.

- a.* False official statements.
 - (1) That the cadet signed a certain official document or made a certain official statement;
 - (2) That the document or statement was false in certain particulars;
 - (3) That the cadet knew it to be false at the time of signing it or making it; and
- b.* (d) That the false document or statement was made with the intent to deceive.
- c.* False swearing.
 - (1) That the cadet took an oath or equivalent;
 - (2) That the oath or equivalent was administered to the cadet in a matter in which such oath or equivalent was required or authorized by law;
 - (3) That the oath or equivalent was administered by a person having authority to do so;
 - (4) That upon this oath or equivalent the cadet made or subscribed a certain statement;
 - (5) That the statement was false; and
 - (6) That the cadet did not then believe the statement to be true.

C-15. Article 108 (10 U.S.C. 908)—Military property of United States—Loss, damage, destruction, or wrongful disposition

Elements.

- a.* Selling or otherwise disposing of military property.
 - (1) That the cadet sold or otherwise disposed of certain property (which was a firearm or explosive);
 - (2) That the sale or disposition was without proper authority;
 - (3) That the property was military property of the United States; and
 - (4) That the property was of a certain value.
- b.* Damaging, destroying, or losing military property.
 - (1) That the cadet, without proper authority, damaged or destroyed certain property in a certain way, or lost certain property;
 - (2) That the property was military property of the United States;
 - (3) That the damage, destruction, or loss was willfully caused by the cadet or was the result of neglect by the cadet; and
 - (4) That the property was of a certain value or the damage was of a certain amount.
- c.* Suffering military property to be lost, damaged, destroyed, sold, or wrongfully disposed of.

- (1) That certain property (which was a firearm or explosive) was lost, damaged, destroyed, sold, or wrongfully disposed of;
- (2) That the property was military property of the United States;
- (3) That the loss, damage, destruction, sale, or wrongful disposition was suffered by the cadet, without proper authority, through a certain omission of duty by the cadet;
- (4) That the omission was willful or negligent; and
- (5) That the property was of a certain value or the damage was of a certain amount

C-16. Article 109 (10 U.S.C. 909)—Property other than military property of United States—waste, spoilage, or destruction

Elements.

a. Wasting or spoiling of non-military property.

- (1) That the cadet willfully or recklessly wasted or spoiled certain real property in a certain manner;
- (2) That the property was that of another person; and
- (3) That the property was of a certain value.

b. Damaging non-military property.

- (1) That the cadet willfully and wrongfully damaged certain personal property in a certain manner;
- (2) that the property was that of another person; and
- (3) that the damage inflicted on the property was of a certain amount.

c. Destroying non-military property.

- (1) That the cadet willfully and wrongfully destroyed certain personal property in a certain manner;
- (2) That the property was that of another person; and
- (3) That the property was of a certain value.

C-17. Article 109a (10 U.S.C. 909a)—Mail matter: wrongful taking, opening, etc.

Elements.

a. Taking.

- (1) That the cadet took certain mail matter;
- (2) That such taking was wrongful;
- (3) That the mail matter was taken by the cadet before it was delivered to or received by the addressee;

and

(4) That such taking was with the intent to obstruct the correspondence or pry into the business or secrets of any person or organization.

b. Opening, secreting, destroying, or stealing.

- (1) That the cadet opened, secreted, destroyed, or stole certain mail matter;
- (2) That such opening, secreting, destroying, or stealing was wrongful; and
- (3) That the mail matter was opened, secreted, destroyed, or stolen by the cadet before it was delivered to or received by the addressee.

C-17. Article 111 (10 U.S.C. 911)—Leaving scene of vehicle accident

Elements.

a. Driver.

- (1) That the cadet was the driver of a vehicle;
- (2) That while the cadet was driving the vehicle was involved in an accident;
- (3) That the cadet knew that the vehicle had been in an accident;
- (4) That the cadet left the scene of the accident without (providing assistance to the victim who had been struck (and injured) by the said vehicle) or (providing identification); and
- (5) That such leaving was wrongful.

b. Senior passenger.

- (1) That the cadet was a passenger in a vehicle which was involved in an accident;
- (2) That the cadet knew that said vehicle had been in an accident; and
- (3) That the cadet was the superior commissioned or noncommissioned officer of the driver, or commander of the vehicle, and wrongfully and unlawfully ordered, caused, or permitted the driver to leave the scene of the accident without (providing assistance to the victim who had been struck (and injured) by the said vehicle) (or) (providing identification).

C-19. Article 112 (10 U.S.C. 912)—Drunkenness and other incapacitation offenses

Elements.

a. Drunk on duty.

- (1) That the cadet was on a certain duty; and
- (2) That the cadet was drunk while on this duty.

b. Incapacitation for duty from drunkenness or drug use.

- (1) That the cadet had certain duties to perform;
- (2) That the cadet was incapacitated for the proper performance of such duties; and
- (3) That such incapacitation was the result of previous indulgence in intoxicating liquor or any drug.

c. Drunk prisoner.

- (1) That the cadet was a prisoner; and
- (2) That while in such status the cadet was drunk.

C-20. Article 115 (10 U.S.C. 915)—Communicating threats

Elements.

a. Threats generally.

- (1) That the cadet communicated certain language expressing a present determination or intent to injure the person, property, or reputation of another person, presently or in the future;
- (2) That the communication was made known to that person or to a third person; and
- (3) That the communication was wrongful.

C-21. Article 117 (10 U.S.C. 917)—Provoking speeches or gestures

Elements.

a. That the cadet wrongfully used words or gestures toward a certain person;

b. That the words or gestures used were provoking or reproachful; and

c. That the person toward whom the words or gestures were used was a person subject to the UCMJ.

C-22. Article 121 (10 U.S.C. 921)—Larceny and wrongful appropriation

Elements.

a. Larceny.

- (1) That the cadet wrongfully took, obtained, or withheld certain property from the possession of the owner or of any other person;

- (2) That the property belonged to a certain person;

- (3) That the property was of a certain value, or of some value; and

- (4) That the taking, obtaining, or withholding by the cadet was with the intent permanently to deprive or defraud another person of the use and benefit of the property or permanently to appropriate the property for the use of the cadet or for any person other than the owner.

[Note: If the property is alleged to be military property, as defined in subparagraph 64.c.(1)(h), add the following element]

- (5) That the property was military property.

b. Wrongful appropriation.

- (1) That the cadet wrongfully took, obtained, or withheld certain property from the possession of the owner or of any other person;

- (2) That the property belonged to a certain person;

- (3) That the property was of a certain value, or of some value; and

- (4) That the taking, obtaining, or withholding by the cadet was with the intent temporarily to deprive or defraud another person of the use and benefit of the property or temporarily to appropriate the property for the use of the cadet or for any person other than the owner.

C-23. Article 121a (10 U.S.C. 921a)—Fraudulent use of credit cards, debit cards, and other access devices

Elements.

a. That the cadet knowingly used a stolen credit card, debit card, or other access device; or

b. That the cadet knowingly used a revoked, cancelled, or otherwise invalid credit card, debit card; or

- c.* That the cadet knowingly used a credit card, debit card, or other access device without the authorization of a person whose authorization was required for such use;

- d.* That the use was to obtain money, property, services, or anything else of value; and
- e.* The use by the cadet was with the intent to defraud.

C–24. Article 121b (10 U.S.C. 921b)—False pretenses to obtain services

Elements.

- a.* That the cadet wrongfully obtained certain services;
- b.* That the obtaining was done by using false pretenses;
- c.* That the cadet then knew of the falsity of the pretenses;
- d.* That the obtaining was with intent to defraud; and
- e.* That the services were of a certain value, or of some value.

C–25. Article 122a (10 U.S.C. 922a)—Receiving stolen property

Elements.

- a.* That the cadet wrongfully received, bought, or concealed certain property of some value;
- b.* That the property belonged to another person;
- c.* That the property had been stolen; and
- d.* That the cadet knew that the property had been stolen.

C–26. Article 123 (10 U.S.C. 923)—Offenses concerning Government computers

Elements.

- a.* Unauthorized distribution of classified information obtained from a Government computer.
 - (1) That the cadet knowingly accessed a Government computer with an unauthorized purpose;
 - (2) That the cadet obtained classified information;
 - (3) That the cadet had reason to believe the information could be used to injure the United States or benefit a foreign nation; and
 - (4) That the cadet intentionally communicated, delivered, transmitted, or caused to be communicated, delivered, or transmitted, such information to any person not entitled to receive it.
- b.* Unauthorized access of a Government computer and obtaining classified or other protected information.
 - (1) That the cadet intentionally accessed a Government computer with an unauthorized purpose; and
 - (2) That the cadet thereby obtained classified or other protected information from any such Government computer.
- c.* Causing damage to a Government computer.
 - (1) That the cadet knowingly caused the transmission of a program, information, code, or command; and
 - (2) That the cadet, as a result, intentionally and without authorization caused damage to a Government computer.

C–27. Article 123a (10 U.S.C. 923a)—Making, drawing, or uttering check, draft, or order without sufficient funds

Elements.

- a.* For the procurement of any article or thing of value, with intent to defraud.
 - (1) That the cadet made, drew, uttered, or delivered a check, draft, or order for the payment of money payable to a named person or organization;
 - (2) That the cadet did so for the purpose of procuring an article or thing of value;
 - (3) That the act was committed with intent to defraud; and
 - (4) That at the time of making, drawing, uttering, or delivery of the instrument the cadet knew that the cadet or the maker or drawer had not or would not have sufficient funds in, or credit with, the bank or other depository for the payment thereof upon presentment.
- b.* For the payment of any past due obligation, or for any other purpose, with intent to deceive.
 - (1) That the cadet made, drew, uttered, or delivered a check, draft, or order for the payment of money payable to a named person or organization;
 - (2) That the cadet did so for the purpose or purported purpose of effecting the payment of a past due obligation or for some other purpose;
 - (3) That the act was committed with intent to deceive; and

(4) That at the time of making, drawing, uttering, or delivering of the instrument, the cadet knew that the cadet or the maker or drawer had not or would not have sufficient funds in, or credit with, the bank or other depository for the payment thereof upon presentment.

C–28. Article 124a (10 U.S.C. 924a)—Bribery

Elements.

a. Asking, accepting, or receiving.

(1) That the cadet wrongfully asked, accepted, or received a thing of value from a certain person or organization;

(2) That the cadet then occupied a certain official position or had certain official duties;

(3) That the cadet asked, accepted, or received this thing of value with the intent to have the cadet's decision or action influenced with respect to a certain matter; and

(4) That this certain matter was an official matter in which the United States was interested.

b. Promising, offering, or giving.

(1) That the cadet wrongfully promised, offered, or gave a thing of value to a certain person;

(2) That this person then occupied a certain official position or had certain official duties;

(3) That this thing of value was promised, offered, or given with the intent to influence the decision or action of this person; and

(4) That this matter was an official matter in which the United States was interested.

C–29. Article 124b (10 U.S.C. 924b)—Graft

Elements.

a. Asking, accepting, or receiving.

(1) That the cadet wrongfully asked, accepted, or received a thing of value from a certain person or organization;

(2) That the cadet then occupied a certain official position or had certain official duties;

(3) That the cadet asked, accepted, or received this thing of value as compensation for or in recognition of services rendered, to be rendered, or both, by the cadet in relation to a certain matter; and

(4) That this certain matter was an official matter in which the United States was interested.

b. Promising, offering, or giving.

(1) That the cadet wrongfully promised, offered, or gave a thing of value to a certain person;

(2) That this person then occupied a certain official position or had certain official duties;

(3) That this thing of value was promised, offered, or given as compensation for or in recognition of services rendered, to be rendered, or both, by this person in relation to a certain matter; and

(4) That this matter was an official matter in which the United States was interested.

C–30. Article 129 (10 U.S.C. 929)—Burglary; unlawful entry

Elements.

a. Burglary.

(1) That the cadet unlawfully broke and entered the building or structure of another; and

(2) That the breaking and entering were done with the intent to commit an offense punishable under the UCMJ.

[Note: If the breaking and entering were with the intent to commit an offense punishable under sections 918- 920, 920b-921, 922, 925-928a, and 930 of this title (Article 118-120, 120b-121, 122, 125-128a, and 130), add the following element:]

(3) That the breaking and entering were with the intent to commit an offense punishable under Article 118-120, 120b-121, 122, 125-128a, and 130.

b. Unlawful entry.

(1) That the cadet entered— (i) the real property of another; or (ii) certain personal property of another which amounts to a structure usually used for habitation or storage; and

(2) That the entry was unlawful.

C–31. Article 131g (10 U.S.C. 931g)—Wrongful interference with adverse administrative proceeding

Elements.

a. That the cadet wrongfully did a certain act;

- b.* That the cadet did so in the case of a certain person against whom the cadet had reason to believe there was or would be an adverse administrative proceeding pending; and
- c.* That the act was done with the intent to influence, impede, or obstruct the conduct of such administrative proceeding, or otherwise obstruct the due administration of justice.

C–32. Article 133 (10 U.S.C. 933)—Conduct unbecoming an officer and a gentleman

Elements.

- a.* That the cadet did or omitted to do a certain act;
- b.* That, under the circumstances, the act or omission constituted conduct unbecoming an officer and gentleman.

C–33. Article 134 (10 U.S.C. 934)—General article

Elements. The proof required for conviction of an offense under Article 134 depends upon the nature of the misconduct charged. If the conduct is punished as a crime or offense not capital, the proof must establish every element of the crime or offense as required by the applicable law. All offenses under Article 134 require proof of a single terminal element.

- a.* For clause 1 offenses under Article 134, the following proof is required:
 - (1) That the cadet did or failed to do certain acts; and
 - (2) That, under the circumstances, the cadet's conduct was to the prejudice of good order and discipline in the armed forces
- b.* For clause 2 offenses under Article 134, the following proof is required:
 - (1) That the cadet did or failed to do certain acts; and
 - (2) That, under the circumstances, the cadet's conduct was of a nature to bring discredit upon the armed forces.
- c.* For clause 3 offenses under Article 134, the following proof is required:
 - (1) That the cadet did or failed to do certain acts that satisfy each element of the federal statute (including, in the case of a prosecution under 18 U.S.C. § 13, each element of the assimilated State, Territory, Possession, or District law); and
 - (2) That the offense charged was an offense not capital.

C–34. Article 134—(Check, worthless making and uttering – by dishonorably failing to maintain funds)

Elements.

- a.* That the cadet made and uttered a certain check;
- b.* That the check was made and uttered for the purchase of a certain thing, in payment of a debt, or for a certain purpose;
- c.* That the cadet subsequently failed to place or maintain sufficient funds in or credit with the drawee bank for payment of the check in full upon its presentment for payment;
- d.* That this failure was dishonorable; and
- e.* That, under the circumstances, the conduct of the cadet was either: (i) to the prejudice of good order and discipline in the armed forces; (ii) was of a nature to bring discredit upon the armed forces; or (iii) to the prejudice of good order and discipline in the armed forces and of a nature to bring discredit upon the armed forces.

C–35. Article 134—(Debt, dishonorably failing to pay)

Elements.

- a.* That the cadet was indebted to a certain person or entity in a certain sum;
- b.* That this debt became due and payable on or about a certain date;
- c.* That while the debt was still due and payable the cadet dishonorably failed to pay this debt; and
- d.* That, under the circumstances, the conduct of the cadet was either: (i) to the prejudice of good order and discipline in the armed forces; (ii) was of a nature to bring discredit upon the armed forces; or (iii) to the prejudice of good order and discipline in the armed forces and of a nature to bring discredit upon the armed forces.

C–36. Article 134—(Disorderly conduct, drunkenness)

Elements.

- a.* That the cadet was drunk, disorderly, or drunk and disorderly on board ship or in some other place; and
- b.* That, under the circumstances, the conduct of the cadet was either: (i) to the prejudice of good order and discipline in the armed forces; (ii) was of a nature to bring discredit upon the armed forces; or (iii) to the prejudice of good order and discipline in the armed forces and of a nature to bring discredit upon the armed forces.

C-37. Article 134—(Firearm, discharging—through negligence)

Elements.

- a.* That the cadet discharged a firearm;
- b.* That such discharge was caused by the negligence of the cadet; and
- c.* That, under the circumstances, the conduct of the cadet was either: (i) to the prejudice of good order and discipline in the armed forces; (ii) was of a nature to bring discredit upon the armed forces; or (iii) to the prejudice of good order and discipline in the armed forces and of a nature to bring discredit upon the armed forces.

C-38. Article 134—(Indecent conduct)

Elements.

- a.* That the cadet engaged in certain conduct;
- b.* That the conduct was indecent; and
- c.* That, under the circumstances, the conduct of the cadet was either: (i) to the prejudice of good order and discipline in the armed forces; (ii) was of a nature to bring discredit upon the armed forces; or (iii) to the prejudice of good order and discipline in the armed forces and of a nature to bring discredit upon the armed forces.

C-39. Article 134—(Indecent language)

Elements.

- a.* That the cadet orally or in writing communicated to another person certain language;
- b.* That such language was indecent; and
- c.* That, under the circumstances, the conduct of the cadet was either: (i) to the prejudice of good order and discipline in the armed forces; (ii) was of a nature to bring discredit upon the armed forces; or (iii) to the prejudice of good order and discipline in the armed forces and of a nature to bring discredit upon the armed forces.

[Note: If applicable, add the following additional element:]

- d.* That the person to whom the language was communicated was a child under the age of 16.

C-40. Article 134—(Straggling)

Elements.

- a.* That the cadet, while accompanying the cadet's organization on a march, maneuvers, or similar exercise, straggled;
- b.* That the straggling was wrongful; and
- c.* That, under the circumstances, the conduct of the cadet was either: (i) to the prejudice of good order and discipline in the armed forces; (ii) was of a nature to bring discredit upon the armed forces; or (iii) to the prejudice of good order and discipline in the armed forces and of a nature to bring discredit upon the armed forces.

Appendix D

Maximum Punishment by Type of Hearing

Hearing Level	Demerit Award	Extra Duty Tours	Withdrawal of Privileges	Restriction	Reduction in Rank	Forfeiture of Pay
Summarized Proceeding	14	14	14 days	14 days	N/A	N/A
Company Tactical Officer	21	21	21 days	21 days	CPL to PVT	N/A
Battalion Tactical Officer	28	28	28 days	28 days	SGT to CPL; CPL to PVT	N/A
Regimental Tactical Officer	35	80	80 days	60 days	Any Rank to PVT	N/A
Brigade Tactical Officer	35	100	100 days	90 days	Any Rank to PVT	60% Net Pay
Commandant of Cadets	35	120	120 days	120 days	Any Rank to PVT	80% Net Pay

Level of Punishment Guidance

Nature of Offense	Type I (BDE or USMA)	Type II (Regimental)	Type III (Battalion)	Type IV (Company)
Withhold	Sex/Drugs/Alcohol Related			
	Hazing			
	Incident Involving Civilian Law Enforcement Agency			
	Race, Religious & Discrimination Related			
	Unauthorized POV (Underclass)			
	CAC Alteration			
Academic		Improper Documentation	Failure to Submit (<1)	Failure to Submit
Accountability		TAPS-not in Barracks	TAPS-not in Company	TAPS-not in Room
		Sunday/Acct Formation >3 Hours	Acct Formation 1-3 Hours	Acct Formation < 1 Hour
		Absent for Movement (A/N)	Routine Formation (<3)	Routine Formation (1,2,3)
		Class Absence (<7)	Class Absence (4,5,6)	Class Absence (1,2,3)
			Class/Assignment Late (<4)	Class/Assignment Late (2,3,4)
Appearance		Reflecting Poorly on USMA	Major or Multiple Infractions e.g. Haircut, Uniform	Minor Infractions e.g. Appearance

			Barracks Inspection	Room Unprepared for Inspection
Behavior	Fraternization	Assaults w/o Injuries	Improper Conduct & Gestures	Obscene & Profane Language
	Disrespect towards Staff & Faculty	Disruption e.g. Noise after TAPS & ESP, Fire Alarm	Disrespect toward another cadet	
	Insufficient Fund & Dishonored Check			
Duty	Failure to Report Major Regs Violation e.g. drug & alcohol use	Failure/Absent from Duty at Regt Level or Higher	Failure/Absent from Duty (<3)	Failure/Absent to perform Duty (>3)
Regs, Orders, Instructions		Dangerous/ Unauthorized Items in Room e.g. Explosives	Unauthorized Items in Room	Failure to Sign-Out
		OPP & Violation of Limits	Borrow/Loan Vehicle w/o Authorization	
		Failure to Register POV & Parking (3rd Violation)	Violation of Reduced Privileges	
			Parking (2nd Violation)	Parking (1st Violation)

Late and Absent Guidance

Number of Absences	Resulting Adjudication
1 st Unexcused Absence	3 HR DCOR, Written Counseling
2 nd Unexcused Absence	5 HR DCOR, Written Counseling
3 rd Unexcused Absence	NCOR, Company ART10
≥ 4 Unexcused Absence	NCOR, ≥ Battalion ART10
≥ 7 Unexcused Absence	NCOR, ≥ Regimental ART10
Number of Lates	Resulting Adjudication
1 st Unexcused Late	2 HR DCOR, Written Counseling
2 nd Unexcused Late	5 HR DCOR, Written Counseling
3 rd Unexcused Late	NCOR, Company ART10
≥ 4 Unexcused Absence	NCOR, Battalion ART10
≥ 7 Unexcused Absence	NCOR, Regimental ART10