



**DEPARTMENT OF THE ARMY  
US ARMY INSTALLATION MANAGEMENT COMMAND  
HEADQUARTERS, UNITED STATES ARMY GARRISON FORT HAMILTON  
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BROOKLYN NY 11252-5300**

**GARRISON POLICY  
DFMWR-ACS-02**

IMHA-ZA

23 July 2014

MEMORANDUM FOR: All Members of the USAG Fort Hamilton Community

SUBJECT: USAG Fort Hamilton Family Violence Policy

1. REFERENCES:

- a. Army Regulation 608-18, The Family Advocacy Program, 13 September 2011
- b. Memorandum, Deputy Secretary of Defense, 22 January 2006, Subject: Restricted Reporting Policy for Incidents of Domestic Abuse.
- c. Army Regulation 27-10, Military Justice, 16 November 2005

2. PURPOSE: Establish guidance for the prevention of Domestic Violence.

3. POLICY:

a. The Family Advocacy Program (FAP) is a commander's program designed to prevent spouse, intimate partner, and child abuse; to encourage the reporting of all instances of abuse; to ensure the prompt assessment and investigation of abuse cases; to protect victims of abuse, and to treat Soldiers and Family Members affected by or involved in abuse.

b. The above references encourage every Soldier and Civilian member of the military community to report information about known or suspected incidents of child or domestic abuse to the installation reporting point of contact (RPOC). Abuse allegations will be investigated by appropriate law enforcement authorities. Commanders will be notified when a Soldier is involved in domestic or child abuse. Commanders may take action they deem appropriate in accordance with the Uniform Code of Military Justice.

c. USAG Fort Hamilton Reporting Point of Contact (RPOC) for suspected child and domestic abuse is the Department of Emergency Services (DES) who can be contacted at 718-630-4456. All mandated reporters of child abuse are also required to contact New York City Administration for Children's Services (NYCACS) at 1-800-635-1522.

d. Under the recent Department of the Army Directive, victims of Domestic Abuse can now have 2 reporting options known as Restricted and Unrestricted Reporting:

(1) Restricted Reporting: allows a victim to file a report to either or one of the following individuals: the FAP Manager, the FAP Social Worker, or a Health Care Provider without the Soldiers Chain of Command or Law Enforcement being notified. The victim however, can still obtain medical attention, crisis intervention or counseling services chosen without an investigation taking place. Victims of Domestic Violence are also entitled to additional support of a Victim Advocate who can be reached 24/7 at 917-597-8956.

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(2) Unrestricted Reporting: allows for Law Enforcement and the Soldiers Chain of Command to be notified. Victims who make an Unrestricted Report are also entitled to Medical Services, Crisis Intervention, Counseling, and the Services offered by the Family Advocacy Victim Advocate.

e. Although the Family Advocacy Program places its emphasis on the care of victims of Family violence, the Department of the Army has outlined various rights for both victims and offenders. Persons involved in allegations of abuse have the right to counsel and the right against self-incrimination.

f. It is the policy of this command that all alleged victims and offenders are accorded their rights under law and applicable regulations:

(1) The rights of victims IAW AR 27-10, Chapter 18 (Paragraph 10- p.85) are:

(a) The right to be treated with fairness, dignity, and respect for privacy.

(b) The right to be reasonably protected from the accused offender.

(c) The right to be notified of court proceedings.

(d) The right to be present at all public court proceedings related to the offense unless the court determines that testimony by the victim would be materially affected if the victim heard other testimony at trial, or for other good cause.

(e) The right to confer with an attorney for the Government in the case.

(f) The right to restitution, if appropriate.

(g) The right to information regarding conviction, sentencing, imprisonment, and release of the offender from custody.

(2) The rights of the accused are:

(a) The right to fully present their side of the case in the presence of except in rare circumstances the opposing commander or at court-martial.

(b) The right to call witnesses.

(c) The right to present evidence and request an attorney

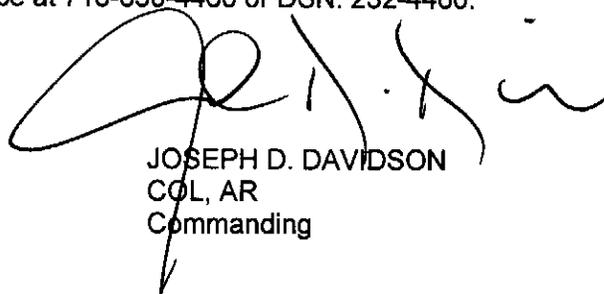
g. Soldiers involved in allegations may be required to participate in treatment. In addition, Commanders will consider the temporary removal of a Soldier from Family housing pending the outcome of an investigation as deemed appropriate. Commanders will provide written military no-contact orders, counsel Soldiers or facilitate compliance with civilian restraining orders. When medical attention is necessary, victims may be transported to the nearest emergency room. In addition, victims are entitled to social services offered by the Family Advocacy Program such as counseling, crisis intervention, and advocacy. The Family Advocacy Program Case Manager who performs these duties can be reached at DSN: 232-4242 or Commercial at 718-630-4460.

4. Each report of Family violence involving a Soldier or his/her Family is reviewed by the Family Advocacy Case Review Committee (CRC). Commanders are required to attend CRC meetings involving their Soldiers and concur or non-concur in writing with any treatment

recommendations. Commanders should also be knowledgeable about the Transitional Compensation Program for victims of Family violence.

5. Family Violence is unacceptable, incompatible with the Army Core Values, and will not be tolerated in the Army. As commanders, you can make a positive difference by helping Soldiers and Families who have suffered from Family violence. By establishing trust, offering support, encouraging non-violence, and providing solutions to problems, commanders can prevent a Family situation from escalating to a crisis or resulting in violence. Commanders must remember these guidelines for preventing Family violence: immediately report suspected or known child or domestic abuse to the RPOC, openly discuss prevention strategies, listen carefully to Soldiers to build trust, teach Soldiers to take responsibility for their actions, set the example, and emphasize that Family violence will not be tolerated.

6. Questions regarding this policy should be addressed Family Advocacy Program Manager (FAPM), Army Community Service at 718-630-4460 or DSN: 232-4460.



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Commanding