



DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY RESERVE COMMAND
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AFRC-JAM (600)

NOV 12 2024

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Commanding General Policy # 24-11: Military Justice Policy

1. References.

- a. HQ USARC, AFRC-CG Memorandum (Commanding General Policy #20-12: Military Justice Policy), 25 September 2020.
- b. Army Regulation (AR) 27-10 (Military Justice).
- c. Manual for Courts-Martial United States (2024 Edition).
- d. Reserve/OSTC Integration Standard Operating Procedure.
- e. AR 20-1 (Inspector General Activities and Procedures).

2. Reference 1a is rescinded effective immediately.

3. Applicability. This policy applies to all Regular Army and Army Reserve personnel assigned or attached to U.S. Army Reserve Command (USARC), but it does not create any rights or privileges for individual Soldiers.

4. Commanders will ensure that servicing Judge Advocates (JAs) immediately discontinue use of MJO NeXt RC and transfer all open cases to MJO NeXt AC. MJO NeXt AC is the single tool in the U.S. Army Reserve for creating, processing, and managing Soldier-subject law enforcement investigations (other than minor traffic accidents), administrative reprimands, administrative separations, nonjudicial punishment proceedings pursuant to Uniform Code of Military Justice (UCMJ), Article 15, and courts-martial. Commanders will ensure that servicing JAs use MJO NeXt AC in accordance with AR 27-10, paragraph 14-1. **Use of MJO NeXt AC (MJO) is mandatory.**

5. The Office of Special Trial Counsel (OSTC) is responsible for supporting the investigation and prosecution of Covered Offenses, which are defined by Article 1(17), UCMJ. Commanders will ensure any allegation of a Covered Offense by a military subject is entered into MJO. OSTC will then determine whether to exercise its authority over the offense and any other known or related offenses or to defer the offense(s) to the Command. OSTC will notify commands of its determination.

AFRC-JAM (600)

SUBJECT: Commanding General Policy # 24-11: Military Justice Policy

6. Commanders are reminded they must immediately report ANY allegation of a Covered Offense to the Criminal Investigation Division (CID). CID, not the command, is responsible for investigating such allegations. Commanders will also ensure timely reports of Article 120 offenses to the responsible Sexual Assault Response Coordinator (SARC) and their servicing legal advisor.

7. Commanders are reminded that, in accordance with reference 1e, all allegations of impropriety by a general officer, promotable colonel, member of the civilian SES, and any other DA civilian employee of comparable grade or position, must be reported directly to The Inspector General of the Army (TIG), through supporting IG offices, within 2 working days of receipt of an allegation. Reporting an incident of impropriety during an ongoing criminal or equal opportunity investigation to the U.S. Army CID, or to a higher commander or equal opportunity officer, does not eliminate the reporting requirement to TIG, or allow commanders to investigate the allegations.

8. Tracking misconduct after initial entry into MJO:

a. Commanders will ensure their respective Office of the Staff Judge Advocate (OSJA)s/Command JAs are updating MJO regularly. This tracking system is critical for military justice purposes across the Army Reserve.

b. Commanders, through their supporting OSJAs, will provide updates through MJO until the command takes final action on the case, and the case is closed, e.g., "closed without further action", reprimand (including final filing determination), non-judicial punishment and punishment imposed, or other disposition. OSJAs will report disposition/adjudication of the action on their final update concerning that action.

9. Disposition of Allegations. I expect commanders to address and dispose of misconduct allegations on a case-by-case basis, in consultation with their legal advisors, considering such nonexclusive factors as the relative seriousness of the offense; extenuating, mitigating, or aggravating circumstances; and commanders' responsibilities to maintain good order and discipline within their formations.

a. The authority for USARC commanders to convene special and general courts-martial is generally withdrawn pursuant to AR 27-10, paragraph 20-8b; however, I have authority to convene special courts-martial and may delegate this authority on a case-by-case basis. Commanders who are otherwise qualified as convening authorities may exercise their other regulatory responsibilities or authorities, such as filing reprimands, authorizing investigative subpoenas, and disposing of UCMJ, Article 138 (Complaints of wrongs) and Article 139 (Redress of injuries to property) matters.

b. For cases that commanders believe should be disposed of by general or special courts-martial, servicing legal advisors will consult with their Circuit Military Justice Litigator, who

AFRC-JAM (600)

SUBJECT: Commanding General Policy # 24-11: Military Justice Policy

will then facilitate coordination with the USARC OSJA, Military Law Division and the Regular Army as appropriate in order to expedite potential courts-martial processing.

c. Disposition of any Covered Offense that OSTC has deferred is reserved to general officer commanders who have a servicing judge advocate legal advisor available to them. However, in accordance with reference 1c, commanders cannot refer OSTC-deferred Covered Offenses to a General or Special Court-Martial.

10. This policy is effective upon the date of signature and remains in effect until suspended or rescinded in writing.

11. Point of Contact for this memorandum is the USARC, Military Law Division, at usarmy.usarc.usarc-hq.mbx.usarc-osja-mj@army.mil.



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