



DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON, FORT LEONARD WOOD
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FORT LEONARD WOOD, MISSOURI 65473-8929

OCT 26 2020

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MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Garrison Policy 03, Fort Leonard Wood (FLW) Installation Bar Letter Policy

1. References:

- a. 18 U.S.C. §1382, Commander's Authority to Protect the Installation
- b. DODI 5200.08, Security of DoD Installations and Resources and the Physical Security Review Board, 20 NOV 15
- c. AR 190-13, The Army Physical Security Program, 27 JUN 19
- d. AR 190-45, Law Enforcement Reporting, 27 SEP 16
- e. AR 420-1, Army Facilities Management, 12 FEB 08
- f. AR 600-20, Army Command Policy, 6 NOV 14
- g. AR 635-200, Active Duty Enlisted Administrative Separations, 19 DEC 16

2. Purpose: Garrison Commanders have inherent authority to control installation access. The authority of a Garrison Commander to exclude individuals from a military installation is a proprietary right and does not depend upon statute or legislative jurisdiction. However, statutory authority to exclude is provided in Section 1382, Title 18, United States Code. The FLW Garrison Commander (GC) has the inherent authority to bar individuals exhibiting adverse behavior or misconduct which may be disruptive to the good order, discipline, welfare, health or safety of the FLW community and when an individual's misconduct establishes that his or her continued presence on the installation is not in the best interests of the Army. This policy establishes procedures to generate installation bar letters, assigns responsibilities, and outlines procedures to control installation bar actions.

3. Authority to Request/Initiate Bar Actions: Any individual currently assigned, working, or living on FLW may request a bar action on an individual he or she believes meets the criteria above. Bar requests must be thoroughly documented with sufficient justification for such action. Ordinarily, the formal bar process should be initiated by commanders, directors, the Staff Judge Advocate (SJA), or the Director of Emergency Services (DES)/Provost Marshal (PM).

4. Types of Bar Action: Temporary, Permanent, Limited Entry Authorized. Bars to the installation ordinarily are permanent and apply to the FLW installation, including points of entry and the Fort Leonard Wood Visitor's Center. However, in appropriate circumstances, bars may be tailored.

a. Temporary bars may be specified for a period of time, after which they will expire.

b. Permanent bars have no specified end date and will only terminate upon written request by the barred individual and subsequent approval by the Garrison Commander. The Garrison Commander has the authority to permanently bar individuals from FLW, Missouri.

c. Limited entry bars are a subset of both temporary and permanent bars that allow the barred individual to enter the installation for specific purposes, such as treatment at the health or dental clinic. The bar letter will specify those places/purposes and will ordinarily require barred individuals to report to the Fort Leonard Wood Visitor's Center immediately upon entrance onto the installation. There may be a requirement for an individual to be escorted by another person approved for access to the installation, but all limited entries will require the individual to proceed in the most direct route from the gate to and from the allowed location, and require the individual to leave immediately upon completing the purpose for the visit.

5. Procedures for Submission, Review and Approval/Disapproval of Bar Actions: All bar requests will be thoroughly documented with attachments sufficient to justify the barred individual's negative impact on good order, discipline, welfare, health or safety of the FLW community. Military and civilian initiated bar requests will be submitted through the applicable Commander/Director to the PM. Bar requests for affiliated and non-affiliated civilians will be submitted to the PM who will determine whether or not to recommend a bar. If the PM recommends instituting a bar, the PM will generate a bar recommendation packet, providing all information relevant to the bar request. All bar recommendation packages will then be submitted to the SJA, who will review the bar recommendation for legal sufficiency and draft a bar letter to be added to the packet in those cases determined to be sufficient. The bar packet will then be provided to the GC for a decision. Decisions will be made on a case-by-case basis dependent on the facts and severity of misconduct or behavior.

a. Data Required. All bar requests must include the following before they are forwarded to the GC: name, date of birth, social security number, current address, and any other identifying information available on the individual. If the individual is a military dependent, the request must so indicate and must include the name, social security number, and current unit and address of the dependent's military sponsor. If the individual is a civilian employee on FLW, a retired Service member, or has any similar relationship with FLW, the request must include this information. If the individual is being administratively separated for misconduct, the request must include the last day that the Service member will be with his/her unit to ensure issuance of the bar prior to separation.

b. Supporting Memorandum. A memorandum signed by the requesting individual detailing the misconduct that is the basis of the request accompanied by supporting documents (witness statements, military police reports, administrative discharge documents, etc.).

c. Legal Review. The Administrative Law Division, OSJA, will conduct a legal review of the bar request to ensure legal sufficiency. Requests with insufficient supporting documentation will not be forwarded to the GC for action until the Administrative Law Division receives all required information.

6. Judicial Bars and Bars Pursuant to Chapter 10, AR 635-200. Federal Judges with jurisdiction over offenses committed on FLW may impose installation bars as part of sentencing civilians

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convicted for committing misconduct on FLW. Additionally, in the capacity of General Court-Martial Convening Authority, the Commanding General (CG) may impose installation bars when Soldiers are discharged in lieu of court-martial in accordance with (IAW) Chapter 10, AR 635-200. Such bar actions will be processed as described in paragraph 7 below, with the OSJA acting as the originating office.

7. Bars for Soldiers Administratively Separated from the Army. All Soldiers discharged administratively under the provisions of Chapter 14, AR 635-200, will be permanently barred from FLW with no limited access allowed by the Commander who approved the discharge.

8. Service and Filing of Approved Bar Letters. Proper service of the bar letter, proof of service, and maintenance of the bar letter files are critical to enforcement of the bar.

a. Where a Soldier is administratively discharged in accordance with the processes described in paragraphs 6 and 7 above, the bar letter will be served upon the discharged Soldier at the same time they receive their separation packet. The file and documentation for such a bar will be maintained at the appropriate Brigade or Group level. The individual will sign and date the bottom of the bar letter indicating receipt. A copy of the bar letter will be provided to the individual and the Provost Marshal's Office (PMO) for inclusion on the Master Installation Bar List (MIBL), and the original bar letter will be maintained with the bar packet.

b. If the individual refuses to sign, the person serving the bar letter will so note on the bottom of bar letter and legibly print, sign, date the letter and provide a copy to PMO for inclusion on the MIBL. The date, time, and type of notification will be documented and kept on file. This information will be crucial in prosecuting any future case of trespass in violation of a bar.

c. In all other cases, once approved, the bar packet will be returned to the PMO for service on the barred individual. Bar actions will be served by having the bar letter provided by hand to the barred individual whenever possible. The individual will sign and date the bottom of the bar letter indicating receipt. A copy will be provided to the individual and the original maintained with the bar packet. If the individual refuses to sign, the person serving the bar letter will so note on the bottom of bar letter and legibly print, sign, and date the letter. If personal service is impractical, the originating office will deliver the letter by certified mail to the most recent address of the barred individual. The date, time, and type of notification will be documented and kept on file. This information is crucial in prosecuting any future case of trespassing in violation of a bar.

d. The PMO will maintain a master file copy of every bar letter. Upon completion of service of a bar letter, the PMO will update the Army Law Enforcement Reporting and Tracking System (ALERTS) and will also place the barred individual into the Personnel Access Control System (PACS) that is accessible at each access control point. System input will include all personally identifiable information, which gate guards will verify upon encountering a barred individual at the access control patrol point. The bar list information will also be available to commanders, directors, and the SJA through the PMO.


e. Permanent bar files must be maintained permanently with the PMO for court retrieval if trespassing occurs. Temporary bar files will be maintained for six months after the bar expiration.

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9. Appeals and Requests to Terminate Previously Imposed Bars. All bars can be appealed, and all bar letters will specify that barred individuals may request reconsideration at any time by written submission through the Provost Marshal to the Garrison Commander. Written appeals and requests to terminate bars will be received by the Provost Marshal and forwarded to the Garrison Commander for action. If an appeal is denied by the Garrison Commander, a barred individual may submit a new appeal six months after receiving notice that the previous appeal was denied.

10. The point of contact for this memorandum is HQ, U.S. Army Garrison Fort Leonard Wood at (574) 563-4004.



JEFFREY O. PAINE
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Commanding

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