



DEPARTMENT OF THE ARMY  
UNITED STATES ARMY INTELLIGENCE AND SECURITY COMMAND  
501ST MILITARY INTELLIGENCE BRIGADE  
UNIT 15282  
APO AP 96205-5282

12 JUL 2016

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MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Brigade Policy Letter #22 – Limitation on Exercise of Authority to Dispose of Certain Cases

1. References:

- a. Secretary of Defense Memorandum, Withholding Initial Disposition Authority Under the Uniform Code of Military Justice in Certain Sexual Assault Cases, 20 April 2012.
- b. Army Regulation 27-10, Military Justice, 3 October 2011.
- c. Eighth Army Command Policy Letter #15, Withholding Authority to Dispose of Certain Cases, 5 February 2016.
- d. Eighth Army Command Policy Letter #22, General Order Regarding Off-Installation Curfew, 11 April 2016.
- e. INSCOM Policy Memorandum #15, Allegations of Misconduct and Investigation Reporting, 1 November 2014.
- f. United States Forces Korea Regulation 27-5, Individual Conduct and Appearance, 9 July 2015.

2. Purpose. This memorandum defines the authority of commanders within 501st Military Intelligence Brigade to impose Uniform Code of Military Justice (UCMJ) punishment in cases involving certain categories of offenses or personnel.

3. Reservation of UCMJ Authority.

- a. The Commanding General has reserved to himself the authority to dispose of all allegations of misconduct committed by officers, warrant officers, and Soldiers in the grade of E8 and above.
- b. As Brigade Commander, I reserve the authority to dispose of all allegations of misconduct committed by non-commissioned officers in the grade of E7. I further reserve the authority to dispose of all allegations that involve rape, sexual assault, forcible sodomy, or the attempts thereof under the UCMJ. These reservations do not

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preclude the use of adverse administrative actions by subordinate commanders, e.g., bar to reenlistment, negative counseling, etc.

c. Battalion Commanders will specifically reserve the authority to dispose of all allegations of underage consumption of alcohol or curfew violation by Soldiers in the grade of E1 through E6. This includes discretion to refer such alleged incidents to be disposed at company level.

#### 4. Further Instructions.

a. For alleged offenses covered in paragraph 3b, actions on these violations may be returned to subordinate commanders for their appropriate disposition at my discretion. Exceptions to this policy may be requested on a case-by-case basis. Requests for exceptions to this policy will be submitted to me through Brigade Legal and will include a complete factual summary of the allegation and the proposed course of action.

b. I delegate to Commander, 532nd Military Intelligence Battalion, the authority to dispose of field grade-level non-judicial punishment actions under Article 15, UCMJ, for Headquarters and Headquarters Company (HHC), 501st Military Intelligence Brigade. I retain appeal authority for such actions at HHC.

c. For the following circumstances, Battalion Commanders or their designated representative must provide a 5W report to the Brigade Command Group and to Brigade Legal.

(1) No later than 24 hours following receipt of any credible information of alleged misconduct committed by Sergeants First Class (E7); and

(2) No later than two hours following receipt of any credible information of alleged misconduct committed by Master Sergeants (E8) or above.

d. This policy does not withhold authority of any level of commander to prefer charges in accordance with Rule for Courts-Martial 307.

e. This policy applies to actions currently under investigation, pending, or contemplated. It will remain in effect until formally rescinded.

f. A copy of this memorandum will be maintained on all unit bulletin boards.

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5. Point of contact for this policy is the Brigade Judge Advocate at DSN 315-723-6040.



DERRICK S. LEE  
COL, MI  
Commanding

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