

DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY ALASKA
Fort Richardson, Alaska 99505-5000

United States Army Alaska Regulation 27-10
Change 1

1 January 2002

Legal Services

Military Justice

Summary. This is a change to USARAK Regulation 27-10, dated 15 October 2001. This change establishes procedures for the distribution and filing of all DA Forms 2627 (Record of Proceedings Under Article 15, UCMJ) and DA Forms 2627-2 (Record of Supplementary Action Under Article 15, UCMJ) and assigns responsibilities for the execution and verification of punishments imposed under the provisions of Article 15, UCMJ.

1. USARAK Regulation 27-10, dated 15 October 2001, is changed as follows:

Page 11. Pages 11.1 through 11.3 are added after page 11.

2. File this transmittal sheet in front of the publication.

FOR THE COMMANDER:

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DISTRIBUTION:

A Plus

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Attention: Mr. Mauer)

1 - Commander, United States Army Pacific Command, Attention: APIM-OIR
Fort Shafter, Hawaii 96858-5100

28. Distribution and filing of Department of the Army Forms 2627 and 2627-2 and allied documents

a. General.

(1) The use of an electronic version of any form pertaining to nonjudicial punishment (DA Forms 2627 and 2627-2) is authorized. Duplicate copies of the original form(s) will be produced to substitute Copies 1 through 5 from the standard packaged form(s). This change will address the proper duplication, distribution, and filing of electronically produced forms.

(2) Proper distribution and filing of all DA Forms 2627 and 2627-2 is a shared responsibility between the criminal law divisions at the respective Fort Richardson or Fort Wainwright law centers and the unit to which the soldier concerned is assigned. No procedure contained herein relieves the unit commander and/or first sergeant from ensuring that all punishments imposed under the provisions of Article 15, UCMJ, are properly executed in a timely manner.

b. Original of Department of the Army Form 2627.

(1) For soldiers in grade specialist or corporal and below (before punishment) the original will be filed locally in nonjudicial punishment files (file number 27-10f) maintained by the criminal law division of the respective post law center. The noncommissioned officer in charge of criminal law will serve as the official custodian of these records and is authorized to certify duplicate copies for use at subsequent courts-martial or administrative proceedings. See AR 27-10, paragraph 3-37, for applicable filing time periods.

(2) For all other active-duty, enlisted soldiers the original will be sent to the custodian of enlisted records at the Enlisted Records and Evaluation Center, Attention: PCRE-FS, Fort Benjamin Harrison, Indiana 46429-5301, for filing on either the performance or restricted fiche of the official military personnel file. Distribution will be accomplished by the criminal law division of the respective post law center using registered mail with return receipt requested. A complete duplicate of the original will be made and filed locally in nonjudicial punishment files maintained by the criminal law division of the respective post law center.

(3) For all other soldiers (officer, Reserve, National Guard) refer to AR 27-10, paragraph 3-37.

(4) When records are filed per paragraphs (1), (2), or (3) above, a complete duplicate of the original will be made and forwarded to the personnel action center servicing the unit to which the soldier is assigned for inclusion in the Service Members Individual File maintained at the company/battery/troop level. Duplicate copies of the written acknowledgements of receipt (see para (i) below) pertaining to Copies 2 and 3 (see para (d) and (e) below), as applicable, will be forwarded herewith.

c. Copy 1 of Department of the Army Form 2627.

(1) For those Article 15s directed for filing on the performance fiche of the official military personnel file, a duplicate of the original, less allied documents, will be made and forwarded to the servicing personnel services battalion, Attention: Enlisted Records Branch, for filing in the permanent section of the Military Personnel Records Jacket. Distribution will be done by the criminal law division of the respective post law center.

(2) For those Article 15s either directed for filing on the restricted fiche of the official military personnel file or those where filing is not applicable (specialist or corporal and below), no duplicate of the original (Copy 1) will be made.

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d. Copy 2 of Department of the Army Form 2627.

(1) If the punishments imposed include an unsuspended reduction in rank, a duplicate of the original, less allied documents, will be made and forwarded to the personnel action center servicing the unit to which the soldier is assigned. It is then the responsibility of the unit personnel action center to effect necessary procedures to ensure the soldier is properly reduced, including forwarding any necessary documentation to the servicing personnel actions branch.

(2) If the punishments imposed include a suspended reduction in rank, a duplicate of the original, less allied documents, will be made and retained in a suspense folder maintained by the criminal law division of the respective post law center. This duplicate will be destroyed upon the expiration of the period of suspension, unless forwarded to the unit personnel action center due to DA Form 2627-2 being taken to effect the suspended reduction (see para (h) below).

(3) If the punishments imposed do not include a reduction in rank, either unsuspended or suspended, no duplicate (Copy 2) will be made.

e. Copy 3 of Department of the Army Form 2627.

(1) If the punishments imposed include an unsuspended forfeiture of pay, a duplicate of the original, less allied documents, will be made and forwarded to the servicing finance and accounting office by the criminal law division of the respective post law center. It is then the responsibility of the financing and accounting office to effect necessary procedures to ensure collection of the imposed forfeiture of pay.

(2) If the punishments imposed include a suspended forfeiture of pay, a duplicate of the original, less allied documents, will be made and retained in a suspense folder maintained by the criminal law division of the respective post law center. This duplicate will be destroyed upon the expiration of the period of suspension, unless forwarded to the servicing financing and account office due to DA Form 2627-2 being taken to effect the suspended forfeiture of pay (see para (h) below).

(3) If the punishments imposed do not include a forfeiture of pay, either unsuspended or suspended, no duplicate (Copy 3) will be made.

f. Copy 4 of Department of the Army Form 2627. Copy 4 will not be used for any purpose under this distribution and filing system.

g. Copy 5 of Department of the Army Form 2627. A complete duplicate of the original will be made and forwarded to the personnel action center servicing the unit to which the soldier concerned is assigned. It is then the responsibility of the unit personnel action center to ensure that the soldier concerned receives this copy.

h. Department of the Army Form 2627-2. All DA Forms 2627-2, and duplicates thereof, will be distributed and filed per with the provisions established in paragraphs b through g above. A duplicate copy of the original DA Form 2627 will be attached to this record before any distribution or filing action.

i. Forwarding of original or duplicate copies of Department of the Army Forms 2627 and 2627-2. All records of nonjudicial punishment, or duplicates thereof, distributed under the provisions of this regulation will be done by a courier detailed by the criminal law division of the respective post law center. A written acknowledgment of receipt (unit transmittal letter, DA Form 200 (Transmittal Record), return receipt from registered mail, etc.) is required and will be filed in nonjudicial punishment files maintained by the criminal law division of the respective post law center.

j. Verification of the Execution of Punishments Imposed UP Article 15, UCMJ.

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(1) The nonjudicial punishment process does not end when the commander imposes punishment or when records are distributed and filed. Follow-up action must be performed by both the unit leadership and the respective post law center to ensure that all punishments imposed are properly and expeditiously executed.

(2) The criminal law division of the respective post law center will reconcile all nonjudicial punishment actions with the servicing personnel service battalion and the finance and accounting office, at least monthly, to ensure that all applicable reductions in rank and forfeitures of pay have been executed. No Article 15-log entry will be closed until verification has been accomplished.

(3) It remains an inherent responsibility of the unit commander to ensure that all nonjudicial punishment actions pertaining to soldiers under his/her command are properly executed. Command verification can be accomplished by a variety of methods, including, but not limited to a thorough review of each soldier's leave and earnings statement or a thorough review of the Commander's Financial Report.

DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY ALASKA
Fort Richardson, Alaska 99505-5000

United States Army Alaska Regulation 27-10

15 October 2001

Legal Services

Military Justice

Summary. This regulation assigns responsibility for the administration of military justice within the United States Army Alaska (USARAK) general courts-martial (GMC) jurisdiction, establishes Uniform Code of Military Justice (UCMJ) lines of authority, establishes processing time standards for courts-martial cases, specifies procedures for courts-martial processing, and vests command and control of legal assets with the USARAK Office of the Staff Judge Advocate.

Applicability. This regulation applies to United States Army personnel, units, and activities under the GCM jurisdiction of the USARAK Commander.

Supplementation. Supplementation of this regulation is prohibited without prior approval of the USARAK Staff Judge Advocate (SJA), APVR-RJA.

Interim changes. Interim changes to this regulation are not official unless the Director of Information Management authenticates them. Users will destroy interim changes on their expiration date unless sooner superseded or rescinded.

Suggested improvements. This regulation's proponent agency is the Office of the Staff Judge Advocate. The Office of the Staff Judge Advocate invites users to send comments and suggested improvements on Department of the Army (DA) Form 2028 (Recommended Changes to Publications and Blank Forms) directly to USARAK Office of the Staff Judge Advocate, Attention: APVR-RJA-CL.

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*This regulation supersedes United States Army Alaska Regulation 27-10, dated 31 October 1999.

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1. Purpose

This regulation's purpose is to prescribe the policies and procedures pertaining to the administration of military justice within USARAK. This regulation provides details concerning the—

- a. Administration of military justice.
- b. Command and control of legal assets.
- c. UCMJ lines of authority.

2. References

Appendix A lists required and related publications. Appendix A also lists referenced forms.

3. Explanation of abbreviations and special term

The glossary explains the abbreviations and the special term used in this regulation.

4. Responsibilities

a. Consolidated legal sections. Legal personnel and assets will be consolidated at each post to facilitate the accomplishment of the legal mission. The USARAK SJA has supervisory authority over all consolidated legal sections. The USARAK SJA is responsible for the supervision and administration of military justice within USARAK and for the management of military justice assets contained therein. The USARAK SJA will exercise assignment authority involving 71D, 55A, 550A modification table of equipment/table of distribution and allowances (MTOE/TDA) positions including technical supervision and training. Furthermore, the USARAK SJA or his/her designee must approve all outside requests for asset and personnel taskings including additional duty and details (e.g., police call, charge of quarters, staff duty, participation in change of command ceremonies, driving details, post beautification).

b. Administration of military justice. Commanders have primary responsibility for the administration of military justice. Legal specialists are specifically trained to support that mission and must be utilized to that end. The USARAK SJA will monitor their performance and utilization to ensure prompt and accurate processing of military justice actions.

5. General administration

a. Custodians of records of nonjudicial punishment (Articles 15). The noncommissioned officer in charge of the criminal law section of each consolidated legal office is the custodian of all Articles 15 required to be filed locally in unit nonjudicial punishment files. Fort Wainwright's criminal law section will maintain all Articles 15 required to be filed in the nonjudicial punishment files of units stationed at Forts Wainwright or Greely. Fort Richardson's criminal law section will maintain all Articles 15 required to be filed in the nonjudicial punishment files of units stationed at Fort Richardson.

b. Military-justice training. Military justice plays a central role in the maintenance of discipline throughout USARAK. As a result, all commanders within the USARAK GCM jurisdiction will review their noncommissioned officer and officer professional development programs to ensure military-justice topics are taught. Judge advocates will be available for teaching requirements. For assistance, call the Chief, Criminal Law Division, Office of the Staff Judge Advocate, USARAK.

c. Administration. Article 6(b), UCMJ, and Rule for Courts-Martial (RCM) 105(a) authorize direct communications between commanders or their representatives and judge advocates in matters pertaining to the administration of military justice. Such communications are encouraged, particularly in complex legal situations, such as determining whether or not probable cause exists to conduct a search or

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apprehend a soldier. Commanders should contact trial counsel immediately when such situations arise. Telephonic communications may be used to expedite the process. Further, each post maintains a roster of on-call judge advocates to contact after duty hours through the military police desk or the command operations center.

d. Violations of the UCMJ by commissioned officers, warrant officers, and sergeants major. Commanders will inform the USARAK Chief of Staff and their servicing trial counsel within 24 hours of any incidents involving violations of the UCMJ by commissioned officers, warrant officers, and sergeants major assigned to their command. Isolated incidents of minor misconduct such as brief unauthorized absences, dereliction of duty, and similar incidents need not be reported. Informal e-mail reporting is authorized.

e. Commander's report of disciplinary or administrative action.

(1) The USARAK Provost Marshal will prepare and distribute DA Form 4833 (Commander's Report of Disciplinary or Administrative Action) to battalion or equivalent size unit commanders within 7 calendar days after receipt of information from military police that a member of that command may have committed an offense.

(2) Battalion commanders will complete the report and forward it through their brigade or equivalent size unit commander to the post provost marshal within 60 calendar days after receipt of the report.

(3) If the investigation and final action cannot be completed within 60 days after receipt of the report, the battalion commander will indicate in the remarks section the reason for the delay and an estimated date of completion and forward an interim report. In such cases, battalion commanders will submit a final report within 7 calendar days after final action is taken.

(4) Post commanders will complete reports for all identified offenders on their respective posts except soldiers assigned or attached to a unit within the GMC jurisdiction of the USARAK Commander.

(5) The USARAK Provost Marshal will prepare and submit a monthly consolidated report of disciplinary or administrative action taken by commanders, with respect to serious offenses, through the Garrison Commander and USARAK Chief of Staff, to the USARAK Commander within 5 working days after the last day of the month. Consolidated reports will include copies of the supporting DA Forms 4833.

6. Reference to superior

a. After making a preliminary inquiry into a suspected offense or offenses per RCM 303, and if jurisdiction over the offender or offense has been withheld by a superior commander per this regulation, the immediate commander will promptly forward to the commander, through military justice channels, a completed case file and his/her recommendation as to disposition (see para 9f below).

b. If a subordinate commander determines that the suspected offense(s) should be disposed of by administrative action or nonjudicial punishment at a lower level, a request for release of authority to dispose of the suspected offense(s) should accompany the file.

7. Authority to prefer charges

Notwithstanding the withholding of UCMJ authority as outlined in paragraph 9, all commanders have the independent authority to prefer court-martial charges against any soldier (officer or enlisted) in their command.

8. Grants of immunity

The USARAK Commander is the only authority empowered to grant immunity to soldiers in the USARAK GCM jurisdiction. Neither subordinate court-martial convening authorities nor any other person will grant immunity. Requests for grants of immunity will be coordinated with the USARAK SJA through the

subordinate command's trial counsel. No member of the command or law enforcement official may discuss grants of immunity with a witness or person suspected of an offense without first contacting the servicing trial counsel.

9. Nonjudicial punishment

a. Unless specifically withheld, subordinate commanders may exercise their authority to impose nonjudicial punishment on all soldiers as authorized by applicable law and regulations. Before offering nonjudicial punishment, commanders should obtain the advice of their trial counsel.

b. Any superior commander may limit or withhold authority to impose nonjudicial punishment from any subordinate commander either totally or for a particular offense, class of offenses, or class of soldier.

c. The USARAK Commander withholds the authority to impose nonjudicial punishment under Article 15, UCMJ, arising from all incidents of misconduct by commissioned officers, warrant officers, and sergeants major in the USARAK GCM court-martial jurisdiction.

d. Nonjudicial punishment authority over E7s and E8s is reserved to special court-martial convening authorities (SPCMCAs). Upon specific request by a subordinate commander, the SPCMCA may release authority to dispose of a particular case to subordinate commanders if the SPCMCA deems such action to be appropriate.

e. The authority to dispose of serious offenses (see glossary) is withdrawn from battery-/company-/troop-level commanders and reserved to summary court-martial convening authorities (SCMCAs). Upon specific request by a subordinate commander, the SCMCA may release authority to dispose of a particular case to a subordinate commander if the SCMCA deems such action to be appropriate.

f. If a commander forwards an Article-15 case to a superior commander, he/she will forward DA Form 5109-R (Request to Superior to Exercise Article 15, UCMJ Jurisdiction) to the appropriate commander through military justice channels. The request will include a detailed account of the incident including the sworn statements of any witnesses, a copy of the subject's officer record brief or enlisted record brief, a statement that the subject's personnel records have been flagged per Army Regulation (AR) 600-8-2, and bar to reenlistment documents, if applicable. The request will not include any recommendation concerning the type or severity of punishment. The request should reach the appropriate commander within 15 days after the immediate commander receives information that a member of his/her command is accused or suspected of committing an offense and will contain an explanation for any delay.

g. When a soldier elects to consult with counsel before deciding whether to accept nonjudicial punishment or to demand trial by court-martial, the soldier will be given a copy of the DA Form 2627 (Record of Proceedings Under Article 15, UCMJ), a copy of all documentary evidence supporting the allegations, and the name of a member of the chain of command who has a working knowledge of the facts of the case. When supporting documents do not exist, the commander will furnish the soldier with the names, locations, and telephone numbers, if known, of witnesses to the alleged offenses.

h. In the interests of justice, action should be taken as soon as practicable after the commander determines that nonjudicial punishment is appropriate. Commanders should complete action within 7 days of the initial reading of the Article 15.

i. The imposing commander will consider the substance of any appeal made by a soldier and may grant or deny the appeal or take intermediate remedial action. If the appeal is denied by the imposing commander, the imposing commander will forward the DA Form 2627 with attachments and an endorsement that may discuss the appeal to the appeal authority. As a minimum, the imposing commander will make a recommendation to the appellate authority. In addition to a forwarding endorsement by the imposing commander, appeals forwarded to the USARAK Commander for action will be accompanied by the appellant's enlisted record brief and DA Form 2-1 (Personnel Qualification Record – Part II), as

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applicable. When the punishment, whether or not suspended, includes reduction of one or more grades from the fourth or higher pay grade, or is in excess of one of the following: 7 days arrest in quarters, 7 days correctional custody, 7 days forfeiture of pay, or 14 days of extra duty or restriction, imposing commanders will forward Article 15, UCMJ appeals with supporting documentation to the supporting trial counsel or for those Articles 15 in which the USARAK Commander is the appellate authority for the Staff Judge Advocate, per DA Form 2627, note 9.

j. All Articles 15, including Summarized Article 15s, will be prepared by the servicing, consolidated, legal center. Requests for preparation of Articles 15 must be accompanied by sufficient supporting evidence (military police reports, Criminal Investigation Division reports, commander's inquiry reports, AR 15-6 investigations, witness statements, blood/urine/breath test results, and any other relevant evidence). If sufficient evidence is provided to the law center by the command, Articles 15 will be prepared within 2 duty days of submission.

10. Adverse administrative actions

In cases of misconduct committed by officers, warrant officers, and sergeants major, the USARAK Commander has withheld authority to take adverse administrative action (e.g., letters of reprimand/admonishment). Upon request, the USARAK Commander may delegate this authority in particular cases to a subordinate commander. Furthermore, in isolated cases of minor misconduct (e.g., brief unauthorized absences, dereliction of duty, and similar instances) subordinate commanders are authorized to take adverse administrative action without prior referral to the USARAK Commander.

11. On-post traffic offenses

A person subject to the UCMJ who commits a minor traffic offense (Title 28, Alaska Statutes or Title 13, Alaska Administrative Code) on post may be issued either a Defense Department (DD) Form 1805 (United States District Court Violation Notice) for processing in United States Magistrate Court or a DD Form 1408 (Armed Forces Traffic Ticket) for disposition by the chain of command. More serious traffic offenses including, but not limited to, violations of Article 111 (Drunken or Reckless Driving), Article 119 (Manslaughter), Article 128 (Assault), and Article 134 (General Article), UCMJ, will be referred to the soldier's commander for disposition.

12. Court-martial processing time standards

The court-martial and other military-justice action processing time standards set forth in appendix B are prescribed for all cases in the USARAK GCM jurisdiction. These standards are for the benefit and proper management of the military-justice system. They are not intended to confer any benefit upon an accused and are not to be construed as part of an accused's right to a speedy trial (see United States v. McGraner, 13 M.J. 408 (CMA 1982)). Subordinate commanders will enforce and comply with these standards and will ensure that letters of transmittal and forwarding endorsements include a written explanation for any deviation from them.

13. Court-martial jurisdiction

a. Within the jurisdiction of the USARAK Commander, the authority to convene a GCM or a bad-conduct discharge special court-martial (BCDSPCM) is exercised exclusively by the USARAK Commander. Special court-martial convening authorities and SCMCA's within USARAK are listed in paragraph 26 and graphically depicted in figure 1. These commanders are responsible for administering military justice over all soldiers assigned or attached to their commands for the administration of military justice.

b. The jurisdictional scheme depicted in figure 1 does not limit the authority of the USARAK Commander to change the jurisdictional authority of any commander within his/her GCM jurisdiction. If a

unit is not depicted in figure 1, the soldier's chain of command will serve as the de facto UCMJ line of authority.

c. The USARAK Commander reserves the authority to convene courts-martial under the provisions of the UCMJ to try commissioned officers, warrant officers, and sergeants major within the GCM jurisdiction of USARAK.

14. Pretrial confinement

a. Special court-martial convening authorities, with the concurrence of the USARAK SJA, are authorized to approve pretrial confinement. When placing soldiers in pretrial confinement, unit commanders must comply with AR 190-47. See appendix C for processing soldiers for pretrial confinement. When the unit commander seeks to place a soldier in pretrial confinement, he/she will—

(1) Conduct a thorough investigation of the alleged misconduct.

(2) Obtain advice from the trial counsel.

(3) Review the standards specified in RCM 304 and RCM 305.

(4) Notify and obtain recommendations from the summary and special court-martial convening authorities concerning pretrial confinement and obtain the concurrence of the SJA.

b. USARAK has no long-term pretrial confinement facility. USARAK soldiers placed in pretrial confinement are housed at the Fort Lewis Regional Confinement Facility. Because of time, legal, and financial restraints, pretrial confinees will be confined in post detention cells until completion of the required military magistrate's hearing and, if applicable, transfer to Fort Lewis.

15. Pretrial restraint

Commanders will notify their trial counsel within 24 hours of the imposition of any pretrial restraint upon a soldier, including restriction and pulling of pass privileges. Commanders will not impose illegal pretrial punishment or restraint. Soldiers subjected to illegal, pretrial punishment or restraint may have court-martial sentences reduced and commanders may themselves be admonished or punished.

16. Apprehensions

The presumption of innocence is a fundamental principle of the military-justice system. The apprehension of soldiers in a manner designed to humiliate, ridicule, or harass them is inconsistent with that principle and will not be tolerated.

a. Mass apprehension. The following policies apply:

(1) Mass apprehension of suspects may be conducted only when essential. Only legitimate, law-enforcement interests warrant the use of this apprehension technique. Legitimate, law-enforcement interests may include the number of suspects to be apprehended, the number of law enforcement personnel available to assist in the apprehensions, the time available to conduct the apprehensions, and the need to apprehend a number of individuals simultaneously.

(2) The use of mass apprehension as a deterrent to others, to humiliate, to ridicule, or otherwise to act contrary to the inherent dignity of the American soldier is forbidden.

(3) No mass apprehension may be conducted within the GCM jurisdiction of the USARAK Commander without the expressed approval of either the USARAK Commander or USARAK Chief of

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Staff. Before requesting permission to conduct a mass apprehension, the commander concerned will coordinate the proposed mass apprehension with the USARAK SJA.

b. Prohibitions. The following actions are specifically prohibited incident to any apprehension in this jurisdiction:

(1) Removal of a unit crest, rank, insignia, award, or any item of clothing except as necessary for the protection of the accused or other persons.

(2) Unnecessary public identification of an apprehended person as a criminal suspect.

(3) Scheduling of either the time, location, or method of conducting an apprehension for the purpose of publicly exposing the apprehended individual. The above prohibitions are not an exclusive listing of illegal and improper apprehension procedures and any other actions inconsistent with the policy statements in this paragraph also are prohibited.

17. Preferring and forwarding of charges

Before preferring charges, commanders will coordinate with their trial counsel. The servicing trial counsel will be responsible for preparation of the charge sheet, allied papers, and case file and will coordinate with the preferring commander regarding the time, date, and location for preferring charges. Unit commanders will review each court-martial packet for correctness, completeness, and format. They will attach a forwarding memorandum to the charge sheet before forwarding the charges for referral. Court-martial charges will be hand carried by the trial counsel between forwarding commanders.

18. Requests for discharge per Army Regulation 635-200, chapter 10

a. The USARAK Commander is the final action authority on all requests for discharge pursuant to AR 635-200, chapter 10 submitted by soldiers in his/her GCM jurisdiction. Such requests will be processed through military-justice channels as specified in this regulation to the USARAK Commander, Attention: APVR-RJA-CL.

b. An accused may initiate a request for discharge at any time after charges have been preferred including after trial and before the convening authority takes action. The accused's request will be in the format prescribed by AR 635-200, chapter 10. The request will be submitted to the servicing law center, which will ensure its delivery to the accused's unit commander.

c. The written request for discharge will be transmitted through court-martial jurisdiction channels per the processing time standards in appendix B. Forwarding endorsements may reflect each commander's evaluation of the request for administrative discharge, considering all facts and circumstances, and the commander's rationale for recommending approval or disapproval.

d. When a request for discharge is submitted, commanders will continue normal processing of the charges. Before referral, the accused may submit a written request for delay of trial to the USARAK Commander for approval. A request by the accused for a delay of court-martial proceedings for chapter-10 processing normally will not be honored unless the request is submitted at least 10 days before a scheduled trial. The written request for discharge, under AR 635-200, chapter 10, signed by the accused and defense counsel, will be transmitted expeditiously through established court-martial jurisdiction channels per the processing time standards set forth in appendix B. A post-trial request for separation under chapter 10 must be accompanied by a written request for delay in the processing of the accused's case until the USARAK Commander has acted on the request.

e. If approval is recommended, endorsements will include recommendations on characterization of the discharge. This is particularly important if the reasons for the recommendation are not apparent from the correspondence itself, e.g., unusual mitigating or extenuating circumstances.

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f. If the accused has made a written request for a separation physical in conjunction with the request for discharge and if approval of the request for administrative discharge is recommended, the unit commander will immediately arrange for the accused to have a separation physical.

g. If the discharge request is approved, the military personnel office servicing the accused's unit will make every effort to ensure that the accused is separated from the service within 7 duty days of the decision of the USARAK Commander. An accused in pretrial confinement will be removed from pretrial confinement immediately by the unit commander.

19. Resignation for the good of the service per Army Regulation 600-8-24, chapter 3

Resignations of accused officers will be prepared in the format prescribed by AR 600-8-24, chapter 3 and submitted to the servicing law center for initial review and forwarding through military-justice channels. Each resignation will be accompanied by a written request for delay in the trial of the accused's case until after action on the request by Headquarters, DA. The trial counsel will ensure that all required information, recommendations, and documents are attached to the resignation request before forwarding it to the USARAK Commander, Attention: APVR-RJA-CL.

20. Duties of the accused's immediate commander

After preferring court-martial charges, the accused's immediate commander has the following responsibilities:

- a. Notify the trial counsel of any witnesses scheduled to depart the command in the near future or who will otherwise be unavailable.
- b. Coordinate with the trial counsel before allowing any military witnesses to depart the command.
- c. Ensure that the accused has access to his/her defense attorney.
- d. Provide an escort for the accused for all court-martial proceedings.
- e. Ensure that the accused is in the proper uniform and present at all pretrial and court-martial sessions.
- f. Provide a bailiff for the court-martial.
- g. Begin clearing the soldier 7 days before court-martial in the event that the accused is confined by sentence of the court-martial.
- h. In cases of domestic violence, ensure that victims are referred to the victim-witness liaison for counseling regarding transitional compensation benefits.
- i. Initiate flagging action of an accused soldier as prescribed in AR 600-8-2, chapter 2.

21. Retaining soldiers beyond their expiration term of service/date eligible to return from overseas

a. Soldiers normally may not be held beyond the expiration of their term of service. However, a soldier may be retained beyond their expiration of term of service when a criminal investigation has been initiated with a view toward court-martial, charges have been preferred, or the soldier has been apprehended, arrested, confined, or otherwise restricted by the appropriate military authority. However, if charges have not been preferred, soldiers cannot be retained more than 30 days beyond the expiration of term of service without the personal approval of the USARAK Commander (see AR 635-200, para 1-22). In such cases, applications for extended retention beyond 30 days should be forwarded through military-justice

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channels to the USARAK Commander, Attention: APVR-RJA-CL, to arrive by the twentieth day after the individual's expiration of term of service (see AR 600-8-2, paras 1.16 and 2.9).

b. An accused soldier may be held beyond the soldier's date eligible to return from overseas of permanent change of station date while under investigation or while pending trial by court-martial. Commanders will coordinate with their servicing military personnel office to delete soldiers from permanent change of station orders.

c. Soldiers may not be held beyond their expiration term of service date to complete administrative separation actions.

22. Appointment of Article 32(b) investigating officers

a. Commanders should appoint only field grade officers as Article-32(b) investigating officers.

b. An Article-32(b) investigation gives the commander an independent evaluation and an unbiased opinion by a disinterested officer concerning the specific charges that have been preferred. The investigating officer is required to investigate thoroughly and expeditiously the truth of the charges, to consider the correctness and form of the charges, and to recommend a disposition. The Article-32(b) investigation is not a form of "preliminary trial." The report of investigation should be as simple and concise as possible. Investigating officers will adhere to RCM 405 and to the guidance contained in DA Pamphlet 27-17 and the USARAK Guide for Article 32(b) Investigating Officers. Investigating officers will be briefed before beginning duties by a designated legal advisor. Within 24 hours after notification of appointment, the investigating officer will contact the designated legal advisor to arrange to receive the required briefing.

c. An Article-32(b) investigation has priority over all other duties of the appointed officer.

d. The investigating officer should schedule the Article-32(b) investigation to take place within 2 to 5 duty days after appointment. The Article-32(b) investigation will take place within that time period unless a written request for delay submitted by the defense or the government has been approved. Delays will be approved only for good cause. If delegated that authority in the appointment memorandum, the investigating officer may grant delays. Otherwise, requests for delay will be coordinated with the appointing authority and notice of such will be given to both parties. Any delays will be explained in writing and submitted with the report. The investigating officer must maintain a chronology of the processing of the case, including documentation of any delays granted. The report will be submitted to the appointing authority within 7 days (exclusive of delays) of receiving notice that the investigation will be made.

e. Arrangements for non-local civilian witnesses to appear will not be made until payment of expenses has been authorized by the USARAK Commander or the USARAK SJA as the commander's designee. When an Article-32(b) investigating officer determines that a civilian witness is reasonably available and will appear voluntarily, the investigating officer will prepare and forward a written request for the payment of necessary transportation expenses and allowances to the USARAK Commander, Attention: APVR-RJA-CL. The USARAK SJA has been delegated the authority to approve, but not disapprove, the payment of transportation expenses and allowances.

f. An officer detailed as an investigating officer will be briefed by, and subsequently will only accept legal advice from an attorney assigned to the USARAK Office of the Staff Judge Advocate designated as an Article-32(b) legal advisor.

23. Psychiatric evaluations

Per RCM 706, commanders, investigating officers, and counsel are required to inform the appropriate authority whenever they believe an accused lacks either the capacity to stand trial or the mental responsibility for any offense charged. Within the GCM jurisdiction of the USARAK Commander, this

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information will be reported promptly to the USARAK Commander, Attention: APVR-RJA-CL. Before referral of charges, the determination of whether to direct an examination into the accused's mental condition will be made by the convening authority before whom the charges are pending for disposition. After referral, the military judge, if reasonably available, may make this determination. If the military judge is not reasonably available, the convening authority that referred the charges may, before the first session of the court-martial, make the determination.

24. Selection of court members

a. Upon request, subordinate commanders will provide a list of nominees for court-martial duty to the general court-martial convening authority (GCMCA) for the selection of court members to serve on GCMs and special courts-martial empowered to adjudge a bad conduct discharge.

b. Court-martial duty is one of the most important duties for which a soldier may be selected. Accordingly, per Article 25, UCMJ only those officers, warrant officers, and enlisted soldiers within each jurisdiction who are best qualified by reason of age, education, training, experience, length of service, and judicial temperament will be nominated or selected. Under current law and regulation, chaplains, medical officers, dental officers, veterinary officers, inspectors general (including acting inspectors general and noncommissioned officer assistants) should not be nominated for court-martial duty. Because of the nature of their duties, military police personnel or other personnel engaged in law-enforcement duties and judge advocates should not be nominated or selected for court-martial duty.

c. Except under extraordinary circumstances, excusal from court-martial duty is inappropriate. Ordinary leave, temporary duty, and foreseeable training exercises do not normally constitute extraordinary circumstances. Memoranda requesting excusal must contain the specific reason for excusal (merely stating temporary duty is not sufficient), must be endorsed by the court member's chain of command through the brigade-level commander/staff principal, and must be forwarded through the Office of the Staff Judge Advocate for the USARAK Commander's action. The Office of the Staff Judge Advocate will return requests for excusal not containing sufficient information or not properly endorsed.

d. The USARAK SJA will notify soldiers selected for court-martial duty of their selection and the importance of their duties.

25. Presence of witnesses at trial

a. When notified by a trial counsel that a soldier is required as a witness in a court-martial, the soldier's commander will ensure that the witness appears at the time and place requested and in the proper uniform.

b. Commanders aware that personnel subject to their control are to be witnesses at a court-martial or an Article-32(b) investigation will ensure that such personnel do not depart on leave, temporary duty, permanent change of station, or otherwise without the prior concurrence of the trial counsel acting as the convening authority's representative. Witnesses may be held past their rotation date, if necessary, per the procedures set forth in AR 614-30, chapter 9. DA Form 4187 (Personnel Action) must be submitted through administrative channels to retain witnesses beyond their permanent change of station date. Soldiers will not be "flagged" based solely on the fact that they are to be witnesses at an Article-32(b) investigation or court-martial. Witnesses may not be held involuntarily beyond their expiration of term of service.

26. Uniform Code of Military Justice jurisdiction within the United States Army Alaska

a. Jurisdiction. All United States Army personnel attached or assigned to the units listed in figure 1 are within the GCM jurisdiction of the USARAK Commander and hereby are attached for the purpose of UCMJ and administrative actions as indicated in figure 1.

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b. Special court-martial convening authorities. Commanders of the following units exercise special court-martial jurisdiction over the units and personnel assigned or attached to their units as indicated in figure 1:

- (1) 172d Infantry Brigade (Separate).
- (2) Arctic Support Command (Provisional).
- (3) United States Army Medical Department Activity-Alaska.
- (4) United States Army Dental Activity.
- (5) United States Army Garrison, Alaska.

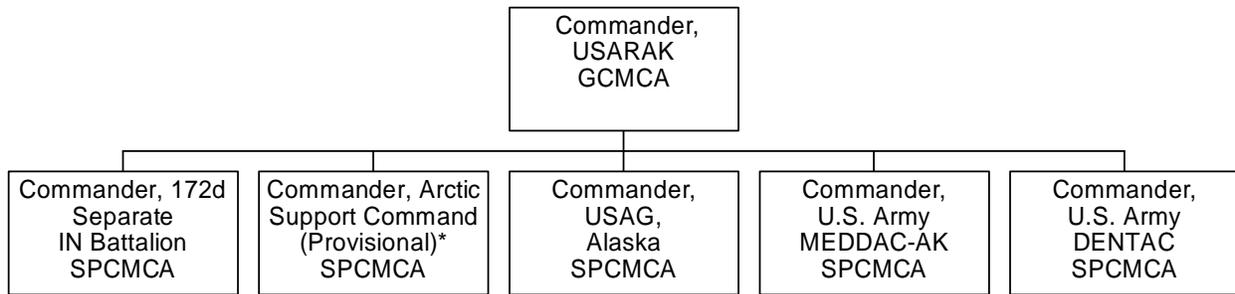
c. Summary court-martial convening authorities. In addition to the above commanders, commanders of the following units exercise summary court-martial (SCM) jurisdiction over the units and personnel assigned or attached to their units as indicated in figure 1:

- (1) 2d Battalion, 1st Infantry Regiment.
- (2) 1st Battalion, 17th Infantry.
- (3) 1st Battalion, 501st Parachute Infantry Regiment.
- (4) 4th Battalion, 11th Field Artillery Regiment.
- (5) 172d Support Battalion.
- (6) Arctic Warrior Battalion (Provisional).
- (7) 4th Battalion, 123d Theater Aviation.
- (8) Special Troops Battalion.
- (9) 267th Finance Battalion.
- (10) 203d Personnel Services Battalion.
- (11) Post Commander, Fort Richardson.
- (12) Post Commander, Fort Wainwright.
- (13) 59th Signal Battalion.
- (14) Alaska Veterinary Service Support District.
- (15) Cold Regions Test Center.
- (16) United States Army Element, Alaskan Command.
- (17) 2d Battalion, 196th Infantry Brigade-Alaska.
- (18) Troop Commander, Medical Department Activity.

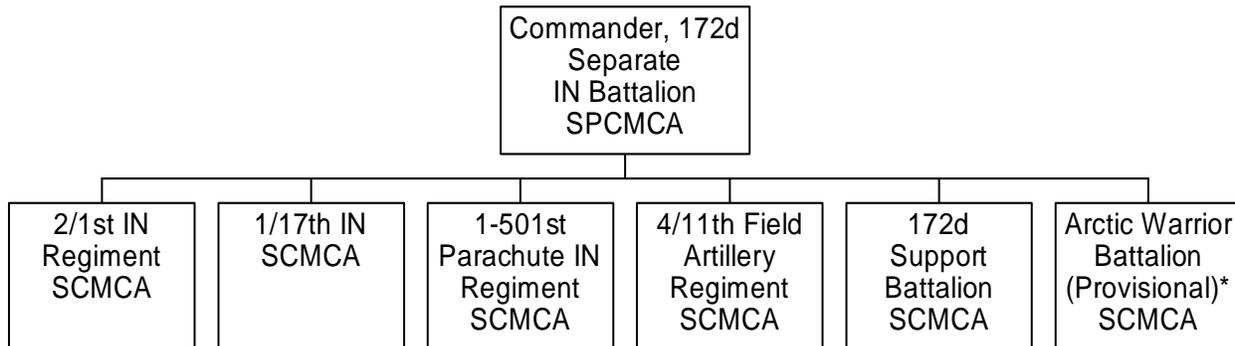
27. Uniform Code of Military Justice lines of authority

The charts in figure 1 graphically depict UCMJ lines of authority within USARAK. All GCMCAs, SPCMCAs, and SCMCAs in USARAK as of 1 October 1999 are depicted. If any unit within USARAK is not depicted in the charts, its UCMJ authority will follow its chain of command or be attached to a USARAK unit on a case-by-case basis.

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*On 1 October 1999, with approval of United States Army Pacific Command, the Arctic Support Command (Provisional) was established as a provisional command. Provisional status will cease on 1 October 2001, unless further continued. On 27 July 2001, the USARAK Commander requested continuation of the Arctic Support Command (Provisional) for 2 additional years. If approved, the Arctic Support Command (Provisional) will cease on 1 October 2003, unless further continued.



*On 11 June 2001, the USARAK Commander continued the Arctic Warrior Battalion (Provisional) as a provisional command. Provisional status will cease on 11 June 2003, unless further continued.

Figure 1. Uniform Code of Military Justice lines of authority

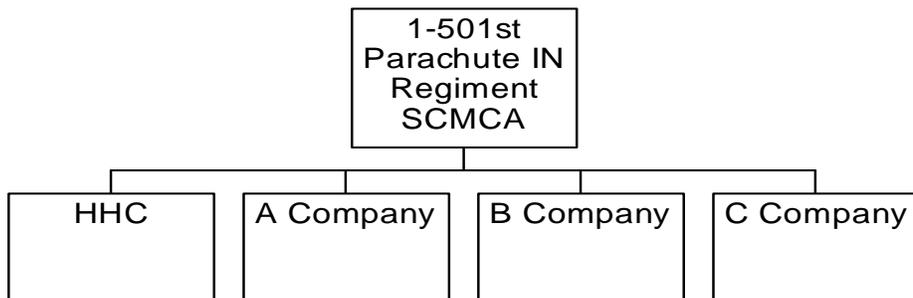
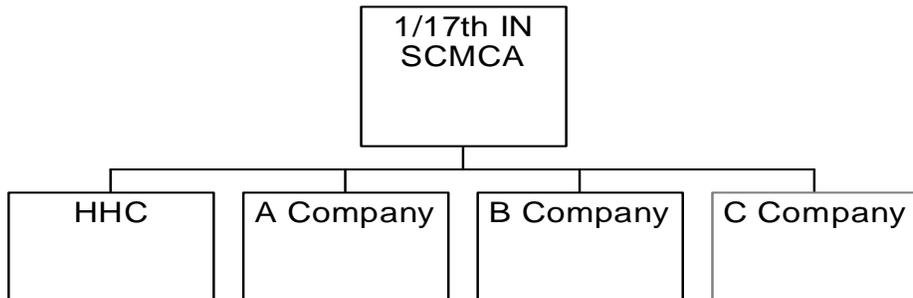
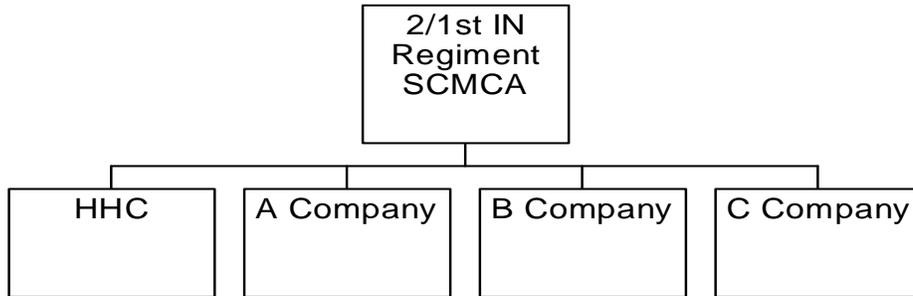


Figure 1. Uniform Code of Military Justice lines of authority

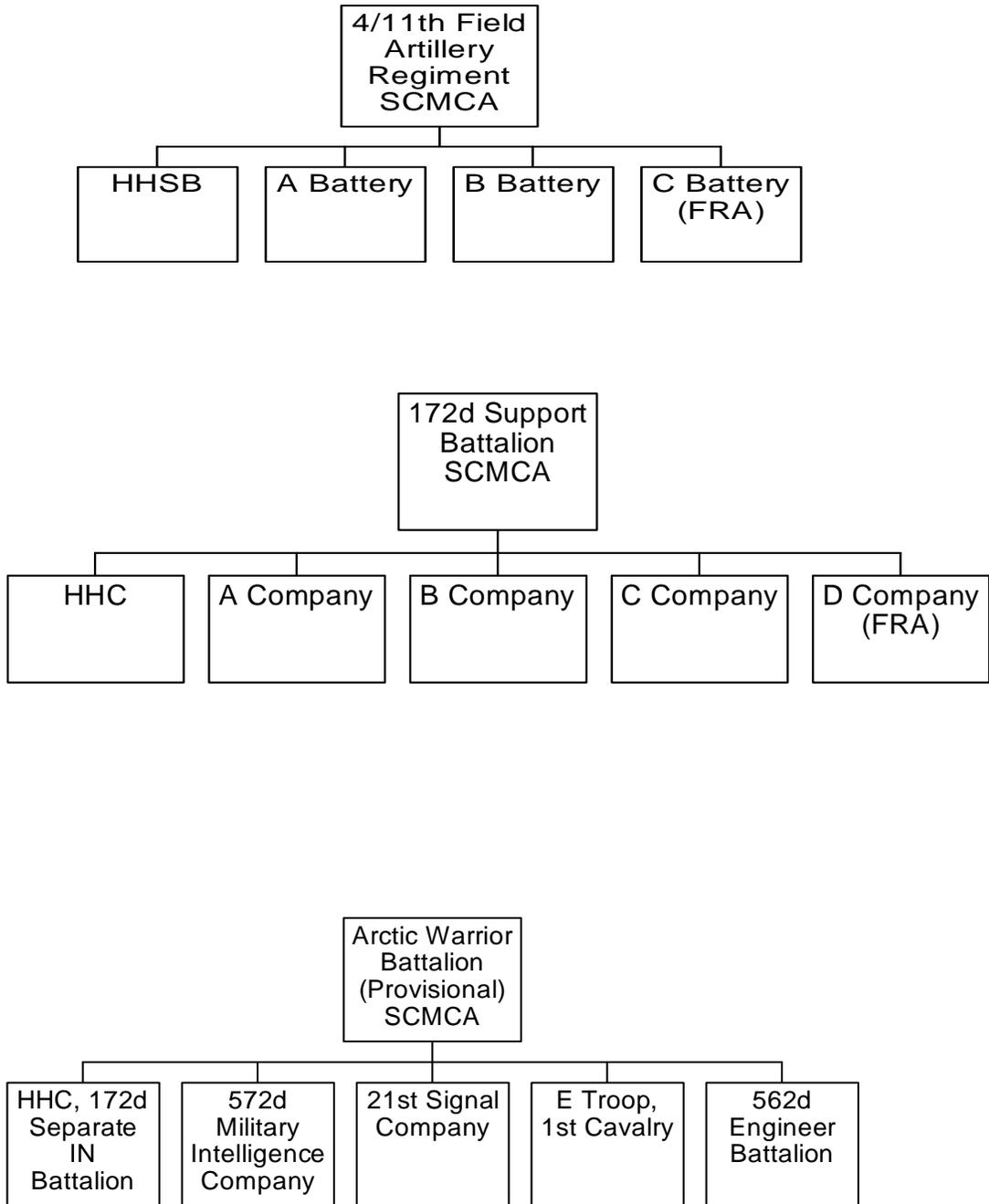
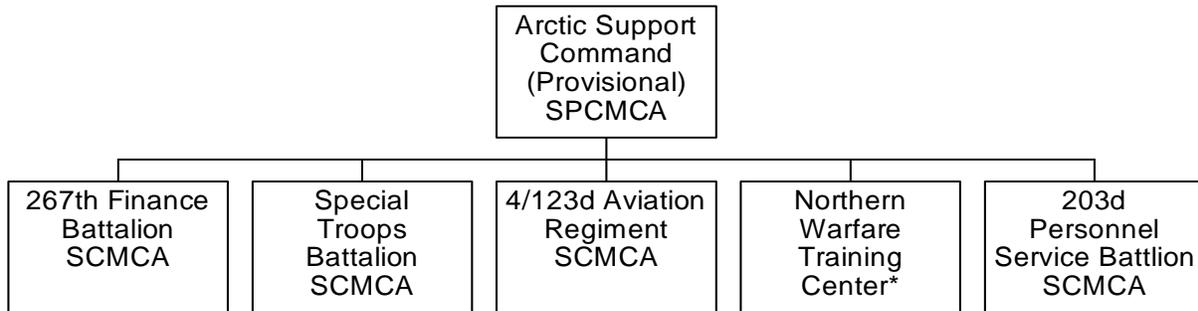


Figure 1. Uniform Code of Military Justice lines of authority



*Arctic Support Command (Provisional) commander will serve as SPCMCA and SCMCA for Northern Warfare Training Center.

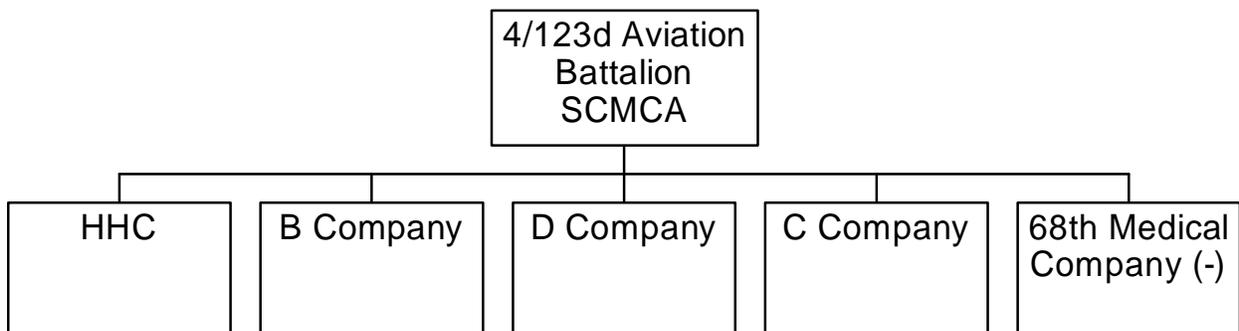
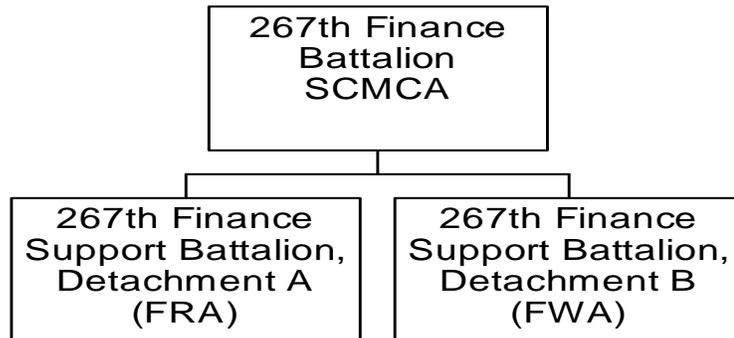


Figure 1. Uniform Code of Military Justice lines of authority

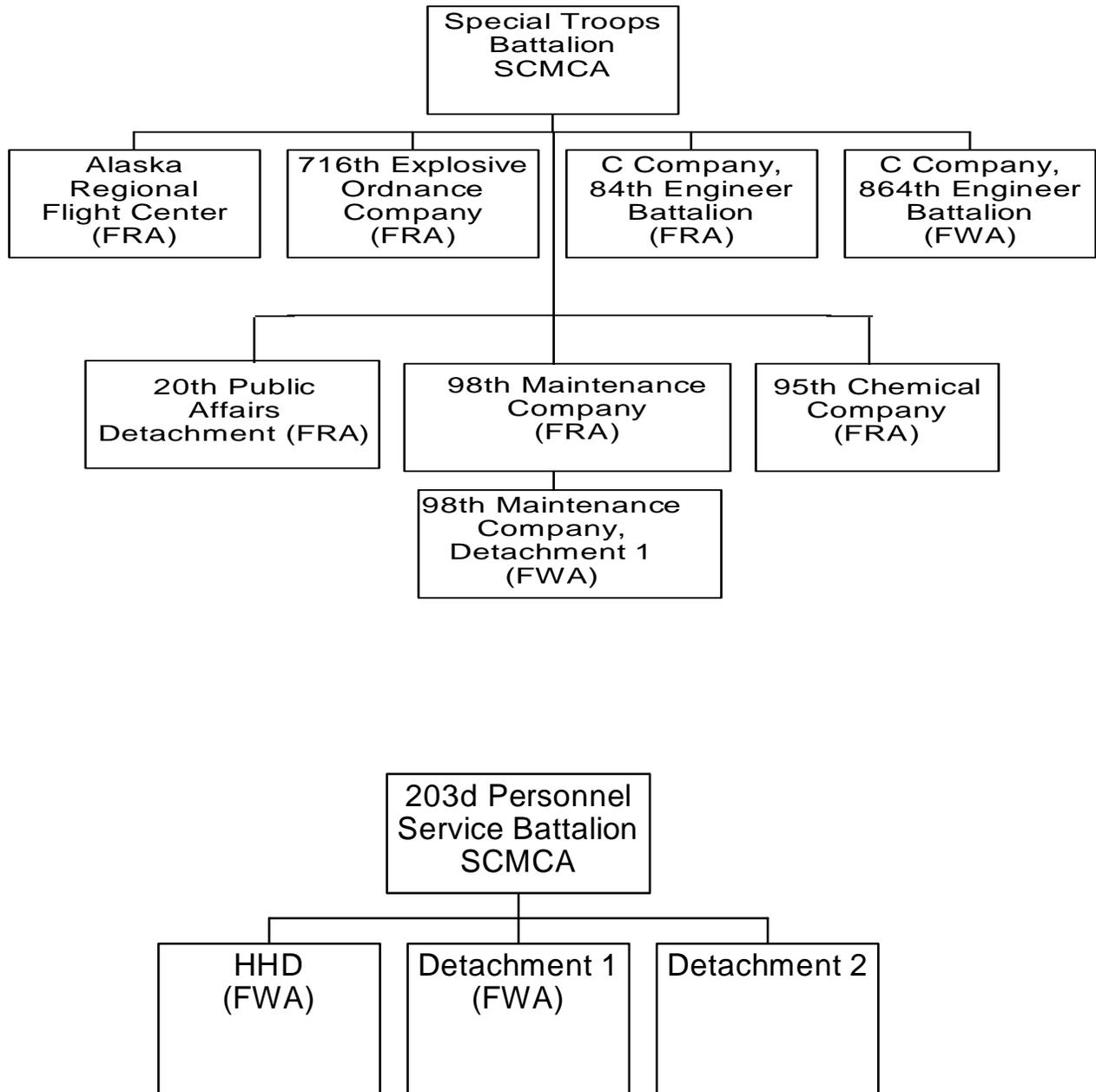


Figure 1. Uniform Code of Military Justice lines of authority

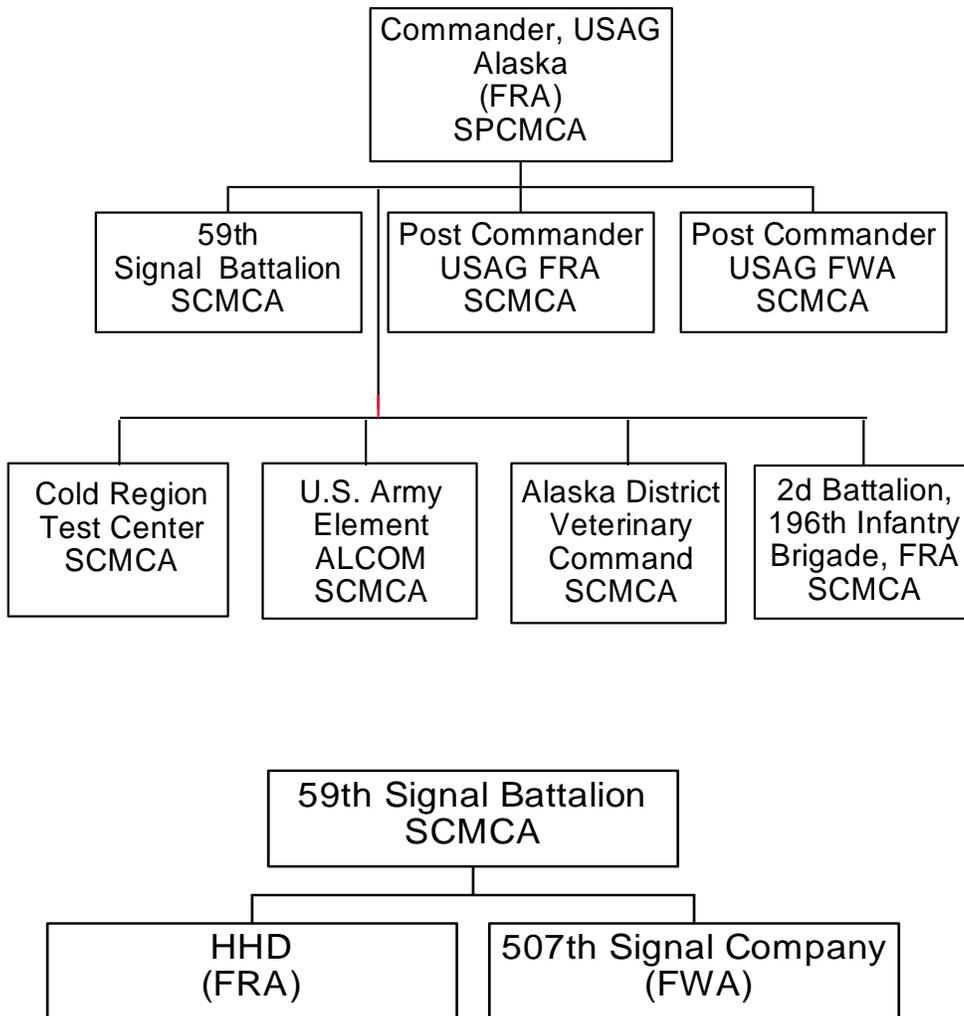
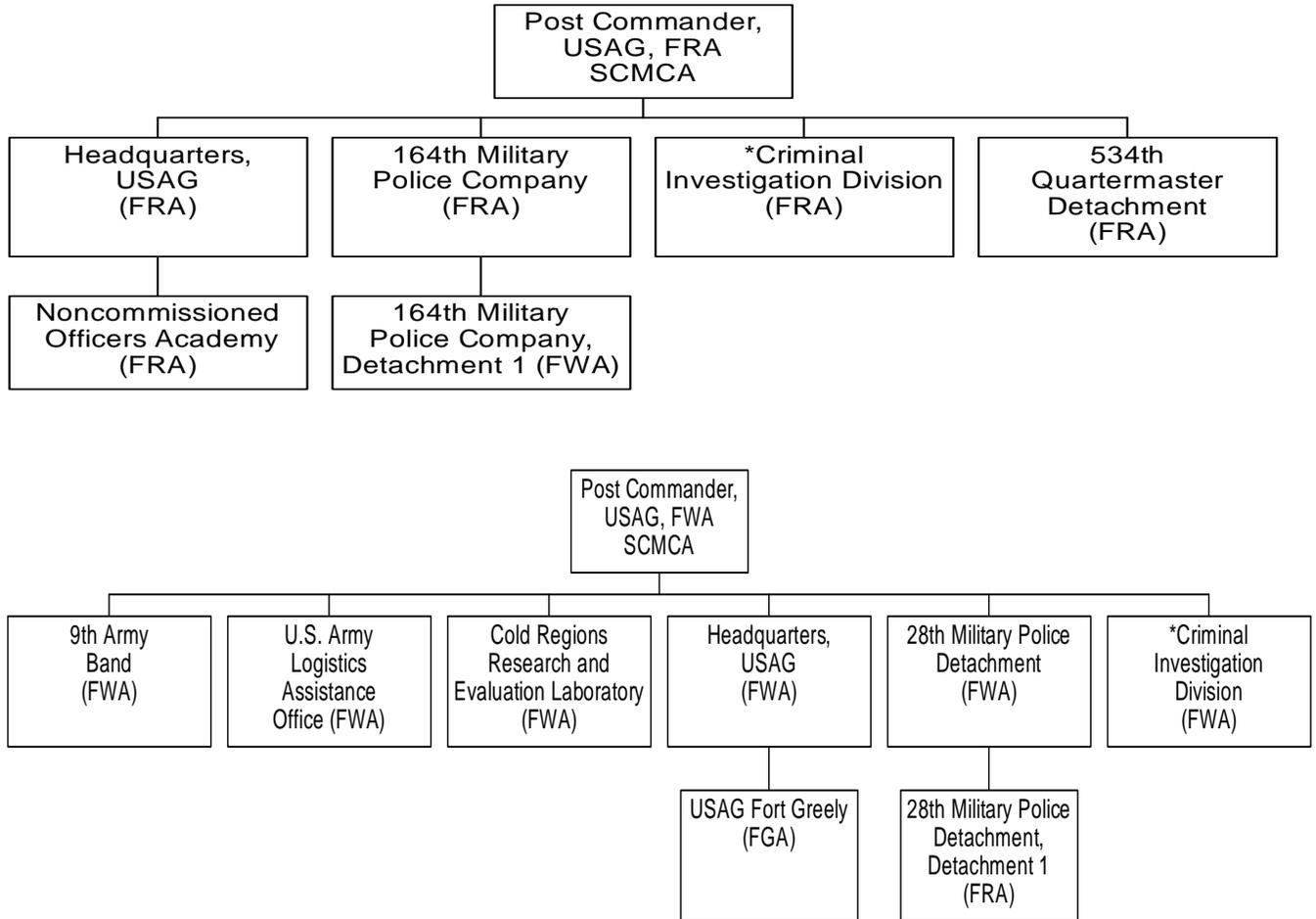


Figure 1. Uniform Code of Military Justice lines of authority

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*Criminal Investigation Division unit personnel are not attached for administration of letters of reprimand or admonishment (other than those mandated by AR 190-5 related to intoxicated driving) or for administration of nonjudicial punishment; as such authority is retained within Headquarters, United States Army Criminal Investigation Command channels.

Figure 1. Uniform Code of Military Justice lines of authority

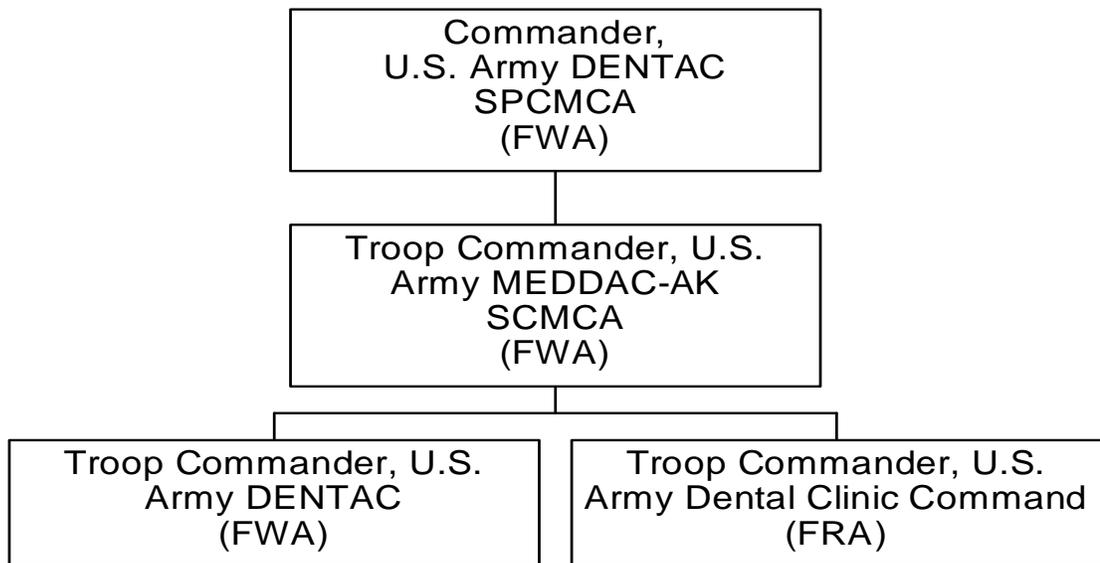
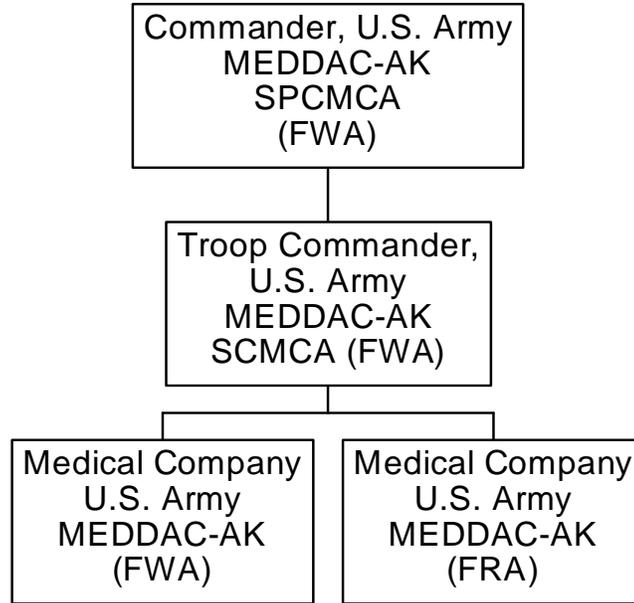


Figure 1. Uniform Code of Military Justice lines of authority

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FOR THE COMMANDER:

OFFICIAL:

RICHARD C. NICKERSON
COL, GS
Chief of Staff

//Original Signed//
JAMES E. RISELEY
LTC, SC
Director of Information Management

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1 - APVR-GPA-AE (MOS Library, Assistant Directorate of Community Activities, Education Branch,
Attention: Mr. Mauer)

1 - Commander, United States Army Pacific Command, Attention: APIM-OIR
Fort Shafter, Hawaii 96858-5100

**Appendix A
References**

**Section I
Required Publications**

- AR 190-47..... (The U.S. Army Correctional System). Cited in paragraph 14a.
- AR 600-8-2 (Suspension of Favorable Personnel Actions (Flags)). Cited in paragraphs 9f, 20i, and 21a.
- AR 600-8-24 (Officer Transfers and Discharges). Cited in paragraph 19.
- AR 614-30..... (Overseas Service). Cited in paragraph 25b.
- AR 635-200..... (Enlisted Personnel). Cited in paragraphs 18 and 21a and in table B-2.
- AR 700-84..... (Issue and Sale of Personal Clothing). Cited in paragraph C-1j.
- DA Pamphlet 27-17 (Procedural Guide for Article 32(b) Investigating Officer). Cited in paragraph 22b.

**Section II
Related Publications**

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

- AR 15-6..... (Procedures for Investigating Officers and Boards of Officers).
- AR 27-10..... (Military Justice).
- AR 190-5..... (Motor Vehicle Traffic Supervision).
- AR 614-200..... (Selection of Enlisted Soldiers for Training and Assignment).
- AR 600-37..... (Unfavorable Information).
- AR 600-8-19 (Enlisted Promotions and Reductions).

Manual for Courts-Martial,
United States, 1998

**Section III
Referenced Forms**

- DA Form 2-1 (Personnel Qualification Record - Part II). Cited in paragraph 9i.
- DA Form 2028 (Recommended Changes to Publications and Blank Forms). Cited in the suggested improvements statement.
- DA Form 2627 (Record of Proceedings Under Article 15, UCMJ). Cited in paragraph 9.

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- DA Form 4187 (Personnel Action). Cited in paragraph 25b.
- DA Form 4430-R (Report of Result of Trial). Cited in paragraph C-1c.
- DA Form 4833 (Commander's Report of Disciplinary or Administrative Action).
Cited in paragraph 5e.
- DA Form 5109-R (Request to Superior to Exercise Article 15, UCMJ Jurisdiction).
Cited in paragraph 9f.
- DA Form 5112-R (Checklist for Pretrial Confinement). Cited in paragraph C-1b.
- DD Form 1408 (Armed Forces Traffic Ticket). Cited in paragraph 11.
- DD Form 1805 (United States District Court Violation Notice). Cited in
paragraph 11.
- DD Form 2704 (Victim/Witness Certification and Election Concerning Inmate
Status). Cited in paragraph C-1d.
- DD Form 2707 (Confinement Order). Cited in paragraph C-1a.

**Appendix B
Processing Time Standards**

Various court-martial processing time standards, with cumulative totals, are shown in tables B-1 through B-4.

Table B-1 Court-martial processing time standards—pretrial—summary court-martial		
Event	Processing Time	Cumulative Total
a. Date commander receives information amounting to probable cause to date charges sworn.	5 days	
b. Date of pretrial restraint to date charges sworn.	2 days	2 days
c. Date charges sworn to date received by SCMCA.	2 days	4 days
d. Date of receipt of charges by SCMCA to date of referral to trial.	2 days	6 days
e. Date of referral to date of trial.	4 days	10 days
f. Date of trial to date of action. (Action is not to be taken less than 7 days after sentence is announced unless the accused submits a waiver.)	7 days	17 days
g. Date of action to date promulgating order cut.	2 days	19 days
h. Date promulgating order cut to date record forwarded to Office of the Staff Judge Advocate, USARAK.	1 day	20 days

Table B-2 Requests for discharge pursuant to Army Regulation 635-200, chapter 10 or Army Regulation 600-8-24, chapter 5		
Event	Processing Time	Cumulative Total
a. Date that Office of the Staff Judge Advocate receives request to date forwarded to unit commander.	1 day	1 day
b. Date that unit commander receives request to date forwarded to SCMCA.	1 day	2 days
c. Date received by SCMCA to date forwarded to SPCMCA.	1 day	3 days
d. Date received by SPCMCA to date forwarded to GCMCA.	2 days	5 days
e. Date received by GCMCA to date of approval/disapproval.	4 days	9 days

Table B-3 Court-martial processing time standards—Pretrial—special court-martial, bad conduct discharge special court-martial or general court-martial		
Event	Processing Time	Cumulative Total

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a. Date commander receives information amounting to probable cause to date charges sworn.	5 days	
b. Date of pretrial restraint to date charges sworn.	2 days	2 days
c. Date charges sworn to date received by SCMCA.	2 days	4 days
d. Date received by SCMCA to date forwarded to SPCMCA.	2 days	6 days
e. Date received by SPCMCA to—		
(1) Date referred to trial (SPCM) <u>or</u>	3 days	9 days
(2a) Date forwarded to GCMCA (BCDSPCM).	3 days	9 days
(2b) Date received by GCMCA to date referred to trial (BCDSPCM) <u>or</u>	4 days	10 days
(3a) Date Article 32(b) investigating officer appointed.	3 days	9 days
(3b) Date Article 32(b) investigating officer appointed to date investigating officer's recommendations received by SPCMCA.	14 days	23 days
(3c) Date Article 32 report received by SPCMCA to date charges forwarded to GCMCA.	3 days	26 days
f. Date received by GCMCA to date referred to trial (GCM).	4 days	30 days

Table B-4
Court-martial processing time standards—post-trial—special court-martial, bad conduct discharge special court-martial or general court-martial

Event	Processing Time
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a. Post-trial processing time from date of trial to date mailed for appellate review—	
(1) Date of trial to date record of trial (ROT) completed and forwarded to trial and defense counsel (summarized record).	7 days
(2) Date of trial to date record of trial completed and forwarded to trial and defense counsel (verbatim/guilty plea).	15 days
(3) Date of trial to date record of trial completed and forwarded to defense counsel (verbatim/contested).	21 days
b. Date record of trial received by defense counsel until forwarded to trial counsel.	4 days
c. Date record of trial received by trial counsel until forwarded to military judge for authentication.	4 days
d. Date record of trial received from judge to date of action (SPCM) (Action is not to be taken less than 10 days after the sentence is announced without accused's waiver).	10 days
e. Date of action to date promulgating order cut (SPCM).	2 days
f. Date promulgating order cut to date record of trial forwarded to GCMCA for legal review (SPCM).	2 days
g. Date authenticated record of trial received by Criminal Law Division until RCM 1106 service.	1 day
h. Date RCM 1105/RCM 1106 submissions received until GCMCA initial action.	4 days
i. Date of initial action until:	
(1) Action message.	1 day
(2) Record of trial mailed for appellate review.	1 day

**Appendix C
Confinement Processing Checklist**

C-1. Commanders will ensure that the following items are provided to escorts accompanying all soldiers to the regional confinement facility at Fort Lewis, Washington:

- a. DD Form 2707 (Confinement Order)—original and two copies (obtain from the Criminal Law noncommissioned officer in charge).
- b. DA Form 5112-R (Checklist for Pretrial Confinement)—original and two copies (obtain from the Criminal Law noncommissioned officer in charge).
- c. DA Form 4430-R (Report of Result of Trial)—two copies (obtain from the Criminal Law noncommissioned officer in charge). For post-trial confinement only.
- d. DD Form 2704 (Victim/Witness Certification and Election Concerning Inmate Status)—one copy in a sealed envelope (obtain from the Criminal Law noncommissioned officer in charge).
- e. Unit personnel file—if more than 30 days' confinement is adjudged.
- f. Medical records (obtain from unit troop medical clinic).
- g. Dental records (obtain from unit dental clinic).
- h. Orders attaching the soldiers to the confinement facility, Fort Lewis, Washington (obtain from the 203d Personnel Services Battalion).
- i. Valid military identification card and personal identification tags.
- j. All clothing and equipment listed in tables C-1 and C-2, as appropriate. (See AR 700-84, table 5-1 for further information.)
- k. An inventory sheet listing personal property secured at the unit for soldiers living in the barracks.

C-2. If the prisoner is not transported to the Fort Lewis Regional Confinement Facility on the date confinement is adjudged, he/she must be placed in the post detention cell. Before transporting the prisoner from the detention cell to the Fort Lewis Regional Confinement Facility, the prisoner's commander must prepare a memorandum to the confinement facility indicating the dates the prisoner was in the detention cell and the reason he/she was not immediately shipped to the confinement facility.

Table C-1 Clothing requirements for prisoners in Army correctional facilities pretrial)		
Item	Male	Female

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Belt, trousers	1	1
Boots, combat	1 pair	1 pair
Buckle, black	1	1
Buckle, brass	1	X
Cap, camouflage	1	1
Cap, garrison	1	1
Coat, cold weather	1	1
Coat, camouflage, hot weather	1	1
Coat, camouflage, temperate	1	1
Coat, polypropylene/wool AG	1	1
Drawers, brown	1 pair	X
Gloves, black, unisex	1 pair	1 pair
Gloves, shell	1 pair	1 pair
Necktab	X	1
Necktie	1	X
Shirt, long/short sleeve	1	1
Shoes, oxford	1 pair	1 pair
Skirt, polypropylene/wool	X	1
Socks, cotton/nylon	1 pair	X
Socks, wool	3 pairs	3 pairs
Towel, bath	2	2
Trousers, camouflage, hot weather	1 pair	1 pair
Trousers, camouflage, temperature	1 pair	1 pair
Trousers, polypropylene/wool	1 pair	X
Undershirts, brown	3	3
Undershirts, white	2	X
Organizational Items		
Bag, barracks	1	1
Drawers, cold weather (seasonal)	1 pair	1 pair
Undershirts, cold weather (seasonal)	1	2

Table C-2 Clothing requirements for prisoners in Army correctional facilities (post-trial)		
Item	Male	Female
Belt, trousers	1	1
Boots, combat	2 pairs	2 pairs
Buckle, black	1	1

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Buckle, brass	1	X
Cap, camouflage	2	2
Cap, garrison	1	1
Coat, cold weather	1	1
Coat, all weather	1	1
Coat, camouflage, hot weather	2	2
Coat, camouflage, temperature	2	2
Coat, camouflage, cold weather	1	1
Coat, polypropylene/wool AG	1	1
Drawers, brown	7 pairs	X
Gloves, black, unisex	1 pair	1 pair
Gloves, inserts	2 pairs	2 pairs
Gloves, shell	1 pair	1 pair
Handbag	X	1
Necktab, long/short sleeve	X	1
Necktie	1	X
Shirt, long/short sleeve	1	1
Shoes, oxford	1 pair	1 pair
Skirt, polypropylene/wool	X	1
Slacks, polypropylene/wool	X	1 pair
Socks, cotton/nylon	3 pairs	X
Socks, wool	7 pairs	7 pairs
Towel, bath	4	4
Trousers, camouflage, hot weather	2 pairs	2 pairs
Trousers, camouflage, temperature	2 pairs	2 pairs
Trousers, polypropylene/wool AG	1 pair	X
Undershirts, brown	7	7
Undershirts, white	2	X

Glossary

**Section I
Abbreviations**

ALCOM.....	Alaskan Command
AR.....	Army Regulation
BCDSPCM.....	bad-conduct special court-martial (a special court-martial empowered to adjudge a bad conduct discharge)
DA.....	Department of the Army
DENTAC.....	Dental Activity
FGA.....	Fort Greely, Alaska
FRA.....	Fort Richardson, Alaska
FWA.....	Fort Wainwright, Alaska
GCM.....	general court-martial
GCMCA.....	general court-martial convening authority
HHC.....	Headquarters and Headquarters Company
HHD.....	Headquarters and Headquarters Detachment
HHSB.....	Headquarters and Headquarters Service Battery
IN.....	Infantry
MEDDAC-AK.....	Medical Department Activity, Alaska
para.....	paragraph
RCM.....	Rule for Court-Martial
SCM.....	summary court-martial
SCMCA.....	summary court-martial convening authority
SJA.....	Staff Judge Advocate
SPCMCA.....	special court-martial convening authority
UCMJ.....	Uniform Code of Military Justice
U.S.....	United States
USAG.....	United States Army Garrison

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USARAK..... United States Army Alaska

Section II

Terms

Serious Offense

The following offenses, among others, qualify as serious offenses for purposes of paragraph 9e: AWOL for more than 72 hours (Article 86, UCMJ), missing movement (Article 87, UCMJ), DUI (Article 111, UCMJ), willful destruction of property of a value of more than \$100.00 (Articles 108 and 109, UCMJ), drug offenses (Article 112a, UCMJ), all sexual offenses other than adultery (Article 134, UCMJ), assault upon a child under 16, family member, or aggravated assault (Article 128, UCMJ), larceny of property in excess of \$100.00 in value (Article 121, UCMJ).