



DEPARTMENT OF THE ARMY
HEADQUARTERS, JOINT READINESS TRAINING CENTER AND FORT POLK
6661 WARRIOR TRAIL, BUILDING 350
FORT POLK, LOUISIANA 71459-5339

IMPO-MWA

MAY 04 2016

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Command Policy Memorandum DFMWR-01 - Family Advocacy Program (FAP)

1. Reference Army Regulation (AR) 608-18, The Family Advocacy Program (FAP), 30 October 2007, Rapid Action Revision (RAR) 001, 13 September 2011.

2. Background. The FAP is a command program designed to prevent child and spouse/intimate partner abuse through awareness and early intervention, to protect victims of abuse from further violence, and to treat affected Soldiers and Family members. Abuse often constitutes a violation of law. Army policy recognizes a commander's authority to take appropriate Uniform Code of Military Justice (UCMJ) and/or administrative actions against Soldiers who are the perpetrators of abuse.

3. Definition. Domestic Violence is an offense under the United States Code (USC), the Uniform Code of Military Justice (UCMJ), or state law that involves the use, attempted use, or threatened use of force or violence against a person or a violation of a lawful order issued for the protection of a person who is:

- a. A current or former spouse.
- b. A person with whom the abuser shares a child in common.
- c. A current or former intimate partner with whom the abuser shares or has shared a common domicile.

4. Responsibilities.

a. Commanders will encourage their Families to take advantage of the prevention education programs offered through FAP to help them enhance their Family life. Research in the child abuse and spouse abuse fields shows that the single most effective strategy for preventing child abuse and spouse abuse is to educate and support Families.

b. In addition, commanders will facilitate the attendance of the newly married couple and the new parent in classes especially designed to address issues relevant to these

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life changes. Commanders will strongly encourage parents who are Soldiers, to enroll in the New Parent Support Program (NPSP) and participate in the NPSP home visitation program. Commanders will strongly encourage and allow for the participation of the father and stepfather in the New Parent Support Program (NPSP), as their role is instrumental in the overall healthy development of their child(ren).

c. Commanders will ensure that all Soldiers receive annual awareness training on the dynamics of Family violence which is provided by the FAP troop trainer.

d. Commanders and senior enlisted advisors will attend Family Advocacy training within 90 days of taking command and annual commanders' training thereafter. This requirement is usually satisfied by attending the Company Commanders'/1SG Course and the annual commanders' training provided by the FAP.

e. Ensure that Soldiers, whether victims or offenders, involved in allegations of child abuse/neglect or spouse/intimate partner abuse, after properly being advised of their Article 31(b) Uniform Code of Military Justice (UCMJ) rights against self-incrimination, are encouraged to cooperate with FAP personnel to the maximum extent possible, from initial report to case closure. This includes participation in individual and Family interviews, or examinations, by appropriate social services, medical, and law enforcement personnel.

f. Upon recommendation of the FAP and/or Directorate of Emergency Services (DES) staff, commanders will separate parties engaged in physical incidents of domestic violence on and off the Fort Polk installation for a minimum 72-hour period. The purpose of this separation is to help ensure that the safety of military victims of domestic violence is maximized. If both parties involved in the disturbance are living in the same quarters/housing, the commander will require the Soldier to be placed in the barracks, or with a command-assigned individual no less than two grades higher than the Soldier. If the parties are dual military, commanders will decide which party to place in the barracks, considering the interests and welfare of the party's minor children, and which parent is the primary caregiver. If the separated Soldier must retrieve basic necessities from his/her home, commanders may allow a one-time visit accompanied by a command-assigned individual no less than two ranks higher, during the separation period, after the victim has been notified. If weapons are present in the home, upon notification by the FAP and/or DES staff, commanders will remove weapons from the home of Soldiers involved in physical domestic disputes and secure them in the unit's arms room until such time as a Department of Behavioral Health Clinical FAP therapist assesses it is safe for weapons to be returned to the custody of the offender.

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g. In situations where a domestic dispute does not include a physical assault, commanders will institute a 72-hour separation period.

h. Enclosed is the Unit Commander's Domestic Violence Incident Process Checklist to provide guidance in handling spouse abuse reports. Commanders will promptly report known or suspected incidents of child or spouse abuse to the Reporting Point of Contact (RPOC) at 531-HOPE (4673), refer Soldiers for evaluation, and ensure compliance with treatment plans per AR 608-18. Army Regulation 608-18 delineates that the unit commander and/or the first sergeant are mandated to attend Case Review Committee (CRC) presentations pertaining to the Soldiers within their command. The unit commander and/or first sergeant must complete on-line training regarding the CRC process prior to attending CRC. The training can be found through AKO on the Family Advocacy Program page. Certificates of completion need to be brought to the first CRC that the unit commander and/or first sergeant attends. The CRC meets twice monthly and is a multi-disciplinary team. The CRC has the responsibility for reviewing all cases of child and spouse/intimate partner abuse, determining whether or not cases meet criteria for abuse/neglect based on the evidence presented to the committee, and developing a treatment plan for all cases. Battalion/squadron commanders will ensure company commanders and/or first sergeants attend these meetings and will follow up, as appropriate.

5. Procedures.

a. The RPOC will telephonically notify unit commanders within 24 hours of receipt of a report of child or spouse/intimate partner abuse pertaining to the Family of one of their Soldiers. After a report is made, the Department of Behavioral Health Clinical FAP staff will conduct a Clinical interview on each suspected case of abuse. The Clinical FAP staff will also give the unit commander telephonic and written notification of the date the report will be presented to the CRC and furnish a copy of the written notice to the garrison commander.

b. When the CRC finds that a case meets criteria a memorandum will be sent to the unit commander after CRC adjourns. In addition, commanders will receive written and telephonic communication with the Department of Behavioral Health Clinical FAP staff, as needed. The commander must ensure that each Soldier receives counseling and education in compliance with recommendations agreed upon between the CRC and command.

c. Commanders will retain an up-to-date reference copy of the FAP Memorandum of Instruction (MOI) and this policy memorandum.

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6. Points of contact information.

a. The Family Advocacy Program prevention staff is located in the Army Community Service (ACS) Center, Bldg. 920, 1591 Bellrichard Avenue.

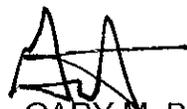
b. The Family Advocacy Program Clinical staff is located in Bayne-Jones Army Community Hospital, Department of Behavioral Health, 6th floor.

c. The Clinical FAP supervisor can be reached at 531-6488.

d. The point of contact for the Family Advocacy Program, the Family Advocacy Program Manager (FAPM), can be reached at 531-4653.

7. This policy will remain in effect until superseded or rescinded.

Encl



GARY M. BRITO
Brigadier General, USA
Commanding

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Enclosure 1

Domestic Violence Checklist

Upon notification or discovery of any incident of credible allegation of domestic violence, commanders will immediately take the following steps:

Date of Incident: _____ **Date MPO Issued:** _____

- _____ 1. If recommended, requested, or needed refer the individual(s) to the medical treatment facility.
- _____ 2. If the incident is ongoing, report the incident to (337) 531-COPS/2677 or 911.
- _____ 3. Notify the HOPELINE, ACS FAP Reporting Point of Contact (RPOC) at (337) 531-HOPE/4673. The HOPELINE is answered 24 hours-a-day, 7 days-a-week by ACS FAP staff.
- _____ 4. In any alleged incident of domestic violence involving a weapon or a threat to kill self and/or victim, refer the Soldier to mental health for evaluation.
- _____ 5. Order the Soldier to move into the barracks for a minimum of 72 hours. Commanders will send a noncommissioned officer (NCO) or officer, no less than two grades higher than the Soldier offender, to place the Soldier in the barracks. This "cooling off" period allows the law enforcement and social service agencies time to respond to any safety concerns of the victim and protects both who were involved in the altercation. Once this verbal order has been given, put the order to paper using the MPO.
- _____ 6. Contact the unit trial counsel for legal guidance and any questions concerning the issuance of a Military Protective Order.
- _____ 7. Contact the ACS Family Advocacy Program, Victim Advocacy Program (337) 531-6333 to ensure the victim is aware of the programs and policies that provide support and protection. Identify any immediate safety concerns and assist in the resolution of these concerns with the Family Advocacy Program. Issue a MPO DD Form 2873 and within twenty-four (24) hours forward a copy of the signed MPO to the victim, Family Advocacy Program Manager, Clinical FAP Supervisor, Provost Marshal's Office, and Unit Trial Counsel. Ascertain if there is a restraining order from a civil court and ensure the Soldier complies with any court order.
- _____ 8. Order the Soldier to immediately turn in all privately owned firearms to the unit arms room. Send a Non-Commissioned Officer in the grade of E-6 or higher to retrieve any firearms. Coordinate this action with your trial counsel to ensure you conduct the operation properly.
- _____ 9. After speaking with Clinical Family Advocacy Staff in the Department of Behavioral Health, reassess the situation at the end of the 72-hour

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period, and determine if the above restrictions should be modified, or canceled.

____ 10. Document the measures taken, the date they were taken and determine if other measures (command referral to mental health, counseling, etc) are appropriate. Forward a copy of all documents to the unit trial counsel.

____ 11. The Commander or First Sergeant will participate in the case review committee process to learn the disposition of the case and any treatment recommendations the Soldier is required to complete.

Forwarded Checklist to:

Soldier's Counseling File:

_____ Date

Unit Trial Counsel:

_____ Date

Forwarded MPO to:

Unit Trial Counsel:

_____ Date

Family Advocacy Victim Advocacy Program:
Fax: (337) 531-2929 Phone: (337) 531-6333

_____ Date

Department of Behavioral Health/Clinical FAP:
Fax: (337) 531-3760 Phone: (337) 531-3272/6488

_____ Date

Directorate of Emergency Services:
Fax: (337) 531-2719 Phone: (337) 531-2677

_____ Date

Victim:

_____ Date

Offender:

_____ Date

Commander (Printed Name and Rank)

Commander (Signature)