



DEPARTMENT OF THE ARMY
HEADQUARTERS, EIGHTH ARMY
UNIT #15236
APO AP 96205-5236

EACG

07 APR 2016

MEMORANDUM FOR All Eighth Army Soldiers

SUBJECT: Eighth Army Command Policy Letter #17, Uniform and Appearance Standards Concerning Soldiers Subpoenaed for Questioning by Republic of Korea Authorities, Appearing in ROK Criminal Proceedings or Designated as US Status of Forces Agreement Representatives

1. References:

a. Article XXII of the Status of Forces Agreement (SOFA) between the United States and the Republic of Korea, 9 July 1967.

b. USFK Regulation 1-44, Criminal Jurisdiction under Article XXII, Status of Forces Agreement, 1 March 2010.

c. Army Regulation (AR) 670-1 Wear and Appearance of Army Uniforms and Insignia, 10 April 2015.

2. Purpose. To establish uniform standards for Eighth Army Soldiers subpoenaed for questioning by the Republic of Korea (ROK) authorities, appearing before ROK criminal proceedings, or serving as a designated US SOFA representative.

3. Background.

a. In accordance with reference 1a, paragraph 6(a), the military authorities of the US, and the authorities of the ROK assist in carrying out all necessary investigations into offenses, and in the collection and production of evidence. This obligation requires that the US military obtain the appearance of witnesses necessary for the proceeding conducted by ROK authorities.

b. In accordance with reference 1b, paragraph 6k, a US representative in the grade of E-6 or above, or a civilian rated GS-6 or higher must be present whenever persons having SOFA status are questioned by ROK authorities as a defendant, suspect, or witness.

4. Policy.

a. All Eighth Army Soldiers: Adherence to Army standards is a matter of pride and discipline. All Eighth Army Soldiers will ensure that their uniforms are serviceable and

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meet the grooming standards of AR 670-1. Unit commanders are responsible for ensuring that Soldiers present themselves in a professional manner and represent the US Army positively.

(1) Soldiers subject to this policy will wear the Army Service Uniform (ASU) when appearing at all ROK criminal court proceedings as an accused person, witness, trial observer, or SOFA representative.

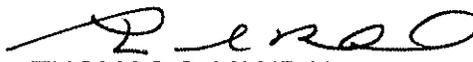
(2) Soldiers subject to this policy will wear the ASU A or ASU B when appearing for a Korean National Police (KNP) interview or investigative proceeding.

(3) As an exception, for KNP interviews and KNP investigation proceedings, the Soldier's Company Commander or First Sergeant may authorize the wear of the Army Combat Uniform or other appropriate civilian attire after inspecting the accused's/witness' appearance.

(4) In addition to proper uniform wear and grooming standards, Soldiers who appear before ROK criminal court proceedings, KNP interviews and investigation proceedings will maintain the highest standards of military bearing, deportment and behavior when conducting themselves in these proceedings.

b. Civil Court Proceedings: There are many other proceedings within the ROK that do not fall under criminal proceedings. These civil proceedings are more personal in nature. Soldiers subject to this policy are allowed to wear appropriate civilian attire when attending civil court proceedings such as adoptions or divorces.

5. Proponent. The Eighth Army Staff Judge Advocate is the proponent of this policy. Contact the proponent at commercial 011-822-7913-3423 or DSN 315-723-3423.


THOMAS S. VANDAL
Lieutenant General, USA
Commanding