

MAXIMUM PUNISHMENT CHART

This chart was compiled for convenience purposes only and is not the authority for specific punishments. See Part IV and R.C.M. 1003 for specific limits and additional information concerning maximum punishments.

<i>Article</i>	<i>Offense</i>	<i>Discharge</i>	<i>Confinement</i>	<i>Forfeitures</i>
	Assault upon a warrant officer, not in the execution of office . . .	DD, BCD	18 mos.	Total
	Assault upon a noncommissioned or petty officer, not in the execution of office	BCD	6 mos.	Total
	Assault upon a sentinel or lookout in the execution of duty, or upon any person who, in the execution of office, is performing security police, military police, shore patrol, master at arms, or other military or civilian law enforcement duties	DD, BCD	3 yrs.	Total
	Assault consummated by a battery upon a child under 16 years, spouse, intimate partner, or an immediate family member . . .	DD, BCD	2 yrs.	Total
	Aggravated assault			
	Aggravated assault with a dangerous weapon			
	When committed with a loaded firearm	DD, BCD	8 yrs.	Total
	When committed upon a child under the age of 16 years, spouse, intimate partner, or an immediate family member.	DD, BCD	5 yrs.	Total
	Other cases	DD, BCD	3 yrs.	Total
	Aggravated assault in which substantial bodily harm is inflicted			
	When the injury is inflicted with a loaded firearm	DD, BCD	8 yrs.	Total
	When the injury is inflicted upon a child under the age of 16 years, spouse, intimate partner, or an immediate family member	DD, BCD	6 yrs.	Total
	Other cases	DD, BCD	3 yrs.	Total
	Aggravated assault in which grievous bodily harm is inflicted			
	When the injury is inflicted with a loaded firearm	DD, BCD	10 yrs.	Total
	When the injury is inflicted upon a child under the age of 16 years, spouse, intimate partner, or an immediate family member	DD, BCD	8 yrs.	Total
	Other cases	DD, BCD	5 yrs.	Total
	Assault with intent to commit specified offenses			
	Assault with the intent to commit murder, rape, or rape of a child	DD, BCD	20 yrs.	Total
	Assault with intent to commit voluntary manslaughter, robbery, arson, burglary, and kidnapping	DD, BCD	10 yrs.	Total
128a	Maiming	DD, BCD	20 yrs.	Total
129	Burglary; unlawful entry			
	Burglary (with intent to commit an offense punishable under Article 118-120, 120b-121, 122, 125-128a, or 130)	DD, BCD	10 yrs.	Total
	Burglary (with intent to commit any other offense punishable under the UCMJ)	DD, BCD	5 yrs.	Total
	Unlawful entry	BCD	6 mos.	Total
130	Stalking	DD, BCD	3 yrs.	Total
131	Perjury	DD, BCD	5 yrs.	Total
131a	Subornation of perjury	DD, BCD	5 yrs.	Total
131b	Obstructing justice	DD, BCD	5 yrs.	Total
131c	Misprision of serious offense	DD, BCD	3 yrs.	Total
131d	Wrongful refusal to testify	DD, BCD	5 yrs.	Total
131e	Prevention of authorized seizure of property	DD, BCD	5 yrs.	Total
131f	Noncompliance with procedural rules			
	Unnecessary delay in disposing of case	BCD	6 mos.	Total
	Knowingly and intentionally failing to enforce or comply with provisions of the UCMJ	DD, BCD	5 yrs.	Total
131g	Wrongful interference with adverse administrative proceedings	DD, BCD	5 yrs.	Total
132	Retaliation	DD, BCD	3 yrs.	Total
133	Conduct unbecoming an officer and a gentleman	Dismissal	1 yr. or as prescribed	Total
134	Animal abuse			
	Abuse, neglect, or abandonment of an animal	BCD	1 yr.	Total
	Abuse, neglect, or abandonment of a public animal	BCD	2 yrs.	Total
	Sexual act with an animal or cases where the accused caused the serious injury or death of the animal	DD, BCD	5 yrs.	Total
	Bigamy	DD, BCD	2 yrs.	Total

APPENDIX 12

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<i>Article</i>	<i>Offense</i>	<i>Discharge</i>	<i>Confinement</i>	<i>Forfeitures</i>
	Check, worthless making and uttering – by dishonorably failing to maintain funds	BCD	6 mos.	Total
	Child pornography			
	Possessing, receiving, or viewing child pornography	DD, BCD	10 yrs.	Total
	Possessing child pornography with intent to distribute	DD, BCD	15 yrs.	Total
	Distributing child pornography	DD, BCD	20 yrs.	Total
	Producing child pornography	DD, BCD	30 yrs.	Total
	Debt, dishonorably failing to pay	BCD	6 mos.	Total
	Disloyal statements	DD, BCD	3 yrs.	Total
	Disorderly conduct, drunkenness			
	Disorderly conduct			
	Under such circumstances as to bring discredit upon the military Service	None	4 mos.	2/3 4 mos.
	Other cases	None	1 mo.	2/3 1 mo.
	Drunkenness			
	Aboard ship or under such circumstances as to bring discredit upon the military Service	None	3 mos.	2/3 3 mos.
	Other cases	None	1 mo.	2/3 1 mo.
	Drunk and disorderly			
	Aboard ship	BCD	6 mos.	Total
	Under such circumstances as to bring discredit upon the military Service	None	6 mos.	2/3 6 mos.
	Other cases	None	3 mos.	2/3 3 mos.
	Extramarital sexual conduct	DD, BCD	1 yr.	Total
	Firearm, discharging – through negligence	None	3 mos.	2/3 3 mos.
	Fraternization	Dismissal	2 yrs.	Total
	Gambling with subordinate	None	3 mos.	2/3 3 mos.
	Homicide, negligent	DD, BCD	3 yrs.	Total
	Indecent conduct	DD, BCD	5 yrs.	Total
	Indecent language			
	Communicated to any child under the age of 16 years	DD, BCD	2 yrs.	Total
	Other cases	BCD	6 mos.	Total
	Pandering and prostitution			
	Prostitution and patronizing a prostitute	DD, BCD	1 yr.	Total
	Pandering	DD, BCD	5 yrs.	Total
	Self-injury without intent to avoid service			
	In time of war or in a hostile fire pay zone	DD, BCD	5 yrs.	Total
	Intentional self-inflicted injury	DD, BCD	2 yrs.	Total
134	Straggling	None	3 mos.	2/3 3 mos.

Notes:

- ¹ Suspended in time of war
- ² See paragraph 18d(1) & (2) Note, Part IV
- ³ When any offense under paragraph 50, Part IV, is committed: while the accused is on duty as a sentinel or lookout; on board a vessel or aircraft used by or under the control of the armed forces; in or at a missile launch facility used by or under the control of the armed forces; while receiving special pay under 37 U.S.C. sec. 310; in time of war; or in a confinement facility used by or under the control of the armed forces, the maximum period of confinement authorized for such offense shall be increase by 5 years.
- ⁴ With or without the eligibility for parole.
- ⁵ A dishonorable discharge may be reduced to a bad-conduct discharge by the convening authority in accordance with a plea agreement.