



DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, US ARMY GARRISON COMMAND, FORT KNOX
111 E CHAFFEE AVE
FORT KNOX, KENTUCKY 40121-5256

AMIM-KNG-ZA

2 August 2023

MEMORANDUM FOR

Commanders, All Units Reporting Directly to this Headquarters
Directors and Chiefs, Fort Knox Partners in Excellence, Staff Offices/Departments, This
Headquarters

SUBJECT: Garrison Policy 6-Removal of Personally Owned Weapons (POWS) for
Protective Reasons

1. REFERENCES:

- a. AR 195-5, Army Evidence Procedures
- b. AR 190-11, Army Physical Security of Arms, Ammunition, and Explosives
- c. Fort Knox Regulation 608-2, Family Advocacy Program
- d. Fort Knox Form 5067 Emergency Protection Order Checklist
- e. Fort Knox Form 5068 Domestic Violence Checklist

2. PURPOSE: Installation Leadership has the responsibility to protect the life, health, and safety of individuals on Fort Knox. The installation reserves the right to remove Privately Owned Weapons (POWs) from an individual, conveyance, motor vehicle, temporary lodging facility, or residence on Fort Knox.

3. APPLICABILITY: This policy applies to all persons assigned, residing, visiting, or performing temporary duty at Fort Knox, including the Knox Hills housing area, whether classified as a service member, dependent, contractor, veteran, or a non-affiliated Fort Knox (waterfall) resident.

4. POLICY: The policy focuses on the safety of personnel assigned, visiting, temporarily working on Fort Knox, or residing in the Knox Hills community who possess POWs and are involved in a law enforcement event requiring possible removal of POWs. Under reference b, POWs used, transported or stored on Fort Knox must be registered with the Directorate of Emergency Services (DES). Failure to properly register, transport or store POWs (firearms) may result in immediate removal and disbarment from the installation.

AMIM-KNG-ZA

SUBJECT: Garrison Policy 6-Removal of Personally Owned Weapons (POWS) for Protective Reasons

a. Any incident of domestic violence of a service member serving on active duty, defined as a violation of Article 128b, UCMJ, or similar State or Federal statute, occurring in, on, or off the Fort Knox Military Reservation area will result in any POWs in the home being removed temporarily at the direction of the service member's commander. Unit commanders of military service members and their families will reference c, d and e, and obtain possession of a service member's POWs within four hours of notification and store IAW reference b. (See Para 10.)

b. Commanders will submit reference c and d within 4 hours and when used, a Military Protective Order should be provided within 24 hours of the incident.

c. Any domestic violence event occurring on Fort Knox of a civilian and their family MAY result in the Fort Knox Law Enforcement Supervisor on Duty through the authority directed by the Garrison Commander, removing and temporarily securing POWs IAW reference b.

d. Fort Knox Law Enforcement reserves the right, based upon their risk assessment, to remove POWs in any incident occurring on the Fort Knox Military Reservation where an individual's mental and/or physical faculties are impaired to the point that they are prohibited from possessing firearms per reference b.

e. Domestic violence events or incidents where an individual's mental faculties are impaired occurring off the Fort Knox Military Reservation are subject to state, county or municipal laws, regulations, and enforcement proceedings. The Fort Knox Garrison Commander reserves the right to restrict individuals who are involved in such off-post incidents from entering Fort Knox with POWs. To protect the safety of the Fort Knox community, the Fort Knox Garrison Commander may also provide additional protective instructions or impose other conditions on entry for such individuals.

5. Any resident violating this policy and refusing to willfully handover POWs is subject to removal from housing and bar from the installation.

6. Any POWs confiscated IAW this regulation by Fort Knox Law Enforcement will be:

a. Accounted for on a DA Form 4137 and a copy will be provided to the individual(s) confiscated from IAW reference a.

b. If confiscated from a uniformed service member, POWs will be released to the service member's Commander, which must modify the register the firearm storage location (with DES) in compliance with reference b.

AMIM-KNG-ZA

SUBJECT: Garrison Policy 6-Removal of Personally Owned Weapons (POWS) for Protective Reasons

7. POWs will not be returned to an individual that is prohibited from owning or possessing a firearm per reference b. Individuals must request in writing to have their firearm returned through the Commander for Soldiers and through DES for all others. POWs will be returned to the individual(s) once one of the following criteria are met:

a. In cases of domestic violence, a written order from a judicial authority or,

b. An opinion from SJA if no criminal charges or no military or civilian protective order has been filed 7 business days after the date of confiscation or,

c. In incidents of mental health crisis, written documentation from a competent medical authority and concurring opinion from SJA.

8. Disposition of all confiscated POWs will be IAW reference a.

9. POWs not retrieved by the individual(s) within 180 days of the notification that they may retrieve their POWs are subject to destruction IAW reference and SJA approval.

10. DES Law Enforcement and Commanders will provide appropriate reporting to the Installation Operations Center identifying incident and removal of POWs within 4 hours of the incident to provide awareness to the Fort Knox Garrison Commander that weapons were removed from the home.

11. The point of contact for this memo is Director, Emergency Services at 502-624-5980.



CHRISTOPHER J. RICCI
COL, IN
Commanding

EMERGENCY PROTECTION ORDER CHECKLIST

For use of this form see 609-18

DATE OF INCIDENT:

ANY TIME A SOLDIER IS THE SUBJECT OF AN EMERGENCY PROTECTION ORDER (EPO) ISSUED BY ANY COURT, COMMANDERS WILL IMMEDIATELY TAKE THE FOLLOWING STEPS:

- 1. Contact the unit trial counsel for legal guidance
- 2. Upon notification by the Provost Marshal's Office (PMO) that an EPO has been received, the Soldier will be escorted by a member of the chain of command, in the grade of E-8 or higher, to the PMO and served the EPO. A copy of the EPO and MPO will be provided to the trial counsel, Military Police and a copy of the MPO to the victim/protected person.
- 3. After an EPO is served to the Soldier, he/she will be immediately escorted back to the Commander. The Commander will review the EPO, consult with trial counsel, and explain its contents to the Soldier to ensure he/she fully understands the restrictions of the EPO and penalties for failure to obey it. The Command will also issue a Military Protective Order (DD Form 2873) (MPO) for the duration of the EPO. If, after advising the Soldier of his/her Article 31, UCMJ, rights, the Soldier waives these rights, the Commander will question the Soldier to ascertain the facts and potential for harm to self and/or others.
- 4. Provide alternate billeting; order the Soldier to move into alternate billeting.
- 5. Contact the victim of domestic violence named in the EPO/MPO to identify any immediate safety concerns, provide Victim Advocate contact information and provide a copy of the MPO to the victim. MPO should include required information about the service member and the protected person on the DD2873 to ensure Military Police can properly input MPO in the National Crime Information Center (NCIC).
- 6. Order the offender Soldier to immediately turn in all privately-owned firearms (POF) to the unit's arms room. Send a NCO in the grade of E6 or higher to the Soldier's home to retrieve any firearms (if Commander has concerns for safety or possible refusal they may request additional MP assistance). Order the Soldier to have no contact with firearms unless in the course of the normal duty. If the Soldier has privately-owned weapons off-post, the Commander may request that the Soldier release their firearms to be stored in unit arms rooms. Commanders should seek advice of their servicing Judge Advocate prior to collecting any information concerning Soldiers POF off-post.
- 7. Prior to releasing the Soldier from the MPO, the Commander must contact Family Advocacy Program (FAP), Fort Knox Ireland Army Health Clinic, to schedule an appointment, if appropriate, in accordance with (IAW) AR 608-18. A FAP clinical social worker will provide the command feedback and recommendations for follow-up services at (502-626-9884/9885. Also, IAW AR 608-18, the Commander is required to attend the Case Review Committee (CRC)/Incident Determination Committee (IDC) meeting to discuss the case status and treatment plan recommendations. The command will receive written notification of the CRC/IDC meeting dates and time. Commanders DO NOT need to provide command referral paperwork for Soldiers involved in domestic violence (child and spouse abuse) incidents. These referrals are considered emergencies that require "Risk Assessment" and are not considered routine mental health evaluations.
- 8. The Unit Commander or civilian supervisor equivalent of the Soldier involved in the incident is required to attend the CRC/IDC meeting, concur/non-concur with CRC/IDC findings, and ensure the Soldier complies with the assessment process and treatment recommendations. In the absence of the Commander or CRC/IDC recommendations. All individuals who attend CRC/IDC are required to take the DTA online training at: <https://info.health.mil/army/bhs/fap/Documents/Army%20FAP%20Central%20Registry/webpart/CRCtrainingmodule.htm> and provide a certificate of completion to the CRC/IDC chairperson and Family Advocacy Program Manager.
- 9. Take any other additional measures the commander deems necessary to prevent further incidents of domestic abuse, injury, or death. Indicate below what other measures were taken.

Other measures (if applicable):

NAME/RANK OF SOLDIER: <input style="width: 95%; height: 25px;" type="text"/>	COMMANDER SIGNATURE: <input style="width: 95%; height: 25px;" type="text"/>
UNIT: <input style="width: 95%; height: 25px;" type="text"/>	DATE FORWARDED TO TRIAL COUNSEL: <input style="width: 95%; height: 25px;" type="text"/>

DOMESTIC VIOLENCE CHECKLIST

For use of this form, see AR 608-18

UPON NOTIFICATION OR DISCOVERY OF ANY INCIDENT OR CREDIBLE REPORT OF DOMESTIC VIOLENCE, COMMANDERS OF ALLEGED SOLDIER OFFENDERS WILL IMMEDIATELY TAKE THE FOLLOWING STEPS:

- | | |
|--|--------------------------|
| 1. Contact the unit trial counsel for legal guidance. | <input type="checkbox"/> |
| 2. Report the incident to the Military Police Desk Sergeant at 502-624-2111 | <input type="checkbox"/> |
| 3. Advise the Soldier suspected of domestic violence of his/her Article 31, UCMJ, rights and, if he/she waives these rights, questions the Soldier to ascertain the facts and potential for harm to self and/or others. Issue a Military Protective Order (DD Form 2873) (MPO) for the Soldier to have no contact with the victim(s) of domestic violence for a minimum of 72 hours. If the 72-hour period ends on a weekend or holiday, Soldier will be ordered to have no contact until the first duty day. | <input type="checkbox"/> |
| 4. Provide alternate billeting; order the Soldier to move into alternate billeting. | <input type="checkbox"/> |
| 5. Contact the victim of domestic violence named in the EPO/MPO to identify any immediate safety concerns, provide Victim Advocate contact information and provide a copy of the MPO to the Victim. MPO should include information about the service member and the protected person on the DD2873 to ensure Military Police can properly input the MPO in the National Crime Information Center (NCIC). | <input type="checkbox"/> |
| 6. Order the offender Soldier to immediately turn-in all privately-owned firearms (POF) to the unit's arms room. Send a NCO in the grade of E6 or higher to the Soldier's home to retrieve any firearms (if command has concerns for safety or possible refusal they may request additional MP assistance). Order the Soldier to have no contact with firearms unless in the course of normal duty. If the Soldier has privately-owned weapons off-post, the Commander may request that the Soldier release their firearms to be stored in unit arms room. Commanders should seek the advice of their servicing Judge Advocate prior to collecting any information concerning Soldiers POF off-post. | <input type="checkbox"/> |
| 7. Reassess the situation at the end of 72-hour period and determine if the above MPO or restrictions should be modified, continued, or canceled. | <input type="checkbox"/> |
| 8. Prior to releasing the Soldier from the mandatory 72-hour MPO, the Commander must contact the Family Advocacy Program (FAP), Fort Knox Ireland Army Health Clinic (IAHC), to schedule an appointment, if appropriate, in accordance with (IAW) AR 608-18. A FAP clinical social worker will provide the command feedback and recommendations for follow-up services at (502) 625-9884/9885. Also, IAW AR 608-18, the Commander is required to attend the Case Review Committee (CRC)/Incident Determination Committee (IDC) meeting to discuss the case status and treatment plan recommendations. The command will receive written notification of the CRC/IDC meeting dates and time. Commanders DO NOT need to provide command referral paperwork for Soldiers involved in domestic violence (child and spouse abuse) incidents. These referrals are considered emergencies that require "Risk Assessment" and are not considered routine mental health evaluations. | <input type="checkbox"/> |
| 9. Commander will use DD 2873-1, Cancellation of Military Protective Order, to rescind the MPO. Once completed, commander will forward a copy of the DD2873-1 to the Military Police, the Soldier, and the protected person(s) within 24. | <input type="checkbox"/> |
| 10. If the Soldier becomes the subject of an Emergency Protection Order (EPO) issued by any court, Commanders will refer to the Emergency Protection Order Checklist (FK Form 5067) for further steps. | <input type="checkbox"/> |
| 11. The unit Commander or civilian supervisor equivalent of the Soldier involved in the incident is required to attend the CRC/IDC meeting, concur or non-concur with CRC/IDC findings, and ensure the Soldier complies with the assessment process and treatment recommendations. In the absence of the commander or civilian supervisor, a senior enlisted supervisor is authorized to attend. This command representative must have the authority to concur or non-concur with CRC/IDC recommendations. All individuals who attend CRC/IDC are required to take the DTA online training at https://info.health.mil/army/ihsl/FAP/Documents/Army%20FAP%20Central%20Registry/webpartCRCtrainingmodule.htm and provide a certificate of completion to the CRC/IDC FAP Clinical and Family Advocacy Program Manager. | <input type="checkbox"/> |
| 12. Take any other additional measures the Commander deems necessary to prevent further incidents of domestic abuse, injury, or death. Indicate below what measures were taken. | <input type="checkbox"/> |

Other Measures (if applicable):

NAME/RANK OF SOLDIER:	COMMANDER SIGNATURE:
UNIT:	DATE FORWARDED TO TRIAL COUNSEL: