



DEPARTMENT OF THE ARMY
UNITED STATES ARMY GARRISON GRAFENWOEHR
UNIT 28130
APO AE 09114-8130

IMGF-ZA

05 MAR 2012

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Bavaria Military Community Policy Letter #6; Physical Separation in Domestic Violence Situations

1. **Effective Date.** This policy letter remains in effect until superseded or rescinded.
2. **Scope.** This policy letter is applicable to all commanders, officers, and non-commissioned officers (NCOs) responsible for ensuring that units meet, maintain, and comply with this policy.
3. **Policy.** Violence against a spouse is contrary to the values and standards of the United States Army. Spouse abuse is a community issue, which requires a consistent and Coordinated Community Response (CCR). Essential to the response is the support of individual units in ensuring that victims of domestic violence are offered immediate safety, long-term protection, services, and support. A spouse or Soldier who is a victim of domestic violence must be protected from further assault. Often times, when parties involved in domestic violence are allowed immediate access to each other, there is a potential for more violence to occur.
 - a. When the Military Police (MP) or civilian law enforcement respond to a domestic disturbance involving physical assault and the active duty Soldier is identified as the offender, commanders will ensure the Soldier is placed in the barracks or with a responsible individual for a minimum of 72 hours after the incident has occurred. During the 72 hours of separation, no contact is permitted between the parties involved. No form of contact means face-to-face, telephonic or electronic communication (i.e. email and texting). Social Work Service (SWS) staff will initiate immediate contact with the offender and the victim by the next working day or within the 72 hours to assess the level of risk and to address safety issues. Commanders will make every effort to ensure Soldiers make contact with SWS before they are allowed to return to the home.
 - b. When physical assaults are identified through the Medical Treatment Facility (MTF) or SWS, the Reporting Point of Contact (RPOC) will be notified. SWS will perform a risk assessment to determine if separation of the parties involved is warranted and will notify the appropriate agencies.
 - c. If separation of the parties is warranted, the commander will ensure that the Soldier does not return to on- or off-post housing until the cool-off period has expired and both parties attend the SWS interview. When the SWS case worker recommends continued separation, the command will make a determination whether the Soldier may return home. The case manager's assessment shall be a substantial factor in this determination, but the command will need to base the decision on all factors related to this incident.

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d. When a Soldier must retrieve basic necessities from the home, the commander will ensure that the victim or offender is notified and that a unit escort accompanies and remains with the Soldier while in the home. The escort must be at least one grade higher than the Soldier, and must ensure the Soldier returns to the barracks or to the command-assigned individual after gathering the basic necessities.

e. When a non-military spouse is the offender, commanders ensure the safety of the victim. Safety measures will include placing the Soldier in the barracks.

f. If the victim is an active duty Soldier and the primary caregiver to the children, the commander will make every effort to ensure the non-military spouse is removed from quarters and barred from the installation for the 72-hour cool-off period. The non-military spouse will be authorized installation access for interviews with SWS, the PMO, and/or Criminal Investigation Division (CID), for emergency medical assistance, and/or for continued employment. Non-military spouses barred from the installation will sign in at the MP Station prior to utilizing any of the above services, and will sign out at the MP Station prior to leaving the installation. SWS staff will initiate contact with the offender and victim within 72 hours (or next working day) to address safety issues. Commanders will consult with SWS staff before making a determination to lift the bar.

g. After the 72-hour cooling-off period, SWS will conduct a risk assessment and inform the commander on the separation status. The decision to maintain mandatory separation will be decided by the commanders based on SWS.

4. **Point of Contact.** The point of contact for this memorandum is the USAG Grafenwoehr Family Advocacy Program Manager at 476-2650.


JAMES E. SAENZ
COL, SF
Commanding

DISTRIBUTION:

All Family Advocacy Program (FAP) Personnel
US Army Criminal Investigation Division (USACID)
Military Police Investigators (MPI)
Social Work Service (SWS)
Unit Commanders
Unit Senior Non-commissioned Officers