

USCC PAM 15-1

The Cadet Honor Code, System, and Committee Procedures

United States Corps of Cadets



11 November 2009

DEPARTMENT OF THE ARMY
Cadet Honor Committee
United States Military Academy
West Point, New York 10996

MACC-CPME-H

22 May 2009

MEMORANDUM FOR RECORD

SUBJECT: USCC PAM 15-1, *The Cadet Honor Code, System, and Committee Procedures*

1. The purpose of this revised pamphlet is to serve as the single authoritative document on matters relating to the Cadet Honor Code, System, and Committee Procedures.
2. This pamphlet explains and codifies an ethical values system for the purpose of practical application and enforcement of the Cadet Honor Code.
3. Each cadet within the Corps is responsible for living up to the Letter and Spirit of the Cadet Honor Code. The Code itself is an unwavering standard which guides the daily life of all those who chose to attend the Academy. The Honor System is a dynamic system, which is constantly reviewed in order to uphold the ideals of the Cadet Honor Code.
4. The Cadet Honor Committee publishes USCC PAM 15-1, *The Cadet Honor Code, System, and Committee Procedures* with the approval of the Commandant of Cadets through his Special Assistant for Honor Matters.
5. This document combines the previous versions of USCC PAM 15-1, *Honor Committee Procedures*, and USCC PAM 632-1, *Honor Code and System*, both dated 1 February 2007. Offenses referred to an Honor Investigative Hearing (HIH) by the Commandant prior to the implementation of the revised USCC PAM 15-1, *The Cadet Honor Code, System, and Committee Procedures*, will be conducted using guidelines from both USCC PAM 15-1 and USCC PAM 632-1 dated 1 February 2007. Offenses that occur after the implementation date, will be conducted in accordance with USCC PAM 15-1, *The Honor Code, System, and Committee Procedures*.
6. The point of contact is the presiding Honor Chairman, Cadet Honor Committee. All recommendations for future changes should be submitted in writing through the Executive Officer, Cadet Honor Committee to the Chairman, Cadet Honor Committee.

// ORIGINAL SIGNED //

SARAH E. JOHNSON
CDT CPT, Class of 2009
Chairman, Cadet Honor Committee

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C. LARRY HARRIS
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SUMMARY OF CHANGES

Significant changes from the previous version of USCC PAM 15-1 include—

- Merging USCC PAM 632-1 “The Honor Code and System” and USCC PAM 15-1 “Honor Committee Procedures” into one source – USCC PAM 15-1 “The Cadet Honor Code, System, and Committee Procedures.”
- Replaces all previous editions of USCC PAM 15-1 and USCC PAM 632-1.
- Increases the overall processing time for an Honor cases from 32 days to 40 days (Chapter 2, Figure 1 and Appendix 1).
- Added the term “communication” to the three elements of Lying (Paragraph 107a(1)).
- Added specific “Elements for Lying by Equivocation” and moved this paragraph from paragraph #7 to paragraph #2 under the section 107 on Lying (Paragraph 107a(2)(b)).
- Moved paragraph on “Direct Forms of Communication” from paragraph #8 to paragraph #3 under the section 107 on Lying (Paragraph 107a(3)).
- Clarified voluntary intoxication as related to specific intent required for an honor violation to occur (Paragraph 107a(9)).
- Clarified the responsibilities of a cadet and his/her instructor, if a cadet takes more time than is authorized on a test (Paragraph 107b(6)(a)).
- Delineated between the “Notification” and “Approach for Clarification.” All references to “suspected cadet” and “accused cadet” in regards to the Approach for Clarification were changed to read “cadet in question.” The only time the term “accused cadet” is to be used is when describing a “Notification” of a cadet known to have committed an honor violation. Also addressed the proper use and submission of the DA Form 3881, Rights Warning Procedure/Waiver Certificate and DA Form 2823, Sworn Statement to the Cadet Honor Committee (Paragraphs 202, 202a, 202b, and 202d).
- Added a paragraph on Soliciting Verbal and Written Statements and the proper use and submission of the DA Form 3881, Rights Warning Procedure/Waiver Certificate and DA Form 2823, Sworn Statement to the Cadet Honor Committee. Also stressed the importance of Cadet Honor Committee members being the only ones to take such statements (Paragraph 202c).
- Provided a new paragraph with an example script of a proper Approach for Clarification between an instructor and a cadet (Paragraph 202e).

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- Clarified the responsibilities of a Company Tactical Officer when determining probable cause to authorize a search for electronic evidence (Paragraph 202f).
- Provided further clarification and distinction between “self-report” and “self-admit” honor cases (Paragraphs 203a(1) & 203a(2)).
- Provided more detailed instructions on completing a DA Form 3881 and when it is appropriate to take a sworn statement from a CUI (Paragraph 304d).
- Reiterating that the primary location of HIHs and CABs is Nininger Hall, 4th Floor of Bldg 747, in Central Area (Paragraph 310c).
- For clarity, Paragraph 303, “Preliminary Hearing,” from the previous version of USCC PAM 15-1 was split into two separate paragraphs – currently Paragraph 403 “Preparation for Preliminary Hearing” and Paragraph 404 “Preliminary Hearing.” Prior to this change, all aspects of “preparation for Preliminary Hearing” were covered under the “Preliminary Hearing” Paragraph (Paragraphs 403 & 404).
- Reduced the number of duty days that the HA may grant the IR or Respondent’s request to delay the HIH from 7 to 5 duty days. Requests for delays longer than five duty days must be submitted for approval to the Commandant through the SAH (Paragraph 403d).
- Increases the number of Board members on an HIH/CAB from six to nine cadets (four from Honor Committee and five from Corps-at-Large) and eliminates the non-voting positions of Board NCO and Alternate Board President. Also, allows for a member of each class to sit on every HIH/CAB, regardless of the respondent’s class (Paragraph 405).
- Mandates that only cadets in “good standing” in the Corps will serve as Board members for an HIH or CAB. Any cadet serving punishment for a Regimental Board or higher will not be authorized to serve as a Board member (Paragraph 405b(4)).
- Provided for added authority for the Board President (BP) while maintaining proper military bearing, courtesies, and respect for rank (Paragraph 405c(6)).
- Clarified that a member of the Cadet Honor Committee may serve as a Cadet Advisor, however they must not have personal knowledge of or have worked on the case (Paragraph 405e(3)).
- Clarified guidance in regards to specific character witnesses that may be asked to write statements and testify prior to deliberations. At a minimum, Company Tactical Officers and/or Company Tactical NCOs will write a character statement to be submitted to the Cadet Honor Committee prior to the Preliminary Hearing (Paragraph 406e(3)).
- Provided more information regarding Involuntary Admissions (Paragraph 406g(4)).

- Added wording to clarify that it requires a two-thirds (6 out of 9) vote to find a cadet in violation of the Cadet Honor Code (Paragraph 502c(1)).
- Delineated which administrative sanctions automatically occur after an HIH or CAB and which administrative sanctions board members now have the opportunity to vote on at the conclusion of an HIH or CAB to be effective immediately (Paragraph 503).
- Added wording to allow “found” cadets to be immediately enrolled in the Honor Mentorship Program after the completion of their HIH or CAB (Paragraph 601c)
- Added paragraph providing details on the Abbreviated Honor Mentorship Program (AHMP) and examples of how a cadet may be enrolled in the program (Paragraph 606).
- Added paragraph providing details for BTDP’s Special Leader Development Program (SLDP) and examples of how a cadet may be enrolled in the program (Paragraph 607).
- Added paragraph providing an overview of the Honor Certification (HCERT) Program and the training designed for new Honor Representatives (Paragraph 705).
- Candidates to serve as Company Honor Representatives must also be proficient militarily and physically, not just academically (Paragraph 803).
- A formal confirmation process involving the SAH, RTOs, BTO, SCPME, and CMDT will occur after the Cadet Honor Committee elects nominees for future Honor Executive Staff Positions. After nominees are confirmed the Superintendent will make the final approval. At a minimum, the Commandant and Superintendent will personally meet with the nominees for Honor Chair, Honor XO, Honor Secretary, and VCI. The RTOs and BTO will personally meet with all Regimental Honor Representative nominees prior to forwarding to the Commandant and Superintendent for approval (Paragraph 805c).
- Effective August 2010, permanently removed Honor Executive Staff position of Vice Chair for Special Projects (VCSP). The duties and responsibilities of the VCSP were absorbed by the Honor XO. Also removed references to Regimental Education Representative (RER) (Paragraph 806).
- Moved task from VCSP to the XO for the planning and execution of the National Conference on Ethics in America (NCEA), the Winter Honor Induction Ceremony, the Spring Honor Conference, and the End-of-Year Honor Awards Ceremony, and other special events involving the Cadet Honor Committee (Paragraph 806b).
- VCL schedules and coordinates for a monthly luncheon with all Department Officer and Cadet Honor Liaisons (Paragraph 806f).
- Requires the VCL to coordinate for the briefing of all newly arrived personnel (instructors, coaches, staff, faculty, etc.) (Paragraph 806f)

- VCL schedules honor discussions with Corps Squad and Competitive Club athletes to discuss the relevancy of the Cadet Honor Code twice per semester (Paragraph 806f).
- Replaced the Honor Executive Staff position of the Vice Chair for Information Systems (VCIS) with a new position of the Vice Chair for Public Affairs (VCPA) who is responsible for the overall strategic communication and transparency of Honor cases to the Corps of Cadets and USMA Staff & Faculty, while also protecting the privacy of the accused. Also updated specific duties and responsibilities in regards to publishing the monthly Honor Ledge, maintaining the online Honor Forum, and coordinating for quarterly Commandant Honor Discussion Panels (Paragraph 806i).
- Assigned additional duties and responsibilities to the VCE, VCM, RHR's, and CHR's in providing XY cases that do not culminate in an honor hearing or for cadets that are separated/resigned (Paragraph 806e/g/m/o).
- Increases the number of Company Honor Representatives to two per class in each company (Paragraph 806o).
- Requires one Company Honor Representative per class to serve in a graded military duty position for one semester (Paragraph 806o)
- Increases the number of Honor Representatives serving as Department Honor Liaisons from one to two (one Firstie & one Cow) (Paragraph 806o).
- Increases the number of Honor Representatives for each Corps Squad and Competitive Club teams to three, including the Team Captain (Paragraph 806o).
- Replaces the "Rights Warning" memo with the Article 31 Right's Warning Waiver (DA Form 3881) (Appendices 1-4-1 to 1-4-2).
- Added the Sworn Statement (DA Form 2823) (Appendices 1-5-1 to 1-5-3).
- Added a sample Notification Memorandum to assist Departments in conducting "notifications" of suspected or accused cadets (Appendix 1-7).
- Updates the Superintendent's Hearing Member Worksheet to include a clause for Board Members to recommend that a found Cadet may still represent the Academy while part of the Honor Mentorship Program. Update also includes a recommendation for enrollment into the Army Mentorship Program (Appendices 2-2-1 to 2-2-6).
- Revisions to the TAC/RTO/BTO Recommendation Form (Appendix 2-3).
- Included an example of a Tactical Officer's memorandum recommending successful completion of the Honor Mentorship Program (Appendix 3-4-1).

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FOREWORD

“ON HONOR”

by Brigadier General (Retired) Robert E. Wood, USMA Class of 1900

published on 12 April 1929

Among those characteristics of man, which determine what he shall be in life, where he shall stand in his own eyes, as well as those of the world - there is none greater than a sense of honor. So entangled with reputation, with fame, with greatness has this quality become that it is almost impossible to couch its meaning in a few words. To say that honor is a nice sense of what is right is true enough, but how much that leaves unsaid! True honor, evading concrete definition, is an abstract something which is essential to integrity and self-esteem in any moral being. Necessarily, then, it accompanies success in any field of endeavor.

We cannot separate honor, in its true sense, from the individual. It is no mass action, nor yet is it a restriction levied upon one man by another. Honor, like conscience, is an individual concept, an inner feeling which can arise only in the heart and soul of the individual. A man must judge for himself what is right, what is wrong. Custom, precedent, and environment - these can point out to him many honorable actions. It is for him alone to determine the principle; it is for him alone to build and cherish for himself a sense of honor. In that way, only he can choose the right, the noble way of life.

Often, it is said, “He is an honorable man.” What does that mean? Simply that the one referred to is an honest man honest in all his doings, in all his actions and, what is more, in all his thoughts. The man of honor esteems his moral health too much to lower himself willingly by any act that may seem base. He is true to himself and values honor for its highest meaning - that of an exalted tribute of respect and reverence. He shrinks from wrongdoing with his whole nature; he clings to what he knows to be right with all his strength. There can be no real success in life unless it is accompanied by this high sense of honor. We need not go further than our own profession to realize this truth. Military men, the world over, value honor for its sterling worth, its vital force in any army, its power to make something or nothing of a man.

“Duty,” said General Lee, “is the sublimest word in the English language.” In saying so he gave voice to one of the fundamental attributes of a soldier. Even he, however, would have had to go further in order to describe more completely the characteristics of that profession so aptly called “the service.” For, as duty is his watchword, and glory his pride, so also has it been truly said, “. . . the soldier’s wealth is honor.” It is as valuable to him as his rifle. To say more, it is the clasp pin of every star that ever graced a general’s shoulder.

When careful thought is given to the matter, who can deny that a man’s honor is harmed ever so slightly by the offense of another, compared to the mortal blows, which are received, from the smallest meanness or baseness in his own acts?

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Hot-tempered words, which seem to reflect on one's honor, are easily forgotten; stains, which one's own acts cast on his honor, may never be erased.

It is for general protection that Honor Codes are evolved. Often they represent a strength of feeling which nothing else could replace. The Honor Systems represent the best thought which the students of various schools have been able to give on the subject. However, no Honor System or Code can be "established" in the sense that a bridge is constructed, or a building is erected. Nor can it be simply "built" and placed in position, as some automatic machine, to do some work mechanically. It must spring from the brains, and yes, the hearts of those who live by it. It must be lived up to in order to endure. It can be no stronger than its makers, than those who place themselves "on their honor" - an inalienable right possessed only by those who would make of their honor the revered and respected force that it should be.

In our own lives, successful examples of the application of honor and the precepts of an Honor Code are offered in the army, in general, and in West Point, in particular. The honor of the Corps is unquestioned. In strength and permanency it ranks with the granite of West Point's buildings. Passed down from hand to hand, it represents that ideal by which every cadet strives to live. It represents the thought and right actions of all those men who have gone out of West Point's portals. To sin against it is to sin against one's self. To violate its principles, to stain its record is to outlaw one's self from the Corps and the Academy.

Such is honor, and such is its application at West Point. As one of the cardinal principles of a soldier, of an officer, and of a gentleman, it should be the first and foremost characteristic of a cadet. An honorable man, impoverished though he may be in talent, cannot fail to attain success and high standing in the eyes of the world. A dishonorable man, though he is possessed of a multitude of abilities, cannot hope to escape for long the condemnation of his fellow men.

CHAPTER 1

THE CADET HONOR CODE

101. RELATIONSHIP BETWEEN HONOR AND THE CODE. The Cadet Honor Code states succinctly: *“A cadet will not lie, cheat, steal, or tolerate those who do.”*

In keeping with the United States Military Academy’s mission to educate, train, and inspire the Corps of Cadets so that each graduate is a *commissioned leader of character*, committed to the values of *Duty, Honor, Country*, the Corps relies heavily upon the Cadet Honor Code to provide the moral foundation for the development of its commissioned officers.

“Honor” is one of the seven Army Values and is defined as a matter of carrying out, acting, and living the six Army Values of Respect, Duty, Loyalty, Selfless-service, Integrity, and Personal Courage in everything you do.

Colonel Sylvanus Thayer, the father of the Military Academy, determined that the Academy should produce leaders whose foundation of character and service was built on honor, discipline, and knowledge. The Code has remained for two centuries largely unchanged from its original form.

The Cadet Honor Code establishes the standards of integrity expected of all West Point Cadets and graduates. In sum, it is the single thread through the tapestry of time that binds the Long Gray Line together as men and women of character.

The fundamental principles of honor, their application to specific acts and problems and the methods of administering and enforcing these principles and applications have long been designated by the general term, the “Honor System”.

In practical application, the Corps of Cadets serves as the standard of the Cadet Honor Code. The Corps, with statutory oversight from the Academy and Headquarters, Department of the Army (HQDA), individually and collectively are its guardians, responsible to themselves and to others for their conduct at all times.

The Cadet Honor Code expresses four succinct prohibitions. On a behavioral level, the Code represents a minimum standard for all cadets. On a developmental level, the Code serves as a building block for ethical development across the spectrum of the Army’s institutional values. West Point expects that all cadets will strive to live far above the minimum standard of behavior and develop a commitment to ethical principles as a guide to moral actions. West Point’s core mission is to develop leaders of character for our Army. A leader of character knows what is right, and possesses the moral courage to act on that knowledge. The principles of truthfulness, fairness, respect for others, and professional responsibility constitute the fundamental ideal captured by the Spirit of the Code. A leader of character will apply the Spirit of the Code when making decisions involving ethical dilemmas.

102. WHY AN HONOR CODE?

“Men may be inexact or even untruthful, in ordinary matters, and suffer as a consequence only the disesteem of their associates, or even the inconveniences of unfavorable litigation, but the inexact or untruthful soldier trifles with the lives of his fellowmen, and the honor of his government; and it is, therefore, no matter of idle pride but rather of stern disciplinary necessity that makes West Point require of her students a character of trustworthiness which knows no evasions.”

Newton D. Baker, Secretary of War, 1920

In the military, a profession that often places lives in danger, trust is a *requisite quality* for each member. An officer who is not trustworthy cannot be tolerated. In our profession the cost of dishonesty is measured in human lives. The ability of West Point to educate, train, and inspire outstanding *leaders of character* for the Army is predicated upon the *functional requirement* of honesty in its members. In short, the United States Military Academy (USMA) expects its graduates and cadets to commit to the principle of honorable living; successful defense of our nation relies upon that commitment.

103. PURPOSE AND GOALS OF THE CODE.

“It might be helpful if we were to consider the purpose of the Code and the System. The System (of which the Honor Committee is a part) is the means by which the Code is enforced, administered, and passed on from class to class. In other words, the System is simply the mechanism by which the ideas and ideals of the Code are represented and put across to the Corps of Cadets. The Honor Code is the institution that must be maintained. Its ultimate purpose is to strengthen individual and group integrity to ensure that officers have the necessary integrity which their vast responsibility in maintaining the nation’s arsenal and, in time of war, dealing with human lives, requires. It is a code of ethics for military men, acting as a set of platonic, and perhaps in the purest sense, unachievable ideals; while at the same time, if viewed in a more practical light, acting as a guideline for the ethical behavior required of Army officers.

The Honor Code is correct and it is right. In its beautiful simplicity it acts as a timeless guide to graduates as well as non-graduates of the Academy. It has not in the past, nor should it now be changed, so as to fit more easily with the social norms of the American Society. Yet, we must be careful not to lose sight of the purpose of the Code in an understandable quest to maintain in its exact present form the Honor System. Instead, we must be always willing and ready to change systems to preserve values. It is an irresponsible and dangerous act for anyone to be so closely attached to a system that, by refusing to correct or change its imperfections, the values which are represented by the system are damaged.”

William E. Anderson, Honor Committee Chair, USMA '76

The purpose of the Cadet Honor Code is to foster in future commissioned officers a commitment to honorable living, and to exhort them not simply to adhere to the minimum

standard, but to transcend the letter by committing to broader ideals consistent with the Spirit of the Code. Its goals are as follows:

- a. To enable cadets to learn and practice the essential leader responsibility of establishing a healthy ethical climate within a unit.
- b. To assist cadets in developing an understanding of the importance of integrity as an essential aspect of leadership.
- c. To instill in cadets a strong desire to maintain an honorable lifestyle consistent with the Spirit of the Code.
- d. To ensure cadets achieve the level of commitment to honorable conduct necessary in preparing them for greater moral-ethical challenges throughout a lifetime of service to the nation.
- e. To set forth to the world the standard of conduct by which a cadet will conduct himself.

104. SPIRIT OF THE CADET HONOR CODE.

The Cadet Honor Code describes the minimum acceptable standard of ethical behavior by which all cadets live.

If the Code is the acceptable standard for members of the Corps, what is the ideal standard? What should cadets strive to become? How does one become an honorable *leader of character*?

That ideal is expressed by the Spirit of the Code, an affirmation of the way of life that marks *leaders of character*. The Spirit of the Code goes beyond mere external adherence to rules. It is an expression of integrity and virtue springing from within and manifested in the actions of a cadet. Cadets who embrace the Spirit of the Code think of the Cadet Honor Code as a set of broad and fundamental principles, not as a list of prohibitions. In deciding to take any action, a cadet must ask whether it is the right thing to do. It is the Spirit of the Code that gives rise to the specific tenets of the Cadet Honor Code itself:

- a. The Spirit of the Code embraces **truthfulness** in all its aspects. The Cadet Honor Code prohibits lying.
- b. The Spirit of the Code calls for complete **fairness** in relations with others. The Cadet Honor Code prohibits cheating.
- c. The Spirit of the Code requires **respect** for other people and their property. The Cadet Honor Code prohibits stealing.
- d. The Spirit of the Code demands a professional **responsibility** to uphold the ethical standards, which are the foundation of the profession of arms. The Cadet Honor Code prohibits toleration of violations.

A Cadet is Truthful, Fair, Respectful, and Responsible. This intent of the Cadet Honor Code not only shapes the West Point environment, but sets the ethical standards for leadership in the Army itself. Each cadet progresses from adhering to a code that explicitly outlines unacceptable behavior to internalizing the fundamental principles of integrity that promotes honorable living. Therein lays the essence of becoming a *leader of character*, dedicated to living a life of personal integrity in selfless service to the Nation.

105. STEWARDSHIP OF THE CODE. West Point cadets are active duty soldiers and, as such, statutory requirements necessitate the active involvement of the leadership of the Military Academy and Department of the Army Staff in the administration of the Cadet Honor System.

Moreover, the Cadet Honor Code represents a revered American institution. The Cadet Honor Code is indeed a national treasure, the touchstone of ethical excellence for the Army and for the nation. Therefore, although the Corps of Cadets is charged with the immediate stewardship of the Code, the Cadet Honor Code "belongs" to all those who share a similar commitment to the values manifest in the Code. Lieutenant General Dave R. Palmer, the 53rd Superintendent of the Military Academy, clearly described the concept of "ownership,"

Cadets today know that while they are clearly custodians of the Code, they are joined by graduates and friends in veneration of it and share with the institution's leadership a responsibility for administering the system, which includes educating each incoming class. All of us here, whether in gray or green, are partners in this critical element of the West Point experience. Upon graduating, cadets shed their immediate responsibility as keepers of the Code, but acquire that lasting interest in its health held by members of the Long Gray Line. In fact, their devotion to and interest in the Honor Code will actually grow deeper with the fuller understanding that comes from immersion in the world outside our walls. In this sense, then, each of us who cherishes the ideals of West Point "owns" the Code.

106. THE "THREE RULES OF THUMB" PRINCIPLE. In keeping with the positive nature and purpose of the Cadet Honor Code, the "Three Rules of Thumb" act as a guide for behaving honorably. These rules aid cadets in determining whether an action is honorable or not. If a cadet can answer "Yes" to any of these questions, the act is likely dishonorable. An action that is dishonorable or unethical is not necessarily a Cadet Honor Code violation; hence, the Honor System emphasizes striving for the higher standard rather than adhering to the explicit prohibitions of the Cadet Honor Code.

The "Three Rules of Thumb" are as follows:

- a. Does this action attempt to deceive anyone or allow anyone to be deceived?**
- b. Does this action gain or allow the gain of privilege or advantage to which I or someone else would not otherwise be entitled?**
- c. Would I be dissatisfied by the outcome if I were on the receiving end of this action?**

107. PROHIBITIONS OF THE HONOR CODE.

“As long as a man acts honorably, he should never have to worry about the Code.”

Patrick Finnegan, Honor Committee Chair, USMA '71

Although the Corps of Cadets collectively emphasizes the Spirit of the Code, we must describe in general what constitutes a violation of the Cadet Honor Code, in order for cadets to have the ability to adhere to the Code. Accordingly, this section clearly expresses the behavioral standards required by the Cadet Honor Code. In violating the Cadet Honor Code, a cadet commits one of the following actions: lie, cheat, steal, or tolerate the lying, cheating, or stealing of another cadet.

The honor offenses of lying, cheating, and stealing involve acts accompanied by a specific intent to achieve a particular wrongful purpose as defined for each offense. "Intent" does not refer to the intent to violate the Cadet Honor Code as such. Cadets who have the intent to lie, cheat, or steal, and commit any act in furtherance of that intent, may have violated the Cadet Honor Code. The Cadet Honor Code is a minimum acceptable standard of ethical behavior not constrained by any geographical boundaries. Each cadet must embrace it at all times – both on and off duty, both at and away from West Point. The Cadet Honor Code is a pragmatic vehicle through which we guide our behavior toward the ideal of honorable living. As such, it represents only the minimum standard of ethical behavior by which each cadet is expected to abide. An action not expressly prohibited by the Code may still constitute unacceptable behavior. The standard for ethical conduct is meant to be exceeded because of a cadet's desire to “do what is right” always, “even when no one is looking.”

a. Lying.

“Truthfulness is part of the honor of a soldier. Let no one enter on military life as his profession, who is not unfaltering in veracity.”

Chaplain John Williams French, 1868

Cadets violate the Cadet Honor Code by lying if they deliberately deceive another person by stating an untruth, or *by any direct form of communication*, to include the telling of a partial truth or the vague or ambiguous use of information or language, with the intent to deceive or mislead.

(1) Elements of Lying.

(a) That on or about a certain date(s) the cadet made a certain statement or communication.

(b) That such statement or communication was false or the cadet believed the statement or communication to be false.

(c) That the cadet knew such statement or communication was false at the time he/she made it, or did not believe the statement or communication to be true at the time it was made.

(d) That the cadet made it with the intent to deceive or mislead another person.

(2) Lying by Equivocation.

“Make us to choose the harder right instead of the easier wrong and never to be content with a half-truth when the whole can be won.”

Cadet Prayer

(a) To equivocate or “quibble” is to use deliberately vague, misleading, or ambiguous language. Equivocation usually occurs when a cadet tells a literal truth which he/she knows will mislead another person, when a person tells a “half-truth,” or when a person attempts to avoid the act of telling an untruth by making vague statements with the intent to mislead another. Equivocation is dishonorable and constitutes lying.

(b) Elements of Lying by Equivocation.

i. That on or about a certain date(s) the cadet made a certain statement or communication.

ii. That such statement or communication was purposefully vague, misleading, or ambiguous.

iii. That the cadet made the statement or communication with the intent to deceive or mislead another person.

(3) Direct Forms of Communication. Direct communication that creates an impression or conveys a message to someone else, - in lieu of an oral or written statement, - must be truthful. The Cadet Honor Code violation of **lying includes nonverbal actions** that substitutes for oral or written statements. Examples include nodding one's head, raising one's hand, or giving a "thumbs-up." Other examples of **nonverbal communication** include displaying another person's driver's license or identification card as one's own, altering the birth date on one's driver's license or identification card and presenting that card to another person, and wearing items such as wristbands or ink stamps that indicate a person is of legal drinking age when he/she is not. **Remember that verbal and nonverbal communications carry the same weight. Each is intended to communicate an idea or thought to another person.** Cadets should strive at all times to make their communication unambiguous.

(4) Philosophy behind the Lying Clause. The prohibition against lying is given special emphasis at West Point because of the impact in the profession of arms. Truth telling is integral to all aspects of military life: accountability, reporting, and assessment, earning the confidence of one's subordinates and safeguarding classified information. Officers who lie risk the lives of American soldiers and jeopardize the defense of our nation. The signal importance of

truthfulness to the military profession justifies the primary position against lying in the Cadet Honor Code.

(5) A Cadet's Word. A cadet's word is accepted without challenge until significant evidence exists to prove otherwise. That a cadet's oral and written words are true, without qualification, is fundamental to the Cadet Honor Code and Honor System and a great source of pride for cadets past and present.

(6) Accuracy of Reports. Whether oral or written, reports are official statements and must always be complete and accurate. Cadets are individually responsible to ensure the correctness of a report both before and after it is rendered. For example, cadets reporting at formation will report only "all present" or report the names of cadets who are absent. Any cadet who intentionally falsifies an oral or written report has committed an act of lying under the Cadet Honor Code.

(7) Implications of the Signature. An individual's signature or initials affirm the veracity of the written information in a document. When cadets affix their signature or initials to a document they make an official statement that, to the best of their knowledge, the document is true and accurate. There will be many instances when cadets will be required to sign certificates and other official documents pursuant to their duties as guards, inspectors, or Cadets in Charge of Quarters. Placing one's initials or signature on documents, - such as a drill roll - when one is uncertain of meeting the requirement for signing or initialing constitutes a possible violation. Additionally, cadets are never authorized to sign another person's name. If necessary, a cadet may sign his/her own name and write the word "for" to indicate a response for another person.

(8) The Electronic Departure Book. (See Ch. 4, USCC SOP – Card 403 for detailed procedures). The Electronic Departure Book is the primary accountability tool for cadets who depart the post limits for any activity (to include running, road marching, trip sections, and Corps Squad or Club trips), are hospitalized, attend a medical/dental appointment, attend sick call, or activities that interfere with accountability formation (e.g., attending church or team practice). A cadet's signing in/out in the Electronic Departure Book indicates that the cadet is both authorized to depart/return and intends to depart/return, or is in an official duty status and will perform the official duty indicated. In accordance with the procedures detailed in USCC SOP, each cadet will ensure that the entries for "time in" and "time out" are the exact times the cadet is actually arriving or departing from their company area. **Cadets are not authorized to sign out/in for another cadet.** The chain of command will sign out hospitalized cadets who are unable to return to the unit to sign out themselves. If cadets' sign out in the Electronic Departure Book and intentionally use an incorrect time or activity in which they do not intend on participating in, they are deceiving others who view the entry.

(9) Voluntary Intoxication. When a cadet commits a possible honor violation, while under the influence of alcohol, that voluntary state of intoxication does not excuse the cadet's actions. Ultimately, cadets are responsible for their actions and should never voluntarily allow themselves to lose control of their faculties. However, evidence of voluntary intoxication may be introduced for the purpose of raising doubt as to specific intent, where specific intent is an element of the offense (e.g., the "intent to deceive another person" required for the offense of

lying). Evidence of voluntary intoxication should be considered along with all other facts and circumstances in determining whether the cadet had the required intent to deceive.

(10) Social Tact. Cadets are expected to exercise appropriate tact in social situations. Social tact is designed to spare the feelings of others. However, cadets may gain no personal advantage, either tangible or intangible, from such tact.

(11) Personal Relationships. The Cadet Honor Code encompasses all aspects of a cadet's life, extending beyond the professional and academic realms into the personal realm. In the area of social tact, the desired preservation of personal relationships never merits the expense of a cadet's integrity, regardless of the stability of the personal relationship. A lie within a cadet's personal relationship, be it with family members, friends, or other acquaintances, is just as unacceptable as a lie in any other aspect of a cadet's life.

b. Cheating. Cadets violate the Cadet Honor Code by cheating if they wrongfully act out of self-interest, or if they do work or obtain results with the intent to gain for themselves or to give others an unfair advantage, or with the intent to deceive or mislead. Actions that assist another cadet to do these things also constitute cheating. Cheating includes such acts as intentional plagiarism (presenting someone else's ideas, words, data, or work as one's own), intentional misrepresentation (failing to document the assistance of another in the preparation of an assignment with the intent to deceive, mislead, gain, or give an unfair advantage), citing sources that were not actually consulted, and using unauthorized references (crib sheets, notes, texts) during an examination.

(1) Elements of Cheating.

(a) That on or about a certain date, the cadet did a certain act.

(b) That the cadet did so with the intent to gain or give an unfair advantage or with the intent to deceive another person.

(2) Philosophy behind the Cheating Clause. The Cadet Honor Code prohibits cheating because it defeats the very concept of scholarship – it is the antithesis of learning. Cheating is always done out of self-interest – the antithesis of selfless service. Officers who cheat or allow cheating, on rifle marksmanship, for example, misrepresent the readiness and competence of their units. As with lying, they risk the lives of their soldiers and endanger our nation's security.

(3) Scholarship. The principles of good scholarship demand that each writer provide correct and complete acknowledgement of the sources of information and ideas. Through the process of documentation, writers identify sources used and acknowledge assistance received. Although different academic disciplines adopt different formats, all adhere to the basic principle that writers must document all sources and assistance. The single most important axiom to follow in matters of academic integrity is that anyone who reads a cadet's work should be able readily to differentiate between the cadet's works and that work derived from another source by clearly understood notes and sources pages.

(4) Documentation. *Documentation of Written Work* published by the Office of the Dean, provides explicit guidance for standards, and is the authoritative publication on procedures for cadets.

(a) Proper Documentation. Proper documentation identifies the sources of borrowed ideas and quotations, as well as all assistance in the preparation of homework. These sources may include, but are not limited to, books, periodicals, films, and discussions, interviews, or group-study sessions with other cadets and instructors. If in doubt about what should be documented, cadets should consult their instructors. If the instructor is not available, cadets should document the source in question.

(b) Failure in Documentation. Unintentional failures to properly document sources of assistance will be dealt with by the individual academic department. Professors normally reduce grades and/or request disciplinary action from the Brigade Tactical Department in such cases. Any attempt to deceive or to gain unfair advantage, however, will be subject to investigation by the Cadet Honor Committee. Cadets must know, understand, and adhere to the requirements for proper documentation to avoid these serious consequences.

(c) Plan ahead. Carelessness often results from a lack of time. One of the keys to avoid the pitfalls of improper documentation is to allow sufficient time to document properly.

(5) Electronic Copying. Because of the increase in computer capabilities, cadets may have access to each other's files and to sources on the Internet. *Documentation of Written Work* does not prohibit electronically copying the work of others, so long as the cadet properly documents it. Individuals are discouraged from copying thoughts, ideas, problem solutions, and similar matter, but may do so without violating the Cadet Honor Code as long as they do not attempt to deceive anyone else that the work was their own, and as long as there was not attempt to gain an unfair advantage. For example, a cadet could actually copy an entire assignment from another person, document that the entire assignment is the work of another person, and turn it in for a grade. The cadet might not receive a passing grade on such an assignment, but the cadet would not thereby necessarily have committed an honor violation.

(6) Testing Situations. On many occasions, a limit is placed upon the completion of graded work.

(a) In some cases the limit will be in relation to the amount of time allowed for completion of the test. Cadets should immediately stop work and put down their writing instruments upon the instructor's command of "cease work." If a cadet takes more time than authorized on a test, he/she may have gained an unfair advantage over their peers and is obligated to report this to the instructor before submitting his/her test for grade. The instructor is obligated to conduct a notification if they suspect it was done intentionally, or an approach for clarification if they are not sure that an honor violation occurred and there may be a reasonable explanation for taking more time. If the instructor believes the act may have been intentional, then he/she will forward the case to the Cadet Honor Committee.

(b) Limitations in testing situations also include the acceptable methods by which to complete a task. Cadets must adhere to those standards for the testing situation. A failure to do so could create an unfair advantage for themselves or someone else.

c. **Stealing**. Cadets violate the Cadet Honor Code by stealing if they wrongfully take, obtain, or withhold, by any means, from the possession of the owner or any other person any money, personal property, article, or service of value of any kind, with intent to ~~permanently~~ deprive or defraud another person of the use and benefit of the property, or *permanently* appropriate it for either their own use or the use of any person.

(1) Elements of Stealing.

(a) That on or about a certain date the cadet wrongfully took, obtained, or withheld certain property from the possession of another.

(b) That the property belonged to another.

(c) That the property had sentimental, personal, or monetary value of any kind.

(d) That the taking, obtaining, or withholding by the cadet was with the intent to ~~permanently~~ deprive or defraud the owner of the use and benefit of the property, or permanently appropriate the property for his/her own use or the use of any person other than the owner. ("Owner" refers to the person or entity who at the time of the taking, obtaining, or withholding had a greater right to possess the property than the accused did.)

(2) Philosophy behind the Stealing Clause. As officers, West Point graduates will manage federal funds and will be responsible for valuable military weapon systems and equipment. Cadets must understand well in advance of commissioning that stealing, no matter what the item's monetary value, will not be tolerated. Two unalterable aspects of cadet life are the close living conditions in a barracks environment and the general trust that each cadet places in his or her peers. Nothing erodes trust and morale faster than a barracks thief. Trust and friendliness provide the basis by which cadets can live in close quarters without locks, other than privacy locks, on the doors and can maintain their personal property without fear of theft.

(3) Borrowing. A cadet will have the owner's permission before borrowing an item. Moreover, the item must be "signed out" on the Property Accountability Card. When borrowing, one must always consider the third rule of thumb: "Would I be satisfied by the outcome if I were on the receiving end of this action"? If you can put yourself in the owner's shoes and feel good about the borrower's intent, then it is probably okay, but you should realize that the owner may require that item on short notice. Remember that the responsibility is on the borrower to make things easy for the owner, not the other way around. Borrowing incurs a great deal of responsibility.

(4) Improper Borrowing. Improper borrowing occurs when a cadet takes another cadet's property with the intention of returning it, but without prior verbal or written permission, or fails to return it in a manner and condition satisfactory to the owner. Such abuses are not in keeping

with the spirit of the Code. Abuses of borrowing will normally be resolved in the cadet disciplinary system. In cases of a failure to return the item, these abuses may be investigated as an allegation of stealing. Improper borrowing is a serious breach of respect and consideration for others.

(5) Theft of Services. Stealing does not require the possession of tangible objects. Obtaining a service without permission or payment constitutes stealing. Shorting an arcade machine to get a free game, tapping into TV cable, “stacking” hotel rooms, sneaking into movies, and using someone else’s phone card and pin number without permission are examples of service theft.

(6) Theft of Intellectual Property. The No Electronic Theft (NET) Act makes it a federal crime to reproduce, distribute, or share copies of electronic copyrighted works such as songs, movies, games, or software programs, even if the person copying or distributing the material acts without commercial purpose and/or receives no private financial gain. Copyright violations are actions that clearly subvert the Spirit of the Code. Legally, a person who purchases a CD may copy it only for personal use. Similarly, copying files or software as a personal “backup” is acceptable. However, letting others download copyrighted software or files, such as MP3s, video games, and movies for illegitimate purposes, is a violation of copyright laws, the NET and the Cadet Honor Code. USCC SOP, Chapter 9, “Computers and Telephones” (Cards 900 & 901), dated 1 Jun 08, provides further details regarding downloading and sharing digitized copyrighted works.

(a) Pirated Videos. Pirating videos is a misappropriation of intellectual property without due compensation, and is considered stealing. Sharing, downloading, or accessing music, movies, or other copyrighted works in this manner is illegal. Activities such as the use, sale, or distribution of a known pirated video are clear violations of the Cadet Honor Code by stealing. Cadets who legally own the videos and share with others through unauthorized means are also acting in a manner that is inconsistent with the values of the Cadet Honor Code.

(b) Pirated Music. It can be challenging to determine the original source of music files. Therefore, cadets must be highly cognizant of the music files that they acquire or to which they listen. Some music files are legal to listen to, while others have specific guidelines that preclude or limit their distribution. For example, acquiring an MP3 from the official Toby Keith’s Home Page would not be a violation of the Cadet Honor Code, but acquiring a file from a peer-to-peer sharing program like LimeWire or from a site such as MP3search.ru is a violation of the Cadet Honor Code. It is a cadet’s ethical responsibility to determine whether the acquisition of a given music file violates the owner’s intentions or your integrity Bottom Line: *If you are in doubt as to the origins of a music file, do not download, or use it.*

(c) Pirated Software. Electronic software, like videos and music, is copyright-protected material and intellectual property. Software piracy is a crime; moreover, it is a thoroughly unethical act. As men and women of honor, cadets will neither traffic nor use pirated computer software.

(7) The Library. The wrongful removal of material from the USMA Library, the removal of pages from journals or solution books, or the deliberate misfiling of references within the library, even if the intent is to return the material at some future date, are unethical acts. Furthermore, to the extent that these acts deprive other students of the opportunity to gain access to needed material for research or study; they provide an unfair advantage and could constitute cheating and/or stealing. The same logic applies to reference materials located in classrooms and departmental libraries. A cadet's best guide for such matters is the third rule of thumb.

(8) Solution Books. The unauthorized removal of department reference materials, solution books, or language tapes may constitute stealing under the Cadet Honor Code.

(9) Found Property. If a cadet finds property of another person, the cadet has a duty to attempt to identify the owner. If a cadet wrongfully keeps the property rather than turning it in or identifying the owner, the cadet may be subject to an investigation for stealing.

d. Tolerating. In the words of Abraham Lincoln,

"To sin by silence when they should protest makes cowards out of men."

Cadets violate the Cadet Honor Code's non-toleration clause if they fail to report an unresolved incident with honor implications to a proper authority within a reasonable length of time. "Proper authority" will usually be the company honor representative; however, unusual circumstances may arise when such an incident should also be reported to the company commander, a professor, or the company tactical officer. A "reasonable length of time" is the time it takes to approach the cadet suspected of the honor violation and clarify whether the incident was a misunderstanding or actually a possible violation of the Code. A reasonable length of time is usually considered not to exceed 24 hours. Observers of possible honor violations must ensure that the cadet who may have committed a violation speaks with their company Honor Representative within a reasonable amount of time (generally 24 hours). If they do not, immediately inform the appropriate member of the Honor Committee or Cadet Chain of Command. Cadets should keep in mind that speedy resolution of the issue is in the best interest of all concerned.

(1) Elements of Toleration.

(a) That on or about a certain date, the cadet became aware of an unresolved incident with implications of conduct in violation of the Cadet Honor Code.

(b) That the cadet failed to report that incident to the proper authority within a reasonable period of time or knowingly benefited from the violation.

(2) Philosophy behind the Non-Toleration Clause. In swearing an Oath of Allegiance on R-Day, cadets voluntarily accept a number of obligations and responsibilities. By taking the Oath, they personally commit to accepting non-toleration within the Corps of Cadets.

(a) Non-toleration is the most demanding tenet of the Code. Non-toleration requires us to respond to someone else's wrongful action rather than simply to refrain from doing something wrong; therefore, we often view non-toleration as a separate category. Refusing to lie, cheat, or steal is a personal commitment each of us can control, but non-toleration forces us to deal with another person's actions, which we cannot control. It forces us to accept often uncomfortable responsibility. Although contrary to the experiences of many people in today's society and thus a difficult standard to internalize and uphold, non-toleration is the tenet of the Cadet Honor Code that rightfully justifies placing its stewardship in the hands of cadets. The strength and vitality of the Cadet Honor Code rest squarely on the non-toleration clause; the Code cannot be enforced without it.

(b) As a guardian of the Cadet Honor Code, each member of the Corps is responsible to fellow cadets and to the Corps. If the Code is not enforced by cadets, it could degenerate into a standard enforced only by the Academy administration. Such an abdication of responsibility would lead to cynicism and a break with those past cadets who entrusted us with safeguarding their legacy of honor.

(c) Some may try to rationalize toleration of honor violations as protecting or helping a fellow cadet. Nothing could be further from the truth. Success in the profession of arms is built by developing character traits such as Integrity, Honor, Duty, and Responsibility. Our character is developed through what we habitually practice, be it good or bad. Tolerating a Cadet Honor Code violation – tolerating lying, cheating, or stealing – not only hinders the character development of the person who violated the code but also shows a lack of moral courage on the part of the person who tolerated. The best way to help another cadet is to support efforts to practice integrity and not to accept anything other than honesty. While loyalty to classmates and friends is important, a cadet and future commissioned officer must recognize that his/her ultimate loyalty is to the constitution, the nation, and the Army. Cadets must place allegiance to country and Army before loyalty to classmates and friends.

Reasons cadets tolerate include:

- Loyalty to friends and/or team
- Lacks the courage to conduct an approach for clarification
- Peer pressure
- Failure to recognize what an honor violation really entails
- Reluctance to encourage another cadet to take responsibility for his/her actions
- Reluctance to do something that might lead to the punishment of another cadet
- Rationalizing misplaced loyalties

(d) The cadet who reports an honor violation is not disloyal. Maintaining standards is everyone's professional responsibility, especially on crucial issues involving matters of honor. It may seem difficult to confront someone with your suspicions; however, remember that by doing so you are enforcing the standard and upholding the principle of personal accountability to which all cadets ought to subscribe. You are acting for the good of the Academy, the profession, and, ultimately of the person. Those who violate the Code, whether by lying, cheating, stealing, or tolerating such behavior, work against the spirit of trust and respect that has infused the Corps

for two centuries. Those who are willing to put others in the position of tolerating a violation put their own interests above those of their fellow cadets and profession.

(3) Professional Responsibility. Professionals must maintain established standards. The principle of non-toleration not only provides the essential clause of the Cadet Honor Code, but also stands behind an officer's responsibility to maintain the integrity of the military profession. It is imperative that an officer not tolerate compromises of the professional ethic by covering up the ethical misconduct of others. Officers without integrity do not belong in this profession. They can do irreparable harm – to themselves, to their fellow professionals, and to the Army's ability to accomplish its paramount mission – to fight and win the nation's wars.

108. REGULATIONS AND HONOR.

“The Honor Code must not ... be exploited as a means of enforcing regulations.”

The Borman Commission, 1976

The disciplinary and honor systems are distinct. Regulatory violations may violate one of the seven Army Values (e.g. failure to perform a duty or disrespect towards a superior). Such infractions will be addressed, but not under the Cadet Honor System. Another source of confusion is that regulatory violations sometimes lead to Cadet Honor Code violations. If a cadet consumes alcohol in the barracks and then lies about the action, he/she is likely to appear before a disciplinary board for consuming alcohol in the barracks and appear before an Honor Investigative Hearing for lying about alcohol consumption. The two actions are entirely distinct and will lead to an investigation under both systems. Simultaneously, if in the process of committing an honor violation, a cadet violates AR 210-26, the USCC SOP or any other official policy; he/she may be investigated for both the honor offense and the disciplinary offense.

However, while a distinction is made between “honor” violations and “regulations” violations, it must be understood that regulation violations may be unethical in their very nature. Deliberate disregard of known and established regulations for personal gain is a clear dereliction of military discipline and a divergence from ethical behavior.

In the words of Dwight D. Eisenhower,

“Under no circumstances should it (the Honor Code) ever be used at the expense of the cadets in the detection of violations of regulations.”

It is frequently appropriate to question a cadet about the performance of a specific duty; however, it is often unprofessional to ask cadets questions to which the answers are apparent. Such questions trivialize the Cadet Honor Code. For example, it would be inappropriate to ask an obviously drunken individual whether he had been drinking.

“I can remember as my most unfortunate experience while I was myself a cadet, an incident where some light bulbs had been thrown into the area. The culprits were found by the lining up of the Corps and the querying of each individual as to whether or not he was guilty of this

particular misdemeanor. Any such procedure or anything related to it would of course be instantly repudiated by any responsible officer who had the good judgment to visualize its eventual effect on the honor system."

General Dwight D. Eisenhower, 1946

Questioning is not a substitute for other independent action to verify duty performance or for making a judgment concerning standards. From a duty perspective, an important issue is whether something was done properly and in accordance with the standards established by regulations or the chain of command. The burden of proof is with the leader or inspector to determine whether a cadet met the proper standards. From this perspective, the leader should normally correct substandard performance (unpolished or improperly shined shoes for example) rather than ask, "Did you shine your shoes?" When dealt with professionally, questioning is necessary to enforce standards, but it is too easily abused. It is important to be continually aware of the kinds of questions asked, particularly of subordinates. Is the issue that demands clarification important enough to justify putting a subordinate in a situation that directly tests the cadet's honor?

CHAPTER 2

INTRODUCTION TO HONOR MATTERS

201. OVERVIEW. All cadets and personnel assigned to the Military Academy share the responsibility for the proper processing of alleged honor violations. All are responsible for seeking clarification from any cadet who commits an act which may have honor implications. Should some doubt remain after the clarification process, the inquiring person should encourage the approached cadet to discuss the matter with his/her company honor representatives. Should the cadet fail to do so, the person approaching for clarification must then report the matter to a member of the Cadet Honor Committee. The Cadet Honor Committee, acting on behalf of the Corps of Cadets, will investigate alleged violations of the Cadet Honor Code and determine whether the evidence against the accused cadet warrants an Honor Investigative Hearing. The Commandant, upon recommendation by the Cadet Honor Committee, has the authority to convene an Honor Investigative Hearing to determine if a cadet has violated the Cadet Honor Code. Ultimately, the Superintendent of the United States Military Academy approves the findings of an Honor Investigative Hearing. The Superintendent also determines the disposition of the cadet found to have committed the honor violation. Cases shall be processed and presented to the USMA Secretary of the General Staff (SGS) for a recommendation within 40 duty/processing days (see Figure 1 on page 2-5). A found cadet will typically meet with the Superintendent soon thereafter to be presented with the Superintendent's decision.

202. “NOTIFICATION” VS. “APPROACH FOR CLARIFICATION.” If you *know* or *suspect* an honor violation *has occurred*, it is your duty to report the violation to an Honor Representative within a reasonable amount of time (generally 24 hours) and you shall not question the accused cadet unless the accused cadet first waives their Article 31 rights on a DA Form 3881, Rights Warning Procedure/Waiver Certificate (see Appendices 1-4-1 to 1-4-2). Furthermore, if you *know* or *suspect* an honor violation *has occurred*, it is a professional courtesy to *notify* the accused cadet in writing of your intentions to turn them in to the Cadet Honor Committee. If you are *not sure* whether an honor violation *has occurred*, but you believe that some questions may elicit clarification on the situation and there may be a reasonable explanation for the situation, you should conduct an *approach the cadet for clarification* within a reasonable amount of time (generally 24 hours). Notifying a cadet of your intention to report them to the Cadet Honor Committee, and conducting an approach for clarification with a cadet when there may be a reasonable explanation for the situation, is a difficult duty but an important part of your professional responsibility to maintain the standards of integrity within the Corps. The *intent of the notification* is to extend a professional courtesy to the cadet you are turning in for an honor violation. However, the *intent of an approach for clarification* is to determine if there is a reasonable explanation for the situation when it is not clear that an honor violation has occurred. The *approach for clarification* recognizes our respect for the principle of presumption of innocence.

a. Conducting the Notification. The *notification* should be done in writing to avoid soliciting an incriminating statement from a cadet in violation of their Article 31 rights and to allow the Cadet Honor Committee to properly investigate the matter. The observer should inform the cadet that this matter will be submitted to the Cadet Honor Committee and

recommend to the cadet that he/she should turn himself/herself in to their Company Honor Representative as soon as possible. Departments are encouraged to use the sample Notification memorandum format when notifying a cadet (see Appendix 1-7). If the notification must be done in person, it should be conducted in a private, non-hostile environment, with a neutral witness present. Soliciting a verbal or written statement from the cadet is not recommended, and may only be done if the cadet first waives his/her Article 31 rights on a DA Form 3881, Rights Warning Procedure/Waiver Certificate (see Appendices 1-4-1 to 1-4-2). The observer must immediately document all facts on a DA Form 2823, Sworn Statement (see Appendices 1-5-1 to 1-5-3) and submit this DA2823 to the Cadet Honor Committee as soon as possible. Additionally, any person who serves as a neutral witness to the *-notification* must also complete and submit it to the Cadet Honor Committee.

b. Conducting the Approach for Clarification. This should be done in a private, non-hostile environment, and a neutral witness must be present. An *approach for clarification* is between the observer and the cadet. The observer should first inform the cadet that this is an *approach for clarification*. The observer should then try to identify the source of confusion and state his/her concerns to the cadet in question. If the observer is not satisfied with the response from the cadet and now suspects or accuses the cadet of committing an honor violation, then the observer must immediately stop the approach for clarification and all questioning. At this point, the approach for clarification becomes a notification, and the observer should follow the steps in paragraph 202a above. The observer should inform the cadet that he/she is now suspected of committing an honor violation and that the matter will be submitted to the Cadet Honor Committee for processing. Additionally, any person who serves as a neutral witness to the *approach for clarification* must also complete and submit a DA Form 2823 to the Cadet Honor Committee. On the other hand, if the observer is satisfied with the response from the cadet, then the observer will inform the cadet that the matter is resolved and it will not be reported to the Cadet Honor Committee.

c. Soliciting Verbal or Written Statements. Soliciting a verbal or written statement from a cadet who is suspected or accused of an honor violation constitutes the initiation of an investigation and proper steps and procedures must be followed. This includes reading a suspected or accused cadet their Article 31 rights and completing a DA Form 3881, Rights Warning Procedure/Waiver Certificate (see Appendices 1-4-1 to 1-4-2) and a DA Form 2823, Sworn Statement (see Appendices 1-5-1 to 1-5-3). Cadet Honor Committee members should be the only individuals taking such statements, unless the suspected or accused cadet is being investigated by a Commissioned Officer for criminal acts or violations of rules and regulations under the USCC SOP. If a Commissioned Officer assigned to conduct an informal or formal investigation discovers a potential honor violation, he/she will turn their findings over to the Cadet Honor Committee immediately through the Special Assistant to the Commandant for Honor Matters.

d. Personnel Conducting the Notification or Approach for Clarification. Examples of proper and improper approaches for clarification can be found at: https://www-internal.uscc.usma.edu/SCPME/SCPME/honor/honor_links.htm.

(1) Cadets. When a cadet becomes aware of an honor violation or a possible honor violation, that cadet should conduct a notification or an approach for clarification as outlined in

paragraphs 202a, 202b, and 202c above. As a reminder, the observer must immediately document all facts on a DA Form 2823, Sworn Statement (see Appendices 1-5-1 to 1-5-3) and submit this DA Form 2823 to the Cadet Honor Committee as soon as possible. Additionally, any person that serves as a neutral witness to the approach for clarification must also complete and submit a DA Form 2823 to the Cadet Honor Committee.

(2) Non-Cadets. When a person other than a member of the Corps of Cadets becomes aware of an honor violation or a possible honor violation, that person should conduct a notification or an approach for clarification as outlined in paragraphs 202a, 202b, and 202c above. If the observer is not satisfied, he/she should obtain the accused cadet's name, and company, and report the incident to the accused cadet's Company Honor Representative (CHR). Please reference paragraphs 202a, 202b, and 202c above for specific guidelines on conducting a notification or an approach for clarification. As a reminder, the observer must immediately document all facts on a DA Form 2823, Sworn Statement (see Appendices 1-5-1 to 1-5-3) and submit this DA Form 2823 to the Cadet Honor Committee as soon as possible. Additionally, any person that serves as a neutral witness to the approach for clarification must also complete and submit a DA Form 2823 to the Cadet Honor Committee.

(3) USCC Staff & Faculty and Tactical Officer/NCO. When a USCC Staff & Faculty member or Tactical Officer/NCO observes or becomes aware of an honor violation or a possible honor violation, that person should conduct a notification or an approach for clarification as outlined in paragraphs 202a, 202b, and 202c above. The respective cadet's Company or Regimental Honor Representative should be present during the approach for clarification. USCC Staff & Faculty members and Tactical Officers/NCOs are reminded to terminate all questioning after the possibility of a misunderstanding is eliminated. If the USCC Staff & Faculty member or Tactical Officer/NCO suspect or accuse a cadet of an honor violation after the approach for clarification, that individual will bring the matter to the attention of accused cadet's respective Company and/or Regimental Honor Representative, the Vice Chair for Liaisons, or Vice Chair for Investigations immediately. As a reminder, the observer must immediately document all facts on a DA Form 2823, Sworn Statement (see Appendices 1-5-1 to 1-5-3) and submit this DA Form 2823 to the Cadet Honor Committee as soon as possible. Additionally, any person that serves as a neutral witness to the approach for clarification must also complete and submit a DA Form 2823 to the Cadet Honor Committee.

(4) USMA Academic Faculty. When a member of the USMA Academic Faculty observes or becomes aware of an honor violation or a possible honor violation, that person should conduct a notification or an approach for clarification to properly evaluate a cadet's academic work as outlined in paragraphs 202a, 202b, and 202c above. The respective Department's Cadet Honor Liaison and Department's Officer Honor Liaison should be present during the approach for clarification. Academic faculty members are reminded to terminate all questioning after the possibility of a misunderstanding is eliminated. If the faculty member suspects or accuses a cadet of an honor violation after the approach for clarification, the faculty member will bring the matter to the attention of the Department's Officer Honor Liaison who will contact the Department's Cadet Honor Liaison and/or the Vice Chair for Liaisons immediately. All academic honor cases will be handled in accordance with the procedures of DPOM 02-04, Paragraph 6, which can be found at the following link: http://usma-portal/dean/DPOMs%20Index/DPOM_02-04.doc. As a reminder, the observer must

immediately document all facts on a DA Form 2823, Sworn Statement (see Appendices 1-5-1 to 1-5-3) and submit this DA Form 2823 to the Cadet Honor Committee as soon as possible. Additionally, any person that serves as a neutral witness to the approach for clarification must also complete and submit a DA Form 2823 to the Cadet Honor Committee. This process should take no more than three duty days – from the time a faculty member observes or becomes aware of an honor violation or a possible honor violation to the time of the notification or the approach for clarification.

(5) Fourth-Class Cadets. If hesitant to confront an Upper-class cadet privately, a Fourth-Class cadet who observes or becomes aware of an honor violation or a possible honor violation by an Upper-class cadet should request a Company Honor Representative to be present during the notification or the approach for clarification. Please reference paragraphs 202a, 202b, and 202c above for specific guidelines on conducting a notification or an approach for clarification. As a reminder, the observer must immediately document all facts on a DA Form 2823, Sworn Statement (see Appendices 1-5-1 to 1-5-3) and submit this DA Form 2823 to the Cadet Honor Committee as soon as possible. Additionally, any person that serves as a neutral witness to the approach for clarification must also complete and submit a DA Form 2823 to the Cadet Honor Committee.

e. Example of a proper Approach for Clarification. The following script provides a brief example of an approach for clarification conducted between an instructor and a cadet.

(1) LTC O (an academic instructor) and a neutral witness, MAJ W (another instructor within the same department), call Cadet X into their department’s conference room (private, non-hostile environment). LTC O asks Cadet X to take a seat and immediately informs Cadet X that “this is an approach for clarification.”

(2) LTC O then explains, “Cadet X, I am confused about your last paper. It looks similar to Cadet Y’s paper. However, it’s possible that there is a reasonable explanation for the similarities. Would you please elaborate on this?”

(3) Cadet X replies, “I worked with Cadet Y initially on this paper and it could be that we have similar language in our papers.”

(4) LTC O asks, “Why didn’t you cite each other?”

(5) Cadet X replies, “I don’t know. We e-mailed each other our material a lot.”

(6) LTC O states, “I am not satisfied with your response. I now suspect that you may have cheated. I will be submitting this matter to the Cadet Honor Committee. I recommend that you discuss this matter with your Company Honor Representative as soon as possible.”

(7) LTC O dismisses Cadet X and does not allow Cadet X to make a response to his suspicion.

(8) LTC O and MAJ W immediately write separate DA2823 Sworn Statements articulating the facts of what just occurred.

(9) LTC O submits this matter to the Cadet Honor Committee within 72 hours of the approach for clarification.

f. Electronic Plagiarism. If an academic department's case requires electronic evidence that may be located on the cadet's computer, the Department's Officer Honor Liaison will contact the Department's Cadet Honor Liaison and the Special Assistant for Honor (SAH). These personnel will coordinate with the Company Tactical Officer(s) and Company Honor Representative(s), as appropriate, and prepare to secure the relevant electronic information, if necessary. The observer will then approach the cadet for clarification. If the issue is not resolved, the Department's Cadet Honor Liaison will accompany the cadet to his/her room and request authorization in writing to examine the cadet's computer and files. If the cadet refuses authorization, the Company Tactical Officer will be notified, after reviewing the evidence (e.g., copies of graded work) and after consultation with the Office of the Staff Judge Advocate, determine whether there is probable cause to authorize a search. Once all relevant evidence has been secured, the observer will proceed to submit all acquired electronic evidence to the Cadet Honor Committee to aid in the investigation of the cadet in question.

g. Resolution. After conducting an approach for clarification, or a notification (see paragraph 202 and 202a), the observer must take the following actions:

(1) Satisfactory Resolution. If, after discussion with the cadet in question, the observer concludes that a violation did not occur, the observer will take no action. Because the observer is satisfied after the approach for clarification, the issue is now "clarified."

(2) Unsatisfactory Resolution. If the cadet in question indicates there may have been an honor violation, the observer must encourage the cadet in question to report the matter to his/her Company Honor Representative. If the cadet in question fails to do so in a reasonable amount of time (normally 24 hours), then the observer will report the matter to the appropriate authority: For cadets and Tactical Officers/NCOs it is their Company Honor Representative and for other staff and faculty it is their respective Department Cadet Honor Liaison or the Vice Chair for Liaisons.

h. Importance of Follow-up. Observers of an honor violation or possible honor violation should encourage the accused cadet of speaking with their Company Honor Representative within 24 hours of conducting the approach or receiving unsatisfactory resolution during the approach for clarification. If they do not do so, the observer must immediately inform the appropriate member of the Cadet Honor Committee.

203. DISTINCTION BETWEEN ADMITTED AND CONTESTED CASES

a. Admitted Cases. When a cadet reports him/herself for having violated the Cadet Honor Code (self-report) or admits to a violation after an approach for clarification (self-admit), the case is considered "admitted."

(1) Self-Report. A case is considered self-reported when a cadet comes forward to report their own honor violation without being confronted by anyone and without doing so to avoid being reported by another individual. Generally, this means that the Cadet Honor Committee would not have learned of this honor violation had the cadet not come forward to report it him/herself.

(2) Self-Admit. Prior to the Preliminary Hearing, a case is informally referred to as an “admit” case when a cadet confesses to the violation after the approach for clarification or if he/she confesses to the violation to avoid being reported by another individual. It is not until the cadet’s admission is accepted as provident during the Preliminary Hearing that it is formally referred to as an “admit” case (see Paragraph 407c). After this formal admission, the case will then proceed to a Cadet Advisory Board as defined in Paragraph 407.

b. Contested Cases. When a cadet does not admit to an allegation, the case is considered, contested. Such cases, when forwarded by the VCI or Chair, and referred by the Commandant, will proceed with a full hearing of the facts of the case by an Honor Investigative Hearing as outlined in Chapter 4 of this document.

204. HONOR CASE PROCESSING PROCEDURES. Honor case processing consists of three phases: Investigation and Referral, Formal Honor Hearings, and Post Hearing Procedures. The standard processing time for honor cases, under normal circumstances, is 40 days from inception through a finalized decision by the Superintendent (see Figure 1, Ideal Timeline). These procedures are described in Chapters 3, 4, and 5 of this pamphlet.

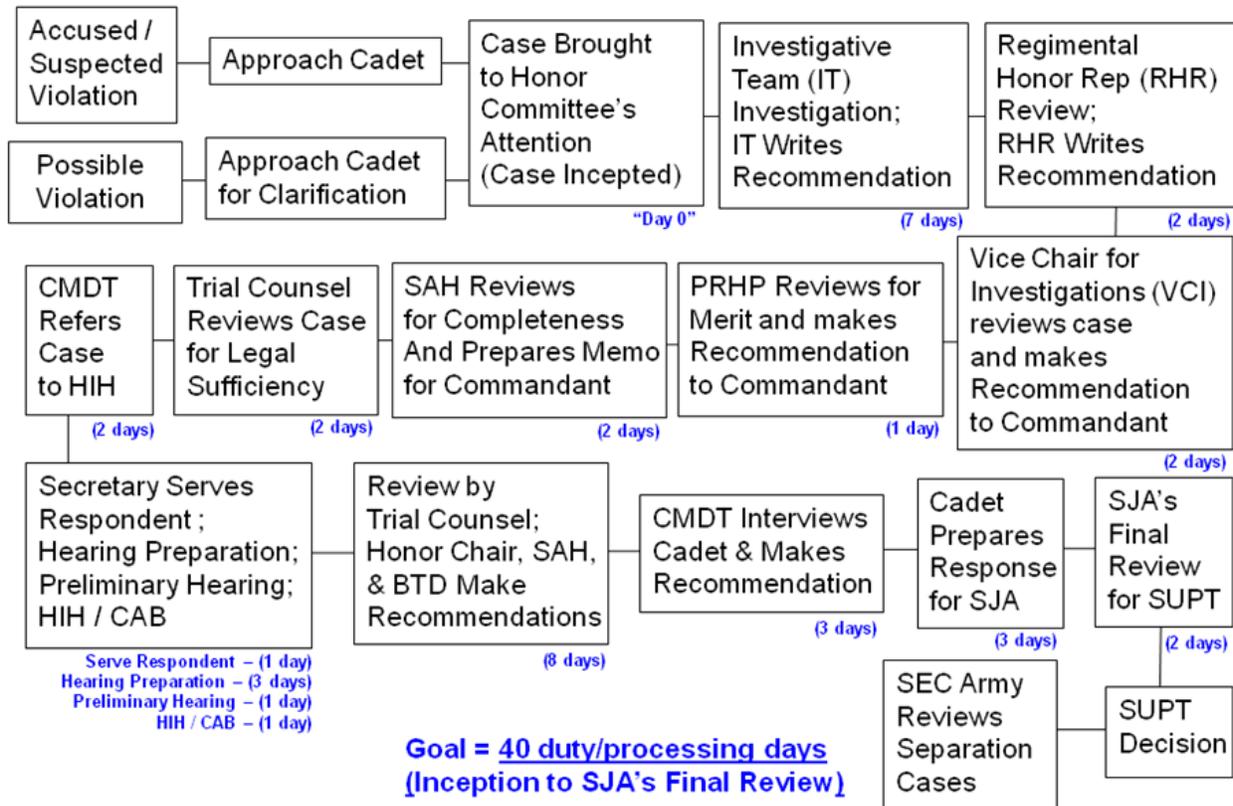


Figure 1

CHAPTER 3

INVESTIGATIVE PROCEDURES

301. OVERVIEW. The investigative procedures of the Honor System are designed to collect all facts concerning possible violations of the Cadet Honor Code by investigating alleged breaches, distinguishing possible violations from non-violations, and forwarding to the Commandant those allegations recommended for referral to an Honor Investigative Hearing (HIH) or Cadet Advisory Board (CAB).

302. INITIAL FORWARDING OF SUSPECTED HONOR VIOLATION TO RHR. The initial stage of the official investigation into an alleged violation of the Cadet Honor Code is an Informal Company Inquiry. When a Company Honor Representative (CHR) receives a report of an alleged honor violation (see Paragraph 202 for approach for clarification procedures), the CHR takes the following steps:

a. If the cadet suspected of an honor violation is in his/her company, one of the Company Honor Representatives will immediately notify the Regimental Honor Representative (RHR) that an honor investigation is pending and provide all known details of the suspected violation. This is a critical step for record keeping and Chain of Command information purposes.

b. If the suspected cadet is in another company, the CHR and the observer will consult with the CHR of the suspected cadet and will inform him/her of all details of the alleged violation.

c. If a cadet suspects a potential honor violation in combination with a suspected regulations violation, he/she has an obligation to report both to the appropriate authorities.

303. INCEPTION. The RHR formally appoints the Investigative Team (IT), normally from the regiment of the Cadet Under Investigation (CUI) but not the same company (See Appendix 1-2). The inception date is the date reflected on the RHR's appointment memorandum. The RHR will supervise the investigation and ensure it is complete, professional, and follows the established procedures outlined in this document.

304. INVESTIGATIVE TEAM (IT) (Goal: 7 Duty Days). The IT is composed of one First-Class Honor Representative and one Second-Class Honor Representative, usually from the same company. The purpose of the IT is to perform a thorough and complete investigation of the case to enable the VCI and, when necessary, the Commandant to make a proper referral decision. The IT must remain impartial and will make a recommendation based solely on the facts of the case. The IT should also be cognizant of the elements of the potential honor violation(s) and the potential for exonerating evidence.

a. The IT has seven duty days from the time the RHR provides the investigation folder to complete the investigation.

b. The IT is authorized to miss drill, intramurals, formations and other duties, apart from class, to conduct investigations.

c. The IT will serve both the Cadet Under Investigation (CUI) and witnesses with a standard notification, identifying the time and location for investigative interviews with a courtesy copy to the Company Tactical Officer, Cadet Company Commander, and Company Honor Representative (See Appendix 1-3). The CUI and all witnesses are excused from drill and intramurals to provide statements. These interviews will take priority over all other duties **except** class, scheduled additional instruction, scheduled competitions, and scheduled medical appointments. In cases where the CUI or witnesses are in-season Corps Squad or Club Squad athletes, the IT will coordinate interview times with the ODIA and DPE liaison officer through the SAH.

d. CUIs have full Article 31 rights. At the initial stage of any investigation, the IT will read the CUI his/her Article 31 rights by exclusively using DA Form 3881 (Appendices 1-4 to 1-5). The CUI must choose to sign in Section B to “waive” his/her Article 31 rights or Section C to not waive his/her Article 31 rights. Should a CUI waive his/her rights under Section B, and then invoke his/her rights by signing Section C, all questioning must cease by the IT. The IT should articulate what just occurred on a DA2823, Sworn Statement. The IT should include in the sworn statement any admission or statement made by the CUI in-between waiving his/her rights and invoking his/her rights. The CUI has the right to remain silent (non-waiver). If the CUI agrees to an interview (waiver), the IT should record a summary of that interview on a DA2823, Sworn Statement, sign and date that sworn statement, and ask the CUI to sign that sworn statement. Any written statements submitted by the CUI **must** be signed and dated.

e. The IT will inform the CUI that he/she is under investigation for an alleged violation of the Cadet Honor Code. The IT will read the CUI his/her Article 31 rights and have the cadet sign a copy of the Rights Warning Statement (See DA 3881). If the CUI invokes the right to remain silent or speak with a lawyer, the IT will cease all questioning. No member of the honor staff or chain of command will re-approach a CUI who has invoked his/her rights with respect to the subject of the honor investigation. If the CUI approaches an investigator, that investigator will re-administer a Rights Warning prior to beginning any questioning.

f. The IT will forward the *thorough and complete* investigation to the RHR along with a summary of evidence collected during the investigation and any pertinent issues.

g. In cases where an alleged honor violation is reported by an academic department, the IT will involve the instructor who may serve as an Academic Subject Matter Expert. In suspected plagiarism cases, this joint investigation will include, as a subset, an independent evaluation of the paper(s) or project(s) by a neutral and detached senior faculty member appointed by the Department Dead or Department Honor Liaison Officer.

305. REGIMENTAL HONOR REPRESENTATIVE (RHR) (Goal: 2 Duty Day). The RHR conducts an initial review for completeness and merit of the investigation compiled by the IT. The RHR will:

- a. Receive the investigative folder from the IT, independently evaluate the evidence, and forward it to the VCI in the investigative folder with a written recommendation to either forward or drop the case. The RHR may recommend dropping the case but cannot drop the case. All allegations must be processed through the VCI.
- b. Return the investigative folder to the IT if the investigation is incomplete or requires more evidence.
- c. Receive authorization to miss drill and intramurals to perform duties.

306. VICE CHAIR FOR INVESTIGATIONS (VCI) (Goal: 2 Duty Days). The VCI (or Deputy Vice Chair for Investigations (DVCI)) will review the case folder (all evidence, statements and recommendations) and determine the case's disposition. In order to conduct investigations and to write recommendations, the VCI and DVCI also have authorization to miss drill and intramurals.

- a. The VCI (or DVCI) may forward the case through the SAH to the Commandant (for referral), drop it from consideration, or return it to the IT for further investigation.
- b. The VCI will evaluate all available evidence, and compare it to the elements of the possible offenses committed by the CUI. If there is some evidence for each element of proof required for an allegation, the case will be forwarded. If any of the elements of proof required for the allegation have no evidence then the case will be dropped or returned for further investigation if appropriate.
- c. If the VCI (or DVCI) is unable to make a recommendation, the Chair or VCI may direct another member of the Executive Staff to write the recommendation. The normal line of authority for writing recommendations is the Executive Officer, VCE, VCL, VCM, and VCPA.
- d. If the VCI disagrees with the recommendation of the RHR, the VCI will refer the case to the Chair, who will either forward or drop the case. In the event that the Chair cannot impartially review a case, he/she will assign the Executive Officer to review the case. In the event that neither the Chair nor the Executive Officer can impartially review the case, the Brigade Commander or Brigade Command Sergeant Major (as ex officio members of the Honor Executive Staff) will review the case.
- e. If the decision is to forward the investigation to an HIH or CAB, then the VCI will draft the allegations in a memorandum, and forward the investigation (complete with a summary of the case, all the evidence used in the review, analysis of evidence, and recommended witnesses) through the SAH to the Commandant, with the recommendation to convene an HIH.
- f. If the investigation is dropped, then the VCI will prepare a Memorandum for Record explaining the rationale for dropping the case and will inform all pertinent personnel through the RHR and VCL. The RHR will inform the CHR, RTO, CUI, and TAC Officer. The VCL will ensure the Cadet Department Liaison briefs the academic department's Honor Liaison Officer.

307. PRE-REFERRAL HEARING PANEL (PRHP) (Goal: 1 Duty Day). After the VCI or Chair forwards a case, a panel of cadets to ensure that the evidence gathered during the investigation warrants an HIH will review it. This three-member panel makes a judgment on the quality of the evidence brought forward. The PRHP has the ability to forward the case to an HIH, drop the case, or return it to the VCI for further investigation. The XO will coordinate the panel; however, the VCI can also coordinate the panel when the XO is unavailable. The PRHP has one day to process the investigation.

a. Panel Composition. This panel will consist of one member of the Executive Staff (excluding the VCI, D/VCI, Secretary, XO and Chair), a Company Honor Representative, and a member of the Cadet Chain of Command holding a position of First Sergeant or higher from the Corps at large.

b. Selection Criteria. No member of the panel may be a member of the CUI's Regiment. The panel will be chosen and convened by the XO who will perform a brief *voir dire* to ensure that the panel is unbiased. *Voir dire* will be conducted in accordance with Paragraph 405b of this manual. The XO is allowed one duty day to convene this panel.

c. Oaths. PRHP members will swear an oath of privacy to ensure that no information regarding the case becomes public knowledge.

d. Proof of Facts. The XO will present the members of the PRHP with copies of the investigative packet compiled for the Commandant, to include all evidence and recommendations. After the PRHP members have reviewed the evidence, the XO will highlight the aspects of the case, which call for further investigation by an HIH and answer any questions posed by the members of the panel. No witness testimony will be heard.

e. Observers. The PRHP is a closed hearing except to those in an official capacity.

f. Rules of Evidence. Only evidence submitted in the investigative packet compiled for the Commandant will be considered. Where appropriate, rules of evidence will be in accordance with Paragraph 405g of this pamphlet.

g. Deliberations and Findings. The PRHP will decide by a two-thirds majority vote, after deliberation, to forward the case to the Commandant for referral to an HIH; to drop the case from consideration; or to return the case to the VCI for further investigation. This decision will be noted in a memorandum signed by all three PRHP members and the XO. The PRHP must explain any disagreement with the XO in their memorandum; if the case requires further investigation, the memorandum must specifically indicate what evidence should be gathered; if the case is dropped, the memorandum must provide a rationale based on analysis of all available evidence. The PRHP reviews the investigation and determines whether there is probable cause that the CUI has violated the Cadet Honor Code, meaning that the allegation warrants further investigation by an HIH. Probable cause is a reasonable belief that the evidence is adequate to support a conclusion that a violation occurred. Probable cause is less than the preponderance of the evidence standard required in Paragraph 406k(1) for a finding that a cadet violated the Cadet Honor Code, but it is not established by the mere presence of some evidence. This memorandum

will be added to the investigation packet and made an Appellate Exhibit to be viewed by the CUI but not the Board members. If a two-thirds majority cannot be reached, the case will be returned for further investigation.

308. SPECIAL ASSISTANT TO COMMANDANT FOR HONOR MATTERS (SAH)

(Goal: 2 Duty Days). The SAH reviews the packet to ensure the Cadet Honor Committee conducted a thorough and complete investigation and prepares the allegation(s). The SAH will then forward the packet to the Trial Counsel for legal review unless further investigation by the committee is required.

309. TRIAL COUNSEL (Goal: 2 Duty Days). The Trial Counsel reviews the case for legal sufficiency (advisory only) and attaches a memorandum to the packet. The Trial Counsel then forwards the case directly to the Commandant's office for referral. If there is a concern with legal sufficiency, the Trial Counsel will return the case to the SAH.

310. COMMANDANT OF CADETS (Goal: 2 Duty Days). The Commandant reviews the entire case, to include materials gathered or produced by the IT, RHR, VCI or DVCI, SAH, and Trial Counsel.

a. The Commandant may request further investigation, drop the case, or refer the case to an HIH. If the Commandant refers the case, he will endorse the allegations and the recommended witness list. The Commandant may dismiss an individual allegation in its entirety without dropping the case from consideration.

b. The Secretary of the Cadet Honor Committee (or DSEC) will immediately serve the Respondent (within 24 hours of referral) with notification of the Commandant's decision to refer the case to an HIH, the complete investigation packet, and the Respondent's notice of rights and responsibilities (see Appendix 2-1-1).

c. The Office of the Staff Judge Advocate, in coordination with the Secretary of the Cadet Honor Committee and SAH, will schedule the Preliminary Hearing and HIH. The Secretary of the Cadet Honor Committee determines the location of the Honor Investigative Hearing, contingent upon the availability of the Hearing Advisor (HA). The primary location for all HIHs and CABs is Nininger Hall, 4th Floor of Bldg 747, in Central Area. The secondary location for all HIHs and CABs is the *Red Reeder Room, 4th Floor, Bldg 745B*, and should only be used if it is determined that two board must be convened simultaneously. *If two boards need to be convened simultaneously and the Red Reeder Room is unavailable, or if three boards need to be convened simultaneously, the alternate location will be the SJA Courtroom, 4th Floor, Bldg 606.*

d. The Secretary, in coordination with the SAH, will schedule the time, date, and location for all CABs after the conclusion of the Preliminary Hearing.

e. The Commandant delegates authority to the SAH, to approve minor alterations to the allegation(s) and to approve alterations to the witness list referred by the Commandant. If the respondent objects to the alterations, either to the allegation(s) or the witness list, the Commandant will make a final decision.

311. DISPOSITION OF DISCIPLINARY CASES WITH HONOR IMPLICATIONS.

a. The Chain of Command may concurrently process disciplinary matters relating to violations of the USCC SOP, despite potential honor implications and an ongoing honor investigation. If a cadet violates a regulation (e.g., drinks alcohol in the barracks) and violates the Cadet Honor Code (e.g., subsequently lies about consuming alcohol in the barracks), he/she may be ordered to appear before an Honor Investigative Hearing and other disciplinary proceedings for actions related to the same incident.

b. In the event that a cadet has potentially committed a violation of the USCC SOP or the UCMJ and, in doing so, may have also violated the Cadet Honor Code, the CHR and/or RHR will not commence an investigation until there has been consultation with the respective Company Tactical Officer (TAC) and the Commandant's legal advisor. The CHR and/or RHR will not appoint an IT in these cases without the permission of the TAC and the Commandant.

312. PROCEDURES FOR NEW CADET VIOLATIONS DURING CADET BASIC TRAINING (CBT).

a. **Approach for Clarification.** If an individual witness becomes aware of a potential Cadet Honor Code violation by a New Cadet, he/she will conduct an approach for clarification IAW Paragraph 202. If, after the approach, the individual is not satisfied with the New Cadet's explanation, he/she will report the suspected honor violation to the CBT Company Honor Representative (CHR), a member of the Honor Executive Staff Summer Detail, or lastly to a member of the New Cadet's Chain of Command. Individuals, including Cadre, WILL NOT try to resolve honor violations themselves. Doing so may confuse New Cadets as to the proper procedures for addressing honor violations and teach New Cadets that failing to report honor violations is acceptable.

b. **Investigation.** The Cadet Honor Committee will quickly investigate the incident using standard honor investigative procedures. If the investigation determines that a violation of the Cadet Honor Code may have occurred, the case will be forwarded to the Honor Chair or the designated representative. The Honor Chairman will write his/her memorandum through the SAH for the Commandant with a recommendation if an HIH or CAB should occur. If the Commandant refers the case to an HIH or CAB, the Cadet Honor Committee will process the case using standard procedures contained in this pamphlet. If the Chair or a representative decides not to forward the case to a formal HIH or CAB, the New Cadet will attend a modified HIH/CAB during CBT.

c. **Modified HIH/CAB.** Modified HIHs will generally follow the HIH procedures outlined in Chapter 4 of this document except that no Hearing Advisor will be present, there is no cadet adviser, and the Board composition is different.

(1) Board members for a Modified HIH/CAB include a member of the Executive Staff of the Cadet Honor Committee, who will serve as the Board President, the CBT Regimental Commander, or the Deputy Regimental Commander, one Company Honor Representative, the New Cadet's Company Commander or Executive Officer, and a Cadet at Large from CBT, CFT,

or SGR Cadre. Members of the New Cadet's Chain of Command are encouraged to attend and other individuals may attend the hearing, but they must inform the SAH or honor staff beforehand. Modified hearings will be conducted in the hearing room on the fourth floor of Nininger Hall.

(2) New Cadets will report to the Board President. The Squad Leader will accompany the New Cadet. The Board President will provide instructions and copies of the evidence to all members of the Board in advance. In the case of a modified HIH, the Board will first determine whether the New Cadet violated the Cadet Honor Code. Witnesses will be called as needed. The New Cadet will be afforded the opportunity to address the board.

(3) A vote of three to two is necessary to find a New Cadet in violation of the Cadet Honor Code. In cases where the New Cadet is found to have violated the Cadet Honor Code and at a CAB, the Board will counsel the cadet and forward a record of the counseling to the Company Tactical Officer. The record of counseling will include the allegations, facts of the case and any recommendation to assist the Chain of Command in remediating the New Cadet's ethical failure. The Board may also recommend the New Cadet be enrolled in an Honor Mentorship Program beginning the first semester of the academic year.

CHAPTER 4

HEARINGS

401. OVERVIEW. The Honor Investigative Hearing (HIH) is an administrative proceeding, convened by the Commandant, which hears all evidence concerning the alleged violation. An HIH Board consists of nine cadet-voting members. Of these nine voting members, four are members of the Cadet Honor Committee and five are members of the Corps-at-Large. The HIH will convene on the fifth duty day following notification of the CUI. The purpose of an HIH is two-fold:

- a. To determine whether or not the Cadet Honor Code has been violated.
- b. If a violation occurred, to provide a recommendation to the Superintendent regarding the final disposition of the CUI.

402. SERVING THE RESPONDENT (Goal: 1 Duty Day). On the day the Commandant refers a case, the Secretary of the Cadet Honor Committee (or DSEC) will serve the Respondent with notification of the Commandant's decision, a complete honor packet, and the "Respondent's Notification of Rights and Responsibilities." (See Appendix 2-1-1).

- a. After being served, the CUI is referred to as the Respondent.
- b. The Respondent will be informed of the right to remain silent, to consult with legal assistance before all proceedings; to call witnesses, and present evidence on his/her behalf; to object to evidence; to appear personally, and be present during open sessions of all hearings; to question all witnesses against him/her; to challenge any board member "for cause"; to obtain copies of all investigative reports, recommendations, statements, and other official documents relating to the investigation, hearing, and subsequent review process; to have a Cadet Advisor present at the hearing; to bring matters to the attention of the HA during any proceedings if he/she perceive anything as unfair; to challenge the HA "for cause"; and to make an opening statement and a closing argument before the Board.

403. PREPARATION FOR PRELIMINARY HEARING (Goal: 3 Duty Days).

a. The IR and Respondent will submit all requests for the redaction of evidence, exclusion of witnesses, or other requests to the HA either orally or **in writing no later than 24 hours prior to the start of the Preliminary Hearing**. However, the IR or Respondent may raise issues at the Preliminary Hearing for the first time if he/she could not reasonably have identified them before the Preliminary Hearing as determined by the HA in his discretion. The IR or Respondent may raise the issues listed below (or they may be waived):

- (1) A challenge to the HA on the grounds of lack of impartiality or lack of qualification.
- (2) Objections concerning investigative procedures.

(3) Objections to documents contained in the investigative folder or submitted by the Respondent.

(4) Requests for attendance of witnesses or introduction of evidence.

b. The Respondent will forward the completed Notification of Rights and Responsibilities to the HA **no later than 24 hours prior to the start of the Preliminary Hearing** along with the admission of violation if the Respondent chooses to admit to the allegation(s). The HA will ensure that the Notification of Rights and Responsibilities is included in the honor packet.

c. If the Respondent is a female cadet, she may request that the HIH include a female cadet in writing. Likewise, if the Respondent is a member of a minority group, the Respondent may request that the HIH include a minority cadet. The minority member should be from the same minority group as the Respondent. In order to facilitate this, the Respondent must forward a written request for a female or minority member to the Secretary of the Cadet Honor Committee no later than 24 hours after being served (typically three duty days prior to the HIH/CAB). The non-availability of a member of the same minority group or a female member will not prevent convening the HIH. The SAH has the authority to approve any HIH convening without these requested members.

d. Any requests for delay must be made as soon as possible after being served by the Secretary of the Cadet Honor Committee. **Requests for delay are not automatically granted and justification for the delay must accompany the request.** As a planning guide, a Respondent should anticipate his/her Preliminary Hearing being held on the fourth duty day after being served and his/her HIH/CAB on the fifth duty day after being served (normally the day following the Preliminary Hearing). Requests for delays may be denied based solely on the untimeliness of the request. The HA may grant the IR or Respondent's request to delay the HIH for up to five duty days. This means an HIH would occur as late as the tenth duty day after the Respondent has been served). Requests for delays longer than five duty days must be submitted for approval to the Commandant through the SAH.

404. PRELIMINARY HEARING (Goal: 1 Duty Day). Upon receiving a copy of the packet, the SAH and HA will schedule an appropriate time to conduct a Preliminary Hearing and an HIH. The Preliminary Hearing will typically be conducted within four duty days of the Respondent being served and is normally conducted the day before the HIH/CAB. A short, second Preliminary Hearing may be held on the day of the HIH to finish any incomplete business. The purpose of the preliminary hearing is to address any requests, challenges, and/or questions to the HA prior to the hearing. The HIH will take place on the scheduled day regardless of whether the allegation(s) will be contested at an HIH or admitted during a CAB, unless a delay has been approved by the HA or the Commandant. The Respondent must report to Legal Assistance prior to the Preliminary Hearing. In attendance at the Preliminary Hearing will be the HA, the Respondent, the Respondent's Cadet Advisor, a Court Recorder, and the Investigative Representative (IR). The IR is the Respondent's RHR or designated representative.

a. The HA will ensure that the Respondent has at least four duty days to prepare for the HIH after being served by the Secretary of the Cadet Honor Committee and will ensure that the IR and Respondent have adequate notice of the time, date, and location of the Preliminary Hearing. The Respondent may choose to waive these time requirements in writing to the HA. The written waiver should be included as an appellate exhibit to the record of the HIH/CAB.

b. Actions during the Preliminary Hearing:

(1) The HA will decide upon and announce decisions concerning the requests for the redaction of evidence, exclusion of witnesses, or other requests made by the Respondent.

(2) The HA and Respondent will review a copy of the investigative representative's statement, which will be read at the beginning of the HIH.

(3) The HA will address all issues raised by IR.

(4) If the IR believes that HA may be biased either for or against the Respondent, the IR may stop the Preliminary Hearing and bring the matter to the attention of the SAH and the Commandant for a decision. Only the Staff Judge Advocate, or a designee, may replace a Hearing Advisor.

(5) The HA may, at his/her discretion, report any matter arising at this Preliminary Hearing to the Commandant through the SAH. The SAH will also inform the Chair of the Cadet Honor Committee of these matters. If, at the conclusion of the Preliminary Hearing, the HA has suppressed evidence which precludes the finding of a violation, the HA may recommend, through the SAH to the Commandant, that the Commandant dismiss the allegation(s) against the cadet. The HA does not have the authority to dismiss the allegation(s).

(6) The HA will determine if the Respondent chooses to admit to the allegation(s). If the Commandant has referred the HIH as a joint hearing, the HA will determine if each Respondent desires to admit the allegation(s) individually while the other Respondents are removed from the hearing room.

(7) The Court Recorder will prepare a summarized record of the proceeding. This record will become part of the summarized record of the HIH.

405. HONOR INVESTIGATIVE HEARING (HIH) (Goal: 1 Duty Day)

a. **Board Composition.** Board members will hear all facts of the case. They will ask questions of the witnesses to clarify and understand the circumstances surrounding the alleged violation(s). After hearing all the evidence, board members will deliberate and vote on whether or not a violation of the Cadet Honor Code occurred. For their reference, the Cadet Honor Committee will provide a copy of the elements of the allegation(s) to the Board members. Additionally, the Cadet Honor Committee will provide adequate copies of USCC PAM 15-1, the Dean's *Documentation of Written Work*, and any other official publications pertinent to the allegations for the board's use. Non-voting board members will participate in the private

deliberations that take place just prior to voting; however, under no circumstances will they be allowed to vote. A two-thirds majority vote (6 out of the 9 members) is required to find that the Respondent violated the Cadet Honor Code. Board members will first vote to find or not find the Respondent in violation of the Code. Following a decision of “found,” each voting board member will provide input to the Superintendent on a Hearing Member Worksheet for disposition of the case (see Appendices 2-2-1 to 2-2-6).

(1) Normal Board Composition of an HIH during 1st Semester, Academic Year:

Respondent (1^o Cadet)

2 1^o Honor Representatives
 2 2^o Honor Representatives
 2 1^o Cadets from Corps at large
 1 2^o Cadets from Corps at large
 2 3^o Cadets from Corps at large
 1 4^o Cadets from Corps at large**

Respondent (3^o Cadet)

2 1^o Honor Representatives
 2 2^o Honor Representatives
 1 1^o Cadets from Corps at large
 1 2^o Cadets from Corps at large
 3 3^o Cadets from Corps at large
 1 4^o Cadets from Corps at large**

Respondent (2^o Cadet)

2 1^o Honor Representatives
 2 2^o Honor Representatives
 1 1^o Cadets from Corps at large
 2 2^o Cadets from Corps at large
 2 3^o Cadets from Corps at large
 1 4^o Cadets from Corps at large**

Respondent (4^o Cadet)

2 1^o Honor Representatives
 2 2^o Honor Representatives
 1 1^o Cadets from Corps at large
 1 2^o Cadets from Corps at large
 1 3^o Cadets from Corps at large
 2 4^o Cadets from Corps at large

****NOTE: During 1st Semester, 4^o Cadets are Non-Voting Board Members while sitting on Upperclass Cadet Boards and will not be called to sit on a Board prior to completing the first two weeks of academic classes.**

(2) Normal Board Composition of an HIH during 2nd Semester, Academic Year:

Respondent (1^o Cadet)

2 1^o Honor Representatives
 2 2^o Honor Representatives
 2 1^o Cadets from Corps at large
 1 2^o Cadets from Corps at large
 1 3^o Cadets from Corps at large
 1 4^o Cadets from Corps at large

Respondent (3^o Cadet)

2 1^o Honor Representatives
 2 2^o Honor Representatives
 1 1^o Cadets from Corps at large
 1 2^o Cadets from Corps at large
 2 3^o Cadets from Corps at large
 1 4^o Cadets from Corps at large

Respondent (2^o Cadet)

2 1^o Honor Representatives
 2 2^o Honor Representatives
 1 1^o Cadets from Corps at large
 2 2^o Cadets from Corps at large
 1 3^o Cadets from Corps at large
 1 4^o Cadets from Corps at large

Respondent (4^o Cadet)

2 1^o Honor Representatives
 2 2^o Honor Representatives
 1 1^o Cadets from Corps at large
 1 2^o Cadets from Corps at large
 1 3^o Cadets from Corps at large
 2 4^o Cadets from Corps at large

(3) Normal Board Composition of an HIH within four weeks of Graduation Day:

Respondent (1° Cadet)

- 2 1° Honor Representatives
- 2 2° Honor Representatives
- 2 1° Cadets from Corps at large
- 1 2° Cadets from Corps at large
- 1 3° Cadets from Corps at large
- 1 4° Cadets from Corps at large

Respondent (2° Cadet)

- 2 2° Honor Representatives
- 2 3° Honor Representatives
- 3 2° Cadets from Corps at large
- 1 3° Cadets from Corps at large
- 1 4° Cadets from Corps at large

Respondent (3° Cadet)

- 2 2° Honor Representatives
- 2 3° Honor Representatives
- 2 2° Cadets from Corps at large
- 2 3° Cadets from Corps at large
- 1 4° Cadets from Corps at large

Respondent (4° Cadet)

- 2 2° Honor Representatives
- 2 3° Honor Representatives
- 2 2° Cadets from Corps at large
- 1 3° Cadets from Corps at large
- 2 4° Cadets from Corps at large

(4) Normal Board Composition of an HIH during Graduation Week:

Respondent (1° Cadet)

- 4 2° Honor Representatives
- 3 2° Cadets from Corps at large
- 1 3° Cadets from Corps at large
- 1 4° Cadets from Corps at large

Respondent (2° Cadet)

- 2 2° Honor Representatives
- 2 3° Honor Representatives
- 3 2° Cadets from Corps at large
- 1 3° Cadets from Corps at large
- 1 4° Cadets from Corps at large

Respondent (3° Cadet)

- 2 2° Honor Representatives
- 2 3° Honor Representatives
- 2 2° Cadets from Corps at large
- 2 3° Cadets from Corps at large
- 1 4° Cadets from Corps at large

Respondent (4° Cadet)

- 2 2° Honor Representatives
- 2 3° Honor Representatives
- 2 2° Cadets from Corps at large
- 1 3° Cadets from Corps at large
- 2 4° Cadets from Corps at large

(5) Normal Board Composition of an HIH during Summer Training Period (rarely occurs):**Respondent (1° Cadet)**

- 2 1° Honor Representatives
- 2 2° Honor Representatives
- 2 1° Cadets from Corps at large
- 1 2° Cadets from Corps at large
- 2 3° Cadets from Corps at large

Respondent (2° Cadet)

- 2 1° Honor Representatives
- 2 2° Honor Representatives
- 1 1° Cadets from Corps at large
- 2 2° Cadets from Corps at large
- 2 3° Cadets from Corps at large

Respondent (3^o Cadet)

- 2 1^o Honor Representatives
- 2 2^o Honor Representatives
- 1 1^o Cadets from Corps at large
- 2 2^o Cadets from Corps at large
- 2 3^o Cadets from Corps at large

Respondent (New Cadet)

- 2 1^o Honor Representatives
- 2 2^o Honor Representatives
- 1 1^o Cadets from Corps at large
- 2 2^o Cadets from Corps at large
- 2 3^o Cadets from Corps at large

(6) Board Presidents will execute the *voir dire* process with the assistance of the Hearing Advisor to ensure that a properly composed Board is seated.

b. Board Member Selection Criteria:

(1) The Secretary of the Cadet Honor Committee selects all hearing members randomly. He/she will first choose from the Company Honor Representatives that are in their primary semester (currently being graded in that duty position). The Secretary will then notify the SAH if he must select CHRs that are not currently serving in a graded duty position.

(2) The Secretary prepares orders for the Commandant appointing the Primary, Alternate, and Reserve Board Presidents and Board Members. After the Commandant's approval, the Honor Chair or Secretary may excuse certain Board Members for good cause with the SAH's approval.

(3) No board member of an HIH or CAB will be from the same academic year Company as the Respondent. Normally, no more than two members of an HIH will be from the same Regiment as the Respondent.

(4) Potential Board members must be in "good standing" as a member of the Corps of Cadets. "Good standing" is defined as a cadet who is not presently serving out punishment for a major disciplinary infraction (e.g., Regimental Board or higher) and is not currently enrolled in the Honor or Respect Mentorship Programs. For example, a cadet that is still serving area tours for a Regimental Board or higher will be disqualified to serve as a Board member. On the other hand, a cadet who previously committed an honor violation and successfully completed the Honor Mentorship Program is qualified to serve as a Board member. It is the responsibility of the SAH to determine if a potential Board member is disqualified and he/she will inform the Secretary, who will find a suitable replacement.

(5) On the day of an HIH or CAB the Commandant delegates to the SAH the authority to detail additional hearing members to the Board Appointment Memorandum, if necessary, due to absences, challenges, or excusals.

(6) The Chair, Secretary, or BP may recommend an alternate composition to the SAH when the normal composition provided in this Paragraph would be impractical. The Commandant delegates decision authority for altering hearing composition to the SAH. The respondent should be notified of changes to composition of the board, rationale for the changes, and be allowed an opportunity to object to the changes.

(7) A Board member must attend all sessions of a hearing unless excused in advance. At the discretion of the BP, the hearing may proceed into session even though a Board member is absent for unknown reasons, provided there are sufficient Board members to properly constitute a hearing.

(8) During the *voir dire* process (Paragraph 305b), the BP in consultation with the HA will replace excused Board members with the first appropriate alternate for their position and class. During the HIH, only the BP may excuse a Board member, and then only for good cause after the SAH has approved the excusal. It still requires a vote from six of the remaining board members to find a Respondent in violation of the Cadet Honor Code. If two or more Board members must be excused, then the HIH is considered invalid and a new HIH must be conducted. The Court Recorder will annotate all changes in the composition of the hearing in the record of the proceedings.

(9) If the Primary BP is removed by *voir dire*, the Alternate BP will assume his/her duties. The Reserve BP will assume the duties of the Alternate BP for the same purpose.

(10) If the Respondent is a member of a minority group, which includes ethnicity and gender, the Secretary of the Cadet Honor Committee will, upon written request of the Respondent no later than 24 hours after being served, seek to include one minority member. The SAH will take reasonable steps to replace requested minority or female members excused as a result of absence, *voir dire*, or other disqualification. If the SAH determines that minority or female representation is not reasonably available; that obtaining replacement minority or female representation would unnecessarily delay the proceedings, or that such representation is otherwise impractical, the SAH may authorize the hearing to proceed without minority or female representation. In such instances, the Cadet Honor Committee will notify the BP of the SAH's decision and the BP will state the reasons for the decision on the record of proceedings.

(11) The Secretary or Board President, in conjunction with the SAH, may terminate a hearing prior to seating the Board if they believe the Board will not be able to impartially conduct the hearing.

(12) Graduation Week: First-Class Cadets are released from Board duty during Graduation Week. In exchange, four additional Second-Class Cadets will sit on First-Class Boards. This brings the total of Second-Class Cadets sitting on a First-Class Board to seven with one Third-Class Cadet and one Fourth-Class Cadet (total of nine board members).

c. Board President (BP). The Board President of the HIH or CAB is a First-Class Honor Representative (or Second-Class Honor Representative on underclass boards occurring 4 weeks prior to graduation). The BP orchestrates the hearing and provides leadership to the members of the Board. Duties and responsibilities of the Board President include:

(1) Receive the investigation folder from the HA and review prior to the HIH. The folder contains the allegation(s), names of all witnesses (including those requested by the Respondent), and all pertinent documents and other evidence.

(2) Ensures that the Board is properly constituted by conducting a *voir dire* process as outlined in Paragraph 406b of this pamphlet. Indicates on the record when an alternate Board composition has been seated and that this composition has been approved by the SAH.

(3) Rules on all challenges of the members raised by the Respondent. Indicates, on the record, each member that has been excused or challenged off the Board and the basis for excusal.

(4) Rules on challenges, procedural, and evidentiary matters. The BP may recommend dismissing allegations against the Respondent, which are not legally supported by evidence. In doing so, the BP must make the recommendation for dismissal through the SAH to the Commandant. In light of a recommendation to dismiss by the BP, the Commandant decides the final disposition on the status of the case.

(5) Conduct the HIH or CAB in a professional manner.

(6) Ensure the appropriate conduct of board members, witnesses, Cadet Advisor, Respondent, and observers in the gallery during open session, while maintaining the proper military bearing, courtesies, and respect of rank.

(7) Direct the appearance of witnesses scheduled to testify at the HIH and calls them into the hearing room.

(8) Calls all board witnesses in the order determined in consultation with the HA.

(9) Administer the oath to all board members and witnesses.

(10) Lead the questioning of witnesses.

(11) Instruct the board members on applicable procedural matters prior to closing for deliberations.

(12) Preside over all closed deliberation sessions of the HIH, announce all findings of fact and recommendations, and speak for the members of the HIH on all matters relating to their deliberations.

(13) Censor or direct member's questions as he/she deems appropriate, in consultation with the HA.

(14) Recess or adjourn the HIH as appropriate.

d. Hearing Advisor (HA). The Hearing Advisor is a Judge Advocate Commissioned Officer and a non-voting member of the HIH. The HA provides guidance to the BP regarding the conduct of non-deliberation sessions and ensures that the hearing is conducted in a fair and orderly manner and in accordance with the procedures outlined in this pamphlet. The HA reviews all board and Respondent exhibits to ensure that they are admissible, sets a date for the

HIH, and rules on any requests for delay (subject to the limitations of Paragraph 403d of this pamphlet) and the evidentiary issues raised by the Respondent. At the HIH, the HA:

(1) Reviews the investigation packet prior to dissemination to the cadet members to ensure that it contains only admissible information. Has the ability to stop the hearing to confer with the BP in private during an open or closed hearing off the record to prevent possible mistakes or assist in pending decisions or rulings.

(2) Advises the BP during the questioning of members to ensure impartiality (*voir dire* process).

(3) Advise the BP to ensure that the Board is properly constituted.

(4) Advise the BP on all challenges of the members raised by the Respondent.

(5) Advise the BP on challenges, procedural, and evidentiary matters. The HA may recommend dismissing allegations against the Respondent which are not legally supported by evidence. In doing so, the HA must make a recommendation for dismissal through the BP, to SAH and the Commandant. In light of a recommendation to dismiss by the HA, the Commandant decides the final disposition on the status of the case.

(6) Advises the BP as to the order in which all witnesses are questioned.

(7) Ensures that BP instructs the board members on applicable procedural matters prior to closing for deliberations.

(8) Authenticates the summarized record of the proceedings including certification of findings and recommendations. The Court Recorder or a First Class Cadet member of the HIH may also do this if the HA is not reasonably available.

e. Cadet Advisor (CA). The Respondent may elect to bring any one member of the Corps of Cadets to the HIH or CAB to act as an advisor. The role of the Cadet Advisor is to provide moral support and advice, not to represent the Respondent. The Cadet Advisor is subject to the following restrictions:

(1) The Cadet Advisor may not address the HA, BP or members of the Preliminary Hearing, HIH, or CAB at any time during any hearing before the announcement of findings. The Cadet Advisor should not accept appointment as the Cadet Advisor if he/she will potentially be a witness on merits. The Cadet Advisor is prohibited from advising the Respondent on how to answer questions during Respondent testimony.

(2) Communication between the Cadet Advisor and the Respondent is not privileged, as in an attorney-client relationship. Moreover, a Cadet Advisor is not exempt from abiding by the Cadet Honor Code, to include the toleration clause, and must report any suspected honor violation by the Respondent.

(3) A cadet may serve as a Cadet Advisor only twice and may not be a member of the Cadet Honor Committee who has personal knowledge of or has worked on the case.

f. Investigative Representative (IR). The Investigative Representative presents a statement summarizing the results of the pre-hearing investigation at the beginning of the HIH. While the RHR who conducted the investigation normally serves as the IR, the VCI or the Chair of the Cadet Honor Committee may designate any member of the Executive Staff or another RHR to serve as IR. This summary will be considered as an argument and not as evidence. The purpose of the summary is to provide the HIH with an overview of the known evidence; to clarify and bring the issues into focus; to discuss whether the investigation is contested or if the Respondent admitted to the violation; and to discuss facts surrounding admissions. The IR will read the statement at the beginning of the HIH and again after hearing all witnesses. The BP, HA, and Respondent will review the IR statement at the Preliminary Hearing, where the Respondent will have an opportunity to object to it.

g. Executive Staff Representative. The Executive Staff Representative, normally the Secretary of the Cadet Honor Committee or a Regimental Honor Representative, will coordinate witnesses and informally advise the BP in the presence of the HA on procedural matters in conducting the hearing.

406. RULES FOR CONDUCTING HIH PROCEEDINGS

a. Legal Consultation. At various times during the board proceedings the BP and HA may need to discuss legal issues. The HA may initiate legal consultation. The HA will decide whether the legal consultation is on the record in an open session or closed session or off the record. If advice is delivered off the record, the HA should summarize the nature of the advice at the next open session.

b. Voir Dire. The HA will question the BP as to his/her ability to serve. The BP will then question all members of the HIH or CAB as to their ability to serve before they consider any evidence. After recording the individuals' answers to these questions, the BP will conduct an individual *voir dire* with every cadet as he/she, in consultation with the HA, deems necessary. The BP will ask questions designed to inform potential members on the standard of proof, ensure they understand their responsibilities as members of the Corps of Cadets, and ensure they will do their duty to be fair to the Respondent and the requirements of the Cadet Honor Code. The Respondent may ask any questions that the BP rules relevant. The Respondent will also have the opportunity to question the members regarding possible bases for challenges. The Respondent may challenge voting members of the HIH for cause. Accusatory questions and answers are not permitted. Only the BP, HA, Court Recorder, Respondent, Cadet Advisor, Honor Committee Executive Staff Representative, the Board member in question, and the SAH are permitted to be present for *voir dire*. The SAH may permit additional individuals to observe on a case-by-case basis.

c. Oaths. The HA will administer the oath to the BP. The BP will administer the oaths to the Board members during these procedures. The BP will swear all witnesses before they testify

at the HIH. The HA will administer the oath to the Court Recorder, if not previously sworn, and indicate such on the record.

d. Proof of Facts.

(1) General. The most often used methods of proving or disproving (either directly or through inferences) facts and circumstances relevant to the matter under investigation are through real (tangible) evidence; documentary evidence; testimony or statements of witnesses; and matters of which official notice may be taken without proof.

(2) Definitions.

(a) Real evidence. A tangible object (e.g. term paper, drill roll, departure book) that is material and relevant to the subject of the inquiry, is real evidence. Whenever an item of real evidence would aid in establishing the existence or nonexistence of a fact, the evidence, or a photograph, description, or other suitable reproduction of it, should be included in the report of proceedings together with any statements of witnesses necessary to identify the item and verify the accuracy of the reproduction. If the physical layout of a building, room, or other place is relevant, the members, together with the Hearing Advisor and the Respondent, may visit the scene, if practical. In any event, a diagram should be included in the report. If applicable, it should be noted at the hearing that the scene was visited by Board members.

(b) Documentary evidence. Documentary evidence consists of records, reports, letters, and other written, printed, electronic or graphic materials that indicate the existence or nonexistence of a fact.

(c) Testimony or statements of witnesses. Oral or written accounts of matters within the personal knowledge of individuals usually constitute an indispensable part of the evidence considered in an investigation. Individuals qualified to do so based on their own skills or personal observation (lay or expert witness) may provide opinion evidence, but opinion evidence on the ultimate issue of found or not found is not admissible.

(d) Official notice. Some facts are of such common knowledge that there is no need to obtain specific evidence to prove them (e.g. general facts and laws of nature; general facts of history; location of major elements of the Army; organization of the Department of Defense and its components). This includes, but is not limited to, those matters of which judicial notice may be taken. The HA will determine whether official notice of specific facts may be taken.

e. Witnesses.

(1) General. The Cadet Honor Committee does not have the authority to subpoena witnesses to appear and testify at an HIH or CAB. However, an appropriate commander or supervisor may order military personnel and federal civilian employees to do so. Other civilians who agree to appear may be issued invitational travel orders in selected cases (see Appendix E of the Joint Travel Regulation, Volume 2). An investigator should normally inform a witness of the nature of the investigation before taking a statement or testimony. The HA and BP should

protect every witness from improper questions, harsh or insulting treatment, and unnecessary inquiry into his private affairs.

(2) Attendance as spectators. Witnesses, merit and/or character, **will not** be present in the hearing room during the investigative proceedings except when they are testifying. See Paragraph 406f below for exceptions to policy.

(3) Taking testimony or statements. The HIH/CAB normally elicits witness testimony through questions and answers. However, to conserve time and resources, the BP may ask a witness to confirm a prior written statement (which will first be made an exhibit). The witness is still subject to questioning (by the BP, Board members, and Respondent) on the substance of such statement. At a minimum, the Cadet Honor Committee will solicit a specific character statement and/or testimony from a Respondent's Company Tactical Officer or Company Tactical NCO prior to the Preliminary Hearing. If the Company Tactical Officer or Company Tactical NCO is unavailable or does not have suitable experience supervising the Respondent to comment on specific character, then the Cadet Honor Committee will solicit a specific character statement and/or testimony from a former Company Tactical Officer, former Company Tactical NCO, or former member of Respondent's Chain of Command. These specific character statements must be relevant and relate to the specific character trait in question, and will only be admitted on the merits prior to deliberation after the Respondent has admitted his/her specific character statements.

(a) For example, Cadet Smith, the Respondent, is accused of lying. He submits evidence that when a restaurant charged him too little for a meal, he corrected the bill even though it cost him more money. Cadet Smith has admitted specific character evidence pertaining to the character trait of honesty, which suggests that he is not a liar. The Cadet Honor Committee may now submit specific character evidence from Cadet Smith's Company Tactical NCO, who states that Cadet Smith was not completely truthful with him on a particular occasion when he questioned Cadet Smith about why he was late for formation.

(b) Negative specific character trait evidence from Company Tactical Officers or Company Tactical NCOs will only be admitted on the merits when: 1) it exists, and 2) the Respondent submitted positive specific character trait evidence. When this is not the case, Company Tactical Officer or Company Tactical NCO statements will only be shared with Board members after the Board deliberates and the Respondent is found in violation of the Cadet Honor Code.

(c) The absence of sworn evidentiary statements does not preclude merit witnesses from testifying if desired by the Board or the Respondent. However, all specific character witnesses must submit a written statement for consideration by the BP in order to testify before the board. The BP, with consultation from the HA, will exclude improper character evidence or overly repetitive statements and testimony.

(4) Additional evidence or witnesses. Subject to availability and evidentiary ruling of the HA, the BP recalls witnesses and calls for additional documents desired by any primary members, when the motion is seconded by another board member.

(5) Discussion of evidence given. The BP will direct military and civilian witnesses not to discuss their statements or testimonies with other witnesses, or with persons who have no official interest in the proceedings, until the hearing is completed. Witnesses may discuss any relevant matters with the BP, HA, the Respondent, or the Respondent's Advisor or Counsel.

f. Observers. Hearings are closed to the public at large. Attendance of non-witness observers is limited to Department of Defense Personnel with official interest in the proceeding, Cadets, and Military Personnel assigned to USMA, and members of the Respondent's Family. The SAH may admit other persons to observe a proceeding if their attendance will not have an adverse effect on the fairness and dignity of the proceeding or the Respondent's right of privacy. Persons wanting to observe the HIH or CAB should make a request to the SAH. Respondents should notify the SAH in advance if their parents plan on attending. A witness, including individuals not in the above category of authorized observers, may observe the hearing if the BP determines, after consultation with the HA, that the witness will not be recalled, or otherwise required.

g. Rules of Evidence.

(1) General. These proceedings are administrative and not judicial in nature. Therefore, the rules of evidence prescribed for trials by courts-martial, or for court proceedings, do not generally apply. Accordingly, subject only to the limitations set forth below, the HIH may accept anything, which, in the mind of a reasonable person, is relevant and material to whether the Respondent committed or attempted to commit the alleged act or acts as charged, and the Respondent's intent at the time the alleged act or acts took place. The HA will make final rulings on whether evidence or testimony is admissible.

(2) Best evidence. An investigator may consider lesser evidence even when there may be better evidence available to prove the same fact. Generally, however, an effort should be made to obtain the *best* evidence reasonably available. The investigator will consider factors such as time, importance, and expense as well as the availability and reliability of secondary (substitute) evidence. Although hearsay evidence is acceptable, the personal statement or testimony of a witness is usually better evidence than an earlier written statement by that witness or having someone else state what the witness said. Therefore, a witness should appear before the investigative hearing unless the witness is not reasonably available (e.g. cannot be located; cannot be ordered to appear and refuses to do so; the importance of such testimony or personal appearance is disproportionate to the delay, expense or difficulty in obtaining it). Similarly, the original or duplicate original of a document or writing is better evidence than a copy. However, a copy is acceptable if the original is not readily obtainable.

(3) Circumstantial Evidence. Members of an HIH may use circumstantial evidence to infer facts. Circumstantial evidence is evidence that tends to prove a factual matter by proving other events or circumstances from which the occurrence of the matter at issue can be reasonably inferred. [Merriam-Webster's Dictionary of Law ©1996 at Findlaw.com] Circumstantial evidence is often as useful as direct evidence in drawing conclusions.

(4) Limitations. The HIIH is not subject to exclusionary rules precluding the use of relevant evidence. However, the following limitations do apply with regard to evidence that may be accepted and considered at the hearing:

(a) Privileged Communications. The HIIH will recognize only those forms of privileged communication as stated in Military Rules of Evidence 502, 503, and 513 concerning the Lawyer – Client, Communications to Clergy, and Psychotherapist – Patient privileges.

(b) Polygraph Tests. The HIIH will not receive or consider any evidence of the results, taking, or refusal of a polygraph (lie detector) test.

(c) Self-incrimination. The HIIH will not compel any witness or Respondent to incriminate him/herself or to answer any question in which the answer might be incriminating. In addition, the Board will not require a witness to make a statement or produce evidence if the statement or evidence is not material to the issue and might tend to degrade the witness or would violate Article 31, UCMJ. The Board will not require a witness not subject to the Uniform Code of Military Justice to make a statement or produce evidence that would deprive the witness of rights under the Fifth Amendment of the United States Constitution. However, the witness must state specifically that refusal to answer a question based on the protection afforded by Article 31 or the Fifth Amendment. Whenever it appears appropriate and advisable to do so, the HA will explain the rights of a witness or Respondent using the procedure found on DA Form 3881.

(d) Immunity. In rare cases, the Superintendent may grant a witness or Respondent testimonial immunity and require the individual to testify notwithstanding Article 31 or the Fifth Amendment. The USMA Staff Judge Advocate office will provide additional guidance on this subject.

(e) Involuntary Admissions. The exclusionary aspects of Article 31, by its terms, does not apply to administrative proceedings such as an HIIH or CAB. The HA will ensure that the HIIH will not accept a Respondent's statement obtained by unlawful coercion, or inducement likely to affect its truthfulness, or in situations where the admission of the subject evidence would be contrary to fairness and fundamental due process. However, the fact that a Respondent was not advised of his/her Article 31 rights does not, of itself, prevent acceptance of the confession or its admission as evidence.

(f) Bad Faith Unlawful Searches. Unless the HA determines that the evidence would inevitably have been discovered, the HIIH will not consider evidence obtained from an unlawful search conducted or directed by a member of the Armed Forces, acting in an official capacity. The HIIH will not accept or consider any evidence against a Respondent whose rights were violated from a search. Otherwise, the Board may accept any other evidence obtained because of a search or inspection.

(g) Marking of Evidence. Evidence originating from one party may be marked on by another party if it serves the purposes of the HIIH. Examples are grading from instructors on evaluated examinations, marks clarifying computer code, titling documents for clarity, highlighting specific text, etc.

h. Ruling on Procedural Matters. The BP, in consultation with the HA, will make all rulings on procedural matters (challenges, motions, introduction of evidence, and delays). The HA will make the ruling on delay requests subject to the limitations of Paragraph 403d of this document. Procedural errors or irregularities in an investigation will not invalidate the proceeding or any action based on it, unless the Respondent raises the alleged error and demonstrates that the error has had a material, adverse effect on the Respondent's substantial rights during the HIH.

i. Evidence of Other Honor Violations. If it appears that the Respondent or a witness may have committed a violation of the Cadet Honor Code during the HIH, the hearing member who suspects another cadet should report such matters to the appropriate Company Honor Representative. The hearing member will also inform the Honor Committee Executive Staff Representative at the HIH that a new allegation arose during the course of an HIH.

j. Testimony Conclusion. At the conclusion of the testimony, the BP will issue appropriate instructions and guidance to the board members. The board members will thereafter enter closed deliberations. After the hearing has been closed for deliberations, the Board will receive no further evidence but the BP or HA may provide further instructions to the Board members.

k. Deliberation and Findings.

(1) After receiving all evidence and testimony, the HIH will determine whether sufficient evidence exists to support a finding that the Respondent violated the Cadet Honor Code. The Respondent must have: committed the alleged act - having the required specific intent at the time the alleged act was committed or forming that intent during the existence of a continuing act or tolerated a violation or attempted violation of the Cadet Honor Code by another cadet. A finding that the Respondent violated the Cadet Honor Code must be supported by a greater weight of evidence than supports a contrary conclusion. That is, the Board must find that a greater weight of evidence, after considering all the evidence presented, points to a particular conclusion as being more credible and probable than any other conclusion. The weight of evidence is not determined by the number of witnesses or volume of exhibits, but by considering all the evidence and evaluating such factors as the witness' demeanor, opportunity for knowledge, information possessed, ability to recall and relate events and other indication of veracity.

(2) The board members vote by secret written ballot on each allegation, after adequate opportunity for full discussion. The finding of a violation of the Cadet Honor Code requires an affirmative vote from six of the nine members. Only one vote may be taken per allegation.

(3) The board members will enter findings supported by the evidence and any advisory recommendations deemed appropriate.

(4) The board members secretly mark the ballots. The BP will then count the ballots in the presence of the other board members. The BP will destroy the ballots after each member verifies the accuracy of the count and signs the allegation sheet. In the case of a mistaken vote or other compelling circumstances, the HA may direct a re-ballot.

(5) Cadets should report any attempt to discover the vote of an individual HIH member to the HA, the Chair of the Cadet Honor Committee, the SAH, the Commandant, or the Superintendent, as appropriate.

(6) The BP may request that the HA assist in arranging the findings on the form prior to announcement to the Respondent.

(7) The BP will announce the findings to the Respondent when the proceeding is reconvened after the HA has reviewed the findings for technical correctness.

I. Recommendations. If the Respondent is found to have violated the Cadet Honor Code, the Respondent may present matters to the Board pertaining to retention as a cadet.

(1) After the announcement of findings, either the Respondent or the Cadet Advisor may address the hearing. This address not only gives the Respondent the opportunity to express him/herself to the board members after the finding, but also facilitates the board members' abilities to accurately assess the Respondent's resolve to live honorably and complete the Superintendent's Hearing Member Worksheet (see Appendices 2-2-1 to 2-2-6). The Respondent may submit written character statements to the Board as additional exhibits and or call general character witnesses to testify on the Respondent's behalf.

(2) In addition, the Cadet Honor Committee may solicit general character statements and/or testimony from the cadet's Tactical Officer and cadet Chain of Command having supervisory responsibility for the Respondent. Failure to obtain some or all of these evaluations prior to the hearing, or at all, does not affect the validity of the proceedings, and is not grounds for objection. The Cadet Honor Committee should provide copies of statements to the Respondent as soon as possible after receiving them. The Cadet Honor Committee may present such statements and/or testimony regardless of the presence or absence of Respondent's general character witnesses.

(3) Superintendent's Hearing Member Worksheets. The Hearing Member Worksheet provides the Superintendent with hearing member recommendations concerning the final disposition of a cadet found to have violated the Cadet Honor Code. The BP will brief the hearing members on the purpose and importance of the worksheet. The board members, after receiving an explanation of the form, will review the evidence presented at the hearing with respect to the specific questions contained in the worksheet. The board members will then anonymously fill out the worksheets after adequate opportunity for a full discussion. The Superintendent considers the worksheets in determining the final disposition of the case (see Appendices 2-2-1 to 2-2-6).

407. CADET ADVISORY BOARDS (CAB). The Cadet Advisory Board is a modified version of an HIH designed for cadets who admit to allegation(s) referred against them. The CAB hears only from the Respondent, the Respondent's Tactical Officer and Cadet Commander, and general character witnesses. The sole purpose of the CAB is to provide recommendations to the

Superintendent on the final disposition of a case. The CAB will convene no later than the fifth duty day following the serving of the Respondent.

a. Admitting to Violating the Cadet Honor Code. If the Respondent chooses to admit to violating the Cadet Honor Code, the Respondent must submit a written notice of the intent to admit to the violation to the HA no later than 24 hours prior to the start of the Preliminary Hearing. This notice to admit is included on the Notification of Respondent's Rights and Responsibilities (See Appendix 2) and must be signed by the Respondent.

b. Preliminary Hearing. The Respondent must submit any requests for the redaction of evidence, exclusion of witnesses, or other requests to the HA in writing no later than 24 hours prior to the start of the Preliminary Hearing. The Respondent will also forward the completed Notification of Rights and Responsibilities to the HA no later than 24 hours prior to the start of the Preliminary Hearing. The HA will inform the Respondent of decisions concerning requests for the redaction of evidence, exclusion of witnesses, or other requests made by the Respondent prior to the CAB. The HA will ensure that the completed Notification of Rights and Responsibilities and the HA's decisions concerning requests by the Respondent are included in the honor packet in time for appropriate use during the CAB.

c. Providence Inquiry. If the Respondent chooses to admit to violating the Cadet Honor Code, the HA will conduct a Providence Inquiry during the Preliminary Hearing prior to the CAB but will not be present during the CAB. The Providence Inquiry, during which the Respondent will be instructed on the rights, which will be waived by admitting to the allegation(s), will be conducted on the record. Once completed, an audio-recording or written transcript of the providence inquiry will be provided to the CAB. When neither an audio recording nor a full written transcript is available, a summarized transcript is permissible.

d. CAB Procedures. The BP will conduct the CAB. No Hearing Advisor or Court Recorder will be present. The board members will listen to or read the admission of the violation and all evidence relevant in the case. During the CAB, the Respondent's Tactical Officer and Cadet Company Commander or a representative in the Respondent's Chain of Command will testify to the Respondent's character and potential for retention. The Respondent may then have general character witnesses testify. Board members will also question the Respondent. By admitting to the violation(s), the Respondent waives the right to remain silent concerning the violation(s) and will be required to answer questions if requested by the CAB.

e. Board Composition. The composition of the CAB will be the same as the composition of an HIH. Refer to Paragraph 405a of this pamphlet.

f. Board President (BP). The BP, a First-Class Honor Representative, will conduct the hearing. The BP will act as a member of the Board and complete a Superintendent's Worksheet. In this capacity, the BP will run the *voir dire* process and oversee the questioning of the witnesses and Respondent. It is the BP's responsibility to make sure the hearing is conducted smoothly and fairly. The BP will call the Tactical Officer and Cadet Commander as witnesses. The BP will then call the character witnesses requested by the Respondent.

g. Witnesses. Character witnesses will have the opportunity to testify during the hearing. There is no limit to the number of witnesses a Respondent can request to testify; however, just as in an HIH, the BP may determine the witnesses' testimony to be cumulative based on the standard of uniqueness of perspective. Obtaining and calling character witnesses are the responsibility of the Respondent. However, the Secretary of the Cadet Honor Committee and the IR shall assist the Respondent, when reasonably possible, to make the Respondent's witnesses available. The Respondent must inform the IR when he/she needs assistance in obtaining the attendance of a witness.

h. Superintendent's Hearing Member Worksheets and Board Recommendation. After the CAB is complete, the board members will complete nine individual Superintendent's Hearing Member Worksheets (see Appendices 2-2-1 to 2-2-6) after adequate opportunity for full discussion. The BP will forward the worksheets along with a summary sheet signed by all members of the Board concisely summarize the Board's recommendations and clearly identifying a consolidated recommendation to the Commandant and Superintendent.

CHAPTER 5

POST-HEARING PROCEDURES

501. OVERVIEW. The Cadet Honor System does not always conclude with the HIH or CAB. This chapter outlines procedural guidelines for the post-hearing processing of all CABs and found HIHs.

502. PROCEDURES IMMEDIATELY FOLLOWING AN HIH OR CAB.

a. Cadets Not Found in Violation of the Cadet Honor Code (HIH only). If five (5), or less, of the nine (9) members of the board members vote to find a cadet in violation of the Cadet Honor Code, the individual is “not found.”

b. SAH’s Actions for Cadets Not Found in Violation of the Cadet Honor Code (HIH only). Immediately following the HIH, the SAH, or the Director of SCPME in the SAH’s absence, will debrief the cadet Respondent. The debriefing serves three purposes: to inform the cadet of his/her status, to bring the experience to closure by providing the cadet the opportunity for directed self-reflection on the experience, and to mentor the cadet consistent with principles of leader development. However, the tone of the debriefing should not be misunderstood by the cadet as disagreement with the findings of the HIH. The desired outcome is that cadets walk away from their honor investigative experience with some professional growth. The debriefing should be beneficial to their development as a future leader of character. The SAH will cover the following issues as part of the debriefing:

(1) Inform cadet of his/her status.

(a) The HIH did not find the cadet in violation of the Cadet Honor Code. The case will not be transcribed, and the original packet will be archived.

(b) The cadet will remain in good standing in the Corps unless currently undergoing disciplinary action for conduct related to the allegation.

(c) Status does not change just because the cadet underwent an investigation that was forwarded to a hearing.

(d) The SAH will send an email to the cadet’s Chain of Command informing them of the result of the HIH.

(2) Discuss the following learning points:

(a) Discuss the cadet’s experience throughout the entire investigation and hearing including lessons learned.

(b) Expand upon the cadet's responses with what he/she should learn from the experience.

(c) Address the issue of perception. The cadet underwent an HIH because of the perception that the cadet compromised his/her integrity. Reassure the cadet again that the discussion in no way reflects disagreement with the finding of the HIH. Make it clear that the issue of perception is separate and apart from the results of the hearing.

(d) In cases where the cadet failed to understand the regulations, policy, or procedure, point out the duty and obligation to comply with regulations, policy, or procedure. It is an officer's duty to understand the regulations that he/she must follow.

(e) Address how in the Army the wrong perception can often poison a unit's command climate. Talk about the trust between the commander and the lieutenants, a lieutenant and the NCOs and entire platoon. False perceptions can break that bond of trust.

c. Cadets Found in Violation of the Cadet Honor Code.

(1) SAH Actions. In order to be found, the board must have a two-thirds vote (6 out of 9) that the cadet is in violation of the Cadet Honor Code. Following the HIH or CAB, the cadet found in violation of the Cadet Honor Code reports to the SAH who will:

(a) Evaluate the cadet's emotional state and contact the Tactical Officer as the situation warrants.

(b) Outline the steps of the review process, the sanctions that can be imposed by the Superintendent, and the Privacy Act.

(2) Resignation Option. If the cadet elects to resign, the BTM will process the resignation through the USCC S-1. In accordance with the USCC SOP, this resignation must be *"in lieu of final disposition of my case resulting from my appearance before an Honor Investigative Hearing."*

(3) Reassignment. The cadet found to have violated the Cadet Honor Code will elect whether or not to be reassigned to a new company. The Brigade Tactical Department (BTM) has the final decision on the reassignment. The BTM may not reassign the cadet to any company in the same battalion or any company with a member who served on the Honor Investigative Hearing Board or Cadet Advisory Board.

(4) Documents. The Cadet Honor Committee Secretary will keep one copy of the Board Exhibits, the Signed Hearing Findings, and the Superintendent's Hearing Member Worksheets for inclusion in the SAH duplicate files. The Court Recorder will include the original documents in the actual case file.

(5) Honor Mentorship Program. The SAH will provide a found cadet an information paper on HMP and advice in finding a suitable mentor. The SAH will also stress the importance of finding a mentor and conducting an HMP inbrief as soon as possible in order to begin the critical steps of remediation. A found cadet's time in HMP will not begin until after his HMP inbrief (see Chapter 6).

503. STATUS OF FOUND CADETS. Immediately following an HIH or CAB, the SAH will also serve the cadet with a letter from the Commandant, identifying administrative sanctions separate from the final disposition of the case. The cadet will sign the letter acknowledging receipt. Copies will be forwarded to the Dean of the Academic Board, BTO, RTO, Company Tactical Officer, USCC Regulations and Discipline Officer (R&D), Vice Chair for Mentorship, and in the case of corps squad and club squad athlete, to the Director of Intercollegiate Athletics and the Head of the Department of Physical Education, respectively.

a. These administrative sanctions are binding, begin immediately after an HIH or CAB, and continue through successful completion of the Honor Mentorship Program. Any request made by the found cadet or the Chain of Command to deviate from these sanctions will be requested in writing on an official memorandum thru the found cadet's Mentor, TAC, RTO, and BTO for the Commandant's final approval. A copy of the Commandant's approved exception to policy memorandum must be furnished to the SAH for inclusion in the cadet's honor file. These administrative sanctions are effective immediately and include the following:

(1) Reduction in rank to Private First Class, if an Upperclass cadet. Fourth-Class Cadets may not be promoted until completion of the Honor Mentorship Program. Only Fourth-Class Cadets who have completed their entire Plebe year (i.e., made it through Graduation Week and became a Yearling), are authorized to wear PFC rank if they are directed by the Superintendent to repeat their Plebe year.

(2) Loss of pass privileges, off-post privileges (OPP's), and walking privileges (see Chapter 5, USCC SOP). Authorized "leave" periods, to include Thanksgiving, Winter, Spring, Term End Examination (TEE) Week, and Summer Leave, are not affected. If a cadet's sponsor lives off post, the cadet must inform their Company Tactical Officer when they are departing post to visit their sponsor's home. Company Tactical Officers will use their discretion if they feel a cadet is abusing their privilege to visit an off-post sponsor's home.

b. Additional administrative sanctions regarding representation of the found cadet are voted on by each Board Member of the HIH or CAB using the Superintendent's Hearing Member Worksheet (see Appendix 2-2-5). If two-thirds of the Board Members vote in favor of the found cadet representing USMA in a specific capacity, then the found cadet is authorized to continue representing USMA in this specific capacity until the Superintendent's final decision. On the other hand, if less than two-thirds of the Board members are in favor, then the found cadet is not authorized to represent USMA in this specific capacity unless the Superintendent overturns the Board's recommendation. The applicable administrative sanctions regarding representation of USMA are effective immediately and include the following:

(1) Exclusion from representing the Academy through participation in corps

squad and/or club squad activities, including participating in games/competitions, traveling with the team or club, and officially representing the Academy as a member of the team or club. Cadets are, however, allowed to continue practicing with the team and attend club meetings at the Academy.

(2) Exclusion from participation in public relations activities such as CPRC, media interviews, or as an invited guest to external events. Participation in community service projects as a part of the Honor Mentorship Program are approved exceptions.

(3) Exclusion from otherwise representing USMA at official functions, conferences, AIAD's, or trip sections both at and away from the Academy.

(4) Removal from positions of responsibility to include but not limited to the Chain of Command (down to and including team leader), Corps or Club Squad Team Captains, and Club CIC or Staff.

504. NOTIFICATION OF RESULTS. The Vice Chair for Liaisons, in coordination with the Vice Chair for Investigations, will ensure that all persons involved in the investigation, to include the members of the IT, RHR, witnesses and found cadet's Company Honor Representative, receive notice of the results of the HIH or CAB. In academic investigations, the Cadet Honor Committee Liaison representatives will contact the academic department involved and advise the department and others concerned of the results of the investigation. The SAH will inform the Commandant, BTD, USCC S-1, LDB, R&D, Registrar, and the applicable academic departments.

505. THE REVIEW PROCESS (Goal: 16 Duty Days). The USMA review process begins with a found decision by an HIH or at the conclusion of a CAB and ends when the SJA forwards the case to the Superintendent for action after a final legal review. Several actions occur simultaneously to speed processing.

a. SAH Recommendation. While the Court Recorder transcribes the record of the proceedings, the SAH reviews the honor case file and makes a written recommendation through the Commandant to the Superintendent. The SAH makes a recommendation on whether or not the Superintendent should uphold the findings of the HIH and on the final disposition of the found cadet. The SAH will provide copies of the recommendation, the honor case file, and the individual Superintendent's Hearing Member Worksheets (Appendices 2-2-1 to 2-2-6) to the BTD Chain of Command up to and including the Brigade Tactical Officer for simultaneous review. The SAH also schedules the found cadet for an appointment with the Commandant within three days after the HIH/CAB, and notifies the cadet and the cadet's Chain of Command of the appointment.

b. Chain of Command Review. The Company Tactical Officer, RTO and BTO review the case file simultaneously and forward their recommendation on the final disposition of the case to the Commandant using the Chain of Command Recommendation Worksheet (See Appendix 2-3-1) NLT 24 hours prior to the Respondent's appointment with the Commandant.

c. Process the Record of Proceedings (Goal: 7 Duty Days). In any investigation resulting in a finding of one or more violations of the Cadet Honor Code, the Trial Counsel is responsible for preparing a summarized transcript of the proceedings. The HA, or in his/her absence, the Court Recorder or BP, will authenticate the accuracy of the summarized transcript and certify the findings and recommendations. The HA will then forward the transcript to the Trial Counsel. The Trial Counsel may as part of this initial legal review, make recommendations regarding appropriate disposition of the matter. The Trial Counsel will forward a copy of the entire case file, to include the Summarized Transcript, the Trial Counsel's Review, the Board Exhibits, the Appellate Exhibits, the Respondent's Exhibits, and the Superintendent's Hearing Member Worksheets to the SAH NLT seven duty days following receipt of the case file. The Trial Counsel's review will determine:

- (1) Compliance with legal requirements.
- (2) The effect of any error (including whether any error had a material adverse effect on any individual's substantial rights).
- (3) Whether the findings of the investigation are supported by sufficient evidence and by a greater weight of evidence than supports a contrary conclusion.

d. SAH Review (Goal: 1 Duty Day). Once the Trial Counsel completes the transcription and legal review, the SAH reviews the case file and includes his/her recommendation and the Honor Chair's recommendation. The SAH has one duty day (the 8th duty day following the HHH/CAB) to complete this review prior to submitting the case file to the Commandant's office.

e. Department Head Recommendation. If the violation occurred in an academic endeavor, in accordance with DPOM 02-04, the department head of the involved department may write a recommendation to the Superintendent on the final disposition of the cadet. This recommendation must be submitted to the SAH for processing not later than the Commandant's interview.

f. Commandant's Interview and Recommendation (Goal: 3 Duty Days). Normally the found cadet will then meet with the Commandant. Members of the cadet Chain of Command, Honor Chair, Regimental Honor Representative, Special Assistant for Honor, Company and Regimental Tactical Officers, and, if applicable, the Team Coach/Officer Representative will attend the interview. Following the interview, the Commandant makes a written recommendation to the Superintendent on the final disposition of the cadet. Three duty days are allowed for the completion of this interview and recommendation.

g. Cadet Response and Rebuttal (Goal: 3 Duty Days). Upon receiving the Commandant's recommendation, the SJA provides the summarized transcript, all recommendations, the Trial Counsel's review, and any matter to be considered by the Superintendent to the found cadet for consideration, and opportunity for rebuttal. The Respondent signs a written acknowledgment of receipt and has three duty days to submit a rebuttal. The Respondent may waive their right to submit additional matters to the Superintendent in writing to the SJA.

h. SJA Review (Goal: 2 Duty Days). The SJA will address any allegations raised by the Respondent or his/her counsel NLT two duty days following receipt of the found cadet's rebuttal. The SJA then prepares the record for action. If the Superintendent decides to meet with the cadet, the SJA makes an appointment for the cadet, Tactical Officer and Honor Chairman or Regimental Honor Representative to meet with the Superintendent. Normally, a member of the cadet Chain of Command will also attend the interview with the Superintendent.

506. ACTIONS BY THE SUPERINTENDENT. The Superintendent carefully considers a found decision by an HIH. The Superintendent will review the entire record, including the Staff Judge Advocate's review and any matters offered by the Commandant and the Respondent, come to his own conclusions, and then take action on the matter.

a. Not Found in Violation of the Cadet Honor Code. The Superintendent is bound by an HIH finding of "not found."

b. Found in Violation of the Cadet Honor Code. The Superintendent is not bound by the HIH finding of a violation or by the HIHs recommendations. In order to find that the cadet violated the Cadet Honor Code, a greater weight of evidence must exist than supports a contrary conclusion. The Superintendent may approve only such findings as are supported by sufficient evidence. If not supported, the Superintendent will "set aside" the findings. He may then close the case or direct further investigation.

c. Harmless Errors. If the Superintendent notes a harmless defect in the proceeding, he may take action notwithstanding the defect.

d. Minor Errors Requiring Correction. The Superintendent or Commandant may return the case to the same HIH for corrective action if there has been a minor procedural error or omission that may be corrected without prejudice to the Respondent's substantial rights.

e. Substantial Errors. In case of a jurisdictional error (e.g. failure to meet essential requirements with regard to appointment or composition) or of an error which has a materially adverse effect on an individual's substantial rights, the Superintendent may not use the affected part of that investigation as the basis for adverse action against the person whose substantial rights were prejudiced. If the error can be corrected without prejudice to the Respondent, the Superintendent may do so, if necessary, by returning the matter to the same investigative body for corrective action. In the event an error cannot be corrected, the Superintendent may set aside the findings and recommendations and instruct the Commandant to convene a new HIH composed of new voting members. The new HIH receives any evidence properly considered at the previous hearing. The new HIH may also consider additional evidence.

f. New Evidence. Following an HIH that resulted in a finding of a violation, the Commandant may convene a new HIH when presented with new evidence of an exculpatory nature. The new evidence must be likely to produce a result more favorable to the found cadet and have been discovered after the original hearing but before the sanction is fully executed. If the Department of the Army already separated the cadet, the Chair of the Cadet Honor Committee will present the facts and appropriate recommendations to the Commandant. In

investigations resulting in a finding that does not sustain the allegation, the Cadet Honor Committee may not initiate new honor proceedings with respect to the same alleged violation of the Cadet Honor Code.

g. Disposition. If the Superintendent approves the HIH findings, he has two basic options in determining the final disposition of the cadet. He may separate the cadet or he may exercise discretion. All separations are subject to review by the Secretary of the Army. The Superintendent will sign an action document detailing his decision and will normally notify the cadet in writing of his decision. The Superintendent may also inform the Honor Chair of the rationale for the decision.

(1) Factors Considered When Determining Disposition. Normally, the Superintendent will consider the following factors when making a decision on the disposition of a cadet found in violation of the Cadet Honor Code. Duress at the time of the violation; time under the Cadet Honor Code: resolve to live honorably in the future; the manner in which the case was reported; and the overall performance and conduct history of the cadet. These factors aid in assessing the cadets potential to serve as a commissioned officer and leader of character.

(2) Sources of Information for Determining Disposition. The Superintendent may use a variety of sources of information in making this assessment. Sources may include, but are not limited to, statements made by the cadet, character witnesses, cadet and tactical officer chains of command, members of the Honor Committee, members of the HIH or CAB, and the SAH.

(3) Separation. The Superintendent may recommend separation with or without a formal invitation to reapply to West Point at some point in the future. In cases where the Superintendent deems appropriate, he may elect to invite the cadet to reapply pending a successful period of enlistment and successful completion of an Academy Mentorship Program in the U.S. Army. If he determines that the cadet should be separated he will forward his decision to the Secretary of the Army for final action. Only the Secretary of the Army may reinstate a cadet once separated from the Military Academy.

(4) Discretion. If the Superintendent does not recommend separation to the Secretary of the Army, the Superintendent may exercise discretion by retaining the cadet in the United States Corps of Cadets. Discretion entails any developmental alternative to separating the cadet. The Superintendent may direct such sanctions or developmental alternatives, as he deems appropriate. When the Superintendent exercises discretion he directs that the cadet enroll in an Honor Mentorship Program administrated by the Cadet Honor Committee and places the cadet in a state of suspended separation until graduation. Terms of the suspension will be included in the action document. The Superintendent will normally vacate the suspension when and if the cadet is found by a second HIH for a second breach of the Honor Code, receives 35 demerits or more for a major violation of the USCC SOP, or fails to successfully complete the Honor Mentorship Program. In addition to enrollment in an Honor Mentorship Program and suspended separation, the Superintendent may choose to “turn back” the cadet to the next graduating class or delay the cadet’s graduation until December of his/her current graduation year. The Superintendent will normally use these options when the cadet needs more time to develop and mature before commissioning. The developmental methods mentioned above are the most common; however,

the Superintendent is not limited to them and may take any action, which he has the authority to administer.

(5) Cadets found in violation of the Cadet Honor Code, and turned back one or two semesters, are normally placed under the supervision of the Chair of the Cadet Honor Committee during the summer immediately following final disposition of the case by the Superintendent.

507. PROCESSING GUIDELINES.

a. The Secretary of the Army recommended to the Superintendent that the United States Military Academy process all cadet honor investigations within 60 duty days. However, the Academy goal is to process honor cases in 40 duty days commencing with the inception date through the Superintendent's decision.

b. During the periods outlined in this Paragraph, processing days through the date of the hearing, are defined as follows:

(1) Academic Year Period (The first academic day, first semester through the last academic day, second semester): any day, on which regular academic classroom periods are scheduled for the Corps of Cadets, and when the cadet under investigation is present for duty at West Point.

(2) Summer Training Period (From first TEE, second semester, until the first academic day, first semester): No processing days.

c. Given the above definitions, the following days are not considered duty or processing days through the date of the hearing:

(1) All Saturdays and Sundays.

(2) All Federal Holidays.

(3) Term End Examination Periods.

(4) Corps Leave Periods: Thanksgiving Leave, Christmas Leave, Spring Leave, and Summer Leave.

(5) Compressed Class Days – typically the Wednesday prior to Thanksgiving and the Friday prior to the Army-Navy Football Game.

(6) Reorganization Weeks.

(7) Any other day, when the Corps is not present for duty at West Point, such as Project's Day / Reading Day.

(8) Three consecutive days for the National Conference on Ethics in America (NCEA).

(9) Fridays prior to Ring Weekend, 500th Night Weekend, Yearling Winter Weekend, 100th Night Weekend, and Plebe Parent Weekend.

d. The Cadet Honor Committee will not normally conduct investigations or hold honor hearings during periods identified above. However, the Honor Committee may investigate or hold outstanding hearings during these times if the necessary personnel are available and the respondent has been afforded four days of preparation time IAW Paragraph 404, or has waived this right.

e. Following the HIH/CAB, only duty days for USMA military and civilian personnel are counted as processing days, unless the cadet is unavailable and his/her presence is required for case processing (e.g. to submit a rebuttal to the Commandant's recommendation).

f. The appropriate personnel will use the investigative control sheet (see Appendix 1-1) to record the processing days of honor cases.

508. END OF ACADEMIC YEAR PROCESSING GUIDELINES. In order to prevent lengthy delays in processing honor cases during the summer training period and to expedite selected cases prior to graduation, the following special guidelines go into effect at the end of the academic year beginning 4 weeks prior to graduation. These are merely planning guidelines and actual processing will be on a case-by-case basis IAW with the due process protections identified in this pamphlet.

a. **Categories.** The SAH will categorize all active honor cases as follows:

(1) Category 1: Cadets Found in violation of the Cadet Honor Code prior to Graduation Day. These cadets will normally remain at West Point until they meet with the Commandant and ultimately with the Superintendent who determines the final disposition of their case. The Commandant is the approval authority to allow a cadet to continue with previously scheduled summer training and leave.

(2) Category 2: Cases referred to an HIH/CAB by the Commandant prior to Graduation Day. Graduation will be delayed for First-Class Cadets and an HIH/CAB will be scheduled for the week following Graduation Day. Witnesses may also be required to remain at West Point until the completion of the HIH/CAB. If the Respondent waives the time authorized to prepare for the board in writing, the case may be scheduled prior to Graduation Day. Any other Respondent requesting their HIH/CAB occur during the Summer Training Period must make their request in writing to the SAH and the case will be considered, if resources are available during the summer.

(3) Category 3: Cases under investigation, but not referred prior to Graduation Day. Delay graduation of First Class Cadets, continue the investigation, and schedule an HIH/CAB as soon as possible after Graduation Day. All other cadets continue with summer assignments and leave. Resume the investigation upon return to USMA. Every effort will be made by ITs to complete their investigations during the Summer Training Period, if the presence of personnel supports it.

b. General Processing Guidance.

(1) Priority in processing will go to cases where the CUI is a First-Class Cadet. The objective is to conduct an HIH/CAB NLT the last week of classes during second semester.

(2) The SAH will obtain and compare the TEE schedule and summer training assignments of the CUI and witnesses to determine optimal dates for scheduling an HIH or CAB prior to Graduation Day, or during the Summer Training Period if the CUI requests.

(3) Issue a warning order to cadets, the Chain of Command, and Director, DMI that summer training assignments may be modified or canceled for those cadets found in violation of the Cadet Honor Code just prior to Graduation Day or scheduled for an HIH/CAB during the week following Graduation Day.

(4) Schedule all cases of cadets found in violation of the Cadet Honor Code prior to Graduation Day to go before the Superintendent NLT the week following Graduation Day.

CHAPTER 6

HONOR MENTORSHIP PROGRAM

601. BACKGROUND.

a. Purpose. To enable the cadet to identify and remediate shortcomings in personal integrity and ethical decision-making skills that resulted in a violation of the Cadet Honor Code.

b. Overview. The Mentorship Program is a reflective practicum similar to an internship in which a cadet applies acquired knowledge to a work environment under the expert supervision of a mentor. The mentor does not tell the cadet what to do or what to think – our method is reflection, not indoctrination. Accordingly, the mentor helps the cadet examine and modify his/her own actions, thoughts, values, and beliefs. The *mentored cadet* is responsible for making the changes necessary for moral-ethical growth and development.

c. History. In 1989, after a detailed study of USMA’s honor system, the Posvar Committee stated, “There are many ranges of honor violations involving mitigating circumstances, innocent confusion, and inexperience, ambiguity of rules, and genuine desire for rehabilitation.” The Committee suggested offering rehabilitative measures when appropriate. In the early 1990’s this usually meant teaching an honor class or preparing a paper on honor. In 1997, the SAH and the Cadet Honor Committee, with the assistance of the Center for Enhanced Performance, the Behavioral Science and Leadership Department, and the United States Air Force Academy developed a comprehensive mentorship program. The Superintendent mandated enrollment in the program for all cadets found to have violated the Cadet Honor Code and given discretion. In 1999, the Superintendent made successful completion a graduation requirement for those cadets enrolled in the program. In 2008, the Superintendent approved a change to allow “found” cadets to be immediately enrolled in the Honor Mentorship Program after the completion of their HIIH or CAB. This allows for cadets to begin the process of remediation immediately, instead of waiting for their case to be processed through the Commandant and Superintendent’s offices.

d. Philosophy. Cadets are not fully developed morally and ethically upon arrival at West Point on R-day. The process, like the Academy’s Academic, Physical, and Military Programs, is developmental. While the maximum sanction for a violation of the Cadet Honor Code is separation, the Superintendent exercises discretion for most cadets who’s past performance and future potential indicate that they deserves an opportunity to learn and grow from their mistakes. The Honor Mentorship Program is the vehicle that enables cadets to understand how and why their character failure led to a violation of the Cadet Honor Code and assists them to develop the ability to make appropriate ethical decisions in the future. Thus, the program has the following Program Goals:

- (1) **Know** the Army Values and how the Cadet Honor Code relates to those values.
- (2) **Adhere** to behavioral standards congruent with the Army Values and Cadet Honor Code.

- (3) **Believe** in and profess the Army Values as subjective beliefs.
- (4) **Lead** in the development of the Army Values in others.

602. DEVELOPMENTAL OVERVIEW.

a. **Admission.** Step one of any rehabilitative program is to identify and understand the problem. This step is critical for future success in moral-ethical growth and development. The Cadet must address the character flaws that led to a violation of the Cadet Honor Code. Examples of such flaws include: misguided or misplaced loyalty; poor time management; poor decision making; unwillingness to admit failure; inability to take responsibility for own actions; etc.

b. **Reflection.** Throughout this program, mentored cadet should reflect upon his/her individual thought processes during times of moral decision-making. This reflection will allow the cadet to examine how he/she thinks and eventually lead to a discovery of his/her own moral beliefs. The cadet should notice certain patterns of behavior – specifically ethical decision-making habits. Then, with the aid of his/her mentor, the cadet should identify habits that are dysfunctional or incongruent with USMA and Army values.

c. **Rehabilitation.** The root word of rehabilitation is habit. Accordingly, the mentored cadet should strive to re-habit by changing those root behaviors that are incongruent with the values of integrity and honor. To do this the mentored cadet must:

- (1) Recognize and understand dysfunctional habits.
- (2) Be alert and aware when exercising those habits.
- (3) Modify behavior to align with Army and Academy values.

d. **Restoration.** The successful end state should be a mentored cadet's resolute confidence in his/her ability to "choose the harder right" without the assistance and supervision of an experienced mentor and detailed mentorship program.

603. ADMINISTRATION.

a. **General Program Requirements.** Successful completion of this program is mandatory for all cadets found in violation of the Cadet Honor Code and given discretion by the Superintendent. Failure to successfully complete the Honor Mentorship Program results in the Superintendent vacating the suspension and separating the cadet immediately. After the mentored cadet completes the Honor Mentorship Program requirements, the mentor requests that the Superintendent approves the mentored cadet's packet. Only the Superintendent approves successful completion of the Honor Mentorship Program and notification will come through the Chain of Command.

(1) The SAH will approve the selection of all mentors. The mentored cadet may request a specific mentor, or the SAH and VCM can assist the cadet in selecting a mentor. Specific guidelines are outlined in Paragraph 603b regarding mentor selection. The Director, SCPME, will approve exceptions.

(2) The SAH and Vice Chairman for Mentorship (VCM) will attempt to ensure the program continues over the summer. At the completion of the summer training period, the SAH will contact each mentor to verify the number of days their mentored cadet participated in the program. Participation can be done in person or over e-mail and telephone – discretion is left to the mentor.

b. Mentor Selection. The mentored cadet will supply the VCM with two to three names of requested mentors. The VCM and SAH will first see if any of these individuals are disqualified to serve as mentors. If the mentor is fully qualified, then the VCM will coordinate for the HMP inbrief. The only disqualifying factors to becoming a mentor are if the individual is the cadet's current instructor, sponsor, team Officer Representative (OR) or coach, TAC officer/NCO, or Chaplain.

c. Program Inbrief. The Honor Mentorship Program is initiated by a joint meeting with the mentor, TAC Officer / NCO, SAH, VCM, and the mentored cadet. The purpose of this inbrief is to establish the responsibilities of the individuals involved and ensure the standards for successful completion are understood. At the conclusion of this meeting all involved will sign a memorandum that must be included in the portfolio by the VCM at final submission.

d. Counseling Schedule.

(1) **Initial Counseling.** The mentor will conduct initial counseling with the mentored cadet as soon as possible after assigned as a mentor, which takes place after the in-briefing by the VCM.

(2) **Follow-up Counseling.** The mentor will conduct a follow-up counseling two weeks after the initial counseling. The two-week follow-up session will include a review of the cadet's completed character development plan.

(3) **Every Other Week Counseling.** After the initial and two-week follow-up counseling, the mentor will conduct, at a minimum, one counseling session every other week.

(4) **Midterm Counseling.** The VCM will conduct midterm counseling with the mentored cadet. The cadet will schedule the counseling with the VCM into the planning calendar that is submitted in the first two weeks. The VCM will assess the status of the mentored cadet's progress in the program and make necessary recommendations to the mentored cadet, the mentor, the SAH, and the mentored cadet's tactical officer.

(5) **Final Counseling.** The mentor will conduct a final counseling. The final session will include a review of the mentor's evaluation of the cadet's performance in the program. Additionally, the VCM will conduct a final counseling to evaluate the cadet's performance.

e. Confidentiality and Privacy.

(1) Confidentiality. The Superintendent cannot grant complete confidentiality to the mentor. During initial counseling, the mentor should inform the cadet that they must report certain information to appropriate officials. Such information includes indications that the cadet poses a danger to himself or others, criminal act, or additional Cadet Honor Code violations.

(2) Privacy. Despite limitations on confidentiality, the content of the mentorship program is considered private. This means that mentors will not volunteer personal and sensitive information about the cadet to anyone. The mentor needs to develop a trusting, close working relationship with the mentored cadet. This does not preclude the mentor from providing the necessary information through the officer Chain of Command to the Superintendent about the cadet's developmental progress in the program.

f. Portfolio.

(1) Written Counseling. The mentor is not required to write counseling statements. At the discretion of the mentor, any written counseling from the mentor may remain private. The mentor may remove this information from the portfolio before submission to the Chain of Command.

(2) Journal. The entire tactical officer Chain of Command will review the journal. It should not contain overly sensitive or personal information. The mentor may redact portions of the journal before submission. Journal entries do not have a specified length, but to a meaningful reflection should last at least a page.

(3) Other. Chain of Command members may review all other information related to the mentored cadet's progress in the program.

g. Program Duration.

(1) Duration. The duration for this program is six months from the time of receiving mentorship appointment orders. Successful remediation is an objective evaluation and is not based solely on completion of requirements. If a cadet is clearly not remediating, the program may be terminated early at the request of the mentor.

(2) Program Extension. The SAH may approve a one-month extension at the request of the mentor. Extensions beyond one month require the approval by the Director, SCPME. Extension beyond three months requires approval of the Commandant.

(3) Summer Training. The summer training period will count towards the six-month program duration upon permission of the mentor, approval of the SAH, and under the following circumstances:

(a) The mentored cadet continues to make quality progress in the program (i.e., continues writing twice-weekly journal entries).

(b) The mentor and the mentored cadet maintain regular contact. The mentored cadet provides full updates either in person or over the phone at least once every two weeks.

(4) Periods of inactivity. Periods in which the cadet and mentor are unable to meet or converse due to leave, medical problems, summer training, or other circumstances that limit opportunities for the cadet to work on the program and meet or converse with the mentor. The mentor will determine which how many days of inactivity occurred, especially over the summer training period, and inform the SAH and VCM to determine a new projected end-date.

h. Program Completion. At the end of six months, the mentor will request through the VCM that the Superintendent approve completion of the program. The mentor will prepare a summary sheet (Appendix 3) and submit it along with the mentored cadet's portfolio to the VCM for review.

i. Program Outbrief. Upon approval by the Superintendent, the SAH and/or VCM will conduct an informal outbrief with the mentored cadet in order to address any issues that may have arisen during the review process.

j. Coordination and Resources. In general, cadets are responsible for coordinating their own program activities and resources. However, the SAH, SAH NCO, and VCM will provide limited support upon request.

604. DUTIES AND RESPONSIBILITIES.

a. Mentored Cadet. See Paragraph 605 for specific Program Requirements.

b. Mentor.

(1) Counseling. Counsel the cadet on an every other week basis, minimum.

(2) Evaluation. Evaluate projects submitted by the cadet.

(3) Updates. Provide interim updates via telephone or email to the VCM, SAH, and TAC.

(4) Final Report. Prepare a summary sheet requesting the Superintendent approve successful completion of the mentorship program (example in Appendix 3). Complete the standard developmental evaluation form (example in Appendix 3). Submit both of these documents to the mentored cadet for inclusion in his portfolio.

c. Vice Chair for Mentorship. Under the guidance of the Honor Committee Chairman and the supervision of the Executive Officer, the Vice-Chair for Mentorship supervises the progress of cadets enrolled in the Honor Mentorship Program. Specific duties include:

(1) Communications. Establish a working relationship with each mentor and serve as the mentor's point of contact with the Cadet Honor Committee. Upon request, the VCM can provide the mentor with a copy of the mentored cadet's honor case file. Update the Company Tactical Officer (and/or OIC if applicable) on the cadets progress. Brief the Director, SCPME monthly on the status of each cadet in the program.

(2) Goal Assistance. Assist the mentored cadet in attaining program goals in accordance with the mentorship requirements.

(3) Validation Assistance. Assist the mentor in ensuring that the mentored cadet validates the Mentor Program process (to include admission, reflection, and rehabilitation).

(4) Mid-Term Counseling. Conduct a mid-term counseling session with the mentored cadet to ensure that the cadet is making satisfactory progress in the program. Report any recommendations to the mentor, SAH and TAC.

(5) Feedback. Provide feedback for the mentor from the Chain of Command and honor representatives monitoring of the mentored cadet's behavior with respect to honor and daily living.

(6) Tracking. Track each mentored cadet's progress through the Mentorship Program and provide a written update to the SAH monthly.

(7) Portfolio Guidance and Assistance. Provide guidance and assistance in the preparation of the mentored cadet's portfolio.

(8) Continuity. Maintain a continuity file in order to facilitate the education of the succeeding VCM.

(9) Final Counseling. Conduct a final counseling session with the mentored cadet to ensure that the cadet made satisfactory progress in the program.

(10) Recommendation. Prepare a memorandum for submission through the SAH, the Director, SCPME, and Commandant to the Superintendent recommending approval or disapproval of the mentored cadet's packet. This recommendation is based off the portfolio, counseling sessions and actions observed of the mentored cadet.

(11) XY Cases. Publish XY Cases for USCC to be read at the company level by the honor representatives.

(12) Other. Perform other duties as determined by the SAH, XO, or Chair.

d. Special Assistant to the Commandant for Honor Matters (SAH).

(1) Mentor Assignment. Ensure that each cadet found to have violated the Cadet Honor Code has been assigned a mentor.

(2) Periodic Progress Review. Maintain an updated mentorship roster and brief the Commandant weekly on the program during the SJA Update.

(3) Communications. Along with the VCM, serve as a point of contact for all matters related to the mentorship program.

(4) Portfolio Processing. Review the mentored cadet's portfolio before its submission to the Director, SCPME.

(5) File. Maintain a copy of the mentored cadet's portfolio with the rest of the files from his/her honor case.

e. Chain of Command.

(1) Supervision. Company Tactical Officers should conduct periodic status checks on their cadets in the mentorship program through the Mentor and SAH.

(2) Feedback. When appropriate, the cadet and officer Chain of Command should provide feedback to the mentor concerning any issues or challenges facing the mentored cadet. Forward any feedback through the Company Honor Representative and VCM to the mentor.

(3) Portfolio Processing. The tactical officer will submit a recommendation for inclusion in the portfolio. The recommendation for successful or unsuccessful completion of the Honor Mentorship Program will be based on the cadet's honorable performance as demonstrated over the duration of the program in his cadet life.

605. PROGRAM REQUIREMENTS.

a. Character Development Plan. The mentored cadet must design his own character development plan. This entails two functions: a character self-assessment and a planning calendar.

(1) Character Self-assessment. The mentored cadet will assess their adherence to, belief in, and ability to lead others in relation to the seven Army Values. A suggested method for accomplishing this task is to have the mentored cadet fill out USMA Form 2-543R (Cadet Performance Report). A Cadet Performance Report on its own, though, is not sufficient. The mentored cadet should use an additional piece of paper to further address the seven Army Values and focus on those areas that need improvement.

(2) Planning Calendar. The calendar serves as both a plan and a history of the program. The cadet should put all planning and execution dates onto the calendar. The recommended format is one-month sheets, but the design is up to the cadet. Examples of information that should be on the calendar are: outline submission for the honor lesson plan, submission date for

the XY paper, milestone dates for the developmental project, mentor counseling dates, planned journal entry dates, etc. The calendar will serve as a reminder to accomplish the myriad tasks required during the course of the mentorship program.

(3) The mentored cadet will bring the self-assessment and the planning calendar to the two-week follow-up counseling session. Completing this early allows the mentor to tailor the program to fit the cadet's developmental needs.

b. Mentor Counseling. The main purpose of counseling is to reinforce the reflective process. Counseling is intended to assist the cadet in realizing and internalizing – *on his/her own* – the appropriate ethical standards of conduct for leaders of character. Counseling should also help the cadet address those values/beliefs that are dysfunctional and assist in enabling a change in behavioral habits which have reinforced those dysfunctional values/beliefs.

(1) Format. The mentor may choose the format of the counseling. Written counseling will provide greater benefit to the cadet, and the cadet can refer to the mentor's comments as needed but mentors are free to counsel orally. Written counseling may remain private at the discretion of the mentor.

(2) Initial Counseling. At a minimum, the first counseling should include a clear description of the cadet's requirements to successfully complete the mentorship program. A suggested outline for this counseling is included at Appendix 1.

(3) Two Week Follow-up. The mentored cadet should see their mentor two weeks after the initial counseling for the purpose of clarification and review. The mentor will answer specific questions the cadet may have about the program (the SAH and VCM can assist with this as requested). At the two-week follow-up, the mentored cadet will bring: a completed character self-assessment, the planning calendar, the first four journal entries, and a completed XY case.

(4) Interim Counseling. After the two-week follow-up counseling, the mentor will counsel the cadet, at a minimum, once every two weeks. The purpose of these counseling sessions is for the mentor to review the mentored cadet's progress on the requirements in this chapter and to discuss issues and concerns relating to moral-ethical development. Mentors should remember that an open, non-judgmental environment is important to establishing a good counselor-"client" relationship. However, mentors should not hesitate to challenge or confront the cadet; in fact, this will probably be necessary to initiate real growth. The VCM will also conduct informal counseling to monitor the rehabilitation and portfolio progression.

(5) Mid-Term Counseling. The VCM will conduct a mid-term counseling session with the mentored cadet to ensure that the cadet is making satisfactory progress in the program. The mentored cadet will show the VCM the portfolio to date. The VCM will report any recommendations to the mentor, SAH, and TAC.

(6) Final Counseling. At the end of the mentorship program, the mentor will prepare a summary sheet for the mentored cadet's portfolio (example in Appendix 2). The summary sheet should be routed through the SAH, company TAC, RTO, and CMDT with the SUPT as the

decision office. The mentor will also evaluate the cadet using the form found in Appendix 3. During the final counseling session, the mentor will review both the summary sheet and evaluation form with the mentored cadet. The cadet should provide the mentor with the completed portfolio before the final counseling session.

c. Journals. The purpose of the journal is to reinforce the reflective and rehabilitative processes. The journal allows the mentored cadet to document actions and reflect upon the associated thought processes behind those actions. The journal will also provide a good opportunity to discover personal habits that relate to moral decision-making. The journal is not a diary, but directed reflection on topics/issues by the mentor.

(1) Format. There is no set format or length for journal entries; however, a page typed is the recommended length. They will be legible and maintained in the portfolio.

(2) Frequency. The mentored cadet will make journal entries at least twice a week. They will pre-plan their entry days on the planning calendar, continue journal entries over the holidays, and while away from West Point. If a mentored cadet falls behind, he/she may journal three times per week but no more than three per week is authorized. In addition, a mentored cadet is not authorized to finish the program early by submitting extra journal entries to reach 48 entries.

(3) Content. The mentored cadet should write down brief descriptions of events that stimulated or challenged the sense of morality. The mentored cadet should record what confronted him/her, what action(s) taken, *and what the cadet was thinking at the time*. The issues do not need to be tremendously significant. A small argument with a roommate can provide many opportunities for reflection upon one's values and leadership dimensions. As time progresses, the mentored cadet should record efforts to alter his/her behavior to break "bad" habits. This will serve to heighten awareness during normal experiences and increase the likelihood that the cadet will try to modify behavior in the future. The goal is to REFLECT upon events that involve the mentored cadet's moral bearings. This should not just be a description of the mentored cadet's daily events.

(4) Review. The mentored cadet should review the journal, and provide a copy for the mentor, before seeing the mentor. During the review, the mentored cadet should examine the thought processes and search for behavioral aspects and beliefs that should change. The cadet and mentor should also look for repeated behaviors, habits that are both positive and negative. This advance preparation will enhance the effectiveness of each counseling session.

d. XY Case. The purpose of the XY case is to reinforce the admission process by allowing mentorees to confront their honor violation and to identify and examine the actions that led up to the violation. The XY case, in conjunction with the journal, will also help the cadet identify positive and negative habits and will provide another opportunity for reflection.

(1) Format. The XY case should follow the Cadet Honor Committee's standard XY case format (example in Appendix 4). The case will be written in the first person. The cadet will not

use his/her own name, but use “Y” and “Z” for the names of the individuals mentioned in the paper.

(2) Submission date. The XY case is due to the mentor at the two-week follow-up counseling session. The mentor may set revision dates as needed.

(3) Content. The XY case should clearly explain to someone who is completely unfamiliar with the case *what* happened, *when* it happened, *where* it happened, *how* it happened, and *why* it happened.

(4) Optional submission. The mentored cadet may elect to provide a copy of the XY case to the Cadet Honor Committee for educational use. Beyond the educational benefits of an XY case, the fact that the mentored cadet authors it will help reduce rumors about the case and will reinforce the process of admission and reflection for the cadet.

e. Honor Instruction. The purpose of presenting Honor Instruction is to reinforce the rehabilitative process by providing the cadet with an opportunity to apply the knowledge learned about the cadet’s own value system and the Army Values.

(1) Format. The cadet may teach/facilitate an entire lesson or part of a lesson, depending primarily on the needs of the company as identified by the Professional Military Ethic (PME²). The cadet should also be directly involved in the planning of the lesson. Finally, the cadet will record thoughts about the honor instruction in the journal.

(2) Project date. The mentored cadet will select the date based on PME² needs and on the mentor’s estimate of how much time the cadet will need in the program before being ready to conduct the class.

(3) Coordination. The cadet is responsible for all coordination. The PME² is responsible for the company’s values educational needs. Accordingly, the cadet will work within the parameters set by the PME² (timeframe, degree of participation, lesson selection, and preparation). As with any cadet instructor, the cadet in the mentor program will conduct all planning and rehearsals with designated PME² members. The cadet may also rehearse with the mentor.

(4) Validation. The cadet will meet with the VCM before conducting the class to ensure proper instruction as well as addressing any questions the cadet may have about conducting the class.

(5) Evaluation. The cadet will inform the Tactical Officer that the Tactical Officer (or another PME² member) should provide the cadet with a Feedback Form (Appendix 5). The mentored cadet will include this Feedback Form as part of his portfolio and will show the form to their mentor at the next counseling. The mentor should have attended the instruction period. Additionally, the mentored cadet must complete a brief outline and AAR approximately 2-3 pages in length (this is only a guideline) addressing the learning points and success of the honor class.

f. Developmental Project. The purpose of the developmental project is to reinforce the rehabilitative process. All three phases – planning, execution, and review –will serve this purpose. This project should also help the cadet understand how the Cadet Honor Code relates to personal and professional values.

(1) Format. If the project is written, it should conform to an approved academic department format, one prescribed by the mentor. A written project should be approximately five pages in length (this is only a guideline). Any group participation projects should include an AAR write-up approximately three pages in length on the success/failure of the project's goals.

(2) Project date. Project selection should occur as soon as possible after enrollment in the program, and project planning should begin immediately after the project selection. The project execution date can be at any time, but there should be sufficient time after the project for review.

(3) Content. Subject to mentor approval, the cadet may select one of a variety of projects. The project should relate to the honor case and to the identified moral and ethical shortcomings, and serve a rehabilitative purpose. Some possible projects are; coordinate/plan/execute a unit community service project, write a literary review, conduct research (current or historical), or coordinate/plan/execute a religious project. Generally, a cadet is not authorized to do research into specific honor cases (the SAH may grant some exceptions depending upon age of the case and privacy act considerations; the SAH can answer specific inquiries in this area).

(4) Phases.

(a) Phase I - Project Planning. Inherent in this task is project selection and approval. The cadet should develop an outline to plan, execute and review the project, and put project milestones/tasks on the planning calendar.

(b) Phase II - Project Execution. Depending upon the project, the cadet may require supervision. The mentor, if unable to supervise the execution of the project, should assist the mentored cadet in coordinating for proper supervision.

(c) Phase III - Project Review. The cadet must provide a means for the mentor to evaluate the project. The evaluation may be informal. The cadet will complete the main component of the project review. The mentored cadet should reflect on the experience for lessons learned about personal values, habits and leadership dimensions, and record this reflection in his journal. The cadet should discuss the review with the mentor during counseling, and include a written review of the project in the final summary paper.

(5) Coordination. The cadet is responsible for all coordination; the SAH and Cadet Honor Committee are available to assist as requested.

(6) Evaluation. As stated above, the mentor does not need to do a written evaluation specifically on the developmental project. However, the mentor should include a qualitative evaluation in the final report to the Superintendent.

g. Military Role Model Emulation. The purpose of role model emulation is to reinforce the rehabilitative process by providing the cadet with a tangible example of an individual who exemplifies the values of USMA and the Army in his life. Role model emulation will also assist in the admission and reflection processes.

(1) Date. The mentored cadet should select a role model within the first month of the mentor program. In practice, the cadet should emulate the role model throughout the mentor program and, in theory, should continue this beyond the termination of the formal program.

(2) Phases.

(a) Phase I - Role Model Selection. The mentored cadet should select a person who, in their opinion, exemplifies the values of USMA and the Army. The selection cannot be the mentor, as this will negatively affect the “counselor-client” relationship. The role model will be an officer or senior NCO stationed at West Point. The cadet should articulate the reasons behind their role model selection to the mentor.

(b) Phase II - Informing the Role Model. After informing the mentor of who the role model will be, the cadet should request permission from the role model selected and should inform that person of the role models relationship to the mentor program.

(c) Phase III - Role Model Interview. The cadet should interview the role model with the goal of discovering *what* that person believes, *how* that person puts their beliefs into action, and *why* that person holds those beliefs. This is primarily an analysis of the role model’s morals and leadership, not military accomplishments.

(d) Phase IV – Reflection. The cadet should review the interview notes and compare him/herself to what was learned about the role model (values, actions, motivations). The mentored cadet should then refine personal value assessment and identify specific actions that can be taken to modify his/her own behavior based on the role model interview. The cadet should share these insights with the mentor. The write-up analysis should be approximately three pages in length (this is only a guideline). Again, the focus on the write-up should be a reflection, not an explanation. A copy of the questions and answers from the interview is neither necessary nor sufficient for role-model emulation.

(e) Phase V - Emulation. The cadet should apply the behavioral insights gained from the role model to daily life and record that application in the journal. It may seem awkward and artificial at first, but repetitive, conscious emulation of the behaviors of the military role model will form new habits over time; thus, those “new” behaviors will soon become natural. It is extremely important that the cadet record efforts to emulate the role model in the journal. This will ensure that the cadet reflects upon his/her actions, sustains a concerted effort, and recognizes progress over time.

(3) Coordination. The cadet is responsible for coordinating all related tasks.

(4) Evaluation. This process is probably beyond the ability for anyone other than the mentored cadet to evaluate. However, the mentor may opt to evaluate, or at least describe, the cadet's role model emulation in the summary sheet.

h. Summary Reflective Essay. The purpose of the summary reflective essay is to provide the mentored cadet with a final opportunity to reflect upon the developmental experience under the supervision of a mentor. It also provides the mentor with a template for the summary sheet and provides valuable information to the Chain of Command about the cadet's experience in the mentorship program.

(1) Format. The cadet will use the format prescribed in Documentation for Written Work, Office of the Dean, and The Little, Brown Handbook. The essay should be approximately 10 pages in length (this is only a guideline).

(2) Submission date. The mentored cadet should submit the final copy to the mentor NLT one week before termination of the mentor program. The cadet will determine draft submission dates and the mentor will approve them.

(3) Content. The essay should summarize the entire Mentorship Program experience. The essay should not be a diary of what the mentored cadet did, but an explanation of what was learned and how the cadet changed.

(4) Coordination. The cadet is responsible for coordinating all requirements.

i. Portfolio. The purpose of the portfolio is to provide an organizing framework that can accurately represent the scope, nature, and quality of a particular mentorship program.

(1) Format. The portfolio is a binder (brown bomber type) containing, in order, the following:

- | | |
|-----------------------------------|-------|
| (a) Mentor's Final Report | |
| (b) Mentor's Evaluation | |
| (c) Tactical Officer's Evaluation | |
| (d) Table of Contents | |
| (e) Summary Essay | TAB A |
| (f) XY Case | TAB B |
| (g) Character Self Assessment | TAB C |

(b) Date. Since the presentation can have a potentially significant effect upon the cadet's admission process, the presentation should occur as early as possible. The overriding consideration will be when the audience is available.

(c) Content. The presentation should clearly explain to someone who is completely unfamiliar with the case *what* happened, *when* it happened, *where* it happened, *how* it happened, and *why* it happened. If the presentation is done orally, the cadet should decide in advance if he/she would answer questions about the case.

(d) Coordination. The cadet will make the coordination necessary for the presentation.

(e) Evaluation. The mentor should attend the presentation. If the mentor cannot attend, the cadet will get a staff or faculty member to provide feedback to the mentor on the presentation. The cadet should also record thoughts about the presentation in the journal.

(4) Other. The mentor is not constrained solely to the requirements of this program. The mentor may assign any other appropriate developmental project designed to help the mentored cadet complete the goals of this program. The mentor may want to coordinate such a project or assignment with the SAH.

606. ABBREVIATED HONOR MENTORSHIP PROGRAM (AHMP). In rare cases, the Superintendent may enroll a found cadet in 3-month AHMP, instead of the standard 6-month HMP. One example may be a cadet that "self-reports" his/her honor violation (see Paragraph 203a(1)). Under these circumstances the Superintendent may choose to enroll the cadet in a 3-month AHMP. A cadet who is enrolled in the standard Honor Mentorship Program cannot request enrollment in AHMP.

a. AHMP Requirements. The same requirements as the Honor Mentorship Program, with the following exceptions:

(1) Developmental Project is optional.

(2) Number of journal entries required is reduced from 48 to a total of 24.

b. Midterm Counseling. The VCM will still conduct a review of the packet and counsel the mentored cadet 45 days into the program, with it noted in the planning calendar.

c. Approval. The approval process for the abbreviated Honor Mentorship Program remains the same as the approval process for the Honor Mentorship Program.

607. SPECIAL LEADER DEVELOPMENT PROGRAM (SLDP). This program is a tool used by Brigade Tactical Department to developing areas of leadership performance needing improvement in select cadets, with the ultimate goal as cadet's "development as a future commissioned leader of character." The program is anywhere from 12 to 16 weeks in length. (USCC SOP Card 1324 and Card 1325).

a. SLDP Enrollment. A Company Tactical Officer may enroll a cadet in SLDP if they are failing to live honorably, however an official violation of the Cadet Honor Code has not occurred (reference the "Three Rules of Thumb" in Paragraph 106).

b. VCI Recommendation. Upon dropping an honor case, the Vice Chair for Investigations may recommend to Commandant (thru the Honor Captain and Special Assistant for Honor) that a particular cadet be enrolled in SLDP. This should only be done sparingly and if it is clear that the cadet has demonstrated questionable character when applying the “Three Rules of Thumb.”

CHAPTER 7

HONOR EDUCATION

701. GENERAL. Honor education is a critical aspect of the Honor System. The Cadet Honor Code is oriented toward developing leaders of character, a process fostered by the education program. The Honor Education Program is a continuous, progressive four-year program. During the academic year, Professional Military Ethics Education meetings (the company honor and respect representatives and company commander, assisted by the tactical officer and other members of the staff and faculty), under the direction of the Education Officer and the Vice Chair for Education and Regimental Educations Representatives, administer formal instruction designed to contribute to developing the moral-ethical character of each cadet in the company.

702. INITIAL FOCUS. Initially, the program focuses on providing cadets with an understanding of the Cadet Honor Code and System so that they may develop within the West Point environment. Members of the Cadet Honor Committee and the cadre teach the New Cadets about the Cadet Honor Code's four tenets and specific implications in daily cadet life, as well as the positive ideals that constitute the Spirit of the Code. The program introduces the Honor System that supports the Cadet Honor Code and the procedures that address suspected honor violations. A thorough understanding of the West Point honor program provides the foundation for understanding of and appreciation for the professional Army Service Ethic, the Professional Military Ethic, and the Spirit of the Code.

703. BROADER CONTEXT. Once cadets understand and recognize that the Cadet Honor Code is the minimum standard of cadet ethical behavior, the honor education program shifts its focus to the broader context of the military profession. This process seeks to inspire in cadets a greater awareness and appreciation for the broader set of values and personal beliefs that will guide their future actions as cadets and as commissioned leaders of character for the nation. Instruction exposes cadets to the expectations and obligations of Army leaders and the moral-ethical dilemmas they may encounter in military service. The program instills in cadets the necessary understanding of principled/values based leadership enabling them to successfully apply moral reasoning to “do the right thing even when no one is looking.” This program encourages each cadet to embrace the Spirit of the Cadet Honor Code and values inherent in the Professional Military Ethic. It is imperative that each cadet truly believes in the values of the Spirit of the Code in light of the challenges he/she is certain to face as an officer in the US Army.

704. EDUCATION GUIDES. The Values Education Guides are published separately to facilitate change and flexibility within the Honor System. The academic year Values Education Guide, Honor Reading Packet, Hip-Pocket Values Guide, as well as the Cadet Basic Training and Cadet Field Training Guides are updated annually to ensure that education is reflective of the dynamic elements of the Honor System. Cadets may view copies of the education guides by connecting to the internal Honor Home Page (<https://www-internal.uscc.usma.edu/SCPME/SCPME/Honor/NEW%20HOME.htm>) or by contacting their Company Honor Representatives.

705. HONOR CERTIFICATION (HCERT) PROGRAM.

a. Overview. HCERT focuses on educating Cadet Honor Representatives and members of the Honor Staff about the Cadet Honor Code and the Honor procedures for Honor cases and Cadet Honor Boards.

b. Training. HCERT training will be conducted by the Vice Chair of Education Elect (VCE) or the Vice Chair of Education. This program consists of eight lessons. HCERT classes will be held every Monday at 1930 unless told otherwise. The class will last no more than an hour. Regimental Honor Representatives (RHRs) will be present at each meeting to support the VCE and become familiar with Honor Representatives in their respective Regiments.

CHAPTER 8

INTERNAL COMMITTEE PROCEDURES

801. OVERVIEW. The Cadet Honor Committee is the organization charged with maintaining and enforcing the standards of the Cadet Honor Code through education, investigations, and mentorship; with providing liaisons between the Corps of Cadets and USMA staff, faculty and leadership; and with administrating the procedures outlined in this document. While all cadets are ultimately stewards of the Cadet Honor Code, members of the Cadet Honor Committee bear special responsibility for its maintenance.

802. LINE OF AUTHORITY. The line of authority within the Honor Committee serves as an administrative Chain of Command. The purpose of this relationship is to allow smooth functioning and operation of the Committee.

a. Within the Cadet Honor Committee:

- (1) Honor Chair
- (2) Executive Officer (XO)
- (3) Vice Chair for Investigations (VCI)
- (4) Secretary (SEC)
- (5) Vice Chair for Education (VCE)
- (6) Vice Chair for Liaisons (VCL)
- (7) Vice Chair for Mentorship (VCM)
- (8) Vice Chair for Public Affairs (VCPA)
- (9) Deputy VCI
- (10) Deputy Secretary
- (11) In order: 1st RHR, 2nd RHR, 3rd RHR, and 4th RHR
- (12) 1° CHRs beginning with Company A-1 and proceeding alphabetically by regiment to Company H-4
- (13) 2° CHRs beginning with Company A-1 and proceeding alphabetically by regiment to Company H-4

b. Within Each Regiment:

- (1) RHR
- (2) RER (if an elected honor representative)
- (3) 1° CHRs beginning with Company A and proceeding to Company H
- (4) 2° CHRs beginning with Company A and proceeding to Company H

803. CADET HONOR COMMITTEE MEMBER QUALIFICATIONS. Due to the great responsibility with which Cadet Honor Committee members are charged, potential members must meet certain qualifications in order to be considered fit for service on the committee. Cadets are ineligible to be Company Honor Representatives, and therefore ineligible for selection to other posts within the Cadet Honor Committee, if they:

- a. Have been found to have violated the Cadet Honor Code, and have not successfully completed the Honor Mentorship Program. Cadets who have completed the Honor Mentorship Program can be members of the Cadet Honor Committee but not members of the Executive Staff.
- b. Have been found deficient during a Conduct Investigation.
- c. Have less than a 2.0 APSC, 2.0 MPSC, or 2.0 PPSC.
- d. Are currently unsatisfactory in conduct (two Field Grade Article 10 or are over two-thirds of the six month demerit allowance).
- e. Are undergoing review for possible separation for any reason.
- f. At the time of the election, are deficient in physical, academic, or military education.

804. HONOR EXECUTIVE STAFF MEMBER QUALIFICATIONS. Potential Honor Executive Staff members must meet all requirements outlined above for Honor Committee members, with the following exceptions:

- a. No previous violation of the Cadet Honor Code, regardless of successful completion of the Honor Mentorship Program.
- b. Must have a minimum APSC of 2.33.

805. ELECTIONS.

a. Third Class Cadets. Third class cadets from each cadet company elect their two Honor Representatives in the fall semester, IAW the following procedures:

(1) During a designated PME² Class, Third-Class cadets in each company nominate cadets for the position of Company Honor Representative (CHR) during a company meeting no later than Thanksgiving Leave.

(2) The 1^o and 2^o CHRs review and forward the nominations to RHR and Honor Chairman for review and to the Company Tactical Officer and RTO for approval.

(3) During a designated Commandant's Hour Values Education Class, nominees have the opportunity to address their classmates. Following these remarks, Third-Class cadets elect two Company Honor Representative.

(4) All candidates for CHR must meet the requirements delineated in Paragraph 803 of this chapter.

b. First and Second Class Cadets. If a First or Second-Class Company Honor Representative can no longer serve in that capacity, the company will hold elections for a new representative at the earliest opportunity. As in Paragraph 804a above, cadets nominate and elect replacements for the CHR following review and approval by the Company Tactical Officer.

c. Election of Executive Staff. Near the end of the first semester, the Second-Class members of the Cadet Honor Committee will hold elections to nominate the Executive Staff Officers for the following year. The Committee will first nominate the Chair, the Executive Officer, the five Vice Chairs, the Secretary, and the Deputy Vice Chair positions. At a later date during first semester, the CHRs from each regiment will hold elections to nominate their respective RHRs.

(1) An initial meeting will be held no earlier than two weeks before the election in order to receive nominations for each position. Representatives may nominate themselves or each other for positions on Executive Staff, and there is no limitation to the number of positions for which a representative can be nominated.

(2) The Honor Chair and Executive Officer will share potential nominees for Executive Staff positions with the SAH to ensure they meet all eligibility requirements. Prior to holding elections, the SAH will share nominees with the Brigade Tactical Department to ensure Company Tactical Officers and RTOs approve of the nominees.

(3) After elections have been conducted, the Honor Chair forwards the results of the Executive Staff elections through the SAH to the Commandant for a confirmation hearing. Officers involved in the confirmation process are the SAH, RTOs, BTO, Director of SCPME, and the Commandant. Final approval of all confirmations will be executed by the Superintendent. At a minimum, the Commandant and Superintendent will personally meet with the nominees for Honor Chair, Honor XO, Honor Secretary, and VCI before confirming their positions. RTOs and the BTO will meet with all Regimental Honor Representative nominees prior to their names being forwarded to the Commandant and Superintendent for approval.

(4) Candidates for Executive Staff positions must meet the company level qualifications, as delineated in paragraphs 803 and 804 of this chapter, at the time of the election. Furthermore, the Commandant may review and disapprove Executive Staff nominations. The Commandant will normally review matters to which the Honor Committee members do not have access. These include areas such as the conduct history of the cadet and their general performance as indicated by the various entries on the Cadet Record Brief (both “front” and “backside”). In rare occasions, the Superintendent may approve an exception to policy if a nominee does not meet all qualifications detailed in paragraphs 803 and 804.

d. Assumption of Duties.

(1) Regimental and Company Honor Representatives. The newly elected Second-Class RHRs, Second-Class CHRs, and Third-Class CHRs assume the next level duties 4 weeks prior to graduation. These duties include investigations, education, and service as Board Presidents and department liaisons. The transition allows for the incoming staff and committee members to work under the supervision of the outgoing staff and committee members while provide the rising Second-Class and rising First-Class CHR’s on the job experience. Each semester, one CHR per company will serve as the graded CHR in a military developmental position. The CHRs that are not currently functioning in the MD position may still be called to serve as a Board Member for an HIH or CAB, but will not take part in Honor Investigations unless it is an unresolved investigation from the previous semester.

(2) Executive Staff-elect. The Executive Staff-Elect will work alongside the Executive Staff throughout the second semester. These elected officers will move out of company to be assigned to the brigade honor staff at the beginning of the second semester. Newly elected RHRs will be assigned to their respective Regimental Staff. First-Class officers are responsible for preparing the Second-Class Officers for their new duties. During this period, the Second-Class staff will assist the First-Class staff and learn the detailed mechanics of their respective duty positions. The Executive Staff-elect’s primary responsibility will be to learn the practical application of their roles. They will also prepare the following summer's education program, as well as conduct preliminary work on the following year's Honor Education Program and committee goals and objectives action plan.

(3) Replacements. Each of the companies, from which the Executive Staff officers were elected, will elect replacement Honor Representatives from the Second-Class. This provision ensures that there will be a First-Class honor representative in each company who is free from the administrative and supervisory duties of the Honor Committee Executive Staff.

(4) Exceptions. If a First-Class cadet either is to appear before an HIH or is undergoing an investigation 4 weeks prior to graduation, the respective First-Class Honor Representatives and First-Class Executive Staff will process the case.

806. INDIVIDUAL DUTIES OF HONOR COMMITTEE MEMBERS

a. Chair of the Cadet Honor Committee. The Chair of the Cadet Honor Committee is the senior cadet in the Corps responsible for handling and interpreting honor matters. The Chair is

responsible to the Corps of Cadets, the Cadet Honor Committee, and the Brigade Commander for the administration of the Honor System. The Chair coordinates and supervises all aspects of honor education and investigations and is responsible for the general functioning of the Cadet Honor Committee. Specific duties include:

- (1) Advise the Commandant of Cadets and the Superintendent.
- (2) Set the Cadet Honor Committee's vision.
- (3) Act as the official spokesperson for the Cadet Honor Committee to all external organizations.
- (4) Lead the Committee in interpreting the Cadet Honor Code and in making recommendations to the chain of command related to honor matters.
- (5) Preside at Cadet Honor Committee meetings.
- (6) Resolve matters of discipline within the Honor Committee in accordance with this pamphlet.
- (7) Coordinate with the Brigade Commander to update the leadership of the Corps of Cadets about issues pertaining to the Cadet Honor Code and the Honor System.
- (8) Oversee the election of Company Honor Representatives and the election of the succeeding Executive Staff and Regimental Honor Representatives from within the Cadet Honor Committee.
- (9) Provide for the education, training, and certification of all newly elected Company Honor Representatives and members of the Executive Staff-elect.
- (10) Maintain a continuity file in order to facilitate the education of the rising Chair.
- (11) Perform other duties as determined by the Commandant or SAH.

b. Executive Officer (XO). Under the supervision of the Chair, the Executive Officer regulates and supports the Executive Staff of the Honor Committee in executing their responsibilities. Specific duties include:

- (1) Perform the Chairman's duties and functions in the Chairman's absence.
- (2) Organize and facilitate Cadet Honor Committee and Executive Staff meetings.
- (3) Supervise and support the Executive Staff in the completion of their duties.
- (4) Act as the point of contact for staff duties and ensure that all responsibilities are tasked to the staff in an appropriate and timely manner.

- (5) Ensure “quality control” on all Cadet Honor Committee proceedings and actions.
- (6) Coordinate with the Brigade Executive Officer in order to keep the Executive Staff informed.
- (7) Revise and maintain Cadet Honor Committee Procedures.
- (8) Plan and provide logistical support for trip sections and other designated activities.
- (9) Maintain a continuity file in order to facilitate the education of the rising Executive Officer.
- (10) Coordinate the planning and execution of the *National Conference on Ethics in America* (NCEA), the *Winter Honor Induction Ceremony*, the *Spring Honor Conference*, and the *End-of-Year Honor Awards Ceremony*, and other special events involving the Cadet Honor Committee.
- (11) Perform other duties as determined by the SAH or Chair.

c. Vice Chair for Investigations (VCI). Under the guidance of the Chair and the supervision of the Executive Officer, the Vice Chair for Investigations supervises Cadet Honor Committee investigations of suspected violations of the Cadet Honor Code. Specific duties include:

- (1) Ensure all honor investigations are performed professionally and IAW the guidance contained in Chapter 3 of this pamphlet.
- (2) Act as liaison between Regimental Honor Representatives, the Chair, the SAH, and the Office of the Staff Judge Advocate to ensure a coordinated investigation.
- (3) Maintain control of all sensitive documents pertaining to cases under investigation.
- (4) Provide the Commandant, through the SAH, a memorandum outlining the deciding factors in the recommendation to forward or drop the investigation of Cadet Honor Code violation.
- (5) Convene and preside over Pre-Referral Hearing Panels for all cases forwarded to Honor Investigative Hearings in accordance with the procedures outlined in Paragraph 307 of this pamphlet.
- (6) Maintain statistical data on all honor investigations.
- (7) Supervise the Deputy VCI.

(8) In coordination with the Chairman and the VCE, Supervise the training of Second Class Company Honor Representatives, as well as those First-Class Representatives replacing elected Executive Staff officers, to ensure they are qualified to fulfill their investigative duties.

(9) Maintain a continuity file in order to facilitate the education of the rising VCI.

(10) Perform other duties as determined by the SAH, XO, or Chair.

d. Secretary, Cadet Honor Committee (SEC). Under the guidance of the Chair and the supervision of the Executive Officer, the Secretary of the Honor Committee is responsible for coordinating all Honor Investigative Hearings (HIHs) and Cadet Advisory Boards (CABs). Specific duties include:

(1) Maintain a separate file of all case summaries and case-related communications for the Cadet Honor Committee.

(2) Perform administrative functions in support of HIHs/CABs.

(3) Assist in the preparation of the list of proposed members (random selection) of HIHs for submission to the Commandant.

(4) Notify selected members of HIHs and ensure they understand their duties and responsibilities.

(5) In coordination with the SJA office, determine the location of all HIHs.

(6) Serve respondents with hearing notification papers.

(7) Notify cadet witnesses of HIHs/CABs.

(8) Supervise the Deputy Secretary.

(9) Train Board Presidents (BP) on the standard operating procedures of the Honor Investigative Hearings.

(10) Maintain statistical data on the results of HIHs/CABs.

(11) Maintain a continuity file in order to facilitate the education of the rising Secretary.

(12) Coordination with RHRs, VCL, VCPA, and the VCI in distributing all XY cases to the Corps of Cadets and to the USMA Staff and Faculty.

(13) Perform other duties as determined by the SAH, XO, or Chair.

e. Vice Chair for Education (VCE). Under the guidance of the Chair and the supervision of the Executive Officer, the Vice Chair for Education is responsible for planning and providing

staff supervision of the education of the Corps concerning honor matters. Specifically, the VCE is charged with supervising the preparation of honor instruction during Cadet Basic Training, Cadet Field Training, and the academic year as part of the Commandant's Values Education Program. The VCE must also work with the VCL to educate the USMA faculty, staff, and community concerning honor matters. Specific duties include:

- (1) Assist the SCPME Education Officer (EO) in planning and executing all Honor Education.
- (2) Assist the SCPME EO in evaluating the quality of Honor Education and provide feedback to the Chairman, the XO, and the SAH.
- (3) Assist the SCPME EO in developing lesson plans, syllabi, film clips, movies, and any other instructional materials.
- (4) With the assistance of the Executive Staff, develop and supervise the Honor Certification and Training Program (H-CERT) for new Company Honor Representatives.
- (5) Evaluate the level of cadet understanding of the Cadet Honor Code and System by cadet classes; develop training programs to reinforce weak areas or to correct misunderstandings.
- (6) Coordinate, through the SCPME EO, the invitation of all educational speakers to include those speaking during the CBT/CFT details.
- (7) Coordinate with the Cadet Brigade Command Sergeant Major to ensure effective execution of the Hip-Pocket Honor Guide.
- (8) Maintain a continuity file containing feedback, and recommended changes to the Values Education Guides and provide ideas for change to the SCPME EO and to the rising VCE.
- (9) Review all XY cases for correctness and completeness prior to submitting to the Chairman and the SAH for approval.
- (10) Responsible for collecting and reviewing XY cases from the RHRs for investigations that are dropped, for cadets that are not found in violation of the Cadet Honor Code, or for Cadets that are separated or resign as a result of an honor violation.
- (11) Responsible for collecting and reviewing XY cases from the VCM for all Cadets enrolled in the Honor Mentorship Program.
- (12) Perform other duties as determined by the SAH, EO, XO, or Chair.

f. Vice Chair for Liaisons (VCL). Under the guidance of the Chair and the supervision of the XO, the Vice Chair for Liaisons supervises the administration of the Cadet Honor Committee Liaison Program. Specific duties include:

(1) Direct and supervise Honor Committee liaisons with respect to their responsibilities as a department or agency liaison.

(2) Coordinate with the SAH and XO to provide the annual Cadet Honor Code and System brief during the Superintendent's Orientation to Newly Arrived Personnel (ONAP) for each Academic Department during Reorganization Week in August.

(3) Coordinate with the Secretary to create and email a weekly schedule of HIHs/CABs to the Department Honor Liaison Officer.

(4) Ensure that all investigations initiated within a department are performed professionally and in accordance with this Pamphlet and DPOM 02-04.

(5) Assist any departments or liaisons with the proper execution of an approach for clarification. An example video may be found at: <https://www-internal.uscc.usma.edu/scpme/scpme/Honor/New%20Videos.htm>.

(6) Ensure that updates on investigations are provided to the appropriate department or Honor Liaison Officer weekly.

(7) Maintain a continuity file in order to facilitate the education of the rising VCL.

(8) As a minimum of twice a semester, the VCL will schedule and hold an honor discussion with Corps Squad and Competitive Club athletes to discuss the relevancy of the Cadet Honor Code and to encourage all athletes, especially 1st Class Cadets, to uphold the honor system.

(9) Perform all other duties as determined by the SAH, XO, or Chair.

(10) Schedule and Coordinate for a monthly luncheon with all Department Officer and Cadet Honor Liaisons.

g. Vice Chair for Mentorship (VCM). Under the guidance of the Chair and the supervision of the Executive Officer, the Vice Chair for Mentorship is responsible for monitoring and counseling all cadets in the mentorship program. Specific duties include:

(1) Establish a working relationship with each mentor and serve as the mentor's point of contact with the Cadet Honor Committee. Upon request, the VCM will provide the mentor with a copy of the mentored cadet's honor case file.

(2) Assist the mentored cadet in attaining program goals.

(3) Assist the mentor in ensuring the mentored cadet validates the Mentor Program process (to include admission, reflection, and rehabilitation) in accordance with Chapter 6 of this Pamphlet.

(4) Conduct a mid-term in-progress review with the mentored cadet to ensure that the cadet is making satisfactory progress in the program. Report any recommendations to the mentor, SAH and TAC.

(5) Provide feedback to the mentor from the mentored cadet's chain of command and Company Honor Representative on the mentored cadet's behavior with respect to honor and daily living.

(6) Track each mentored cadet's progress through the Mentorship Program and update the SAH and the Director, SCPME monthly.

(7) Provide guidance and assistance in the preparation of the mentored cadet's portfolio.

(8) Maintain a continuity file in order to facilitate the education of the rising VCM.

(9) Prepare XY cases and instructional memos, to include 'Not Found' memoranda, and disseminate appropriate information to the Corps of Cadets.

(10) Provide a weekly update on the status of Cadets enrolled in the HMP to the Chairman, XO, and the SAH.

(11) Collect and review for completeness/accuracy all XY cases for Cadets participating in the HMP. Cadets enrolled in the HMP must submit their complete XY Case to the VCM during the first month of the program.

(12) Provide reviewed XY cases from the HMP cadets to the VCE and VCPA for publishing.

(13) Perform other duties as determined by the SAH, XO, or Chair.

h. Vice Chair for Public Affairs (VCPA). Under the guidance of the Chair and the supervision of the Executive Officer, the Vice Chair for Public Affairs is responsible for the overall strategic communication and transparency of Honor cases to the Corps of Cadets and USMA Staff & Faculty, while also protecting the privacy of the accused. Specific duties include:

(1) Update and maintain both the internal and external "Honor Home Page" in coordination with the SAH, Chairman, XO, VCI, Secretary, VCE, VCL, VCM, with the assistance of SCPME's Web Developer, and post all necessary material on the Honor Home Page in a timely and appropriate fashion.

(2) Post all "dropped," "not found," and "found" case summaries, as well as the Superintendent's decisions, on the internal Honor Home Page as part of the USCC internal website.

(3) Coordinate for a quarterly Commandant Honor Discussion Panel between the Commandant of Cadets and the entire Cadet Honor Committee to discuss key cases that are of interest to the Corps. This provides Company Honor Representatives a reasonable base of knowledge to field questions and also serves as a sensing session for the Commandant. The Superintendent may attend to share his considerations and/or rationale for granting discretion or separation in a particular case.

(4) Responsible for drafting and publishing the monthly Honor Ledger. The Honor Ledger is a summary of Honor cases and Superintendent's decisions from the previous month. The VCPA will also ensure the Honor Ledger is posted on the Honor Home Page and disseminated to the individual companies via their Company Honor Representatives. .

(5) Responsible for managing the online Honor Forum on the USCC internal website, which promotes healthy debates, discussions, questions, and answers among members of the Corps of Cadets regarding recent Honor cases and Superintendent's decisions.

(6) Perform other duties as determined by the SAH, XO, or Chair.

i. Deputy Vice Chair for Investigations (DVCI). Under the supervision of the Vice Chair for Investigations, Deputy Vice Chair for Investigations assists in the administration of the honor investigative process as outlined in Chapter 3 of this Pamphlet. Specific duties include:

(1) Assist the VCI in maintaining a record of past and current cases.

(2) Assist the VCI in taking witnesses' statements and obtain additional evidence.

(3) Assist the VCI in coordinating investigations through RHRs.

(4) Perform other duties as directed by the VCI or XO.

(5) Assist the VCI in coordinating and executing training of company honor representatives in the procedures.

(6) When the Chair or the VCI deems it appropriate or necessary, the DVCI may be authorized to act in the capacity of VCI to perform any of the following functions as outlined in USCC PAM 15-1, *Honor Committee Procedures*:

(a) Review cases.

(b) Attend Preliminary Hearings.

(c) Preside over Pre-Referral Hearing Panels.

j. Deputy Secretary (DSEC). Under the supervision of the Secretary, the Deputy Secretary assists in the coordination of all Honor Investigative Hearings and Cadet Advisory Boards. Specific duties include:

- (1) Perform administrative functions in support of HIHs/CABs.
- (2) Assist the Secretary in the preparation of the list of proposed members (random selection) of HIHs for submission to the Commandant.
- (3) Assist the Secretary in notifying selected members of HIHs/CABs and ensure they understand their duties and responsibilities.
- (4) Assist the Secretary in determining the location of all HIHs/CABs.
- (5) Assist the Secretary in serving respondents with hearing notification papers.
- (6) Assist the Secretary in notifying cadet witnesses of Honor Investigative Hearings (HIH).
- (7) Assist Board Presidents (BP) on the Standard Operating Procedures of the HIHs/CABs.
- (8) Perform other duties as determined by the Secretary or XO.

k. Executive Staff Members-Elect. Under the guidance of the Chair and the supervision of the Executive Officer, observe and learn the roles and responsibilities of first class counterparts during the 2nd Semester

l. Regimental Honor Representative (RHR). The Regimental Honor Representatives are responsible for honor matters within their respective regiments. As members of the Executive Staff, they are responsible to the Chairman. They are principal advisors to their Regimental Commander and Regimental Tactical Officer involving honor matters within their respective regiment. Specific duties include:

- (1) Serve as the senior cadet supervising all honor related matters in the regiment.
- (2) Appoint Investigative Teams (ITs) and supervise investigations within the regiment, ensuring they are timely thorough, professional, and in accordance with the procedures detailed in Chapter 3 of this Pamphlet.
- (3) Attend Honor Classes within the regiment and provide feedback as appropriate to CHRs and the VCE.
- (4) Provide feedback and suggestions to appropriate members of the Executive Staff to keep them informed of pertinent issues in each regiment.
- (5) Act as a liaison between other members of the Honor Executive Staff and Company Honor Representatives in the regiment.

- (6) Attend all HIHs and CABs within their regiment.
- (7) Attend meetings with the Commandant and Superintendent involving honor cases from their regiment and make well-informed recommendations on the disposition of found cadets based on thorough knowledge of both the investigation and the HIH/CAB.
- (8) Hold weekly meetings with all CHRs within the regiment in order to discuss current cases and issues facing the committee, disseminate information obtained at Executive Staff meetings, and maintain working relationships between CHRs and the RHR.
- (9) Receive XY cases from Company Honor Representatives for investigations that are dropped, for cadets that are not found in violation of the Cadet Honor Code, or for cadets that are separated or resign as a result of an honor violation. Submit reviewed XY cases to the Vice Chair of Education for approval.
- (10) Ensure CHR's are serving as points of contact for CUI(s) within their company and updating them weekly on the status of their pending case.
- (11) During the Summer Training period, assist with Honor education and serve as a provisional RHR for CBT, CFT, SGR, or other Military Training Regiments.
- (12) Maintain a continuity file in order to facilitate the education of the rising RHRs.
- (13) Perform other duties as determined by the SAH, XO, Chair, or regimental commander.

m. Company Honor Representatives (CHR). The Company Honor Representatives provide the link between the Corps and the Cadet Honor Committee. Within the Cadet Honor Committee, they are responsible to the RHRs. They are the principal advisors to their Cadet Company Commanders and Company Tactical Officers on honor matters in the company. They assist Company Commanders in educating their companies concerning the Cadet Honor Code and System. With their expertise and knowledge, they ensure that prescribed honor material is covered during classes, seminars, and meetings within their companies. Company Honor Representatives shall also perform any additional duties assigned by the RHR. Specific duties include:

- (1) Represent the views of the company in Cadet Honor Committee meetings.
- (2) Serve as a point of contact for CUI(s) within the company for matters relating to pending cases. Update the CUI(s) weekly on the status of their pending case and assist them with reference material.
- (3) Attend all Honor Committee meetings and Honor Conferences.
- (4) Serve as Board members on an HIH/CAB when appointed.

- (5) Serve as members of Honor Investigative Hearings when appointed.
 - (6) In coordination with the Company Training Officer and Company Respect Representative, execute the Values Education Program within the company in accordance with the Values Education Guide.
 - (7) Writes XY cases for all honor cases in the company that are dropped during the investigation phase, for cadets that are not found in violation of the Cadet Honor Code, or for cadets that are separated or resign as a result of an honor violation. Submit completed XY cases to the RHR for review.
 - (8) Ensure all cadets in the company remain informed about matters related to the Cadet Honor Code and System.
 - (9) Serve as a department, team and/or Honor liaison.
 - (10) Serve as a Board President (First-Class members only).
 - (11) Solicit feedback from and represent the company on honor matters.
 - (12) Maintain the Company Honor Book and a continuity file to facilitate the education of the rising CHRs.
 - (13) CHRs in their graded duty semester will act as advisors to their respective Company Commanders and Company to answer questions pertaining to Honor Matters and provide direction as necessary.
- n. Academic Department Honor Liaisons.** Honor Committee members assigned as Academic Department Liaisons provide the link between the Honor Committee and the various agencies and departments at the Military Academy. The main function of the liaison representatives is to provide an exchange of information between specific agencies and the Cadet Honor Committee. Liaison duties include:
- (1) Conduct orientations for members of respective academic departments, agencies, units, and directorates.
 - (2) Assist in answering questions from USMA organizations about the Cadet Honor Code, its administration, and Honor Committee procedures.
 - (3) Provide organizations with written information to include Cadet Honor Committee rosters, case briefs, and current policies.
 - (4) Assist Investigative Teams and Regimental Honor Representatives in investigating possible honor violations occurring within assigned academic departments.

(5) Update their respective Honor Officer Liaison counterparts weekly on the status of cases that rise from within that particular organization.

(6) Educate and orientate their respective department or agency on honor matters.

o. Athletic Team Liaisons. All Corps Squad and Competitive Club teams will have an Honor Liaison. In addition to the Team Captain, two CHRs will be assigned as the Team Honor Liaisons. Priority of assignment as a Team Honor Liaison should first go to members of the Cadet Honor Committee who are also members of a Corps Squad or Competitive Club team. The liaison will meet with the Vice Chairman of Liaisons initially to be briefed on their duties which include:

(1) Serve as the primary point-of-contact for the team for honor issues or cases involving members of the team.

(2) Inform the coach of cadets on the team who are under investigation or who have admitted to committing an honor violation.

(3) Disseminate information sent by the VCL to coaches and players.

(4) Serve as a role model of honorable conduct both on and off the field for the team.

(5) Meet periodically with the VCL to exchange information on honor matters.

p. Cadet Board Presidents. Cadet Honor Committee members assigned as Cadet Board Presidents are responsible for the administration of the HIH or CAB as well as for each Board member's behavior throughout the entirety of the HIH or CAB. The main function of the Board President is to preside over the hearing in accordance with the procedures outlined in Chapter 4 of this Pamphlet and instructions from the Secretary of the Cadet Honor Committee, the SAH, and the Hearing Advisor.

q. Cadet Honor Committee Members as Cadet Advisors. Honor Committee members may not sit as cadet advisors to cadets facing an Honor Investigative Hearing. Because the objective of these procedures is to provide the respondent a fair and impartial hearing, the Cadet Honor Committee recognizes that a member acting as an advisor could inappropriately or unintentionally influence the board members. Exceptions to this rule must be requested through the Chair, Cadet Honor Committee to the Special Assistant for Honor (SAH).

r. Cadet Honor Committee Members as Merit and Character Witnesses. Honor Committee members who have a direct involvement in or knowledge of the facts of the case (i.e. witnessed an action) may serve as merit witnesses during an HIH. Honor Committee members with close personal knowledge of respondents may also appear as character witnesses. Honor Committee members desiring to serve as character witnesses are subject to the same standard of "uniqueness of perspective" as all other character witnesses. The testimony and statement of Honor Committee members will be admissible to the same extent and subject to the same rules as the testimony and statements of any other witnesses.

807. REMOVAL OF HONOR COMMITTEE MEMBERS.

a. General. Serving as a Company Honor Representative is a charge of special trust and confidence and a privilege, which involves great responsibility to both the Cadet Honor Committee, and the cadets of the elected Honor Representative's company. Therefore, either the Cadet Honor Committee or the representative's company may initiate a request for review of an honor representative's suitability for any of the following situations:

(1) **Poor Attitude.** The representative has demonstrated attitude toward the Cadet Honor Code, the Honor System, or the Honor Committee is unbecoming of an honor representative. The representative's statements, actions, or both may demonstrate this attitude.

(2) **Dereliction of Duties.** The representative has been derelict in the performance of his/her duties as Cadet Honor Committee member, or has demonstrated apathy, disinterest, or inability to adequately perform his assigned duties.

(3) **Unsatisfactory Character or Discipline.** The honor representative has demonstrated poor moral character or serious discipline problems.

b. Resignation of a Cadet Honor Committee Member (to include Executive Staff members). In the event that any member of the Cadet Honor Committee no longer feels that the member can perform the duties, the committee member may choose to resign. The representative should take the following steps:

(1) **Company Honor Representatives.** The CHR should provide a memorandum through the representative's Regimental Honor Representative to the Chair outlining his/her reason for resigning. The Chair will then instruct the RHR to conduct an election within the former representative's company to elect a replacement representative. In the event that no one from that company volunteers and/or is elected to take the position, the company will remain without that class representative for the semester and the remaining class representative will assume all company responsibilities. The Chair will report all such changes to the SAH in memorandum format and ensure the SAH has an updated list of representatives.

(2) **Executive Staff Members.** The Executive Staff member should provide a memorandum through the Chair to the SAH outlining the reason for resigning. In the event the Chair is the resigning member, the memorandum should be routed through the Executive Officer. The resigning cadet may speak to the Honor Committee in order to outline the reasons for resigning. If the resignee chooses not to do this, the senior staff member will address the Honor Committee. Since Executive Staff members occupy official cadet duty positions on brigade and regimental staffs, the Chair will inform the SAH who will inform the Commandant and appropriate members of the BTD.

(a) If, during the first semester of the academic year, a member of the Executive Staff resigns or is removed, to include the Chair, then the senior member of the staff will convene a Cadet Honor Committee meeting to obtain nominations for the vacant position. All First-Class

members of the Cadet Honor Committee, to include the Executive Staff, are eligible for the vacant position.

(b) The Committee will convene a follow-up meeting within a reasonable time, not to exceed two weeks, after the nomination in order to elect a member to the vacant position. If a current member of the Executive Staff is elected to the vacant position, an additional election will be held to fill the vacant position.

(c) If the Chair either resigns or is removed from the position during the second semester of the current academic year, then the Honor Executive Officer will assume the position of Chair of the Cadet Honor Committee. The Executive Officer-elect, having already been elected to serve in the position the following year, will occupy the position of the Executive Officer under the watchful eye of all members of the Honor Executive Staff and Cadet Honor Committee. All other personnel will remain in their elected positions.

(d) If any person, other than the Chair, either resigns or is removed during the second semester of the current academic year, then the Honor Chair may fill the position with the respective counterpart on the staff-elect. While this system replaces a Cadet Captain with a Cadet Sergeant, in most cases the Cadet Sergeant will already have experience performing those duties required of the honor staff position. These procedures provide for continuity within and among the Honor Executive Staff without sacrificing the quality of personnel assigned to each position.

c. Automatic Removal of a Cadet Honor Committee Member (to include Executive Staff members). Certain circumstances warrant automatic removal from the Cadet Honor Committee. These include:

- (1) Suspension or separation from USMA.
- (2) Turn-back for reasons other than medical.
- (3) Found to have violated the Cadet Honor Code.
- (4) Found deficient during a Conduct Investigation.
- (5) June, August, or December Graduate for reasons other than medical (after normal class graduation).
- (6) Found deficient by a Regulations, USMA Investigation.

d. Review and Removal of a Company Honor Representative by the Cadet Honor Committee. In the event that a member of the Cadet Honor Committee believes that one or more of the circumstances in Paragraph 807a or c exist, member will notify the Chair of the Honor Committee and report his/her concerns.

- (1) Chair Actions. The Chair may take one of two actions:

(a) Require the reporting member of the Cadet Honor Committee to submit a petition outlining his allegations against another member of the Cadet Honor Committee. Twenty members of the Honor Committee (Third-Class cadets would only participate if the initiative involved a Third-Class cadet) must support this petition. Upon receipt of this petition, the Chair will initiate a formal investigation.

(b) Present the aforementioned allegations before a Cadet Honor Committee meeting for discussion and a vote. A simple majority is again required to initiate a formal investigation.

(2) Special Review Subcommittee (SRS). If a formal investigation is initiated, the Chair will convene a Special Review Subcommittee consisting of the VCI, the RHR from the representative's regiment, and one Company Honor Representative-at-large from each of the other three regiments (from the class of the representative being investigated). The SRS will obtain all of the pertinent evidence and, at a time designated by the Chair, present evidence to the Cadet Honor Committee. The VCI will present all the pertinent facts to include those in favor of and those against the representative being investigated.

(3) Cadet Honor Committee Action. A quorum of the Cadet Honor Committee will discuss the matter and vote on the status of the representative. A quorum consists of at least 75% of the Committee members. The representative under review may speak on his/her behalf. The representative may make a statement or open up to questions concerning only the facts surrounding the review. A majority vote of those present is sufficient to relieve an honor representative of duties. No proxy votes will be considered.

e. Review and Removal of a Company Honor Representative by His Company. In the event that a member of the constituent's company believes that one or more of the situations prescribed in Paragraph 807a or c exist, the following action may be taken:

(1) Any member of the constituent's company may initiate review and removal procedures against an elected honor representative. Preferably, in order to avoid a misunderstanding, the member of the company will first discuss the issue with an honor representative. If the individual believes that the matter must be pursued, he/she will notify the Company Commander, who will meet with the Executive Officer, Training Officer, First Sergeant, the Platoon Leaders, Regimental Honor Representative, and both Company Honor Representatives. The instructor will discuss the reasons for initiating the review and removal procedures. The Chain of Command (excluding all honor representatives) will then vote. A simple majority will be sufficient to refer the initiative to the company classmates of the cadet under review for removal from the Cadet Honor Committee.

(2) Upon being presented reasons for review his/her Company Chain of Command (or RHR), the representative under review may speak on his/her behalf to company classmates. A quorum of the representative's company classmates will discuss the matter and vote on the status of the representative. A quorum consists of at least 75% of the company classmates. A simple majority vote of those present is sufficient to remove the honor representative from the Cadet Honor Committee. No proxy votes will be considered.

(3) In the event that the company Chain of Command votes not to forward the review to the RHR, and the individual(s) initiating the review still desires further action, the individual(s) may obtain and present a petition, which outlines the reasons for review to the RHR. A simple majority of the members of the initiating cadet's company must sign this petition. The RHR will forward the reasons for review to the Chair of the Cadet Honor Committee who will then initiate a formal investigation IAW Paragraph 607d.

f. Review and Removal of a Member of the Executive Staff (Including the Chair)

(1) Since the Executive Staff members hold duty positions within the Corps of Cadets, the Commandant may relieve an Executive Staff member from his/her duty position for cause. Aside from a decision by the Commandant, removal of an Executive Staff member from the Cadet Honor Committee requires a decision by the Cadet Honor Committee itself.

(2) If a member of the Cadet Honor Committee believes there is sufficient reason to initiate review and removal procedures against any member of Executive Staff, the member may obtain a petition supported by 20 members of the Cadet Honor Committee and present the petition to the VCI. If the VCI is the cadet under review, the petition should be submitted to the Chair or XO of the Cadet Honor Committee. Any member may approach another privately to request resignation. In the event that the Executive Staff member does not wish to resign, the member should follow the steps outlined below.

(3) Upon the receipt of the petition, the VCI or the appropriate senior member will alert the SAH, Chair, and individual under review that a member of the Executive Staff is being reviewed for removal. Then the VCI or another Executive Staff member will form a Special Review Subcommittee (SRS) consisting of the VCI, and four Honor representatives-at-large [one from each regiment]. The SRS will investigate the reasons for review by speaking with members of the committee, those who signed the petition, and the person under review. The SRS will collect written statements from those who wish to outline their concerns. In addition, the SRS is responsible for keeping records on any interviews conducted.

(4) The result of this SRS investigation will be presented to the Cadet Honor Committee. A simple majority vote by the SRS will determine whether or not they recommend that the Cadet Honor Committee take a vote for removal.

(5) If a vote for removal is taken, 75% of the Cadet Honor Committee will constitute a quorum, and a simple majority of those present is sufficient to remove an Executive Staff member from the Cadet Honor Committee. No proxy votes will be considered.

(6) Any member of the Corps-at-Large may submit a petition, signed by 100 cadets, which outlines reasons for review and removal of any Executive Staff member. The cadet may present his petition for review to his Company Honor Representative who forwards it to the VCI, or the appropriate senior member, who acts in accordance with the procedures outlined in this chapter.

(7) The Cadet Honor Committee will conduct an election for the vacant position of the relieved Executive Staff member. Until that time, the Executive Staff member next in the line of authority to the vacant spot will assume the duties in addition to his/her own. In the event that the next in the line of authority is unable to assume the responsibilities, the senior member of the Executive Staff in coordination with the SAH will appoint another member of Executive Staff to assume the responsibilities of the vacant position.

(8) All First-Class members of the Cadet Honor Committee are eligible for candidates in such an election. The election will take place as soon as possible and will proceed as outlined in Paragraph 807b(2).

808. SUSPENSION OF HONOR COMMITTEE MEMBERS. The cadet Chain of Command has the authority to suspend Cadet Honor Committee members when the member is under investigation for actions such as those outlined in Paragraph 807a and c. Suspension is not a permanent action and does not automatically lead to removal. The suspending authority will automatically lift the suspension upon a favorable outcome of the investigation, but may lift the suspension as the situation warrants. When making the decision, the appropriate commander must consider the interests of the unit, the individual, and the Cadet Honor System. Similarly, the Honor Chair may also limit Cadet Honor Committee member's duties as Board President, Board members, and liaisons.

a. Company Honor Representative. Based on a request by a Company or Battalion Commander, and with the recommendation of the Regimental Honor Representative, a Regimental Commander may suspend a Company Honor Representative.

b. Executive Staff Member. Based on a request from the Honor Chair, the Brigade Commander may suspend a member of the Executive Staff.

c. Honor Chair. Only the Commandant of Cadets may suspend the Honor Chair with the approval of the Superintendent.

d. Presumption of Innocence. Suspension and or limitation of duties are not a presumption of guilt. The presumption of innocence remains in effect. The suspension and limitation options are administrative actions that help to protect the interests of the unit and the Cadet Honor Code and prevent individuals from placing themselves in an awkward situation that may affect their ability to perform their duty.

APPENDIX 1. Investigative Documents

HONOR INVESTIGATIVE CONTROL SHEET

Cadet Under Investigation (CUI): _____

Individual Making the Allegation: _____

Type of Allegation: _____

Date of Incident: _____ **Inception Date:** _____

ITEM (See Note for Abbreviations)	Goal Processing Days	Actual Processing Days		Date Item Complete	Initials
		Per Item	Cumulative		
1. RHR: Appointment of Investigative Team Members: _____ Co _____ _____ Co _____	0/0				RHR
2. IT: Investigation Report Complete	7/7				IT
3. RHR: Recommendation Complete	2/9				RHR
4. VCI: Recommendation Complete	2/11				VCI
5. PHRP: Review and recommend	1/12				VCI
6. SAH: Review for Completeness Draw Up Allegation	2/14				SAH
7. SJA: Trial Counsel conducts Analysis/Initial Legal Review	2/16				SJA
8. CMDT: Refer, Return, or Drop	2/18				CMDT XO
9. SEC: Serve Respondent w/case folder SJA: Set Date for HIH	1/19				SJA
10. HA: Conduct Preliminary Hearing and HIH	5/24				HA
11. SJA: Recorder Prepares Transcript HA Authenticates Trial Counsel Conducts Legal Review SAH: Prepare Recommendation; Forwards Packet to Brigade Tactical Department BTD: Prepare Recommendations	8/32				SJA SAH BTD
12. CMDT: Interview Cadet with Chain of Command (through BTD)	3/35				CMDT XO
13. CDT: Prepare Response	3/38				SJA
14. SJA: Legal Review; Forward to SUPT for Action	2/40				SJA
15. SUPT: Action/Recommendation					SJA
16. SJA: Forward File to HQDA					SJA

Note:

HA – Hearing Officer

CMDT – Commandant of Cadets

HIH – Honor Investigative Hearing

SAH – Special Assistant for Honor

RHR – Regimental Honor Representative

HQDA – Headquarters, Dept of Army

IT – Investigative Team

VCI – Vice Chairman for Investigations

SJA – Staff Judge Advocate

SUPT – Superintendent, USMA

BTD – Brigade Tactical Dept

INVESTIGATIVE TEAM (IT) NOTIFICATION FORM

MACC-CPME-H

Date: _____

MEMORANDUM THRU Tactical Officer, Company _____

FOR Honor Investigative Team, Company _____

1° Honor Representative Cadet _____

2° Honor Representative Cadet _____

SUBJECT: Appointment of Honor Investigation of Cadet _____, Company ____, Class of _____

1. You are hereby appointed by order of the Commandant as the Investigative Team (IT) for the honor investigation of Cadet _____. See the allegation(s) listed on the attached page. Use USCC PAM 15-1, *Honor Committee Procedures*, as a reference.

2. I believe that you play an integral role in the honor system, and as such, I want to emphasize the importance of a timely and efficient investigation. You are authorized to miss drill and intramurals in order to actively work on this investigation for the next four duty days.

3. The case is due to your Regimental Honor Representative NLT Taps on _____.

ZACHARY D. FRISBIE
CDT CPT
1st Regimental Honor Representative
Cadet Honor Committee

CF:
VCI
SAH

CADET UNDER INVESTIGATION (CUI) NOTIFICATION

MACC-CPME-H

Date: _____

MEMORANDUM THRU Tactical Officer, Company _____

FOR Cadet _____, Company _____, Class _____

SUBJECT: Cadet Under Investigation (CUI) Notification of an Honor Investigation

1. You are hereby appointed by order of the Commandant to meet with Cadets _____ and _____ to interview as a CUI in an honor investigation. This duty takes precedence over drill and intramurals. If you are part of a Corps Squad or Club Squad team, **you are required** to make arrangements within the next 24 hours to meet with the investigators. This directive does not affect your rights under Article 31 of the Uniform Code of Military Justice.
2. I want to emphasize the importance of meeting with the cadet investigators for a timely and efficient investigation.
3. Your appointment is scheduled for _____, at _____; location will be _____.

SARAH JOHNSON
 CDT CPT
 Chairman
 Cadet Honor Committee

CF:
 CO Honor Rep
 CO CDT CDR

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE			
For use of this form, see AR 190-30; the proponent agency is ODCSOPS			
DATA REQUIRED BY THE PRIVACY ACT			
AUTHORITY:	Title 10, United States Code, Section 3012(g)		
PRINCIPAL PURPOSE:	To provide commanders and law enforcement officials with means by which information may be accurately identified.		
ROUTINE USES:	Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.		
DISCLOSURE:	Disclosure of your Social Security Number is voluntary.		
1. LOCATION	2. DATE	3. TIME	4. FILE NO.
5. NAME <i>(Last, First, MI)</i>	8. ORGANIZATION OR ADDRESS		
6. SSN			
PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE			
Section A. Rights			
<p>The investigator whose name appears below told me that he/she is with the United States Army _____ and wanted to question me about the following offense(s) of which I am suspected/accused: _____</p> <p>Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:</p> <ol style="list-style-type: none"> 1. I do not have to answer any question or say anything. 2. Anything I say or do can be used as evidence against me in a criminal trial. 3. <i>(For personnel subject to the UCMJ)</i> I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both. <p style="text-align: center;">} or -</p> <p><i>(For civilians not subject to the UCMJ)</i> I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.</p> <ol style="list-style-type: none"> 4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below. 			
5. COMMENTS <i>(Continue on reverse side)</i>			
Section B. Waiver			
I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.			
WITNESSES <i>(If available)</i>		3. SIGNATURE OF INTERVIEWEE	
1a. NAME <i>(Type or Print)</i>	4. SIGNATURE OF INVESTIGATOR		
b. ORGANIZATION OR ADDRESS AND PHONE			
2a. NAME <i>(Type or Print)</i>	5. TYPED NAME OF INVESTIGATOR		
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR		
Section C. Non-waiver			
1. I do not want to give up my rights <input type="checkbox"/> I want a lawyer <input type="checkbox"/> I do not want to be questioned or say anything			
2. SIGNATURE OF INTERVIEWEE			
ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT <i>(DA FORM 2823)</i> SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED			

PART II - RIGHTS WARNING PROCEDURE	
THE WARNING	
<p>1. WARNING - Inform the suspect/accused of:</p> <ol style="list-style-type: none"> a. Your official position. b. Nature of offense(s). c. The fact that he/she is a suspect/accused. <p>2. RIGHTS - Advise the suspect/accused of his/her rights as follows: "Before I ask you any questions, you must understand your rights." <ol style="list-style-type: none"> a. "You do not have to answer my questions or say anything." b. "Anything you say or do can be used as evidence against you in a criminal trial." c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer </p>	<p>can be a civilian you arrange for at no expense to the Government or a military lawyer detailed for you at no expense to you, or both." - or - <i>(For civilians not subject to the UCMJ)</i> You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer can be one you arrange for at your own expense, or if you cannot afford a lawyer and want one, a lawyer will be appointed for you before any questioning begins." <ol style="list-style-type: none"> d. "If you are now willing to discuss the offense(s) under investigation, with or without a lawyer present, you have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if you sign a waiver certificate." Make certain the suspect/accused fully understands his/her rights.</p>
THE WAIVER	
<p>"Do you understand your rights?" (If the suspect/accused says "no," determine what is not understood, and if necessary repeat the appropriate rights advisement. If the suspect/accused says "yes," ask the following question.)</p> <p>"Have you ever requested a lawyer after being read your rights?" (If the suspect/accused says "yes," find out when and where. If the request was recent (<i>i.e.</i>, fewer than 30 days ago), obtain legal advice whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)</p>	<p>"Do you want a lawyer at this time?" (If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)</p> <p>"At this time, are you willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" (<i>If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused says "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.</i>)</p>
SPECIAL INSTRUCTIONS	
<p>WHEN SUSPECT/ACCUSED REFUSES TO SIGN WAIVER CERTIFICATE: If the suspect/accused orally waives his/her rights but refuses to sign the waiver certificate, you may proceed with the questioning. Make notations on the waiver certificate to the effect that he/she has stated that he/she understands his/her rights, does not want a lawyer, wants to discuss the offense(s) under investigation, and refuses to sign the waiver certificate.</p> <p>IF WAIVER CERTIFICATE CANNOT BE COMPLETED IMMEDIATELY: In all cases the waiver certificate must be completed as soon as possible. Every effort should be made to complete the waiver certificate before any questioning begins. If the waiver certificate cannot be completed at once, as in the case of street interrogation, completion may be temporarily postponed. Notes should be kept on the circumstances.</p> <p>PRIOR INCRIMINATING STATEMENTS:</p> <ol style="list-style-type: none"> 1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions. 	<ol style="list-style-type: none"> 2. If the suspect/accused was questioned as such either without being advised of his/her rights or some question exists as to the propriety of the first statement, the accused must be so advised. The office of the serving Staff Judge Advocate should be contacted for assistance in drafting the proper rights advisal. <p>NOTE: If 1 or 2 applies, the fact that the suspect/accused was advised accordingly should be noted in the comment section on the waiver certificate and initialed by the suspect/accused.</p> <p>WHEN SUSPECT/ACCUSED DISPLAYS INDECISION ON EXERCISING HIS OR HER RIGHTS DURING THE INTERROGATION PROCESS: If during the interrogation, the suspect displays indecision about requesting counsel (for example, "Maybe I should get a lawyer."), further questioning must cease immediately. At that point, you may question the suspect/accused only concerning whether he or she desires to waive counsel. The questioning may not be utilized to discourage a suspect/accused from exercising his/her rights. (For example, do not make such comments as "If you didn't do anything wrong, you shouldn't need an attorney.")</p>
<p>COMMENTS <i>(Continued)</i></p>	

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT *(Continued)*

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT *(Continued)*

AFFIDAVIT

I, _____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, _____ at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

UCMJ Article 136(b)(4)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

CADET WITNESS NOTIFICATION

MACC-CPME-H

Date: _____

MEMORANDUM THRU Tactical Officer, Company _____

FOR Cadet _____, Company _____, Class _____

SUBJECT: Cadet Witness Notification of an Honor Investigation

1. You are hereby appointed by order of the Commandant to meet with Cadets _____ and _____ to interview as a witness in an honor investigation. This duty takes precedence over drill and intramurals. If you are part of a Corps Squad or Club Squad team, **you are required** to make arrangements within the next 24 hours to meet with the investigators. This directive does not affect your rights under Article 31 of the Uniform Code of Military Justice.

2. I want to emphasize the importance of meeting with the cadet investigators for a timely and efficient investigation.

3. Your appointment is scheduled for _____ at _____; location will be _____.

SARAH JOHNSON
CDT CPT
Chairman Cadet Honor Committee

CF:
CO Honor Rep
CDT CO CDR

MACC-XXX-XX**DATE**

MEMORANDUM FOR Cadet _____, Company _____, Class of _____

SUBJECT: Notification of a Suspected Honor Violation

1. Cadet _____, I am **(Rank/Title) (Full Name), (Department/Agency)**, and I have reason to believe you have violated the Cadet Honor Code by **(Lying, Cheating, Stealing, and/or Toleration)**. *(You may add a few details specific to the matter here, but try not to open a dialog on the case).*
2. You will be notified by the Cadet Honor Committee of the information I have that makes me believe you have violated the Cadet Honor Code.
3. The point of contact for this memorandum is your Company Honor Representative.

FULL X. NAME
RNK, BR
Title

FURTHER INSTRUCTIONS TO WHOEVER WRITES THIS MEMO: *This process is used to inform a Cadet that you suspect them of violating the Cadet Honor Code. This is **not** the Approach for Clarification process. A Cadet should not make any statement to you or discuss any matters. If the Cadet attempts to discuss the matter with you, remind them of their rights and that any statement may be used in an Honor Investigative Hearing. You should not have a discussion with the Cadet in regards to the suspected act. If you are unsure if the Cadet violated the Cadet Honor Code then you should use the Approach for Clarification process.*

APPENDIX 2. Hearing Documents

**LETTER OF NOTIFICATION OF
RESPONDENT'S RIGHTS AND RESPONSIBILITIES**

**UNITED STATES MILITARY ACADEMY
UNITED STATES CORPS OF CADETS
West Point, New York 10996**

MACC-CPME-H

Date: _____

MEMORANDUM FOR Cadet _____, Company _____, Class of _____, United States Corps of Cadets, United States Military Academy, West Point, New York 10996

SUBJECT: Notification of Respondent's Rights and Responsibilities

1. The Commandant of Cadets has directed that an investigation be conducted to determine whether you have violated the Cadet Honor Code as set forth in the Special Assistant for Honor's Memorandum. A Hearing Advisor (HA) will be appointed to address any issues you raise and to ensure that proper procedures are followed. You will be informed of the date and location of your hearing as soon as it is scheduled. For planning purposes, you should anticipate the hearing will convene on the **fifth duty day following the receipt of this notice**. Uniform for the hearing will be appropriate seasonal privilege uniform.

2. You must contact the Legal Assistance Office (LAO) of the Office of the Staff Judge Advocate NLT **the next duty day from receipt of this notice** to arrange an appointment to discuss your rights and responsibilities and to receive advice concerning your case. Their telephone number is (845) 938-4541 and they are located in Bldg. 606, 4th floor. **This meeting is mandatory and cannot be waived.**

3. You have the choice either to contest the allegation(s) or to admit to the allegation(s). You have an absolute right to contest the allegation(s) and no adverse action will be taken against you for doing so. If you are a first class or a second class cadet and found to have committed the allegation(s) or admit to the allegation(s) and are subsequently separated from the Academy, you may be required to repay the cost of your educational expenses in accordance with 10 U.S.C. 2005, or you may be ordered to Active Duty to fulfill your service obligation in accordance with AR 612-205, paragraph 7 and table 3.

4. **Rights.** You have the following rights whether you contest the allegation(s) or admit to the allegation(s) unless indicated otherwise.

a. The right to remain silent—this right is waived to some extent if you choose to admit to the allegation(s). This waiver is only in regard to the allegation(s) admitted. No adverse action or inference will be taken if you choose to remain silent.

b. The right to consult with legal assistance before all proceedings. You may retain a civilian attorney at your own expense and/or consult with the West Point Legal Assistance Office, Staff Judge Advocate, at no cost to you. Civilian or military counsel may not represent you at any hearing. However, you may consult with your attorney during breaks and recesses.

c. The right to call witnesses and present evidence on your behalf. Character witnesses will not be allowed to testify on your behalf during the fact finding phase of the hearing unless they are testifying as to a particular character trait that is being called into question by the allegation(s). If you are found, they may testify as to your general character during the recommendations portion of the hearing.

d. The right to object to evidence being used in the hearing.

e. The right to appear personally and to be present during open sessions. You may elect to waive the right to be present at an open session of the hearing. Before being allowed to do so, the Hearing Advisor will ensure that you fully understand your rights. Your absence does not relieve the HIIH of the duty to make a thorough, complete, and impartial inquiry of the matter referred for investigation. If absent, you may not be able to question witnesses and object to the introduction of evidence.

f. The right to question all witnesses who testify at the hearing. To some extent, the right to question adverse factual witnesses is waived if you admit to the allegation(s) since adverse factual witnesses will not be called to testify. You do retain the right, however, to question any witnesses who do testify.

g. The right to challenge any Board member of the HIIH or CAB “for cause” where you believe that the admittance of this member to the HIIH or CAB will result in a bias against you or if you believe they lack the qualifications to sit as a member of the board.

h. The right to obtain copies of all investigative reports, recommendations, statements, hearing member worksheets and all other official documents relating to the investigation, hearing and subsequent review process.

i. The right to have a Cadet Advisor present at the hearing. You may not receive assistance from the Cadet Advisor during your testimony. However, you may ask the Hearing Advisor for a recess during your testimony to discuss any matters with the Cadet Advisor.

j. The right to bring matters to the attention of the BP during any of the Honor proceedings if you perceive something as unfair. A failure to immediately bring a matter to the attention of the HA about an issue of fairness may result in the waiving of your right to raise the issue at a later time.

k. The right to challenge the HA or BP “for cause”, if you believe that the HA or BP will not be impartial or that the HA lacks the qualifications to ensure you get a fair hearing.

1. The right to make an opening statement and a closing argument before the Board even if you choose to remain silent and not testify. Your statements, however, are not evidence and will not be considered as such. If you wish the Board to have the benefit of what you have to say as evidence they can consider when making a decision, you must testify under oath and be subject to cross-examination.

5. **Responsibilities.** You have the following responsibilities whether you contest the allegation(s) or admit to the allegation(s) unless indicated otherwise.

a. **You must forward this completed notification of rights and responsibilities to the HA no later than 24 hours before the start of your preliminary hearing.**

b. Upon being served by the Secretary of the Honor Committee you must meet with an attorney from LAO who can assist you. It is your responsibility to fully understand your rights and responsibilities and the LAO is available to help you if you do not.

c. You must submit all documents and names of witnesses you want to testify on your behalf to the HA in writing no later than 24 hours prior to the start of the preliminary hearing. You are responsible to ensure your requested witnesses are present on the day of the _____ hearing. The Honor Committee will assist you in this regard if necessary. **INITIAL**

d. You must submit all requests for the redaction of evidence, exclusion of witnesses, or other requests to the HA in writing no later than 24 hours prior to the start of the preliminary hearing.

e. You must submit notice of intent to admit to a violation to the HA no later than 24 hours prior to the start of the preliminary hearing **if you choose to admit to the allegation(s)**. (See Paragraph 306 of the Honor SOP for admit procedures during a CAB.)

f. You must be prepared to participate during all stages of the Honor process or must request additional time in advance of the preliminary hearing so that you can be prepared.

g. If you are a member of a minority group and if you want a minority group member to be included on the Board that will decide your case, you must submit _____ **INITIAL** a written request to the Secretary of the Honor Committee not later than 24 hours after this notification requesting that a minority group member be included. However, non-availability of a member of a minority group will not prevent the Commandant from convening the board. In the event of non-availability, the reason will be stated in the record of proceedings. In the case of a female Respondent, the Board will, upon your written request and if reasonably available, include a female as a voting member.

6. **Admit Procedures.** You may choose to admit to the allegation(s). Admitting does not relieve you of the responsibilities listed above. You still must meet with a LAO attorney who can assist you in this process.

a. If you decide to admit to the allegation(s), you give up the following rights.

(1) You give up your right to remain silent concerning the allegation(s) in that you must testify before the HA at the Providence Inquiry as well as testify at the CAB, upon request of the President of the CAB, concerning your violation(s). You do not waive your right, however, to remain silent concerning other matters in accordance with Article 31 of the UCMJ.

(2) You give up your right to a full hearing of the facts by the Honor Investigative Hearing, which would have to find that the evidence established that it was more likely than not that you violated the Honor Code, before a violation could be found.

(3) You give up your right to cross-examine any factual witnesses against you, that is, the right to hear witnesses testify and question them concerning their testimony, except for those character witnesses testifying during the Cadet Advisory Board.

b. If you admit to the violation(s), the CAB will consider the following when making their recommendations. Your admission and testimony (you may be called to testify concerning the violation); the testimony of your TAC and Cadet Company Commander; the complete Board packet, and any other relevant evidence you choose to submit, either in written form or by testimony of witnesses, your testimony during the Providence Hearing, and your testimony before the CAB.

7. I declare that: I have thoroughly read this notice and I understand my rights and responsibilities. I have / have not (circle one) met with an attorney from the Legal Assistance Office. Initial your intent below:

_____ I will not admit to the violation(s)

_____ I will admit to the violation(s)

_____ (Signature of Respondent)

_____ (Printed Name of Respondent)

8. Legal Assistance Representative: (Complete one of the following)

a. **I certify that I have met with the Respondent and have discussed the foregoing rights and responsibilities with him/her.**

_____ (Signature of Advising Attorney)

_____ (Printed Name of Advising Attorney)

b. **I understand that a Legal Assistance Attorney is available to assist me with my case. I choose not to consult with a Legal Assistance Attorney at this time. I freely and knowingly waive this right.**

c. **RESPONDENT** (Sign if choosing **NOT** to consult with legal assistance.): **I understand that a Legal Assistance Attorney is available to assist me with my case. I choose not to consult with a Legal Assistance Attorney at this time. I freely and knowingly waive this right.**

_____ (Signature of the Respondent)

9. **Your HIH will convene on or about the following date:** _____

10. I acknowledge receipt of the foregoing notice of an HIH.

_____ (Signature of the Respondent)

Served on the _____ day of _____ 20____

Encl

JEREMY PHILLIPS
CDT CPT
Secretary, Honor Committee

SUPERINTENDENT'S HEARING MEMBER WORKSHEET

MACC-CPME-H

Date: _____

MEMORANDUM FOR Honor Board Member, Case of Cadet _____

SUBJECT: Hearing Member Worksheet

1. I use the information from these worksheets when deciding the disposition of a found cadet's case. I want you to know that I will personally read these worksheets in their entirety. From my perspective, you represent the voice of the Corps of Cadets for this case.
2. During the review of this case, I will make two decisions: 1) whether to approve or set aside the findings of the board; and 2) what the further disposition of this case should be—more specifically, whether discretion should be granted. To make the first decision I will consider due process and the facts of the case. To make the second decision I will consider additional factors, including the time the respondent has served under the Cadet Honor Code; the manner in which the violation was reported; the respondent's demonstrated resolve to live honorably in the future; the likelihood that the honor violation reflects the true character of the respondent; the presence of duress; and, if applicable, the impact administrative sanctions may have on the respondent's Company, Corps Squad Team, Cadet Club/Activity, and ultimately the Corps of Cadets.
3. Your views will influence the disposition of this case. Please think carefully about your answers so that I may have the best possible information as I make these decisions.

//Original Signed//
F.L. HAGENBECK
Lieutenant General, US Army
Superintendent

1. **Character**. Do you believe this ethical failure is a true reflection of the respondent's character (Yes) or does it represent a departure from his/her demonstrated character (No)?

Yes ____ No ____

Explain the basis for your response.

2. **Resolve**. Do you believe that the respondent has resolved to live honorably in the future and will dedicate himself/herself to remediating this ethical failure?

Yes ____ No ____

Explain the basis for your response.

3. Duress. Stress is a common feature of cadet life and a deliberate element of cadet development. As cadets and officers, we are expected to make ethical decisions in spite of these pressures. However, unusual external personal circumstances such as a death in the family or a similar family crisis may result in a level of duress that affects a cadet's ethical decision-making ability. **Duress does not include the fear of failing a graded requirement or receiving disciplinary action as a consequence of misconduct.**

Do you believe that the respondent experienced any unusual personal circumstances that may have temporarily interfered with or affected his/her judgment in this case?

Yes____ No____

Explain the basis for your response.

4. Potential for Service as an Officer. You were not presented with the respondent's full file, however, based upon the finding of the board, the evidence presented to the board, and any statements made by character witnesses please answer the question below.

Does the respondent have the potential to serve as an officer in the U.S. Army?

Yes____ No____

Explain the basis for your response.

5. **Recommended Sanctions.** The maximum sanction for a cadet who violates the Cadet Honor Code is *Separation*. The Superintendent may separate a cadet who commits an honor violation with or without a formal invitation to reapply to West Point at some point in the future. In cases where the Superintendent deems appropriate, he may elect to invite the cadet to reapply pending a successful period of enlistment and successful completion of the Army (Academy) Mentorship Program in the U.S. Army. In lieu of Separation, the Superintendent may grant discretion and suspend a cadet's separation pending successful completion of the Honor Mentorship Program.

Do you believe the Superintendent should grant discretion in this case, allowing the respondent to remain a cadet at West Point (either graduating with class, as a December graduate, or a full year turn back) and rehabilitate by participating in a 6-month Honor Mentorship Program?

Yes____ No____

If you answered YES to Question #5 (the Superintendent should grant discretion and allow the respondent to stay at West Point), which of the following sanctions do you recommend? In all cases, the Superintendent will suspend the separation at least until successful completion of the Honor Mentorship Program. **(Circle one).**

- a. Allow to graduate On Time with Current Class.
- b. Delay graduation by six months as a December Graduate.
- c. Delay graduation by a one year as a Full Year Turn Back.

If you answered NO to Question #5 (the Superintendent should Separate the respondent from West Point), should the respondent be invited to participate in the Army (Academy) Mentorship Program with an opportunity to reapply to the U.S. Military Academy, pending a successful period of enlistment in the U.S. Army?

Yes____ No____

Explain the basis for your response.

6. **Administrative Sanctions.** In accordance with USCC PAM 15-1, many administrative sanctions are binding immediately following the completion of an HIH or CAB, and continue through successful completion of the 6-month Honor Mentorship Program. Some of these sanctions include:

a. Exclusion from representing the Academy through participation in corps squad and/or club squad activities, including participating in games/competitions, traveling with the team or club, and officially representing the Academy as a member of the team or club. Cadets are, however, allowed to continue practicing with the team and attend club meetings at the Academy.

b. Exclusion from participation in public relations activities such as CPRC, media interviews or as an invited guest to external events. Participation in community service projects as a part of the Honor Mentorship Program are approved exceptions.

c. Exclusion from otherwise representing USMA at official functions, conferences, AIAD's, or trip sections both at and away from the Academy.

d. Removal from positions of responsibility to include but not limited to the Chain of Command (down to and including team leader), Corps or Club Squad Team Captains, and Club CIC or Staff.

Based on the respondent's record, should he/she be granted an exception to policy to represent the Academy in a specific capacity?

Yes____ No____

If you answer **Yes** to Question #6, please **cross out** those administrative sanctions you **do not want** applied to the respondent during his/her time in the Honor Mentorship Program.

Explain the basis for your response.

7. **Other Factors.** Explain any other factors involved in this investigation that you believe will help the Superintendent determine the proper disposition of this case.

Cadet: _____ Company: _____ Year: _____

ACTION	TAC OFFICER Recommendation	RTO Recommendation	BTO Recommendation
<input type="checkbox"/> Restriction to Limits (Automatic)	AUTOMATIC	AUTOMATIC	AUTOMATIC
<input type="checkbox"/> Reduction in Rank (Automatic)	AUTOMATIC	AUTOMATIC	AUTOMATIC
<input type="checkbox"/> Loss of OPPs, Pass and Walking Privileges (Automatic)	AUTOMATIC	AUTOMATIC	AUTOMATIC
Separation Vs. Discretion <input type="checkbox"/> Separation <input type="checkbox"/> Discretion (Suspended Separation) Notes _____		Concur/Non-Concur/Comment	Concur/Non-Concur/Comment
<u>IF SEPARATION</u> <input type="checkbox"/> Depart USMA (Pos. Financial Recoupment) <input type="checkbox"/> Army Enlistment <input type="checkbox"/> Academy (Army Mentorship/AMP)		Concur/Non-Concur/Comment	Concur/Non-Concur/Comment
<u>IF DISCRETION</u> <input type="checkbox"/> Turnback to Class of _____ <input type="checkbox"/> December _____ <input type="checkbox"/> With Class _____		Concur/Non-Concur/Comment	Concur/Non-Concur/Comment
If Turned back, Suspend from USMA until <input type="checkbox"/> Reorgy Week-Aug _____ <input type="checkbox"/> Reorgy Week-Jan _____ <input type="checkbox"/> N/A Remain at the Academy _____ <input type="checkbox"/> Other _____		Concur/Non-Concur/Comment	Concur/Non-Concur/Comment
<input type="checkbox"/> Representation of USMA i.e. CPRC, AIAD, etc.		Concur/Non-Concur/Comment	Concur/Non-Concur/Comment
If Corps Squad/ Club Team member <input type="checkbox"/> Continue to compete with team <input type="checkbox"/> Only practice with team		Concur/Non-Concur/Comment	Concur/Non-Concur/Comment
Disciplinary Tours: <input type="checkbox"/> Area <input type="checkbox"/> Fatigue <input type="checkbox"/> Room <input type="checkbox"/> Specify # and Type		Concur/Non-Concur/Comment	Concur/Non-Concur/Comment
<input type="checkbox"/> Allow Cadet to serve in Chain of Command Position		Concur/Non-Concur/Comment	Concur/Non-Concur/Comment

APPENDIX 3. Mentorship Documents

MENTORSHIP PROGRAM INITIAL COUNSELING OUTLINE

1. Introduction.

a. Purpose. Remind the mentoree of the purpose of the mentor program – to assist the cadet to overcome ethical decision-making shortcomings that resulted in a Cadet Honor Code violation.

b. Environment. Establish a non-adversarial environment.

c. Privacy/Confidentiality. Discuss the distinction between privacy and confidentiality (see Paragraph 504d).

d. Personal Background. Get to know the cadet informally before continuing further (hobbies, home state, club activities, summer training experiences, aspirations, and so on).

2. Goals of the Mentorship Program. Review the goals of the program.

a. Know the Army Values and how the Cadet Honor Code relates to those values.

b. Adhere to behavioral standards congruent with the Army Values and Cadet Honor Code.

c. Believe in and profess the Army Values as subjective beliefs.

d. Lead in the development of the Army Values in others.

3. Mentorship Program Processes.

a. Admission. Have the cadet discuss the character flaw(s) that allowed the violation to occur. Step one of any self-improvement program is to identify and admit to the problem. Remind him/her that an admission does not mean he/she is morally bankrupt or unsalvageable; the Superintendent believes the cadet has potential for service as a leader of character or he/she would not be at this counseling session.

b. Reflection. Tell the cadet that throughout this program, you expect him/her to reflect upon his/her own thoughts during times of moral decision-making. This reflection will allow the mentoree to examine how he/she think, and will allow him/her to discover his/her own moral beliefs. The mentoree should notice certain repetitive patterns of behavior; in other words, ethical decision making habits. The mentoree must identify those habits that must change.

c. Rehabilitation. The root word of rehabilitation is habit. Accordingly, tell the mentoree the goal must be to re-habit him/herself. In other words, change those behaviors that are not congruent with the values of integrity and honor. Tell the cadet he/she can do this by: 1) knowing what those dysfunctional habits are, 2) being alert so he/she can identify when he/she is exercising those habits, and 3) forcing him/herself to behave in a different manner. The end state

should be the mentorees resolute confidence that him/her can “choose the harder right” without the assistance and supervision of an experienced mentor and detailed mentorship program.

4. Case Background.

- a. Have the cadet tell the story of how he/she violated the Code.
- b. Ensure that you ask questions to learn the following:
 - (1) First and subsequent things that went wrong.
 - (2) Flags or warning signs that something was going wrong.
 - (3) Alternative course of actions considered and not considered.
 - (4) What was the cadet thinking at the time he made a decision that violated the Code?
- c. If the cadet could reverse time, what would he/she do?
- d. Ask the cadet if he/she has told any family members or close friends about his/her honor case? (This is an important step of the admission process).

5. Value of the Cadet as an Individual.

- a. The cadet may have feelings of unworthiness. Spend time exploring the cadet’s opinion of him/herself. If the cadet does not respect him/herself and believe he/she has redeeming qualities, development will be crippled from the beginning.
- b. Ask the cadet what he/she does well, and have the cadet record those things. If the cadet is unable to recognize any positive personal qualities, then offer suggestions. Do not give up on this until the cadet admits he/she has some inherent value. Areas for exploration are academics, physical fitness, leadership, military accomplishments, friendship, club participation, and attributes such as tenacity, compassion, and humor.

6. Mentorship Program.

- a. **Provide an overview.** The mentorship program is a reflective practicum. This is similar to an internship wherein a person applies knowledge that he/she has learned to a work environment under the supervision of an expert, or mentor. The mentor does not tell the mentoree what to do or what to think; rather, the mentor helps him/her examine and modify his/her actions and thoughts. The mentoree is responsible for making any necessary changes – no one else can do that for him/her. Ensure the mentoree understands the standard sanctions are invoked until successful completion of the Mentorship program as determined by the Superintendent.

b. Review. Review the specific tasks detailed in Honor Mentorship Program. Review together each task that the cadet will complete by the end of the program. Ensure that he/she knows the follow-up meeting submissions: portfolio, character development plan (assessment and calendar), XY paper, and initial journal entries.

7. Wrap-Up. Allow the cadet to ask questions; reassure the cadet that you have confidence in him/her; and set a date for the follow-up in two weeks.

SUMMARY SHEET

Office		Routing Date/Initials	Tab
1. VCM, CHC	Concur/Non-Concur	_____	___
2. SAH, SCPME	Concur/Non-Concur	_____	___
3. Director, SCPME	Concur/Non-Concur	_____	___
4. Commandant	Concur/Non-Concur	_____	___
5. SGS, USMA	Concur/Non-Concur	_____	___
6. CoS, USMA	Concur/Non-Concur	_____	___

ACTION OFFICE: MAxx-x

ACTION OFFICER/PHONE: CPT John A. Smith /x1234

DATE: 3 August 2009

SUBJECT: Final Honor Mentor Status Report, CDT _____, Company _____, Class of 200_

1. PURPOSE: To recommend that the Superintendent approve CDT _____'s completion of his formal honor mentorship program.

2. DISCUSSION:

a. The enclosure contains a portfolio of CDT _____'s written work completed during this mentorship program. In addition to the work documented in the portfolio, CDT _____ taught two honor classes for Company _____. The first was during Term 98-2, given to the Second-Class. The second was recently presented in Term 99-1, to the Fourth-Class on his/her own personal experiences with the Cadet Honor Code. CDT _____ volunteered to teach that second class, beyond the minimum requirements of the honor mentor program.

b. With the exception of his/her incident of self-admission and report, I have neither seen nor heard anything that would indicate that CDT _____ is a dishonorable person. I have seen enough to convince me that he/she has below-average academic aptitude. I believe that before the self-admission and report, an academic requirement would occasionally become the catalyst that projected him/her into short periods of time characterized by an inattention to detail, difficulty setting priorities, and lack of time management. he/she was susceptible to making a wrong decision during these periods of stress-driven decision-making from moment to moment.

c. I have also seen enough to convince me that CDT _____ has internalized the Code deeply. The entire experience has made him/her more thoughtful. he/she is by nature a quiet person. Despite that, I am happy to report to you and the cadet, that I have seen progress in these matters. he/she has worked through several stressful situations and made the correct decisions. There is no more definitive test of his honor that I can imagine within our present confines than that. It is time to allow CDT Xxxxx to take his/her hard-learned lessons onto active duty as an officer in the US Army.

3. RESOURCE IMPACT: None.

4. RECOMMENDATION: I recommend that the Superintendent approve CDT _____ as having successfully completed the formal portion of his/her Honor Mentorship Program. Having done so, CDT _____ is reminded that he/she must continue to inculcate the lessons learned in this program, exemplify, and apply them throughout his/her remaining tenure as a cadet and into their officer career.

Encl.
Mentor Program Portfolio

JOHN A. SMITH
CPT, FA
Instructor, Department of Math

DECISION OFFICE:
Superintendent

_____ APPROVED
_____ APPROVED AS MODIFIED
_____ DISAPPROVED
_____ SEE ME

Initials _____ Date _____

HONOR MENTORSHIP PROGRAM EVALUATION

Cadet: _____ Class: _____ Company: _____

Start Date: _____ End Date: _____

Unacceptable Deficient Successful Very Successful

Overall | _____

Unacceptable Deficient Successful Very Successful

Essay (TAB A) | _____

Comments:

XY Paper (TAB B) | _____

Comments:

Self-Assessment (TAB C) | _____

Comments:

Planning Calendar (TAB D) | _____

Comments:

Journal (TAB E) | _____

Comments:

Honor Instruction (TAB F) | _____

Comments:

Project (TAB G) | _____

Comments:

Optional Presentation | _____

Comments:

JOHN SMITH
CPT, FA
Instructor, Department of Math

REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
UNITED STATES MILITARY ACADEMY
UNITED STATES CORPS OF CADETS
WEST POINT, NEW YORK 10996

MACC-O-3-D

1 May 2009

MEMORANDUM THRU

Regimental Tactical Officer, 3rd Regiment, United States Corp of Cadets, West Point, New York 10996
 Brigade Tactical Officer, United States Corp of Cadets, West Point, New York 10996
 Commandant, United States Corps of Cadets, West Point, New York 10996

MEMORANDUM FOR Superintendent, United States Military Academy, West Point, New York 10996

SUBJECT: Honor Mentorship Program (HMP) Recommendation for Cadet X, D-3, 2011

1. PURPOSE: To recommend successful completion of Cadet X's Honor Mentorship Program.
2. DISCUSSION: Cadet X has been a member of Company D-3 for two and a half months of the seven months of the Honor Mentorship Program. During this short time of observation, I feel Cadet X has learned from his mistake and has become a better cadet because of it.
 - a. As part of HMP, Cadet X was not allowed to compete on the Army football team. Though disappointed, he has maintained a positive attitude in everything he does and has supported his teammates from day one. He looks forward to the day when he can once again represent Army.
 - b. Cadet X has volunteered to lead or take part in any PME2 Honor class where he can use his example of honor violation to deter others from doing what he did. This is an important step in the program, because it causes him to face what he did in front of others and not try to hide what he did. I had the opportunity to observe him brief a group of JROTC students at O'Neil High School, and could see that he was embarrassed, but did not make excuses for what he did.
 - c. Cadet X's military performance is average to this point. Having been a Team Leader for two semesters already, Cadet X should be ahead of his classmates in this leadership role. Cadet X's chain of command feels he does what he is told when prompted, but does not take initiative on his own. When guided, Cadet X has the ability to perform very well. Because he just meets the expectations of a Team Leader, his current MD grade is a C, though he has greater potential.
3. RECOMMENDATION: Superintendent approves Cadet X as having successfully completed the formal portion of his Honor Mentor Program.
4. POC for this memorandum is the undersigned at 938-xxxx.

JOHN M. DOE
 MAJ, AR
 Tactical Officer, D-3

EXAMPLE XY CASE**DEPARTMENT OF THE ARMY**

Cadet Honor Committee

United States Corps of Cadets

West Point, New York 10997

MACC-CPME-H

19 December 2006

MEMORANDUM FOR RECORD

SUBJECT: XY Case #10

1. **Purpose.** The purpose of this memorandum is to explain the final disposition of Cadet X.

2. **Allegation.** Cadet X, Class of 2007, did at West Point, New York, on or about 31 August 2005, violate the Cadet Honor Code by lying, by stating to Cadet Y, Class of 2007, that Cadet X had not been off post, or words to that effect, knowing said statement was false, or then not believing it to be true, and making it with the intent to deceive or mislead another person.

3. **Case Facts and Background.**

a. On or about 30 August 2005, Cadet Y was on duty in Central Guard Room. During that evening shift, an MP who had a prior relationship with Cadet Z came to Central Guard Room and asked Cadet Y to have Cadet Z and “his/her friend” (later determined to be Cadet X) come to Central Guard Room. Later that evening, Cadet Y saw the MP, Cadet X, and Cadet Z standing together.

b. After completion of the guard shift at 2330, Cadet Y went to Cadet X’s room and asked if everything was all right concerning the evening’s events with the MP. Cadet X told Cadet Y he/she was talking with the MP because he/she and some other cadets had been stopped by the MP while driving around on post. Cadet Y questioned Cadet X as to whether he/she had been off post. Cadet X’s answer did not satisfy Cadet Y’s questions, but he/she stated he/she had not been off post. When Cadet Y checked Cadet Z’s Company Departure Book, he/she noticed Cadet Z had been signed out on Off Post Privileges (OPPs) for the entire day, and therefore believed Cadet X may have lied to him/her.

c. Shortly after Taps on 31 August 2005, Cadet Y approached Cadet X for clarification on the matter. At this time, Cadet X admitted to earlier lying to Cadet Y by stating he/she had not been off post when in fact he/she had been off post.

d. The Cadet Honor Committee later investigated the matter, and the Commandant of Cadets convened an Honor Investigative Hearing.

4. Case Findings and Sanctions.

a. Cadet X admitted to violating the Cadet Honor Code and signed a stipulation of fact at the outset of the Honor Investigative Hearing. During the Honor Investigative Hearing, six cadet Board members made recommendations to the Superintendent concerning Cadet X's retention at the Academy.

b. Following a transcription of the proceedings and a legal review thereof, the Superintendent approved the findings of the Honor Investigative Hearing. Additionally, after meeting with Cadet X, his Chain of Command, and members of the Cadet Honor Committee, the Superintendent exercised his discretionary authority and made the following decision:

(1) That Cadet X would be separated from the United States Military Academy, but such separation would be suspended until May 2007 pending Cadet X's future adherence to honorable living.

(2) That Cadet X has reduced privileges for three months.

(3) That Cadet X is enrolled in the Honor Mentorship Program and that Cadet X is required to brief all incoming foreign cadets on his experience.

c. When making his decision, the Superintendent considered the experience under, knowledge of, and the extent of Cadet X's violation of the Cadet Honor Code. Additionally, he considered whether the violation was self-reported, whether duress was present, the egregiousness of the offense, and whether the cadet has learned from the experience, and demonstrates an understanding of the value of personal honor. He also considered the recommendations of Cadet X's Chain of Command, and the Board members of the HIIH. Some of the hearing member comments include:

"As a Firstie, I have a great amount of respect for Cadet X-- risking humiliation from separation in order to live honorably. Cadet X is the sincerest Respondent I have ever seen."

"I have sat on several admit cases and this is actually the first one where I actually feel confident in the cadet's resolve to live honorably under the Honor Code."

"Cadet X knew what the Honor Code was and that he/she was lying. This is not an incident to be taken light heartedly. Lying in someone's face is about one of the worst things one can do."

"Cadet X knows that what he/she did was wrong and I am almost certain that this will never happen again. The amount of pressure he/she felt was not an excuse to violate the Cadet Honor Code."

“I feel it was not fully his intent to deceive anyone to a large extent, but he/she did and he/she admitted to it.”

“I strongly feel that Cadet X has resolved to live honorably. I think his/her violation and the experiences he/she has had with it so far have forced him/her to really think about and grasp a better understanding of the Cadet Honor Code.”

“I think Cadet X can only benefit West Point and that the idea of violating the Cadet Honor Code would never cross his/her mind again.”

“I have no doubt that Cadet X will live anything less than a superior life here at West Point. I believe Cadet X made a mistake, but in no form or fashion needs to be separated from the Academy.”

“Cadet X knew he/she was lying at the time of the occurrence. I think Cadet X understands the implications of the Honor Code more now than he/she ever did before.”

5. Learning Points.

a. General.

(1) The terms of Cadet X’s suspension will be considered voided if Cadet X is again found to have violated the Cadet Honor Code during the period of suspension. If no such violation occurs during this period, this recommendation for separation will be void.

(2) A stipulation of fact is an official statement drawn up by the Cadet Honor Committee before the Honor Investigative Hearing begins. In it are the essential facts of the case, the elements of the allegation, and a statement that the Respondent violated the Cadet Honor Code. The stipulation of fact is evidence in the Honor Investigative Hearing.

(3) For every Honor Investigative Hearing resulting in a found decision by the Board members, the Superintendent has two definite courses of action. He can approve the findings or disapprove them--setting them aside. If a Board reaches a decision of “not found,” then he cannot change the decision. The whole matter is then resolved.

b. Specific.

(1) Cadet X’s decision to “blow post” though seemingly harmless at the time, was the root cause of further consequences.

(2) While Cadet Y’s questioning may have left Cadet X feeling under pressure or uncomfortable, all cadets are required to answer questions truthfully and be forthright. In a similar situation, any cadet who feels uncomfortable or pressured can ask for a pause to gather one’s composure and thoughts. This is not a way out of the situation. Rather, it is simply to the benefit of everyone involved that the truth surface.

(3) Given that cadets are required to answer all questions truthfully, leaders have the important responsibility of striving to maintain an atmosphere where the truth is not an impossible course of action. In a similar situation involving honor implications, a First-Class cadet might encourage a plebe to take a minute and think about the answer before “popping-off” with a less-desirable answer. Leaders should positively enforce an ethical climate.

6. **POC.** The point of contact for this memorandum is the undersigned at x5617.

FOR THE CHAIRMAN:

JEREMY PHILLIPS
CDT CPT
Secretary, Cadet Honor Committee

HONOR INSTRUCTION FEEDBACK FORM

Date: _____ CO: _____ Audience Year Group: _____ Class: _____

Instructor: _____

Directions to the observer: Evaluate this class from the perspective of the target audience and ask yourself, "Were the lesson objectives met?" (This means much more than "Were the lesson objectives covered?"). Keep in mind that honor instruction is aimed at challenging cadets to examine their values and begin to change them if necessary. Accordingly, traditional teaching techniques such as lecturing are less effective than experiential techniques such as small group discussions and role-playing. Naturally, student participation is of paramount importance.

1. Pre-instructional activities.

Did the instructor(s) appear knowledgeable and prepared? YES / NO

Did the instructor(s) rehearse the class, how did they do this, and with whom? YES / NO

2. Introduction.

Did the instructor(s) state the purpose? YES / NO And the objectives of the class? YES / NO

Comment on the effect of the introduction (Grab your attention? Establish relevance?):

_____**3. Presentation.**

Logically sequenced? YES / NO Course objectives covered? YES / NO

Course objectives met? YES/NO Comments on the presentation:

_____**4. Student participation.**_____
_____**5. Additional comments.**_____

APPENDIX 4- Policy Regarding Release of Honor Statistics

APPENDIX 4

POLICY REGARDING RELEASE OF HONOR STATISTICS

General statistical information pertaining to honor trends may be used openly within the Academy. Examples of such information include the number of honor cases, number and class of year of “found” cadets, or types of violations that occurred in a given time period.

There is no release of detailed honor statistics without the specific approval of the Commandant.

APPENDIX 5 – Frequently Asked Questions

APPENDIX 5

FREQUENTLY ASKED QUESTIONS

The following is a list of frequently asked questions about the Cadet Honor Code.

Q: Is presenting false identification a violation of the Code?

A: Yes, as long as both the requisite act and intent are present. By presenting a false identification, regardless of how you acquired it, you are claiming to be someone else or making a false claim about pertinent personal information (age, qualification, etc.)

Q: If I am in a stressful situation and give a false response to a question, have I violated the Honor Code?

A: Yes, as long as your intent was to deceive. Stress does not relieve anyone of his or her duty to respond truthfully. A lie told under pressure is still a lie.

Q: I heard a Third-Class cadet tell a Fourth-Class cadet that the Fourth-Class cadet is suspected of lying and if the cadet would tell the truth now there would be no honor implications. Did the Third-Class cadet have the authority to do this?

A: No. The Honor Code is clear. Failure to report a violation of the Honor Code is toleration. The Third-Class cadet does not have the authority to dismiss honor violations and in this situation has violated the Code.

Q: From the day I entered the Academy I have been taught that teamwork is essential and making a classmate look bad is wrong. Does the non-toleration aspect of the Code violate this idea by forcing me to turn in a classmate if I suspect a violation?

A: No. A chain is only as strong as its weakest link and when a cadet demonstrates dishonesty, that cadet weakens the team. Trust is destroyed and all suffer. Teamwork is essential to our mission, but let us examine what teamwork really is. Teamwork is a cooperative effort by a group toward the accomplishment of a goal. Our goal is to develop the character and integrity of every cadet. By allowing cadets to practice dishonesty we allow them to learn character traits that will lead to failure as an officer. By ensuring every member of the team practices honesty and integrity we teach them to succeed. Some may find this difficult to accept because it requires a great deal of moral courage to confront someone about integrity. It takes a willingness to stand for a higher moral standard. As a team, we can produce officers of superior integrity and leaders with strong character.

Q: The way the Honor System is set up, if I am accused of a violation and there is strong evidence, it appears the safest option is to admit even if I did not commit the violation. If I tell the truth and request an honor board, I run the risk of separation. Meanwhile, if I falsely admit to a violation, I may have a better chance of not being separated. Will cadets attempt to game the system?

A: Being honest will bring the truth to light and the matter can often be settled without a HIIH or CAB. A cadet who has not committed an Honor Code violation and who is honorable will not lie to improve his or her chances of remaining at the Academy.

Q: Could I commit an honor violation by improperly filling out official forms?

A: The Army routinely requires personnel to take attendance, account for an action, and certify completion in writing. When you have these duties and sign or initial such a form, you are giving your word as to its accuracy, your compliance, or your acceptance of responsibility. However, if something cannot be reported accurately because of the form's construction or other problems, you must ensure you clearly indicate the exceptions or problems. In short, clarify as necessary to ensure the recipient understands the meaning you intended. In short, do not allow a form to cloud the truth.

Q: If I commit an honor violation while intoxicated, is it still considered an honor violation?

A: Occasionally, cadets who commit acts, which come under the Honor Code, claim they had no intent because they were intoxicated and did not know what they were doing. When a cadet commits a possible honor violation, while under the influence of alcohol, that state of voluntary intoxication does not excuse the cadet's actions. However, evidence of voluntary intoxication may be introduced for the purpose of raising doubt as to the existence of specific intent, where specific intent is an element of the offense (e.g., the "intent to deceive another person" required for the offense of lying). To determine intent, the board will consider all of the actions of the respondent at the time of the alleged violation. Testimony from others as to how the cadet responded at the time of the event may provide insight into the respondent's ability to exercise reason with regard to his/her actions. If the evidence indicates that the alcohol did not undermine the reasoning ability, then the alcohol consumption will have no bearing on the ultimate determination of violation or no violation. The facts and circumstances at the time of the alleged incident are key to a proper determination. Therefore, it is crucial the Investigative Team perform a thorough investigation to discover all pertinent facts. Ultimately, you are responsible for your own actions. You should never voluntarily allow yourself to lose control of your faculties, especially when you could be putting yourself into the position of committing a dishonest act.

Q: If I am not found in violation of the Cadet Honor Code at an HIH, can I still receive some other sort of punishment related to the allegation(s)?

A: Not found in violation of the Cadet Honor Code does not necessarily mean no other action will be taken for underlying misconduct not subject to the Code. For example, if someone allegedly plagiarized, but the HIH found no violation, you could still face disciplinary action by the instructor for improper documentation. Another example is failing to sign out. If there are honor implications that resulted in an HIH but you were not found to have violated the Cadet Honor Code, you may still receive disciplinary action for failure to comply with the USCC SOP.

APPENDIX 6 – Professional Reading List

APPENDIX 6***PROFESSIONAL READING LIST***

The Cadet Honor Committee and the Simon Center for the Professional Military Ethic encourage all cadets to increase their knowledge of our profession and its unique ethic by reading some or all of the titles listed in this Appendix.

Atkinson, Rick. *The Long Gray Line*.

Bennett, William J. *The Moral Compass*.

Bennett, William J. *The Book of Virtues*.

Bok, Sissela. *Lying*.

Bolt, Robert. *A Man for All Seasons*.

Bonevac, Daniel. *Today's Moral Issues*.

Bork, Robert H. *Slouching Towards Gomorrah*.

Boyd, Thomas. *Through the Wheat*.

Bunting, Josiah. *The Lionheads*.

Callahan, Daniel, and Sissela Bok. *Ethics Teaching in Higher Education*.

Caputo, Philip. *A Rumor of War*.

Carter, Jimmy. *Living Faith*.

Carter, Stephen. *Integrity*.

Christopher, Paul. *The Ethics of War and Peace*.

Cohen, Eliot A. and John Gooch. *Military Misfortunes*.

Conroy, Pat. *The Great Santini*.

Conroy, Pat. *Lords of Discipline*.

Covey, Dr. Stephen R. *The 7 Habits of Highly Effective People*.

Cozzens, James Gould. *Guard of Honor*.

Crost, Lyn. *Honor by Fire*.

Day, George E. *Return with Honor*.

Dewitt, Copp. *A Few Great Captains*.

Dobson, Dr. James. *Life on the Edge*.

Dower, John. *War Without Mercy: Race and Power in the Pacific War*.

Downs, Fred. *The Killing Zone*.

Fall, Bernard. *Hell in a Very Small Place: The Siege of Dien Bien Phu*.

Federer, William J. *America's God and Country*.

Fehrenbach, T. R. *This Kind of War*.

Ford, Daniel. *Incident at Muc Wa*.

Forster, E. M. *The General*.

Fotion, Nicholas, and G. Elfstrom. *Military Ethics: Guidelines for Peace and War*.

Fraleigh, Warren. *Right Actions in Sports*.

Frankena, William. *Ethics*.

Gabriel, Richard, and Paul Savage. *Crisis in Command*.

Gabriel, Richard. *To Serve with Honor*.

Gantar, Jeff. *A Question of Honor*.

Glaser, John W. *Three Realms of Ethics: Individual, Institutional, Societal—Theoretical Model and Case Studies*.

Gough, Russell W. *Character is Everything: Promoting Ethical Excellence in Sports*.

Graves, Robert. *Goodbye to All That*.

Gray, J. Glenn. *The Warriors*.

Griffin, W.E.B. *Blood and Honor*.

Hackett, Sir John. *I Was a Stranger*.

Hackett, Sir John. *The Profession of Arms*.

Hackworth, David. *About Face*.

Hartle, Anthony E. *Moral Issues in Military Decision Making*.

Hemingway, Ernest. *For Whom the Bell Tolls*.

Herbert, Anthony B. and James T. Wooten. *Soldier*.

Hillman, James. *The Soul's Code*.

Horne, Alistair. *The Price of Glory*.

Huntington, Samuel. *The Soldier and the State*.

Janowitz, Morris. *The Professional Soldier: A Social and Political Portrait*.

Jones, Bruce E. *War Without Windows*.

Keegan, John. *The History of Warfare*.

Kerber, Linda K. *Women of the Republic*.

Krohn, Charles. *The Lost Battalion: Controversies and Casualties in the Battle of Hue*.

Lanning, Michael Lee. *Vietnam at the Movies*.

Lee, Gus. *Courage: The Backbone of Leadership*.

Lee, Gus. *Honor and Duty*.

Leinbaugh, Harold P. and John C. Campbell. *The Men of Company K: The Autobiography of a World War II Rifle Company*.

Lickona, Thomas. *Educating for Character*.

Long, Nicholas. *Life Space Intervention*.

MacDonald, Charles. *Company Commander*.

Mailer, Norman. *The Naked and the Dead*.

Mandela, Nelson. *Mandela*.

Marrella, Len. *In Search of Ethics: Conversations with Men and Women of Character, 2d Ed.*

Marshall, S. L. A. *Men Against Fire.*

Marshall, S. L. A. *Pork Chop Hill.*

Marshall, S. L. A. *The Officer as Leader.*

Matthews, Lloyd and Dale E. Brown. *The Challenge of Military Leadership.*

Matthews, Lloyd and Dale E. Brown. *The Parameters of Military Ethics.*

Melville, Herman. *Billy Budd.*

Moore, Harold G. and Joseph L. Galloway. *We Were Soldiers Once and Young.*

Moore, Harold G. and Joseph L. Galloway. *We Are Soldiers Still: A Journey Back to the Battlefields of Vietnam.*

Myrer, Anton. *Once an Eagle.*

Nesaule, Agate. *A Woman in Amber.*

O'Brien, Timothy. *The Things They Carried.*

Owen, James P. & David R. Stoeklein. *Cowboy Ethics.*

Peers, William R. *The My Lai Inquiry.*

Phillips, Donald. *Lincoln on Leadership.*

Powell, Colin. *My American Journey.*

Quayle, Dan. *Standing Firm.*

Remarque, Erich Maria. *All Quiet on the Western Front.*

Reill, Patricia Lynn. *A God Who Looks Like Me.*

Roche, George. *A World Without Heroes.*

Sajer, Guy. *The Forgotten Soldier.*

Schworzkopf, Norman. *It Doesn't Take a Hero.*

- Seabury, Paul, and Angelo Codevilla. *War: Ends and Means*.
- Sheehan, Neil. *A Bright, Shining Lie*.
- Shils, Edward. *The Academic Ethic*.
- Simon, Robert. *Fair Play*.
- Singlaub, John K. and Malcolm McConnell. *Hazardous Duty*.
- Sledge, E. B. *With the Old Breed on Peilulu and Okinawa*.
- Snadin, Robert T. *The Rehabilitation of Virtue: Foundations of Moral Education*.
- Snider, Don M. *Forging the Warrior's Character: Moral Precepts from the Cadet Prayer*.
- Stein, Jeff. *A Murder in Wartime*.
- Sorley, Lewis. *Honor Bright: History and Origins of the West Point Honor Code and System*
- Stockdale, Admiral. *In Love and War*.
- Stoll, Sharon. *Who Says This is Cheating?*
- Stromberg, Peter L., Malham M. Wakin, and Daniel Callahan. *The Teaching of Ethics in the Military*.
- Styron, William. *The Long March*.
- Taylor, Telford. *Nuremburg and Vietnam: An American Tragedy*.
- Temboom, Corrie. *The Hiding Place*.
- Thiroux, Jacques P. *Ethics: Theory and Practice*.
- Toner, James. *The American Military Ethic: A Meditation*.
- Toner, James. *The Sword and the Cross: Reflections on Command and Conscience*.
- Toner, James. *True Faith and Allegiance: The Burden of Military Ethics*.
- Tyldesley, Joyce. *Hatchepsut*.
- Wakin, Malham. *War, Morality, and the Military Profession*. 2d ed.
- Walzer, Michael. *Just and Unjust Wars*.

Webb, James. *A Sense of Honor*.

Webb, James. *Fields of Fire*.

White, Thomas I. *Right and Wrong: A Brief Guide to Understanding Ethics*.

Wilson, George C. *Mud Soldiers*.

Wilson, James Q. *The Moral Sense*.

Wolfe, Tom. *The Right Stuff*.

Young, Andrew. *An Easy Burden*.

