

ENCLOSURE A28

DEVELOPMENTAL COUNSELING FORM

For use of this form, see ATP 6-22.1; the proponent agency is TRADOC.

DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY: 5 USC 301, Departmental Regulations; 10 USC 3013, Secretary of the Army.
PRINCIPAL PURPOSE: To assist leaders in conducting and recording counseling data pertaining to subordinates.
ROUTINE USES: The DoD Blanket Routine Uses set forth at the beginning of the Army's compilation of systems or records notices also apply to this system.
DISCLOSURE: Disclosure is voluntary.

PART I - ADMINISTRATIVE DATA

Name (Last, First, MI)	Rank/Grade	Date of Counseling
FORBES, MICHAEL, J.	SFC/E-7	07 FEB 2023
Organization	Name and Title of Counselor	
HHC, 528TH SUSTAINMENT BRIGADE (SO) (A)	CPT DAVID KORISTA, CO CDR	

PART II - BACKGROUND INFORMATION

Purpose of Counseling: (Leader states the reason for the counseling, e.g. Performance/Professional or Event-Oriented counseling, and includes the leader's facts and observations prior to the counseling.)

EVENT ORIENTED COUNSELING - COMMANDER'S INVESTIGATION FLAG (L)

You are being flagged for being the subject of a Commander's Investigation. A Flag is the temporary suspension of favorable personnel actions such as promotions or special duty assignments. The Flag will remain in effect until the proceeding is complete and the issue resolved or adverse action is complete. The DA Form 268 which initiates the Flag is attached.

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points of Discussion:

SFC Forbes, on 12 January 2023, the Chain of Command determined that your recent actions merited the necessity of a Commander's Investigation, in order to investigate and bring to light misconduct, if any.

The purpose of this counseling is not to assign blame, serve as punishment, or document improper behavior. Its sole purpose is to notify you of a personnel Flag action and its possible consequences.

General Policy

a. The purpose of a Flag is to prevent and/or preclude:

- (1) Execution of favorable actions to a Soldier who may be in an unfavorable status
- (2) Movement of a Soldier when it is in the best interests of the Army for the Soldier to remain in his or her current location until cleared of ongoing actions.

Effective Date of the Flag: 12 January 2023

If this conduct continues, action may be initiated to separate you from the service per AR 635-200. If you are involuntarily separated, you could receive, an Honorable Discharge, a General (Other than Honorable Conditions) Discharge, or Under Other than Honorable Conditions Discharge. An Honorable Discharge is a separation with honor based on the quality of service, which meets the standards of acceptable conduct and performance of duty. A General Discharge is a separation under honorable conditions, based on military record being satisfactory but not sufficiently meritorious to warrant an Honorable Discharge. A discharge Under Other than Honorable Conditions is based upon a pattern of behavior of one or more acts or omissions that constitutes significant departure from the conduct expected from a soldier. An Honorable Discharge may be awarded under any provisions. A General Discharge may be awarded for separation under Chapter 5, Chapter 9, Chapter 13 and Chapter 14. An Under Other than Honorable Conditions Discharge, you will be qualified for most benefits resulting from military service. An involuntary honorable discharge, however, will disqualify you from reenlistment for some period of time and may disqualify you from receiving transitional benefits (e.g., commissary, housing, health benefits) and the Montgomery GI Bill if you have not met other program requirements. If you receive a General Discharge, you will be disqualified from reenlisting in the service for some period of time and you will be ineligible for some military and VA administered benefits, including the Montgomery GI Bill. If you receive a discharge Under Other than Honorable, you will be eligible for reenlistment and for most benefits, including payments of accrued leave, transitional benefits, the Montgomery GI Bill, and possibly transportation of dependents and household goods to home. In addition you could face difficulty in obtaining civilian employment as employers have a low regard for General and Under Other than Honorable conditions discharge. There are agencies which you may apply in attempt to change the characterization of your discharge; it is unlikely that such application would be successful. _____ (Soldier's initials)

OTHER INSTRUCTIONS

This form will be destroyed upon: reassignment (other than rehabilitative transfers), separation at ETS, or upon retirement. For separation requirements and notification of loss of benefits/consequences see local directives and AR 635-200.

Plan of Action (Outlines actions that the subordinate will do after the counseling session to reach the agreed upon goal(s). The actions must be specific enough to modify or maintain the subordinate's behavior and include a specified time line for implementation and assessment (Part IV below)

o SFC Forbes will continue his daily duties while temporarily attached to 389th MI BN, and provide daily Duty Status updates to his PSG, SFC Suro, for purposes of accountability.

Session Closing: (The leader summarizes the key points of the session and checks if the subordinate understands the plan of action. The subordinate agrees/disagrees and provides remarks if appropriate.)

Individual counseled: I agree disagree with the information above.

Individual counseled remarks:

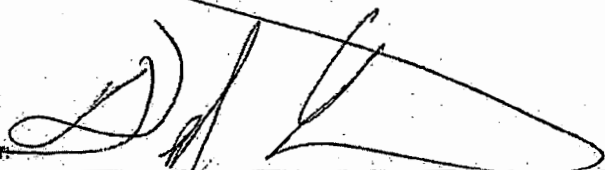
REQUESTED COUNSEL PRIOR TO SIGNATURE. DON'T HAVE PHONE NUMBER.
FEARED TO SIGN NOW. REFUSED!

On 07 FEB 23, SFC Forbes refused to sign. CPT David K. Rista, HHC CO CDR
Date: 07 FEB 2023

Signature of Individual Counseled:

Leader Responsibilities: (Leader's responsibilities in implementing the plan of action.)

Signature of Counselor:



Date:

07 FEB 2023

PART IV - ASSESSMENT OF THE PLAN OF ACTION

Assessment: (Did the plan of action achieve the desired results? This section is completed by both the leader and the individual counseled and provides useful information for follow-up counseling.)

Counselor:

Individual Counseled:

Date of Assessment:

Note: Both the counselor and the individual counseled should retain a record of the counseling.

REPORT TO SUSPEND FAVORABLE PERSONNEL ACTIONS (Flag)

For use of this form, see AR 600-8-2; the proponent agency is DCS, G-1.

SECTION I - ADMINISTRATIVE DATA

a. NAME (Last, First, Middle Initial) FORBES, MICHAEL, J.	b. DoD ID No. 1295918507	c. RANK SFC	d. DATE OF RANK 04/01/2020	e. SPECIALTY/PMOSC 35F	f. COMPONENT RA
g. UNIT, ORG., STATION, ZIP CODE OR APO, MAJOR COMMAND HHC, 528th SUST BDE (SO) (A), Fort Bragg, NC 28310			h. UIC WJTDA A	i. FLAGGED SOLDIER'S EMAIL ADDRESS (.gov or .mil) michael.j.forbes.mil@socom.mil	
j. HR OFFICE CONTROLLING FLAGGING ACTION 528th Special Troops Battalion (SO) (A) Battalion S1			k. TELEPHONE NUMBER 910-432-4194	l. THIS ACTION IS TO: <input checked="" type="checkbox"/> INITIATE A FLAG (Sections II and IV only) <input type="checkbox"/> REMOVE A FLAG (Sections III and IV only)	

SECTION II - INITIATE A FLAG

a. NON-TRANSFERABLE FLAG

A FLAG IS INITIATED, EFFECTIVE 20230112 FOR THE FOLLOWING REASON:

<input type="checkbox"/> Adverse Action (A)	<input type="checkbox"/> JAG Lack of License or Certification (O)
<input type="checkbox"/> Involuntary Separation - field Initiated (B)	<input type="checkbox"/> Deny Auto Promotion to PV2/PFC/SPC (P)
<input type="checkbox"/> Referred OER, AER, or Relief for Cause NCOER (D)	<input type="checkbox"/> Lautenberg Amendment (Q)
<input type="checkbox"/> Security Violation or Loss of Security Clearance (E)	<input type="checkbox"/> Administratively Non-deployable for Retention (R)
<input type="checkbox"/> HQDA - Delay of Promotion or Removal from a Selection List (F)	<input type="checkbox"/> No Family Care Plan (S)
<input type="checkbox"/> AMEDD Lack of License or Certification (I)	<input type="checkbox"/> Deny Auto Promotion to 1LT/CW2 (T)
<input checked="" type="checkbox"/> Commander's Investigation (L)	<input type="checkbox"/> Drug Abuse (U)
<input type="checkbox"/> Law Enforcement Investigation (M)	<input type="checkbox"/> Alcohol Abuse (V)
<input type="checkbox"/> Reserve Components Non-compliance with 10 USC §10206 (N)	<input type="checkbox"/> HQDA - Involuntary Separation (W)

b. TRANSFERABLE FLAG

ACFT Failure (J) Army Body Composition Program (K) Punishment Phase (H)
Date Punishment Complete: _____

SECTION III - REMOVE A FLAG

a. FLAG TO REMOVE

A FLAG (Two-Digit Flag Code) _____, WITH AN EFFECTIVE DATE OF _____) IS HEREBY REMOVED.
EFFECTIVE DATE OF THIS FLAG REMOVAL IS _____, FOR THE FOLLOWING REASON:

b. DISPOSITION

Final Action Favorable (C) Final Action Unfavorable (D) Final Action Specified (E) Erroneous (Z)

SECTION IV - AUTHENTICATION

a. UNIT COMMANDER'S NAME (Last, First, Middle Initial) KORISTA, DAVID K.	b. DoD ID No. 1385687903	c. RANK CPT	d. UIC WJTDT1	e. COMPONENT RA	
f. UNIT, ORG., STATION, ZIP CODE/APO, MAJOR COMMAND: Headquarters Headquarters Company 528th Special Troops Battalion (SO) (A) Fort Bragg, NC 28310			g. UNIT COMMANDER'S EMAIL ADDRESS (.gov or .mil) david.k.korista.mil@socom.mil		
			h. UNIT COMMANDER'S SIGNATURE KORISTA.DAVID.KIRK.138568790 <small>3</small> <small>Digitally signed by KORISTA.DAVID.KIRK.138568790 Date: 2023.01.15 17:05:26 -0500</small>	i. DATE 20230115	

SECTION V - VALIDATION (Required for any Flag over 6 months old)

a. BN COMMANDER'S NAME (Last, First, Middle Initial) FURLOW, BURTON JR.	b. DoD ID No. 1116988751	c. RANK LTC	d. UIC WJTDT1	e. COMPONENT RA
f. UNIT, ORG., STATION, ZIP CODE/APO, MAJOR COMMAND HQ, 528th Special Troops Battalion (SO) (A) Fort Bragg, NC 28310			g. BN COMMANDER'S EMAIL ADDRESS (.gov or .mil) burton.furlow.mil@socom.mil	
			h. BN COMMANDER'S SIGNATURE	i. DATE