



DEPARTMENT OF THE ARMY  
ALPHA COMPANY, 2-28 INFANTRY  
TASK FORCE 3-66 ARMOR  
APO AE 09114

AETV-BGS-G-A

MEMORANDUM FOR Commander, Alpha Company, 2-28 Infantry, Task Force 3-66  
Armor, APO AE 09114

SUBJECT: Election of Rights Regarding Separation Under AR 635-200, Chapter 14-12c  
(Commission of a Serious Offense)

1. **Acknowledgement of Notice of Proposed Separation and Privacy Act Statement.** I have received notice from my commander of the basis for the contemplated action to separate me under AR 635-200, Chapter 14-12c, its potential effects, and the rights available to me. I have also had an opportunity to review the Privacy Act Statement at the end of this statement.

2. **Acknowledgment of Right to Consult with Counsel and Election of Rights.** I understand that I have the right to consult with military counsel at no expense to myself. I also understand that I may seek the advice of civilian counsel at no expense to the Government. Understanding my right to consult with counsel, I make the following election (initial one):

\_\_\_\_\_ I elect to take the opportunity to seek advice from military counsel at no charge to further explain the proposed separation and its effects, the rights available to me; and the effect of any action taken by me in waiving my rights.

\_\_\_\_\_ I elect to take the opportunity to seek advice from civilian counsel at no expense to the Government to further explain the proposed separation and its effects, the rights available to me; and the effect of any action taken by me in waiving my rights.

\_\_\_\_\_ I decline the opportunity to consult with counsel. [Commanders and Unit Leaders are required to encourage soldiers to consult with counsel, but they cannot be forced to do so.]

3. **Right to Submit Statements on my Own Behalf:** I understand that I have the right to submit statements in my own behalf to my chain of command for their consideration as to whether I should be separated or, if separated, what my characterization of service should be. Understanding my right to submit such statements, I elect the following option (initial one):

\_\_\_\_\_ Statements on my behalf ARE submitted and ENCLOSED.

\_\_\_\_\_ Statements on my behalf ARE NOT submitted.

Military Records for upgrading; however, I realize that an act of consideration by either board does not imply that my discharge will be upgraded.

AETV-BGS-G-A

SUBJECT: Separation Under AR 635-200, Chapter 14-12c (Commission of a Serious Offense)

**4. Acknowledgment Regarding Potential Prejudice in Civilian Life based on Characterization of Service:** I understand that I may expect to encounter substantial prejudice in civilian life if a discharge/character of service that is less than Honorable is issued to me. I understand that if I receive a discharge/character of service that is less than Honorable, I may make application to the Army Discharge Review Board or the Army Board for Correction of Military Records for upgrading; however, I realize that an act of consideration by either board does not imply that my discharge will be upgraded.

**5. Understanding of Right to Request an Administrative Separation Board in Certain Circumstances:** I understand that if I have six (6) or more years of prior total active and reserve military service (this includes creditable service in any U.S. military component, for example, RA, ARNGUS, USAR (including IRR), USN, USAF, USMC, and so forth) at the time of separation, then I am entitled to request to appear before and have my case considered by an administrative separation board. I understand that if I have six (6) or more years of total active and reserve service, I need to immediately make this known to my counsel and commander, as it may be in my best interests to request a board. **I understand that if I fail to request an administrative separation board in writing, that right is waived.**

**6. FRAUDULENT ENTRY PROVISION (IF APPLICABLE):** I understand that if I am being considered for separation for fraudulent entry, my enlistment may be voided under certain circumstances and that all pay and allowances will be suspended immediately upon verification of the fraudulent entry.

**7. I further understand that I will be ineligible to apply for enlistment in the United States Army for a period of 2 years after discharge.**

8. I have retained a copy of this Election of Rights memorandum.

DATE: \_\_\_\_\_

SHANE M. COLYER  
PV1, USA  
Respondent