



DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST ARMORED DIVISION AND FORT BLISS
11685 SERGEANT MAJOR BOULEVARD
EL PASO TX 79918-6818

AFBL-CG

8 December 2014

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Command Policy Letter #7, Senior Leader Misconduct Notification Requirements and Withholding of Uniform Code of Military Justice (UCMJ) and Adverse Administrative Action Authority.

1. Purpose. This memorandum establishes Fort Bliss senior leader misconduct notification procedures and disciplinary authority withholding provisions. It is issued pursuant to the undersigned's role as a general court-martial convening authority. This memorandum supersedes all other Fort Bliss regulations, circulars, and policy memoranda to the extent that they conflict with this policy.

2. Applicability. This policy applies to all Active Army, Army National Guard (ARNG), and U.S. Army Reserve (USAR) Soldiers on active duty, inactive duty training, or in a duty status under Title 10, U.S. Code, who are assigned to, attached to, or performing duties at Fort Bliss.

3. Notification Requirements.

a. Subordinate special court-martial convening authorities will report any allegation of misconduct committed by a commissioned officer, warrant officer, or Soldier in the grade of E-8 or E-9 to the undersigned within 48 hours of notice of the allegation.

b. Commanders will conduct the notification via email, using the Serious Incident Report format, directly to the undersigned, copying the Deputy Commanding Generals, Chief of Staff, and Staff Judge Advocate.

4. Withholding Policy.

a. Senior Leader Misconduct. I withhold authority to dispose of all allegations of misconduct committed by a commissioned officer, warrant officer, or Soldier in the grade of E-8 or E-9.¹ Subordinate commanders may not take adverse administrative actions, impose nonjudicial punishment, or convene courts-martial under these

¹ The Commanding Generals of 32d Army Air and Missile Defense Command and Brigade Modernization Command are delegated the authority to dispose of misconduct committed by commissioned officers, warrant officers, or Soldiers in the grade of E-8 or above assigned to a unit within their special court-martial convening authority. This delegation does not extend to allegations of misconduct involving the use of firearms.

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circumstances unless I have delegated them the authority to dispose of the action at their level. However, this withholding policy does not preclude developmental or minor transgression counseling, issuance of referred evaluation reports, or relief from non-command positions.

b. Incidents Involving Firearms. I withhold authority to dispose of all allegations of misconduct involving the use of a firearm, to include the failure to properly register a firearm.

c. Special Court-Martial Convening Authority Withholding Provisions. Subject to paragraphs 4a-b above, I withhold authority to dispose of all allegations of misconduct committed by a Soldier in the grade of E-7, and all allegations of a second or subsequent incident of domestic violence, to the special court-martial convening authorities.

d. Summary Court-Martial Convening Authority Withholding Provisions. Subject to paragraphs 4a-c above, I withhold authority to dispose of all allegations of drug and alcohol related misconduct, and first-time domestic abuse incidents, to the summary court-martial convening authorities.

5. Miscellaneous Provisions. Actions taken in violation of this policy are invalid at my option. The authority to dispose of allegations includes the authority to take no action or to delegate to a lower level. This policy is effective immediately and will remain in effect until superseded or rescinded.

6. Point of contact is the 1st Armored Division and Fort Bliss Office of the Staff Judge Advocate at 744-6889.


STEPHEN M. TWITTY
Major General, USA
Commanding

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