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APVG-CG

12 January 2021

MEMORANDUM FOR RECORD

SUBJECT: United States Army Hawaii (USARHAW) Policy Letter #14 - Family Advocacy Program (FAP)

1. References:

- a. Department of Defense Instruction (DoDI) 6400.01, Family Advocacy Program, 1 May 19.
- b. Army Regulation (AR) 608-18, The Army Family Advocacy Program (FAP), 30 Oct 07, (Rapid Action Review 13 Sep 11).
- c. Department of Defense (DoD) Instruction 1342.24, Transitional Compensation for Abused Dependents, 23 May 1995 (Administrative Reissuance Incorporating Change 1, 16 January 1997).
- d. DoD Policy Memorandum, Exceptional Eligibility for Transitional Compensation for Abused Dependents, 14 April 2008.
- e. Memorandum, Assistant Secretary of the Army, DAIM-ZA, 13 June 2014, Subject: Exceptional Eligibility (EE) Transitional Compensation (TC) Cases-Action Memorandum.
- f. National Defense Authorization Act (NDAA) for Fiscal Year 2017, Section 575, Reporting on Allegations of Child Abuse in Military Families and Homes.
- g. Public Law Number 114-328, Section 575, Reporting on Allegations of Child Abuse in Military Families and Homes.
- h. AR 27-10, Military Justice, 11 May 2016.
- i. AR 600-20, Army Command Policy, 6 November 2014.
- j. Army Directive 2019-13 (Response to Major Juvenile Misconduct and Referral of Civilian Criminal Offenses to Civilian Authorities).
- k. DODI 1315.19, The Exceptional Family Member Program, 19 May 17.

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- I. Army Regulation (AR) 608-75, Exceptional Family Member Program, 27 Jan 17.
- m. Hawaii Revised Statutes § 350-1.1.
2. Purpose. This policy memorandum will assist FAP in executing Department of the Army policy to prevent spouse and child abuse, to protect those who are victims of abuse, to treat those affected by abuse, and to ensure personnel are professionally trained to intervene in abuse cases.
3. General. An essential aspect of the FAP mission is to promote strong, resilient Soldiers and Families by establishing information and educational programs and supportive services. The FAP mission also includes ensuring prompt reporting, assessment and investigation of incidents of abuse, while providing treatment and support services to all eligible affected Family members.
4. Applicability. This policy applies to all Soldiers and DoD Civilians within USARHAW installations relating to domestic abuse and child abuse or neglect. All tenant Commands, agencies, and activities are required to comply with the provisions of AR 608-18, FAP, and adhere to the guidance stated in this memorandum.
5. Background. I expect our USARHAW community to work together in order to prevent family violence. Taking care of our families is an essential component to promoting Command readiness, and the overall health of our forces. Organizational performance is significantly enhanced when leadership values supporting the health and wellbeing of its members and their families. Leaders who prioritize the care of their team members build trust, improve performance, maximize resilience, and ensure peak performance and force readiness.
6. Responsibilities. Commanders are responsible for creating a command climate that supports soldier readiness and resilience by promoting family wellness, encouraging participation in family-focused prevention, education and awareness activities and programs, and emphasizing a healthy work-life balance. Just as important, commanders must take immediate steps to intervene in instances of known or suspected domestic violence and child neglect or abuse. The guidance and resources highlighted below provide a brief overview of Family Advocacy Programs available to commanders in support of successfully executing their responsibilities.
 - a. The Commander, U.S. Army Garrison, Hawaii (USAG-HI), has primary responsibility for coordinating the overall FAP within Hawaii, providing prevention programs and training, establishing reporting channels for abuse cases, and chairing the IDC.

b. The Commander, Desmond T. Doss Health Clinic (DDHC), Schofield Barracks (SB) and the Commander, Tripler Army Medical Center (TAMC), have the primary responsibilities for FAP Clinical services including assessment, treatment and case management.

c. Reporting Requirements. Commanders are required to promptly report all known and suspected incidents of child abuse, child neglect, and spouse or intimate partner abuse, to the USARHAW Reporting Point of Contact (RPOC), the Military Police, at 808-655-7114 for Schofield Barracks and 808-438-7114 for Fort Shafter. For off post incidents, call the Honolulu Police Department at 911. Any individual within the Chain of Command who has credible information, or reasonable belief, that a child in the family or home of a Service Member has suffered an incident of child abuse or neglect must report the information to the RPOC who along with Army professionals in Mandated Reporting Roles, will report suspected child maltreatment to Oahu Child Welfare Services (CWS) at 808-832-5300.

d. Support for Victims. Commanders, first responders, medical personnel and others involved in responding to domestic violence, should encourage victims of domestic violence and the non-offending parent of victims of child abuse to contact FAP Victim Advocates (VA). Victim Advocate services provide a wide range of voluntary, hands-on support including; information and referral services, and advocacy on a 24/7 basis. They respond to the hospital or police station, assist in preparing a Temporary Restraining order (TRO), accompany victims to court, provide guidance on Restricted and Unrestricted Reporting, apply for Transitional Compensation, and assist with a wide range of referrals to other appropriate services as may be indicated. Victim Advocates can be reached anytime at 808-624-7233, also known as the 24/7 "SAFE Line".

(1) Transitional Compensation Program. This program authorizes transitional compensation payments for dependents when a Soldier has been administratively discharged from service, or has been discharged from service or forfeited all pay and allowances by court-martial for dependent abuse that occurred on or after 30 Nov 93. FAP Victim Advocates will assist eligible family members with applying for this benefit. Commanders are expected to fully support and cooperate with the Transitional Compensation application process.

e. 72-Hour Physical Separation Policy. Commanders who receive notification that a Soldier in their command has been involved in alleged intimate partner abuse shall institute a 72-hour separation between the Soldier and the Intimate Partner. Notification can come from the Provost Marshal Office (PMO), Honolulu Police Department (HPD), or Family Advocacy Program (FAP). If Command authorizes alternative accommodations (rental accommodations or a private residence) the alternative accommodations must be at least 100 feet from the alleged victim's and Soldier's

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residence. To ensure safety of all parties involved, Commanders will maintain accountability of the Soldier at all times.

(1) When a civilian Spouse or intimate partner is the alleged offender in abuse involving physical assault, Commanders will consider the Soldier's safety as the highest priority and will use appropriate cautionary measures. Safety measures may include, but are not be limited to: placing the alleged victim in the barracks, seeking a temporary bar from the installation for the alleged offending Spouse/intimate partner, or supporting the service member towards receipt of a temporary restraining order which results in the civilian being removed from the home.

(2) In situations where alleged intimate partner abuse does not involve physical assault, the Commander may institute a 72-hour physical separation based on circumstances and information from: Law Enforcement, the Army Community Service Family Advocacy Program, or the Department of Behavioral Health Family Advocacy Program.

(3) In dual-military cases that allege physical assault, Commanders will require the alleged victim to remain in the couple's residence and ensure that the alleged offender is placed in the barracks, or with a command assigned individual. Commanders will place the party identified by Law Enforcement as the primary alleged offender in the barracks, in the interest and welfare of the alleged victim and the couple's minor children, if applicable.

f. Problematic Sexual Behavior in Children and Youth (PSB-CY). Addressing PSB-CY issues is a recently established and evolving DoD program. The Department of Defense Instruction (DoDI) 6400.01 (1 May 2019) and Department of Defense Manual (DoDM) 6400.01, Vol.1 (22 July 2019) provide interim guidance on responding to PSB-CY incidents, pending release of service-specific guidance.

(1) DoDI 6400.01 defines PSB-CY as "behaviors initiated by children and youth under the age of 18 that involve sexual body parts (genitals, anus buttocks, or breasts) in a manner that deviates from normative or typical sexual behavior and are developmentally inappropriate or potentially harmful to the individual initiating the behavior, the individual(s) impacted by the behavior, or others."

(2) Commanders, medical personnel, first responders, and other mandated reporters who become aware of an incident that meets or is suspected to meet the threshold of problematic sexual behavior as per the above definition will contact Military Police at 808-655-7114 for Schofield Barracks and 808-438-7114 for Fort Shafter. For off-post incidents, call the Honolulu Police Department at 911.

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(3) Additionally, notification of known or suspected PSB-CY incidents must be made to both Child Welfare Services at 808-832-5300 and the Family Advocacy Program Manager via the 24/7 "SAFE Line" at 808-624-7233. When indicated and in accordance with established protocols, the Family Advocacy Program Manager will convene a Multi-Disciplinary Team to ensure a coordinated community response in meeting the needs of families involved and addressing other issues as indicated.

g. Incident Determination and Clinical Case Staffing Committees. Commanders will provide Command representation at Incident Determination Committee (IDC) meetings and support Clinical Case Staffing Meeting (CCSM) treatment recommendations. The State of Hawaii has concurrent jurisdiction on Army Installations in Hawaii and has significant responsibilities for child protection and adjudication of criminal offenses. Commanders must therefore also cooperate with local law enforcement, Child Welfare Services, and Federal and State judicial agencies.

h. New Parent Support Program (NPSP). Commanders should be aware of the New Parent Support Program - Home Visitation (NPSP HV). The NPSP HV provides support to Families through a comprehensive combination of services before and after a child's birth to include: Home visits, parent education, parent/child bonding and playtime, child development, safety for newborns and toddlers, and information and referral. NPSP HV is an important voluntary program designed to increase parental skills and reduce incidents of child abuse. Both mothers and fathers are highly encouraged to participate in the NPSP HV.

i. Exceptional Family Member Program (EFMP). Commanders must be aware of and fully support EFMP programs for eligible family members. EFMP is a mandatory enrollment program that is based on Public Law, DA regulation, and DoD directives. AR 608-75 provides guidance for military and civilian agencies to provide comprehensive and coordinated medical, educational, housing, community support, and personnel services to Families with special needs. Exceptional Family Members (EFM) are defined as a Family Member of an active duty Service Member of the Armed Services, or DoD Civilian (for overseas/outside the continental United States (OCONUS) assignments) who has a physical, emotional, developmental or intellectual disorder that requires special treatment, therapy, education, training or counseling. Please call 808-787-4227 for support with any EFMP related needs.

i. FAP Education Programs. AR 608-18, chapter 3, section 1, para. 3-2b requires that Commander's should be aware of FAP Education programs. Commanders should know the nature of abuse, prevention measures, available FAP services and resources, Command responsibilities for identification, reporting, and coordination with the IDC and mandatory briefings requirements. FAP briefings for Platoon Commanders and higher, and Senior Enlisted (E-7 through E-9) advisors are required within 45 days after

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appointment to a Command position and annual training thereafter. Under the FAP Troop Education Program, Commanders are responsible for scheduling annual FAP briefings through the Army Community Service (ACS) FAP Education office. These trainings provide awareness on the family dynamics of spouse and child abuse, the availability of prevention and treatment services, healthy relationship and parenting strategies, and the Army's policies regarding Family violence for the Army Community. The FAP Education program can be reached at 808-787-4227.

7. Rights for Victims of Domestic Violence and Child Abuse. Families at risk of, or found to have been involved in, domestic violence and child abuse have a right to receive counseling, treatment, legal and educational information, safety planning, and information and referral services by contacting the FAP Clinical Staff, Victim Advocates and the Family Advocacy Program Manager. Support for victims is available through the FAP Clinical Programs at 808-433-8579 for Schofield Barracks and 808-433-6606 for Tripler Army Medical Center, and the Victim Advocacy Program at 808-624-7233 (24 hour SAFE Line). Victims have the right to file a Restricted Report for domestic violence by contacting Health Care Providers (to include FAP Clinical Staff), Victim Advocates, or the Victim Advocate Supervisor. Chaplains, while not being able to receive a restricted report, can provide confidential and privileged services. Legal Assistance is available through the Legal Assistance Office, 808-787-8607.

8. This policy supersedes Policy Memorandum, USAG-HI, Army FAP in Hawaii, signed by MG Charles A. Flynn in 2015, and remains in effect until rescinded or superseded in writing.

9. Proponent. The proponent for this policy is the USAG-HI Directorate of Family and Morale, Welfare and Recreation, ACS, FAP. Direct your questions concerning this policy to the Family Advocacy Program Manager, ACS, at 808-787-4227.



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Commanding