

**Combined Arms Center
and Fort Leavenworth
Supplement 1 to AR 608-18**

Personal Affairs

The Army Family Advocacy Program

**Combined Arms Center
Fort Leavenworth, KS
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Personal Affairs

The Army Family Advocacy Program

FOR THE COMMANDER:

//original signed//
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*Colonel, General Staff
Chief of Staff*

History. This printing publishes a new Combined Arms Center (CAC) and Fort Leavenworth supplement to AR 608-18; permission granted by the Installation Management Command on 29 Mar 13. This regulation supersedes Command Policy #21-20 Child Supervision and Home Alone Policy Guidelines, 14 Oct 10, Command Policy #22-11, Physical Separation of Parties Involved in

Domestic Violence, 18 Jul 11, and Command Policy #45-11, Family Advocacy Program, 17 May 11, and incorporates the provisions therein.

Summary. This supplement contains the policies for handling spouse and child abuse, and prescribes the adequate and appropriate supervision of minor children within the Fort Leavenworth, Kansas, military community.

Applicability. This regulation applies to military and civilian personnel and their family members who reside on Fort Leavenworth, Kansas. This regulation also applies to those individuals who provide childcare duties on Fort Leavenworth.

Proponent and exception authority.

The proponent of this regulation is the Fort Leavenworth Family Advocacy Program Manager. The proponent has the authority to approve exceptions to this regulation that are consistent with controlling law and regulation. This authority may not be delegated.

Suggested improvements. Users are invited to submit comments and suggestions to the Family Advocacy Program Manager.

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Glossary

Chapter 1 Introduction

Section II Responsibilities

1-8. Garrison staff responsibilities

b. Unit/company commanders. (Add) Commanders must understand the causes of domestic violence/partner abuse and child abuse/neglect and continue efforts to maintain a proper command climate. They must be aware of Soldiers' family responsibilities and the symptoms of violence. If domestic violence/partner abuse or child abuse/neglect does occur, commanders must take appropriate action to protect abuse victims from further harm.

(15)(Add) Commanders will support Soldiers who voluntarily request services and/or have been referred to services because of high-risk behavior. Commanders will become familiar with available resources offered by the Family Advocacy Program (FAP) and make appropriate and early referrals to assist Soldiers and Family members and support readiness.

Chapter 2 Organization of the Family Advocacy Program

2-3. The Family advocacy committee, the case review committee, and the fatality review committee

b. (5) (Amend) In the absence of the commander or civilian supervisor, ~~a senior enlisted adviser is authorized to attend~~ the executive officer or first sergeant will attend.

Chapter 3 Response to Spouse and Child Abuse

Section I Prevention of Spouse and Child Abuse

3-1. Function of prevention programs

a. (Add) Domestic violence/partner abuse, including violence perpetrated by a single Soldier against an intimate partner, and child abuse/neglect, adversely impacts morale and readiness. Because of this impact, commanders are responsible for taking immediate steps to alleviate Family violence.

Section II Reporting of Spouse and Child Abuse Incidents

3-3. Report point of contact

b. (Add) The Report Point of Contact (RPOC) telephone number for the Fort Leavenworth area is (913) 684-2111. The Kansas Department for Children and Families (DCF) office or Missouri Department of Family Services office is notified of all cases involving child abuse/neglect.

3-6. Reports to commanders

a. (Add) The RPOC will telephonically notify unit commanders within 24 hours after receipt of a report of domestic violence/partner abuse or child abuse/neglect pertaining to one of their Soldiers or Family members. After a report is made Social Work Service (SWS) staff will conduct a clinical interview on each suspected incident. SWS staff will also give the unit commander telephonic and written notification of the report and date it will be presented to the case review committee (CRC).

Section III Evaluating Allegations of Spouse and Child Abuse

3-11. Action on receiving initial reports

f. (Add) Commanders should refer to the Unit Commanders Domestic Violence/Partner Abuse Incident Process Checklist. See Appendix B.

Section IV Protection of Spouse and Child Abuse Victims

3-21. Protection of abused spouses and children

a. (Add) When an active duty Soldier is the alleged offender in a domestic disturbance involving physical assault, commanders, upon notification by the Directorate of Emergency Services (DES) or a civilian law enforcement agency, will require that the Soldier be placed in the barracks or with a command-assigned individual for a minimum of seventy-two (72) hours.

(1) (Add) If the commander desires to place the alleged offender in a location other than the barracks, the command-assigned individual must be an officer or a noncommissioned officer (NCO) at least one grade higher than the alleged offender and may not reside in close proximity to the victim.

(2) (Add) In cases involving dual-military personnel, commanders will require that the victim remain in the couple's residence and place the alleged offender in the barracks with a command-assigned individual.

(3) (Add) In dual-military cases involving mutual abuse, commanders will determine which party to place in the barracks based on Military Police (MP) identification of one individual as the primary offender. Commanders should consider the interests and welfare of the couple's minor children, if any, in making this determination.

(4) (Add) Commanders will ensure that SWS staff members contact the alleged offender and victim within 72 hours (or the next working day if the incident occurs on weekends or holidays) of the initiation of the report. SWS staff will determine when it is safe for the couple to reunite only after completion of the FAP protocol, assessment, safety planning, and risk or future domestic violence/partner abuse. If either party's safety is at stake based on the circumstances or the assessment of the SWS caseworker, the commander will not permit the parties to reunite.

(5) (Add) In situations where a domestic dispute does not include a physical assault, the commander may still institute a 72-hour physical separation period based on the circumstances and the recommendations of the MP or the on-call victim advocate.

(6) (Add) Based on recommendations by the MP, commanders may remove weapons from the home of Soldiers involved in domestic disputes and secure them in the unit arms room.

(7) (Add) Commanders may revoke pass or leave privileges of Soldiers subject to the provisions of this policy.

b. (Add) In situations where a Soldier must retrieve basic necessities from the home after being removed from the location, the commander will ensure the victim is notified and that a unit escort is assigned to accompany the Soldier to the residence. The commander will also ensure the alleged offender understands that this is a one-time visit during the separation period.

(1) (Add) The escort must be an officer or NCO at least one grade higher than the alleged offender.

(2) (Add) After the Soldier has gathered the basic necessities, the escort will ensure the Soldier returns to the barracks or the residence of the command-assigned individual.

c. (Add) Any Memorandum of Agreement with local law enforcement will ensure that local law enforcement personnel will retain jurisdiction of incidents that occur off of the military installation. Additionally, the local law enforcement departments are responsible for notifying the DES of an alleged offender's release. DES will notify the commander, who will implement the 72-hour minimum period of physical separation between the parties.

d.(3)(i) (Add) Where a Temporary Restraining Order (TRO) is in place, commanders will counsel Soldier-offenders as to the conditions outlined in the order and will make every effort to ensure the offender adheres to the order. Commanders will advise MP and the Directorate of Logistics/Directorate of Public Works that a TRO is in place against a Soldier within their command.

Chapter 10

Child Supervision and Home Alone Procedures

10-1. General

Parents are responsible for their decisions regarding child supervision and should be aware of the whereabouts and activities of their minor children at all times. In concert with the guidelines herein, parents should continually evaluate their child's level of maturity and apply the degree of supervision that best meets their child's needs. Personnel found in violation of this regulation may be subject to administrative action or civil liability as well as an investigation by the FAP and an assessment by SWS.

10-2. Types of supervision

- a. *Direct.* Direct supervision requires an adult in physical presence or close proximity to the child at all times.
- b. *Immediate.* Immediate supervision requires an adult or supervisor to remain within eyesight or hearing distance with the ability to respond to an emergency within 30 seconds.
- c. *Monitored.* The monitoring adult is aware of the child's location and activities, is in regular contact with the child, and an emergency plan is in place.
- d. *Self care.* The child in self care is left home alone with an emergency plan and an adult on call at all times. Self care does not permit any child to remain alone overnight.

10-3. Required supervision levels

Parents must supervise children according to the measures listed by age group. Child, Youth, and School Services (CYSS) programs are also available for a wide variety of ages as sanctioned programs that provide the requisite supervision and care.

- a. Children three years old and younger require direct supervision. Leaving these children unattended at any time or place is prohibited as the parent must be able to respond to any emergency or threatening situation. Parents should make periodic checks on sleeping children as well. This is not intended to restrict normal activities within a home or restrict the parent or supervisor from accomplishing appropriate household and personal tasks.
- b. Children age four to six may play in appropriately designed safe areas, but must do so under immediate supervision so the parent can respond quickly to emergencies detected visually or aurally.
- c. Children age seven to nine are encouraged to explore their environment (playgrounds or yards), but must do so under monitored supervision. Children in this age group cannot attend Family and Morale, Welfare, and Recreation (FMWR) facilities (i.e., swimming, gymnasiums, and bowling) without adult supervision.
- d. Children age 10 to 11 are permitted to operate under self care supervision, but not for more than two hours during the day. The parent must have an emergency plan in place. Children in this age group cannot attend FMWR facilities (i.e., swimming, gymnasiums, and bowling) without adult supervision.
- e. Children age 12-14 are permitted to operate under self care supervision, but not for more than three hours during the day. The parent may extend this time by checking on the child in person or telephonically. Additionally, there must be an emergency plan in place.
- f. Children age 15-17 are permitted to operate under self care supervision, but not for more than six hours during the day or evening, but not overnight. The parent must have an emergency plan in place.

10-4. Special provisions

- a. Children in kindergarten traveling to and from school must be accompanied by an adult, supervisor, or an older child attending that school. If the kindergarten-age child is accompanied by an older child, they are limited to traveling within a radius of 1¼ miles of the school.
- b. Children enrolled in the first grade and above may travel to and from school unaccompanied, but they are limited to traveling within a radius of 1¼ miles of the school when unaccompanied.
- c. Children who meet the criteria for the Exceptional Family Member Program (EFMP) as defined by AR 608-75 may require modification of these guidelines in accordance with their special needs. Parents are responsible for evaluating the supervision needs of their children.
- d. Children age 12 years and older may babysit after completing an appropriate approved (CYSS or Red Cross) babysitting course, however, babysitters 12 to 14 years must have an adult check on them every three hours, either in person or telephonically. Babysitters 15 to 17 may be left alone for up to six hours during the day or evening hours. CYSS can provide a list of babysitters who are certified.

e. If overnight care or babysitting is needed, parents are encouraged to use Family Child Care (FCC) providers or contact CYSS for information and assistance. Overnight childcare or babysitting may not be provided by anyone under the age of 18 years. Parents arranging for overnight childcare need to ensure that an appropriate medical power of attorney is available when making these arrangements.

f. FCC providers will supervise children in accordance with the guidelines set forth in AR 608-10, AR 608-18, and local procedures. Any individual who keeps children (other than their own) in their home on a regular basis for more than 10 hours per week must be registered as a FCC provider.

g. *Curfew.* Fort Leavenworth DES enforces a curfew to mirror the curfew in the local community. Parents must account for their children during the following time periods:

(1) Children under 16 years of age: 2230-0600 hours.

(2) Children older than 16, but younger than 18 years of age: 0030-0600 hours.

h. *Unattended children.* DES will take necessary action to ensure the safety and protection of children on the installation. Children age 9 and younger will not be left unattended in a motor vehicle. Action taken by MP when children are found unattended will depend upon the degree of danger in which the child is found. When an MP determines that a child is unattended, the MP will take the following actions:

(1) Ensure the child's immediate safety needs.

(2) Attempt to locate the parent or parent designee. If such person cannot be located, the MP will notify the desk sergeant to contact the parent's commander or supervisor.

(3) After one hour, the desk sergeant will contact SWS, and a SWS representative will assume responsibility of the situation in accordance with established child abuse/neglect assessment procedures. SWS will notify the Family Advocacy Program Manager (FAPM). Children will only be taken to the MP station if a parent or designee cannot be located.

(4) The MP will make a journal entry in the daily log concerning the activities surrounding the event.

(5) All cases will be reported to SWS for review by the CRC according to AR 608-18 and FAP policies and procedures.

Appendix A References

Section I Related Publications

A related publication is a source of additional information. The user does not have to read a related reference to understand this publication.

AR 608-10

Child Development Services. (Cited in para 10-4.)

AR 608-75

Exceptional Family Member Program. (Cited in para 10-4.)

DoD Instruction 6060.4

DoD Youth Programs, dated 23 Aug 04.

DA Guidelines

Out of School Home Alone Policy, dated 11 Jul 00.

HQ CFSC-SFCY Memorandum

Installation Distribution of 12.8M Readiness Supplemental to Management Decision Package (MDEP) QYDP for Middle School/Teen Program, dated 20 Jan 99.

HQ CFSC-CYS Memorandum

1999-2000 Child and Youth Services Fee Policies and Guidance, dated 22 Jun 05.

Appendix B Unit Commanders Domestic Violence/Partner Abuse Incident Process Checklist

Date of Incident: _____ Unit: _____ Name (Service Member): _____

SSN: _____ Name (Spouse/Partner): _____

Name of Children: _____

<u>Day</u>	<u>SWS Treatment</u>	<u>Housing/Billeting</u>	<u>Legal</u>	<u>Other</u>
Date Incident Reported --Commander/First Sergeant picks up SM at MP/Police station. --See Victim Advocate at MP station or Qtrs. --Sign Action Plan for victim developed by Victim Advocate.		Separate spouses for a minimum of 72 hours and until SWS has made risk assessment. (Command Policy Memo DMWR-02). Victim remains in quarters; offender to barracks or, if civilian, may be sent off post. Consider initiating a bar to post. Escort SM to Qtrs to retrieve personal items. One Time Only. Order SM no contact without escort/witness present.	MP statement/blotter report entry made.	Medical treatment facility Chaplain notified Who has children? Transportation Money Food Off-Post lodging Dual military couple-call other commander
Next working day	Contact SWS for appointment: SM: Spouse: Case Review Committee date is:	Spouses may not reunite in Qtrs without SWS recommendation. If spouses choose not to reunite, continue separation. Begin 30-day termination of Qtrs.	Contact Trial Counsel. May arrange for legal assistance, if warranted (soldier & spouse). Victim filing charges? Is State prosecuting? Victim seeking restraining order? Victim seeking separation/divorce?	Finance-ensure provision of financial support by SM to Family. If Family wants to move, help plan move NOT AT GOVERNMENT EXPENSE!! If children, notify CDC, CYSS or Schools of any info they need to know about the case; particularly restraining orders.
Initial CRC Date	Attended by Cmdr/1SG Approve treatment plan		Monitor	Contact Soldier and spouse reference results and appointments.
Day 15	Contact SWS case manager for compliance with treatment plan	Monitor. Submit Exception to Policy to retain Qtrs, if situation warrants.	Monitor	Mid-month LES review: ensure support payments being made.
Day 30	Contact SWS case manager for compliance with treatment plan	If no reunion, terminate Qtrs on 31st day.	Monitor progress of UCMJ/civilian proceedings, Separation/divorce.	Monitor
Every 30 days (minimum)	Contact SWS case manager for compliance with treatment plan	Monitor	Monitor. If soldier convicted, contact Trial Counsel at 531-0233.	Monitor

Appendix C
Child Supervision Guidelines

Child Supervision Guidelines

	May be left alone at home	May walk to school	May be left outside unattended (including playing)	Written care plan	May babysit	Curfew
Newborn to age 3 (Direct)	No	No	No	No	No	6
4-6 years old (Immediate)	No	1,2	No	No	No	6
7-9 years old (Monitored)	No	2	No	No	No	6
10-11 years old	3	2	3	Yes	No	6
12-14 years old	4	2	4	Yes	4	6
15-17 years old	5	2	5	Yes	5	6

Notes:

- Children in kindergarten traveling to and from school must be accompanied by an adult, supervisor, or an older child attending that school. If the kindergarten-age child is accompanied by an older child, they are limited to traveling within a radius of 1¼ miles of the school.
- Children enrolled in the first grade and above may travel to and from school unaccompanied, but they are limited to traveling within a radius of 1¼ miles of the school when unaccompanied.
- Not for more than two hours during the day, and cannot attend FMWR facilities without adult supervision.
- Not for more than three hours during the day. Parents may extend this time by checking on the child in person or telephonically.
- Not for more than six hours during the day.
- Curfew for children under 16 years of age: 2230-0600; children older than 16, but younger than 18: 0030-0600.

Glossary

Section I Abbreviations

CAC

Combined Arms Center

CRC

Case Review Committee

CYSS

Child, Youth, and School Services

DCF

Department for Children and Families

DES

Directorate of Emergency Services

EFMP

Exceptional Family Member Program

FAP

Family Advocacy Program

FAPM

Family Advocacy Program Manager

FCC

Family Child Care

FMWR

Family, Morale, Welfare, and Recreation

MP

Military Police

NCO

Noncommissioned Officer

RPOC

Report Point of Contact

SWS

Social Work Services

TRO

Temporary Restraining Order

Section II Terms

Adult

A person who is 18 years of age or older or is married.

Child

An unmarried minor, whether biological, adopted, foster, step-child, or ward of a military member or civilian for whom treatment is authorized in a medical facility of the military services, who is under the age of 18 years or is incapable of self-support because of a mental or physical incapacity.

Domestic Violence/Partner Abuse

An offense under the United States Code, the Uniform Code of Military Justice, or State law involving the use, attempted use, or threatened use of force or violence against a person of the opposite sex, or a violation of a lawful order issued for the protection of a person of the opposite sex, who is: (1) a current or former spouse; (2) a person with whom the abuser shares a child in common; or (3) a current or former intimate partner with whom the abuser shares or has shared a common domicile.

Intimate Partner

An intimate partner is defined as someone who shares a child in common or shares, or has shared, a common domicile with the victim/abuser. These incidents will be processed by the servicing military installation for assessment, intervention and treatment as FAP incidents.

Parent

The biological, adoptive, step-parent, guardian, or any other person charged with a parent's legal rights, duties, or responsibilities.

Parent Designee

A consenting mentally and physically competent individual who is 18 years of age or older.

Primary Offender

The individual, in cases of mutual abuse, who initiates the violence or inflicts the most damage, physical or otherwise.

Supervisor/Babysitter

Any person 12 years of age or older who is in a supervisory role and can provide adequately for a child's welfare and safety in all circumstances deemed appropriate. Supervisors who are ages 12–17 must have taken an authorized babysitting course prior to becoming the supervisor for younger children.