

Table 5.81.2008

U.S. Navy and Marine Corps personnel tried in general, special, and summary courts-martial, and discharges approved

By conviction status, United States, fiscal years 1997-2008

Fiscal year	Type of courts-martial									Discharges approved	
	General			Special <sup>a</sup>			Summary			Dishonorable	Bad conduct <sup>b</sup>
	Tried	Convicted	Acquitted	Tried	Convicted	Acquitted	Tried	Convicted	Acquitted		
1997	548	511	37	2,698	2,586	112	1,631	1,589	42	205	1,976
1998	470	459	11	2,322	2,309	13	1,783	1,762	21	173	1,857
1999	349	317	31	2,102	2,009	93	1,565	1,529	36	114	1,698
2000	428	398	30	2,381	2,298	83	1,883	1,802	81	98	1,659
2001	481	454	27	2,264	2,222	42	2,103	2,074	29	114	1,823
2002	499	481	18	2,188	2,144	44	2,098	2,078	20	164	1,819
2003	315	291	24	1,854	1,815	39	1,990	1,955	35	99	1,596
2004	313	282	31	1,872	1,807	65	1,954	1,924	30	105	1,452
2005	359	339	20	1,610	1,549	61	1,980	1,968	12	122	1,699
2006	278	250	28	1,299	1,240	59	1,789	1,774	15	104	983
2007	297	256	41	1,049	931	118	1,505	1,498	7	119	920
2008	269	236	33	984	898	86	1,713	1,672	41	126	773

Note: Courts-martial have exclusive jurisdiction over purely military offenses and nonexclusive jurisdiction over acts or omissions that violate local criminal law, foreign or domestic, for any persons subject to the Uniform Code of Military Justice (UCMJ). The data presented are for violations of the UCMJ, including acts violating civilian criminal codes that were tried by courts-martial. "General courts-martial" consist of a military judge and not less than five members (jurors), or by request of the accused, the case may be heard by a military judge alone. General courts-martial have jurisdiction to try any person subject to the UCMJ and adjudge any punishment authorized in the Rules for Courts-Martial (RCM) including the death penalty. In capital cases, general courts-martial must consist of a military judge and not less than 12 members. "Special courts-martial" consist of not less than three members and also may include a military judge, or by request of the accused, the case may be heard by a military judge alone. Special courts-martial have jurisdiction to try persons for noncapital offenses and adjudge any punishment except death, dishonorable discharge, dismissal, confinement for more than 1 year, hard labor without confinement for more than 3 months, forfeiture of pay exceeding two-thirds pay per month, or forfeiture of pay exceeding 1 year. "Summary courts-martial" consist of one active-duty commissioned officer and the maximum penalty that can be adjudged is confinement for 1 month, hard labor without confinement for 45 days or less, restriction to specified limits for 2 months or less, and forfeiture of two-thirds of 1 month's pay.

A "dishonorable discharge" may be adjudged only by general courts-martial and applies to enlisted persons and noncommissioned warrant officers convicted of offenses usually recognized in civilian jurisdictions as felonies, or offenses of a military nature requiring severe punishment. A "dismissal" may be adjudged only by general courts-martial and applies to commissioned officers, warrant officers, cadets, and midshipmen. A "bad-conduct discharge" (BCD) applies only to enlisted persons and may be adjudged by general or special courts-martial. It is less severe than a dishonorable discharge and is designed as punishment for bad conduct, rather than for serious offenses of a military or civilian nature. A BCD also can be applied to persons convicted repeatedly of minor offenses and whose punitive separation appears necessary by the courts-martial. (Source: Joint Service Committee on Military Justice, *Manual for Courts-Martial United States*, 2008 Edition [Online]. Available: <http://www.usapa.army.mil/pdffiles/mcm.pdf> [May 21, 2009].)

<sup>a</sup>Includes only BCD; the Navy and Marine Corps did not convene non-BCD special courts-martial.

<sup>b</sup>Includes bad conduct discharges adjudged by both general and special courts-martial.

Source: U.S. Court of Appeals for the Armed Forces, *Annual Reports* [Online]. Available: <http://www.armfor.uscourts.gov/Annual.htm> [May 21, 2009]. Table constructed by SOURCEBOOK staff.