



FORT SILL LEGAL ASSISTANCE



REPRIMANDS

I. DEFINITIONS

A letter of reprimand (LOR) is an administrative censure given to a Soldier for a failure to comply with established standards. A General Officer Memorandum of Reprimand, known as a GOMOR, is a reprimand issue by a general officer.

II. FILING

A letter of reprimand may be filed in either the local file, officially known as your Military Personnel Record Jacket (MPRJ), or the Army Military Human Resource Record (AMHRR) (formerly the OMPF). Letters filed locally may remain for up to three years or until you are reassigned to a new general court-martial jurisdiction, *whichever is sooner*. A reprimand filed in a Soldier's AMHRR, regardless of the issuing authority, can only be filed upon the order of a general officer, or by direction of an officer having general court-martial jurisdiction over the Soldier. Letters filed in your AMHRR are permanently placed in the performance section and will likely adversely affect your military career in the future.

III. ISSUING AUTHORITY

For enlisted personnel:

1. The recipient's immediate commander (or a higher commander in his or her chain of command);
2. School commandants;
3. Any general officer; or
4. An officer exercising general court-martial jurisdiction over the recipient.

For commissioned officers and warrant officers:

1. The recipient's immediate commander or a higher level commander in the chain of command (if such commander is senior in grade or date of rank to the recipient);
2. The designated rater, intermediate rater, or senior rater under the officer evaluation reporting system;
3. Any general officer senior to the recipient or an officer who exercises general court-martial jurisdiction over the recipient.

IV. YOUR RIGHTS

You have the right to rebut and comment on the reprimand before the filing decision occurs. Any statements and other evidence you submit in rebuttal will be attached as enclosures if AMHRR filing is ultimately directed. You will be allowed a reasonable time

(usually seven (7) working days) to prepare and submit your response. You are entitled to consult with a Legal Assistance attorney for help with your rebuttal.

V. SUPPORTING DOCUMENTATION

Immediately begin building a “good soldier book.” This book can include citations underlying awards, strong NCOER/OER’s, and anything else supporting the assertion that you should ultimately be retained. Contact anyone, particularly individuals presently in your chain of command or at any point in a supervisory role over you, who will write you a letter of support, even if only in email format. Your Legal Assistance attorney can provide you templates for formal signed memoranda, but less formal correspondence is better than nothing. The general to whom your rebuttal is addressed needs to understand the gravity of a permanent filing decision—in effect that the Army will be weakened if you are ultimately separated as a result of this “negative paper” in your permanent file.

VI. PREPARING YOUR REBUTTAL

Your response should argue for a local filing determination from the facts underlying your reprimand. Write a chronological summary of these underlying events in memorandum format, highlighting potentially favorable facts or any issues possibly in dispute. If you have witnesses to certain events, provide their names and obtain sworn statements from them. Bring this draft and supporting documentation to your attorney to revise and finalize. Your attorney will counsel you as to strategy and appropriate tone as he/she attempts to properly mold your rebuttal to its facts and audience. Once your rebuttal is complete, return it to the officer who issued the letter of reprimand to you, typically the Commanding General of the Fires Center of Excellence and Fort Sill. Please ensure that you have provided the office symbol and address of your unit, as this information must be in the proper places on the rebuttal, in accordance with AR 25-50.

VII. APPEALS

No formal procedure exists for requesting removal of a locally filed reprimand, but you may submit an informal request to the commander who ordered the filing. For permanently filed reprimands, you may direct a request for removal to the Department of the Army Suitability and Evaluation Board (DASEB). Consideration of appeals is ordinarily limited to Soldiers in the grade of E-6 or above, officers, and warrant officers. Appeals of Soldiers below E-6 are considered only as exceptions to policy. You have the burden of demonstrating that the reprimand is untrue or unjust by clear and convincing evidence. Appeals for removal or petitions for transfer to the restricted portion of your AMHRR will only be considered after one year has passed since the filing.

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This Information Paper only provides basic information and is not intended to serve as a substitute for personal consultations with a Legal Assistance Attorney. To schedule an appointment with a Legal Assistance Attorney, please contact the Legal Assistance Office at (580) 442-5058 or (580) 442-5059. The Fort Sill Legal Assistance Office is located on the 4th floor of Building 4700, Hartell Hall (Welcome Center) at 4700 Mow-Way Road.