

Table 5.85

Army personnel tried and percent convicted in General and Special (BCD) Courts-Martial

By type of personnel, fiscal years 1971-96

Fiscal year and type of personnel	Total number tried	Percent convicted	Fiscal year and type of personnel	Total number tried	Percent convicted
1971	3,942	94.9%	1984	2,845	95.3%
Officers	42	80.9	Officers	41	85.4
Enlisted personnel	3,900	95.6	Enlisted personnel	2,804	95.5
1972	3,319	93.7	1985	2,724	95.2
Officers	52	78.8	Officers	52	88.5
Enlisted personnel	3,267	93.9	Enlisted personnel	2,672	95.3
1973	2,356	93.9	1986	2,701	94.7
Officers	19	68.4	Officers	50	98.0
Enlisted personnel	2,337	94.1	Enlisted personnel	2,651	94.6
1974	3,258	94.3	1987	2,516	95.8
Officers	14	78.5	Officers	37	86.5
Enlisted personnel	3,244	94.4	Enlisted personnel	2,479	96.0
1975	2,876	93.3	1988	2,554	95.3
Officers	15	53.3	Officers	27	77.8
Enlisted personnel	2,861	93.5	Enlisted personnel	2,527	95.5
1976	2,265	91.8	1989	2,435	93.9
Officers	20	65.0	Officers	35	91.4
Enlisted personnel	2,245	92.1	Enlisted personnel	2,400	94.0
Transition quarter	500	90.8	1990	2,222	94.1
Officers	8	62.5	Officers	27	96.3
Enlisted personnel	492	91.2	Enlisted personnel	2,195	94.1
1977	1,920	89.9	1991 <sup>d</sup>	1,758	94.1
Officers <sup>a</sup>	23	78.3	Officers	46	97.8
Enlisted personnel <sup>b</sup>	1,897	90.0	Enlisted personnel	1,712	94.0
1978	1,608	88.7	1992	1,708	92.8
Officers	13	83.3	Officers	28	78.6
Enlisted personnel <sup>c</sup>	1,595	88.7	Enlisted personnel	1,680	93.0
1979	1,768	90.7	1993	1,287	90.0
Officers <sup>a</sup>	22	72.7	Officers	32	100.0
Enlisted personnel <sup>c</sup>	1,746	90.9	Enlisted personnel	1,255	89.8
1980	2,739	88.1	1994	1,220	91.2
Officers	22	77.3	Officers	24	87.5
Enlisted personnel	2,717	88.2	Enlisted personnel	1,196	98.1
1981	3,366	77.8	1995	1,178	91.2
Officers	22	68.2	Officers	40	80.0
Enlisted personnel	3,344	77.9	Enlisted personnel	1,138	91.6
1982	4,090	73.5	1996	1,146	91.2
Officers	47	95.7	Officers	31	87.1
Enlisted personnel	4,043	73.2	Enlisted personnel	1,115	91.3
1983	3,670	95.6			
Officers	47	91.5			
Enlisted personnel	3,623	95.6			

Note: In the military justice system, a General Court-Martial consists of a military judge and not less than five members (jurors), although a trial may be heard by a military judge alone, if requested by the accused (10 U.S.C. 815). A Special Court-Martial consists of not less than three members, or a military judge and not less than three members, or trial by military judge alone, if requested by the accused (10 U.S.C. 815). The jurisdiction of the Special Court-Martial is limited to non-capital offenses. In addition, a Special Court-Martial cannot adjudge a dishonorable discharge, dismissal, confinement longer than 6 months, hard labor without confinement for longer than 3 months, forfeiture of more than two-thirds pay, or any forfeiture of pay for longer than 6 months. If a bad conduct discharge (BCD) is adjudged, the Special Court-Martial must have included a verbatim record of the proceeding, counsel for the accused, and a military judge (10 U.S.C. 819). This is referred to as a Special (BCD) Court-Martial.

These data reflect the combined activity of both General and Special (BCD) Courts-Martial. The data presented for years prior to and including 1976 coincide with former Fed-

eral fiscal years. The transition quarter refers to the period July 1, 1976 to Sept. 30, 1976. The fiscal year for the Federal Government is now from October 1 to September 30.

<sup>a</sup>Includes one cadet.

<sup>b</sup>Includes one civilian.

<sup>c</sup>Includes two prisoners.

<sup>d</sup>The number of enlisted personnel tried in 1991 is much lower than previous years because there were fewer trials than usual during the deployment to Southwest Asia and subsequent military operations in that region. In addition, the process of reducing the size of the Army began during this time period.

Source: Table constructed by SOURCEBOOK staff from data provided by the U.S. Department of Defense, Department of the Army.