

## REPORT OF DISCIPLINARY REVIEW BOARD (DRB)

**Privacy Act Statement:**

The authority to request the following information is contained in 10 USC and DOV 397. The data will be used to document quality force counseling actions not prescribed in other directives. When completed the form may or may not become a source document to support administrative separations. Data is also releasable to higher headquarter officials when used to support administrative separations or UCMJ actions. Completion of this form by a counselor is mandatory; however, disclosure of information or facts by the counselor is voluntary. Failure to disclose information or facts may not be in the counselor's best interest in the event administrative, disciplinary or separation action is subsequently deemed warranted by the counselor's commander.

<b>1. NAME:</b> <i>(Last, First MI)</i>	<b>2. RATE/RANK:</b>	<b>3. DATE:</b>
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<b>4. COMPANY:</b>	<b>5. HISTORY</b>			
	<b>Counseling</b>	<b>EMI</b>	<b>DRB</b>	<b>NJP</b>

**6. REASON(S) FOR DRB**

<input type="checkbox"/> Art 86 (UA) From: _____  <input type="checkbox"/> Art 89 (Disrespect to Officer) Officer: _____  <input type="checkbox"/> Art 91 (Disrespect to PO) PO: _____  <input type="checkbox"/> Art 92 (Failure to Obey) Who: _____	<input type="checkbox"/> Art 92 (Dereliction of Duty) Duty: _____  <input type="checkbox"/> Art 128 (Assault) Victim: _____  <input type="checkbox"/> Art 134 (Incapacitation of Duty) When: _____  <input type="checkbox"/> Art 134 (Threat, Communicating) Victim: _____	<input type="checkbox"/> Art. _____  <input type="checkbox"/> Art. _____  <input type="checkbox"/> Art. _____  <input type="checkbox"/> Private Indebtedness  <input type="checkbox"/> Support of Dependents  <input type="checkbox"/> Other: _____
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**7. BOARD MEMBERS**

<b>SENIOR MEMBER:</b> <i>(Last, First MI)</i>		<b>MEMBER:</b> <i>(Last, First MI)</i>	
<b>RATE/RANK:</b>	<b>COMPANY:</b>	<b>RATE/RANK:</b>	<b>COMPANY:</b>
<b>SIGNATURE:</b>		<b>SIGNATURE:</b>	
<b>MEMBER:</b> <i>(Last, First MI)</i>		<b>MEMBER:</b> <i>(Last, First MI)</i>	
<b>RATE/RANK:</b>	<b>COMPANY:</b>	<b>RATE/RANK:</b>	<b>COMPANY:</b>
<b>SIGNATURE:</b>		<b>SIGNATURE:</b>	

**8. RECOMMENDATIONS**

<input type="checkbox"/> Dismissed	<input type="checkbox"/> Referred back to Company	<input type="checkbox"/> Assignment of EMI (See Chapter 3)	<input type="checkbox"/> Referred to XO/NIJ
Other: _____			

**9. EVIDENCE:** *(Describe if any, and current location)*

**10. REPORT:** *(Give details, facts, dates, names, sequence of events)*

**11. CORRECTIVE ACTION:** *(Must relate to deficiency)*

**12. OTHER AGENCIES INDIVIDUAL REFERRED TO:**

Family Services       CAAC       Chaplain       Legal       Other \_\_\_\_\_

**13. WARNING:**

\_\_\_\_\_ You are warned that any violation of the provisions of this letter will subject you to further administrative and/or disciplinary actions.

**14. ACKNOWLEDGMENT:**

\_\_\_\_\_ I have read and understand the above orders. I further understand that failure to comply with these orders could result in further disciplinary action.

**15. SENIOR MEMBER:** *(Last, First MI)*

**16. SERVICE MEMBER:** *(Last, First MI)*

**17. RATE/RANK:**

**18. COMPANY:**

**19. RATE/RANK:**

**20. COMPANY:**

**21. SIGNATURE OF ISSUER:**

**22. SIGNATURE OF SERVICE MEMBER:**

**23. REPORT OF DISCIPLINARY REVIEW BOARD (DRB) SCRIPT**

*Senior Member (SM)*

*Accused (AC)*

*Witness (WIT)*

*Chain of Command (COC)*

(SM): You are suspected of committing the following violation of the Uniform Code of Military Justice:

(SM): You do not have to make any statement regarding the offense(s) of which you are accused or suspected of and any statement made by you may be used as evidence against you.

(SM): You are advised that a DRB is not a trial and that a determination of misconduct on your part is not a conviction by a court. Further, you are advised that the formal rules of evidence used in trials by court-martial do not apply at this board.

(SM): Have you been advised of your Article 31 Rights.

(AC):  Yes /  No (if no, you must be advised of your Article 31B Rights)

**ARTICLE 31 WARNING**

You have also been advised that:

You have the right to remain silent and make no statement at all; any statement you do make can be used against you in a trial by court-martial or other judicial or administrative proceeding. You have the right to consult with a lawyer prior to any questioning. This lawyer may be a civilian lawyer retained by you at no cost to the United States, a military lawyer appointed to act as your counsel at no cost to you, or both. You have the right to have your retained civilian lawyer and/or appointed military lawyer present during this interview; and you may terminate this interview at any time, for any reason.

Do you understand your rights as related to you and as set forth above?  Yes /  No

With that understanding, you have decided that;

\* You  do /  do not desire to remain silent.

\* You  do /  do not desire to consult with a retained or appointed lawyer.

\* You  do /  do not desire to have a lawyer present at this time.

You make this decision freely and voluntarily. No threats or promises have been made to you.

\* If member elects  do, you cannot question them. Direct violation of member's Article 31 rights, and it subjects you to charges.

(SM): I have a statement signed by you acknowledging that you were fully advised of your legal rights pertaining to this hearing.

(SM): Do you understand this statement and do you understand the rights explained therein?

(SM): Do you have any questions about them or do you wish to make any requests?

(AC):

(SM): (To WIT) What can you tell me about the accused's involvement in this offense?

(WIT):

(SM): (To COC) What can you tell me about the accused's performance of duty?

(COC):

(SM): Is there anything that you wish to offer that would lessen the seriousness of this offense or mitigate them?

(AC):

(SM): This board will close for deliberations.

(SM): The board will come to order. The board has conducted its deliberations. The board recommends:

Dismissed

Referred back to Company

Assignment of EMI (See Chapter 3)

Referred to XOI/NJP

\* The Senior Member can assign a maximum of seven days EMI

(SM): You are dismissed.



