



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS, III CORPS AND FORT HOOD
1001 761ST TANK BATTALION AVENUE
FORT HOOD, TX 76544

COMMAND POLICY
SJA-01

AFZF-JA

02 NOV 2009

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: AR 15-6 Investigations

1. REFERENCES.

- a. AR 15-6, Procedures for Investigating Officers and Boards of Officers, 2 Oct 06.
- b. AR 25-55, The Department of the Army Freedom of Information Program, 1 Nov 97.
- c. AR 25-400-2, The Army Records Information Management System, 2 Oct 07.
- d. The Army Records Information Management System Homepage, <https://www.arims.army.mil>.
- e. OTJAG Administrative Law Division, Information Paper, Subject: Conducting Investigations Pursuant to Army Regulation (AR) 15-6 and the Release of AR 15-6 Reports of Investigations, 22 Aug 08.
- f. Memorandum, GEN Chiarelli, VCSA, to Senior Leaders, Subject: Conducting Investigations Pursuant to Army Regulation 15-6 and the Release of AR 15-6 Reports of Investigations, 6 Nov 08.

2. APPLICABILITY. This policy applies to all service members and civilian employees assigned to, attached to, or under the operational control of III Corps and Fort Hood or one of its major subordinate commands. Except for suspected criminal homicides, natural deaths, and suicides, this policy applies to all III Corps and Fort Hood Soldier fatality investigations. Suspected suicides will be investigated in accordance with FORSCOM Policy Memo CG-09-01, Suicide Investigation Policy, 23 January 2009.

3. POLICY.

a. Importance of AR 15-6 investigations. Administrative investigations under the provisions of AR 15-6 gather evidence and report on matters that the appointing authority has designated for inquiry. These investigations provide commanders and senior leaders both inside and outside the Army with valuable tools for determining the facts of a situation and preserving evidence. For example, III Corps and Fort Hood

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already conducts AR 15-6 investigations for all fatalities that are not homicides, suicides, or clearly the result of a natural death. These investigations will record lessons learned, provide after action reports and help to implement corrective actions where necessary. Investigations may validate Soldier performance; it is a good practice to provide feedback to Soldiers on the findings of the investigation and lessons learned. Conducting these investigations in a prompt, thorough, professional manner saves enormous amounts of time and effort later, when key evidence and witnesses are often unavailable.

b. Qualifications of Investigating Officers. Because the results of an AR 15-6 investigation may have significant effects and create a historical record for future study, the appointing authority must select only the best-qualified persons to serve as investigating officers. Selection should be based on such criteria as rank, experience, education, training, length of service, temperament, and judgment. Except in cases of military exigency, investigating officers must be senior to any person whose conduct or performance of duty may be investigated or against whom adverse findings or recommendations may be made.

c. Conduct of Investigations. AR 15-6 procedures both preserve evidence and protect Soldiers' rights. For example, the investigating officer must base the findings on the evidence in the record, the greater weight of evidence must support the findings, and the findings must be necessary and sufficient to support each recommendation. To preserve the investigation's integrity and legal sufficiency, the appointing and approving authorities must ensure that all regulatory requirements have been met and that the investigations are completed in a timely fashion. Appointing authorities must ensure that legal reviews are completed for all inquiries and investigations. Direct further questions on AR 15-6 investigations to your servicing legal office.

d. Storage of Reports of Investigation. The originating unit of an AR 15-6 investigation must store completed, approved reports of investigation for at least five years using the standards in reference 1(c). For all death investigations and other investigations appointed by the Commander, III Corps and Fort Hood or the commander's designee, the III Corps Office of the Staff Judge Advocate will also keep a copy of the report of investigation for at least five years. Reference 1.d. lists detailed instructions for the disposition and retention of investigative records.

e. Release of Reports of Investigation. In accordance with implementing regulations for the Freedom of Information Act (FOIA) (reference 1.b.), unclassified AR 15-6 reports of investigation will be released, subject to appropriate redaction, in

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response to proper written requests. Forward requests from persons or organizations outside the Department of Defense to the Fort Hood FOIA Office for processing.

4. EXPIRATION. This policy memorandum supersedes the policy memorandum SJA-05 dated 26 November 2008, and will remain in effect until superseded or rescinded.



ROBERT W. CONE
Lieutenant General, USA
Commanding

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