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

AMIM-BAG-ZA

MEMORANDUM FOR ALL USAG Bavaria Military and Civilian Personnel

SUBJECT: USAG Bavaria Policy Letter #21, Physical Separation in Domestic Violence Situations Family Advocacy Program (FAP).

1. References:

a. Army Regulation (AR) 608-18, Family Advocacy Program (FAP).

b. AR 600-20 Army Command Policy, 24 July 2020.

c. Department of Defense Instruction (DoDI) 6400.06 Domestic Abuse Involving DoD Military and Certain Affiliated Personnel, 21 August 2007.

d. AR 190-30 Military Police Investigations.

2. Purpose: In accordance with references (a) and (b), this policy establishes procedures for the temporary physical separation of Soldiers from their Family Members or intimate partners in situations involving domestic violence. The goal is to provide for the immediate safety of all parties involved, to prevent future violence, and to provide a 72-hour cooling-down period during which commanders, law enforcement, and Family Advocacy Program (FAP) personnel can assess the situation.

3. Applicability: This policy applies to all Soldiers, Family Members, and intimate partners who reside together in government-owned, leased, or private rental housing within the USAG Bavaria Area of Responsibility (AOR) when there is an allegation of domestic violence, as outlined in references (a) and (c).

4. Policy:

a. Upon notification of a domestic violence incident, a commander in the Soldier's chain of command is authorized by AR 600-20 to issue a Military Protective Order (MPO) directing the Soldier's temporary removal from the residence.

b. The MPO will direct the Soldier to have no contact (physical, telephonic, electronic, or through a third party) with the alleged victim(s) for the 72-hour cool down period.

c. The Soldier (alleged offender) will be temporarily housed in barracks or other suitable accommodation as determined by the commander.

d. This MPO is a lawful order. As stated in reference (d), any violation of the order by the Soldier is a punishable offense under Article 92 (Failure to Obey an Order or Regulation) of the Uniform Code of Military Justice (UCMJ).

e. This separation order is a command action to ensure safety. It is initiated regardless of whether a complaint has been filed with civilian or military law enforcement.

5. Duration: The initial period of separation will be for a minimum of 72 hours. The commander may extend this period based on recommendations from the FAP, FAP-Clinical, Review Committee (CRC), law enforcement, or other relevant information to ensure the continued safety of all parties.

6. Responsibilities:

a. Commanders: Are responsible for issuing the separation order, ensuring the Soldier is briefed on its terms. Coordinating with the Military Police, FAP, and the Staff Judge Advocate as per AR 608-18 and AR 600-20.

b. Soldiers: Are responsible for adhering to all terms of the MPO.

c. Family Advocacy Program: Will provide support and services to all involved parties, including advocates, counseling, and recommendations to the command as mandated by AR 608-18.

7. The POC for this policy letter is Ms. Cathyann Robinson, Family Advocacy Program Manager, DSN: 314-599-1132, email: cathyann.robinson.civ@army.mil.

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