

AOC Appendix C

Whole Person Concept

C-1. Conduct standards generally deal with acceptability of persons with police records. They are designed to screen out persons who are likely to become serious disciplinary problems and who thus divert resources from the performance of military missions.

C-2. Conduct and physical standards and education level are considered in determining the applicant's acceptability for military service. Therefore, the applicant's history of police involvement will be elicited and checked. Conduct waivers will be required when the applicant has another adverse disposition (OAD) as a juvenile and/or adult, or when criminal charges resulting in conviction or action by a court amount to a finding of guilty. This in accordance with the Department of Defense principle that an individual whose pattern of behavior poses a serious question as to their fitness for service should be given a special review at an appropriate level before being accepted or rejected for service. Waivers in AR 601-210, Chapter 4, are required only in cases of conviction or OAD. Suitability will be determined in accordance with AR 601-210, paragraph 4-2.

C-3. All conduct waivers will be considered under the whole-person concept and based on the overall merit of the application. Areas of consideration under this concept include, but are not limited to: number of offenses, severity of the charges, actual sentence, applicant's age at time of violation, physical qualification for enlistment, employment history of applicant, educational achievements of applicant, and favorable comments from probation and parole officers, employers, and school officials.

- a. Conduct waivers will be granted only in exceptionally meritorious cases. These cases must present clear evidence of rehabilitation and a high assurance that the individual will not become a disciplinary problem.
- b. Commanders will closely adhere to the above criteria for conduct waiver processing. The authority to grant or recommend approval on an application for conduct waiver will neither be routine nor a rubber stamp exercise.

C-4. The review of waiver applications is very important. The waivers expert (civilian or military), operations NCO, or the action officer must thoroughly review all documentation provided prior to making a recommendation to TAG. Each applicant must be considered on an individual case based on such factors as the nature of the offense, age when committed, punishment imposed, etc. No specific formula can be developed which determines that the applicant is acceptable. The required documents contain significant facts which will provide insight and must be thoroughly reviewed.

- a. An important factor to be considered is the offense and its seriousness. AR 601-210 lists offenses ranging from traffic to major misconduct. Insight into the seriousness of the offense may be accomplished by analyzing the sentence (for example, amount of the fine, length of probation or parole, whether confinement was imposed, and if so, the length of confinement).
- b. The frequency and number of offenses, both serious and minor, provides an indication of the applicant's respect or disrespect for authority. However, initial impression and comparison to other people that the reviewer has known must be tempered with consideration of supporting documents.
- c. The age of the applicant at the time of the offense is also extremely important. Younger offenders may not have attained enough maturity to recognize the seriousness of the offense or to have developed the necessary self-control to inhibit impulses. Association with other and more aggressive persons can influence a youth to follow the crowd and commit an offense as a member of a group. To the contrary, an offense which appears to have been deliberately planned and committed alone would be considered more serious.
- d. Periods and types of civil restraint (confinement, parole, probation, or suspended sentence), coupled with officials' reports will provide some indication of the applicant's ability to conform to rules.
- e. The record of employment and reports from employers will provide a good indication of the applicant's professional abilities, work habits, reliability, leadership potential, and determination to better themselves.

C-5. There may be a feeling that personnel at higher headquarters do not have personal contact with applicants, thereby the disapproval rate is high. Two things are important to remember are requests received by personnel at higher headquarters are normally for more serious civil offenses than those for which waiver authority has been delegated to a lower level; second, in all determinations for waiver of enlistment eligibility requirements, a detached, objective viewpoint is necessary to assure that meritorious cases warrant the exception to enlistment standards.

C-6. Termination of probation or parole within a short period prior to application should be closely reviewed. IN the absence of specific and unequivocal remarks by the probation or parole officer that the applicant truly merited early termination, it is possible the Army is viewed as a panacea for social rejects. Cases involving an early termination of probation or parole will include a statement from the probation or parole officer that indicates the basis for early termination, and if it was related or unrelated to the individual's prospective enlistment applicant.