



DEPARTMENT OF THE ARMY
UNITED STATES ARMY GARRISON WIESBADEN
UNIT 29623
APO AE 09096-0050

REPLY TO
ATTENTION OF

IMEU-WSB-ZA

16 JUN 09

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: US Army Garrison Wiesbaden Command Policy Letter 16, Prevention of Domestic Violence

1. References:

- a. AR 608-1 Army Community Service Center, 19 September 2007.
- b. AR 608-18, The Family Advocacy Program, 30 October 2007.
- c. DOD Directive 6400.1, Family Advocacy Program, 23 June 1992.

2. Purpose: Establish guidance for the prevention of domestic violence.

3. Scope: Applies to all military personnel, Department of Defense/Army Civilians, and Family members in the Wiesbaden military community.

4. Policy:

a. The Family Advocacy Program (FAP) is a commander's program designed to prevent spouse, intimate partner, and child abuse; to encourage the reporting of all instances of abuse; to ensure the prompt assessment and investigation of abuse cases; to protect victims of abuse, and to treat Soldiers and Family members affected by or involved in abuse.

b. The above references encourage every Soldier and civilian member of the military community to report information about known or suspected incidents of child or spouse abuse to the installation reporting point of contact (RPOC). Abuse allegations will be investigated by appropriate law enforcement authorities. Commanders will be notified when a Soldier is involved in intimate partner/spousal abuse, child abuse or child neglect. In addition to the corrective programs listed below, commanders may take action they deem appropriate in accordance with the Uniform Code of Military Justice.

c. Domestic violence and violence perpetrated by single Soldiers against partners adversely impacts morale, welfare, and mission readiness. Because of this impact, commanders are responsible for taking immediate steps to alleviate domestic violence.

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(1) Leaders at all levels must be alert for evidence of intimate partner/domestic violence and react promptly. Commanders should take appropriate action to protect victims of abuse from further harm. Victim advocacy services are offered by the Family Advocacy Program/ACS to address safety measures, provide advocacy assistance and support victims of intimate partner/domestic violence. Army Regulation 608-18, paragraph 3-22, describes measures that a commander may utilize to protect victims from further abuse, such as pretrial restraint, restriction to barracks, pass privilege revocation or assignment of a military escort. The garrison commander has authority to remove entire Families, or members of Families, from government quarters within the Wiesbaden military community, to include government leased quarters off the installation (see AR 600-18, paragraph 3-22(c)). If an active duty Soldier is identified as the alleged offender, commanders may order the Soldier into government billeting. If an emergency protective order (EPO) or military protective order (MPO) is in place, commanders should monitor the Soldier's compliance with the order. The offender should have no contact with the home/quarters or the victim for a minimum of 72 hours. When the civilian spouse is the offender, commanders should make every effort to ensure the safety of the Soldier. Safety measures include offering the victim/Soldier temporary living space in the unit's assigned billets or ensuring other suitable arrangements. If necessary, and on behalf of the garrison commander, the victim advocate will offer the victim/Soldier the choice of residing in a shelter or safe home where the location will be maintained under confidential status, for the safety of the victim. Military no-contact orders are administrative in nature, and are considered a restriction on liberty and must be tailored appropriately after consulting with a judge advocate or legal advisor.

(2) Department of Social Work Services (SWS) is responsible for providing treatment to Soldiers and Family members experiencing domestic violence. The SWS is responsible for incident assessment, notification to commanders, coordination and supervision of the Family Advocacy Case Review Committee (FACRC), establishment of treatment plans on substantiated cases, and provision of progress reports to the command.

(3) Commanders should coordinate with the FAP manager to obtain FAP training within 45 days of assuming command and ensure all Soldiers receive annual intimate partner/spouse and child abuse prevention training as mandated by the above references. Commanders should ensure that Soldiers are informed of the intimate partner/domestic violence reporting options: restricted and unrestricted. Department of the Army (DA) policy prefers that personnel report suspected domestic abuse incidents promptly to activate both victim services and accountability actions. However, a requirement that all domestic abuse incidents be reported can represent a barrier for victims hoping to gain access to medical and victim advocacy services without command or law enforcement involvement.

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(4) Unit and rear detachment commanders should attend FACRC meeting or designate an appropriate commander's level representative to attend, when a subject involving one of their Soldiers or Family members is being presented. The SWS will notify the unit and rear detachment commander and prospective battalion commander to schedule a FACRC date. If the unit or rear detachment commander is required to respond but fails to attend the FACRC or to provide an appropriate representative, a report reflecting non-attendance will be forwarded to the garrison commander, and the unit and rear detachment commander should respond in writing to the garrison commander explaining the basis for non-attendance/non-compliance.

(5) Commanders should ensure that Soldiers involved in domestic violence attend recommended treatment offered by the Army FAP. The Soldier's place of duty should include scheduled appointments until the treatment is completed.

(6) Commanders are encouraged to contact SWS to receive a monthly update of their Soldiers who are enrolled in the FAP. Soldiers whom have been assessed by SWS as high risk for homicidal/suicidal behavior should not be considered deployable while enrolled in treatment. If the unit mission requires a high risk Soldier to deploy, approval by the first general officer in the chain of command must be obtained. Soldiers enrolled in FAP must receive reunion/reintegration training following redeployment.

(7) The Family Advocacy Committee (FAC) is responsible for deploying and implementing programs to address Family advocacy issues of redeploying Soldiers not enrolled in treatment. Mandated treatment does not preclude disciplinary and administrative action against offenders in appropriate cases. Commanders are encouraged to consult with the staff judge advocate when considering administrative and disciplinary action.

d. The Case Review Committee (CRC) is an interdisciplinary team responsible for identifying Families involved in, or at risk of, domestic violence, recommending treatment plans to resolve the problems in these Families and addressing the applicable rights of alleged victims and offenders. These recommendations are made with my support and every effort to cooperate and support the CRC should be made by all levels of command.

e. Domestic violence will not be tolerated. Every effort to prevent, identify and resolve domestic violence based on available resources and the level of risk should be made. In all cases of domestic violence, the applicable rights of both victims and offenders will be observed at all times. A full range of detection, treatment, administrative and disciplinary measures are at the disposal of units and commanders. Commanders are encouraged to use them and to coordinate their actions with the CRC appropriately.

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5. Wiesbaden military law enforcement personnel, physicians, nurses and other medical personnel will report information about known and suspected unrestricted cases of intimate partner/domestic violence requiring law enforcement assistance or medical treatment or hospitalization (to include out-patient treatment in the medical treatment facility Acute Care Area) to the RPOC as soon as the information is received. The reporting of intimate partner/spousal abuse or child abuse by all community members is highly encouraged.

6. Domestic Violence Reporting Options:

a. All adult victims of domestic violence who disclose their incident to a credentialed healthcare provider, Victim Advocate or FAPM will be advised of their right to file a restricted/unrestricted report of this incident IAW DoD DTM. Dated 22 January 2006: Restricted Reporting Policy for Incidents of Domestic Abuse.

b. Restricted reporting allows a domestic abuse victim to confidentially disclose the details of abuse to specified individuals and receive medical treatment and counseling, without triggering the official investigative process.

c. Unrestricted reporting is recommended for victims of domestic abuse who desire medical treatment, counseling and an official investigation of the crime. Restricted reporting only applies to adult victims; it does not apply to suspected cases of child abuse. Additionally, in instances where a report is made to a chaplain performing religious duties, that report may be considered privileged communication.

7. The Wiesbaden military community's goal is to break the cycle of abuse by actively engaging in preventive strategies, encouraging early identification, and promoting effective treatment of abuse for Soldiers and affected Family members.

8. Expiration: This command policy will remain in effect until superseded or rescinded.

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9. The POC for this action is the FAPM at DSN 335-5234.



JEFFREY W. DILL
COL, IN
Commanding

DISTRIBUTION:
FAMILY ADVOCACY COMMITTEE MEMBERS