

West Virginia National Guard Substance Abuse Referral Checklist

Service Member Name		Date	
Home Address		Rank	
Armory Location		Service Member Phone	
Unit Full Time POC		Alt Phone	
POC (phone/email)		Insurance(Y/N)	
Commander		Combat Vet (Y/N)	
Commander (phone/email)		UIC	

Please initial and date in spaces provided after each step is completed.

Date	Commander Initials	SM Initials	Checklist Items
			1. Explain/Complete the Right's Warning Statement (DA Form 3881) with soldier.
			2. Counsel/advise soldier of rights under the appropriate provisions of the State law pertaining to self incrimination.
			4. Complete DA Form 4856 for referral to the Prevention Coordinator for treatment coordination.
			5. Soldier must be advised of the following IAW AR 600-85 <i>(a) They must complete an assessment within 30 days and provide rehabilitation (RO) drug test immediately following conseling session.</i> <i>(b) They are responsible for all costs incurred in any referral/rehabilitation programs.</i> <i>(c) They must sign a consent statement that allows the treatment personnel to share necessary treatment information with the unit commander of designee.</i> <i>(d) Failure to participate in and successfully complete approved State or ASAP counseling and treatment program, or the refusal to sign a consent form to release information to the unit commander, will result in process for separation under AR 135-175 or AR 135-178.</i>
			6. Medical release completed and signed.
			7. Substance aubse office contacted, soldier given contact information.
			8. Copies made of all documentation to be kept on file by unit, originals to be sent to the Prevention Coordinator's office.
9. Service Member's Printed Name			10. Commanders' Printed Name
11. Service Member's Signature and Date			12. Commander Signature and Date

Substance Abuse Prevention Program	
Mrs Jenny Colagrosso 304-561-6816 (o) or 304-545-3083(c) Mr. Eric Tissenbaum 304-561-6716	jenny.r.colagrosso.ctr@mail.mil eric.a.tissenbaum.ctr@mail.mil

WV State Law pertaining to Self Incrimination
As of 7 June 2007

§15-1E-34. Compulsory self-incrimination prohibited.

(a) No person subject to this article shall compel any person to incriminate himself or to answer any question the answer to which may tend to incriminate him.

(b) No person subject to this article shall interrogate or request any statement from an accused or a person suspected of an offense without first informing him of the nature of the accusation and fully advising him of his right to be represented by counsel, that he does not have to make any statement regarding the offense of which he is accused or suspected, and that any statement made by him can and will be used as evidence against him in a trial by courts-martial, as well as other constitutional safeguards provided for an accused or a person suspected of an offense.

(c) No person subject to this article shall compel any person to make a statement or produce evidence before any military tribunal if the statement or evidence is not material to the issue and may tend to degrade him.

(d) No statement obtained from any person in violation of this section, or through the use of coercion, unlawful influence, or unlawful inducement shall be received in evidence against him in a trial by courts-martial.

Service Member Initials: _____

Supervisor Initials:_____