



DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, US ARMY GARRISON COMMAND, FORT KNOX
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AMIM-KNW-A (100)

1 October 2021

MEMORANDUM FOR

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

SUBJECT: Fort Knox Policy Memo No. 07 – Rights of Alleged Victims and Offenders in Cases of Suspected Child and Domestic Abuse

1. Reference, Army Regulation (AR) 608-18, (The Army Family Advocacy Program).
2. Purpose. This policy memorandum establishes the responsibility of this command to prevent incidences of domestic violence and child abuse/neglect, protect victims of abuse, encourage reporting all instances of abuse, and coordinate treatment to all Families affected by abuse. The rights of victims and offenders will be respected to ensure the safety of all parties.
3. Policy.
 - a. To encourage the reporting of all incidents of Family violence, the Family Advocacy Program (FAP) and law enforcement personnel may promise confidentiality to persons making reports in accordance with AR 608-18, paragraph 3-5.
 - b. Restricted reporting is limited to adults who are victims of domestic violence and are eligible to receive military medical treatment. Restricted reporting allows victims to disclose domestic abuse to a Victim Advocate (VA), the Family Advocacy Program Manager (FAPM), or Military Health Care Provider (HCP) without initiating the investigative process or notification to the Commander. The victim must sign and date a Victim Reporting Preference Statement, elect a reporting option, indicate that he/she had an opportunity to talk with a VA, FAPM, or Military HCP, advised of the benefits and limitations of restricted and unrestricted reporting, understands the exceptions to restricted reporting, and the Department of Defense preference and reasons for unrestricted reporting. If a victim disclosed the domestic incident in the presence of anyone other than the specified individuals then the report becomes an unrestricted report and the command and law enforcement are to be contacted.

AMIM-KNW-A (100)

SUBJECT: Fort Knox Policy Memo No. 07 – Rights of Alleged Victims and Offenders in Cases of Suspected Child and Domestic Abuse

c. All agency personnel responsible for the investigation of suspected domestic and child abuse will immediately assess the imminent danger for the alleged victim and other Family members, and take action to ensure their safety. Any action taken pursuant to this paragraph must be in strict accordance with the procedures and limitations outlined in AR 608-18, chapter 3, sections IV and V, except that such action may include restricting the active duty member to the barracks, encouraging one of the adults to temporarily stay with a relative or family friend, or encouraging an adult victim to go to a domestic violence shelter. Transportation to the unit barracks or to a shelter will be coordinated for the alleged victim and minor children. If an alleged adult victim chooses to return to the alleged scene of conflict, he/she will be advised of the potential harmful consequences. Assessment team members will not attempt to prevent the return unless it is believed the adult is not mentally competent to make this decision, or it is known that the return would indeed be harmful to the alleged victim or other adults or children. In such cases, the assessment team members will advise the individual of the potential harm and seek assistance from the Staff Judge Advocate General and in all cases involving children, seek assistance from FAP/Social Work Services and Hardin County Department of Community Based Services (DCBS).

d. Medical treatment will be offered to the alleged victim or victims. Children will receive treatment with the permission of a parent.

e. Law enforcement personnel will advise victims of domestic and/or child abuse of their right to a protective order or temporary shelter and provide each victim a copy of DA Form 2701, Initial Information for Victims and Witnesses of Crime. Law enforcement personnel will also provide each victim the names and telephone numbers of agencies the victim can contact for further assistance. Alleged offenders will be accorded rights warnings in accordance with Army Regulation 608-18, The Army Family Advocacy Program. If FAP case managers, social workers or other healthcare personnel are in doubt as to whether rights warnings should be given, they are encouraged to contact the Staff Judge Advocate office for advice.

f. In child abuse cases, FAP/Social Work Services personnel, Hardin County DCBS personnel, and the U.S. Army Criminal Investigation Division (CID) will conduct a joint evaluation to avoid subjecting the child to multiple interviews whenever possible. Interviewing of children will be done in a child-centered environment in an age-appropriate manner and in a manner to protect the child's right to privacy.

g. All information attained during investigation, assessment and treatment of Family Advocacy cases will be maintained in confidence according to pertinent military regulations and Kentucky law. Release of information to any military or civilian agency or professional, who has a "need-to-know," will be accomplished within these regulations and laws.

h. Agency personnel will treat the alleged offender courteously, calmly, and in a helpful manner. The only time a law enforcement officer or a CID Special Agent should

AMIM-KNW-A (100)

SUBJECT: Fort Knox Policy Memo No. 07 – Rights of Alleged Victims and Offenders in Cases of Suspected Child and Domestic Abuse

enter a residence without authority or consent is when they have determined it is necessary to protect person(s) from injury or to protect against damage or destruction of government property or when otherwise authorized by law.

i. The service member's commander will be contacted and informed of the incident. The commander will coordinate with law enforcement, SJA, and FAP/Social Work Services to ensure victims are protected from further abuse.

4. Expiration. This Command Policy Memorandum will remain in effect until superseded or rescinded.

5. The Point of Contact for this policy is the Army Community Service Family Advocacy Program Manager at (502) 624-6291.

LANCE A. O'BRYAN
COL, FA
Commanding

DISTRIBUTION: A