

SECTION IV. ATTACHMENT

The investigation began at POB [REDACTED] APO AE [REDACTED] at 1500
(Time)

19 July 2003 (date) and ended at POB [REDACTED] APO AE [REDACTED] at 1500
(Time). Details of attachment are as follows:

In accordance with the time each section began and ended, the place, persons present and absent, and explanation of absences (if any). The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., Plaintiff, Recorder, Member, Legal Advisor.)

The following persons (members, respondents, counsel) were absent: (Indicate from explanation of each absence.) See point 13 and 14 of AR 15-6.

The investigation ended at 1500 on 22 July 2003
(Time)

and completed findings and recommendations at 2000 on 22 July 2003
(Time)

SECTION V. CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES		YES	NO	NA
1	Indicates (from AR 15-4) if:			
	Are the following numbered and numbered consecutively with Previous numbers? (Listed in order listed)			
a.	The date of appointment or a summary of first appointment.			
b.	Cases of which he has charge, if any. (List by case number)	X		
c.	Other notes from which he may have derived information.		X	
d.	All other relevant documents which he may have prepared himself.		X	
e.	Plaintiff, defendant, witness, if any, and their addresses.		X	
f.	Explanation of reasons for his action in the case, including his conclusions, if any, as to the law involved.		X	
2	Indicates (from AR 15-4) if:			
3	Indicates (from AR 15-4) if:			

Was a quorum present when the board voted on findings and recommendations? (para 4-1 and 5-26, AR 15-6)

COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (para 5-1, AR 15-6)

5. At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment? (para 5-1, AR 15-6)
6. Was a quorum present at every session of the board? (para 5-2b, AR 15-6)?
7. Was each attendee of any member properly excused? (para 5-2a, AR 15-6)?
8. Were members, witnesses, reporter, and interpreter sworn, if required? (para 5-1, AR 15-6)?
9. If any members who voted on findings or recommendations were not present when the board received some evidence, does the recorder describe how they familiarized themselves with that evidence? (para 5-2d, AR 15-6)?

COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)

Were the respondents? (para 5-5, AR 15-6)

- a. Is the method and date of delivery to the respondent indicated on each letter of notification?
- b. Was the date of delivery at least five working days prior to the first session of the board?

Does each letter of notification indicate:

- (1) the date, hour, and place of the first session of the board concerning that respondent?
- (2) the matter to be investigated, including specific allegations against the respondent, if any?
- (3) the respondent's rights with regard to counsel?
- (4) the name and address of each witness expected to be called by the recorder?
- (5) the respondent's rights to be present, present evidence, and call witnesses?

Was the respondent provided a copy of all classified documents in the case file?

If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?

If any respondent was designated after the proceedings began, for otherwise was absent during part of the proceedings?

- a. Was he properly notified? (para 5-5, AR 15-6)?
- b. Was record of proceedings and evidence received in his absence made available for examination by him and his counsel? (para 5-4c, AR 15-6)?

11. Counsel (para 5-6, AR 15-6):

Was each respondent represented by counsel?

Name and business address of counsel:

If counsel is a lawyer, check here:

- a. Was respondent's counsel present at all open sessions of the board relating to that respondent?
- b. If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report? (para 5-6b, AR 15-6)?

- c. If the respondent challenged the legal adviser or any voting member for lack of impartiality (para 5-7, AR 15-6):
 - i. Was the challenge properly decided and by the appropriate officer?
 - ii. Did each member successfully challenged cease to participate in the proceedings?

- d. Was the respondent given an opportunity to (para 5-8a, AR 15-6):
 - i. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?
 - ii. Examine and object to the introduction of real and documentary evidence, including written statements?
 - iii. Object to the testimony of witnesses and cross-examine witnesses other than his own?
 - iv. Call witnesses and otherwise introduce evidence?
 - v. Testify as a witness?

- f. Make or have his counsel make a final statement or argument? (para 5-9, AR 15-6)?

- g. If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses? (para 5-8b, AR 15-6)?

Are all of the respondent's requests and objections which were denied reflected in the record of proceedings? (para 5-10, AR 15-6)

2 This form is not valid for review by a panel of three members.

SECTION V - RECOMMENDATIONS

In view of the above findings, the investigating officer recommends:

SEE ATTACHED MEMORANDUM

REDACTED

SECTION VII - INVESTIGATIVE REPORT (AFM 3-13, AF 37-6)

The undersigned does not concur in the findings and recommendations of the board.

(Member)

(Chairman)

RECOMMENDATION BY APPOINTING AUTHORITY (AFM 3-13, AF 37-6)

Concluding recommendations of the investigating authority, which may be incorporated into the final report or forwarded to the Commandant for further action.

AF Commanding

Classified Documents Removed

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