



DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT COMMAND PACIFIC
HEADQUARTERS, UNITED STATES ARMY GARRISON DAEGU
UNIT #15746
APO AP 96218-5746

24 SEP 2021

AMIM-DAG-ZA (1b)

MEMORANDUM FOR ALL PERSONNEL ASSIGNED TO UNITED STATES ARMY
GARRISON (USAG) DAEGU AND AREA IV INSTALLATIONS

SUBJECT: United States Army Garrison (USAG) Daegu Policy Letter #21-69,
Procedures and Guidelines for Processing of Civilian and Family Members Misconduct

1. References:

- a. USFK Regulation 60-1, Ration Control Policy Access to Duty Free Goods, 2 August 2013.
- b. USFK Regulation 190-1, Motor Vehicle Traffic Supervision, 10 May 2012.
- c. USFK Regulation 190-7, Installation Access Control System, 27 September 2017.
- d. USFK Regulation 600-52, Civilian/Family Member Misconduct Overseas, 17 February 2014.

2. Purpose: To establish the procedures and guidelines for the processing of civilian and Family member misconduct.

3. Applicability:

- a. This policy applies to all Appropriated and Non-Appropriated Fund Department of Defense (DoD) civilian employees, their Family Members, and members of their households residing in Area IV.
- b. Family members and members of households of USFK military personnel residing in Area IV.
- c. U.S. military retirees and their Family members residing in Area IV.
- d. U.S. Embassy personnel and their Family members residing in Area IV.
- e. Family members of civilian components as defined by Article I (DoD Civilians, Technical Representatives, etc.) and Article XV (Invited Contractors) of the US-ROK SOFA.

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4. Responsibilities:

a. Commander, USAG Daegu serves as the Civilian Misconduct Action Authority (CMAA). They are also responsible for imposing administrative sanctions against civilians who fail to comply with legal, health, and community standards of personal conduct. The CMAA will appoint a Civilian Misconduct Officer (CMO).

b. Civilian Misconduct Officer (CMO). The Workforce Development Specialist, Directorate of Human Resource, USAG Daegu is the CMO, USAG Daegu primary staff representative for all actions covered by this command policy. The CMO:

(1) In conjunction with the Area IV Legal Center, screens military police blotter reports daily for potential cases of civilian or family member misconduct.

(2) Issues show-cause memoranda, in coordination with the legal office, custom office, and military personnel division chief on behalf of the Commander, USAG Daegu.

(3) Collaborates with CID, Customs Office, Legal Office, Provost Marshall, DES Director, ASAP and all accompanying resources to ensure proper information is provided to the Garrison leadership.

(4) Ensures the performance of community service imposed as a corrective action.

(5) Ensures the completion of essays written as corrective actions.

c. Provost Marshall Officer (PMO) is the Commander, USAG Daegu secondary staff representative for all actions covered by this command policy. Provost Marshall:

(1) Ensures that Provost marshal Administrative Personnel provides final MP Reports, upon request, to the CMO as expeditiously as possible.

(2) Coordinates cases involving US Embassy personnel or their Family members as set forth in paragraph seven (7).

d. Area IV Legal Center:

(1) In conjunction with the CMO, screens military police blotter reports daily for potential cases of civilian or Family member misconduct.

(2) Prepares show-cause memoranda on behalf of the Commander, USAG Daegu.

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(3) Prepares memoranda outlining recommended sanctions for approval and signature by the Commander, USAG Daegu.

e. Tenant Commanders:

(1) Will ensure that civilian or family member misconduct cases are referred to the GMO, subject to the procedures outlined in paragraph seven (7) below.

f. The following will serve as, or provide Subject Matter Expertise as requested by the CMAA:

- (1) Deputy Garrison Commander
- (2) Command Sergeant Major
- (3) Director of Emergency Services
- (4) Social Worker
- (5) Director of Human Resources
- (6) ASAP Program Manager
- (7) CID
- (8) Other Representatives as Requested

5. Procedures: The Republic of Korea exercise primary criminal jurisdiction over civilian until released to U.S. authority. Within the parameters of U.S. authority:

a. Managers and supervisors retain primary responsibility to take action to resolve or correct misconduct committed by their civilian employees. The Labor/Management Employee Relations Office in the Area IV Civilian Personnel Advisory Center (CPAC) will provide advice and assistance in resolving these cases.

b. The Commander, USAG Daegu, or designated representative, has primary responsibility for cases of misconduct committed by family members.

c. Upon receipt of a civilian or Family member misconduct case, the Area IV Legal Office will prepare and issue a show-cause letter with proposed sanctions, and a legal review prior to issuance.

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d. Civilians, Family members or parents if the case involves a minor (under 18 years old), in receipt of a show-cause letter have two options:

(1) Elect not to contest the allegation and accept the proposed sanctions outlined in the show-cause letter.

(2) Submit a written response and any documents to be considered to the CMO within ten business days of receipt of the order to show cause letter.

(3) The Commander, USAG Daegu will review all of the information submitted by the CMO and the individual and determine whether the sanctions imposed stand or are modified.

(4) This program is not intended to limit the discretion of military police personnel to handle incidents as they occur.

6. Notes on Sanctions: This program does not dictate specific sanctions. The CMAA, encourages all personnel involved in the disposition of civilian or family member misconduct cases to ensure that any sanctions and corrective actions imposed are commensurate with the offenses that were committed, taking into account the totality of circumstances surrounding each individual case.

7. U.S. Embassy Personnel. Military Police personnel apprehending US Embassy personnel or their family members will report immediately through supervisory and command channels to the Provost Marshal, who will coordinate with the Joint Police Information Center for notification to the Regional Security Office of the Embassy. The Embassy will determine whether to initiate proceedings under Department of State misconduct procedures within five (5) working days. The Embassy will inform the CMAA of any actions taken. The Embassy may elect to refer the case to Commander USAG Daegu for appropriate action in accordance with this program.

8. The point of contact for this memorandum is the Civilian Misconduct Officer at DSN 315-763-4928.

BRIAN P. SCHOELLHORN
COL, AR
Commanding