



DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON HUMPHREYS
UNIT # 15228
APO AP 96271-5228

AMIM-HMG-ZA

13 September 2021

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: United States Army Garrison Humphreys Command Policy Memorandum #50 - Withholding Authority to Dispose of Certain Cases

1. References:

- a. Manual for Courts-Martial, United States, 2019 Edition.
- b. Army Regulation 27-10, Military Justice, 11 May 2016.

2. Purpose: To withhold authority to dispose of cases of misconduct involving alleged sexual offenses under Articles 120, 120a, 120b, and 120c, Uniform Code of Military Justice (UCMJ), alleged attempts of those offenses under Article 80, UCMJ, and all cases involving alleged misconduct by noncommissioned officers in the grade E-7 and above.

3. Background. Rule for Courts-Martial 306(a) permits superior commanders to withhold from subordinate commanders the authority to dispose of offenses in individual cases, types of cases, or generally. Army Regulation 27-10, paragraph 3-7d, authorizes commanders having authority under Uniform Code of Military Justice (UCMJ), Article 15, to limit or withhold the exercise of such authority by subordinate commanders.

4. Policy.

a. Authority to dispose of alleged sexual offenses under Articles 120, 120a, 120b, and 120c, Uniform Code of Military Justice (UCMJ), alleged attempts of those offenses under Article 80, UCMJ, and all cases involving alleged misconduct by noncommissioned officers in the grade E-7 and above, is withheld from all commanders falling under my Special Court-Martial Convening Authority as outlined in Memorandum, Special and Summary Courts-Martial Convening Authorities (22 October 2021). This reservation includes the authority to issue reprimands, administer non-judicial punishment under Article 15, UCMJ, and convene courts-martial.

b. Subordinate commanders will provide an electronic mail notification to me (with a courtesy copy to the Command Judge Advocate and Military Justice Advisor) within 24 hours of any credible allegation meeting the criteria set forth in para. 4a.

c. Subordinate commanders will ensure that the Criminal Investigation Command (CID), in the case of sexual offenses, or the unit in other cases, conducts a thorough

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c. Subordinate commanders will ensure that the Criminal Investigation Command (CID), in the case of sexual offenses, or the unit in other cases, conducts a thorough investigation into any alleged misconduct, and that the case is forwarded through the USAG-H Command Judge Advocate to me with recommendations as to final disposition. Once a case is submitted, I will make the final determination of whether I will handle it personally or whether I will release disposition authority to a subordinate commander.

d. This policy does not preclude the withholding of any particular offenses or types of cases by a superior commander or authority.

e. This policy does not withhold authority of any level of commander to prefer charges in accordance with Rule for Courts-Martial 307.

5. Proponent. The proponent of this policy the USAG-H Military Justice Advisor at DSN 315-757-2548, or joseph.a.santangelo15.mil@mail.mil.



SETH C. GRAVES
COL, AG
Commanding

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