



DEPARTMENT OF THE ARMY  
U.S. ARMY MANEUVER SUPPORT CENTER OF EXCELLENCE  
320 MANSCEN LOOP STE 316  
FORT LEONARD WOOD, MISSOURI 65473-8929

REPLY TO  
ATTENTION OF

ATZT-CG

22 JUN 2011

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Command Policy 17, Drunk and Drugged Driving

1. REFERENCES:

- a. AR 190-5, Motor Vehicle Traffic Supervision, 22 May 2006.
- b. AR 600-8-19, Enlisted Promotions and Reductions, 30 April 2010.
- c. AR 601-280, Army Retention Program, 31 January 2006.
- d. AR 635-200, Active Duty Enlisted Administrative Separations, 6 June 2005, Rapid Action Revision Issue Date: 17 December 2009.

2. GENERAL:

- a. This memorandum establishes the policy and procedures for processing cases of drunk and drugged driving by Army personnel.
- b. I will be personally involved in drunk or drugged driving offenses by military personnel as directed by the provisions of AR 190-5. I have an additional and independent interest in such cases because I wish to deter military personnel from endangering themselves and others when they exercise the poor judgment to drive while impaired by intoxicants.
- c. The term "motor vehicle" in this policy includes impaired operation of any vehicle driven by mechanical power manufactured primarily for use on public streets, roads, and highways. Furthermore, this policy includes impaired operation of motorized watercraft (boats, jet skis, etc.) or nonmotorized watercraft in excess of 12 feet in length (large sail craft) operated on rivers, lakes, and streams. It does not include watercraft propelled solely by oars and paddles.

3. POLICIES AND PROCEDURES:

- a. I will issue a written reprimand to Army personnel, regardless of rank, assigned or attached to Fort Leonard Wood, who are involved in any of the following types of intoxicated driving misconduct:

(1) Conviction of intoxicated driving or driving under the influence of alcohol or drugs either on or off the installation; or

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(2) Refusal to take or failure to complete a lawfully requested test to measure alcohol or other drug content of the blood, breath, or urine (on or off the installation) when there is reasonable belief for driving under the influence of alcohol or drugs; or

(3) Driving or being in physical control of the above-mentioned motor vehicles or watercraft on post when blood alcohol content (BAC) is 0.08 or higher, irrespective of other charges, or off post when the BAC is in violation of state laws, irrespective of other charges; or

(4) Driving or being in physical control of the above-mentioned motor vehicles or watercraft (either on or off post) when lawfully requested chemical tests of blood, breath, or urine reflect the presence of illegal drugs.

b. Reprimands are administrative sanctions and will be processed through the Military Justice Division of the Fort Leonard Wood Office of the Staff Judge Advocate for service on the Soldier. The chain of command will make recommendations whether I should file the reprimand in the Official Military Personnel File (OMPF) or temporarily (not to exceed 3 years) in local files. Reprimands filed locally will be maintained in the Office of the Staff Judge Advocate with copies furnished to the Soldier and the Soldier's unit of assignment. The processing of reprimands will comply with the following deadlines.

(1) Within 24 working hours of notification of my issuing the General Officer Memorandum of Reprimand (GOMOR), the Soldier's immediate commander will order the Soldier to report to the Military Justice Division for service of the GOMOR.

(2) Starting at notification, the Soldier will then have 7 calendar days to submit a rebuttal to the chain of command, beginning at the company level.

(3) The Soldier's chain of command will then have 7 calendar days to make its recommendations. After the chain of command makes its recommendations a unit representative will serve the GOMOR packet, with the Soldier's rebuttal and chain of command's filing recommendations, on the Military Justice Division for further action.

c. Commanders will refer all Soldiers apprehended for drunk or drugged driving offenses to the installation Army Substance Abuse Program (ASAP) for clinical evaluation within 10 days of the report of the incident. Commanders will also require them to conduct a safety evaluation of the Soldier's assigned duties to determine whether to temporarily reassign the Soldier with particular concern for Soldiers whose regular duties require them to carry arms or ammunition or to operate military vehicles (tactical or nontactical).

d. Additionally, commanders will review the service records of Soldiers apprehended for drunk or drugged driving offenses to determine whether the incident warrants any of the following actions:

(1) Administrative reduction in accordance with AR 600-8-19.

(2) Bar to reenlistment in accordance with AR 601-280.

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(3) Administrative discharge in accordance with AR 635-200.

e. In addition to the actions I have already discussed, the Provost Marshal's Office will continue administering AR 190-5, paragraph 2-6, regarding suspension and revocation of installation driving privileges of persons involved in alcohol or drug-related driving misconduct.

f. All persons cited for drunk or drugged driving on post will be prosecuted through the U.S. Magistrate Court. Commanders desiring to exercise Uniform Code of Military Justice (UCMJ) authority over military personnel involved in on post drunk or drugged driving offenses for good cause (such as imminent permanent change of station (PCS), multiple offenses, and repeat offenses) may request jurisdiction from the Staff Judge Advocate. Release of Magistrate Court jurisdiction is an exceptional measure and commanders should not seek UCMJ jurisdiction absent exceptional circumstances. All persons cited for drunk or drugged driving off post will be prosecuted in accordance with the law of the civilian jurisdiction where the offense occurred. Commanders desiring to exercise UCMJ authority over military personnel involved in off-post drunk or drugged driving cases for good cause must make such requests to the Office of the Staff Judge Advocate who will coordinate with the local authorities. Again, the request for jurisdiction for an off-post drunk or drugged driving offense is an exceptional measure.

4. SUPERSESSION: This command policy supersedes any previous command policy regarding drunk or drugged driving and is in effect until superseded or rescinded.

5. PROPONENCY: The Staff Judge Advocate and Provost Marshal are the proponents for this command policy. Direct any questions to the Military Justice Division at 596-0630 or Law Enforcement Command at 596-1820.



DAVID E. QUANTOCK  
Major General, USA  
Commanding

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