

Table 5.83.2008

U.S. Coast Guard 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 ^a			Summary			Dishonorable	Bad conduct ^b
	Tried	Convicted	Acquitted	Tried	Convicted	Acquitted	Tried	Convicted	Acquitted		
1997	6	6	0	9	9	0	10	10	0	2	7
1998	18	17	1	21	20	--	8	8	0	3	12
1999	6	6	0	17	17	0	3	3	0	6	22
2000	10	9	1	23	23	0	11	10	1	2	14
2001	15	15	0	17	17	0	18	18	0	3	16
2002	4	4	0	23	23	0	11	11	0	2	19
2003	8	8	0	18	18	0	20	20	0	1	17
2004	12	12	0	27	25	--	12	12	0	4	23
2005	7	5	2	45	45	0	21	21	0	0	30
2006	16	16	0	32	31	1	31	31	0	3	20
2007	16	13	3	24	23	1	31	31	0	2	19
2008	13	12	1	19	19	0	28	28	0	0	21

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].)

^aIncludes only BCD special courts-martial; the Coast Guard did not convene non-BCD special courts-martial.

^bIncludes 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.