



DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY TRAINING CENTER AND FORT JACKSON
2400 JACKSON BOULEVARD
FORT JACKSON, SOUTH CAROLINA 29207

ATZJ-CG

SEP 10 2025

MEMORANDUM FOR RECORD

SUBJECT: Fort Jackson Policy Memorandum #12 - Uniform Code of Military Justice (UCMJ) Withholding and Notification Policy

1. References:

- a. Manual for Courts-Martial, United States, 2024 edition.
- b. Army Regulation (AR) 600-20 (Army Command Policy), 6 February 2025.
- c. AR 600-32 (Conduct Between Soldiers of Different Grades), 16 September 2024.
- d. AR 600-52 (Sexual Harassment/Assault Response and Prevention Program), 11 February 2025.
- e. AR 600-78 (Army Suitability, Fitness, and Credentialing Program), 8 March 2024.
- f. AR 600-85 (The Army Substance Abuse Program), 4 October 2024.
- g. Training and Doctrine Command Regulation (TR) 350-6 (Enlisted Initial Entry Training Policies and Administration), 28 August 2025.

2. This withholding policy is effective immediately. All previous withholding policies are rescinded. This policy will expire only when rescinded by the Commander, United States Army Training Center (ATC) and Fort Jackson, or a higher authority.

3. Nothing in this policy prevents subordinate commanders from preferring charges they believe warrant trial by court-martial. No commander may enact a policy that prevents subordinate commanders from preferring charges they believe warrant trial by court-martial. Furthermore, nothing in this policy prevents commanders from investigating allegations, as appropriate. Commanders will investigate allegations of misconduct within their respective formations unless law enforcement has primary

ATZJ-CG

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investigative responsibility or a superior commander appoints an investigation into the matter. Nothing in this policy modifies requirements for: 1) suspension or removal under AR 600-78 or TR 350-6; 2) mandatory initiation of separation under AR 600-32 or AR 600-52; or 3) any other requirements imposed by other regulations.

4. Senior Leader Misconduct.

a. I withhold initial disposition authority with respect to allegations of misconduct committed by commissioned officers, warrant officers, and noncommissioned officers in the grade of E-8 and above. I also withhold disposition authority for noncommissioned officers below the grade of E-8 who are assigned to, and serving in, first sergeant positions.

b. Upon completion of all investigations or inquiries into senior leader misconduct, I will be notified in writing, regardless of whether the allegations are substantiated.

c. Special Court-Martial Convening Authorities (SPCMCAs) may request authority, on a case-by-case basis, to dispose of allegations of senior leader misconduct. All requests shall be made in writing. The following individuals will be notified by email at the time the request is made: ATC Deputy Commanding Officer, ATC Chief of Staff, ATC Command Sergeant Major, Staff Judge Advocate, Deputy Staff Judge Advocate, and Chief of Military Justice.

5. Drill Sergeant Misconduct.

a. I withhold initial disposition authority with respect to allegations of misconduct committed by drill sergeants in the grade of E-7.

b. Upon completion of all investigations or inquiries into E-7 drill sergeant misconduct, I will be notified in writing, regardless of whether the allegations are substantiated.

c. Special Court-Martial Convening Authorities (SPCMCAs) may request authority, on a case-by-case basis, to dispose of allegations of E-7 drill sergeant misconduct. All requests shall be made in writing. The following individuals will be notified by email at the time the request is made: ATC Deputy Commanding Officer, ATC Chief of Staff, ATC Command Sergeant Major, Staff Judge Advocate, Deputy Staff Judge Advocate, and Chief of Military Justice.

6. Deferred Covered Offenses. After the Special Trial Counsel (STC) has deferred the following substantiated offenses to the command for disposition, these offenses are

ATZJ-CG

SUBJECT: Fort Jackson Policy Memorandum #12 - Uniform Code of Military Justice (UCMJ) Withholding and Notification Policy

withheld to my level. All other covered offenses that are deferred by the STC are withheld to the SPCMCAs in accordance with paragraph 8a below.

- a. Murder (Article 118, UCMJ).
- b. Manslaughter (Article 119, UCMJ).
- c. Death or injury of an unborn child (Article 119a, UCMJ).
- d. Rape (Article 120, UCMJ).
- e. Sexual Assault (Article 120, UCMJ).
- f. Sexual Assault of a Child (Article 120b, UCMJ).
- g. Kidnapping (Article 125, UCMJ).
- h. Child pornography (Article 134, UCMJ).
- i. All conspiracies, solicitations, or attempts to commit the above-listed offenses.

7. Notification Requirements. SPCMCAs will notify me immediately via email upon discovery of any of the events specified below. The notification will include the 5 Ws regarding the incident, an initial plan of action, and a copy of the subject's Soldier Talent Profile. The email notification will include the ATC Deputy Commanding Officer, ATC Chief of Staff, ATC Command Sergeant Major, Staff Judge Advocate, Deputy Staff Judge Advocate, and Chief of Military Justice.

a. Any credible allegation of misconduct made against a commissioned officer, warrant officer, noncommissioned officer in the grade of E-8 and above, and any noncommissioned officer assigned to, and serving in, a first sergeant position.

b. The suspension of a subordinate commander, command sergeant major, or first sergeant.

8. Other Withholdings. If not otherwise withheld to a higher authority, I direct withholding of initial disposition authority as described in the following subparagraphs.

a. The following are withheld to the Special Court-Martial Convening Authority level:

- (1) Sexual harassment in violation of Article 92, UCMJ.

ATZJ-CG

SUBJECT: Fort Jackson Policy Memorandum #12 - Uniform Code of Military Justice (UCMJ) Withholding and Notification Policy

(2) After the STC has deferred the following substantiated offenses to the command for disposition, these offenses are withheld to the SPCMCA level.

(a) All "covered offenses," as defined in Article 1(17), UCMJ, that are not withheld by me in paragraph 6 above. This includes, but is not limited to, abusive sexual contact, domestic violence, stalking, retaliation, and sexual harassment in violation of Article 134, UCMJ.

(b) All conspiracies, solicitations, or attempts to commit covered offenses that are not withheld by me in paragraph 6 above.

(3) All allegations of misconduct committed by drill sergeants who are in the grades of E-6 and below.

b. The following are withheld to the Summary Court-Martial Convening Authority level:

(1) Alleged misconduct involving prohibited drugs. This includes allegations that involve hemp-derived products such as Delta-8-Tetrahydrocannabinol (Delta-8-THC).

(2) Alleged misconduct involving firearms. This does not include any covered offenses for which the STC exercises exclusive authority.

9. The point of contact for this memorandum is the Chief of Military Justice at (803) 751-5835.



DARYL O. HOOD
Major General, U.S. Army
Commanding