INFORMATION PAPER

SUBJECT: Writing Negative Counseling Statements

1. PURPOSE: To inform commanders and noncommissioned officers on the proper techniques to utilize when writing negative counseling statements.

2. TECHNIQUES: Writing properly formatted, detailed counseling statements for misconduct and/or unsatisfactory performance is an important skill for all noncommissioned officers to master. It is a record of a subordinate Soldier’s misconduct or unsatisfactory performance that can later be used for UCMJ and/or Administrative Separations. A poorly written counseling statement slows down the UCMJ process and, in some cases, can prevent a Soldier from being held responsible for his actions.

When writing a counseling statement, remember that the individual reviewing it has limited knowledge of the unit or the situation and is relying on the counseling statement to decide what to do with this Soldier. Therefore, you should write a counseling statement as if a total stranger would be reading it. Be as specific and detailed as possible and use the maxim of the Five Ws (and one H).

* Who? Who was involved?
* What? What happened (what's the story)?
* Where? Where did it take place?
* When? When did it take place?
* Why? Why did it happen?
* How? How did it happen?

A detailed counseling statement will include, at a minimum, the following information: (1) date and time of the incident; (2) location of the incident, to include the name of base and the specific location on the base; (3) rank and name of all people involved; and (4) a detailed description of the incident.

1. DATE AND TIME: It is important that the counseling statement accurately reflects both the date

and time of the incident. Use standard formats, i.e. 0630 hours, 1945 hours, 14 Jan 08, 13 October 2007, etc, when writing down the date and time. If you are unable to get the specific date and time, provide a reasonable estimation, i.e. “in the morning hours of …,” “in the middle of February ..,” etc.

1. LOCATION:Include both the general area of the offense, i.e. Fort Hood, Killeen, Austin; and

the specific location, if known, i.e. Patriot Inn, East Gate, Bldg 10008, etc. If the exact location is not known, provide as much information as possible, i.e. “near Austin, “on the outskirts of Baghdad,”

1. RANK AND NAME: Clearly identify the people involved in the incident; refrain from using

generic descriptions, i.e. an NCO, your battle buddy. Use both rank and full names of the people involved, i.e. First Sergeant John Wayne, Private Jessica Alba, etc. Only leave out this information if identities are unknown and cannot be obtained despite a reasonable effort to get the names. Always remember to identify yourself with rank and full name.

1. DETAILED DESCRIPTION:Provide a detailed but straight-forward description of what

happened. Make sure the counseling statement clearly states what happened, how it happened, and why it happened. Write it as chronological story from start to finish, using normal language, and refraining from using complicated phrases and technical or obscure lingo not easily understood by people outside your MOS. Also, refrain from quoting from the Manual for Court-Martial (MCM). It is more important to detail that “PFC Roe struck PFC Doe in the face with a closed fist” than it is to say that he violated Article 128 of the UCMJ.

3. SAMPLES: Below are some sample counseling statements for common offenses.

1. Failure to Report:*On 14 June 2008, you failed to report to PT formation at 0630 hours outside Building 10008 on Fort Hood. I had to send SPC Notzo Lazee to your room to get you. When he knocked on your door, you opened the door wearing nothing but your boxer shorts. You told him that you forgot to set your alarm last night and that your room mate did not wake you up. This is the second time you missed formation this week and I will not tolerate it anymore. I am recommending UCMJ actions at this time.*
2. Disobeying an Officer: *You are being counseled about the incident on 1 June 2008 at Building 10008. CPT Jack A. Smith instructed you to clean up the conference room and move all of the MRE boxes to the supply by 1700. At 1730 the MRE boxes were still in the conference room. When I looked for you, I found you playing cards with PVT Shark in the day room. This behavior in unacceptable and will not be tolerated.*
3. Assaulting a NCO:  *Today, 1 June 2008, you assaulted SGT Floyd Patterson at the Battalion motor pool on Fort Hood. SGT Patterson asked you to conduct PMCS the vehicle, to which you replied “why dont you make me,” and then you pushed SGT Patterson against the door of a vehicle. You willfully assaulted a noncommissioned officer of the United States Army and this conduct will not be tolerated.*
4. Disobeying a NCO: *On 1 June 2008, on Fort Hood, SGT Ronald McDonald told you to conduct a police call around the Battalion motor pool before 1300 hours. When SGT McDonald returned from chow at 1400, he noticed there was trash still all over the motor pool. SGT McDonald walked over to you in the smoke area and noticed you were playing your PSP. When he asked why you had not conducted a police call, you replied that it had slipped your mind. This is totally unacceptable.*
5. Dereliction of Duty:*Today, 1 June 2008, during the monthly battery weapons cleaning at Building 10008, Fort Hood, you failed to keep accountability of your weapon. Around 1130 hours you went to go use the latrine before going to the DFAC and left your M4 in one of the stalls. Your weapon was later discovered by SSG John Q. Doe who notified the First Sergeant. After a serial number comparison the weapon was identified as an M4 issued to you. If your weapon had fallen into wrong hands, your neglectful actions could have resulted in the permanent loss of the weapon or worse. This kind of gross neglect will not be tolerated.*
6. Verbal disrespect toward NCO: *At the 4-5 AMD Motor Pool, on 1 June 2008, your platoon sergeant SFC John Wayne told you to clean all the cigarette butts around the smoke area. You replied, “Why don’t you do it yourself and stop bothering me?” This kind of attitude is totally unacceptable, and will not be tolerated.*
7. Physical disrespect toward NCO: *At the 4-5 AMD Motor Pool, on 1 June 2008, your platoon sergeant SFC John Wayne told you to clean all the cigarette butts around the smoke area. During the conversation you were standing with your arms crossed and constantly rolled you eyes. This kind of attitude is totally unacceptable, and will not be tolerated.*
8. Sleeping on guard duty:*On 1 June 2008, at COP Carver, Iraq, you were ordered to stand watch at guard tower number 1 between 0900 and 2100. As the SOG for the day, I went to check on you at 1100 hours. When I entered the tower I noticed you had taken off your gear and were sleeping on the floor. You careless behavior and disregard for our safey put all Soldiers on the COP in danger. These actions will not be tolerated.*
9. False Official Statement: *Yesterday, 1 June 2008, at COP Carver, Iraq, you reported to 1SG Steve Austin that your squad was green on sensitive items. Later that day, 1SG Austin received a call from the BIAP LNO who said that PFC Jones from your squad left his PVS-14 with him yesterday as he was going on EML. When I confronted you with the issue, you admitted that you had not performed the sensitive items check. You lied to a Senior Non-Commissioned Officer. This behavior will not be tolerated.*
10. Making a Threat:*Yesterday, 1 June 2008, you made a threat to SGT Ronald McDonald. While at the 4-5 AMD Motor Pool, Fort Hood, you were given an order by SGT McDonald to report to him after lunch for corrective training. In response to this, you said “I am tired of this bullshit. You better be watching your six next time we deploy.” This kind of attitude will not be tolerated in this unit, and is completely unacceptable.*

4. MAGIC COUNSELING: Make it a habit to always include the 1-16 Magic Counseling verbiages in all negative counseling statements. It will make it easier for the command to separate a problem soldier

*I am counseling you for the conduct noted above. If this conduct continues, action may be initiated to separate you from the Army under AR 635-200, Chapters 5, 9, 13, or 14. If you are involuntarily separated, you could receive an Honorable discharge, a General, under honorable conditions, discharge, or an Under Other Than Honorable conditions discharge If you receive a General discharge, you will be disqualified from reenlisting in the service for some period of time and you will be ineligible for some benefits including the Montgomery G.I. bill. If you receive an Under Other Than Honorable conditions discharge, you will be ineligible for reenlistment and for most benefits including payment for accrued leave, transportation of dependents and household goods to home, transitional benefits and the Montgomery G.I. Bill. You may also face difficulty in obtaining civilian employment, as employers have a low regard for the General and Under Other Than Honorable conditions discharges. Although there are agencies to which you may apply to have the character of your discharge changed, it is unlikely that any such applications will be successful.*