

Headquarters  
United States Forces Korea  
Unit # 15237  
APO AP 96205-5237

United States Forces Korea  
Regulation 190-40

2 May 2006

**Military Police**

**SERIOUS INCIDENT REPORTING**

---

This regulation supersedes USFK Reg 190-40, 13 November 1995

---

For the Commanding General:

DAVID P. VALCOURT  
Lieutenant General, USA  
Chief of Staff

Official:



F.W. MORRIS  
Chief, Publications and  
Records Management

---

**Summary.** This regulation establishes procedures for reporting serious incidents and any other occurrences which may cause widespread publicity or be of concern to the Commander, United States Forces Korea (USFK).

**Summary of Change.** This publication has been substantially changed. A full review of its contents is required.

**Applicability.** This regulation applies to incidents involving USFK personnel and their family members, invited contractor personnel and their family members, technical representatives and their family members, Korea Augmentation to the United States Army (KATUSA) personnel, Korean National Employees of USFK acting within the scope of their duties, and members of their families when United States (U.S.) facilities/equipment are involved.

**Forms.** USFK Forms are available at <http://www.usfk.mil>.

**Supplementation.** Issue of further supplements to this regulation by subordinate commands is prohibited unless prior approval is obtained from HQ USFK (FKPM-LE), Unit #15306, APO AP 96205-5306

**Records Management.** Records created as a result of process prescribed by this regulation must be identified, maintained and disposed of according to AR 25-400-2. Record titles and descriptions are available on the Army Records Information Management System (ARIMS) website at <https://www.arims.army.mil>.

**Suggested Improvements.** Users are invited to send comments and suggestions on a DA Form 2028 (Recommended Changes to Publications and Blank Forms) to Commander, USFK (FKPM-LE), Unit #15306, APO AP 96205-5306.

**Distribution.** Electronic Media Only (EMO).

## **CONTENTS**

### **SECTION I GENERAL**

1. Purpose
2. References
3. Explanation of Abbreviation and Terms
4. Responsibilities
5. Procedures

### **APPENDIXES**

- A. USFK Serious Incident Report format and Instructions
- B. Criteria for Category 1 Serious Incident Report
- C. Criteria for Category 2 Serious Incident Report
- D. Criteria for Category 3 Serious Incident Report
- E. Criteria for Police Information Serious Incident Report

### **GLOSSARY**

## **Section I INTRODUCTION**

### **1. PURPOSE.**

- a. This regulation prescribes responsibilities, policies and procedures for reporting serious incidents within United States Forces Korea (USFK).
- b. The Serious Incident Report (SIR) system:
  - (1) Provides early notice to Headquarters, USFK that a serious incident has occurred or may have occurred.
  - (2) Provides the chain of command with timely information to respond to queries from the Department of Defense (DOD), news media, and others.
  - (3) Meets law enforcement reporting requirements for selected criminal incidents and provides personnel such as the Department of Homeland Security (DHS) and Transportation Security Administration (TSA) the most current information available.
  - (4) Is not designed to be used for statistical comparison of commands.
  - (5) Is not intended to include reporting of all criminal acts.

### **2. REFERENCES.**

- a. Army Regulation 190-40 (Serious Incident Reports), dated 15 July 2005.
- b. Air Force Instruction 10-206 (Operational Reporting), dated 4 October 2004
- c. Operational Navy Instruction 5580.1A (Navy Law Enforcement Manual), dated 28 January 2002.

**3. EXPLANATION OF ABBREVIATIONS AND TERMS.** Abbreviations and terms used in this regulation are explained in the glossary located at the end of this regulation.

### **4. RESPONSIBILITIES.**

- a. The Commander, USFK is responsible for planning, formulating, and coordinating matters pertaining to serious incident reporting.
- b. The USFK Provost Marshal will –
  - (1) Serve as the SIR Officer for Headquarters, USFK with the responsibility to determine category (CAT) of SIR on behalf of the command.

- (2) Develop and implement procedures for serious incident reporting within USFK.
  - (3) Provide staff supervision over the activities of USFK law enforcement agencies regarding serious incident reporting.
  - (4) Prepare and submit CAT 1, 2 and 3 SIRs to Headquarters, USFK, to include CC Seoul Emergency Operations Center (EOC).
  - (5) Prepare and submit CAT 1 and CAT 2 SIRs to Headquarters, Department of the Army (HQDA) for incidents involving Army personnel/property IAW the provisions of AR 190-40.
  - (6) Review Police Information SIRs and forward information to Headquarters, USFK, to include CC Seoul EOC, as warranted based on the situation.
  - (7) Maintain copies of all SIRs for a period of one calendar year.
  - (8) Red flag all SIRs that involve Korean Nationals.
- c. Chiefs of Security Forces and Navy Master of Arms will –
- (1) Prepare SIRs and forward them to the Joint Police Information Center (JPIC) by the fastest means possible.
  - (2) Prepare and forward serious incident reports through their respective component headquarters in accordance with their respective service regulatory guidance.
- d. Area Provost Marshals will prepare SIRs and forward them to the JPIC by the fastest means possible.
- e. CC Seoul EOC will -
- (1) Forward SIRs to Command Operations Center Watch Officer who will review and determine whether or not SIR also meets Commander's Critical Information Requirements (CCIR) criteria.
  - (2) As required, prepare and transmit 5W report to select CFC/UNC/USFK staff members if SIR also meets CCIR reporting criteria.
- f. USFK unit, agency, or activity commanders will immediately report incidents meeting SIR criteria to the nearest USFK law enforcement agency to facilitate rapid investigation and reporting.

## 5. PROCEDURES.

a. USFK law enforcement agencies will provide immediate telephonic reports for all categories of SIRs to the JPIC. JPIC will make a verbal notification to CC Seoul EOC as soon as reasonably possible for determination of reporting requirements under CCIR criteria. The typed SIR will be submitted via fax, email, or hand delivered no later than six (6) hours after the initial incident notification.

b. CAT 1 and CAT 2 SIRs with Soldiers as the subject will state whether the Soldier was deployed on an operational deployment within the past year.

c. CAT 1 and CAT 2 SIRs due to death from a traffic accident will include information regarding seatbelt and alcohol usage.

d. CAT 1 and CAT 2 SIRs involving any death will include information on whether or not the next of kin has been notified.

e. Follow-up SIRs must be submitted when additional information is obtained. In the subject line, "FOLLOW UP" will be annotated following the SIR number.

f. Correction SIRs will be submitted at any time to correct an error in a previous report. In the subject line, "CORRECTION" will be annotated following the SIR number

g. Red Flag all SIRs that involve Korean Nationals by specifying Korean National involvement in the report format and using the Red Flag function of MS Outlook when emailing the SIR to CC Seoul EOC .

## APPENDIX A

### USFK SERIOUS INCIDENT REPORT FORMAT

FROM: Unit and address of reporting law enforcement agency

SUBJECT: The SIR Number. This number will always be a six-digit number. The first two digits will contain the last two digits of the calendar year in which the report is being prepared. The last four digits, beginning with 0001, are the sequential number for reports submitted to the JPIC in that calendar year.

1. **CATEGORY:** Indicate CAT 1, CAT 2, CAT 3 or Police Information (PI)
2. **KOREAN NATIONAL INVOLVEMENT:** Indicate whether or not a Korean National (civilian, KNP, or military) was involved in the incident.
3. **TYPE OF INCIDENT:** Indicate type of offense or incident, such as “Murder” or “Assault”. If multiple offenses are involved list in order of most serious first.
4. **DATE/TIME OF INCIDENT:** Enter date-time group when the incident occurred using local time. If exact time is unknown, enter “unknown” followed by a window of date-time groups in which the incident might have occurred.
5. **LOCATION:** Enter whether the incident occurred on or off post, specific type of structure, facility, or area and exact address or location where the incident occurred.
6. **OTHER INFORMATION**
  - a. **Racial:** Indicate by stating “Yes” or “No” to whether the incident was motivated by race or if race or ethnic factors are suspected. If yes, explain the circumstances fully in paragraph 9 of the report.
  - b. **Trainee involvement:** Indicate by stating “Yes” or “No” to whether the incident involved a trainee or a student in a USFK military training environment as the victim. If yes, explain the circumstances fully in paragraph 9 of the report.
7. **PERSONNEL INVOLVED:** List data pertaining to subject(s) and victim(s). If no identified subject or victim exists, state “None”. Do not list “US Government” as the victim.
  - a. **Subject:**
    - (1) **Name:** Last, First, Middle
    - (a) **Paygrade:** For military, enter proper abbreviation of rank; for civilian employees, enter category and grade, such as “GS11”, “KGS9” or “NAF4”; for other civilians including family members, enter “civilian”.
    - (b) **SSN or KID:** Self Explanatory. All others state “none”.
    - (c) **Race:**

(d) Sex:

(e) Age:

(f) Position:

(g) Security clearance:

(h) Unit and station of assignment: If military, enter unit designation and address; if civilian employee or contractor, enter the organization name and address; if family member, enter the paygrade and name of sponsor, followed by home address; if other civilian, enter the home address.

(i) Duty status: If military, enter “on duty”, “leave” or Absent Without Leave (“AWOL”) as appropriate; if civilian employee, enter “on duty” or “off duty” as applicable; for other civilians and family members, enter “NA”.

List additional subjects in consecutive paragraphs (2), (3), and so forth.

List additional victims in consecutive paragraphs (2), (3), and so forth.

8. **SUMMARY OF INCIDENT.** Provide a brief, narrative summary of the incident. Include such information as estimated dollar loss, medical conditions of involved personnel, and disposition of offenders. Avoid jargon and trivial data such as colors of vehicles, law enforcement patrol designations, etc. Do not include descriptions of subjects and victims identified in paragraph 7.

9. **REMARKS:** Provide any additional information. Provide the corresponding law enforcement report number, and if appropriate the United States Army Criminal Investigation Command (USACIDC) report number, Air Force Office of Special Investigations (AFOSI) report number, or Naval Criminal Investigation Service (NCIS) report number.

10. **PUBLICITY:** Note the extent and type of news media coverage that has occurred or is anticipated, if known.

11. **COMMANDER REPORTING:** Paygrade and name of reporting Commander, Provost Marshal, Chief of Security Forces, or Master of Arms.

12. **POINT OF CONTACT:** Paygrade, name, DSN telephone number and email address of the person to call for additional information.

## **APPENDIX B**

### **CRITERIA FOR CATEGORY 1 SIR**

- On/Off post riots, serious disturbances, or demonstrations targeted against USFK or involving USFK personnel
- War Crimes (including mistreatment of Enemy Prisoner of War (EPW), detainees, Displaced Person (DP), Retained Person (RP), or Civilian Internee (CI), violations of the Geneva Conventions, and atrocities
- Requests by members of USFK for political asylum in foreign countries or indications of defection
- Terrorist activities, sabotage, and incidents, initiated or sponsored by known terrorists, dissident groups, or criminal elements, that occur on a USFK installation, or involve military personnel or property off a USFK installation
- Bomb or explosive incidents resulting in death or injury to military personnel, or damage to military property
- Incidents involving material damage that seriously degrades unit operational or training readiness
- Threats against Government weapons and ammunition
- Information on threats, plans, or attempts to harm or kidnap, or other information bearing on the personal security of the President of the United States (POTUS), Vice President of the United States (VPOTUS) or other persons under United States Secret Service (USSS) protection
- Any other incident the commander determines to be of immediate concern to Commander United States Forces Korea (COMUSFK) based on the nature, gravity potential for adverse publicity or potential consequences of the incident

## APPENDIX C

### CRITERIA FOR CATEGORY 2 SIR

- Theft, suspected theft, wrongful appropriation, or willful destruction of Government property or appropriated funds valued in excess of \$100,000
- Theft, suspected theft, negligence, conflict of interest involving Government non-appropriated funds or property valued at more than \$100,000
- Racially or ethnically motivated criminal acts
- Loss, theft, wrongful disposition, willful destruction or mismanagement of the following:
  - o Evidence
  - o Sensitive items (other than arms & ammunition identified by Controlled Item Inventory Code (CIIC) code 1-6, 8, 9, Q, R, or Y) such as small arms, ammunition, explosives, demolition material, night vision devices, and navigation systems (GPS)
  - o Controlled cryptographic items defined as: secure telecommunications or handling equipment, associated cryptographic components, or other hardware items which perform a critical Communications Security (COMSEC) function.
  - o Drugs (Schedule I, II, III, IV and V). An updated list can be obtained at <http://www.deadiversion.usdoj.gov/schedules/schedules.htm>
  - o Any biological or chemical agent or toxin
- Wrongful possession, manufacture or distribution of controlled substances, to include narcotics, drugs or marijuana in the following quantities:
  - o Cocaine – 100 grams +
  - o Marijuana – 1000 grams +
  - o Hashish – 1000 grams +
  - o Heroin – 100 grams +
  - o Methamphetamines or barbiturates – 100 grams +
  - o LSD – 6 grams +
  - o PCP – 1000 grams +
  - o For narcotics and dangerous drugs not listed use quantities for like items
- Significant violations of military standards of conduct to include bribery, conflict of interest, graft, or acceptance of gratuities by service members, DOD employees or Non Appropriated Fund (NAF) employees
- Incidents involving prisoners or detainees in confinement or correctional facilities to include escape from custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths
- Theft, loss, suspected theft, unaccounted or recovered Arms Ammunition and Explosives (AA&E) in the following quantities:
  - o any missile, rocket or mine
  - o any machine gun or automatic fire weapon
  - o any fragmentary, concussion, or High Explosive (HE) grenade or other type of simulator or device containing explosive materials, including artillery and ground burst simulators
  - o any explosive, to include demolition explosives (such as Detonation cord, blocks of C4, etc.)

- One or more semi-automatic or manually operated firearms
  - Five or more rounds of ammunition greater than .50 cal
  - 1,000 + rounds of .50 cal or smaller ammo
- Actual or attempted break-ins of arms rooms or storage areas for AA&E
- Armed robbery or attempted armed robbery of AA&E
- Any evidence of trafficking of AA&E, such as bartering for narcotics or any other thing of value, to include taking AA&E across international borders (regardless of the quantity of AA&E involved)
- Aggravated arson
- All deaths occurring on USFK installations, deaths of family members off post which are deemed criminal in nature and deaths of service members off post (Information on the use of seatbelts and alcohol use should be included in the SIR)
- Kidnapping
- Major fires or natural disasters involving death, serious injury, property damage in excess of \$250,000 or damage that seriously degrades unit operational or training capabilities
- Group breaches of discipline involving 10 or more persons who collectively act to defy authority
- Training and troop movement accidents resulting in serious injury or death
- Maltreatment of service members or civilians to include assaults, abuse, or exploitation, where the offender has a trainer, supervisor, or cadre-trainee relationship with the victim regardless of whether they are members of the same organization
- Violations of policy as it pertains to monitoring and recording of conversations, or acquisition and storage of non-affiliated US personal information
- Child abuse: actual or alleged incidents that take place within a USFK organizational setting or facility or a USFK sponsored or sanctioned activity. Also applies to child abuse occurring within the family unit which involves the use of a weapon; the child suffers from a broken limb, is sexually abused, choked or strangled or is admitted to the hospital because of injuries
- Serious child injury or death not resulting from child abuse, while the child is in USFK's care at a non-medical facility or within a USFK sponsored or sanctioned activity
- Serious domestic violence incidents: defined as any incident where a weapon (such as a firearm, knife, or motor vehicle) is involved; the victim suffers a broken limb, is injured during pregnancy, is sexually abused, is choked or strangled or is admitted to the hospital because of injuries incurred during the incident; domestic violence incidents where a violation of a protective order (military or civilian) has occurred
- Incidents involving firearms that cause injury or death
- Federal crimes reportable under AR 381-10 (Army Intelligence Activities) when they meet reporting criteria
- Any other incident the commander determines to be of concern based on the nature, gravity, potential for adverse publicity or potential consequences of the incident

## APPENDIX D

### CRITERIA FOR CATEGORY 3 SIR

- Any death on a USFK installation regardless of the nationality of the victim
- Traffic Accidents resulting in fatality or injury requiring hospitalization of a USFK service member, DOD affiliate, or their family members
- Status of Forces Agreement (SOFA) Prisoner escapes from a Republic of Korea (ROK) correctional facility
- Aggravated assault with serious injury that requires hospitalization for over 24 hours
- Any assault that involves USFK personnel and foreign-national individuals resulting in injury, or incidents that because of their nature could result in unfavorable publicity for USFK
- Reports of attempted suicide, self-mutilation, or malingering that have been classified as such by a medical authority
- Reports of black-marketing and related offenses (e.g. wrongful disposition of duty-free goods, or failure to account for the Letter of Authorization items) when the total dollar value exceeds \$10,000
- Smuggling, postal violations, customs violation, or currency manipulation when the total dollar value exceeds \$10,000
- Unauthorized absence of USFK personnel while in an international hold status
- Indecent acts committed by host-country nationals directed against USFK personnel, installations or property
- Any incident which, in the opinion of the local commander, may cause negative publicity, embarrassment or discredit to the command
- All sex offenses (alleged rape, rape, sexual assault, indecent assault, indecent acts, sodomy, indecent exposure) involving a USFK member, DOD affiliate, or contract representative or their family members
- Larceny or destruction of Government funds/property valued at \$10,000 or more
- Traffic accidents in which a KN was seriously injured by USFK and hospitalized
- Bribery of \$10,000 or more
- Unexploded ordnance, found munitions or ammunition
- Gate runner / Criminal trespass
- Violent acts committed by KN against USFK personnel, property or installation
- Any child abuse incident not meeting CAT 2 criteria
- Fires with injuries or substantial damage not meeting CAT 2 criteria
- Wrongful use, possession, distribution or smuggling of a controlled substance not meeting CAT 2 criteria
- Possession of child pornography
- Aircraft incidents off-post such as emergency landings, parts/equipment coming off in flight, etc.
- Incidents involving Embassy personnel
- Natural disaster and/or severe weather occurrence resulting in damage to USFK property
- AWOL with a weapon
- Request for Asylum / Defection from Foreign Nationals
- Discovery of War Remains

- Body found in the Demilitarized Zone (DMZ)
- Hazardous Material (HAZMAT) Spill
- Bomb threat / suspicious packages

## **APPENDIX E**

### **CRITERIA FOR POLICE INFORMATION SIR**

- USFK Law Enforcement personnel as subject or victim
- Wrongful discharge of a weapon
- Firearm discharge in the line of duty
- Handcuff incident involving non-SOFA personnel
- Loss or theft of Military Customs Investigator (MCI), Military Intelligence (MI), Military Policy Investigator (MPI), or CID credentials
- Military Working Dog bite or incident
- Any physical altercation between a member of USFK (service member, DOD affiliate, or their family members) and any non-USFK personnel
- Incidents involving E-9, O-5 and above, GS-13 and above, and their family members as subjects or victims

## **GLOSSARY**

### **Section I**

#### **Abbreviations**

AA&E	Arms, Ammunition and Explosives
AR	Army Regulation
AWOL	Absent Without Leave
CCIR	Commander's Critical Information Requirement
DOD	Department of Defense
HQDA	Headquarters, Department of the Army
JPIC	Joint Police Information Center
KN	Korean National
NAF	Non Appropriated Fund
PI	Police Information
SOFA	Status of Forces Agreement
SIR	Serious Incident Report
USFK	United States Forces Korea

### **Section II**

#### **Terms**

##### **Aggravated Arson**

The willful and malicious burning, or setting on fire, of a dwelling or structure with a human being inside at the time, and the accused knew there to be a human being inside the dwelling or structure at the time.

##### **Assault**

The attempt, or offer, though unlawful force or violence to do bodily harm to another person.

##### **Category 1 Serious Incident**

A serious incident that is of immediate concern to the Commander, USFK and HQDA.

##### **Category 2 Serious Incident**

A serious incident that is of concern to Commander, USFK and HQDA.

##### **Category 3 Serious Incident**

A serious incident that is of concern to the Commander, USFK

##### **DOD Affiliate**

Employees of the Department of Defense including personnel in the grades of (GS, GG, GM, SES, or similar grades), employees of non-appropriated funds activities, AAFES employees, DOD invited contractors and technical representatives who are present in direct support of USFK.

**Family Member**

Includes those individuals for whom the Service member provides medical, financial, and logistical (for example, housing, food, and clothing) support. This includes, but is not limited to, the spouse, children under the age of 18, elderly adults, and persons with disabilities.

**Police Information Serious Incident**

An incident that is of concern to the USFK Provost Marshal.

**Serious Incident**

Any actual or alleged incident, accident, misconduct, or act, primarily criminal in nature, that because of its nature, gravity, potential for adverse publicity, or potential consequences warrants timely notification to Headquarters, USFK.

**Service Member**

Any active duty, reserve or national guard member of the US Armed Forces assigned, deployed, on temporary duty, or visiting, within the Korean Theater of Operations.