



DEPARTMENT OF THE ARMY  
UNITED STATES ARMY GARRISON BAVARIA  
UNIT 28130  
APO AE 09114

AUG 11 2016

IMBA-MWR-A

MEMORANDUM FOR All Military Personnel assigned to the USAG Bavaria

SUBJECT: USAG Bavaria Policy Letter #18, Physical Separation in Domestic Violence Situations

1. 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. If a victim of domestic violence is allowed immediate access to the offender, 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, the Soldier's commander 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 (e.g., email and texting). Social Work Services Family Advocacy Program-Clinical (FAP-C) 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. The commander will make every effort to ensure the Soldier makes contact with FAP-C before they are allowed to return to the home.

b. When physical assaults are identified through the Medical Treatment Facility (MTF) or FAP-C, Military Police will be notified. FAP-C will perform a risk assessment to determine if separation of the parties involved is warranted and will notify appropriate agencies.

c. If separation of the parties is warranted, the unit 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 FAP-C interview. When the FAP-C case manager recommends continued separation, the unit 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 unit commander will need to base the decision on all factors related to this incident as well as any historical information considered relevant to risk.

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d. When a Soldier must retrieve basic necessities from the home, the unit commander will ensure that the person(s) remaining in the home 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, unit 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 cooling-off period. The non-military spouse will be authorized installation access for interviews with FAP-C, the DES, 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. FAP-C staff will initiate contact with the offender and victim within 72 hours (or next working day) to address safety issues. Unit commanders will consult with the FAP-C staff before making a recommendation to the Garrison Commander (GC) to lift the bar.

g. FAP-C will conduct a risk assessment and inform the commander on the separation status. The decision to maintain mandatory separation will be decided by the unit commander based on FAP-C risk and safety assessment.

h. When the unit commander determines that the 72-hour cool off period needs to be extended, the unit commander has the option of utilizing the military protective order (DD Form 2873). When the unit commander issues this form, the MP should be notified, in order to capture this in a law enforcement report. By doing so this will allow for the MP to be informed if the order is violated. This can be coordinated through the MP investigations section at the MP station.

2. POC for this memorandum is the USAG-Bavaria Family Advocacy Program Manager at DSN 476-2650.



LANCE C. VARNEY

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Commanding