



DEPARTMENT OF THE ARMY
13TH ARMORED CORPS SUSTAINMENT COMMAND
39009 SUPPORT AVENUE
FORT HOOD, TX 76544

AFVG-CO

MEMORANDUM FOR 13th Armored Corps Sustainment Command (ACSC)

SUBJECT: Policy Letter #28, Military Justice

1. References:

- a. Manual for Courts-Martial, 2024.
- b. Army Regulation (AR) 27-10, Military Justice, 8 January 2025.
- c. AR 600-8-19, Enlisted Promotions and Reductions, 21 June 2024.
- d. AR 600-85, The Army Substance Abuse Program, 4 October 2024.
- e. AR 635-200, Active Duty Enlisted Administrative Separations, 28 June 2021
- f. AR 735-5, Relief of Responsibility and Accountability, 10 March 2024.
- g. Fort Hood Regulation (FH REG) 27-10, Military Justice, 11 May 2020.
- i. Ill Corps and Fort Hood Commanding General's Policy Letter #6, Military Justice Policy, 4 June 2025.

2. Purpose: To establish 13th ACSC Command policy on Military Justice.

3. Applicability: This policy applies to all personnel assigned, attached, or subject to the special court-martial convening authority (SPCMCA) of the 13th ACSC Commander.

4. Discipline is a reflection of our values as an organization. I believe fair and prompt military justice is necessary to protect Soldiers rights while maintaining discipline within our ranks.

5. Commanders will exercise independent judgment in every case based on the specific facts and circumstances, with the assistance of legal counsel.

6. I withhold authority to review and/or dispose of cases involving alleged sexual assault, sexual harassment, weapons related offenses, and allegations of offenses by Soldiers in the grade of E-7 or higher not withheld by higher authority and if required having requested the proper disposition authority

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7. The Summary Court Martial Convening Authorities (SCMCAs) retain disposition for the following cases and disposition may only be released to a subordinate commander on consultation with the Command Judge Advocate (CJA).

a. Allegations of offenses involving drugs or alcohol by Soldiers in the grade of E-4 and below.

b. Allegations of offenses by Soldiers in the grade of E-5 or E-6.

c. Allegations of offenses of domestic violence.

8. I withhold authority to convene an administrative demotion board or approve an administrative demotion for any enlisted Soldier pursuant to any provision of AR 600-8-19.

9. Commanders will comply with the requirements of AR 600-8-19, and, if demotion is appropriate or otherwise required, request initiation of demotion proceedings or release of demotion authority through the CJA.

10. Commanders will promptly report all allegations for which authority is withheld per this policy, will consult with the CJA, and will refer allegations to the appropriate authority or law enforcement agency for investigation. Commanders will investigate all allegations if disposition or authority is not withheld under this policy and will consult with the CJA.

11. No Soldier will be ordered into pre-trial confinement without consultation of the CJA. Pretrial confinement is authorized and appropriate, with approval of the 13th ACSC Commander and concurrence with the III Armored Corps Office of the Staff Judge Advocate.

12. Commanders will promptly initiate administrative separation of enlisted Soldiers pursuant to AR 635-200, unless the commander determines that preferral of court-martial charges is appropriate or authority is otherwise withheld, under the following circumstances:

a. When regulatory provision requires mandatory initiation of administrative Separation; or

b. When there is proof, by a preponderance of the evidence, that the Soldier has committed an impaired or reckless driving offense.

(1) Commanders have discretion to delay initiation of administrative separation for an impaired or reckless driving offense if criminal disposition is pending or has been initiated by civilian authorities, on consultation with the CJA, and:

(a) More than inconsequential questions of fact remain such that an administrative

separation board or the separation authority could not reasonably make a proper determination regarding separation;

(b) The commander cannot obtain sufficient documentation to prove the alleged misconduct while any criminal proceeding is pending; or

(c) It would be in the best interest of the Army to wait for the outcome of a criminal proceeding (e.g., wherein administrative reduction would be appropriate if the Soldier were to be convicted).

(2) Absent regulatory guidance or compelling circumstances to the contrary, administrative separation will be initiated pursuant to AR 635-200, para. 14-12c [Commission of a serious offense].

13. Processing of all adverse actions. This provision applies to all judicial and non-judicial punishment, as well as all adverse administrative actions.

a. The command legal section is the only 13th ACSC staff section authorized to assist commanders with initiating and processing adverse actions (including, but not limited to, drafting non-judicial punishment documents, charge sheets, administrative reprimands, and administrative separation actions). Upon a commander's determination that initiation of an adverse action is warranted, the commander will submit all requested documents and evidence to the command legal section for processing. Commanders will not initiate any adverse action until the command legal section has prepared and transmitted the appropriate documents for the action, and provided guidance on the correct procedures for initiating and processing the action.

b. Unless regulatory guidance requires otherwise, commanders will ensure any information regarding any pending adverse action is not released to anyone absent the concurrence of the CJA.

c. The CJA in coordination with the Trial Counsel (TC) will determine what documents and evidence are required for an adverse action and provide a description of such requirements to the applicable commander. At a minimum, all requests for processing adverse action will include copies of the following documents:

(1) DA Form 268;

(2) All available DA Forms 4187 evidencing adverse action against the Soldier (including, but not limited to, periods of unauthorized absence and administrative reduction);

(3) All available DA Forms 4856

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(4) DA Form 5248-R (unless there is no allegation that would justify the use of this form); and

(5) The applicable record brief for the Soldier.

14. Absent Without Leave (AWOL) Soldiers. In addition to all other regulatory guidance regarding processing of AWOL Soldiers, commanders will take all of the following actions:

a. DA Form 4187 will be promptly completed and processed changing the Soldier's duty status to "absent-unknown" within 3 hours of discovering the Soldier's whereabouts are unknown. Soldiers will not be carried on this duty status for longer than 48 hours. Unit leaders will comply with all requirements of Army Directive 2020-16.

b. In accordance with AR 600-85, para. 4-5a(2), commanders will promptly comply with these requirements after consulting with the CJA to determine whether there is sufficient basis to conduct a probable cause search instead;

c. Prompt completion of a 100% inventory of all Government property issued to the Soldier and initiation of a financial liability investigation of property loss (FLIPL) pursuant to AR 735-5 if any Government property is lost, damaged, or destroyed; and

d. The circumstances of the absence will be thoroughly investigated and documented (including, but not limited to, the reasons for the absence and return to military control, as well as any other misconduct the Soldier allegedly engaged in during the absence).

15. Effective date: This memorandum is effective immediately.

16. The point of contact for this memorandum is the LTC Simone L. Jack at 254-287-7282 or simone.l.jack.mil@army.mil.



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Commanding