

**Milper Message Number
14-365**

**Proponent
AHRC-PDR**

**Title
INCLUSION AND COMMAND REVIEW OF INFORMATION ON SEX-RELATED OFFENSES IN THE
ARMY MILITARY HUMAN RESOURCE RECORD**

...Issued: [24 Dec 14]...

A. ARMY DIRECTIVE 2014-29, 9 DECEMBER 2014, SUBJECT: INCLUSION AND COMMAND REVIEW OF INFORMATION ON SEX-RELATED OFFENSES IN THE ARMY MILITARY HUMAN RESOURCE RECORD.

B. AR 27-10, (MILITARY JUSTICE), 3 OCTOBER 2011.

C. AR 600-20, (ARMY COMMAND POLICY), 6 NOVEMBER 2014.

D. AR 600-37, (UNFAVORABLE INFORMATION), 19 DECEMBER 1986.

E. AR 600-8-104, (ARMY MILITARY HUMAN RESOURCE RECORDS MANAGEMENT), 7 APRIL 2014.

1. THIS MILPER MESSAGE APPLIES TO ALL COMPONENTS AND WILL EXPIRE 17 DECEMBER 2015.

2. GENERAL. THIS MESSAGE ANNOUNCES GUIDANCE TO ENSURE ACCOUNTABILITY AND COMPLIANCE FOR SEX-RELATED OFFENSES.

3. AS DEFINED IN REFERENCE (A), SEX-RELATED OFFENSES INCLUDE A VIOLATION OF THE FOLLOWING SECTIONS OF TITLE 10, UNITED STATES CODE (USC), AND EQUIVALENT ARTICLES OF THE UNIFORMED CODE OF MILITARY JUSTICE (UCMJ):

A. SECTION 920 – ARTICLE 120: RAPE AND SEXUAL ASSAULT. THIS INCLUDES RAPE, SEXUAL ASSAULT, AGGRAVATED SEXUAL CONTACT, AND PROOF OF THREAT.

B. SECTION 920A – ARTICLE 120A: STALKING.

C. SECTION 920B – ARTICLE 120B: RAPE AND SEXUAL ASSAULT OF A CHILD. THIS INCLUDES RAPE, SEXUAL ASSAULT, SEXUAL ABUSE OF A CHILD, AND PROOF OF THREAT.

D. SECTION 920C – ARTICLE 120C: OTHER SEXUAL MISCONDUCT. THIS INCLUDES INDECENT VIEWING, VISUAL RECORDING, OR BROADCASTING.

E. SECTION 925 – ARTICLE 125: FORCIBLE SODOMY; BESTIALITY.

F. SECTION 880 – ARTICLE 80: ATTEMPT (ANY ATTEMPT TO COMMIT THESE OFFENSES).

4. PROCESSING SEX-RELATED OFFENSES: ANY COURT-MARTIAL CONVICTION, NON-JUDICIAL PUNISHMENT, OR PUNITIVE ADMINISTRATIVE ACTION FOR A SEX-RELATED OFFENSE OUTLINED IN PARAGRAPH 3 ABOVE, WILL BE FILED AS A SEX-RELATED OFFENSE IN THE PERFORMANCE-DISCIPLINARY FOLDER OF THE ARMY MILITARY HUMAN RESOURCE RECORD (AMHRR). FOR THE PURPOSE OF THIS MESSAGE, PUNITIVE ADMINISTRATIVE ACTION MEANS ANY ADVERSE ADMINISTRATIVE ACTION INITIATED AS A RESULT OF THE SEX-RELATED OFFENSES IDENTIFIED IN PARAGRAPH 3 AND INCLUDES, BUT IS NOT LIMITED TO, MEMORANDUM OR REPRIMAND, ADMONISHMENT OR CENSURE FROM ALL LEVELS OF COMMAND. THIS REQUIREMENT APPLIES TO ALL SOLDIERS REGARDLESS OF RANK. COMMANDERS DO NOT HAVE THE AUTHORITY TO DESIGNATE ANY OF THESE DOCUMENTS BE FILED LOCALLY OR IN THE RESTRICTED FOLDER OF THE AMHRR. IN ALL CASES, THE SOLDIER WILL BE GIVEN NOTICE AND AN OPPORTUNITY TO RESPOND BEFORE THE ADVERSE ADMINISTRATIVE ACTION IS INCLUDED IN THE SOLDIER'S PERSONNEL FILE. THE SOLDIER'S RESPONSE WILL BE FILED WITH THE ADVERSE ADMINISTRATIVE ACTION.

A. COMMANDERS WILL COORDINATE WITH THEIR ADVISING JUDGE ADVOCATE (JA), WHO WILL COORDINATE WITH THE OFFICE OF THE JUDGE ADVOCATE GENERAL (OTJAG), CRIMINAL LAW BRANCH TO ENSURE THE OFFENSE MEETS THE CRITERIA FOR A SEX-RELATED OFFENSE IN ACCORDANCE WITH REFERENCE (A).

B. OTJAG WILL FORWARD VALIDATED OFFENSES BY MEMORANDUM TO CDR, ARMY HUMAN RESOURCES COMMAND, ATTN: AHRC-PLB (G3), 1600 SPEARHEAD DIVISION AVENUE, FORT KNOX, KY 40122-5120 VIA ENCRYPTED EMAIL TO USARMY.KNOX.HRC.MBX.G3-PLANS@MAIL.MIL WITH SUBJECT LINE "DOCUMENTED SEX-RELATED OFFENSE FOR (RANK / FULL NAME). MEMORANDUM MUST INCLUDE SOLDIER'S FULL NAME, LAST FOUR OF SSN, GRADE, SERVICING JA AND OTJAG VALIDATION. PACKETS MUST INCLUDE SUPPORTING DOCUMENTS FOR THE OFFENSE (ARTICLE 15/GOMOR, COURT MARTIAL CONVICTION) FOR FILING IN THE AMHRR. ADDITIONALLY, HRC WILL ENTER THE ASSIGNMENT CONSIDERATION CODE (ASCO) OF "L3 – DOCUMENTED SEX-RELATED OFFENSE (DSRO)" TO THE APPROPRIATE HR SYSTEM (EMILPO/TOPMIS/AGRMIS). USARC AND ARNG WILL ENTER THE ASCO FOR THEIR COMPONENT (RCMS-R/SIDPERS).

C. HRC G3 WILL FORWARD THE MEMORANDUM AND SUPPORTING DOCUMENTS TO THE APPROPRIATE RECORDS CUSTODIAN, AS DEFINED IN AR 600-8-104, FOR WEB UPLOADING TO THE AMHRR IN IPERMS.

5. BACK DATED OFFENSES: NLT 60 DAYS FROM PUBLICATION OF THIS MILPER, LIEUTENANT COLONEL COMMANDERS WILL IDENTIFY ANY COURT-MARTIAL CONVICTION, NON-JUDICIAL PUNISHMENT, OR PUNITIVE ADMINISTRATIVE ACTION FOR A SEX-RELATED OFFENSE EXECUTED SINCE 26 DECEMBER 2013 FOR OFFENSES LISTED IN PARAGRAPH 3 AND FOLLOW PROCEDURES IN PARA 4A – 4C FOR PROCESSING. THIS INCLUDES ANY LOCALLY FILED ACTIONS THAT MEET THE CRITERIA FOR A SEX-RELATED OFFENSE.

6. REFERENCE (A) REQUIRES LIEUTENANT COLONEL COMMANDERS, OR HIGHER AUTHORITY, TO REVIEW THE HISTORY OF SEX-RELATED OFFENSES DOCUMENTED IN THE AMHRR FOR ANY CURRENT OR NEWLY ARRIVED SOLDIER PERMANENTLY ASSIGNED TO THEIR UNIT. ONCE A SOLDIER IS IDENTIFIED AS HAVING A SEX-RELATED OFFENSE, COMMANDERS WILL REVIEW ASSOCIATED DOCUMENTS IN IPERMS PERFORMANCE-DISCIPLINARY FOLDER. THE PURPOSE OF THIS REVIEW IS TO ENSURE THAT COMMANDERS ARE AWARE OF THE HISTORY OF SEX-RELATED OFFENSES OF SOLDIERS WITHIN THEIR FORMATIONS. IF A SOLDIER IS IN A TEMPORARY DUTY STATUS OR ATTACHED TO ANOTHER UNIT, THE COMMANDER MUST NOTIFY THE COMMANDER OF THE GAINING UNIT THAT THE SOLDIER HAS A SEX-RELATED OFFENSE.

A. ACTIVE COMPONENT: EMILPO USERS WITH DATASTORE ACCESS CAN QUERY EMILPO AT THE FOLLOWING LINK FOR THE ASCO "L3" TO IDENTIFY ALL ACTIVE DUTY SOLDIERS WITH A SEX RELATED OFFENSE.

"PUBLIC FOLDERS > HRC > TAGD - THE ADJUTANT GENERAL DIRECTORATE > FSD - FIELD SERVICES DIVISION > FIELD ASSISTANCE > ASCO L3 REPORT"

B. ACTIVE COMPONENT ENLISTED: EMILPO DOES NOT CURRENTLY DISPLAY THE ASCO ON THE RECORD BRIEF. TECHNICAL CHANGES ARE BEING MADE TO DISPLAY THE ASCO ON THE ENLISTED RECORD BRIEF IN THE FUTURE.

C. ACTIVE COMPONENT OFFICER: THE ASCO WILL ALSO DISPLAY IN THE REMARKS SECTION OF THE OFFICER RECORD BRIEF AS "DSRO."

D. USAR/ARNG/AGR SOLDIERS CANNOT BE IDENTIFIED IN HR SYSTEMS AT THIS TIME. TECHNICAL CHANGES ARE BEING MADE TO ACCOMMODATE THE ASCO "L3" IN APPROPRIATE HR SYSTEMS AND ENABLE COMMANDERS TO IDENTIFY SOLDIERS. FOLLOW ON INSTRUCTIONS WILL BE PUBLISHED BY APPROPRIATE COMPONENT AS SYSTEMS ARE UPDATED. AS AN INTERIM SOLUTION, USAR/ARNG/AGR SOLDIERS WILL BE MANUALLY TRACKED BY APPROPRIATE COMPONENTS UNTIL IMPLEMENTATION OF TECHNICAL CHANGES. COMPONENT G1S WILL NOTIFY LTC COMMANDERS, OR HIGHER AUTHORITY, OF SOLDIERS WITH A SEX-RELATED OFFENSE FILED IN THEIR AMHRR.

7. OFFENSE DETERMINED NOT TO MEET THE CRITERIA AS A SEX-RELATED OFFENSE WILL BE RETURNED TO THE UNIT FOR PROCESSING IN ACCORDANCE WITH AR 600-8-104.

8. POINTS OF CONTACT:

A. ARMY PERSONNEL RECORDS DIVISION, (KNOX-HRC-PDR), FORT KNOX, KY 40122-5402, COMM 502-613-8999, DSN 983-8999, MICHAEL.B.MENSCH2.CIV@MAIL.MIL, ACTIVE AND RESERVE COMPONENT.

B. NATIONAL GUARD BUREAU, (ARNG-HRP-R), 111 S GEORGE MASON DR, ARLINGTON, VA 22554.

C. U.S.S ARMY RESERVE, (AFRC-PRM), (910) 570-8146.