

Military Police

**Absentee
Deserter
Apprehension
Program and
Surrender of
Military
Personnel to
Civilian Law
Enforcement
Agencies**

Headquarters
Department of the Army
Washington, DC
28 September 2015

UNCLASSIFIED

SUMMARY of CHANGE

AR 190-9

Absentee Deserter Apprehension Program and Surrender of Military Personnel to Civilian Law Enforcement Agencies

This major revision, dated 28 September 2015--

- o Clarifies special category absentee and defector reporting requirements (para 2-3).
- o Clarifies high risk deserter reporting requirements (para 2-4).
- o Clarifies desertion under aggravated circumstances reporting requirements (para 2-5).
- o Adds instructions for requesting the Unique Federal Agency Number for armed escorting aboard commercial aircraft (para 4-1d).
- o Updates and changes the Military Police Reporting System module from the Centralized Operations Police Suite to the Criminal Investigation Command Information Management System, commonly referred to as DA Form 190-45-SG (Army Law Enforcement Reporting and Tracking System (ALERTS))(this is a system generated form) (throughout).
- o Updates guidance on the use of the DA Form 3975 (Military Police Report) to the law enforcement report memorandum for cases generated after 1 April 2015 (throughout).

Military Police

Absentee Deserter Apprehension Program and Surrender of Military Personnel to Civilian Law Enforcement Agencies

By Order of the Secretary of the Army:

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General, United States Army
Chief of Staff

Official:



GERALD B. O'KEEFE
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History. This publication is a major revision.

Summary. This publication covers provost marshal procedures and responsibilities for military personnel who are in an absentee or deserter status and for surrender of military personnel to civilian law enforcement authorities. This regulation implements DODI 1325.02.

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. This regulation is not applicable to Soldiers of the Army National Guard serving on annual training or full-time training duty status under the provisions of Title 32, United States Code. The

provisions of chapter 6 of this regulation apply only to Soldiers in the Active Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve who are sought by Federal, State, or local law enforcement officials. The authority of U.S. military officials to apprehend, detain, and deliver U.S. personnel to the authorities of a host nation or other foreign country are governed by the provisions of applicable international agreements, United States and host nation law, AR 27–50, and the directives of the overseas command.

Proponent and exception authority. The proponent of this regulation is the Provost Marshal General. 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 and identifies key internal controls that must be evaluated (see appendix E).

Supplementation. Supplementation of this regulation and establishment of command and local forms are prohibited without prior approval from the Provost Marshal General (DAPM–MPO–LE), Washington, DC 20310–2800.

Suggested improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQDA, Office of the Provost Marshal General (DAPM–MPO–LE), Washington, DC 20310–2800.

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

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Glossary

Chapter 1 Introduction

1–1. Purpose

This regulation outlines law enforcement responsibilities and prescribes policies for the Military Absentee and Deserter Apprehension Program.

1–2. References

See appendix A.

1–3. Explanation of abbreviations and terms

See glossary.

1–4. Responsibilities

a. The Chief, National Guard Bureau is responsible for establishing personnel policy for reporting and returning deserters to military control to fiscal officers of the Army National Guard.

b. The Deputy Chief of Staff, G–1 is responsible for establishing personnel policy on absentees and deserters and will—

(1) Coordinate with all appropriate agencies (Headquarters, Department of the Army; Office of the Provost Marshal General; installation provost marshals; United States Criminal Investigation Command; U.S. Army Intelligence and Security Command; and local law enforcement) when a defector is returned to military control (RMC).

(2) Evaluate statistical profile data provided by the Commanding General, U.S. Army Human Resources Command.

c. The Deputy Chief of Staff, G–2 will, upon notification of a special category absentee (SCA) or defector, ensure appropriate counterintelligence elements are notified to assist the provost marshal and to debrief the individual upon return to military control for counterintelligence purposes.

d. The Chief, U.S. Army Reserve is responsible for establishing personnel policy for reporting and returning deserters to military control by U.S. Army Reserve regional commands.

e. The Assistant Chief of Staff for Installation Management is responsible for establishing personnel policy on absentees and deserters and will ensure—

(1) Installation commanders return deserters to military control within their designated area of responsibility.

(2) Installation provost marshals/directors of emergency services (DESS) or deserter control officers (DCOs) assist commanders by receiving the criminal complaint for the offenses of absent without leave (AWOL) and desertion; compiling and maintaining statements, documentation, and evidence pertaining to the allegation; and forwarding DD Form 553 (Deserter/Absentee Wanted by the Armed Forces) to the U.S. Army Deserter Information Point (USADIP) for entry of a warrant into the National Criminal Information Center (NCIC) for the arrest of absentee Soldiers who meet the criteria for immediate classification as deserter. Procedures for entering local deserter warrants are located in the NCIC 2000 code manual. For additional assistance, contact the USADIP at (502) 626–3710 or email, knox.usadip.ncic@conus.army.mil.

f. The Provost Marshal General is responsible for establishing law enforcement policy and procedures for the military absentee and deserter apprehension program. The Provost Marshal General will—

(1) Exercise staff supervision over Army law enforcement activities.

(2) Integrate the apprehension program with the NCIC.

(3) Provide operational control of the NCIC elements at the USADIP for entry and monitoring of deserter warrants.

(4) Be the Department of the Army point of contact for the Federal Bureau of Investigation (FBI) on absentee and deserter apprehension policy matters.

(5) Exercise staff supervision over the law enforcement function of USADIP including—

(a) Verifying and documenting reports of desertion and RMC.

(b) Completing crosschecks against the Army enlisted master file, Joint Service Software, integrated Personnel Electronic Records Management System (iPERMS), and other data systems to prevent false apprehension.

(c) Completing coordination with the U.S. Army Crime Records Center (USACRC) and documenting criminal investigations pertaining to the reported absentee on the DD Form 553.

(d) Querying other Army automated personnel files to prevent mistaken reports of desertion.

(e) Providing a DD Form 553 and a DD Form 616 (Report of Return of Absentee) to military and civilian law enforcement authorities, to include the FBI when appropriate.

(f) Advising the U.S. Department of State, Deputy Assistant Secretary for Passport Services, of U.S. Army alien deserters who are known or suspected to have entered a foreign country, RMC, or are discharged in absentia.

(g) Entering and canceling wanted information on deserters by means of the FBI NCIC system.

(h) Notifying the Army Threat Integration Center (Insider Threat Hub) of all reported SCAs.

- (6) Ensure the installation provost marshal/DES office notifies the local counterintelligence office when a SCA is reported and when they are RMC.
- (7) Notify the Deputy Chief of Staff, G-2, when a defector is RMC.
- (8) Ensure the Commanding General, U.S. Army Criminal Investigation Command (USACIDC) has oversight of—
 - (a) Entering and clearing subjects of USACIDC investigations by means of the FBI, NCIC, wanted persons file.
 - (b) Coordinating retrieval of records through the Director, USACRC from other Federal agencies for SCAs.
 - (c) Maintaining, through the USACRC, all law enforcement records pertaining to absentee offenses in accordance with AR 190-45, to include the law enforcement report memorandum (generated from the report summary) for reports filed after 1 April 2015 or DA Form 3975 (Military Police Report) for reports filed prior to 1 April 2015; DA Form 2823 (Sworn Statement); subject photograph and fingerprints; and the completed DA Form 4833 (Commander's Report of Disciplinary or Administrative Action).
- g. The commanders of Army commands, Army service component commands (ASCCs), and direct reporting units (DRUs) will—
 - (1) Supervise the reporting and coordination of Army programs for the RMC of absentees, deserters, defectors, and SCAs.
 - (2) Ensure that the RMC of deserters are reported according to this regulation and AR 630-10 to end apprehension actions.
 - (3) Provide military police support for the return of SCAs and deserters from foreign countries to the continental United States (CONUS) when required.
 - (4) Assist in the return of Soldiers to overseas commands under Status of Forces Agreement.
 - (5) Ensure the unit commanders have primary responsibility to report Soldiers in AWOL, deserter, or RMC status to the provost marshal office (PMO)/DES or the DCO.
 - (6) Initiate the DD Form 553 for entry of warrant into NCIC.
- h. See additional responsibilities (chap 2, para 3-5, and para 6-3).

Chapter 2

Reporting Absentees

2-1. Absent without leave reporting

- a. The unit commander will—
 - (1) Notify the installation PMO/DES desk sergeant within 48 hours after a Soldier has been identified as AWOL.
 - (2) Report any Soldier as a deserter who meets the criteria described in appendix B and/or appendix C, or when information indicates the absentee's intent to permanently absent himself/herself from the unit or place of duty.
- b. The installation PMO/DES desk sergeant will, upon receipt of an AWOL report, initiate a law enforcement report in DA Form 190-45-SG (Army Law Enforcement Reporting and Tracking System (ALERTS) (system generated form)) according to AR 190-45, and query all law enforcement databases to confirm/deny any high risk caution indicators according to appendix C.

2-2. Deserter reporting

- a. The unit commander will—
 - (1) Immediately report an absentee as a deserter to the DCO (if applicable) or the PMO/DES (by means of DD Form 553) when one or more of the following applies:
 - (a) The facts and circumstances of the absence, without regard to the length of absence, indicate that the Soldier may have committed the offense of desertion, as defined in Article 85, Uniform Code of Military Justice (UCMJ, Art. 85) and the Manual for Courts-Martial, United States, Part IV, paragraphs 4, 6, and 9 (2012).
 - (b) The Soldier, without authority, has gone to or remains in a foreign country and, while in the foreign country has requested, applied for, or accepted, any type of asylum or resident permit from the country or any governmental agency.
 - (c) The Soldier meets the criteria outlined in appendixes B and C of this regulation.
 - (d) The Soldier escapes from pre-trial custody or confinement.
 - (e) The Deputy Assistant Secretary of the Army (Manpower and Reserve Affairs) and Director, Army Review Boards Agency has revoked the parole or Mandatory Supervised Release status of the individual.
 - (f) The Soldier remains absent for 30 consecutive days and is administratively dropped from the rolls (DFR) by means of DA Form 4187 (Personnel Action).
 - (2) In the remarks section of the DD Form 553, add any other known information about the Soldier such as:
 - (a) Attempts made to locate Soldier.
 - (b) Date next of kin letter sent.

- (c) Confirmed or suspected drug use/abuse.
 - (d) History of violence.
 - (e) History of escapes or attempted escapes from custody.
 - (f) Suicidal tendencies.
 - (g) History of other unauthorized absence(s).
 - (h) Recent deployments within the past 12 months.
 - (i) Data pertaining to any aliases or also known as (for example name and social security number).
- b. The DCO (if applicable) will—
- (1) Ensure that the unit commander has accurately completed the DD Form 553 by validating Soldier's information in personnel records systems (iPERMS and electronic military personnel office (eMILPO)).
 - (2) Ensure procedures in paragraph 2–3 are completed if absentee meets the criteria of appendixes B, C, and D of this regulation.
 - (3) Obtain a photograph of the absentee, if possible.
 - (4) Report absentees as deserters to the PMO/DES within 24 hours of receipt of the DD Form 553.
 - (5) Upon receipt of completed DD Form 553 from PMO/DES, forward to unit commander.
- c. The installation PMO/DES desk sergeant will—
- (1) Upon receipt of DD Form 553, update the LER adding the offense of desertion to a previously reported AWOL associated with this incident. If a LER was not previously prepared for this incident, the PMO/DES will initiate an LER to document both the AWOL and desertion offenses and all actions pertaining to this incident.
 - (2) Complete sections of the DD Form 553, adding any known information about the Soldier such as—
 - (a) Installation and state vehicle registration number.
 - (b) Criminal charges of violent crime(s) for which there is a record or an active investigation in which the absentee is a suspect or titled subject for violent crimes.
 - (c) LER number.
 - (3) Upload a copy of the DD Form 553 to the LER.
 - (4) Forward DD Form 553 to the USADIP for entry of warrant into NCIC.
 - (5) If applicable, return completed DD Form 553 to the DCO within 24 hours.

2–3. Special category absentee reporting

Soldiers who are SCAs may have had access to especially sensitive information prior to their absence and should be a high priority for apprehension and RMC. Due to the potential threat of the loss of classified information, all feasible and lawful actions which could reasonably lead to the apprehension of the SCA should be taken to safely return the Soldier to military control.

a. Commanders will immediately report the unauthorized absence of any SCA Soldier, by means of DD Form 553, to the installation PMO/DES desk sergeant. The submission of the DD Form 553 will not be delayed to complete the DFR packet.

b. Upon notification by the commander, the installation PMO/DES desk sergeant, in addition to immediately completing the procedures in paragraph 2–2, will:

(1) Notify USACIDC, the Army Threat Integration Center, supporting counterintelligence office, local FBI office, and local and State law enforcement agencies of the Soldier's absence and establish an investigative task force. The task force acts as the focal point in collecting and disseminating information obtained through investigative activity.

(2) Query the FBI, NCIC missing person, interstate identification index, and unidentified person files for a possible match using the absentee's identifying information (social security number, date and place of birth, and physical description) to determine if a warrant has been previously entered into the FBI, NCIC.

(3) Enter the Soldier into the NCIC database after determining no warrant has been previously entered for the Soldier. NCIC entries for PMO/DES operating outside the continental United States (OCONUS) are completed by sending a copy of the DD Form 553 to the appropriate provost marshal in the area of responsibility (USAREUR Provost Marshal Headquarters in Germany and 8th Army Provost Marshal Headquarters in Korea) or by emailing/faxing a copy of the DD Form 553 to USADIP.

(4) Request the assistance of the Director, USACRC, in obtaining pertinent information from security records maintained by other Federal agencies.

(5) Request assistance of the U.S. Department of State with identifying and suspending pending applications or existing passports due to the deserter offense. This includes transmitting a copy of the DD Form 553, by means of facsimile ((202) 663–2654) or express mail, to the U.S. Department of State (PPT/PAS/LA), 2201 C Street NW, Washington, DC 20520. A point of contact in the PMO must be provided to the U.S. Department of State.

(6) Request assistance from the nearest Air Force Office of Special Investigations to determine if the absentee has been granted passage on a U.S. Air Force Air Mobility Command flight. Notification is also made to Headquarters, U.S. Air Force to deny passage on an Air Mobility Command flight by calling the Air Force Office of Special Investigations, Scott Air Force Base, IL, Defense Systems Network (DSN) 576–5413 or commercial (618) 256–5413.

(7) Transmit an electronic alert through the National Law Enforcement Telecommunication System (NLETS) to broadcast within the State, a specific State, and/or regional broadcast (contiguous five States). The NLETS message must include the deserter's complete name, social security number, date and place of birth, physical description, and a statement that an entry has been made into the FBI, NCIC.

(8) Coordinate with the Office of the Staff Judge Advocate to obtain search warrants, court orders, or subpoenas for searches of the deserter's residence, financial, credit card, postal, telephone, insurance, housing utilities, civilian medical records, and access to commercial land, air, and sea transportation records.

(9) Transfer control of the FBI, NCIC entry when notified by the Chief, USADIP that the deserter packet has been received and the Chief, USADIP, is prepared to assume responsibility as the point of contact for verification of the deserter.

(10) Ensure the results of all investigative efforts and coordination are documented to include the name of person with whom the coordination was made and the date and time of the coordination.

(11) Ensure all reasonable and legal efforts are made to safely return the SCA Soldier to military control.

2-4. High risk deserter reporting

When a Soldier has been identified as having high risk caution indicators as in appendix C of this regulation, the—

a. Unit commander will—

(1) Coordinate with the installation DCO to complete DD Form 553 charging the Soldier with desertion and listing the High Risk Caution Indicator(s) in the remarks section.

(2) Notify the PMO/DES immediately and submit the DD Form 553 for warrant entry into NCIC.

b. Installation PMO/DES desk sergeant will—

(1) Initiate an LER charging the Soldier with desertion as the primary charge and AWOL as the secondary charge.

(2) Enter warrant into NCIC ensuring that the offense code entered is 0201 to signify "Military Deserter." NCIC entries for PMO/DES operating OCONUS, are completed by sending a copy of the DD Form 553 to the appropriate provost marshal in their area of responsibility (USAREUR Provost Marshal Headquarters in Germany and 8th Army Provost Marshal Headquarters in Korea) or by emailing or faxing a copy of the DD Form 553 to USADIP.

(3) Notify USADIP immediately by means of NLETS, and via email or telephone conversation to the originating agency identifier KYUSA0800 and provide the following information in the administrative message:

(*a*) 24/7 operator point of contact.

(*b*) Subject's name, social security number, date of birth, and parent unit.

(*c*) Date reported as a deserter.

(*d*) NCIC number.

(4) Transmit DD Form 553 to USADIP.

(5) Send copy of completed DD Form 553 to DCO and unit commander.

c. Chief, USADIP will—

(1) Verify the deserter's information by means of DA Form 190-45-SG, iPERMS, and eMILPO.

(2) Notify the originating installation PMO/DES to remove the warrant from NCIC.

(3) Re-enter the warrant into NCIC.

2-5. Desertion under aggravated circumstances

When a Soldier has been identified as a deserter under aggravated circumstances as in appendix D of this regulation, the—

a. Unit commander will—

(1) If applicable, coordinate with the installation DCO to complete DD Form 553 charging the Soldier with desertion and listing the UCMJ offense(s) that aggravate desertion in the remarks section.

(2) Notify the installation PMO/DES desk sergeant immediately and submit the DD Form 553 for warrant entry into NCIC.

b. Installation PMO/DES desk sergeant will—

(1) Initiate an LER charging the Soldier with desertion as the primary charge and AWOL as the secondary charge.

(2) Enter warrant into NCIC ensuring that the offense code entered is 0201 to signify "Military Deserter." NCIC entries for PMO/DES operating OCONUS, are completed by sending a copy of the DD Form 553 to the appropriate provost marshal in their area of responsibility (USAREUR Provost Marshal Headquarters in Germany and 8th Army Provost Marshal Headquarters in Korea) or by emailing/faxing a copy of the DD Form 553 to USADIP.

(3) Notify USADIP immediately by means of NLETS, and via email or telephone conversation to the originating agency identifier KYUSA0800 and provide the following information in the administrative message:

(*a*) 24/7 operator POC.

(*b*) Subject's name, social security number, date of birth, and parent unit.

(*c*) Date reported as a deserter.

- (d) NCIC number.
- (4) Transmit DD Form 553 to USADIP.
- (5) Send copy of completed DD Form 553 to DCO (if applicable) and unit commander.

c. Chief, USADIP will—

- (1) Verify the deserter's information by means of DA Forms 190–45–SG, iPERMS, and eMILPO.
- (2) Notify the originating installation PMO/DES to remove the warrant from NCIC.
- (3) Re-enter the warrant into NCIC.

2–6. Escaped military prisoner

When a military prisoner escapes confinement, the confinement facility will complete DD Form 553, as outlined in paragraph 2–2 above, ensuring information is properly annotated in block 11 and forward to Chief, USADIP, within 24 hours.

2–7. Parole/mandatory supervised release violators

Upon revocation of parole or mandatory supervised release, the Army Clemency and Parole Board will complete a DD Form 553–1 (Parole/Mandatory Supervised Release (MSR) Violator Wanted by the Armed Forces) as outlined in AR 15–130.

Chapter 3

Return to Military Control

3–1. Absentee apprehension efforts

The criminal offenses of AWOL and desertion are within the purview of the PMO/DES in accordance with AR 195–2. Investigation and documentation of the criminal complaint is a law enforcement responsibility. Proactive efforts by military law enforcement to physically apprehend the absentee will not generally be committed unless the provost marshal determines such efforts are warranted by specific circumstances. This does not preclude coordination with local, state or Federal law enforcement agencies to affect apprehension if evidence exists or is developed to indicate the absentee's location. Military police efforts will generally extend only to the documentation, investigation and collection of evidence regarding the offenses; any evidence the Soldier's absence was a result of foul play or the criminal actions of others; reporting information developed in the course of the investigation to USADIP to aid in the location and apprehension of the absentee; and providing a completed report to the absentee's commander for action. Examples of instances when proactive efforts are required to apprehend an absentee include—when the absentee Soldier is also wanted for charges in addition to or more serious than desertion as outlined in DODI 1325.02; when the Soldier is an SCA as defined in appendix B of this regulation; or when the Soldier is deemed by his/her commander to be at high risk of harming himself/herself or others. Investigative efforts must be documented on the LER or as an attachment and will include the following:

- a. Interviews of the complainant and any witnesses.
- b. Attempts to locate the subject by the unit, and PMO/DES
- c. Documentation and/or photographs of any indications of intent not to return.
- d. Coordination with the local police, hospitals and other attempts to locate the absentee.
- e. Any pending administrative or UCMJ actions.
- f. Any pending discharge actions.
- g. Any pending criminal investigations.
- h. NCIC or NLETS messages entered or received by the PMO/DES.
- i. Recent deployment history.
- j. Indications of potential for violence or threats to officer safety.
- k. Prior involvement in criminal activity.
- l. If the investigation develops any evidence that the absence is related to criminal activity or foul play, coordination with USACIDC will be reflected on the LER with the time, the date of the coordination, and the USACIDC response.

3–2. Verification of deserter status

a. When a person claims to be a deserter from the Army, the first receiving military authority must advise the person of his or her rights according to UCMJ, Art. 31, and provide as much of the following data as possible to the installation PMO/DES desk sergeant—

- (1) Name.
- (2) Social security number.
- (3) Date and place of birth.

- (4) Home of record.
- (5) Date and place of enlistment, date of alleged absence, and unit of assignment.
- b.* The installation PMO/DES desk sergeant will immediately complete a check of the NCIC and contact USADIP to confirm the deserter status. Deserter felony checks require—
 - (1) The full name of the person.
 - (2) Social security number.
 - (3) Date of birth.
 - (4) Place of birth.
 - (5) Military service number, if different from the social security number.
- c.* When necessary to establish identity, at the request of the Chief, USADIP, the installation PMO/DES desk sergeant will forward a DD Form 369 (Police Record Check) with a complete set of fingerprints to the Chief, U.S. Army Deserter Information Point (ATZK-PMF-D), Building 1481, Old Ironsides Avenue, Fort Knox, KY 40121-5238. The fingerprints must also be accompanied by a DD Form 616 in quadruplicate. In Item 9 of the DD Form 616 note “For Information Only—Fingerprints attached.” The Chief, USADIP forwards the fingerprint record to the FBI Identification Division, Washington DC 20537-9700, for fingerprint comparison and identification.
- d.* In the event the status of the individual cannot be immediately determined, the individual will not be detained. The installation PMO/DES desk sergeant will obtain information on how to contact the person once their status has been determined. On verification of status as absent or desertion, Chief, USADIP, provides instructions to the PMO/DES returning the individual to military control.
- e.* Coordination will also be made with the Installation DCO (if applicable).
- f.* If a determination has been made that the deserter is an SCA or is found to have classified information in his possession, the installation PMO/DES desk sergeant will notify the nearest Army counterintelligence field office.

3-3. Surrender or apprehension on parent installation

Upon an absentee surrendering to the original unit of assignment, the unit commander will immediately notify the installation PMO/DES desk sergeant of the absentee’s return. Upon apprehension of an absentee, or notification by a commander of an absentee’s return, the installation PMO/DES desk sergeant will—

- a.* Verify the deserter’s military status according to paragraph 3-2.
- b.* Process the absentee as a subject for the reported criminal offense of either AWOL or desertion, to include obtaining fingerprints, photographs, and/or other biometric data as required in AR 190-30.
- c.* Notify the USADIP immediately about the surrender or apprehension so coordination can be made between appropriate levels of command for RMC.
- d.* Ensures that a NCIC check is completed on each absentee to ensure absentee has no other outstanding warrants.
- e.* Coordinates with the local installation Criminal Investigation Division Command (CIDC) office to ensure that there is no USACIDC interest in the absentee.
- f.* Initiates a reference blotter entry reporting the absentee’s returned to military control status.
- g.* Prepare and submit a DD Form 616 to the Chief, USADIP. The USACRC control number assigned to the DD Form 553 must be included in the remarks section of DD Form 616.
- h.* Forward LER (law enforcement report memorandum) and DA Form 4833 (Commander’s Report of Disciplinary or Administration Action) with an appropriate suspense date through the appropriate field grade commander to the unit commander for action.
- i.* When the unit commander reports action taken to the installation PMO/DES desk sergeant on DA Form 4833, the installation PMO/DES desk sergeant finalizes the LER, DA Form 2804 (Crime Records Data Reference), and DA Form 4833 ensuring the USACRC control number assigned to the DD Form 553 is included on these forms and forwards copies to the Director, USACRC. The LER should include all attachments to include any sworn statements; subject photographs and fingerprints; and other documents obtained to establish the offense or affect the subject’s apprehension.
- j.* If the absentee has been assigned to a personnel control facility (PCF) or to another installation, the installation PMO/DES desk sergeant forwards a copy of the DA Form 4833, with an appropriate suspense date, and one copy of the law enforcement report memorandum to the PCF commander or installation commander processing the deserter.

3-4. Surrender or apprehension at other Army installations

If an Absentee Soldier surrenders to or is apprehended by a provost marshal other than at the parent installation—

- a.* The apprehending installation PMO/DES desk sergeant will—
 - (1) Immediately notify the USADIP with the date, time, and place of surrender/apprehension.
 - (2) Prepare and forward an information only LER, to document the apprehension and any subsequent supporting information, statements, or evidence obtained along with a copy of the DD Form 460 (Provisional Pass) (if issued), to the parent installation PMO/DES desk sergeant.

(3) Process the absentee as a subject and collect fingerprints, photographs, and/or biometric data as required in AR 190–30 when processing a subject of a criminal offense.

(4) Coordinate with the parent installation PMO/DES desk sergeant to determine if the absentee requires an escort in accordance with DODI 1325.02 A DD Form 460 (Provisional Pass) will not be issued for SCA, all SCA will be escorted.

(5) If no escort is required or requested by the commander, issue a DD Form 460, according to AR 190–45, and verbally order the Soldier to return to his/her proper station as determined by the parent installation. The DD Form 460 and transportation request will only be used instead of an escort if there is a reasonable expectation that the Soldier will comply and report as ordered. Electronic or express mail may be used to forward the DD Form 460 to the absentee. A DD Form 460 will not be required if the PMO/DES elects to return the Soldier through different means.

(6) Coordinate with the local installation CIDC office to ensure no USACIDC interest in the absentee exists.

(7) Complete NCIC check to ensure no civilian charges or warrants are pending.

(8) Coordinate with the USADIP to ensure completion of the DD Form 616. The USADIP will complete, with assistance from the apprehending installation, the DD Form 616 for all warrants entered into NCIC by the USADIP. If a local installation entered the current warrant, the installation entering the warrant will complete the DD Form 616 and the USADIP will assist with extradition as requested or needed.

b. The parent installation PMO/DES desk sergeant will—

(1) Update the LER associated with this incident, to report the apprehension and reflect the absentee Soldier's RMC.

(2) Obtain final SJA coordination and prepare a DA Form 4833.

(3) Forward the completed LER and DA Form 4833, with an appropriate suspense, through the field grade commander to the unit commander for action.

c. When the unit commander reports action taken to the installation PMO/DES desk sergeant on DA Form 4833, the installation PMO/DES desk sergeant finalizes the LER, DA Form 2804 (Crime Records Data Reference), and DA Form 4833 ensuring the USACRC control number assigned to the DD Form 553 is included on these forms and forwards copies to the Director, USACRC. The LER should include all attachments to include any sworn statements; subject photographs and fingerprints; and other documents obtained to establish the offense or affect the subject's apprehension.

d. The unit commander requesting return of the absentee is responsible for arrangements for escorting the absentee, with the assistance of the installation PMO/DES desk sergeant and the USADIP.

3–5. Surrender or apprehension off an Army installation

Commanders of activities not located on Army installation will—

a. Notify the senior commander or the PMO/DES of the Army installation whose area of responsibility includes the activity's location and provide the installation PMO/DES desk sergeant all available information on the absentee or deserter.

b. Ensure the installation PMO/DES desk sergeant process the absentee according to paragraph 3–3 as the apprehending PMO/DES.

c. If directed by the absentee's commander, and the absentee is not an SCA, issue a DD Form 460 and direct the person to proceed to the nearest Army installation with facilities for processing deserters. If appropriate, express mailing of DD Form 460 and a transportation request may be used. A DD Form 460 will not be issued to SCAs.

d. Forward a copy of the DD Form 460 to Chief, U.S. Army Deserter Information Point (ATZK–PMF–D), Building 1481, Old Ironsides Avenue, Fort Knox, KY 40121–5238.

e. Check to ensure that all absentees and deserters are returned to military control.

f. Ensure the unit commander requesting return of the absentee arranges for escorting the absentee, with the assistance of the installation PMO/DES desk sergeant. SCAs will be escorted.

3–6. Surrender at other Service Installation

When a deserter or defector is reported to have been returned to military control at another Service installation, the area installation PMO/DES desk sergeant arranges for return of the deserter to Army custody. The installation PMO/DES desk sergeant will process the absentee according to paragraph 3–3, as the apprehending PMO/DES.

3–7. Deserters and defectors in foreign countries

a. Army deserters and defectors in foreign countries are apprehended only in accordance with applicable Status of Forces Agreements or other stationing agreements, AR 27–50, U.S. and host country law, and the directives of the overseas command.

b. Direct coordination between all major overseas commanders, U.S. Air Force, U.S. Navy, U.S. Marine Corps, and CONUS installations are conducted to coordinate information for return of deserters or defectors to military control. Defectors and SCAs must be escorted from the time of their return to military control to the installation or PCF with area of responsibility for processing deserters. Deserters returned to military control are processed under procedures set

by the major overseas commander. The nearest Army Central Intelligence Office, if present, will be notified of the return of SCA or defectors.

c. When a deserter or defector is reported to have been returned to military control at another Service installation, the Army area provost marshal arranges for return of the deserter to Army custody. Maximum use of the DD Form 460 should be made. The Army area provost marshal ensures that a NCIC check is completed on each absentee, and coordinates with the local installation CIDC office to ensure that there is no USACIDC interest in the absentee.

d. When absentees and deserters in foreign countries are scheduled to depart or are to be deported from foreign countries, the military assistance advisory group, mission, or attaché notifies the Chief, USADIP, and if known, the appropriate major commander (ATTN: Provost Marshal). Notification should be completed in advance for coordination of operational military police actions. The notice includes—

- (1) Name, grade, and social security number of the absentee.
- (2) Date, time (local), and place of departure from the foreign country.
- (3) Mode of transportation and designation of the carrier.
- (4) Date, time, and place of arrival in CONUS or where United States authorities have jurisdiction to apprehend the absentee or deserter.
- (5) Unit in which the individual is or was last assigned.
- (6) Length of time in foreign country.
- (7) Physical and mental condition, and attitude of the absentee, or deserter.
- (8) Charges by military or civil authorities.
- (9) Intelligence interest.

3-8. Return of escaped military prisoner

a. When an escaped military prisoner is returned to military control, the installation PMO/DES desk sergeant—

- (1) Notifies the commander of the confinement or correctional facility from which the prisoner escaped.
- (2) Completes and forwards DD Form 616 to the Chief, USADIP.

b. Unless otherwise directed by Headquarters, Department of the Army (HQDA), Office of the Provost Marshal General (DAPM-MPD-CI), the commander of the installation to which the prisoner is returned provides guards and transportation to the nearest supporting confinement facility.

c. Escapees from other U.S. Army correctional activities are returned to the confinement or correctional facility from which the prisoner escaped unless otherwise directed by HQDA, Office of the Provost Marshal General (DAPM-MPD-CI).

d. The Chief, USADIP forwards a DD Form 616 to the recipients of DD Form 553.

3-9. Other armed Services deserters

a. Requests for status of alleged deserters from other armed Services may be made through an inquiry in the NCIC. When the response from the NCIC is negative, the following appropriate Service may be contacted—

(1) *U.S. Air Force.* Commander, U.S. Air Force Military Personnel Center, Randolph Air Force Base, TX 78150-6001, DSN 487-5118.

(2) *U.S. Navy.* Commander, Naval Military Personnel Command, Code NMPC-843, Washington, DC 20370-5643, DSN 224-2551 or commercial toll free, 1-800-336-4974.

(3) *U.S. Marine Corps.* Commandant of the Marine Corps, Corrections Branch (MHC), Headquarters, U.S. Marine Corps, Building 2008, MCCDC, Quantico, VA 22130-5000, DSN 278-3976.

b. When Army absentees or deserters are received from civil authorities in CONUS, all military absentees and deserters, regardless of the military Service to which they belong, are transported at the same time.

c. Unless there are specific arrangements among the military Services, the following applies when Army personnel take custody of absentees or deserters from civil authorities in CONUS:

(1) Notify the other military authorities in advance that the individual will be taken into custody and delivered to the nearest military installation having facilities to process absentees or deserters.

(2) When custody cannot be effected, notify the nearest installation of the Service concerned that the person will remain in civilian custody.

d. Absentees and deserters from the other Services and the Coast Guard may be received at any U.S. Army installation that has facilities for reception and custody. They are transferred immediately to the nearest appropriate installation of their Service.

3-10. Military detainee

a. A military detainee must be placed when civilian authorities are holding a Soldier and release of the Soldier is not imminent. The installation commander or provost marshal may initiate a detainee. The purposes for filing a detainee are to—

- (1) Officially inform civilian authorities that an Army Soldier is in their custody and military authorities want to assume custody at release.
- (2) Request military authorities are kept advised on the status of actions taken by civilian authorities.
- (3) Permit military authorities to monitor the person's military status while in civilian custody.
- b.* A detainer is cancelled when the person is released to military custody.
- c.* If an AWOL or DFR individual is being detained by civilian authorities the military police will—
 - (1) Notify the proper installation commander or coordination authority at once that the individual—
 - (a)* Is being detained by civilian authorities on civil or criminal charges.
 - (b)* Is committed to a civilian medical facility.
 - (2) Place a military detainer with the civilian law enforcement agency and inform the installation commander or coordinating authority of—
 - (a)* Changes or medical problems concerning the absentee.
 - (b)* Probable length of detention by civilian authorities.

3-11. Civilian detention facilities

Civilian detention facilities may be used to temporarily detain absentees, deserters, or escaped military prisoners that are pending transportation. Contracts providing for payment of actual costs for detention may be made with state or county jails that have been approved by the Bureau of Prisons and the installation Staff Judge Advocate (SJA) (U.S. Department of Justice information about approved facilities is available from the nearest U.S. Marshal's office). (See AR 190-47 for further guidance.)

Chapter 4 Escorts and Unique Federal Agency Numbers

4-1. Use of escorts

The return of absentees to military control is the responsibility of the parent unit. Commanders and installation PMO/DES desk sergeants must ensure that the most economical and efficient means are used to return surrendered or captured absentees to their parent unit or personnel control facility, as appropriate. For example, alternatives such as express mailing of DD Form 460 and a transportation request may be used instead of an escort, if there is a reasonable expectation that the absentee will comply.

- a.* The use of escorts should be used if—
 - (1) There is a reasonable expectation that the absentee will not comply.
 - (2) The absentee is a SCA according to appendix B of this regulation.
 - (3) The absentee is pending serious criminal charges or meets criteria as according to appendix D of this regulation.
 - (4) The absentee is in the custody of a civilian law enforcement agency that is not willing to assist in processing the absentee by mail or similar means.
 - (5) The absentee has classified information in his/her possession
- b.* When escorts are deemed necessary, consideration should be given to using noncommissioned officers from the parent unit before committing military police resources. If law enforcement personnel are used as escorts, they will contact the Federal Security Director, Transportation Security Administration, at the airport of departure, not later than 24 hours prior to departure.
- c.* All law enforcement officers who conduct escort operations will be issued a DA Form 7630 (Department of the Army Law Enforcement Escort Credential) prior to conducting the escort. The Installation PMO/DES commander will authorize the issuing of the DA Form 7630. The form will be issued by either the PMO/DES operations officer/sergeant (this task cannot be delegated). The DA Form 7630 can be downloaded from DA Form 190-45-SG and will be issued for no more than a 7-day period. The DA Form 7630 will be recovered by the PMO and/or DES operations officer/sergeant upon completion of the escort and destroyed. The PMO/DES operations officer/sergeant will maintain a log that reflects the name and grade of the law enforcement officer who is conducting the escort; the date of issue; the expiration date; the date of destruction; and the name and signature of the issuing official. Law enforcement escorts flying on commercial airlines must comply with Section 219, Part 1544, Title 49, Code of Federal Regulations (49 CFR 1544.219). Specifically, escorts must complete all necessary training and notification with the Transportation Security Administration before conducting armed escort operations on commercial aircraft. The DA Form 7630 will not be issued until such necessary training and notification is completed.
- d.* Transporting installations will submit their request for a Unique Federal Agency Number consisting of—
 - (1) A memorandum for record containing—
 - (a)* Name of Soldier being escorted.
 - (b)* Name of escorts and their credential number.

- (c) Location traveling from and destination.
- (d) Verification statement that all escorts have been trained in accordance with 49 CFR 1544.219 and 49 CFR 1544.221.
- (e) Signature block and signature of the Provost Marshal or Chief, DES.
- (2) A copy of the DA Form 7630 signed by the escorting officer.
- (3) A composite risk assessment.
- (4) Any additional paperwork pertaining to the Soldier being escorted (for example, confinement order and DD Form 616).
- (5) A scanned portable document format (PDF) and email all documents to usarmy.pentagon.hqda-pmg.list.LE@mail.mil.

4-2. Transportation

If commercial travel is necessary—

- a. The responsible transportation office will arrange for movement.
- b. Cost and speed of transportation are considered.
- c. International and CONUS travel is arranged only on United States commercial air carriers flying regularly scheduled routes, certified route carriers, supplemental air carriers, or charter air taxi operations.
- d. Military personnel escorting absentees or deserters must comply with commercial air carrier rules and with AR 190-47. If law enforcement personnel are used as escorts, they will contact the Federal Security Director, Transportation Security Administration, at the airport of departure, not later than 24 hours prior to departure.
- e. Expenses (transportation, reward payment, reimbursement to civilian law enforcement authorities) associated with the return of absentees or deserters to their proper station are chargeable to the Military Personnel, Army Appropriation Account.
- f. Commanders are authorized to make charges against these accounts for the transportation of escorts, and the deserter, and for payment of reward, or reimbursement when the returnee is delivered to an installation or detained for military authorities.
- g. The approving authority reviews paid travel and per diem vouchers for efficiency, economy, and accuracy in statements of travel performed. When feasible, one-day return travel should be used to reduce costs.
- h. Transportation expenses for use of guards or escorts to return absentees or deserters to their proper station or to military authorities are charged to the budget activity account 'Other Military Personnel Costs'.

Chapter 5

Payment of Rewards and Reimbursements

5-1. Rewards

- a. Receipt of an authorized communication, oral, or written (for example DD Form 553 and entry into the NCIC) from a military or Federal law enforcement official or agency, requesting cooperation in the apprehension, or delivery to military control of an absentee, or deserter wanted by the armed forces constitutes the basis for a reward.
- b. A reward can be paid to an eligible person or agency who apprehends and detains an absentee or deserter until military authorities assume control. The finance and accounting officer designated by the ACOM, ASCC, or DRU commander pays the claimant. If two or more eligible persons or agencies are entitled to a reward, the payee may divide the payment among the participants. Payment for an apprehension effected jointly by an eligible and ineligible person, or agency may be claimed by the eligible person, or agency. Ineligible persons may not share in payments.
- c. Payment of a reward to persons or agencies is authorized as indicated below—
 - (1) A reward for apprehension and detention of an absentee or deserter until military authorities assume custody.
 - (2) A reward for apprehension of an absentee or deserter and subsequent delivery to a military installation with facilities to receive and process absentees and deserters.
- d. The reward may not exceed the amount specified in the current defense appropriation act for—
 - (1) The apprehension and detention of absentees or deserters until military authorities take custody.
 - (2) The apprehension and delivery to military authorities of absentees or deserters.
- e. A reward or reimbursement for expenses is not authorized for an armed Service member, Federal government employees, a lawyer on whose advice an absentee or deserter surrenders, or when payment would violate public policy.

5-2. Reimbursement payments

- a. Reimbursement payments to official agencies is authorized when—
 - (1) A reward has been offered.
 - (2) Reimbursement is requested in place of a reward.

b. Reimbursement for reasonable and actual expenses may be made to more than one eligible person or agency. However, total reimbursement for the return of an absentee or deserter may not exceed the amount authorized for reward.

c. Dual payment (reward and reimbursement) relating to one absentee or deserter is prohibited.

d. Official transportation and personal services payment are not made for—

- (1) Transportation by official vehicle.
- (2) Personal services of the claimant.
- (3) Apprehension and detention not followed by return to military custody.

5-3. Documentation

a. Payment of reward or reimbursement for expenses is documented by processing Standard Form (SF) 1034 (Public Voucher for Purchases and Services Other Than Personal). The following information must be provided on SF 1034 or supporting documents:

- (1) Name, social security number, and last duty station (DD Form 553 or DD Form 616) of the absentee.
- (2) Date, place of arrest, and place of return to military custody (DD Form 616).
- (3) Signed statement by claimant that the agency qualifies for a reward under paragraph 5-1*a*, 5-1*b*, or 5-1*c*.
- (4) Statement signed by military representative documenting either of the following—
 - a.* Delivery to a military installation with facilities to receive and process absentees and deserters.
 - b.* Military custody assumed at a site other than a military installation or facility.

b. Army forms provided to claimants to support payment request. When required, military pay vouchers are prepared for absentees and deserters according to AR 37-104-4.

Chapter 6

Surrender of Military Members to Civilian Law Enforcement Officials

6-1. Overview

a. This chapter establishes provost marshal procedures and responsibilities for the surrender of Soldiers to civilian law enforcement authorities. It is the policy of the Department of the Army to cooperate with civilian authorities unless the best interest of the Army will be prejudiced.

b. Provost marshals assist in the delivery of a Soldier to civilian authorities according to this regulation and applicable personnel management regulations. AR 630-10 provides personnel management policies and procedures on the surrender of Soldiers to civilian authorities.

6-2. Continental United States

a. Generally, provost marshal activity is limited to ensuring that a military detainer is prepared and signed when surrendering a Soldier to civilian law enforcement officials (see para 6-1).

b. There is no statutory authority for a commander to deliver a Soldier to a bail bondsman or other surety. The surety must coordinate with the installation Staff Judge Advocate and the commander of the Soldier prior to attempting to apprehend the Soldier. To preserve peace and order on the installation, military police will accompany the surety to observe the surety taking custody of the Soldier.

6-3. Outside continental United States

a. In foreign countries, the authority of U.S. military personnel to apprehend, detain, and deliver U.S. personnel to civil authorities of foreign countries is governed by the provisions of international agreements, AR 27-50, and the laws of the host nation. The extent of the authority in a particular country is determined from directives published by the OCONUS ASCC or DRU commander.

b. The Chief, PMG (Operations Division) will—

(1) Coordinate approved requests for surrender of the Soldier with the civilian law enforcement agency or prosecuting attorney's office requesting surrender of the Soldier. Transportation costs of the Soldier from the point of debarkation are the responsibility of the requesting agency.

(2) Coordinate surrender of the Soldier with the felony warrant or extradition division of the civilian law enforcement agency or Federal law enforcement agency at the point of debarkation.

(3) Contact the CONUS installation provost marshal with area of responsibility for assistance in the surrender of the Soldier.

c. The ASCC provost marshal with area responsibility will—

(1) If requested by the General Court-Martial convening authority or designee, arrange escort of the Soldier to the point of embarkation or debarkation in CONUS.

- (2) Notify the Chief, PMG (Operations Division) of the following pertinent information:
 - (a) Departure date/time
 - (b) Flight number
 - (c) Name of the individual(s) who will escort the Soldier, if applicable.
- (3) If law enforcement personnel are used as escort, they will contact the Federal Security Director, Transportation Security Administration, at the point of embarkation or debarkation in CONUS, not later than 24 hours prior to departure.
 - d. The CONUS provost marshal with area of responsibility—
 - (1) Prepares a military detainer for the Soldier to be surrendered.
 - (2) Meets the aircraft, assists in the surrender of the Soldier, and presents the military detainer.
 - (3) Provides a copy of the detainer and attachment order to the commander of the PCF or the unit to which the Soldier will be attached.

Appendix A References

Section I Required Publications

AR 27–50

Status of Forces Policies, Procedures, and Information (Cited in para 3–7a.)

AR 15–130

Army Clemency and Parole Board (Cited in para 2–6.)

AR 190–30

Military Police Investigations (Cited in para 3–3b.)

AR 190–45

Law Enforcement Reporting (Cited in para 1–4h.)

AR 190–47

The Army Corrections System (Cited in para 3–11.)

AR 195–2

Criminal Investigation Activities (Cited in para 3–1.)

AR 630–10

Absence Without Leave, Desertion, and Administration of Personnel involved in Civilian Court Proceedings (Cited in para 1–4d(2).)

49 CFR 1544.219

Carriage of accessible weapons (Cited in para 4–1c.) (Available at <http://www.gpoaccess.gov/cfr/index.html>.)

MCM

Manual for Courts-Martial, United States (2012) (Cited in para 2–2a(1) (a).) (Available at <http://www.apd.army.mil/pdf/dfiles/mcm.pdf>.)

Section II Related Publications

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

AR 37–104–4

Military Pay and Allowances Policy

DODI 1325.02

Desertion and Unauthorized Absence (UA) (Available at <http://www.dtic.mil/whs/directives/>.)

UCMJ, Art. 31

Compulsory Self-Incrimination Prohibited (Available at <http://www.army.mil/references/UCMJ/>.)

UCMJ, Art. 85

Desertion (Available at <http://www.army.mil/references/UCMJ/>.)

Section III Prescribed Forms

Unless otherwise indicated, DA Forms are available on the Army Publishing Directorate Web site (<http://www.apd.army.mil>); DD Forms are available on the Office of the Secretary of Defense Web site (<http://www.dtic.mil/whs/directives/infomgt/forms/formsprogram.htm>).

DA Form 190–45–SG

Army Law Enforcement Reporting and Tracking System (ALERTS) (This is a system generated form.) (Prescribed in para 2–1b.)

DA Form 7630

Department of the Army Law Enforcement Escort Credential (Generated electronically through ALERTS) (Prescribed in para 4–1c.)

DD Form 616

Report of Return of Absentee (Prescribed in para 1–4.)

Section IV**Referenced Forms**

Unless otherwise indicated, DA Forms are available on the Army Publishing Directorate Web site (<http://www.apd.army.mil>); DD Forms are available on the Office of the Secretary of Defense Web site (<http://www.dtic.mil/whs/directives/infomgt/forms/formsprogram.htm>). SFs are available on the U.S. General Services Administration Web site (<http://www.gsa.gov/protal/forms/type/SF>).

DA Form 2028

Recommended Changes to Publications and Blank Forms

DA Form 2804

Crime Records Data Reference

DA Form 2823

Sworn Statement

DA Form 3975

Military Police Report

DA Form 4187

Personnel Action

DA Form 4833

Commander's Report of Disciplinary or Administrative Action

DD Form 369

Police Record Check

DD Form 460

Provisional Pass

DD Form 553

Deserter/Absentee Wanted by the Armed Forces

DD Form 553–1

Parole/Mandatory Supervised Release (MSR) Violator Wanted by the Armed Forces

SF 1034

Public Voucher for Purchases and Services Other than Personal

Appendix B**Special Category Absentee Criteria**

SCAs are Soldiers who had access within the 5 years preceding their absence to TOP SECRET, sensitive compartmented information, special access programs, and critical nuclear weapons design information; personnel who were assigned to a special mission unit; and personnel in the Department of the Army Cryptographic Access program. Included in this category are defectors; absentee Soldiers who travel to a country other than the one in which they were stationed; cases where there is evidence that the Soldier may be involved with a foreign intelligence service or terrorist organization; absentees who have been found to be in possession of classified information; and cases where there is

information that indicates that the Soldier is a potential terrorist or espionage associated insider threat or that he may leak classified information to unauthorized persons.

Appendix C

High risk caution indicators

C–1. Function

The function covered by this appendix is the identification of high risk caution indicators.

C–2. Purpose

The purpose of this checklist is to assist PMO/DES/DCO personnel and unit commanders in identifying if a Soldier is considered to be a high risk deserter.

C–3. Indicators

A Soldier is categorized as being a high risk deserter when one or more of the following cautions and/or medical conditions apply:

- a.* Armed and Dangerous (00)
- b.* Violent tendencies (05)
- c.* Martial arts expert (10)
- d.* Explosive expertise (15)
- e.* Known to abuse drugs (20)
- f.* Escape risk (25)
- g.* Sexually violent predator (30)
- h.* Heart condition (50)
- i.* Alcoholic (55)
- j.* Allergies (60)
- k.* Epilepsy (65)
- l.* Suicidal (70)
- m.* Medication required (80)
- n.* Hemophiliac (85)
- o.* Diabetic (90)
- p.* Other (01)
- q.* International Flight Risk (40)

Appendix D

Desertion under aggravated circumstances

D–1. Desertion under aggravated circumstances

Cases shall be considered as a desertion under aggravated circumstances when—

- a.* The deserter is a commissioned officer.
- b.* The deserter has had access to classified defense information at any point in time that, if disclosed, could jeopardize U.S. security interests.

D–2. Conviction of one or more offenses

Deserter is suspected of or has been convicted of one or more of the offenses under the UCMJ listed below—

- a.* Solicitation; Article 82
- b.* Assaulting or willfully disobeying superior commissioned officer; Article 90.
- c.* Insubordinate conduct toward warrant officer, noncommissioned officer, or petty officer; Article 91.
- d.* Failure to obey order or regulation; Article 92.
- e.* Misbehavior before the enemy; Article 99.
- f.* Subordinate compelling surrender; Article 100.
- g.* Captured or abandoned prop; Article 103.
- h.* Aiding the enemy; Article 104.
- i.* Spies; Article 106
- j.* Riot or breach of peace; Article 116

- k.* Murder; Article 118.
- l.* Manslaughter; Article 119.
- m.* Rape and sexual assault generally; Article 120.
- n.* Stalking; Article 120a.
- o.* Rape and sexual assault of a child; Article 120b.
- p.* Other sexual misconduct; Article 120c.
- q.* Robbery; Article 122.
- r.* Maiming; Article 124.
- s.* Sodomy; Article 125.
- t.* Arson; Article 126.
- u.* Extortion; Article 127.
- v.* Assault; Article 128.

Appendix E

Internal Control Evaluation

E-1. Function

The function covered by this checklist is the administration of AWOL and deserters.

E-2. Purpose

The purpose of this checklist is to assist assessable unit managers and internal control administrators in evaluating the key management controls outlined below. It is not intended to cover all controls.

E-3. Instructions

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

E-4. Test Questions

- a.* Are procedures in place to ensure that all AWOL Soldiers are reported to the PMO?
- b.* Are procedures in place to ensure that all deserters are reported to the PMO, as well as the installation deserter control officer, and the military pay office?
- c.* When a deserter returns to military control at an installation other than the parent installation, are procedures in place to ensure that the parent installation is notified?
- d.* Are all requests for surrender to civil authorities coordinated through the Office of the Provost Marshal General (DAPM-MPO-LE)?

E-5. Suppression

No previous management control evaluation checklist exists for this program.

E-6. Comments

Help to make this a better tool for evaluating internal controls. Submit comments to: HQDA, Office of the Provost Marshal General (DAPM-MPO-LE), 2800 Army Pentagon, Washington, DC 20310-2800.

Glossary

References and Terms

Section I

Abbreviations

ALERTS

Army Law Enforcement Reporting and Tracking System (DA Form 190–45–SG)

AWOL

absent without leave

ASCCs

Army Service component commands

ATTN

attention

CIDC

Criminal Investigation Division Command

CIMS

Criminal Investigation Division Command Information Management System

CONUS

continental United States

DES

Director of Emergency Services

DFR

dropped from the rolls

DIS

Defense Investigative Service

DRUs

direct reporting units

DSN

Defense Systems Network

EMF

enlisted master file

eMILPO

electronic military personnel office

FBI

Federal Bureau of Investigation

HRC

U.S. Army Human Resources Command

HQDA

Headquarters, Department of the Army

iPERMS

integrated Personnel Electronic Records Management System

LER

Law Enforcement Report Memorandum

MSR

mandatory supervised release

NCIC

National Crime Information Center

NLETS

National Law Enforcement Telecommunication System

OCONUS

outside Continental United States

PCF

personnel control facility

PDF

portable document format

PMO

provost marshal office

RMC

return to military control

SCA

special category absentee

UCMJ

Uniform Code of Military Justice

USACIDC

U.S. Army Criminal Investigation Command

USACRC

U.S. Army Crime Records Center

USADIP

U.S. Army Deserter Information Point

Section II**Terms****Coordinating agent**

A person within a staff agency of CONUS command or CONUS installation who is responsible for coordinating and monitoring the absentee and deserter program.

Desertion

A violation of UCMJ, Art. 85. It applies to—

Any member of the armed forces who without authority goes or remains absent from his unit, organization, or place of duty with intent to remain away therefrom permanently; quits his unit, organization, or place of duty with intent to avoid hazardous duty or to shirk important service; or without being regularly separated from one of the armed forces enlists or accepts an appointment in the same or another one of the armed forces without fully disclosing the fact that he has not been regularly separated, or enters any foreign armed service except when authorized by the United States; is guilty of desertion.

Any commissioned officer of the armed forces who, after tender of his resignation and before notice of its acceptance, quits his post or proper duties without leave and with intent to remain away therefrom permanently is guilty of desertion.

Any person found guilty of desertion or attempt to desert shall be punished, if the offense is committed in time of war,

by death or such other punishment as a court-martial may direct, but if the desertion or attempt to desert occurs at any other time, by such punishment, other than death, as a court-martial may direct.

Deserter control officer

A commissioned officer (normally a battalion or unit adjutant) appointed in desertion cases to ensure that documentation on deserters dropped from the rolls is provided in a timely manner.

Detainer

A written notice to civil authorities that a person in their custody is an absentee of the Army or serving on active duty with the Army and that military authorities desire to take custody on release.

Dropped From the Rolls of a unit

An administrative action that drops an absentee from the strength accountability of a unit.

Dropped from strength

A strength accounting procedure used to exclude personnel from the operating strength of the Army.

National Crime Information Center

A computerized police information system established by the Federal Bureau of Investigation to serve participating law enforcement agencies.

Personnel Assistance Point

Agencies of the U.S. Army Human Resources Command located at aerial ports of embarkation or debarkation to assist Army transient personnel in route to or returning from overseas.

Personnel Control Facility

An organization that processes absentees' returned to military control from an unauthorized absence. These facilities ensure proper disposition of returnees.

Special category absentee

A Soldier reported AWOL who had access to Top Secret, Sensitive Compartmented Information, or Special Access Program information during the last 12 months or is currently assigned to a special mission unit.

Special mission unit

A unit assigned a mission of such extraordinary sensitivity as to require specific management, oversight, and employment consideration.

Unavoidable absence

An unauthorized absence that happened through no fault of the absentee and no fault of the Government.

Unit

An organization, agency, or activity.

Unit commander

The commander of an absentee's or deserter's unit of assignment or attachment.

U.S. Army Deserter Information Point

The focal point within the Army for controlling, verifying, accounting, and disseminating data on individuals administratively classified as deserters.

Section III

Special Abbreviations and Terms

This section contains no entries.

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