

Commandant's Board Sequence of Events

This is notice that I am recording the events of this hearing so there will be a record for summary and transcription purposes and for any clarification needed after the fact. Commandant's Board No. _____ is convened at _____ hours on _____. This Board is pursuant to Discipline General Order No. _____ dated _____ and _____ is appointed President for Commandant's Board No. _____.

Members of the Board:

Recorder: _____

Member: _____

Cadet Member: _____

To the Respondent: Are you satisfied with the composition of the Board? (*Respondent acknowledges.*)

To the Complainant: Are you satisfied with the composition of the Board? (*Complainant acknowledges.*)

This Board has been called as a result of Performance Report for Cadet _____, CWID # _____, Class ___, C/ _____, _____ Co.: _____ for the following offense: Code # _____, _____

**_____;
a violation of Code # _____, Class I; Maximum Punishment is _____. The PR is dated _____, contains _____ signed statements, and is signed by _____. Cadet _____'s ERW is dated _____ and contains _____ additional signed statements. These documents are now entered into the record of this Board.**

I ask the Respondent to acknowledge receipt of all pertinent evidence for this Board. (*Respondent acknowledges.*)

At this time, I enter into the record:

The initialed and signed Cadet Rights Briefings for Disciplinary Hearings and Boards dated _____. Cadet _____, I ask you to acknowledge your initials and signature signifying receipt and understanding of your rights as read to you by _____ on this form.

Are these your initials? (*Respondent acknowledges.*)

Is this your signature? (*Respondent acknowledges.*)

The following are the rights of the Respondent(s) as presented in the Cadet Rights Brief:

You have the right to...

- Present information on your own behalf in defense, extenuation or mitigation; that is, information that will show you did not commit the alleged offense(s), pertinent circumstances relating to the alleged offense(s), the alleged offense(s) is not as serious as it might otherwise seem and, based on circumstances, any punishment received should be less severe.
- Question all witnesses.
- Call your own witnesses.
- See all evidence relevant to the proceedings.
- Be advised by up to two cadets.
- Challenge any Board member for cause.

- Request that your attorney attend the Board. This request must be made in writing, at least two business days prior to the date of the Board. Your attorney, if present for the Board, may only participate in this Board if the disciplinary action you are facing is for an act that is also the subject of an off-campus criminal proceeding.
- You do not have to testify before the Board, but inference can be drawn from your failure to testify. If you do testify, you will be subject to cross-examination. Once you begin to testify, you may not subsequently refuse to answer questions put to you.

I note for the record:

Respondent _____ is not accompanied by any advisors. Is it your intention to proceed without an advisor? (*Respondent acknowledges.*)

<OR>

Respondent _____ is accompanied by: Cadet _____
(and Cadet _____.)

Is it your intention that this/these cadet(s) serve as your advisor(s)? (*Respondent acknowledges.*)

I note for the record the following individuals also present for this proceeding. As I go around the room, I ask all in attendance to state their name, rank, position, and purpose for attending this Board.

I enter into the record:

Discipline General Order No. _____, dated _____: Witness List for Commandant's Board No. _____ and change #1 to Discipline General Order No. _____, dated _____.

The following are listed as witnesses:

The following individuals listed as witnesses will not be present for testimony, for the reason indicated. The Respondent is aware of this absence / these absences and has no objection to proceeding without him / her / them.

Reason for absence: _____

Reason for absence: _____

Reason for absence: _____

The following are the Rights and Duties for all Witnesses:

- Cadet witnesses are bound by the Cadet Honor System
- Witnesses may be cross-examined
- Anything said may be used subsequently in other proceedings, to include legal proceedings outside of campus
- Witnesses do not have to give testimony which may be self-incriminating

Let me explain some final rules:

I caution everyone as to the confidential nature of all testimony and hearing processes until final decisions are rendered by the Commandant and/or the President of the College on the Board's

findings and recommendations. Do not discuss any portion of your testimony or these proceedings outside of this room.

While in the waiting area:

- You are not to have any discussions regarding this matter, including comparison of testimony.
- You will remain in the waiting area.
- You will not leave the area until released by the Board President.

For the Respondent:

- *If applicable:* Be reminded that your attorney is not to participate in these proceedings. Should you need to confer with them, you must request a recess from the Board President. If you or your attorney do not follow these directions, your attorney can be removed from the proceedings by the Board President.
- You will have the right to appeal any action of this Board, once the findings are finalized. Those rights will be explained to you in detail when you are advised of the results. Your rights are also found in cadet and college regulations.

Does anyone have any questions regarding these proceedings?

Board President, subject to any comments you may have, I pass the proceedings to you.