



DEPARTMENT OF THE ARMY
HEADQUARTERS, JOINT READINESS TRAINING CENTER AND FORT POLK
6661 WARRIOR TRAIL, WOODFILL HALL
FORT POLK, LOUISIANA 71459-5339

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NOV 21 2022

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Joint Readiness Training Center (JRTC) and Fort Polk Policy 16 - Relief for Cause of Commissioned and Noncommissioned Officers and Limitation of Exercise of Disciplinary Authority by Subordinates

1. Relief for Cause of Commissioned Officers.

a. Army Regulation (AR) 600-20, Army Command Policy, paragraph 2-18, requires that action to relieve an officer from any command position will not be taken without first obtaining written approval of the first general officer in the chain of command.

b. The requirements of AR 600-20, paragraph 2-18, concerning relief for cause are hereby extended to all captains and above and to all warrant officers in the rank of CW2 and above, whether or not in command positions.

2. Relief for Cause of Noncommissioned Officers.

a. Action to relieve a command sergeant major, sergeant major, first sergeant, or master sergeant will not be taken without the Commanding General's prior written approval.

b. Action to relieve a sergeant first class, staff sergeant, or sergeant must be approved in writing by the first O-6 commander or above in the chain of command.

3. While pending investigation or decision to relieve, any commander may temporarily suspend their subordinate commissioned, warrant, or noncommissioned officers from assigned duties but must provide notice of intent to suspend to the appropriate relief authority. During periods of suspension, officers will be reassigned appropriate duties commensurate with their rank. Suspensions and reassignments will be in writing.

4. The provisions of AR 623-3, Evaluation Reporting System, concerning relief reports remain applicable. United States Army Reserve and Active Guard/Reserve (AGR) personnel are governed by AR 135-18, the Active Guard Reserve (AGR Program).

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5. Limitation of Exercise of Disciplinary Authority by Subordinates.

a. Pursuant to Fort Polk Supplement to AR 27-10, paragraph 3-7(e), the exercise of administrative or military justice disciplinary authority over commissioned officers, warrant officers, and noncommissioned officers in the grade of E-8 or higher is specifically reserved to the Commanding General for all units at Fort Polk. All instances of suspected misconduct involving commissioned officers, warrant officers, or noncommissioned officers in the grade of E-8 or higher must be promptly reported to the Commanding General and the Staff Judge Advocate.

b. Except for Formal Equal Opportunity and Formal SHARP complaints, the Commanding General is the primary appointing authority for any investigation into suspected misconduct involving commissioned officers, warrant officers, or noncommissioned officers in the grade of E-8 or higher. Commanders will not initiate an investigation into suspected misconduct involving commissioned officers, warrant officers, or noncommissioned officers in the grade of E-8 or higher until they have advised the Commanding General in writing of the suspected misconduct, the type of investigation to be conducted, and the intended investigating officer, and have obtained his approval. Approval authority for investigations into Formal Equal Opportunity and Formal SHARP complaints against commissioned officers, warrant officers, or noncommissioned officers in the grade of E-8 or higher is withheld to the Commanding General.

c. Offenses involving wrongful use, possession, or distribution of controlled substances will be disposed of at the O-5 or higher command level.

d. The exercise of UCMJ authority, to include nonjudicial punishment, over cases disposed of or pending in federal civilian or federal magistrate court is specifically reserved by the Commanding General for all units at Fort Polk. This includes all collateral offenses related to the pending case. Release of jurisdiction will be considered on a case-by-case basis. This paragraph does not preclude a unit from taking administrative action, to include separation under AR 635-200.

e. All offenses involving rape, sexual harassment, sexual assault, aggravated sexual contact, abusive sexual contact, sodomy, or attempts or conspiracies to commit these offenses will be disposed of at the O-6 or higher command level. Additionally, other collateral misconduct arising from the incident, whether committed by the alleged perpetrator or the alleged victim, will be disposed of at the O-6 or higher command level.

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f. All offenses involving domestic violence in violation of Article 128b, UCMJ, or attempts or conspiracies to commit the same will be disposed of at the O-6 or higher command level. Additionally, other collateral misconduct arising from the incident, whether committed by the alleged perpetrator of the alleged victim, will be disposed of at the O-6 or higher command level. This authority is delegable to the O-5 command level on a case-by-case basis. Any such delegation must be documented in writing individually for each case that is delegated. No further delegation below the O-5 command level is authorized.

6. This policy will remain in effect until superseded or rescinded.

7. The point of contact for this policy is the Office of the Staff Judge Advocate, Chief, Military Justice Division, at (337) 531-0977.



DAVID W. GARDNER
Brigadier General, USA
Commanding

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