



DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY FIRES CENTER OF EXCELLENCE AND FORT SILL
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ATZR-C

AUG 23 2022

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CG Policy Memorandum #6F, Command Response to Incidents of Driving Under the Influence of Drugs or Alcohol - Mandatory Initiation of Administrative Separation for DUI/DWI; Command Oversight of On-Post Driving Privileges

1. Purpose. To inform all Fires Center of Excellence and Fort Sill (FCoEFS) commands of the **requirement to initiate administrative separation** and process to the appropriate separation authority for final action for those Soldiers who are lawfully apprehended **for Driving Under the Influence (DUI), Driving While Intoxicated (DWI), DUI-Refusal**, or similar impaired/drunken driving offenses. This command initiation and processing requirement applies whether the apprehension occurs on or off post

2. Intent.

a. I expect commanders to be responsive to all reports of Soldiers driving under the influence of alcohol or drugs. We need to build trust with the local community and each other, take care of our people, and steward our profession. Leaders must ensure Soldiers maintain safety both on and off duty. Our mandate as stewards of the profession of arms requires us to take adverse administrative action to correct wrongful behavior under certain circumstances. To that end, this policy emphasizes the importance of Soldiers making responsible driving choices after consuming alcohol, as well as leaders enforcing the standard.

b. **This policy is also not designed to remove the discretion of commanders** to recommend against separation after proper initiation and notification of administrative separation, or to discourage the separation authority from ultimately deciding to retain a Soldier who is processed for separation under this policy. As always, commanders should assess each Soldier and alleged misconduct on a case-by-case basis in making an ultimate recommendation and determination as to separation.

3. Regulatory Guidance. Army Regulation (AR) 600-85, para. 3-3, requires that all commanders process Soldiers for separation who are involved in two serious alcohol-related misconduct incidents in a 12-month period or who are convicted of driving under the influence (DUI) or driving while intoxicated (DWI) twice during his or her career. This policy adds to the regulatory requirement to initiate administrative separation for all Soldiers who are lawfully apprehended for even a single DUI, DWI, DUI-Refusal, or similar impaired/drunken driving offense.

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4. Initiation and Processing for Administrative Separation.

a. Absent extreme circumstances, **no later than thirty (30) calendar days after receiving notice of lawful apprehension for such offenses by a Soldier under their command, battery commanders will initiate administrative separation of the Soldier** IAW AR 635-200 (for enlisted Soldiers). However, the authority to initiate separation for senior leaders (any officer, warrant officer, or CSM/SGM (E-9), including any NCO, regardless of grade, assigned or performing the position of 1 SG or CSM) will continue to be withheld to the Commander, FCoEFS.

b. To execute these requirements, command teams must ensure efficient scheduling of those Soldiers for pre-separation medical and mental evaluations as soon as possible following receipt of such law enforcement reports.

5. Suspension and Revocation of On-Post Driving Privileges. In addition to the above command requirements for administrative separation initiation, AR 190-5, para. 2-4b(3) requires the installation commander to *revoke* driving privileges on-post for not less than one year if: (1) a Soldier is lawfully apprehended for DUI or DWI and refuses a breathalyzer or blood test or (2) is convicted of DUI or DWI in a civilian court, military court, federal court, or via nonjudicial punishment. Other local policy also requires *suspension* of on-post driving privileges for six months for those Soldiers who are lawfully apprehended for DUI, DWI, DUI-Refusal, or similar impaired/drunken driving offense, either on or off post. Commands will ensure that Soldiers who are under such suspension or revocation of on-post driving privileges comply with such orders.

6. Commands should seek guidance from their servicing Judge Advocate for any questions relating to the above policies.

7. The point of contact for this memorandum is CPT Curtis N. Cranston, Acting Chief of Justice, Office of the Staff Judge Advocate, at curtis.n.cranston.mil@army.mil.


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Commanding