



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY CADET COMMAND AND FORT KNOX
1ST CAVALRY REGIMENT ROAD
FORT KNOX, KENTUCKY 40121-5123

MAY 07 2012

IMSE-KNX-PM

MEMORANDUM FOR

Commanders, Fort Knox Partners in Excellence
Commanders, 1st and 7th Brigades USACC
Deputy Chiefs of General and Chiefs of Special Staff Offices, HQ USACC

SUBJECT: Policy Letter 10 – Bar Letters

1. Reference 18 United States Code, Section 1382.
2. Recognizing authority to issue bar letters under the above-cited statute is personal to the senior commander and nondelegable, I direct the following:
 - a. Bar letters will be issued for the periods indicated at Enclosure 1 to this memorandum. They will be signed and delivered to offenders by the Directorate of Emergency Services (DES) designee per this policy. A copy of each bar letter, along with the supporting military police blotter or other documentation, will be delivered to the Secretary of the General Staff for my review and ratification. Bar letter examples are at Enclosure 2.
 - b. Bar Requests. Bar letters may be requested by brigade or higher level commanders, directorate-level supervisors, DES, the Staff Judge Advocate, or their designees utilizing FK Form 5096-E, Installation Barment Request (Enclosure 3). The DES will prepare and forward the packet through the Administrative Law Division, Office of the Staff Judge Advocate, and Garrison Commander for my decision.
 - c. Family Members and Department of Defense (DOD) Employees. The bar request process (paragraph 2b above) is required for any on-post Family members. All DOD civilians and non-appropriated fund employees will be barred in accordance with this policy with the provision they may go directly to and from their on-post place of employment only, unless I approve a total bar separately.
3. Individuals may request modification or termination of a bar letter by submitting a request to DES. Unless a modification or termination is requested, the bar letter is final, and no new notice will be provided.
4. The Garrison Commander will review and make recommendations to me regarding appeals submitted by individuals barred from the installation.

- 3 Encls
1. Bar Letter Periods
 2. Bar Letter Example
 3. FK Form 5096-E,
Installation Barment Request



JEFFOREY A. SMITH
Major General, USA
Commanding

Bar Letter Periods

Bar letters will be issued for the period specified below:

1. Unaffiliated Personnel (includes contractor employees).
 - a. Permanent Bar.
 - (1) Arson.
 - (2) Assault offenses (felonies).
 - (3) Bribery.
 - (4) Burglary/housebreaking.
 - (5) Counterfeiting/forgery.
 - (6) Drug/narcotic offenses (other than simple possession of marijuana).
 - (7) Embezzlement.
 - (8) Extortion/blackmail.
 - (9) Fraud offenses.
 - (10) Homicide.
 - (11) Kidnapping/abduction.
 - (12) Motor vehicle theft.
 - (13) Prostitution offenses.
 - (14) Resisting arrest.
 - (15) Robbery.
 - (16) Sex offenses (i.e., rape or sodomy).
 - (17) Weapons law violations.
 - b. Period specified bar.
 - (1) Assault (simple), 2 years.
 - (2) Bad checks, 2 years.
 - (3) Disorderly conduct, 2 years first offense; 10 years subsequent offense.
 - (4) Driving under the influence, 1 year first offense; 10 years subsequent offense.

Bar Letter Periods

- (5) Drunkenness, 1 year.
- (6) Indecent exposure, 5 years.
- (7) Larceny/theft offenses, 2 years, value over \$100; 1 year \$100 or less.
- (8) Liquor law violations, 2 years.
- (9) Peeping Tom, 2 years.
- (10) Possession of marijuana, 2 years.
- (11) Property destruction/damage, 2 years.
- (12) Receiving stolen property, 5 years.
- (13) Runaway (habitual), 2 years.
- (14) Terroristic threats, 5 years.
- (15) Trespassing, 2 years.
- (16) Vandalism (mischief), 2 years.

2. Military Personnel Barment.

a. Military personnel who receive Other Than Honorable (OTH) discharge will be permanently barred from the installation. The Senior Commander will execute that bar letter when the discharge is approved.

b. Military personnel, separated punitively or administratively, who demonstrate conduct which is of an unacceptable nature for the purpose of continued service should be recommended for a bar from the installation only when the underlying activity poses a threat to peace and security.

c. Prisoners released from confinement and discharged from the military will be permanently barred from the installation.

d. Military personnel who receive a Chapter 10 discharge will be permanently barred from the installation.

3. Protection from Domestic Violence. Any civilian spouse or parent will be permanently barred if their presence on the installation represents a threat to the safety of any adult or child living on the installation. Application for bars under this category may be initiated by DES, ACS, or other domestic violence protection agencies or advocates.

4. United States Government Civilian Employees. Barred for the period specified above with the provision they may go directly to and from their on-post place of employment only. This workplace access exception does not extend to contractor or non-federal entity employees.

Bar Letter Periods

Government employee bar letters requesting a total bar from the installation may be issued separately after an individual review by the senior commander.

5. Retirees and Family Members Residing Off Post. Barred as specified above for offenses listed in paragraph 1a above. For offenses listed in paragraph 1b above, a warning letter will be issued by the Garrison Commander for the first offense. Bar letters will be issued only for a subsequent offense. In such cases, the period of the bar will be determined on the basis of it being a second offense, i.e., a second driving under the influence offense, will receive a bar letter for 10 years. In all cases in which a bar is issued, offenders may go directly to and from emergency and scheduled medical appointments.

6. Limited Access Authorization. The DES may authorize limited access to barred individuals for entry to the installation or authorize access to areas other than their place of duty when an extreme hardship is present. This will be done on a case-by-case basis. Requests must be sent to DES, phone 624-4335.

7. All other instances warranting exclusion from the installation must be referred to the senior commander for determination.

Bar Letter Example

LETTERHEAD

Directorate of Emergency Services

DATE

NAME: _____
ADDRESS: _____
CITY, STATE, ZIP: _____

Military police information reveals that on _____ at _____, you were apprehended and cited (U.S. District Court violation notice) for: _____

In view of the above, under the provisions of Title 18, United States Code Section 1382, and Fort Knox Policy Memo No. ____, paragraph ____, you are hereby barred from entering the confines of the Fort Knox military reservation for the period of _____, unless specifically requested to do so by a competent authority, e.g., to obey a notice to appear before U.S. Magistrate. Prior to such entry, you will report to the Visitor Control Center, Bldg. No. 17, Chaffee Gate, and obtain a visitor pass for the purpose of court. You must provide a copy of your court summons to the Visitor Control Center's staff, validating your appointment. You will enter and exit this installation through the Chaffee Gate and proceed to and from your appointment by the most direct route. You are further advised that any violation of the exclusionary order could lead to your confinement in a penal institution for a maximum of 6 months, a fine not to exceed \$5,000, or both.

Unless you are specifically notified of any cancellation, limitation, or modification of this order, no further notice will be provided to you.

You may request the Commanding General's reconsideration or modification of this decision to bar you from Fort Knox. Submit your written request to Directorate of Emergency Services (IMSE-KNX-PMO). Note that a dismissal from U.S. Magistrate Court will not automatically result in removal from the installation disbarment list. If your case is dismissed in court or any other compelling reasons exist which you believe would be sufficient to justify a modification of this order, you must submit a written request for termination. You may call 624-4335 for information on how to process your request.

Jefforey A. Smith
Major General, USA
Commanding

I certify that I have received, read, and fully understand the provisions of this order barring me from the Fort Knox military reservation for the period specified.

Signature of Subject: _____ Date: _____

Enclosure 2

FK Form 5096-E, Installation Barment Request

INSTALLATION BARMENT REQUEST <small>For use of this form, see USC Title 18, Section 1382</small>			
INSTRUCTIONS: <ul style="list-style-type: none"> - Complete all sections of this form. - Attach supporting documentation. - Submit packet to the Operations Division, Fort Knox Directorate of Emergency Services. - All requests will be reviewed by the Staff Judge Advocate. - Only the senior commander can authorize a bar from post. 			
SECTION I - REQUESTER INFORMATION			
1. NAME:	2. UNIT/ORGANIZATION:	3. PHONE:	
SECTION II - SUBJECT INFORMATION			
4. NAME OF PERSON TO BE BARRED (Last, First, MI):	5. CURRENT ADDRESS:	6. PHONE:	
7. STATUS: <input type="checkbox"/> Service Member <input type="checkbox"/> Family Member <input type="checkbox"/> Civilian	8. EMPLOYED ON POST? <input type="checkbox"/> Yes <input type="checkbox"/> No	9. EMPLOYER NAME AND ADDRESS: _____ _____	
10. SPONSOR'S NAME (Last, First, MI):	11. SPONSOR'S RELATIONSHIP:	12. SPONSOR'S UNIT:	
13. BASIS FOR BAR FROM POST (Attach documentation): <input type="checkbox"/> Arrest/Police Report <input type="checkbox"/> Conviction <input type="checkbox"/> Discharge/Separation <input type="checkbox"/> Other			
14. SUMMARY OF MISCONDUCT/BASIS FOR BAR FROM POST:			
15. ADDITIONAL COMMENTS/INSTRUCTIONS:			
16. REQUESTER SIGNATURE	17. DATE	18. RECIPIENT SIGNATURE	19. DATE