

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent of this form is ODCSOPS

AUTHORITY:
PRINCIPAL PURPOSE:
ROUTINE USES:
DISCLOSURE:

PRIVACY ACT STATEMENT
Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 Dated November 22, 1943 (SSN)
To provide commanders and law enforcement officials with means by which information may be accurately recorded.
Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
Disclosure of your social security number is voluntary.

1. LOCATION

CAMP [REDACTED], Iraq

2. DATE (YYYYMMDD)

20050530

3. TIME

4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME

6. SSN

7. GRADE/STATUS

E-4

8. ORGANIZATION OR ADDRESS

Acq 1-184 INF

9.

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

That Sgt [REDACTED] as made the following statements, He said that he hates SSG [REDACTED] & wanted him dead. In his words, "I pray for your death". He has everyone in the squad on a "Hate list". Saying who he hates most to least. He has made degrading remarks to me and fellow squad members. He also makes rude comments about others in the platoon. He talks poorly about the leadership of the platoon & company. He encourages others to do the same. He has threatened physical harm to myself and others. I heard he has made physical contact with [REDACTED] He yells "fuck you" at people on the side of street. He makes rude, demeaning statements about me to my face & encourages others to do the same. I feel I can not work with him & try to avoid being around him. I volunteer for other duties to stay away from him. He assigns me duties then comes back and says "He will do it [REDACTED]". Making it sound like he's doing me a favor. I was assigned a working tower shift with Sgt [REDACTED] & SFC [REDACTED]. 5 mins later Sgt [REDACTED] comes back & says "as much as I want to fuck you, I will take the first shift. He gets mad really easy & wanders loss of control. I have seen him slam his hand on to a dashboard.

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT

TAKEN AT

DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

DA FORM 2823, DEC 1988

DA FORM 2823, JUL 72 IS OBSOLETE

USAPA V1.00

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED] TAKEN AT COMP [REDACTED] DATED 20050930

9. STATEMENT (Continued)

also when things dont seem to go his way he yells and curses at everyone. He says he cant wait till hes in charge.

Nothing To Follows

Nothing Follows

INITIALS OF PERSON MAKING STATEMENT
[REDACTED]

PAGE 2 OF PAGES

STATEMENT OF [REDACTED]

TAKEN AT COMA [REDACTED]

DATED 20060630

STATEMENT (Continued)

Nothing Follows

AFFADAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE ____, I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]
(Signature of Person Making the Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30 day of MAY 2005 at JCR

[REDACTED]
(Signature of Person Administering Oath)

ILT
(Typed Name of Person Administering Oath)

WITNESSES:

[REDACTED]
A Ca 1-184

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

ALS OF PERSON MAKING STATEMENT

OFFICER
(Authority to Administer Oath)

PAGE 3 OF 3 PAGES

[REDACTED]

Witness statement SPC [REDACTED]

On March 1st 2005 in [REDACTED] we were on patrol north of senators when we stopped to get the grid on a Brockdown vehicle we were doing are [REDACTED] and [REDACTED] when we started taking fire, I ran over to where there was firing, pulling security when I saw a big explosion and flames trailing in the air we started falling back on the humvees at this time because the firing temps increased immensely. At this time a second explosion went off in the same spot and two men came charging at us we engaged them and killed them then took cover behind the Humvee. Then we started taking fire from the nearest Rooftop and engaged that. we then pulled back about a block and I was left in a pull security position and saw about 3 to 4 vehicles go to where we engaged the enemy then pull back the way they came. I saw no further but heard a lot of firing

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PRINCIPAL PURPOSE:
ROUTINE USES:
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PRIVACY ACT STATEMENT

Title 10 USC Section 301; Title 5 USC Section 2851; E.O. 9397 Dated November 22, 1943 (SSN)
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Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
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1. LOCATION [REDACTED]	2. DATE (YYYYMMDD) 2005 05 30	3. TIME 2200	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-4	
8. ORGANIZATION OR ADDRESS A co 1/184 INF			

9. [REDACTED]

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Sgt [REDACTED] has mentioned in my presence, a hate list. SSG [REDACTED] is number one on that list myself is number two SPC [REDACTED] is number three and I cant recall the rest of the list but it goes on and on. Sgt [REDACTED] has wished for SSG [REDACTED] death on many occasion. I dont recall any specific way he wished for his death or him saying he wants to kill SSG [REDACTED]. Though he wishes SSG [REDACTED] would fight him and dreams of getting in a fight with him. He has also tried to prouoke me into fighting him. Sgt [REDACTED] also on a daily basis verbally abuses certain soldiers in his squad and also slanders

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT _____ DATED _____		
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.		

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72 IS OBSOLETE

USAPA V1.00

STATEMENT OF [REDACTED]

TAKEN AT 2200

DATED 2005.05.30

9. STATEMENT (Continued)

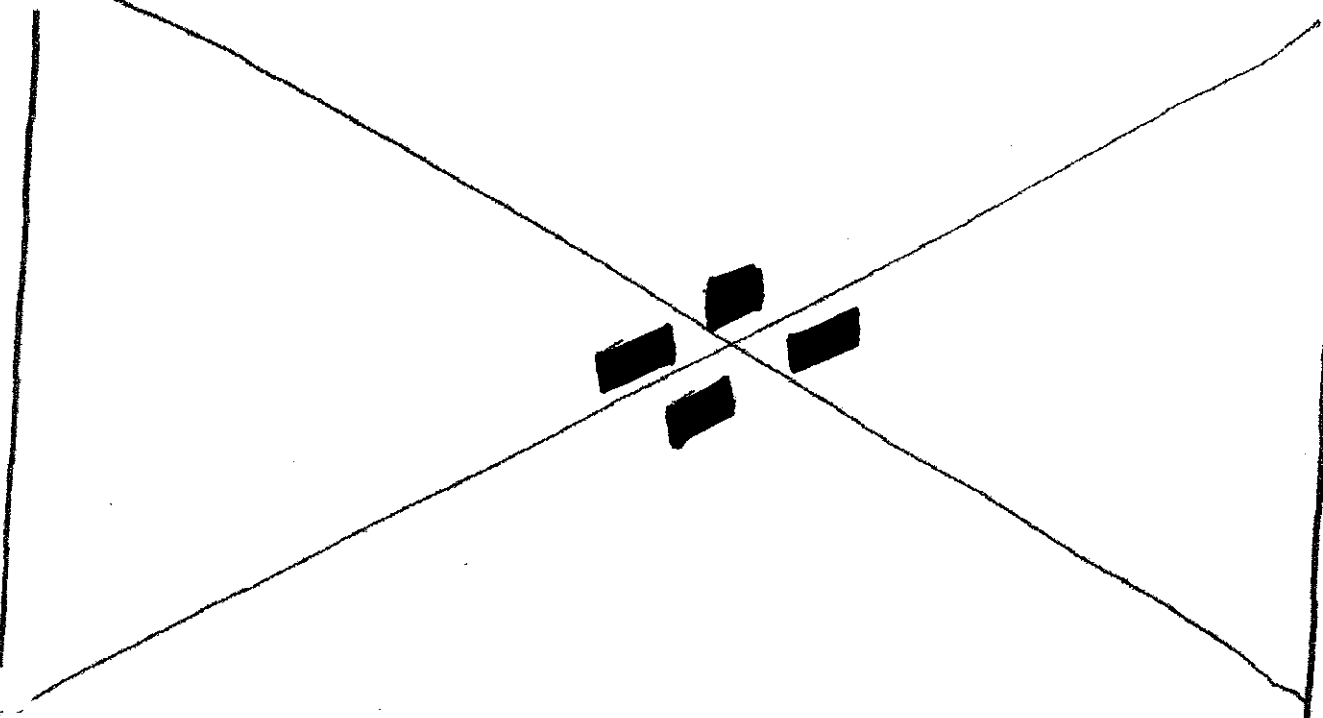
the entire chain of command, his favorite to slander is sgt [REDACTED], he also slanders the LT [REDACTED], sfc [REDACTED], 1st sgt [REDACTED] the commander, sgt [REDACTED] and many other team leaders and squad leaders. His verbal abuse is the worst towards spc [REDACTED] then towards myself and next being spc [REDACTED] Sgt [REDACTED] also verbally abuses and slanders other soldiers in the platoon. Everything I have stated here is the truth and I know there is a lot of things I am leaving out.

Nothing [REDACTED] Follows [REDACTED]

NAME OF PERSON MAKING STATEMENT [REDACTED]

STATEMENT OF [REDACTED] TAKEN AT 2200 DATED 2005 05 30

9 STATEMENT (Continued)



AFFIDAVIT

WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____, I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]
(Signature of Person Making the Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30 day of MAY 2005 at FOB

[REDACTED]
(Signature of Person Administering Oath)

1LT [REDACTED]
(Typed Name of Person Administering Oath)

OFFICER
(Authority to Administer Oath)

WITNESSES:

[REDACTED]

A Co 1-187
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Sworn Statement

I, [REDACTED]

On Tuesday March 1 2005 approximately 2245 we arrived on scene. I was the sponsor for the unit vehicle and I immediately took over security for the friendly forces already in the area. Security was my main role in this event until we returned to the FBI around 0630 March 2 2005

STATEMENT BY March 3 2005

SAC [REDACTED]

[REDACTED]

SPL [REDACTED]

~~Witness~~ Statement for the Court on March 1 between
Jury - Jury

The rest of the night patrol are as follows.
 After we picked up our trip we began our patrol
 through the [REDACTED] we conducted 3 stops
 and continued our patrol, we went down
 a street that ran parallel to [REDACTED] and came
 to a T-intersection. We began to hear vehicles stopped
 in that intersection as someone conducted a grid check.
 After a number of minutes some sounds were at the
 scene to attend to someone at this time traveled up
 the T toward [REDACTED] to investigate. At this point ahead
 of the dispatch, I saw an explosion or blast in
 front of a gateway to a house. At this point the
 dispatch advised that I heard automatic gunfire and
 several shots along the street toward [REDACTED] and the
 area where I witnessed the above stated blast. I held my
 fire until the dispatch fell back to a safe position then
 I began suppressive fire at the flashing and sirens before
 returning. My vehicle backed up and struck another house.
 At this point my left shoulder and I ducked down to
 clear it. I covered fire to the scene on the corner on our
 trip and tried to fire. My weapon cannot be used I

Into the house. I followed Sgt [redacted] and [redacted] into the house and witnessed a 40-50 yr old Arab male lying supine on the floor.

The suspect sustained gunshot wounds to the chest and shrapnel wounds to the lower legs. I began to assist Sgt [redacted] by opening the suspect's airway. After opening the airway I felt the patient's carotid pulse. The suspect did not have a pulse. I then moved to the rooftop to provide security.

After the area was secured Alpha company began searching door to door to acquire information on the incident. We began to look for weapons, or anything out of the ordinary. Specifically information on the insurgents which attacked elements of Alpha company.

Upon completion of the search we established a perimeter around the target building street width for the ambulance to recover the ~~the~~ suspects body.

LTC. [REDACTED]

These are my personal notes written
on 30/31 MAY DURING THE [REDACTED] "Zat" Inquiry.

Wife, SSG [REDACTED] → Capt. [REDACTED] / [REDACTED]
Last night pretty of the

[REDACTED] → [REDACTED] → [REDACTED]
Hend. [REDACTED] [REDACTED]

"Pray For You Dumb"

"Hate all C.O. → CSM → Inapt"

"Gold Fuck You" → People Writing

calls him "Summer Sausage"

Good. Mocking

Demanding a [REDACTED] [REDACTED] [REDACTED]

"I [REDACTED] in [REDACTED]"

"Should [REDACTED] [REDACTED]"

Worst NCO do [REDACTED]

I cannot wait to die in [REDACTED]

[REDACTED] [REDACTED] SSG [REDACTED] [REDACTED] [REDACTED] [REDACTED]

Should [REDACTED] [REDACTED]

Bullshit Kidney → [REDACTED]

Demanding → "Big Guy All" [REDACTED]

Comments about [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

① [redacted] - with [redacted] - [redacted]
A.C.S. [redacted]
→ [redacted] [redacted] (Cpl [redacted])

Appropriately. Justified.

True - [redacted] [redacted] [redacted] [redacted]

Tactful: [redacted] [redacted] [redacted] [redacted]

→ over, over, Not [redacted] [redacted]

② "Z" [redacted] [redacted] [redacted] [redacted]

OW Purpose: "Crazy" "Panic" "Head [redacted]"

- Murphy [redacted]

- S.S. [redacted]

- S.S. [redacted]

* [redacted] [redacted]

Body language: Help him → to a better soldier,

Wanted: "Out do get me"

"I like the man - I can't work him"

"I'm not afraid of S.S. [redacted]"

* [redacted] → [redacted] Regular Boris

Different View Point → Point

Time Out → Diff Opinions

Sgt [redacted] : Wants to fight you → [redacted]

#1 Taught by SSG [redacted] "Dozen [redacted]"

Actual Rate for SSG [redacted] #2 [redacted]

* O.C. → E. [redacted]

* Talk in sleep - Yells!

[redacted] → S. [redacted] S.I. clerk

"Don't mess w/ me [redacted]"

Running Smoothly → Stress → "Not Like [redacted]"

Start End of [redacted]

Hate that: [redacted] → [redacted]

April: [redacted] [redacted] → [redacted]

Don't like, can't stand him, pick on

Furter: "Don't like him" "Doesn't Care About [redacted]"

[redacted] + P

still in [redacted]

Sgt [redacted] → MA approved EOC 2nd
USMC; handle in base; from 2 pm.

No issue in [redacted] [redacted]
Things are not good.
Used to be

1) Long, Uninterrupted Political [redacted]
Said for the [redacted] [redacted]
Maver Single [redacted] [redacted] [redacted] [redacted]
Did not [redacted] [redacted]

Not a [redacted] & [redacted] [redacted]
Keep on [redacted] [redacted]

Sgt [redacted]: [redacted] [redacted] [redacted]

* SGT [redacted]:
Disagreement over [redacted]

* SGT [redacted] Pin: Out to get [redacted]
"Personal"
Does a report of [redacted]
"Drop of Blood"

* SGT [redacted] Personal*
* Personality Conflict
Loving & protective
Angry

→ Don't agree E. him → personal attack on him.
Treat him [redacted]
Don't let [redacted] the [redacted] make

SGT [redacted]
* Use of force
* Volunteer - who can't be [redacted]
* [redacted]

SGT [redacted] "Personal" * : that people
are after him: Law: Call: Soldier

[redacted] → "kiddy" → "Summer Sausage"

[redacted]
[redacted]
[redacted]

→ "Mr. Bork" "Patch Tite"

His yr picture of do they, Jap his hair
Met went to lower cell [redacted]

They did ask to sleep
Fear → [redacted]

Temper → Perfect → [redacted]

Don't recall any physical threat.

"Hate list" # Z "John" # [redacted]

Bullet → [redacted] # Z # 3 [redacted]
→ [redacted]

Second time the [redacted] at days.

"John" → [redacted] → [redacted]

Which he would die, did not know
wouldn't fill the [redacted]

Doesn't recall [redacted] to [redacted]

Counseling : Coerced / Not Coerced → [redacted]

"Cutting nose off to [redacted] my face"

|| | | | | | |

Sgt [redacted]

Talked about COC
Degrading Soldiers
Anti Social

HW Nelson Brothers in Temper

Resters → SI list (SSG [redacted]) intend to visit
Gathered it → Pro Med → These Walls x 2 1/2 hrs
Blow Steam → Egg Shells → Wash Making
Plays Video Games

Good Guy → keeps getting in the way

Wish I was in the way
Die a suffering death x 2 letters

Queen Fred [redacted]

Assure the [redacted] to [redacted] [redacted]
Always [redacted]

Audience in [redacted]

Sgt G. [redacted] "I6" [redacted]

DEVELOPMENTAL COUNSELING FORM

For use of this form, see FM 22-100; the proponent agency is TRADOC

AUTHORITY: DATA REQUIRED BY THE PRIVACY ACT OF 1974
5 USC 301, Departmental Regulations; 10 USC 3013, Secretary of the Army and E.O. 9397 (SSN)
PRINCIPAL PURPOSE: To assist leaders in conducting and recording counseling data pertaining to subordinates.
ROUTINE USES: For subordinate leader development IAW FM 22-100. Leaders should use this form as necessary.
DISCLOSURE: Disclosure is voluntary.

PART I - ADMINISTRATIVE DATA

Name (Last, First, MI) [REDACTED]	Rank/Grade E-5/SGT	Social Security No. [REDACTED]	Date of Counseling 01 FEB 05
Organization A Co. 1-184 IN (AASLT)	Name and Title of Counselor [REDACTED] 2 nd Sqd. Ldr		

PART II - BACKGROUND INFORMATION

Purpose of Counseling: (Leader states the reason for the counseling, e.g., performance/professional growth or event-oriented counseling, and includes the leader's facts and observations prior to the counseling.)

Initial Counseling

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points of Discussion:

- Be punctual, at the right place, in the right uniform at all times.
- Maintain accountability of all equipment and be inspection ready at all time.
- Always give 100% and then some regardless of the task assigned.
- Use your chain of command on or off duty.
- Expect nothing but the best from those you lead and those who will lead you.
- Be efficient with all weapons, functions and positions.

OTHER INSTRUCTIONS

This form will be destroyed upon: reassignment (other than rehabilitative transfers), separation at ETS, or upon retirement. For separation requirements and notification of loss of benefits/consequences see local directives and AR 635-200.

DA FORM 4856, JUN 1999

EDITION OF JUN 85 IS OBSOLETE

USAPA V1.00

Plan of Action: (Outlines actions that the subordinate will do after the counseling session to reach the agreed upon goal(s). The actions must be specific enough to modify or maintain the subordinate's behavior and include a specified time line for implementation and assessment (Part IV below).)

Will inform you of my absence.

Provide you with the necessary information of the squad status in the event of my absence.

Will keep you posted with all current status of the squad.

Will show you the squad's leader's book.

Session Closing: (The leader summarizes the key points of the session and checks if the subordinate understands the plan of action. The subordinate acknowledges and provides remarks if appropriate.)

Individual counseled: I agree disagree with the information above

Individual counseled remarks:

Signature of Individual Counseled: _____

Date: _____

Leader Responsibilities: (Leader's responsibilities in implementing the plan of action).

Signature of Counselor: _____

Date: _____

PART IV - ASSESSMENT OF THE PLAN OF ACTION

Assessment: (Did the plan of action achieve the desired results? This section is completed by both the leader and the individual counseled and provides useful information for follow-up counseling.)

Counselor: _____

Individual Counseled: _____

Date of Assessment: _____

Note: Both the counselor and the individual counseled should retain a record of the counseling.

DEVELOPMENTAL COUNSELING FORM

For use of this form, see FM 22-100; the proponent agency is TRADOC

AUTHORITY: DATA REQUIRED BY THE PRIVACY ACT OF 1974
 5 USC 301, Departmental Regulations; 10 USC 3013, Secretary of the Army and E.O. 9397 (SSN)

PRINCIPAL PURPOSE: To assist leaders in conducting and recording counseling data pertaining to subordinates.

ROUTINE USES: For subordinate leader development IAW FM 22-100. Leaders should use this form as necessary.

DISCLOSURE: Disclosure is voluntary.

PART I - ADMINISTRATIVE DATA			
Name (Last, First, MI) [REDACTED]	Rank/Grade E-5/SGT	Social Security No. [REDACTED]	Date of Counseling 12 March 2005
Organization A Co. 1-184 IN (AASLT)	Name and Title of Counselor [REDACTED] 2 nd Sqd. Ldr		

PART II - BACKGROUND INFORMATION

Purpose of Counseling: (Leader states the reason for the counseling, e.g., performance/professional growth or event-oriented counseling, and includes the leader's facts and observations prior to the counseling.)

Performance/professional counseling

PART III - SUMMARY OF COUNSELING

Completes this section during or immediately subsequent to counseling.

Key Points of Discussion:
 Since coming to the squad you have intergraded yourself well and have gotten to know your team. I would challenge you to try to find the link to your team's motivation and key in on it. You might not be staying in the army after this deployment but the young soldiers underneath you might, so keep them motivated. Treat every mission as it was your first, don't get comfortable with the fact that nothing is happening in town. There will come a time when it will hit the fan and you need to have your soldiers ready. Lastly keep the soldiers focused, stay alert.

Some key things that you are sustaining.

- * Professionalism
- * PT

Some key thing that you need to improve on:

- * Accountability
- * With every task there are implied task, I would challenge you to use your research skills to solve the problem.
- * PCI on your team and equipment that you are using. U
- * Become more vocal and have more of a command pre

[REDACTED]

Feb 1 MAR

Counseling of

SGT [REDACTED]. These are from his computer and are not signed. They were given but cannot find originals.

Plan of Action: (Outlines actions that the subordinate will do after the counseling session to reach the agreed upon goal(s). The actions must be specific enough to modify or maintain the subordinate's behavior and include a specified time line for implementation and assessment (Part IV below).)

1. Team Leader will take out pci checksheet prior to every mission. Will also touch and feel each item during pci before, during and after.
If not giving specifics will accomplish the mission within the leaders intent.
Depending on the circumstances I will do what is necessary to get the soldiers attention and direct them as needed.

Session Closing: (The leader summarizes the key points of the session and checks if the subordinate understands the plan of action. The subordinate agrees/disagrees and provides remarks if appropriate.)

Individual counseled: I agree disagree with the information above.

Individual counseled remarks:

Signature of Individual Counseled: _____

Date: 03-23-2005

Leader Responsibilities: (Leader's responsibilities in implementing the plan of action).

Signature of Counselor: _____

Date: _____

PART IV - ASSESSMENT OF THE PLAN OF ACTION

Assessment: (Did the plan of action achieve the desired results? This section is completed by both the leader and the individual counseled and provides useful information for follow-up counseling.)

Counselor: _____

Individual Counseled: _____

Date of Assessment: _____

Note: Both the counselor and the individual counseled should retain a record of the counseling.

DEVELOPMENTAL COUNSELING FORM

For use of this form see FM 22-100.

DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY: 5 USC 301, Departmental Regulations; 10 USC 3013, Secretary of the Army and E.O. 9397 (SSN)
PRINCIPAL PURPOSE: To assist leaders in conducting and recording counseling data pertaining to subordinates.
ROUTINE USES: For subordinate leader development IAW FM 22-100. Leaders should use this form as necessary.
DISCLOSURE: Disclosure is voluntary.

PART I - ADMINISTRATIVE DATA

Name (Last, First, MI) [REDACTED]	Rank / Grade E-5/SGT	Social Security Number [REDACTED]	Date of Counseling 18 April 2005
Organization A Co. 1-184 IN (AASLT)	Name and Title of Counselor [REDACTED] 2 nd Sqd. Ldr		

PART II - BACKGROUND INFORMATION

Purpose of Counseling: (Leader states the reason for the counseling, e.g. Performance/Professional or Event-Oriented counseling and includes the leaders facts and observations prior to the counseling):

Performance/Professional counseling

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points of Discussion:

You are being counseled on your performance for the past month. You were counseled last month on several issues regarding your performance, some of the items discussed were the fact that you sustain both professionalism and getting your team to do pt. We also discussed the fact that you need to improve on several task and they include, accountability with your team, implied task and becoming more vocal with your team. Also, the conclusion of our counseling session you voiced your opinion on several issues regarding the platoon and certain individuals. For a couple of days after our counseling session it seemed like you were more upbeat but that quickly faded. As with my last counseling you exceed in getting your squad out there to either run, or workout. I would challenge you to keep it up and make sure that the team is doing sit ups and pushups with their workouts.

However, your initiative and you're resourcing of problems needs to improve. When given a task, like passing out latex gloves or finding constatine wire, I shouldn't have to tell you exactly how many gloves to pass out or specifically where to find wire. You are a smart soldier as long as you know my intent; you should be able to resource the problem and take the initiative to find what you need or what is applicable. Also with taking the initiative, if you see something that needs to be done or issued out don't hesitate or wait for me to tell you to do it, take the initiative and make it happen. Chain of command, we all know what it is, if you have a problem you need to start with me, if I can't help you then I will find out the answer. For example, if you need help with the trip ticket you don't go to another squad leader to ask for help. Regardless of how you feel about me you need to address the problem with me and let me as your squad leader help you out you don't have to like just be professional. Also during patrols you need to talk to me to find out information and not the Lt. What if we had [REDACTED] going up to the Lt and asking him what is it that we are going to be doing next every time we stopped?

When we are out during patrol you need to be more vocal on where you want your soldiers to be, many times I look over and your team is bunched up. As soon as we exit the vehicle you should be placing them and waiting for my next order. I should not be the yelling at them to pickup security. One other thing that's been slacking is a sensitive items report, when we get done with our patrols or after an engagement we need to make sure we do a sensitive items check to include weapon, nods, paq4, aimpoints, AT4, grenades, flash bangs, and any other special equipment. With that, as soon as we get back from patrol or after an engagement you need to give me an up on all sensitive items. Remember, in order to be a good leader you must be a good follower.

OTHER INSTRUCTIONS

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DA FORM 4856, JUN 99

EDITION OF JUN 85 IS OBSOLETE

DEVELOPMENTAL COUNSELING FORM

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AUTHORITY:

5 USC 301, Departmental Regulations; 10 USC 3013, Secretary of the Army and E.O. 9397 (SSN)

PRINCIPAL PURPOSE:

To assist leaders in conducting and recording counseling data pertaining to subordinates.

ROUTINE USES:

For subordinate leader development IAW FM 22-100. Leaders should use this form as necessary.

DISCLOSURE:

Disclosure is voluntary.

DATA REQUIRED BY THE PRIVACY ACT OF 1974

PART I - ADMINISTRATIVE DATA

Name (Last, First, MI)

[REDACTED]

Rank/Grade

E-5/SGT

Social Security No.

446-64-1115

Date of Counseling

30 APRIL 05

Organization

A Co. 1-184 IN (AASLT)

Name and Title of Counselor

[REDACTED] 2nd Sqd. Ldr

PART II - BACKGROUND INFORMATION

Purpose of Counseling: (Leader states the reason for the counseling, e.g., performance/professional growth or event-oriented counseling, and includes the leader's facts and observations prior to the counseling.)

Professional Growth

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points of Discussion:

As defined in FM 22-100, Leadership is influencing people by providing purpose, direction, and motivation while operating to accomplish the mission and improving the organization.

One of the keys to this, is knowing how to properly use and fill out a Developmental Counseling Form.

My task to you, is to research how to properly use and fill out and explain a Developmental Counseling Form.

OTHER INSTRUCTIONS

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USAPA V1.00

Plan of Action: (Outlines actions that the subordinate will do after the counseling session to reach the agreed upon goal(s). The actions must be specific enough to modify or maintain the subordinate's behavior and include a specified time line for implementation and assessment (Part IV below).)

- Research how to properly use and fill out a developmental counseling form.
- Use one of your soldiers as an example.
- I will give you two weeks to complete this task.
- In two weeks we will meet again and you will give me an example of a developmental counseling form and you will explain to me each block on the developmental counseling form.

Session Closing: (The leader summarizes the key points of the session and checks if the subordinate understands the plan of action. The subordinate summarizes and provides remarks if appropriate.)

Individual counseled: I agree disagree with the information above.

Individual counseled remarks:

Signature of Individual Counseled: _____

Date: 5-19-05

Leader Responsibilities: (Leader's responsibilities in implementing the plan of action).

Signature of Counselor: _____

Date: _____

PART IV - ASSESSMENT OF THE PLAN OF ACTION

Assessment: (Did the plan of action achieve the desired results? This section is completed by both the leader and the individual counseled and provides useful information for follow-up counseling.)

Counselor: _____

Individual Counseled: _____

Date of Assessment: _____

Note: Both the counselor and the individual counseled should retain a record of the counseling.

DEVELOPMENTAL COUNSELING FORM

For use of this form, see FM 22-100; the proponent agency is TRADOC

AUTHORITY: DATA REQUIRED BY THE PRIVACY ACT OF 1974
5 USC 301, Departmental Regulations; 10 USC 3013, Secretary of the Army and E.O. 9397 (SSN)

PRINCIPAL PURPOSE: To assist leaders in conducting and recording counseling data pertaining to subordinates.

ROUTINE USES: For subordinate leader development IAW FM 22-100. Leaders should use this form as necessary.

DISCLOSURE: Disclosure is voluntary.

PART I - ADMINISTRATIVE DATA

Name (Last, First, MI) [REDACTED]	Rank/Grade E-5/SGT	Social Security No. [REDACTED]	Date of Counseling 17 MAY 2005
Organization A Co. 1-184 IN (AASLT)	Name and Title of Counselor [REDACTED] 2 nd Sqd. Ldr		

PART II - BACKGROUND INFORMATION

Purpose of Counseling: (Leader states the reason for the counseling, e.g., performance/professional growth or event-oriented counseling, and includes the leader's facts and observations prior to the counseling.)

Event oriented counseling

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points of Discussion:

On April 18, 2005 we had our monthly counseling session and after the meeting you disagreed with me on the fact that if disagree with what is written in the counseling statement, you can mark disagree. I told you according to how I have been trained and the army standard that is wrong. You are marking agree/disagree only to the fact that you were counseled.

Several days later, I printed up the forms and had you sign it. Even after our discussion you still marked disagree. I brought the forms back to you and stated that it was wrong and that it needed to be changed. Again you voiced your opinion on how you thought it should be done.

Several days later after a mission, you told me that you had talked to several people and that they all agree that it was wrong and that you can mark disagree if you disagree with the counseling. You also stated that I made you change it to agree and that wasn't right. Again I told you, you were wrong and the people who you talked to were wrong.

On April 30, 2005 - we had a counseling session and in that session, I gave you the task of researching and correctly filling out all the blocks on the counseling form. I also gave you 14 days to accomplish this mission/assignment and even after the meeting several days later I told you of some places to look for information like JAG, 1SG.

On May 14, 2005, you neither completed you assignment nor did you ask me for an extension.

This kind of behavior and attitude of blowing off a mission/assignment is not acceptable from a team leader and is not reflective of this army. If given an assignment regardless of your opinion you need to accomplishment the mission and meet the leader's intent to the best of your abilities.

In order to develop your soldiers, you need to be able to give them a direction and to do this you need to be able to know and understand how to use the counseling form. The fact that you did not do your research and do not know how to do a counseling statement is not acceptable as a leader. As leader you need to set the example if you are not willing to invest time to learn something new how can you expect your soldiers to the same.

OTHER INSTRUCTIONS

This form will be destroyed upon: reassignment (other than rehabilitative transfers), separation at ETS, or upon retirement. For separation requirements and notification of loss of benefits/consequences see local directives and AR 635-200.

DA FORM 4856, JUN 1989

EDITION OF JUN 85 IS OBSOLETE

USAPA V1.00

Plan of Action: (Outlines actions that the subordinate will do after the counseling session to reach the agreed upon goal(s). The actions must be specific enough to modify or maintain the subordinate's behavior and include a specified time line for implementation and assessment (Part IV below).)

1. Team Leader will take out pci checksheet prior to every mission. Will also touch and feel each item during pci before, during and after.
If not giving specifics will accomplish the mission within the leaders intent.
Depending on the circumstances I will do what is necessary to get the soldiers attention and direct them as needed.

Session Closing: (The leader summarizes the key points of the session and checks if the subordinate understands the plan of action. The subordinate acknowledges and provides remarks if appropriate.)

Individual counseled: I agree disagree with the information above.

Individual counseled remarks:

Signature of Individual Counseled: _____

Date: 03-23-2005

Leader Responsibilities: (Leader's responsibilities in implementing the plan of action).

Signature of Counselor: _____

Date: _____

PART IV -- ASSESSMENT OF THE PLAN OF ACTION

Assessment: (Did the plan of action achieve the desired results? This section is completed by both the leader and the individual counseled and provides useful information for follow-up counseling.)

Counselor: _____

Individual Counseled: _____

Date of Assessment: _____

Note: Both the counselor and the individual counseled should retain a record of the counseling.

Plan of Action: (Outlines actions that the subordinate will do after the counseling session to reach the agreed upon goal(s). The actions must be specific enough to modify or maintain the subordinate's behavior and include a specified time line for implementation and assessment (Part IV below).)

- I am still going to require you to research how to fill out a counseling statement block by block. I will again give you two weeks from today, in two weeks myself and the PSG will sit down and you will explain to us how to use a counseling form.
- In addition, you will be the NCO in charge of building our bunker for the .50 cal. This will be accomplished when you are not in the towers or on patrol.
- Also you will be in charge of making sure all vehicles will have all equipment per SOP. If equipment is missing you find it and replace it. If you have to order or do not have equipment on hand you will annotate this and supply a list to the PSG by vehicle #. You will research and keep track of Parts missing or on order and supply a list to the PSG weekly. Also in to your duties you will make sure all vehicles are washed as needed.
- If the above is not meant to my intent I will recommend to higher UCMJ action, which can include: Loss of pay, loss of rank, removal from position as a team leader.

Session Closing: (The leader summarizes the key points of the session and checks if the subordinate understands the plan of action. The subordinate acknowledges and remarks remarks if appropriate.)

Individual counseled: I agree disagree with the information above.

Individual counseled remarks:

Signature of Individual Counseled: _____

Date: _____

Leader Responsibilities: (Leader's responsibilities in implementing the plan of action).

Signature of Counselor: _____

Date: _____

PART IV -- ASSESSMENT OF THE PLAN OF ACTION

Assessment: (Did the plan of action achieve the desired results? This section is completed by both the leader and the individual counseled and provides useful information for follow-up counseling.)

Leader: _____

Individual Counseled: _____

Date of Assessment: _____

Note: Both the counselor and the individual counseled should retain a record of the counseling.

AUTHORITY:

DATA REQUIRED BY THE PRIVACY ACT OF 1974

PRINCIPAL PURPOSE:

5 USC 301, Departmental Regulations; 10 USC 3013, Secretary of the Army and E.O. 9397 (SSN)

ROUTINE USES:

To assist leaders in conducting and recording counseling data pertaining to subordinates.

DISCLOSURE:

For subordinate leader development IAW FM 22-100. Leaders should use this form as necessary. Disclosure is voluntary.

Name (Last, First, MI)

PART I - ADMINISTRATIVE DATA

[Redacted]
Organization
A CO 1-184 Inf

Rank/Grade
SGT/E5

Social Security No.
[Redacted]

Date of Counseling
1 June 2005

Name and Title of Counselor
[Redacted] 1SG

PART II - BACKGROUND INFORMATION

Purpose of Counseling: (Leader states the reason for the counseling, e.g., performance/professional growth or event-oriented counseling, and includes the leader's facts and observations prior to the counseling.)

Follow up and documentation of counseling session & interview with the company commander and first sergeant on 30 May 05 in regards to the "z" out of the team vehicle radios while on QRF 29 May 05.

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points of Discussion:

During the counseling / interview session on 30 May 05, SSG [Redacted] indicated that a Plan of Action from a previous counseling session was not completed. Specifically, you were instructed to do research on Military Counseling.

This command puts much emphasis into written counseling. It provides in no uncertain terms the status of a soldier in the company in concerns to developmental status, disciplinary actions, and positive actions.

As a follow up to SSG [Redacted] counseling plan of action from before, the same plan of action will be implemented and turned into the unit 1SG.

OTHER INSTRUCTIONS

This form will be destroyed upon: reassignment (other than rehabilitative transfers), separation at ETS, or upon retirement. For separation requirements and notification of loss of benefits/consequences see local directives and AR 635-200.

DA FORM 4856, JUN 1999

EDITION OF JUN 85 IS OBSOLETE

USAPA V1.00

Plan of Action: (Outlines actions that the subordinate will do after the counseling session to reach the agreed upon goals). The actions must be specific enough to modify or maintain the subordinate's behavior and include a specified time line for implementation and assessment (Part IV below.)

Complete the paper on Army Counseling. Resources available to you are:

M22-100
<http://counsel.armystudyguide.com/>

FM 22-101 (Previous manual specific to counseling but now rolled up into FM 22-100. Still provides a good base of research though.

This is due on 14 June 05 to the 1SG.

Session Closing: (The leader summarizes the key points of the session and checks if the subordinate understands the plan of action. The subordinate summarizes and provides remarks if appropriate.)

Individual counseled: I agree disagree with the information above.

Individual counseled remarks:

AND THEM COUNSEL ONE OF MY SOLDIERS. SSG. [REDACTED] INSTRUCTED ME TO RESEARCH COUNSELING
BLACK BY BLACK. THIS TASK WAS COMPLETED 31 MAY 2005.

Signature of Individual Counseled: [REDACTED]

Date: 2 JUN 2005

Leader Responsibilities: (Leader's responsibilities in implementing the plan of action).

As a team leader I am here to train you and guide you to the right direction. I am here to help you with any questions you might have.

Signature of Counselor: [REDACTED]

Date:

PART IV - ASSESSMENT OF THE PLAN OF ACTION

Assessment: (Did the plan of action achieve the desired results? This section is completed by both the leader and the individual counseled and provides useful information for follow-up counseling.)

Counselor:

Individual Counseled:

Date of Assessment:

Note: Both the counselor and the individual counseled should retain a record of the counseling.

DEVELOPMENTAL COUNSELING FORM

For use of this form, see FM 22-100; the proponent agency is TRADOC

DATA REQUIRED BY THE PRIVACY ACT OF 1974
AUTHORITY: 5 USC 301, Departmental Regulations; 10 USC 3013, Secretary of the Army and E.O. 9397 (SSN)
PRINCIPAL PURPOSE: To assist leaders in conducting and recording counseling data pertaining to subordinates.
ROUTINE USES: For subordinate leader development IAW FM 22-100. Leaders should use this form as necessary.
DISCLOSURE: Disclosure is voluntary.

PART I - ADMINISTRATIVE DATA			
Name (Last, First, MI)	Rank/Grade	Social Security No.	Date of Counseling
[REDACTED]	SGT/E-5	[REDACTED]	7 JUN 05
Organization	Name and Title of Counselor		
Co A 1st Bn, 184 INF	[REDACTED]		BATTALION COMMANDER

PART II - BACKGROUND INFORMATION
 Purpose of Counseling: (Leader states the reason for the counseling, e.g., performance/professional growth or event-oriented counseling, and includes the leader's facts and observations prior to the counseling.)
 Event-oriented counseling due to SM's statements to the PW Surgeon, LTC [REDACTED] to wit: "CO A needlessly shot an unarmed civilian in his living room and 'beat suspects senseless and TASERed them in the face.' The shooting the SM orders to occurred on 1 MPA and was investigated by G-SCAV under whose command A Co was at the time."

PART III - SUMMARY OF COUNSELING
 Complete this section during or immediately subsequent to counseling.

- Key Points of Discussion:**
- 1) See attached transcript.
 - 2) Your allegations are serious. Your profession as a corrections officer is in my mind a clear indication that you understand the seriousness of this allegation.
 - 3) I view all voices within my command with respect. And I take seriously their input.
 - 4) Based on your allegation I am conducting a 15-6 investigation to determine the truth of your suspicions, and to uncover any systemic human rights violation in your company.

OTHER INSTRUCTIONS
 This form will be destroyed upon: reassignment (other than rehabilitative transfers), separation at ETS, or upon retirement. For separation requirements and notification of loss of benefits/consequences see local directives and AR 635-200.

Plan of Action: (Outlines actions that the subordinate will do after the counseling session to reach the agreed upon goal(s). The actions must be specific enough to modify or maintain the subordinate's behavior and include a specified time line for implementation and assessment (Part IV below).)

- 1) I am directing that you be transferred to NHC immediately.
- 2) I direct that you immediately make a sworn statement outlining all your allegations in full. Name, names, give dates, identify what you know from what you conjecture
- 3) I direct that you consider your chain of command to be directly to myself, the chaplain or the CSN.
- 4) Cooperate fully with the 15-6 Investigating Officer

Session Closing: (The leader summarizes the key points of the session and checks if the subordinate understands the plan of action. The subordinate agrees/disagrees and provides remarks if appropriate.)

Individual counseled: I agree disagree with the information above.

Individual counseled remarks:

Signature of Individual Counseled: _____ Date: 7 June 2005

Leader Responsibilities: (Leader's responsibilities in implementing the plan of action.)

Signature of Counselor: _____ Date: _____

PART IV - ASSESSMENT OF THE PLAN OF ACTION

Assessment: (Did the plan of action achieve the desired results? This section is completed by both the leader and the individual counseled and provides useful information for follow-up counseling.)

Counselor: _____ Individual Counseled: _____ Date of Assessment: _____

Note: Both the counselor and the individual counseled should retain a record of the counseling.

AUTHORITY:

DATA REQUIRED BY THE PRIVACY ACT OF 1974

PRINCIPAL PURPOSE:

5 USC 301, Departmental Regulations; 10 USC 3013, Secretary of the Army and E.O. 9397 (SSN)
To assist leaders in conducting and recording counseling data pertaining to subordinates.

ROUTINE USES:

For subordinate leader development (AW FM 22-100). Leaders should use this form as necessary.
Disclosure is voluntary.

DISCLOSURE:

PART I - ADMINISTRATIVE DATA

Name (Last, First, MI) [REDACTED]	Rank/Grade SGT/E5	Social Security No. [REDACTED]	Date of Counseling 1 June 2005
Organization A co 1-184 Inf	Name and Title of Counselor [REDACTED] 1SG		

PART II - BACKGROUND INFORMATION

Purpose of Counseling: (Leader states the reason for the counseling, e.g., performance/professional growth or event-oriented counseling, and includes the leader's facts and observations prior to the counseling.)
Follow up and documentation of counseling session & interview with the company commander and first sergeant on 30 May 05 in regards to the "z" out of the team vehicle radios while on QRF 29 May 05.

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points of Discussion:

During the counseling / interview session on 30 May 05, several soldiers were interviewed into the events that took place on 29 May 05. Several of the soldiers took note of demeaning statements that they were called by you during the past two months that you have been their team leader. Several of these comments could have been considered racists or equal opportunity violations of the military code of ethics.

We spoke of these terms and you understood how these comments and insults could be interpreted as a personal attack against the soldier rather than the joking manner that you intended.

The basic military definition of leadership is influencing people by providing purpose, direction and motivation while operating to accomplish the mission and improving the organization.

The leader must be able to handle pressures from above and challenges from below. The ability to manage these stresses is tough. The definition of leadership cannot be achieved if the soldiers are not positively motivated and treated with respect.

OTHER INSTRUCTIONS

This form will be destroyed upon: reassignment (other than rehabilitative transfers), separation at ETS, or upon retirement. For separation requirements and notification of loss of benefits/consequences see local directives and AR 635-200.

write with a verbal report.

Session Closing: (The leader summarizes the key points of the session and checks if the subordinate understands the plan of action). The subordinate acknowledges and provides remarks if appropriate.

Individual counseled: I agree disagree with the information above.

Individual counseled remarks:

Signature of Individual Counseled:

[Redacted Signature]

Date: 7 June 2005

Leader Responsibilities: (Leader's responsibilities in implementing the plan of action).

As a team leader I am here to train you and guide you to the right direction. I am here to help you with any questions you might have.

Signature of Counselor:

[Redacted Signature]

Date:

PART IV - ASSESSMENT OF THE PLAN OF ACTION

Assessment: (Did the plan of action achieve the desired results? This section is completed by both the leader and the individual counseled and provides useful information for follow-up counseling).

Counselor:

Individual Counseled:

Date of Assessment:

Note: Both the counselor and the individual counseled should retain a record of the counseling.

Plan of Action: (Outlines actions that the subordinate will do after the counseling session to reach the agreed upon goal(s). The actions must be specific enough to modify or maintain the subordinate's behavior and include a specific time line for implementation and assessment (Part IV below):

Session Closing: (The leader summarizes the key points of the session and checks if the subordinate understands the plan of action. The subordinate agrees/disagrees and provides remarks if appropriate):

Individual counseled: I agree (disagree with the information above)

Individual counseled remarks: WHEN ASSIGNING A TASK YOU SSGT SHOULD BE SPECIFIC WITH THE DETAILS TO HOW AND UNDERSTANDING HOW SAVE TIME IF YOU TELL ME, SGT THAT YOU DO NOT HAVE IDEAS, THEN I WILL WORK THE PROBLEM I FEEL THE WORD OCCASIONALLY BETTER DESCRIBES THE NUMBER OF TIMES MY TEAM HAS BEEN BLAMED UP OR SCHEDULED ON SECURITY. ALTHOUGH I DO SOMETIMES FORGET TO GIVE YOU THE A SIGN-SOME STEPS REPORT I ALWAYS CHECK MY TEAM AFTER A PATROL.

Signature of Individual Counseled: _____ Date: 26 APRIL 2005

Leader Responsibilities: (Leader's responsibilities in implementing the plan of action):

Signature of Counselor: _____ Date: _____

PART IV - ASSESSMENT OF THE PLAN OF ACTION

Assessment: (Did the plan of action achieve the desired results? This section is completed by both the leader and the individual counseled and provides useful information for follow-up counseling):

Counselor: _____ Individual Counseled: _____ Date of Assessment: _____

Note: Both the counselor and the individual counseled should retain a record of the counseling.

DA FORM 4856 (Reverse)

AUTHORITY:

DATA REQUIRED BY THE PRIVACY ACT OF 1974

PRINCIPAL PURPOSE:

5 USC 301, Departmental Regulations; 10 USC 3013, Secretary of the Army and E.O. 9397 (SSN)

ROUTINE USES:

To assist leaders in conducting and recording counseling data pertaining to subordinates.

DISCLOSURE:

For subordinate leader development IAW FM 22-100. Leaders should use this form as necessary. Disclosure is voluntary.

PART I - ADMINISTRATIVE DATA

Name (Last, First, MI) [REDACTED]	Rank/Grade SGT/E5	Social Security No. [REDACTED]	Date of Counseling 1 June 2005
Organization A co 1-184 Inf	Name and Title of Counselor [REDACTED] 1SG		

PART II - BACKGROUND INFORMATION

Purpose of Counseling: (Leader states the reason for the counseling, e.g., performance/professional growth or event-oriented counseling, and includes the leader's facts and observations prior to the counseling.)

Follow up and documentation of counseling session & interview with the company commander and first sergeant on 30 May 05 in regards to the "z" out of the team vehicle radios while on QRF 29 May 05.

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points of Discussion:

During the counseling / interview session on 30 May 05, several soldiers were interviewed into the events that took place on 29 May 05. Several of the soldiers took note of statements made by you that you had specifically spoke negatively about your squad leader & platoon leader in front of your soldiers. You admitted this to the commander and first sergeant when formally asked.

The Creed of the Noncommissioned Officer states: "No one is more professional than I."

While making a direct on the spot correction or stopping an unsafe act of a superior is appropriate, subversion of a superior officer / NCO and inserting doubt into the minds of subordinates does not support the units mission. After action reviews are designed for opinions of overall performance of all levels of leadership and challenges to operational procedures and decisions made should be addressed then.

Challenges of competence and leadership abilities should be directed through the chain of command only. I encourage any issues or ideas be brought up in meetings with your NCO Support Channel or chain of command.

Specifically, negative and subversive comments of the abilities and decisions made by your superiors will not be tolerated. Future violations will not be tolerated and followed up with UCMJ action.

OTHER INSTRUCTIONS

This form will be destroyed upon: reassignment (other than rehabilitative transfers), separation at ETS, or upon retirement. For separation requirements and notification of loss of benefits/consequences see local directives and AR 635-200.

Plan of Action: (Outlines actions that the subordinate will do after the counseling session to reach the agreed upon goal(s). The actions must be specific enough to modify or maintain the subordinate's behavior and include a specified time line for implementation and assessment (Part IV below).
Review the NCO creed. Review FM Leadership 22-100. Take notes on what you read, and follow up with me by 20 June with a verbal report.

Session Closing: (The leader summarizes the key points of the session and checks if the subordinate understands the plan of action. The subordinate acknowledges and provides remarks if appropriate.)

Individual counseled: I agree disagree with the information above.

Individual counseled remarks:

Signature of Individual Counseled:

[Redacted Signature]

Date: 1 Sept 2005

Leader Responsibilities: (Leader's responsibilities in implementing the plan of action).
As a team leader I am here to train you and guide you to the right direction. I am here to help you with any questions you might have.

[Redacted Signature]

Signature of Counselor:

Date:

PART IV - ASSESSMENT OF THE PLAN OF ACTION

Assessment: (Did the plan of action achieve the desired results? This section is completed by both the leader and the individual counseled and provides useful information for follow-up counseling.)

Counselor:

Individual Counseled:

Date of Assessment:

Note: Both the counselor and the individual counseled should retain a record of the counseling.

feiture of all pay and allowances, and confinement for 3 years.

(3) *Striking or assaulting other noncommissioned or petty officer.* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 1 year.

(4) *Willfully disobeying the lawful order of a warrant officer.* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 2 years.

(5) *Willfully disobeying the lawful order of a noncommissioned or petty officer.* Bad-conduct discharge, forfeiture of all pay and allowances, and confinement for 1 year.

(6) *Contempt or disrespect to warrant officer.* Bad-conduct discharge, forfeiture of all pay and allowances, and confinement for 9 months.

(7) *Contempt or disrespect to superior noncommissioned or petty officer.* Bad-conduct discharge, forfeiture of all pay and allowances, and confinement for 6 months.

(8) *Contempt or disrespect to other noncommissioned or petty officer.* Forfeiture of two-thirds pay per month for 3 months, and confinement for 3 months.

f. *Sample specifications.*

(1) *Striking or assaulting warrant, noncommissioned, or petty officer.*

In that _____ (personal jurisdiction data), did, (at/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 20_____, (strike) (assault) _____, a _____ officer, then known to the said _____ to be a (superior) _____ officer who was then in the execution of his/her office, by _____ him/her (in) (on) (the _____) with (a) _____ (his/her) _____

(2) *Willful disobedience of warrant, noncommissioned, or petty officer.*

In that _____ (personal jurisdiction data), having received a lawful order from _____ a _____ officer, then known by the said _____ to be a _____ officer, to _____, an order which it was his/her duty to obey, did (at/on board—location), on or about _____ 20_____, willfully disobey the same.

(3) *Contempt or disrespect toward warrant, noncommissioned, or petty officer.*

In that _____ (personal jurisdiction data) (at/on board—location), on or about _____ 20_____, [did treat with contempt] [was disrespectful in (language) (department) toward] _____, a _____ officer, then known by the said _____ to be a (superior) _____ officer, who was then in the execution of his/her office, by (saying to him/her, "_____" or words to that effect) (spitting at his/her feet) (_____)

16. *Article 92—Failure to obey order or regulation*

a. *Text.* "Any person subject to this chapter who—

(1) violates or fails to obey any lawful general order or regulation;

(2) having knowledge of any other lawful order issued by a member of the armed forces, which it is his duty to obey, fails to obey the order; or

(3) is derelict in the performance of his duties; shall be punished as a court-martial may direct."

b. *Elements.*

(1) *Violation of or failure to obey a lawful general order or regulation.*

(a) That there was in effect a certain lawful general order or regulation;

(b) That the accused had a duty to obey it; and

(c) That the accused violated or failed to obey the order or regulation.

(2) *Failure to obey other lawful order.*

(a) That a member of the armed forces issued a certain lawful order;

(b) That the accused had knowledge of the order;

(c) That the accused had a duty to obey the order; and

(d) That the accused failed to obey the order.

(3) *Dereliction in the performance of duties.*

(a) That the accused had certain duties;

(b) That the accused knew or reasonably should have known of the duties; and

(c) That the accused was (willfully) (through neglect or culpable inefficiency) derelict in the performance of those duties.