



# 417th Base Support Battalion *Commander's Policy*

Policy Number: 10-1

Proponent: AETV-WG-P

Date: 22 October 2003

SUBJECT: Release of Detainees

**1. REFERENCES:** UCMJ Manual for Courts Martial, 1994 edition, Articles:

- a. Art. 111, Drunken or Reckless Driving.
- b. Art. 112, Drunk on Duty.
- c. Art. 134 (76), Incapacitation for performance of duties

**2. PURPOSE:** To announce the 417th Base Support Battalion (BSB) Commander's policy on release of detainees. This policy is intended to ensure the chain of command gets immediate, first-hand knowledge of the apprehended individual's condition, as well as all the incident facts.

**3. SCOPE:** This policy applies to all units within the 417th BSB footprint.

**4. POLICY:** Effective immediately:

a. Military service members are to be released in the personal custody of their first-line commander (e.g. company, battery, troop, detachment). If the first-line commander is unable to respond, the desk sergeant shall be informed of another designated, responsible member of the unit chain of command (e.g. First Sergeant, Platoon Leader, etc.) who is at least one rank higher than the detainee, to personally receipt for the soldier. Members of the chain of command receipting for detainee will ensure that the detainee will be provided with any necessary medical treatment.

b. Civilian detainees (including family members, DoD civilian employees, NAF and AF employees), are to be released to the military sponsor or adult family member. Adult civilian detainees may also be released on their own recognizance (absent any medical reasons or administrative requirement for continuing detention). Whenever practicable, desk sergeants will, as appropriate, notify the military sponsor's first-line commander (or supervisor in the grade of GS-11 or above) prior to release. If this is not practical, the military sponsor's commander (or supervisor in the grade of GS-11 or above) will be notified during the course of the first duty day following the detainee's release.

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c. Civilian detainees apprehended by host nation authorities shall not be released without the express, advance approval of the apprehending authority.

**5. PROPONENT:** 417th BSB Provost Marshal's Office, 355-8952.



THOMAS H. FASS  
LTC, EN  
Commanding