

DEPARTMENT OF HOMELAND SECURITY

U.S. Coast Guard

ACKNOWLEDGMENT OF RIGHTS - ACCEPTANCE OF NJP

Article 15, UCMJ (Nonjudicial Punishment)

(Enlisted Member Attached To, or Embarked in, a Vessel)

Notification and election of rights concerning the contemplated imposition of nonjudicial punishment (NJP) pursuant to Article 15, UCMJ, in the case of:

Rate/Rank	Last Name, First Name, Middle Initial	SSN/Military ID	Unit
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1. NOTIFICATION

A. In accordance with the requirements of paragraph 4, Part V, MCM, you are notified that the commanding officer is considering imposing NJP pursuant to Article 15, UCMJ based on the following alleged offenses:

UCMJ Article	Offense Description

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

C. You are to complete the attached acknowledgment and election and return it to me no later than _____ hours, _____, 20____.

D. You are advised that adverse results of nonjudicial punishment pursuant to Article 15, UCMJ, will become a part of your military record and may be the basis for adverse personnel actions.

Executive Officer
(or individual designated by the Commanding Officer)

2. MEMBER'S RIGHTS AND ACKNOWLEDGMENTS

A. I acknowledge the following rights and limitations regarding NJP:

1. To be accompanied by a mast representative or spokesperson;
 - a. A **mast representative** must be approved by the command and may participate fully at mast on my behalf. I do not have the right to be represented by an attorney at mast.
 - b. A **spokesperson** is an individual I select, civilian or military, who may assist me, speak on my behalf at mast, but may not examine witnesses. My desired attendance of a spokesperson may not delay a reasonably scheduled mast.
2. To be informed of my rights against compulsory **self-incrimination** under Article 31(b), UCMJ;
3. To be informed orally or in writing of the **information against me** relating to the offense(s) alleged;
4. To **ensure all relevant information is presented** concerning my case:
 - a. To examine documents or physical objects the commanding officer considers in connection with this case, and on which he or she will rely in deciding whether, and how much, NJP to impose;
 - b. To present documents or physical evidence on my own behalf;
 - c. To ask questions of witnesses who present evidence against me;
 - d. To call and question witnesses if their statements are relevant and they are reasonably available;
 - e. To present matters in defense, extenuation, and mitigation orally, or in writing, or both.
5. To have the **mast open to the public** unless the CO closes the mast for good cause under certain circumstances.
6. To **request not to appear personally** at the proceedings, subject to the approval of the commanding officer. If my request is granted, I will have the right to submit written matters for consideration by the commanding officer before any decision is made to impose NJP.

B. I understand that the **maximum punishment** that may be imposed is:

Maximum Punishment(s) Imposed Upon an Enlisted Member When Imposed By a(n)...			
Punishment Type	LCDR (O-4) or Above	LT (O-3) or Below	Enlisted Officer in Charge
Admonition or Reprimand	Yes	Yes	No
(E-3 & below only) Correctional Custody	30 days	7 days	No
Restriction	60 days (max 45 days if w/ extra duties)	14 days	14 days
(E-6 & below only) Extra Duties	45 days	14 days	14 days
Forfeiture of Pay	1/2 of 1 month pay per mos for 2 mos	7 days pay	3 days pay
(E-6 & below only) Reduce in Pay Grade	Yes	Yes	No

[See, Chapter 1, paragraphs 1.E.1., & 1.E.2.]

C. If NJP is imposed, I will have the **right to appeal** to superior authority within 5 calendar days of the imposition of such punishment. The 5-day period begins to run the day after the commanding officer awards NJP. If the punishment awarded includes any form of restraint or extra duties, that punishment is not automatically deferred by filing an appeal. If my appeal is not acted upon by my commanding officer's superior within 5 days, I may request that the unserved portions of the restraint or extra duties be deferred until after the action is completed and the CO will grant such a request.

3. MEMBER'S ACKNOWLEDGMENT

A. () I understand the rights and information provided in this form. Any questions I had were answered to my satisfaction.

Member's Signature

Date

Witness's Signature

Date