

INFORMATION PAPER

SUBJECT: Army Family Advocacy Program (AR 608-18 / DoDM 6400.01)

1. **PURPOSE:** To provide commanders answers to the most common questions about the Army Family Advocacy Program Incident Determination Committee (IDC).

2. What is the Family Advocacy Incident Determination Committee (IDC)?

The IDC is the committee charged with evaluating allegations of adult and child abuse/neglect utilizing standardized criteria to make a determination on which reports of abuse meet the DoD definition of abuse, requiring entry into the Army Central Registry (ACR). Uniformed determinations across all military installations are critical to properly analyze the scope of child abuse and domestic abuse across the military.

The IDC is supported by the Family Advocacy Program clinical assessment which explores both the incident as well as the underlying conditions. A clinical case staffing meeting (CCSM) is also held to identify risk and protective factors, determine the need for clinical intervention, and finalize a treatment plan to reduce the risk of further incidences. Chaotic or unhealthy relationships have a direct impact on mission readiness as well as affecting family life and require a coordinated community response.

The IDC and CCSM members and attendees bring their collective expertise, together to identify child abuse/neglect and domestic violence, protect victims, and formulate treatment plans for all affected family members. The findings of the IDC are not legal findings but based on a more likely than not standard (preponderance of information) utilizing a structured process and definitions to classify incidents as “met criteria” or “did not meet criteria”. The IDC is not a disciplinary proceeding and therefore the requirements for due process are inapplicable to the IDC meetings and actions.

Any punishment the Service Member may or ought to incur should appropriately be left to the Commander, SJA, law enforcement, and local authorities.

3. Who are the people who make up the IDC?

The IDC brings together experts from the military and civilian community. There are six voting members, which include: The Garrison or deputy Garrison Commander (Chairperson), Garrison or Division CSM, Judge Advocate representative, Provost Marshal representative, Family Advocacy Program Clinical Supervisor, the Commander or 1SG of the Service Member under review. The Family Advocacy Program Manager, is a non-voting member who monitors processes, conducts fidelity checks, and tracks trends.

Additional non-voting members attend by invitation only may include: Substance Use Disorder Clinical Care Director, Pediatrician, or Family Practice physician, Child Protective Services, Victim Advocate and other community agencies as deemed appropriate by IDC chairperson. Voting members are required to attend specialized training. Core members attend the Family Advocacy Staff Training Course at MEDCOM. Commanders and First Sergeants are required to complete a web-based IDC training. Service Member and family members are not permitted to

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attend the IDC meeting, nor is an attorney for such individuals permitted to attend.

Any non-United States government personnel who presents information to the IDC will be immediately excused after presenting relevant information and prior to any discussion by anyone else.

4. What does it mean when the IDC determines an incident met criteria and identifies a person as the “offender”? Is the offender a bad person? Does the IDC think that the others involved (partner or child) are innocent and not a contributor?

The IDC does occasionally encounter a case where one person in the family is clearly in the wrong; that person terrorizes or sexually victimizes the children or partner. However, much more commonly, family violence is an attempt by an individual or a family to deal with a set of complex family problems. Rarely is anyone in the family identified as the "good guy" or the "bad guy." FAP therapists have spent years learning how to help families stop patterns of aggression and violence. It is often impossible, and certainly not productive, to search through the family history to find out "who started it" and "who is wrong", it is, however, generally possible to determine what violence or neglect has taken place and if one partner attempts to control the other partner. The IDC sends a clear message: Family violence, sexual abuse, emotional, psychological abuse, and neglect are UNACCEPTABLE and MUST STOP. The treatment plan addresses the broader issues of the family dynamics underlying the abusive behavior or dysfunctional patterns. The goal is to eliminate violence, prevent future recurrence, increase family problem-solving skills, and help families build on their strengths.

5. Will a met criteria determination for child or adult abuse ruin a Service Member's career?

The IDC determination alone rarely or minimally impacts a Service Member's career. The confidential record of the IDC determination is maintained by the Army Central Registry where only authorized personnel can retrieve the information. As of 8 Nov 2018, Human Resources Command no longer queries the data base when vetting for specific sensitive duty positions such as drill instructor, recruiter, SHARP personnel, AIT platoon sergeant, and General Officer Aide-de-camp duties. Most frequently, the reported incident/actions may have resulted in actions taken by a Commander or civilian authorities that have an impact on the Service Member's career. It is critically important to work closely with the SJA to determine if the "Lautenberg Amendment" is in effect or what additional administrative actions are appropriate. The IDC finding will not initiate the terms and conditions of the Lautenberg Amendment.

6. What is the Army Central Registry (ACR)?

The ACR is part of the Army Medical Department and designed to analyze the scope of child abuse and domestic abuse, types of abuse and emerging trends related to abuse. It informs policy changes and budget requirements for child abuse and domestic abuse program funding.

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Information that is collected is protected IAW DoD 5400.11-R, DoD 6025.18-R, DoD Instruction 8320.02 and DoD Instruction 5015.02. Additionally, the ACR will inform authorized personnel receiving allegations of child or adult abuse if the Service member or Family member have had similar problems in the past to aid in identification of risk factors and treatment planning. Authorized personnel can also access the Central Registry during screening of applicants/volunteers for positions involving children on a military installation.

7. Will a met criteria determination prevent a Service Member from getting a security clearance?

The IDC determination is not likely to affect the security clearance, however, the Service Member's actions may. Security investigations do not check the ACR. In the course of a security investigation, the Service Member is asked about past counseling and medical records are checked. Whether or not the case met criteria, a security clearance investigator may find out about past family altercations discovered as part of the complete investigation. The Commander's actions and opinions will have a significant effect on the process. In our experience, it is much more likely that an investigator will find out about past allegations because the Service Member was "titled" by military law enforcement or arrested by civilian law enforcement.

8. Does a met criteria determination obligate me to take punitive action?

No - Neither does a "did not meet" criteria determination prevent you from taking action. Use your best judgment and consult your legal counsel as appropriate. The IDC and CCSM process is designed for identification and treatment, not for punishment. Also, remember the IDC determinations are based on a preponderance of information standard - utilizing the often limited available information and the clinical determination of credibility. Commanders who deem a Service Member as a liability to the unit should consider administrative separation. The determination standard and process at IDC is different than that required for legal proceedings. Although the determination itself does not obligate punitive actions, failure to reduce the risk through completion of the CCSM finalized treatment plan does require action. There are two portions of the AR that provides guidance in this area, AR 608-18, chapter 1-8b (9): Commanders will support and comply with treatment recommendations to the maximum extent possible. Provide non-concurrence in writing through the chain of command to the Hospital Commander. And AR 608-18, chapter 3-24(c): Soldiers whose Commanders do not concur with FAP treatment or Soldiers who fail to progress in treatment will be considered for separations under the provisions of AR 635-200, chapter 14 (for enlisted Soldiers) or AR 600-8-24, chapter 4 (for officers) unless disposition of charges by court-martial is being considered or has been initiated.

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9. Should the Service Member / family receiving professional counseling for child or adult abuse PCS?

No. Stabilizing families in treatment is a vital Family Advocacy Program issue. Often a PCS may halt or impede treatment as other issues take priority (leave, travel, housing, processing in or out of a unit). Stress related to PCS may actually exacerbate the family's problems, and the gaining installation may not have the services the family needs to complete treatment. The commander has the authority to request deferment of PCS until the Service Member has successfully completed treatment.

10. Am I doing my Service Member a favor by encouraging the IDC to "be easy" on him/her?

Determinations are made utilizing a structured research-based algorithm developed to ensure consistency of definitions, uniformity across installations, and fairness of the Family Advocacy Program IDC processes. It is not wise to help your Service Member minimize an incident because that would be no more "help" than helping to cover up a drinking problem or failing to take corrective action on a weight gain or difficulty with the APFT. Research in domestic abuse indicates the best way to stop the cycle of abuse is to clearly convey that abusive behavior is unacceptable. Letting a Service Member know this behavior is not acceptable in the Army and giving him or her a chance to learn new ways to handle conflict and work on family problems gives that Service Member the best chance for successes in both their family and military lives.

11. But this is a "GREAT" Soldier!!

In all likelihood, you are the best judge of a Service Member's duty performance, but how great a Service Member is should not influence the IDC decision as to whether or not an abusive or neglectful incident occurred. In fact, a great Service Member may be the one most capable of changing behavior patterns when clearly shown that the behavior is unacceptable. If someone is a great Service Member, you might want to mention that in regards to the treatment discussion. Our best Service Members deserve the most comprehensive treatment we can give them. A "keeper" should be helped before his/her own actions or family problems ruin a fine career.

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The Commander's Role in the IDC Process

PROVIDE FACTS:

At IDC you will be asked to provide information you have regarding the incident. Often Commanders are the first to become aware of an incident and have first-hand knowledge of the scene, the physical condition of the alleged victim, and statements made by the Service Member, family member, or others. The FAP clinical supervisor and law enforcement (if applicable) will present additional information related to the allegation of abuse. The IDC will then consider the information available utilizing standard DoD definitions and determine whether the preponderance of the information warrants a met criteria determination utilizing the Decision Tree Algorithm (DTA).

DISCUSS TREATMENT:

The FAP therapist through the CCSM process will finalize a treatment plan designed to reduce the risk of further incidents. The IDC determination and written treatment plan will be provided to the Commander following the IDC. As a Commanders program, Command support is vital in planning for safety, managing risk factors, and improving protective factors.

ASSIST:

Assist the Service Member and his/her family in overcoming any obstacles to treatment/help. Monitor treatment appointments and encourage progress in treatment through routine contact with the assigned Family Advocacy Program therapist/case manager. Encourage family members to participate in the treatment process.

Information presented to the IDC on cases is sensitive in nature, typically involving multiple individuals and must be protected. To insure confidentiality, information shared during the IDC process should not be discussed outside the IDC. Commanders are requested to convey only case determinations and treatment recommendations to their Service Members and Family Members.

Blanchfield Army Community Hospital FAP# 270-798-8601

Usarmy.campbell.medcom-bach.mesg.family-advocacy-program@mail.mil

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Policy Note RE Admin Actions Only DA Form 4833

Installation PMO policy instituted effective cases blottered 01 Apr 2017 or later requires the completion of the Administrative portions of DA Form 4833 only, for those offenses pending trial or that have been tried in any state or federal criminal court, to include the U.S. District Court; this policy is to ensure the completion of mandatory ASAP referrals for any offenses where drugs or alcohol were involved to any degree, and mandatory Blanchfield Army Community Hospital (BACH) Family Advocacy Programs (FAP) assessments for any offenses involving domestic violence (e.g. Family Abuse, Spousal Abuse, Child Abuse, etc.) Substantiating documentation is required to ensure completion of the aforementioned requirements. Completed ASAP referrals will be substantiated via a completed DA Form 8003. Completed BACH FAP assessments will be substantiated via a copy of the email sent to the Commander by BACH FAP, or the Notification of CRC (Case Review Committee) Determination and Treatment Recommendations, documenting completion of the assessment. ASAP and BACH FAP have both agreed to support Commanders in the fulfillment of these specific documentary requirements, and any substitute documentation will generally not be accepted by the Installation PMO as meeting these requirements.

Thank you.

Very Respectfully,

Larry E. Keller
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MCXD-SW-FA

SUBJECT: Closure / Transfer of Family Advocacy Program (FAP) Case Review Committee (CRC) File regarding _____

Incident Number: _____	Allegation Type: _____
Incident Type: _____	

FAP Commander's Response / Actions Checklist

Instructions to Commanders: Please select all that apply to your role and check all responses / actions taken by you and your leadership regarding the incident of abuse / neglect which is currently being closed / transferred. Add your comments and return checklist to the CRC Chairperson at your installation.

Commander of: Sponsor Offender Victim / Civilian Supervisor (Overseas, if applicable)

Safety Plan
<input type="checkbox"/> Safety Plan with Victim
<input type="checkbox"/> Victim Sheltered
<input type="checkbox"/> Victim moved due to "Threat to Life"
<input type="checkbox"/> Victim Not Available
<input type="checkbox"/> Victim Deceased
<input type="checkbox"/> Unknown
<input type="checkbox"/> None
<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Other:

Command Authority Actions
<input type="checkbox"/> Flagged Military Record
<input type="checkbox"/> Barred from Installation
<input type="checkbox"/> Barred to Re-enlistment
<input type="checkbox"/> Victim PCS Move (Threat to Life)
<input type="checkbox"/> Enforced FAP Treatment Plan
<input type="checkbox"/> Ensured Victim or Offender attended mandatory appointments
<input type="checkbox"/> Counseled Offender
<input type="checkbox"/> Supported services required to strengthen Family
<input type="checkbox"/> Health and Welfare Check
<input type="checkbox"/> Support non-payment of Family Support of AD Victim to Offender
<input type="checkbox"/> Cooperated with Office of Federal Litigation of Civilian Offender (On Post Incident)
<input type="checkbox"/> Cooperated with civilian legal authorities
<input type="checkbox"/> Engaged Investigators (MPs/CID)
<input type="checkbox"/> Offender received UCMJ
<input type="checkbox"/> Enforced Lautenberg Amendment (No weapons access due to misdemeanor offense)
<input type="checkbox"/> Command Investigation (15-6)
<input type="checkbox"/> Chapter Action
<input type="checkbox"/> Chapter Action (included domestic violence or child abuse to support Transitional Compensation)
<input type="checkbox"/> Command Directed Mental Health Evaluation
<input type="checkbox"/> Courts Martial – Conviction
<input type="checkbox"/> Courts Martial – Not Convicted
<input type="checkbox"/> Unable to complete due to deployment, training, TDY reassigned, etc.
<input type="checkbox"/> Early Return of Dependents (EROD)
<input type="checkbox"/> None
<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Other:

Protective Measures with Offender
<input type="checkbox"/> Weapons Removal
<input type="checkbox"/> 72-Hour Cool-Off Period
<input type="checkbox"/> Provided Military Escort
<input type="checkbox"/> Removal of Offender from Home
<input type="checkbox"/> Placed in Barracks (Secured for 30, 60, 90+ days)
<input type="checkbox"/> No Contact Order/ Military Protection Order
<input type="checkbox"/> Enforced Civilian Protective Order
<input type="checkbox"/> Restricted Movement of Offender
<input type="checkbox"/> Unable to complete due to deployment, training, TDY, reassigned, etc.
<input type="checkbox"/> Inform Civilian Misconduct Action Authority (Overseas Civilian)
<input type="checkbox"/> Unknown
<input type="checkbox"/> Offender Deceased
<input type="checkbox"/> Offender Incarcerated (Civilian)
<input type="checkbox"/> None
<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Other:

CRC Recommendations
<input type="checkbox"/> Trained on CRC Decision Tree in AKO (Certificate Obtained) or by Social Work
<input type="checkbox"/> Attended CRC (or command representative)
<input type="checkbox"/> Concurred with Treatment Plan
<input type="checkbox"/> Non-Concurred with Treatment Plan
<input type="checkbox"/> CDR signed letter supporting non-concurrence
<input type="checkbox"/> BN CDR signed letter supporting non-concurrence
<input type="checkbox"/> Other:

Additional Actions / Comments:

Commander's Signature: _____	Date Completed: _____
Commander's Printed Name: _____	

EXAMPLE EMAIL

As per our conversation, I have scheduled the Incident Determination Committee (IDC) for your Service Member (name) on date and time at the Eagle Conference Center- Building 2702, Indiana Ave (across from the commissary).

If this date/time does not work for you please let me know. I have inserted below the FAP training requirement for commanders/1SG who attend the IDC. Please don't hesitate to call me with any questions or concerns. I will keep you informed of any new developments in the case.

FAP has recently received the directive that the IDC is a "Commanders' Program," so the Company Commander is expected to attend. If he/she has extenuating circumstances, the 1SG may attend in their absence. See below the FAP IDC training requirement for all Commanders/1SGs attending the IDC. Please bring a copy of your certificate with you to the IDC for our records

The IDC is chaired by the Garrison Commander, and you will be up first as far as questions regarding the incident: "What do you know about the incident, and what actions did you take?" Below I have attached some very important training requirement information- this is NOT the same training as the CRC training. Please arrive 10 minutes early for our brief. As voting members of the IDC, Commanders and/or 1SGs are required to complete an on-line training course and a Family Advocacy Central Registry screening. Upon your arrival for IDC, the administrative assistant will utilize your social security number to screen the FAP registry – if you have ever been identified as an aggressor in an adult/child case and have not obtained a waiver through FAP, you will not be able to vote. The training is available by accessing the following link:

<https://www.milsuite.mil/book/groups/us-army-fap> - if you have utilized milsuite previously, you should be routed directly to the IDC training where you will click start training. If not, type "IDC" in the search box then click on the result which reads IDC / CCSM training. You must bring a copy of your certificate with you to IDC. If you are unable to get on the above link, here is an alternate link that another command was able to use for IDC training: <https://www.milsuite.mil/book/docs/DOC-410338>

If you have already completed this training and submitted a certificate, please disregard; however, please note this is NOT the same training as the CRC training.

Also, in order to complete your form 4833 you must now include the date a domestic violence incident (Adult/IP/Child) was referred to FAP (21 Apr 20) and the date of assessment (24 Apr 20) under Non-Adverse actions block 6. You will also be required to submit either a copy of this email or a copy of the Commanders memorandum you will receive at the IDC.

Thank you.

Just a reminder the IDC involving your Soldier (NAME) will be held tomorrow at TIME at the Eagle Conference Center- Building 2702, Indiana Ave.

Please arrive 10 minutes prior to your scheduled time to allow for appropriate preparation. Please let me know if you have any questions or concerns before.

As voting members of the IDC, Commanders and/or command representatives are required to complete an on-line training course and a Family Advocacy Central Registry screening. Upon your arrival for IDC, the administrative assistant will utilize your social security number to screen the FAP registry – if you have ever been identified as an aggressor in an adult/child case and have not obtained a waiver through FAP, you will not be able to vote. The training is available by accessing the following link:

<https://www.milsuite.mil/book/groups/us-army-fap> - if you have utilized milsuite previously, you should be routed directly to the IDC training where you will click start training. If not, type "IDC" in the search box then click on the result which reads ISC / CCSM training. You must bring a copy of your certificate with you to IDC.

If you have already completed this training and submitted a certificate, please disregard.

Also, in order to complete your form 4833 you must now include the date a domestic violence incident (Adult/IP/Child) was referred to FAP (date) and the date of assessment (date) under Non-Adverse actions block 6.

Thank You.

TABEL 1 FORT CAMPBELL CHILD SUPERVISION GUIDELINES

Age Grade of Child	Child Characteristics	May be left at Home	May be left alone overnight	May be left outside unattended (Playing)	May be left in a Vehicle	May Baby Sit Siblings	May Baby Sit Other (besides Siblings)
Newborn to Age 4	Requires Close Supervision at all times	NO	NO	NO	NO	NO	NO
Ages 5 – 9 Years Old	Children begin to explore their environment under supervision	NO	NO	At playground (Close to Home) or with in immediate access (sight to hearing distance) to adult supervision, Kindergartener may not walk to and from school alone, 1 st through 5 th graders may walk to and from school and other supervised activities alone	NO	NO	NO
Age 10 Yrs. Old and 11 Yrs. Old in 5 th Grade continue to require supervision	This is a transition time for these children. They are accepting more responsibility require intermittent supervision	For up to 3 hrs. (10), 6 hrs. (11). Have access to indirect supervision (Neighbor, checking with parents by phone)	NO	YES , with need/access to adult supervision	Not more than 15 minutes and the keys MUST be removed	NO	NO
Ages 11 – 13 Yrs. Old continue to need Intermittent contact with Adult Supervision	Children are approaching the adolescent years when there is a need for increased responsibility. The amount of responsibility should be carefully evaluated	For UP to 6 hrs. with need/access to adult supervision/ intermittent contact with a supervisor	NO	YES	YES	YES , babysitting course is highly recommended	6 th graders may NOT . 7 th graders who have reached their birthday may. Babysitting course required.
Age 14 – 15 Yrs. Old, Parents are responsible for their children and their actions	Children continue to need to know /have access to parents and guidance for emergency situations	YES , Parents are responsible for their children and their actions	NO	YES	YES	YES , Babysitting course is highly recommended	YES , Babysitting course is required
Age 16-18 Yrs. Old	Parents responsible for their children and their actions as long as family member status is maintained	YES	YES , indirect supervision required "See Below"	YES	YES	YES , Babysitting course is highly recommended	YES , babysitting course is required

Indirect Supervision plans include mandated checking with a neighbor, emergency phone numbers of parents and emergency medical power of attorney.

TABLE 2 CONVERSION FROM AGE TO GRADE FOR HOME SCHOOLED CHILDREN

AGE	5	6	7	8	9	10	11	12	13	14	15	16	17/18
GRADE	Kindergarten	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th