

Army Regulation 638–34

Casualty and Mortuary Affairs

Army Fatal Incident Family Brief Program

**Headquarters
Department of the Army
Washington, DC
19 February 2015**

UNCLASSIFIED

SUMMARY of CHANGE

AR 638-34

Army Fatal Incident Family Brief Program

This administrative revision, dated 6 August 2015-

- o Supersedes Army Directive 2010-01 and Army Directive 2010-02 (throughout).

This major revision, dated 19 February 2015-

- o Changes the publication's series and title from AR 600-34, Army Fatal Training and/or Operational Accident Presentations to the Next of Kin to AR 638-34, Army Fatal Incident Family Brief Program (cover).
- o Updates responsibilities (chap 1).
- o Adds conditions for the Criminal Investigation Division to conduct a ballistic analysis and to release a death investigation to the Casualty and Mortuary Affairs Operations Center (para 1-17).
- o Adds next of kin of Federal civilian employees, civilian contractors, or U.S. civilians--who become casualties in the same fatal incident with U.S. military Soldiers--to receive the Fatal Incident Family Briefing and access to the same reports as the military casualty primary next of kin (para 4-1).
- o Adds requirements for investigations and reporting (para 4-1).
- o Designates colonel-level briefer responsibilities (para 4-2g, 4-3c(2)(b), 5-3a).
- o Adds the Casualty and Mortuary Affairs Operations Center's responsibility when the Armed Forces Medical Examiner System identifies a suspected friendly fire incident (para 4-3).
- o Adds unit-level redaction requirements and guidance for death investigation and fatality reports provided to surviving Family members (para 4-4).
- o Clarifies temporary duty funding for casualty assistance officers (para 5-5).
- o Adds an internal control evaluation for the Army Fatal Incident Family Brief Program (app B).
- o Replaces casualty area commands with Casualty Assistance Centers (throughout).

Effective 19 March 2015

Casualty and Mortuary Affairs

Army Fatal Incident Family Brief Program

By Order of the Secretary of the Army:

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General, United States Army
Chief of Staff

Official:



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History. This publication is an administrative revision. The portions affected by this administrative revision are listed in the summary of change.

Summary. This regulation prescribes policies and mandated tasks that govern Family briefs of legal investigations of fatalities caused by training, operational and/or friendly fire accidents, and death investigations of all suicides. It expands the Department of the Army policy for releasing results of death investigations, fatality reports, and investigations into the cause of death conducted by all Army activities.

Applicability. This regulation applies to the Active Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve, unless otherwise stated. During mobilization, the proponent may modify chapters and policies contained in this regulation.

Proponent and exception authority. The proponent of this regulation is the Deputy Chief of Staff, G–1. The proponent has the authority to approve exceptions or waivers to this regulation that are consistent with controlling law and regulations. The proponent may delegate this approval authority, in writing, to a division chief within the proponent agency or its direct reporting unit or field operating agency, in the grade of colonel or the civilian equivalent. Activities may request a waiver to this regulation by providing justification that includes a full analysis of the expected benefits and must include formal review by the activity's senior legal officer. All waiver requests will be endorsed by the commander or senior leader of the requesting activity and forwarded through their higher headquarters to the policy proponent. Refer to AR 25–30 for specific guidance.

Army internal control process. This regulation contains internal control provisions in accordance with AR 11–2 and identifies key internal controls that must be evaluated (see appendix B).

Supplementation. Supplementation of this regulation and establishment of command and local forms are prohibited without prior approval from the Deputy Chief of Staff, G–1 (DAPE–ZA).

Suggested improvements. Users are invited to send comments or suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to Commander, U.S. Army Human Resources Command (AHRC–PDC–M), Fort Knox, KY 40122–5405.

Distribution. This publication is available in electronic media only and is intended for command levels B, C, D and E for the Active Army and command level E for Army National Guard of the United States and the U.S. Army Reserve.

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Chapter 1 Introduction

Section I Overview

1–1. Purpose

This regulation establishes standard processes for presenting Army Fatal Incident Family Briefs on the findings of investigations conducted under Army Regulation (AR) 15–6 when the Soldier’s death results from training, operational and/or friendly fire accident, or suicide. These presentations are offered to a Soldier’s primary next of kin (PNOK) and other Family members designated by the PNOK, as defined in Department of Defense instruction (DODI) 1300.18. This regulation also provides a model for unit commanders to provide Suicide Incident Family Briefs. The Suicide Incident Family Brief Program is a commander’s program under the umbrella of the Army Fatal Incident Family Brief Program, which also includes Fatal Accident Family Briefs. The guidance provided is for Army personnel and is not intended to, and does not, create any substantial privilege or procedure, right, or benefit enforceable at law or equities for its officers, employees, or any other person.

1–2. References

See appendix A.

1–3. Explanation of abbreviations and terms

See the glossary.

1–4. Responsibilities

Responsibilities are listed in section II.

1–5. Intent

The intent of this regulation is to—

- a. Establish an Army policy that provides a standard process for presenting the results of the AR 15–6 death investigation to the PNOK in a timely, equitable, and professional manner.
- b. Provide a thorough explanation of releasable, investigative results of fatal training and/or operational accidents and confirmed Soldier suicides to the PNOK and other Family members designated by the PNOK.
- c. Ensure the Family fully understands the circumstances of the incident surrounding the death of a Soldier.
- d. Ensure the Family is reassured of the Army’s concern regarding the tragedy and is aware of the compassion of Army leaders.

1–6. Concept

a. Presentations of death investigations will be offered for operational, training and/or friendly fire incidents, and confirmed Soldier suicides investigated under the provisions of AR 15–6, AR 385–10, DODI 6055.07, and this regulation for the following circumstances:

- (1) Class A military training and/or operational accidents resulting in the death of a Soldier.
- (2) Death of a Soldier where there is anticipated litigation for or against the Government or a Government contractor.
- (3) Death of a Soldier where there is probable high public interest.
- (4) All Soldier death cases where the Armed Forces Medical Examiner (AFME), or civilian equivalent, has determined the manner of death to be suicide.

b. Releasable information will be provided to the PNOK, and other Family members designated by the PNOK, through periodic updates while the AR 15–6 death investigation is ongoing. These updates are intended to share information concerning the progress of the investigation. Updates will not include the release of information violating laws or regulations (concerning security or privacy), interfere with any ongoing investigation (safety or criminal), or jeopardize the Army’s litigation posture by admission of liability or waiver of defense.

c. A final Army Fatal Incident Family Brief of the results of the AR 15–6 death investigation will be delivered to the PNOK, and other Family members designated by the PNOK, before results are released to Congress, the media, or the public.

d. Operational and training and/or friendly fire incidents AR 15–6 investigation presentations are coordinated by the Casualty and Mortuary Affairs Operations Center (CMAOC) and confirmed suicide AR 15–6 investigation presentations are coordinated by the Soldier’s command.

e. At a minimum, the investigating officer of the AR 15–6 death investigation, usually appointed by the General Court Martial Convening Authority (GCMCA), will conduct a timely and accurate investigation of the incident. The

appointing and/or approving authority may appoint additional members when it is determined that additional investigating officers and/or advisors are necessary. All selected members are appointed by memorandum to serve as investigating officers under AR 15–6. This duty takes precedence over all others. The death investigation is conducted under the provisions of AR 15–6 and chapter 3 of this regulation. Upon completion of the legal review, all findings are submitted to the appointing and/or approving authority for appropriate action before being released to the next of kin (NOK). Congressional, press, and media releases may be presented after the operational, training and/or friendly fire incidents, and confirmed Soldier Suicide Family Briefs.

f. Under the provisions of AR 385–10, the Director of Army Safety (DASAF) determines whether a centralized accident investigation or an installation-level accident investigation will be conducted and initiates a safety investigation concurrent with the AR 15–6 death investigation. Safety investigations are distinct and separate from AR 15–6 death investigations. Due to its time sensitivity and the potential safety and readiness implications of its findings, the safety investigation process is given primacy of access to evidence, witnesses, and the mishap scene. For this reason, it is critical that factual information and documentary evidence from the safety investigation are accurately and quickly provided to the AR 15–6 investigator. The DASAF will inform the CMAOC when the safety investigation is initiated and will provide updates at 30-day intervals until the investigation is completed, along with any new information concerning the circumstances of the death, as soon as it is learned.

Section II Responsibilities

1–7. Assistant Secretary of the Army (Manpower and Reserve Affairs)

The ASA (M&RA) will supervise the development and implementation of personnel policies relating to Army Fatal Incident Family Briefs, as defined by this regulation.

1–8. The Chief, Legislative Liaison

The CLL will—

- a.* Develop programs consistent with this regulation.
- b.* Establish procedures to ensure all Members of Congress coordinate through the Office of the Chief of Legislative Liaison (OCLL) and not directly with Army organizations, such as Department of the Army (DA) casualty offices, public affairs offices, and affected mishap units.

1–9. Chief, Public Affairs

The CPA will—

- a.* Develop updates to proponent regulations to comply with this regulatory guidance.
- b.* Disseminate guidance and implementing instructions to installation staff (public affairs officers (PAOs)).
- c.* Provide media training to division commanders and above.

1–10. Chief, National Guard Bureau

The Chief, NGB ensures that the Director, Army National Guard (ARNG) will—

- a.* Develop programs within the ARNG of the United States to support the Family brief policy defined in this regulation.
- b.* Establish implementing procedures within the ARNG of the United States for developed programs in support of this regulation for operational, training and/or friendly fire incidents, and confirmed Soldier suicides of ARNG Soldiers while serving on active duty for training, Title 32 Active Guard Reserve training, annual training, active duty special work, and temporary tour of active duty.
- c.* Refrain from releasing information in violation of laws or regulations regarding security or individual privacy or that might interfere with any ongoing investigation or jeopardize the Army's litigation posture by admission of liability or waiver of defense.

1–11. Director of the Army Staff

The DAS will remain the approval authority for U.S. Army Combat Readiness/Safety Center (USACR/SC) representation at presentations. The DAS will ensure that the DASAF and CG, USACR/SC—

- a.* Develop updates to proponent regulations to comply with this regulation.
- b.* Disseminate guidance and implementing instructions to the safety directors of ACOMs, ASCCs, and DRUs.
- c.* Develop and disseminate tools and techniques for use by installation safety directors.
- d.* Provide USACR/SC representation at presentations as directed.
- e.* Inform the CMAOC of the initiation of all safety investigations involving a deceased Soldier, and provide status updates on a monthly basis thereafter until the investigation is completed. In addition, the DASAF will inform CMAOC of any new information concerning the circumstances surrounding the death as soon as it is learned and provide updates on the investigation progress at 30-day intervals until the investigation is completed.

f. Establish procedures to ensure accident investigation results are not released to the public prior to informing the Family of the releasable results of the investigation.

1–12. The Deputy Chief of Staff, G–1

The DCS, G–1 will—

a. Direct The Adjutant General (TAG) of the Army to implement established policies related to Army Fatal Incident Family Briefs.

b. Ensure the Commanding General (CG), U.S. Army Human Resources Command (HRC) executes policy and provides program development guidance relating to Army Fatal Incident Family Briefs, as defined by this regulation. The CG, HRC, ensures TAG will—

(1) Execute policy and provide program development guidance relating to operational, training and/or friendly fire incidents, and confirmed Soldier suicides as defined by this regulation.

(2) As delegated by the Director of the Army Staff (DAS), make decisions regarding the presentation team’s composition.

(3) Provide funding through Disposition of Remains funds for translating autopsy and investigative reports.

c. Ensure the Director, Casualty and Mortuary Affairs, coordinates the Army Fatal Incident Family Brief.

d. Ensure CMAOC provides all unredacted investigation reports of suspected suicides to the Army Suicide Prevention Program, DCS, G–1, Army Resiliency Directorate.

1–13. The Chief, Army Reserve

The Chief, Army Reserve ensures that the CG, U.S. Army Reserve Command will—

a. Develop programs within the U.S. Army Reserve (USAR) to support the Family brief policy defined in this regulation.

b. Establish implementing procedures within the USAR in support of this regulation for operational, training and/or friendly fire incidents, and confirmed Soldier suicides of Reserve Soldiers in active service.

1–14. The Surgeon General

The TSG ensures that the CG, U.S. Army Medical Command (MEDCOM) will—

a. For suicide cases, provide mental health behavioral specialist support to the AR 15–6 and AR 600–8–4 line of duty investigating officer, as required, to answer questions related to the Soldier’s state of mind and mental soundness at the time of the incident and any counseling that may have been obtained prior to the Soldier’s death.

b. Provide a behavioral health professional as a member of the presentation team. It is preferable for the behavioral health professional to have knowledge of the Soldier’s case, but not to have been previously involved in the Soldier’s treatment.

1–15. The Judge Advocate General

TJAG will disseminate guidance and implementing instructions to servicing staff judge advocates (SJAs) and legal advisors. Include guidance for establishing a POC for CMAOC within the servicing legal office who will be able to provide the status of AR 15–6 death investigations being conducted by the command and that fall under the purview of this regulation.

1–16. Chief of Chaplains

The Chief of Chaplains will—

a. Develop updates to proponent regulations to comply with this regulatory guidance.

b. Disseminate guidance and implementing instructions to senior chaplains.

c. Support, when requested by the designated presentation officer, the presence and participation of a chaplain at the Fatal Incident Family Brief.

1–17. Provost Marshal General

The PMG ensures the CG, U.S. Army Criminal Investigation Command (USACIDC) will—

a. Inform CMAOC of initiation of all USACIDC investigations involving deceased Soldiers or Department of Defense (DOD) and contract civilians who accompany the force, and provide electronic notification of the final investigative findings to usarmy.knox.hrc.mbx.tagd-cmaoc-codfab@mail.mil. Provide any new, releasable information concerning the circumstances of the death to CMAOC fatal incident section as soon as it is discovered. In addition, provide investigation updates to CMAOC at 30–day intervals.

b. Conduct ballistic analysis to determine whether a projectile or fragment is likely to be of U.S. or allied origin, when the AFMES requests.

c. Release final investigative results for fatal Class A accidents, suspected cases of friendly fire, and Soldier suicides to CMAOC when investigated by USACIDC.

d. Coordinate all USACIDC Family briefs with CMAOC prior to presentation. USACIDC briefs consist of Criminal

Investigation Division (CID) investigating personnel briefing the PNOK either in person or over the phone of the results of the CID investigation of the Soldier's death. This does not preclude USACIDC field elements from making direct coordination with Family's CAO to arrange for Family member interviews that are required as part of the ongoing investigation.

e. Through the USACIDC, Casualty Liaison Officer (CLO), inform the PNOK of any pending or ongoing USACIDC investigation and provide periodic updates of releasable information. The CAO will defer questions about the criminal investigation to the USACIDC CLO.

1–18. Commanders of Army commands, Army service component commands, and direct reporting units

The commanders of ACOMs, ASCCs, and DRUs will—

a. Develop programs within their respective organizations to support the Family brief policy defined in this regulation and designate an ACOM, ASCC, or DRU-level proponent for monitoring command compliance with this regulation.

b. Establish implementing procedures within the respective units for programs in support of this regulation for training and/or operational accidents and suicides for active component Soldiers and provide additional command guidance to subordinate activities as required.

c. Designate a point of contact (POC) for coordination of actions when notified by TAG.

d. Forward information regarding friendly fire incidents to the applicable combatant commanders (CCDRs) as the appointing authority for the legal investigation as per DODI 6055.07.

e. Forward information regarding suspected suicides to the applicable GCMCA as the appointing authority for the legal investigation as per AR 15–6.

f. Inform the nearest USACIDC element of the death.

g. Maintain the original and a copy of the AR 15–6 death investigation report in accordance with AR 25–400–2.

h. Ensure that lessons learned from the AR 15–6 death investigation are evaluated and incorporated into current practices.

i. Ensure that unredacted and redacted AR 15–6 investigation are provided to CMAOC.

j. Ensure that the colonel-level briefing officer complies with the requirements outlined in this regulation. The briefer will typically come from the deceased Soldier's chain of command and be an officer on the ground at the time of the incident.

k. Appoint casualty assistance officers (CAOs) for presentations. When possible, the CAO should be the same CAO appointed to assist the NOK from date of death through the Family presentation. This includes the CAOs for parents of married Soldiers.

l. Make appropriate disposition of the original statement of offer (SOO) in accordance with paragraph 5–3.

m. Provide coordination and assistance to CMAOC as requested by their representative.

n. Assist in coordination for a military chaplain in the event the chain of command responsible for the Family presentation is unable to provide one.

o. Ensure the CAO follows the Family member notification requirements set forth in AR 600–8–1.

Chapter 2 Army Policy

2–1. Purpose

The Army will present appropriate findings of fatal incident death investigations to the PNOK and will provide access to reports related to the death of a Soldier, a Federal civilian employee, civilian contractor, or civilian casualty in accordance with procedures outlined in this regulation.

2–2. Overall guidance for Family briefs

a. This regulation provides instructions for presenting the circumstances of fatal training and/or operational accidents and Soldier suicides to the NOK.

b. The Suicide Incident Family Brief Program is a commander's program under the umbrella of the Army Fatal Incident Family Brief Program. As with the Fatal Accident Family Briefs (addressed below), the death investigation appointing and/or approving authority, will assign a colonel-level (O–6) commander, or other colonel-level (O–6) designee to be the briefer. The briefer is most often the deceased Soldier's colonel or brigade level commander who will present appropriate findings to the Family. This level of leadership demonstrates the Army's depth of concern and the importance placed on the incident. The roles of TAG and CMAOC are to monitor the AR 15–6 death investigation as it progresses to approval, and then provide guidance and assistance to commanders. The CMAOC fatal incident case manager will help commanders coordinate the initial SOO (fig 5–1), and will advise commanders concerning the

content of the brief. The briefer will develop the brief from a template that will be provided by the fatal incident case manager from CMAOC.

c. For Fatal Accident Family Briefs, TAG is the designated Army Staff lead agency and is the delegated tasking authority to—

- (1) Direct the assembly of the presentation teams.
- (2) Alert and direct participation of support activities.
- (3) Oversee the execution and follow-up of the presentations.

d. The DAS is the approval authority for a USACR/SC representation at presentations.

e. For all fatal training, operational and/or friendly fire accidents, TAG, in coordination with the appropriate ACOM, ASCC, or DRU commander, and the death investigation appointing and/or approving authority, will determine when the Army will offer presentations to the PNOK. At a minimum, presentations will be offered for all fatal training, operational and/or friendly fire accidents, and confirmed Soldier suicides as investigated under the provisions of AR 15–6, AR 385–10, and this regulation. This does not limit TAG and the ACOM, ASCC, or DRU commander from offering presentations in other cases, especially when requested by the deceased or injured member’s Family. In all cases, AR 15–6 death investigations are the basis for PNOK presentations.

f. For all fatal training, operational and/or friendly fire accidents, the appointing and/or approving authority, or for deployed units, the appropriate ACOM, ASCC, or DRU, will assign a briefer (the remainder of this regulation will refer to the person assigned as the “briefer”). The briefer is most often the deceased Soldier’s colonel or brigade level commander who will present appropriate findings to the Family. Specific requirements will be outlined by TAG or a representative and be provided to the briefer along with pertinent Family member information. TAG will coordinate with, and convey information to, the support agencies, for example—

- (1) TJAG.
- (2) Office of the CPA.
- (3) CMAOC.
- (4) USACR/SC.

g. TAG will task for all additional support throughout the presentation period required by the commander or requested outside the authority of the ACOM, ASCC, or DRU chain of command, with the exception of USACR/SC personnel. Table 2–1 establishes the process and sequencing of events for Family briefs.

Table 2–1
Process for presenting causes of operational, training and/or friendly fire incidents and confirmed Soldier suicides

Condition	Action	Authority and/or responsibility
Fatal incident (training or operational accident, friendly fire or cases deemed high interest by CMAOC or confirmed suicide occurs).	Command identifies deceased Soldier. Command uses casualty-reporting channels to notify CMAOC.	Incident unit
Death is verified as a “fatal incident” or suicide.	Appoint AR 15–6 investigating officer (IO) if the death was a fatal incident or suspected suicide. Note: All safety investigations conducted by USACR/SC take precedence over AR 15–6 investigations. When manner of death is undetermined, only the finding of the AFMES or State medical examiner or local coroner will be the final determinant of whether the death is a confirmed suicide.	Appointing authority
Death is verified as a “fatal incident” or suicide.	Case is assigned to a fatal incident section case manager. Casualty Assistance Centers (CACs) assist CMAOC by securing state or local death certificates. CACs forward the death certificate via email to Casualty Support at: usarmy.knox.hrc.mbx.tagd-cmaoc-csb-casualty@mail.mil .	Fatal incident section chief, CMAOC
Safety/Criminal investigation initiated	USACR/SC IO will provide all requested factual data to the AR 15–6 investigation IO. USACIDC IO will provide all requested factual data to the AR 15–6 investigation IO.	USACR/SC, IO CID Special Agent

Table 2-1**Process for presenting causes of operational, training and/or friendly fire incidents and confirmed Soldier suicides—Continued**

AR 15-6 investigation in progress.	Provide updates on status of AR 15-6 to fatal incident section case manager every 30 days or as requested to CMAOC. Example of requested information to be provided to DA Casualty via usarmy.knox.hrc.mbx.tagd-cmaoc-cmab-investigations@mail.mil: —IO working the case. —At legal office for review. —Awaiting command approval. —Other, such as: returned to IO by legal or command; pending assignment of another IO; pending completion of USACIDC/other agency report.	Approval authority and/or supporting PAO and CMAOC.
AR 15-6 investigation report with executive summary is due.	Legal review of completed investigations. If investigation is not complete, request an extension.	Servicing SJA, IO, and appointing authority.
Approval authority takes action on findings and recommendations and signs AR 15-6 investigation.	Investigation complete.	Approval authority.
Approved AR 15-6 investigation submitted to CMAOC.	Signed unredacted 15-6 investigation is submitted to DA Casualty via usarmy.knox.hrc.mbx.tagd-cmaoc-cmab-investigations@mail.mil or directly to fatal incident section case manager.	Approval authority.
Approved AR 15-6 investigation is redacted.	Ensure information contained in the report(s) has been redacted within the principles of 5 USC 552 and 5 USC 552a had the PNOK asked for the information under 5 USC 552.	Approval authority.
PNOK signs SOO requesting Army Fatal Incident Family Presentation.	Fatal incident section case manager generates the general officer letter to the appropriate commander in order to identify the briefer to lead the presentation team. Fatal incident section case manager provides technical assistance to briefer and CAC/CAO concerning the scheduling of, and conduct of, the upcoming Army Fatal Incident Presentation.	DCS, G-1 or Chief of Staff.
O-6 briefer	Conduct training for the presentation team: —SJA and O-6 briefer reviews scripted presentation —Rehearse presentations —Subject matter experts (SMEs) prepare the presentation team	O-6 briefer
Presenting to PNOK	Conduct Army Fatal Incident Family Brief. (Distribute copies of redacted AR 15-6 investigation report to Family at time of presentation).	O-6 briefer
Address unresolved issues	Briefer develops an action plan to resolve all PNOK issues related to the conduct and content of the AR 15-6; complete and submit after action review (AAR) template within 10 days of briefing.	O-6 briefer

Chapter 3**Death Investigations conducted under AR 15-6****3-1. General**

a. Following a fatality, several investigations may take place including a criminal investigation, an AR 15-6 investigation, a line of duty investigation, and a safety investigation. These investigations should be closely coordinated to ensure the integrity of each investigation and prevent any adverse impact on the resulting legal proceedings. AR

385–10 determines which investigation has primacy. Information from the criminal investigation will be shared to the maximum extent possible without risking compromise of the criminal investigation. As such, the USACIDC retains the authority to withhold sensitive criminal information that would risk such compromise. The policies and procedures for conducting safety investigations are outlined in AR 385–10. The policies and procedures for conducting AR 15–6 death investigations are explained in AR 15–6. The policies and procedures for conducting line of duty investigations are explained in AR 600–8–4. If a conflict occurs between the investigations regarding access to the incident site, acquiring and examining evidence, and interviewing witnesses, safety investigations have primacy over all other investigations.

b. A spirit of cooperation is required to ensure that the AR 15–6 death investigator will have access to evidence.

c. In accordance with AR 385–10, the safety investigation may provide the AR 15–6 death investigator with copies of common-source factual information (for example, technical data, maintenance records, photographs, maps, diagrams, lists of witness names, and so forth). The content of witnesses' statements may not be provided, nor may the accident investigation board provide its findings, analysis, and recommendations to the AR 15–6 investigator. Additionally, while transcripts of relevant portions of voice recordings may be included in the accident report and released, this information may only be released for accident prevention purposes within the military. The safety board will allow the AR 15–6 investigator a reasonable amount of time to perform an accident scene investigation before disturbing the evidence by movement and disassembly. If this cannot be accomplished due to the urgency of the situation, the safety board must ensure that the scene is documented with photographs and a wreckage distribution (accident site) diagram, which will be made available to the AR 15–6 investigator. The safety board will inform the AR 15–6 investigator if it removes components for analysis.

3–2. Appointing authority

Refer to AR 15–6.

3–3. Initiating the AR 15–6 death investigation

Refer to AR 15–6.

Chapter 4

Reporting requirements and redacting investigation reports of deaths and fatalities

4–1. Reporting requirements

a. Army commanders who initiate or conduct investigations, including AR 15–6 investigations and line of duty investigations, into the cause or circumstances surrounding the death of a Soldier, DOD civilian, civilian contractor, and U.S. civilian who became a fatality while accompanying military personnel in the field or as a result of military-related action, will immediately notify the CMAOC. Use the casualty reporting system for unit-level investigations and directly contact CMAOC at (502) 613–8326 or usarmy.knox.hrc.mbx.tagd-cmaoc-cmab-investigations@mail.mil for agency-level investigations. Give CMAOC the—

- (1) Name of the unit, command, or agency conducting the investigation.
- (2) Type of investigation(s) being conducted.
- (3) Existence and releasability of reports that have been or will be issued as a result of the investigation(s).
- (4) Unit or command POC and contact information to provide the status of completion of the investigation report(s) at 30-day intervals until the report is complete.
- (5) Procedures for Family members to obtain a copy of the completed report(s), to the extent such reports may be provided consistent with Sections 552 and 552a, Title 5, United States Code (5 USC 552, 5 USC 552a) and to obtain assistance in receiving a copy of the completed report(s).
- (6) Procedures for Family members to obtain answers to their questions on the completed investigation report from a fully qualified representative.

b. Email monthly updates on the progress of the investigation(s) and the estimated completion date(s) to CMAOC at usarmy.knox.hrc.mbx.tagd-cmaoc-cmab-investigations@mail.mil. For criminal investigations, USACIDC will provide monthly updates to CMAOC. USACIDC may withhold information to protect the due process concerns of potential criminal defendants, 5 USC 552a concerns of other parties, the integrity of the investigation, and the viability of remaining investigation leads.

c. CMAOC will pass the information updates to the Family's CAO who, in turn, will ensure the Family is kept apprised of all aspects of the investigation(s). The CAO and USACIDC representatives providing information to the Family will coordinate their information before giving any briefings. Additionally, the CAO will help the Family—

- (1) Schedule an Army Fatal Incident Family Brief, when requested, for those categories of investigations that require a briefing offer.

(2) Request a copy of the investigation report in accordance with 5 USC 552 for those categories of fatality reports that are not required to be offered to the Family as part an out brief.

d. When the investigation is completed, commanders who have release authority (exclusive of commanders who command Headquarters, Department of the Army-level investigative agencies) will email a scanned copy of the unredacted investigation report to CMAOC so that CMAOC can compare the investigation results with the circumstances of the casualty previously reported to the Family. Send unclassified reports to usarmy.knox.hrc.mbx.tagd-cmaoc-cmab-investigations@mail.mil and classified reports to knoxhrcmaoc@conus.army.smil.mil.

4-2. Release of information

a. This regulation is not intended to provide the PNOK with information not otherwise releasable under 5 USC Sections 552 and 552a, as implemented by AR 25-55 and AR 340-21, respectively. Unauthorized or premature disclosure of information compromises the integrity of the AR 15-6 investigation and PNOK notification process.

b. Except as provided below, the release authority for information related to an AR 15-6 death investigation is the appointing authority.

(1) Reports that contain classified material must be marked and handled in accordance with AR 380-5.

(2) The SJA is the release authority for investigations conducted in accordance with AR 27-20. These investigations are normally claims investigations done with a view toward litigation.

c. After the release authority approves the release of information related to the AR 15-6 death investigation, the command and/or release authority will provide an unredacted and redacted copy to CMAOC and distribute it in coordination with the CMAOC, the command's servicing PAO, and the servicing SJA or legal advisor. The redacted report of the death investigation shall first be made available to Family members. If the report is ready for release at the time of the Fatal Incident Family Brief, the report shall be delivered at that time, if the Family brief is requested. If the offer for a Family brief is declined or if the redacted report of investigation is not ready for release at the time of the Family brief, the report will be made available to the Family members when ready for release. Following release to the PNOK, reports of AR 15-6 death investigations are distributed, when properly requested, in the following sequence:

(1) Interested offices within DOD and DA.

(2) Members of Congress, upon request, in accordance with AR 1-20.

(3) Members of the public and media, upon request, in accordance with AR 360-1.

d. The release authority will allow sufficient time for Army internal review (see table 2-1 of this regulation) and Fatal Incident Family Briefs presentations before permitting Congressional, media, and public releases.

e. Except as provided below, no one will disclose, release, or cause to be published any information related to an AR 15-6 death investigation without the approval of the release authority.

(1) Witnesses and respondents will be given a copy of their own sworn testimony, statements, or in cases where their interview is summarized, a copy of the memorandum memorializing the interview.

(2) Upon approval or other action on the report of proceedings by the appointing authority, the respondent or counsel will be provided a copy of the report in accordance with AR 15-6.

f. In order to ensure consistency in disclosure of information, the command will maintain a copy of the released AR 15-6 death investigation along with the original per AR 25-400-2. Under provisions of AR 385-10, reports of safety investigations must be maintained for at least 10 years.

g. All death investigation or fatality report findings will be briefed in person to the Family by a colonel-level briefer under the provisions of this regulation and will be delivered in person to the appropriate requesting Family member through the CAO. If the Family has requested a copy of the investigation report, release authorities must contact the investigation POC for CMAOC to coordinate hand delivery of the report through the CAO to the Family. The Family member requesting a report may waive the requirement for hand delivery.

h. A letter, prepared by the servicing SJA or legal advisor, will accompany the redacted version of the report delivered to the Family, and will explain, in general terms, the reasons for the redaction.

i. For deployed units and commands, the release authority's letter of transmittal of the report(s) to the Family should include this wording: "If you have questions about the enclosed report of investigation, please contact the Casualty and Mortuary Affairs Operations Center, Investigations Section by telephone at (502) 613-8326; by email at usarmy.knox.hrc.mbx.tagd-cmaoc-cmab-investigations@mail.mil; or by U.S. mail to Commanding General, U.S. Army Human Resources Command (KNOX-HRC-PDC-C), 1600 Spearhead Avenue, Department 450, (KNOX-HRC-PDC-C), Fort Knox, KY 40122-5405. That office will coordinate with this command to ensure that your questions are promptly answered."

j. Provide CMAOC with the name and contact information of a knowledgeable field grade officer to serve as the unit or command POC to address any questions the Family may have about the investigation results or processes.

k. For units and commands that are not deployed, the release authority's letter of transmittal of the report(s) to the Family should include the name and contact information of a knowledgeable field grade officer to serve as the unit or command POC who can address questions the Family may have about the investigation results or processes.

4-3. Friendly fire investigations and reporting requirements

a. Friendly fire is a circumstance in which members of a U.S. or friendly military forces are mistakenly or accidentally killed or injured in action by U.S. or friendly forces actively engaged with an enemy or who are directing fire at a hostile or what is thought to be a hostile force. For all incidents falling within the definition of friendly fire, the reporting command will notify the nearest USACIDC element and forward the information to the CCDR for action (note: DODI 6055.07 provides guidance on friendly fire investigations). The USACIDC is required to investigate these incidents as potential homicides until criminality can be ruled out as having contributed to the death. The criminal investigation should be closely coordinated with other investigations to include the AR 15-6, line of duty, and safety investigation.

b. Army units that suspect a possible friendly fire incident must promptly report the incident.

c. Follow these procedures whenever a unit encounters a suspected friendly fire incident:

(1) Reporting.

(a) To ensure the PNOK receives accurate information at the initial notification and whenever updates are available, units will report one of the following terms in “Inflicting Force,” “Unknown,” “Buddy” (U.S. Forces), or “Amigo” (Allied Forces) in the initial and/or supplemental casualty report. Include all information known about the incident, and confirm that an investigation is pending in “Circumstances.”

(b) In some cases, an incident is not initially determined to be friendly fire. Sometimes, the AFMES notifies CMAOC that friendly fire may have caused the death. In those cases, CMAOC will contact the CAC so the CAO can immediately inform the Family of the suspected friendly fire incident.

(c) When AFMES is the agent to first identify a suspected friendly fire incident, CMAOC will notify the reporting CAC and ensure that the unit involved provides a supplemental report.

(2) Final approval authority.

(a) The CCDR or his or her designee is the final approval authority for AR 15-6 death investigations of suspected friendly fire incidents.

(b) After the CCDR approves the AR 15-6 death investigation for release, CMAOC will request the GCMCA-level commander appoint the colonel-level briefer to present the facts and findings of the investigation to the Soldier’s PNOK. For USAR and ARNG Soldiers, CMAOC will coordinate with appropriate program managers at USAR and NGB levels for coordination of briefers.

(c) Upon completion of the Army Fatal Incident Family Brief, CMAOC will request that the reporting CAC submit a supplemental report to reflect any changes, based on the results of the investigation.

4-4. Unit-level redaction requirements and guidance for death investigation and fatality reports provided to surviving Family members

a. Death investigations and fatality reports provided to the Family members under the purview of this regulation do not require a 5 USC 552 request.

b. The redaction process is intended to protect the privacy of third parties who may be mentioned in the report and to safeguard information that pertains to national security or that would jeopardize unit operations and the safety of other individuals if made public.

c. The release authority cannot withhold information merely because it may be emotionally difficult for the surviving Family members to see or hear.

d. Potentially upsetting information should be segregated from the body of the report and made available in a separate sealed envelope that is clearly marked as potentially upsetting information. Examples of such content include suicide notes, accusations against Family members by the deceased individual or third parties, photographs or gruesome descriptions of the death scene, and any other content that the release authority deems to be potentially upsetting to the surviving Family members.

e. Before providing the investigation report(s) to the Family, ensure the information contained in the report(s) has been redacted within the principles of 5 USC 552 and 5 USC 552a, as if the Family requested the report(s) under 5 USC 552. Refer those sections of an investigation report that were generated by other agencies to those agencies for a release determination. For example, USACIDC reports should be referred to USACIDC, and medical reports should be referred to MEDCOM.

Chapter 5

Preparing for the Army Fatal Incident Family Brief

5-1. Incidents eligible for an Army Fatal Incident Family Brief

a. Presentations will be offered for all fatal training, operational accident, friendly fire accidents, and suicide cases. Presentations will be offered to the one adult qualifying as PNOK (those 18 years of age and older). For PNOKs under the age of 18, the adult custodian will determine PNOK’s ability to receive a face-to-face presentation.

b. Should an accident involve a Soldier attached to another military Service, follow the interservice participation guidance in DODI 6055.07.

c. TAG may consider any other incident that does not fall under a category listed above in subparagraph a, above, eligible for a presentation.

d. In general, accidents that are hostile, as defined by the DODI 6055.07, but do not occur as a result of engagement with the enemy, are required to be investigated and are eligible for presentations.

e. The unit commanders have discretion to provide the Family brief to the secondary next of kin (SNOK) parents.

5-2. Actions required after approval of the AR 15-6 death investigation

a. Once the AR 15-6 death investigation is approved, TAG will notify the approval authority of the requirement to conduct a presentation. The purpose of this initial notification is to—

(1) Alert the chain of command that an Army Fatal Incident Family Brief is required for the specified incident.

(2) Request that the appropriate brigade-level commander in the grade of colonel (or higher) be appointed as the briefer for the presentation.

(3) Establish a POC within CMAOC, as well as in the unit where the incident occurred.

b. In the event of multiple casualties, the approval authority of the investigation must be prepared to assign multiple briefers who meet the criteria of position and grade. Should an appointed briefer change command prior to the completion of the AR 15-6 death investigation and before the presentation is conducted, a replacement briefer who meets the position and grade criteria must be appointed.

c. The AR 15-6 investigation appointing and/or approving authority will maintain the lead in communicating with the AR 15-6 death investigator, the servicing SJA or legal advisor, and the supporting PAO.

d. With approved extensions, AR 15-6 death investigations can take several months to complete. Depending on the type of incident and the circumstances, it may be important to keep the PNOK and the public apprised of the progress of the investigation, to include status of search and rescue, recovery of remains, and salvage operations, where appropriate. Families typically have an ongoing desire to know as much as possible about their loved one's loss, and they have an expectation that they will be kept informed of the investigators' progress. These priorities suggest the nature of investigation information most commonly sought is facts that help the survivors understand the process and the expected completion date of the investigation. Commanders should additionally be aware that USACIDC will also be providing monthly updates, when a USACIDC investigation is concurrently occurring. It is important that coordination occurs between agencies, to include, but not limited to, USACIDC, Safety, and the AR 15-6 investigating officer to ensure the information given to Families is consistent, accurate, and credible.

e. In the event of an approved extension, the AR 15-6 death investigation approval authority is responsible for the release of status information from the investigations in the form of updates in accordance with AR 600-8-1. Should the possibility of public release be warranted, updated scripts for release of information will be prepared by the supporting PAO at the direction of the AR 15-6 death appointing and/or approving authority. Updates will include information concerning the progress of the investigation, but will not include any information relative to the results of the investigation. The appointing and/or approving authority's reviewing legal office will review each update to ensure that it contains no admission of liability, waiver of any defense, offer of compensation, or any statement that might jeopardize the Army's litigation posture. The script will be given to CMAOC who will instruct the CAO on its delivery to the PNOK. Once presented to the PNOK, CMAOC will confirm its delivery and the supporting PAO, in turn, will determine if there is a requirement to release the update publicly. If the update contains nothing significant for public release, the supporting PAO may decide not to conduct a public release, but continue to respond to queries. Information concerning the incident or the investigation may not be released to Congress, the media, or the public before it is presented to the PNOK.

f. The information provided to Families at the time of the presentation, or later in the form of updates, must be reviewed to ensure its release will not compromise the integrity of the investigative process. Nothing in this regulation is to be interpreted as permitting the release of privileged, limited-use safety investigation information under any circumstances. All such information must be clearly distinguished from "investigation information," which is purely factual and subjected to review and formal release approval.

g. Once the approval authority takes final action on the AR 15-6 death investigation report, the AR 15-6 report has been redacted, and the O-6 briefer has been identified, the CMAOC will prepare the SOO (fig 5-1) for a Army Fatal Incident Family Brief and the brigade-level or equivalent commander will prepare the SOO (fig 5-2) for confirmed Suicide Family Brief. Once drafted and signed, the CAO will provide the SOO to the PNOK for selections to be made. The PNOK can select or decline either or both of the following: to receive a presentation and/or to obtain a redacted copy of the AR 15-6 investigation report.



DEPARTMENT OF THE ARMY
U.S. ARMY HUMAN RESOURCES COMMAND
1600 SPEARHEAD DIVISION AVE
FORT KNOX, KY 40122

Casualty and Mortuary Affairs

Mrs. Jane Family-Member
1234 Ashton Avenue
Springfield, Illinois 55555-55555

Dear Mrs. Family-Member,

On behalf of the Department of the Army, I want to extend my heartfelt sympathy to you in the loss of your husband, Staff Sergeant Raymond B. Jackson.

The Commanding General, Headquarters Task Force X, Major General James M. Smithson, has reviewed, approved, and signed the investigation done under Army Regulation 15-6. As the Spouse and Primary Next of Kin, we want to offer you an opportunity to personally receive a presentation of facts surrounding your husband's death. The presentation team may consist of a senior leader from Raymond's chain of command, Department of the Army representative, your Casualty Assistance Officer (CAO) SFC Billie Lee and an Army Chaplain. Our intent is to provide the results of the incident investigation to you prior to releasing it for public disclosure.

If you would like to receive a personal presentation, a copy of the investigative report, or both, please indicate by selecting from the choices below.

Sincerely,

John H. Charging
Lieutenant Colonel, U.S. Army
Chief, Fatal Incidents and
Investigation Section

I wish to receive a personal presentation (place line here) Yes (place line here) No

I wish to receive a copy of the Collateral Investigation. (place line here) Yes (place line here) No

(place line here)
(Printed Name)

(place line here)
(Signature)

(place line here)
(Date)

Figure 5-1. Statement of offer of presentation



DEPARTMENT OF THE ARMY
U.S. ARMY HUMAN RESOURCES COMMAND
1600 SPEARHEAD DIVISION AVE
FORT KNOX, KY 40122

Casualty and Mortuary Affairs

Mrs. Jane Family-Member
1234 Ashton Avenue
Springfield, Illinois 55555-55555

Dear Mrs. Family-Member,

On behalf of the Department of the Army, I want to extend my heartfelt sympathy to you in the loss of your son, Staff Sergeant Raymond B. Jackson.

The Commanding General, Headquarters Task Force X, Major General James M. Smithson, has reviewed, approved, and signed the investigation done under Army Regulation 15-6. As the parent, we want to offer you an opportunity to receive a copy of the redacted report of investigation and autopsy report from the Armed Forces Medical Examiner that will give you an accurate accounting of the circumstances leading up to the incident which caused your son's death. Our intent is to provide the results of the incident investigation to you prior to releasing it for public disclosure.

If you would like to receive a redacted copy of the investigation, please indicate by selecting from the choices below.

Sincerely,

John H. Charging
Lieutenant Colonel, U.S. Army
Chief, Fatal Incidents and
Investigation Section

I wish to receive a copy of the Collateral Investigation. (place line here) Yes (place line here) No

(place line here)
(Printed Name)

(place line here)
(Signature)

(place line here)
(Date)

Figure 5-2. Statement of offer of investigation

h. Once the PNOK has signed the SOO, either accepting or declining the indicated options, the CAO transmits the SOO to CMAOC for fatal incidents, and to the unit for suicide cases, with a copy furnished to CMAOC. For fatal operational and training incidents, CMAOC will notify the briefer of the PNOK's decision and act upon any requests for reports or presentations made by the PNOK. For Army Fatal Incident Family Briefs, the CMAOC representative will begin coordination of the presentation. Where the case is a suicide, the unit will coordinate the presentation.

i. The PNOK who declines the presentation, but requests a copy of the AR 15-6 report of investigation, will receive a redacted report in accordance with information releasable under paragraph 4-2 of this regulation. The signed SOO, declining the presentation, will be filed in the casualty file by CMAOC and no further action will be required.

j. The PNOK who accepts the presentation offer will be scheduled for a presentation in accordance with table 2-1. The signed SOO accepting the presentation will be filed in the casualty record by CMAOC.

k. Between the period of receipt of the signed SOO and the time of the presentation, the following actions will occur:

- (1) Briefers, in coordination with CMAOC, will develop the composition of the presentation team in accordance with chapters 2 and 5 of this regulation.
- (2) The briefer will prepare and conduct training sessions and rehearsals for the presentation team.
- (3) The approval authority will provide a redacted and unredacted copy of all AR 15–6 death investigation reports to CMAOC.
- (4) The servicing SJA or legal advisor will conduct the legal review of all materials intended for use during rehearsals and the actual presentation.
- (5) The supporting PAO will prepare press releases with questions and answers in accordance with chapter 8 of this regulation.
- (6) The CAO will work with the PNOK, under CMAOC direction, to obtain a list of attendees to the presentation. This is the Family's presentation, and it is important to remember that the PNOK is free to request not only the date, time, and place for the presentation, but is also free to invite other persons to attend. Obtaining a list of intended invitees will enable the presentation team to determine the Family's intent to invite media or legal representation. Families must be permitted to do so, if they wish. The Army will not put conditions or limitations upon those whom the Family wishes to invite to the presentation. Should there be a known intent upon the part of the PNOK to have media or legal representation, TAG will determine whether or not a recommendation is appropriate for the AR 15–6 death appointing and/or approving authority to consider including PAO or Office of the Staff Judge Advocate representation to travel with the presentation team.
- (7) For Families who accept the presentation, the CAO will provide a written summary of the current climate within the Family called a Well-Being report. At a minimum, this will include a description of the Family's emotional, mental, and physical health; the Family's relationship with friends and other significant support groups; the current living arrangements; and any outstanding issues the Family has with benefits and entitlements. This may also include ongoing or new issues the Family may have that the team expects to address at the time of the presentation. The CAO will provide the completed Well-Being report to CMAOC, not less than 10 days prior to the scheduled presentation.
- (8) The CAO will conduct a reconnaissance of the area where the presentation will be conducted and recommend a hotel in the vicinity for the members of the presentation team. For training, operational, friendly fire accident presentations, the CMAOC will coordinate this information directly with the briefer. In the case of Suicide Family Briefs, the CAO will work with the O–6 briefer without going through CMAOC. If a General Services Administration vehicle is not available, rental vehicles may be used. Family members are generally responsible for arranging and providing their own transportation to the presentation location. Under no circumstances should presentation teams travel with the PNOK Family members in a privately owned vehicle. The CAOs should consult with their supporting travel office before permitting Family members to travel in General Services Administration vehicles.
- (9) The CMAOC will obtain the following information and assemble it in a packet for the briefer of a fatal incident:
 - (a) The Well-Being report prepared by the CAO.
 - (b) List of persons the PNOK intends to invite to the presentation. The list will be prepared by the CAO and will identify those listed by name and relationship to PNOK.

5–3. Composition of the presentation team

- a. At a minimum, the presentation team will be composed of the colonel-level briefer, the Family's CAO, chaplain (unless the NOK requests no chaplain presence), other SMEs, and for fatal training, operational and/or friendly fire accidents, a CMAOC representative where directed by TAG.
- b. If the chain of command cannot provide a chaplain, the supporting garrison or ACOM, ASCC, or DRU commander will coordinate with the local senior chaplain for chaplain support. Chaplains may invite the Family's preferred clergyman to accompany the presentation team; however, the local civilian clergy will not substitute for an Army chaplain.
- c. TAG will determine any other CMAOC representation, as needed. CMAOC's presence is meant to show DA-level concern and support, and to answer any questions that fall outside the parameters of the unit, its mission, and the incident investigation. A question that typically arises concerns other investigating agencies that may have been involved with the particular incident (for example, USACIDC, National Transportation Safety Board, Federal Bureau of Investigation, military police, other Service investigations, host nation investigations, and so forth). The only information eligible for dissemination in reference to these other investigating agencies is confirmation whether or not such investigations were conducted and information regarding how reports may be obtained.
- d. TAG will request USACR/SC personnel or members of the central accident investigation boards from the DAS if either is required.
- e. The briefer will consider the inclusion of a servicing SJA, legal advisor, or PAO representative when it is apparent that a Family has invited, or may invite, the local media or a Family legal representative to attend the presentation.
- f. The briefer will consider the inclusion of an interpreter, contracted with unit funds, if the PNOK or other attending Family members do not understand or speak English. Prior to issuing contracts for interpretation or translation of AR 15–6 death investigations, units should contact the DOD executive agency for contract linguists in

DCS, G-2, (DAMI-OP), 1000 Army Pentagon, Washington, DC 20310- 1000, to use an approved Army language contract or receive an exception to policy to contract locally.

g. For suicide cases, the briefer should consider consulting with a behavioral health professional before conducting the presentation to ensure all team members understand the terminology the briefer will use regarding medical diagnoses, medication or other medical terminology. Having a behavioral health professional available by phone is recommended when they cannot be present during the brief.

h. The briefer should consider other special experts, as appropriate, to participate either in the presentation or by telephone. Such experts could include a medical examiner from the office of the AFMES or the CLO from USACIDC.

5-4. Scheduling the Army Fatal Incident Family Brief

a. The PNOK will select a preferred date (provided window dates from CMAOC), time (primary and alternate), and location for the presentation. The best location for the PNOK to receive the presentation is the Family home. This tends to be where Families are most comfortable. However, Families may elect to receive the presentation at a location of the PNOK's choosing.

b. When feasible, for suicide incident presentations, the briefer should schedule the presentation to coincide with the final USACIDC investigation out-brief, both to minimize the potential traumatic effect on the Family, and to ensure the Army delivers a consistent message concerning the circumstances of the Soldier's death.

c. The PNOK's preferences will be passed through the CAO to CMAOC who will develop the schedule for approval by the briefer and for coordination with the supporting PAO. The goal is to conduct multiple briefs within the "3-day window" (refer to table 2-1 of this regulation), if reasonably possible and in accordance with the Family's desires. If necessary to schedule outside that "3-day window," TAG can approve request by the briefer for an extension.

d. The CAO will ask the PNOK, at the time of the presentation offer, to submit a primary and alternate date and time for the presentation. Particularly, if multiple Family briefs are to be scheduled, it will be necessary to have primary and alternate choices for CMAOC and, in the case of the Suicide Family Brief, the O-6 briefer, to facilitate the scheduling of all briefs as close together as possible in accordance with table 2-1. If Family desires cause the scheduling of multiple Family briefs to extend beyond that "3-day window," the schedule will be developed in accordance with the preferences of the Family. If this should be the case, the following must occur:

(1) When TAG has approved an extension, the unit is responsible for ensuring no public release until the Family can be briefed. Additionally, Families will be requested not to release information to the public until all Families have been briefed.

(2) For Families who require or request more than one week delay, beyond the "3-day window," the briefer must tell the Family that he and/or she will do everything within his or her ability to not allow press releases to occur. 5 USC 552 release to third-parties may occur prior to the presentation if delayed.

e. If this is a special interest case due to media involvement, and the AR 15-6 death investigation approval authority determines the presence of extraordinary circumstances, he or she may request an exception to the requirement for delivery of a copy of the AR 15-6 investigation report to the Family at the time of the presentation.

5-5. Funding for temporary duty travel

a. Travel expenses for military personnel and DA civilians comprising a presentation team will be provided by each participant's current unit of assignment.

b. There is no authorization to fund Family travel. Family members are responsible for their own travel. Consequently, every attempt should be made to accommodate presentations at the Family's convenience, such as in the hometown in which the Family resides.

Chapter 6 Conducting a Fatal Incident Family Brief

6-1. Responsibilities prior to the brief

a. Prior to departing for the scheduled presentation, the briefer will take charge of the presentation team and will schedule a time for a rehearsal with all team members present. The rehearsal provides the following:

(1) The opportunity for all presentation team members to hear the information prior to the official presentation.

(2) The opportunity for presentation team members to "role play" as Family members, asking tough questions in anticipation of the Family's concerns.

(3) The opportunity for the CAO to describe the area where the team will conduct the presentation (that is, the room, setting, entrance, pre-seated conversation with the Family, and so forth). The CAO will also review the current emotional, mental, and physical state of the Family with the rest of the presentation team.

(4) The opportunity for the briefer to practice prior to the official presentation.

b. The presentation team members will wear the Army service uniform during the presentation. In extraordinary

circumstances, the briefer may authorize different attire, particularly if so requested by the PNOK. If such is the case, arrangements and coordination prior to deployment must be made.

c. The briefer is responsible for creating the presentation, its style, and content.

d. The following are some suggested presentation styles that have worked effectively:

(1) *Dialogue with no notes, but with use of maps and diagrams of training areas.* This works well for briefers who are intimately familiar with the incident and the investigation and are not distracted by numerous interruptions. Graphs and maps are particularly helpful to orient the Family and are always received well.

(2) *Bullet presentation charts.* These work well also, as they tend to help the briefer stay focused during interruptions. If used, they must be reviewed and approved in advance by the servicing SJA. If the PNOK requests copies of the presentation charts, they must be left at the conclusion of the presentation. Formal presentations with elaborate graphics should not be used. The focus should be on the briefer, not the visual aide used.

(3) *Simple notes and an executive summary.* These are effective for reference. Written materials used must be reviewed and approved in advance by the servicing SJA or legal advisor, and copies should be left with the PNOK, if requested.

6-2. The presentation

a. The briefer's primary responsibility is to meet personally with the PNOK and deliver a thorough explanation of the releasable facts and circumstances surrounding the incident, as illustrated by the AR 15-6 investigation; to express a genuine care and compassion and to answer all the questions the Family may have during the presentation.

b. When differences occur in the findings of the various death investigations, the briefer should be prepared to present these differences and, through the use of SME, be able to offer reasons as to why those differences may exist. As feasible, during the presentation, an effort should be made to reconcile these differences.

c. The briefer will take the lead during the presentation. When it is appropriate to make the transition to the presentation, the briefer should avoid a military presenting technique. Instead, consider a conversational style to present the facts to the Family.

d. In an unclassified presentation, consistent with law and regulations, the briefer will, at a minimum, discuss the following areas:

(1) An explanation of the unit's missions that focuses on the Soldier's significant contributions to the unit, its mission, and the Army.

(2) An accurate account of the facts and circumstances that surrounded the incident. This portion of the discussion will focus on releasable results of the AR 15-6 death investigation report.

(3) An explanation of any corrective actions taken by the Army. Before the presentation, the briefer will thoroughly review all corrective actions with the servicing legal office for potential release to the NOK. Questions regarding the criminal investigation should be referred to the USACIDC CLO.

e. If the investigation report includes content that might be disturbing for one or more Family members to view, the briefer should acknowledge the existence of such information and explain that it will not be addressed during the presentation unless the PNOK requests that it be included. Graphic photographs are to be separately wrapped and labeled, "CAUTION: THIS ENVELOPE CONTAINS GRAPHIC PHOTOGRAPHS. VIEWER DISCRETION IS ADVISED."

f. At the conclusion of the presentation, the briefer will answer any questions the Family has, refer any issues outside his or her area of competence to participating SMEs, and ensure a prompt follow-up of unresolved issues. The goal of the presentation is to answer all questions and concerns the Family members have, while in their presence. Questions regarding the criminal investigation will be referred to the USACIDC CLO. The CMAOC representative will refer questions that cannot be answered by any team member to the appropriate concerning agency. Every attempt should be made to answer all questions and depart with no outstanding issues. However, if it is not possible to do so, the briefer will assure the Family of a prompt reply to unresolved issues. Previous arrangements with SMEs, to be on call for the purpose of answering questions from the Family during the Family brief, are essential.

g. During the presentation, the primary responsibility of the CAO is to act as a consoler to the Family. The CAO will take notes in the absence of the CMAOC representative, particularly capturing all the questions and concerns of the Family. He or she will make a special note of unanswered questions and unresolved issues that require follow-up actions. At the end of the presentation, the briefer should ask the note taker to read back all the unresolved issues to ensure they are well-documented and everyone is in agreement regarding the outstanding issues. The requirements of this paragraph may be waived on a case-by-case basis, if the Secretary of the Army determines that compliance with such requirements is not in the interest of national security.

6-3. Presence of advisors at the presentation

a. Families experiencing the loss of a loved one as a result of an operational and/or training accident or suicide frequently seek legal counsel and have an absolute right to do so. However, this could result in the presence of legal advisors at the presentation. Every attempt should be made to determine if there is intent on behalf of the Family to have legal advisors at the presentation. The presence of legal advisors and attorneys at meetings, the intent of which

are purely to provide information and support the Family, can affect the tone and atmosphere of the meeting itself. Even when the Family does not indicate intent to invite legal representation at the outset, it is still possible that legal representation will be present at the time of the presentation.

b. If a Family brief must proceed with a legal representative or private attorney present, but without Army legal advice or representation, the briefer must inform the PNOK that the presentation is strictly intended to provide information to the Family. Therefore, he or she can only respond to questions from the Family, not those of the attorney. If the attorney has a list of questions for the Family to ask, the briefer must offer to take the questions back to his or her servicing SJA or legal advisor for a response. The briefer should not attempt to answer questions that require an SME.

c. The same approach outlined in paragraph 6–3b must be used if the PNOK has media representation present, which was not communicated prior to arrival at the presentation location. The briefer must make very clear to both the PNOK and the reporter that the presentation team serves only to provide information to the PNOK and SNOK.. Any questions the reporter may have must be presented in writing for the briefer to pass on to his or her supporting PAO for a response.

d. If either scenario in paragraph 6–3b or *c* occurs, it is perfectly appropriate for the servicing SJA, legal advisor, or PAO to follow up directly with the PNOK’s legal or media representative. However, if that is the case, it is the briefer’s responsibility, prior to departing the presentation location, to ensure the PNOK knows to expect follow-up to legal or media questions from the servicing SJA, legal advisor, or the PAO directly with the PNOK’s legal or media representative. A POC for the PNOK’s legal or media representative must be obtained prior to departure.

6–4. Completion of the presentation

a. Immediately upon departure from the residence, the team should place telephone calls to the following personnel:

(1) The installation POC (if the presentation was on a military installation) to report completion and to provide a preliminary indication of how the presentation was received.

(2) The CMAOC to report completion of the presentation.

b. The CMAOC will inform HRC PAO, as necessary.

c. The team should review what transpired during the presentation and plan for quick resolution and follow-up of all outstanding issues with the Family. All team members should provide insight and observation to the briefer concerning the presentation.

d. Unresolved issues that fall outside the capability of the AR 15–6 appointing and/or approving authority or the ACOM will be directed to TAG, who will task appropriate organizations for a response and follow-up.

e. Within 10 working days of completion of presentation, the briefer will submit an AAR through the AR 15–6 approval authority (through the ACOM, ASCC, or DRU commander, as appropriate), to the CMAOC representative. TAG will task appropriate organizations to respond to any unresolved issues related to the presentation.

Chapter 7

Conducting Family Briefs for an AR 15–6 Investigation of a Confirmed Suicide

7–1. General

The purpose of the Suicide Incident Family Brief Program is to ensure that Families receive a full account of the circumstances surrounding the loss of their loved one, based on the circumstances identified during the AR 15–6 investigation. The program also serves to provide information about any corrective action(s) the unit has taken as a result of the releasable finding(s) and recommendation(s) of the completed investigation.

a. The Suicide Incident Family Brief Program is a commander’s program under the umbrella of the Army Fatal Incident Family Brief Program. As a starting point for organizing the Suicide Incident Family Brief, the designated briefer will use the policy in this regulation for conducting an Army Fatal Accident Family Brief to the PNOK. The CMAOC will help commanders coordinate the initial SOO and, upon request, will advise briefers concerning the content of the brief. The briefer will develop the brief from a template that will be provided by the CMAOC representative.

b. The briefer will request a legal review of the final version of the brief from the servicing SJA before the presentation date to make sure the brief contains no information that pertains to national security, would jeopardize unit operations, or would violate the provisions of 5 USC 552, 5 USC 552a, or the Health Insurance Portability and Accountability Act.

7–2. Composition of briefing team

a. The AR 15–6 investigation approval authority will appoint colonel-level commanders or other colonel-level designees to offer a briefing to the PNOK, and when practical, to the SNOK. The commander will follow paragraph

5–3 of this regulation regarding the composition of the other members of the briefing team. TAG will determine if CMAOC representation is needed.

b. At a minimum, the briefer will consult with a behavioral health professional before conducting the brief to make sure all team members understand the terminology the briefer will be using whenever a discussion of medical diagnoses, medications, and so forth, is likely.

c. The briefer should have appropriate SMEs available to participate by telephone when they cannot be on location during the brief. (For example, include the medical examiner, if the office of the AFMES conducted an autopsy or the civilian equivalent who has jurisdiction, or possibly the CLO from USACIDC.)

7–3. Coordination, scheduling, and conduct of Family brief

a. For Suicide Incident Family Briefs, the briefer will coordinate the completion of the AR 15–6 investigation and the Family brief offer with USACIDC to ensure that the investigation and presentation do not interfere with the conduct of the USACIDC investigation and to identify any discrepancies in the findings of the two investigations. When feasible, the briefer will schedule the Family brief to coincide with the final USACIDC investigation out-brief, both to minimize the potential traumatic effect on the Family and to make sure the Army delivers a consistent message concerning the circumstances of the Soldier’s death. Where simultaneous briefing is not possible, the briefer will coordinate with USACIDC to obtain any information concerning previous USACIDC briefings to the Family.

b. The briefer will offer the Suicide Incident Family Brief to the deceased Soldier’s PNOK and, when practical, to parents who are SNOK. When offering a Family brief to parents, the briefer should consider bringing all Family members to a neutral location for a single presentation, if Family dynamics permit.

c. At the end of the presentation, the briefer will respond to any questions from the Family, refer any issues outside his/her area of competence to participating SMEs, and ensure the prompt follow-up of unresolved issues. Although the goal is to try to answer all of the Family’s questions and concerns while in their presence, the briefer must be careful not to give false, inaccurate, or misleading information. It is preferable to require the Family to wait to receive accurate information at a later date than to offer misinformation during the Family brief.

d. Within 10 working days after the presentation is complete, the briefer will submit an AAR through the ACOM, ASCC, or DRU commander, as appropriate, to the CMAOC representative. TAG will task appropriate organizations to respond to any unresolved issues related to the presentation.

e. The briefer will identify issue(s) that remain unresolved for the Family and provide feedback that would be useful for other commanders preparing to conduct a Suicide Incident Family Brief. TAG will task appropriate organizations to respond to any unresolved issue(s) related to the presentation.

7–4. Special considerations

a. The briefer will exercise considerable caution to avoid blaming the Soldier, a Family member, or other individuals for the incident. Continuing emotions of anger and guilt are common. Because many Soldier suicides stem from relationship issues including issue(s) with or that affect the PNOK who is receiving the presentation, the briefer needs to consider special circumstances or dynamics in conducting a Suicide Incident Family Brief that would not be present when conducting Fatal Accident Family Briefs.

b. If the investigation report includes content that might be disturbing for one or more Family members to absorb, the briefer should acknowledge the existence of the information and explain that it will not be addressed during the briefing unless the PNOK requests that it be included.

c. When briefing relationship issue(s) as a potential contributing factor to the suicide, the briefer should keep the information general in nature and not place blame on any particular individual.

Chapter 8

Public Affairs Office Integration and Support

8–1. General

Servicing PAOs for appointing and/or approving authorities will publicly release information about fatal accidents and confirmed Soldier suicides as soon as possible, through standard press releases or press conferences at the installation level. Public releases will never occur prior to completion of the Family briefs and release to OCLL where requested. In accordance with public affairs doctrine, maximum disclosure of releasable information with minimum delay remains the overarching standard. Release of information on deceased or injured personnel, as defined for the purpose of this regulation, will be made within 5 USC 552 and 5 USC 552a constraints only after HRC PAO has confirmed completion of notification in accordance with AR 600–8–1 and completion of the Fatal Incident Brief.

8–2. Public affairs officer actions following a fatal military training or operational incident

a. The first appropriate Army PAO (based on geographical area of responsibility or the PAO for the applicable unit) with positive confirmation of an incident should “confirm the obvious” via press release and in statements to the media

that the incident occurred. After that initial release of information, the PAO should coordinate with higher headquarters for further guidance and announcements, especially after incidents involving a high number of casualties.

b. As soon as an incident has been confirmed, the ACOM should issue a subsequent (see subpara a, above) short, objective, non-speculative release providing the following information:

(1) Announcement that an incident occurred.

(2) Location and time of the incident.

(3) That names and addresses of deceased and injured will be withheld until the NOK of the casualties have been officially notified, in accordance with AR 600–8–1.

(4) That before official findings are available, a statement may be issued that “an investigation is being conducted to determine the facts surrounding the incident.”

c. As soon as HRC PAO officially releases the names and state of residence of the deceased or injured, and Congress has been notified, the supporting PAO of the units and/or organizations to which the casualties belong should release the names, along with the state of residence.

d. News media requests for information exceeding what is routinely released by supporting PAO will be handled as follows: For requests to interview Family members or for personal information about deceased or injured personnel, the supporting PAO will take the name and phone numbers of the reporters and pass the questions and contact information to HRC PAO. All such requests will be coordinated through CMAOC and the CAO assigned to the PNOK. The supporting PAO will be prepared to assist and advise PNOK should they desire PAO assistance.

8–3. Level of public interest

a. The sequence of notifications regarding the release of investigation results should occur as quickly as possible. This is especially important when a fatal accident involves large numbers of injured or deceased personnel, or when, for any other reason, significant public or national media interest is anticipated.

b. The HRC PAO is the release authority to the CPA. The CPA, in coordination with the respective ACOM PAO, will decide, on a case-by-case basis, the appropriate level for public release of information, while conveying a proper sense of concern and command attention to the media and the public.

8–4. Informing Members of Congress

Information Memorandums for Congress (IMCs) will be used to notify Congress. The IMC will contain the same core language as applicable press releases; be coordinated in advance with the CPA, OCLL, and the Office of General Counsel of DA; and will be issued no earlier than 48 hours prior to a scheduled press conference.

8–5. Release of the AR 15–6 investigation for public affairs purposes

a. The AR 15–6 investigation will be prepared for release in accordance with paragraph 4–2.

b. The AR 15–6 investigation report is only releasable to the media and public after confirmation that it has been provided to the PNOK, SNOK, members of DA and DOD, and to Congress, where requested. Provision to the PNOK cannot be confirmed until all Family briefs have been completed.

c. Information concerning accidents anticipated to be of significant public interest should be released to the media within one news cycle (usually 24 hours or less) after confirming Family briefs are completed and release to OCLL has occurred.

d. The time between an accident and confirmation of casualties could be hours. Do not withhold the immediate confirmation of what will often be obvious to the media and the public that an accident has occurred. Generally, the most effective initial release process will be two-tiered as follows:

(1) Immediately upon confirmation of an accident, a release confirms that a fatal accident has occurred, is under investigation, and more information will be provided when available.

(2) Once casualties are confirmed, state, “X number of Soldiers were killed, and X numbered injured in the (type) accident. It is under investigation, and further information is being withheld pending notification of NOK.”

e. In some cases, during an ongoing investigation, the appointing authority’s PAO may need to respond to queries. To preclude inappropriate release of investigation information, the PAO may be required to respond with a press release or statement. Generally, the correct response is to confirm, “We are aware of the reports. A thorough investigation of the accident/suicide is in progress, but has not been completed. We will not speculate about possible causes or factors in advance of completion of the investigation.”

8–6. Press conferences

a. Under no circumstances will any information relative to the results of the investigation be released to the media, Congress, or the general public, prior to the Family either declining or receiving the presentation. Refer to table 2–1.

b. If the respective approval authority of the AR 15–6 death investigation intends to brief Members of Congress or the local media following Family briefs, the approval authority must coordinate with the OCLL and Office of the Chief Public Affairs; he or she will make every effort to ensure presentations are consistent to all audiences.

c. If the appointing and/or approving authority for the AR 15–6 investigation determines the need for a press

conference, the press conference must be scheduled as soon as possible after Family briefs and release of information to Members of Congress, if appropriate. This may minimize the likelihood of misinformation or news leaks reaching the media or the public.

d. Memoranda for correspondents (MFC) should be provided no earlier than the day before the press conference (a few hours prior is usually sufficient). The MFC should identify only the subject of the press conference, the briefers, the date, time, and location of the press conference. The MFC should give no information about the investigation results.

e. Appropriate consideration should be given for selection of the senior briefer at the press conference. The appointing and/or approving authority's legal advisor, the investigating officer or president of the board of the AR 15-6 investigation (if a president was appointed), and any SME should be present at the press conference but should brief only in response to questions not addressed by the senior briefer. Prepared opening statements and proposed unit press releases should be coordinated in advance with public affairs, legislative, and legal advisors.

f. Units will make transcripts of the press conference available to the supporting PAO for dissemination to the media, to include posting on the PAO Web site, as soon as possible after the conclusion of the press conference. The final unit press release should be released in conjunction with the press conference.

Appendix A References

Section I Required Publications

AR 15-6

Procedures for Investigating Officers and Boards of Officers (Cited in paras 1-1, 1-5a, 1-6a, 1-6b, 1-6c, 1-6d, 1-6e, 1-6f, 1-14a, 1-15, 1-18e, 1-18g, 1-18h, 1-18i, 2-2b, 2-2e, 3-1a, 3-1b, 3-1c, 3-2, 3-3, 4-1a, 4-2a, 4-2b, 4-2c, 4-2e, 4-2e(2), 4-2f, 4-3a, 4-3c(2)(a), 4-3c(2)(b), 5-2a, 5-2b, 5-2c, 5-2d, 5-2e, 5-2g, 5-2i, 5-2k(3), 5-2k(6), 5-3f, 5-4e, 6-2a, 6-2d(2), 6-4d, 6-4e, 7-1, 7-2a, 7-3a, 8-5a, 8-5b, 8-6b, 8-6c, 8-6e, B-4c, B-4e, table 2-1.)

AR 385-10

The Army Safety Program (Cited in paras 1-6a, 1-6f, 2-2e, 3-1a, 3-1c, 4-2f.)

AR 600-8-1

Army Casualty Program (with change published in Army Directive 2009-02) (Cited in paras 1-18o, 8-1, 8-2b(3).)

Section II Related Publications

A related publication is a source of additional information. The user does not have to read it to understand this regulation.

AR 1-20

Legislative Liaison

AR 11-2

Managers' Internal Control Program

AR 20-1

Inspector General Activities and Procedures

AR 25-30

The Army Publishing Program

AR 25-50

Preparing and Managing Correspondence

AR 25-55

The Department of the Army Freedom of Information Act Program

AR 25-400-2

The Army Records Information Management System (ARIMS)

AR 27-20

Claims

AR 59-4

Joint Airdrop Inspection Records, Malfunction/Incident Investigations, and Activity Reporting

AR 340-21

The Army Privacy Program

AR 360-1

The Army Public Affairs Program

AR 380-5

Department of the Army Information Security Program

AR 600–8–4

Line of Duty Policy, Procedures, and Investigations

AR 630–10

Absence Without Leave, Desertion, and Administration of Personnel Involved in Civilian Court Proceedings

AR 638–2

Care and Disposition of Remains and Disposition of Personal Effects

Article 92, UCMJ

Failure to obey order or regulations (Available at <http://www.ucmj.us>.)

DODI 1300.18

Department of Defense Personnel Casualty Matters, Policies, and Procedures (Available at <http://www.dtic.mil>.)

DODI 6055.07

Mishap Notification, Investigation, Reporting, and Record Keeping (Available at <http://www.dtic.mil>.)

Health Insurance Portability and Accountability Act

Public Law 104–191, 110 Stat. 1936 (Available at <http://www.gpo.gov>.)

5 USC 552

The Freedom of Information Act (Available at <http://www.gpo.gov>.)

5 USC 552a

The Privacy Act (Available at <http://www.gpo.gov>.)

10 USC 1219

Statement of origin of disease or injury: limitations (Available at <http://www.gpo.gov>.)

Section III**Prescribed Forms**

This section contains no entries.

Section IV**Referenced Forms**

Unless otherwise indicated, DA forms are available on the Army Publishing Directorate Web site (<http://www.apd.army.mil>).

DA Form 11–2

Internal Control Evaluation Certification

DA Form 2028

Recommended Changes to Publications and Blank Forms

Appendix B**Internal Control Evaluation****B–1. Function**

The function covered by this evaluation is the Army Fatal Incident Family Brief.

B–2. Purpose

The purpose of this evaluation is to assist HRC, TAG, CMAOC, and commanders in evaluating the key internal controls listed. It is intended as a guide and does not cover all controls.

B–3. Instructions

Answers must be based on the actual testing of key internal controls (for example, document analysis, direct observation, random sampling, simulation, or other). Answers that indicate deficiencies must be explained and corrective action identified in supporting documentation. These internal controls must be evaluated at least once every 5

years. Certification that the evaluation has been conducted must be accomplished on DA Form 11-2 (Internal Control Evaluation Certification).

B-4. Test questions

- a.* Are AARs being received by CMAOC within 10 working days after briefing?
- b.* Are presentations being accomplished within 30 days of the PNOK's election to receive presentation?
- c.* Is requirement for CMAOC, Fatal Incident Section, to receive redacted AR 15-6's being followed by SJA offices?
- d.* Was the Family reassured (either verbally or nonverbally) of the Army's concern regarding the tragedy and is aware of the compassion of the Army leaders?
- e.* Was a thorough explanation of the redacted AR 15-6 investigation explained to the PNOK and other Family members designated by the PNOK?

B-5. Supersession

This evaluation is the initial internal evaluation for the Army Fatal Incident Family Brief.

B-6. Comments

Help make this a better test for evaluating internal controls. Submit comments to: Commander, U.S. Army Human Resources Command (AHRC-PDC), 1600 Spearhead Division Avenue, Fort Knox, KY 40122-5400.

Glossary

Section I Abbreviations

AAR

after action review

ACOM

Army command

AFME

Armed Forces Medical Examiner

AFMES

Armed Forces Medical Examiner System

AR

Army Regulation

ARNG

Army National Guard

ASA (M&RA)

Assistant Secretary of the Army (Manpower and Reserve Affairs)

ASCC

Army service component command

CAC

Casualty Assistance Center

CAO

casualty assistance officer

CCDR

combatant commander

CG

commanding general

CID

Criminal Investigation Division

CLL

Chief of Legislative Liaison

CLO

Casualty Liaison Officer

CMAOC

Casualty and Mortuary Affairs Operations Center

CPA

Chief, Public Affairs

DA

Department of the Army

DAS

Director of the Army Staff

DASAF

Director of Army Safety

DCS

Deputy Chief of Staff

DOD

Department of Defense

DODI

Department of Defense instruction

DRU

direct reporting unit

GCMCA

General Court Martial Convening Authority

HRC

U.S. Army Human Resources Command

IMC

Information Memorandum for Congress

IO

investigating officer

MEDCOM

U.S. Army Medical Command

MFC

memoranda for correspondents

NGB

National Guard Bureau

NOK

next of kin

OCLL

Office of the Chief of Legislative Liaison

PAO

public affairs officer

PMG

Provost Marshal General

PNOK

primary next of kin

POC

point of contact

SJA

staff judge advocate

SME

subject matter expert

SNOK

secondary next of kin

SOO

statement of offer

TAG

The Adjutant General

TJAG

The Judge Advocate General

TSG

The Surgeon General

UAS

Unmanned Aircraft System

USACIDC

U.S. Army Criminal Investigation Command

USAR

U.S. Army Reserve

USARC

U.S. Army Reserve Command

USACR/SC

U.S. Army Combat Readiness/Safety Center

USC

United States Code

Section II**Terms****Active Army**

a. The Active Army consists of (1) Regular Army Soldiers on active duty; (2) ARNG of the United States and USAR Soldiers on active duty except as excluded below; ARNG Soldiers in the service of the United States pursuant to a call; and all persons appointed, enlisted, or inducted into the Army without component.

b. Excluded are Soldiers serving on (1) active duty for training; Active Guard Reserve status; (2) active duty for special work; (3) temporary tours of duty for 180 days or less; and (4) active duty pursuant to the call of the President.

Briefer

The assigned commander who will present appropriate findings to the Family, most often the deceased Soldier's colonel or higher commander.

Class A accident

An Army accident in which (1) the resulting total cost of property damage is \$2 million or more; (2) an Army aircraft is destroyed, missing, or abandoned; or (3) an injury and/or occupational illness results in a fatality or permanent total disability. Note: Unmanned Aircraft System (UAS) accidents are classified based on the cost to repair or replace the UAS. A destroyed, missing, or abandoned UAS will not constitute a Class A accident unless replacement or repair cost is \$2 million or more.

Confirmed suicide

A suicide where in the Armed Forces Medical Examiner, or civilian equivalent who has case jurisdiction, has determined the manner of death to be suicide. This finding takes precedence over all other investigations.

Family member

Parents, spouses, adult children, and such other relatives as the Secretary concerned considers appropriate.

Fatal

Results in death of a Soldier, Federal civilian employees, civilian contractors or U.S. civilian.

Friendly fire

A circumstance in which members of the U.S. or friendly military forces are mistakenly, or accidentally, killed or injured in action by the U.S. or friendly force activity while engaged with an enemy, or while firing at a hostile force, or what is thought to be a hostile force.

Fatal Incident Brief

Comprehensive term that includes all categories of Army Chief of Staff mandated offer of a Family brief to a deceased active duty Soldier's PNOK that died as a result of: training and operational accidents, friendly fire/suspected friendly fire, confirmed suicides or high interest case.

Fatal Accident Brief

One of two subsets of Fatal Incident; term that includes mandatory offer of Family brief to PNOK of deceased active duty Soldier who died as a result of: training and operational accident, such as a government helicopter crash or government vehicle rollover, friendly fire/suspected friendly fire or high interest case.

Suicide Incident Brief

One of two subsets of Fatal Incident; term that includes mandatory offer of Family to PNOK of deceased active duty Soldier whose manner of death was "suicide" as listed on either a death certificate, autopsy report or other source document.

High public, press or congressional interest

Extremely visible articles or stories likely to get attention from congressmen and constituents. Demands immediate coverage by the Press.

Hostile casualty

A person who is the victim of a terrorist activity or who becomes a casualty "in action." "In action" characterizes the casualty as having been the direct result of hostile action, sustained in combat or relating thereto, or sustained going to or returning from a combat mission provided that the occurrence was directly related to hostile action. Included are persons killed or wounded mistakenly or accidentally by friendly fire directed at a hostile force of what is thought to be a hostile force. However, not to be considered as sustained in action and not to be interpreted as hostile casualties are injuries due to elements, self-inflicted wounds and, except in unusual cases, wounds or death inflicted by a friendly force while the individual is in absent-without-leave, deserter, or dropped from the rolls status or is voluntarily absent from a place of duty.

Joint service accident

A single accident involving two or more Services in which one or more service experience reportable injuries, losses or damages.

Mishap unit

The unit that the Soldier was performing on-duty activities with at the time of his or her death.

On-duty

Army personnel are on-duty when they are—

a. Physically present at any location where they are to perform their officially assigned work. (This includes those activities incident to normal work activities that occur on Army installations, such as lunch, coffee, or rest breaks, and all activities aboard vessels);

b. Being transported by DOD or commercial conveyance for the purpose of performing officially assigned work (this includes reimbursable travel in privately owned vehicles for performing temporary duty, but not routine travel to and from work).

c. Participants in compulsory physical training activities (including compulsory sports).

Operational-related death

Associated with active duty military exercise or activity occurring in a designated war zone or toward designated missions related to current war operations or military operations other than war, contributing directly or indirectly to the death of the Soldier.

Permanent total disability

Any nonfatal injury or occupational illness that, in the opinion of competent medical authority, permanently and totally

incapacitates a person to the extent that he or she cannot follow any gainful employment. (The loss or loss of use of both hands, feet, eyes, or any combination thereof as a result of a single accident will be considered as permanent total disability.)

Posthumous promotion

Promotion to a higher grade following a casualty's death, however, this promotion is not for pay purposes.

Primary next of kin

The legal NOK That person of any age, most closely related to the casualty according to the line of succession as defined in AR 600–8–1. Seniority, as determined by age, will control when the persons are of equal relationship.

Privileged safety information

Privileged safety information includes statements, reports, or testimony, given to a safety investigator or board pursuant to a promise of confidentiality and any direct references to any such statements or testimony elsewhere in the report. The findings, evaluations, analyses, opinions, conclusions, recommendations and other indicia of the deliberative processes of a safety investigator, safety investigation boards, endorsers and reviewers are also privileged safety information.

Redacted AR 15–6 report

An approved report of AR 15–6 investigation with information deleted in accordance with 5 USC 552 and 5 USC 552a for release to the PNOK, Members of Congress, the public, and media.

Respond to queries

A formal staffing process used by media and supporting PAO offices to answer questions from the public or external Press.

Special interest case

Having particular interest to some members of the public, certain groups of legislature, but not others. Requires deliberate attention and action by supporting public affairs offices.

Secondary Next of Kin

Any NOK other than the PNOK. The line of succession used to determine SNOK is the same line of succession used to determine PNOK, as per AR 600–8–1.

Training-related death

A death associated with a noncombat military exercise or training activity that is designed to develop a military member's physical ability or to maintain or increase individual/collective combat and/or peacekeeping skills, and is due to either an accident or the result of natural causes occurring during or within one hour after any training activity where the exercise or activity could be a contributing factor. This does not apply to DA Civilians participating in a wellness program.

Well-Being report

Written report, provided by DA Casualty, completed by the PNOK's CAO, is a written summary of the current climate within the Family, submitted to the briefer in advance of the Family brief. This report will include the CAO's general impression of the Family's emotional, mental, and physical health; the Family's relationship with friends and other significant support groups; the current living arrangements; and any outstanding issues the Family has with benefits and entitlements. This may also include ongoing issues or new rumors the Family may have that the team expects to address at the time of the presentation.

Section III

Special Abbreviations and Terms

This section contains no entries.

UNCLASSIFIED

PIN 104990-000