

Army Regulation 638–34

Casualty and Mortuary Affairs

Army Fatal Incident Family Brief Program

**Headquarters
Department of the Army
Washington, DC
26 April 2023**

UNCLASSIFIED

SUMMARY of CHANGE

AR 638–34

Army Fatal Incident Family Brief Program

This major revision, dated 26 April 2023—

- o Adds records management (recordkeeping) requirements (para 1–5).
- o Clarifies that Army personnel are not authorized to pay for travel expenses incurred by Family members invited by the primary next of kin (para 1–6*b*).
- o Supersedes and incorporates Army Directive 2019–34 by expanding circumstances under which presentations of death investigations will be offered (paras 1–7*a*(1) through 1–7*a*(8)).
- o Adds the Fatal Incident Section case manager positioned in the Casualty and Mortuary Affairs Operations Division under The Adjutant General Department at United States Army Human Resources Command (para 1–7*d*).
- o Updates responsibilities (paras 1–8, 1–10, 1–11, 1–13, 1–14, 1–16, 1–18, and 1–19).
- o Updates purpose (para 2–1).
- o Clarifies guidance and policy for fatal incident and suicide incident Family briefs (para 2–2 and tables 2–1 and 2–2).
- o Clarifies reporting requirements (paras 4–1 and 4–2).
- o Updates mandatory procedure on death investigation and fatality reports provided to eligible surviving primary next of kin and secondary next of kin (para 4–3*a*).
- o Expands release of information policy (para 4–4).
- o Updates policy for preparation of the fatal incident Family brief (chap 5).
- o Updates guidance on statements of offer (figs 5–1 and 6–1).
- o Adds policy on pay and allowances for National Guard or Reserve personnel who comprise a presentation team (para 5–5*c*).
- o Adds policy for preparation of the suicide incident Family brief (chap 6).
- o Clarifies language on the presentation of the briefs (para 7–2).
- o Updates policy on public affairs office integration and support (chap 8).

Effective 26 May 2023

Casualty and Mortuary Affairs
Army Fatal Incident Family Brief Program

By Order of the Secretary of the Army:

JAMES C. MCCONVILLE
General, United States Army
Chief of Staff

Official:



MARK F. AVERILL
Administrative Assistant to the
Secretary of the Army

History. This publication is a major revision.

Summary. This regulation prescribes policies that govern Army fatal incident Family briefs of investigations conducted pursuant to AR 15–6 into fatalities caused by military training, operational, or friendly fire accidents; hostile incidents; or confirmed suicides. It expands the Department of the Army policy for releasing results of AR 15–6 death investigations into the facts, findings, and recommendations of the cause of death conducted by all Army activities.

Applicability. This regulation applies to the Regular Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve while serving on active duty.

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 requirements.

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 app B).

Supplementation. Supplementation of this regulation and establishment of agency, command, and installation forms are prohibited without prior approval from the Deputy Chief of Staff, G–1 (DAPE–ZA), 300 Army Pentagon, Washington, DC 20310–0300.

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–P), Fort Knox, KY 40122–5405.

Distribution. This regulation is available in electronic media only and is intended for the Regular Army, the Army National Guard/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 policies and procedure for presenting Army Fatal Incident Family briefs on releasable facts, findings, and recommendations of investigations conducted under Army Regulation (AR) 15–6 into a Soldier’s death resulting from a military training, operational, or friendly fire accident; hostile incident; or confirmed suicide. These presentations are offered to a Soldier’s primary next of kin (PNOK) and other Family members invited by the PNOK, as defined in Department of Defense instruction (DoDI) 1300.18. This regulation also provides a model for unit and organization 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 incident Family briefs. The policy and guidance provided in this regulation is for Army personnel. It does not create any substantial privilege or procedure, right, or benefit enforceable by any party against the United States, its departments, agencies, officers, employees, or any other person.

1–2. References and forms

See appendix A.

1–3. Explanation of abbreviations and terms

See the glossary.

1–4. Responsibilities

Responsibilities are listed in section II of chapter 1.

1–5. Records management (recordkeeping) requirements

The records management requirement for all record numbers, associated forms, and reports required by this regulation are addressed in the Records Retention Schedule–Army (RRS–A). Detailed information for all related record numbers, forms, and reports are located in Army Records Information Management System (ARIMS)/RRS–A at <https://www.arims.army.mil>. If any record numbers, forms, and reports are not current, addressed, and/or published correctly in ARIMS/RRS–A, see DA Pam 25–403 for guidance.

1–6. Intent

The intent of this regulation is to—

- a.* Establish Army policy and procedures that provide standard processes 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, operational, or friendly fire accidents; hostile incidents; or confirmed Soldier suicides to the PNOK and other Family members invited by the PNOK. Likewise, there is no authorization to fund travel for Family members invited by the PNOK to attend the brief.
- c.* Establish policy and procedures for commanders to fully brief PNOK on the circumstances of the incident surrounding the death of a Soldier.
- d.* Provide guidance to commanders on reassuring PNOK of the Army’s concern, commitment, and compassion regarding their loss.

1–7. Concept

a. Presentations of death investigations will be offered for fatal training, operational, or friendly fire accidents; hostile incidents; and confirmed Soldier suicides investigated under the provisions of AR 15–6 and this regulation for the following circumstances:

- (1) Class A military training or operational accidents resulting in the death of a Soldier.
- (2) A death associated with a noncombat military exercise.
- (3) A training-related death during or within 1 hour after any training activity due to an accident or natural cause, where the exercise or activity could be a contributing factor to the cause of death.

- (4) Deaths resulting from any of the following hostile incidences:
 - (a) Any action against the United States.
 - (b) Any action with an opposing armed force of a foreign country in which the Armed Forces of the United States are or have been engaged.
 - (c) While serving with friendly forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party.
 - (d) The result of an act of any such enemy of opposing armed forces.
 - (e) The result of an act of any hostile foreign force.
 - (f) The result of an international terrorist attack against the United States or a foreign nation friendly to the United States.
 - (g) As a result of military operations while serving outside the territory of the United States as part of a peacekeeping force.
- (5) A death resulting from friendly fire where members of a United States or friendly military force are mistakenly or accidentally killed or wounded in action by United States or friendly forces actively engaged with an enemy, or who are directing fire at a hostile force or what is thought to be a hostile force.
- (6) Death of a Soldier where there is anticipated litigation for or against the Government or a Government contractor.
- (7) Death of a Soldier where there is probable high public interest.
- (8) All Soldier death cases where the Armed Forces medical examiner (AFME) or civilian equivalent has determined the manner of death to be suicide.
 - b. Periodic updates while the AR 15–6 death investigation is ongoing will be provided to the PNOK and other Family members designated by the PNOK. 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 fatal incident Family brief of the results of the AR 15–6 death investigation will be delivered to the PNOK and other Family members invited by the PNOK before results are released to other next of kin (NOK), Congress, allied and partner forces, the media, or the public.
 - d. Fatal incident Family brief presentations are coordinated by the Fatal Incident Section (FIS) case manager positioned in Casualty Incident Section, Casualty and Mortuary Affairs Branch, Casualty and Mortuary Affairs Operations Division (CMAOD) under The Adjutant General Department (TAGD) at U.S. Army Human Resources Command (HRC) for deaths that occurred by training, operational, or friendly fire accidents, or hostile incidents. Suicide incident Family briefs are coordinated by and the responsibility of the Soldier’s command with oversight from the FIS case manager.

Section II

Responsibilities

1–8. Assistant Secretary of the Army (Manpower and Reserve Affairs)

The ASA (M&RA) will develop and oversee the implementation of personnel policies relating to Army fatal and suicide incident Family briefs, as defined by this regulation.

1–9. Chief of Legislative Liaison

The CLL will—

- a. Develop programs related to relations with Congress 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.

1–10. Chief of Public Affairs

The CPA will—

- a. Develop updates to proponent regulations to comply with this regulation.
- b. Disseminate guidance, policy, and implementing instructions to public affairs officers (PAOs) throughout the Army.

1–11. Chief, National Guard Bureau

The CNGB ensures that the Director, Army National Guard (ARNG), if so delegated, will—

- a.* Develop programs within the ARNG of the United States to support the fatal and suicide 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 fatal training, operational, or friendly fire accidents; hostile deaths; and confirmed Soldier suicides of ARNG Soldiers serving on active duty pursuant to Title 10, United States Code (10 USC) and 32 USC including 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.

1–12. Director of the Army Staff

The DAS is the approval authority for U.S. Army Combat Readiness Center (USACRC) representation at Family presentations. The DAS will ensure that the Director of Army Safety USACRC will—

- a.* Develop updates to proponent regulations to comply with this regulation.
- b.* Disseminate policy, guidance and implementing instructions to the safety directors of Army commands (ACOMs), Army service component commands (ASCCs), and direct reporting units (DRUs).
- c.* Develop and disseminate tools and techniques for use by installation safety directors.
- d.* Provide USACRC representation at presentations as directed.
- e.* Inform the CMAOD of the initiation of all safety investigations involving a deceased Soldier and provide status updates when requested by CMAOD. In addition, the Director of Army Safety will inform CMAOD and the AR 15–6 investigating officer (IO) of any new information concerning the circumstances surrounding a death as soon as it is learned.
- f.* Establish procedures to ensure safety investigation results are not released to the public prior to informing the Family of the releasable results of the investigation.

1–13. The Deputy Chief of Staff, G–1

The DCS, G–1 will—

- a.* Direct The Adjutant General (TAG) to implement established policies related to Army fatal incident Family briefs.
- b.* Ensure the Commander, HRC executes policy and provides program development guidance relating to Army fatal incident Family briefs, as defined by this regulation.
- c.* Through the Commander, HRC, ensure TAG will—
 - (1) Execute policy and provide program development guidance relating to operational, training, friendly fire, or hostile incidents and confirmed Soldier suicides as defined by this regulation.
 - (2) As delegated by the DAS, make decisions regarding the presentation team's composition.
 - (3) Ensure the Director, CMAOD over FIS coordinates the Army fatal incident Family brief.
 - (4) Ensure the FIS case manager provides unredacted AR 15–6 death investigation reports of confirmed suicides to the Director, Army Resilience Directorate (Army Suicide Prevention Program) within the office of the DCS, G–1.

1–14. The Chief, Army Reserve

The CAR ensures that the Commander, U.S. Army Reserve Command will—

- a.* Develop programs within the U.S. Army Reserve (USAR) to support the fatal incident Family brief policy defined in this regulation.
- b.* Establish implementing procedures within the USAR for developed programs in support of this regulation for fatal training, operational, or friendly fire accidents; hostile deaths; and confirmed Soldier suicides of Reserve Soldiers while serving on active duty pursuant to 10 USC and 32 USC such as Active Guard Reserve training, annual training, active duty special work, and temporary tour of active duty.

1–15. The Surgeon General

The TSG ensures that the Commander, U.S. Army Medical Command will—

- a.* Provide mental health behavioral specialist support to the AR 15–6 IO investigating suicide cases, as required, to answer questions related to the Soldier's state of mind, mental soundness at the time of the incident, and any counseling that the deceased Soldier may have obtained.

b. Provide a behavioral health professional as a member of the presentation team when requested by the briefer. 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.

1–16. The Judge Advocate General

TJAG will disseminate policy, guidance and implementing instructions to servicing staff judge advocates (SJAs) and legal advisors. TJAG will include guidance for establishing a point of contact (POC) within the servicing legal office to provide 30-day status updates of AR 15–6 death investigations that fall under the purview of this regulation to the FIS case manager.

1–17. Chief of Chaplains

The CCH will—

- a. Develop updates to proponent regulations to comply with these regulatory requirements.
- b. Disseminate policy, guidance and implementing instructions to senior chaplains.
- c. Provide a chaplain, as required by the designated presentation briefer and support the presence and participation of a chaplain at the fatal incident and suicide incident Family brief.

1–18. Provost Marshal General

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

- a. Inform CMAOD of initiation of all USACIDC investigations involving deceased Soldiers, or Department of Defense (DoD) Civilian employees, and contract civilians who accompany the force and provide electronic notification of the final investigative findings to the designated FIS manager. Provide status updates to the FIS case manager in CMAOD at HRC, when applicable.
- b. Conduct ballistic analysis to determine whether a projectile or fragment is likely to be of U.S. or allied origin, upon AFME request.
- c. Release final investigative results for fatal Class A accidents, suspected cases of friendly fire, and Soldier suicides to the FIS case manager when investigated by USACIDC.

Note. Criminal Investigation Division investigative personnel brief the results of the USACIDC investigation into the Soldier's death to the PNOK either in person or over the phone. This does not preclude USACIDC field agents from making direct coordination with the Family's casualty assistance officer (CAO) to arrange for Family member interviews that are required as part of the ongoing investigation.

- d. 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.

1–19. Commanders of Army commands, Army service component commands, and direct reporting units and organizations

The commanders of ACOMs, ASCCs, and DRUs will—

- a. Develop programs within their respective organizations to support the fatal incident 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 respective units for programs in support of this regulation for training or operational accidents and suicides for Regular Army Soldiers on active duty and provide additional command guidance to subordinate activities as required.
- c. Ensure designation of a POC for coordination of actions when notified by FIS case manager.
- d. Forward information regarding friendly fire incidents to the applicable combatant commanders as the appointing authority for the legal investigation, per DoDI 6055.07.
- e. Forward information regarding suspected suicides to the applicable general court-martial convening authority (GCMCA), as the appointing authority.
- f. Inform the nearest USACIDC element of the death.
- g. Maintain the original and a copy of the AR 15–6 death investigation report (see AR 25–400–2).
- h. Ensure that lessons learned from the AR 15–6 death investigation are evaluated and incorporated into current and future practices.
- i. Ensure the approved unredacted AR 15–6 investigations are provided to FIS case managers within CMAOD, TAGD at HRC.

- j. Ensure the redacted AR 15–6 investigation is provided to FIS case managers.
- k. Provide investigation updates to FIS case managers within CMAOD at every 30-day interval, until completion.
- l. Ensure that the briefer 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.
- m. Appoint CAOs for presentations. When possible, the CAO should be the same CAO appointed to assist the PNOK from date of death through the Family presentation. This includes the CAOs for parents who are the secondary next of kin (SNOK).
- n. Make appropriate disposition of the original statement of offer (SOO).
- o. Provide coordination and assistance to FIS case managers, CMAOD as requested by their representative.
- p. Assist in coordination for a military chaplain in the event the chain of command responsible for the Family presentation is unable to provide one.
- q. Ensure the CAO follows the Family member notification requirements set forth in AR 638–8.

Chapter 2

Army Policy

2–1. Purpose

The Army will present appropriate facts, findings, and recommendations of fatal incident death investigations to the PNOK and will provide the PNOK access to the redacted AR 15–6 death investigation related to the death of a Soldier serving on active duty. In addition, the Army will extend the same procedures to the PNOK of DA Civilian employees, excluding suicide incidents, in accordance with chapter 4 of this regulation.

2–2. Overall policy and guidance for fatal incident and suicide incident Family briefs

- a. This regulation provides instructions for presenting appropriate facts, findings, and recommendations of fatal training, operational, or friendly fire accidents; hostile deaths; and confirmed Soldier suicides to the PNOK.
- b. The Suicide Incident Family Brief Program is a commander’s program under the umbrella of the Army Fatal Incident Family Brief Program. For both fatal incident Family briefs and suicide incident Family briefs, the death investigation appointing or approval authority will assign a colonel-level (O6) or higher commander or other colonel-level (O6) designee to be the 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 the releasable AR 15–6 investigation to the PNOK. This level of leadership demonstrates the Army’s depth of concern and the importance placed on the incident.
- c. The role of a FIS case manager from CMAOD in TAGD at HRC is to manage and monitor the AR 15–6 death investigation as it progresses to approval and then provide guidance and assistance to commanders regarding the Family brief. The FIS case manager will assist commanders, coordinate the SOO, and advise commanders concerning the content of the brief. The FIS case manager will provide a template to the briefer or their designee to assist with developing the presentation.
- d. For fatal and suicide incident Family briefs, the FIS case manager is the designated operational lead and has 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.
- e. For all fatal incidents, the TAG, in coordination with the appropriate ACOM, ASCC, or DRU commander and the AR 15–6 death investigation appointing or approval authority, will determine when the Army will offer SOO for presentations to the PNOK. At a minimum, presentations will be offered for all fatal training, operational, or friendly fire accidents and hostile deaths. In all cases, AR 15–6 death investigations are the basis for PNOK presentations.
- f. For all fatal training, operational, or friendly fire accidents and hostile deaths, the appointing or approval authority, or for deployed units and organizations, the appropriate ACOM, ASCC, or DRU commander, will assign a briefer. The briefer is most often the first colonel in the deceased Soldier’s chain of command or his/her brigade-level or higher commander who will present the releasable AR 15–6 investigation to the PNOK. Specific requirements outlined in this regulation and managed by FIS case manager will be provided to the briefer along with pertinent Family member information. CMAOD will coordinate with and convey information to the support agencies (for example, TJAG, Office of the CPA, or USACRC.)
- g. TAG will task for all additional support throughout the presentation period requested by the commander outside the authority of the ACOM, ASCC, or DRU commander, with the exception of USACRC personnel.

h. Table 2–1 establishes the process and sequencing of events for fatal incident Family briefs. Table 2–2 establishes the process and sequencing of events for suicide incident Family briefs.

Table 2–1
Process and sequencing of events for fatal incident Family brief

Condition	Action	Authority or responsibility
Fatal incident (training or operational accident, friendly fire, hostile incident, or cases deemed high interest by TAG)	Command identify deceased Soldier. Use casualty reporting channels to notify CMAOD.	Commander
Death is verified as a fatal incident	Appoint AR 15–6 IO. <i>Note.</i> All safety investigations conducted by USACRC and criminal investigations take precedence over AR 15–6 investigations.	Appointing authority, commander of deceased Soldier
Death is verified as a fatal incident	Secure state or local death certificates. The Casualty Assistance Center (CAC) will forward the death certificate to Casualty Support Section. Case assigned to a FIS case manager.	CAC, Casualty Support Section, FIS case manager
Safety or criminal investigation initiated	USACRC IO will provide all requested releasable factual data to the AR 15–6 investigation IO. USACIDC special agent will provide all requested releasable factual data to the AR 15–6 investigation IO.	USACRC IO, AR 15–6 IO, USACIDC special agent
AR 15–6 investigation in process	Provide status updates of AR 15–6 to FIS case manager every 30 days or as requested. Examples of information to provide the FIS case manager via email or phone include— a. IO working the case b. At Legal for review c. Awaiting approval d. Other, such as returned to IO by legal or command, pending assignment of subsequent IO, pending receipt of USACIDC, or other agency report.	AR 15–6 IO, legal advisor, approval authority, CACs, FIS case manager, and so forth
AR 15–6 investigation report with DA Form 1574–1 (Report of Proceedings by Investigating Officer) and executive summary is due. Suspense set by appointing authority.	Legal review of completed investigations. If investigation is not complete, request an extension. Relay status to FIS case manager.	Appointing authority, AR 15–6 IO, legal advisor, and FIS case manager.
Approval authority takes final action on facts, findings, and recommendations. Signs DA Form 1574–1.	Investigation complete. Relay status of completion to FIS case manager	Appointing authority, AR 15–6 IO, legal advisor, and FIS case manager.
Approved AR 15–6 investigation	Submit signed, unredacted AR 15–6 investigation report to FIS case manager. Submit case for redaction process.	Appointing authority, AR 15–6 IO, and FIS case manager.

Table 2–1
Process and sequencing of events for fatal incident Family brief—Continued

Approved AR 15–6 investigation is redacted	Ensure information contained in the report has been redacted within the principles of 5 USC 552 and 5 USC 552a and forwarded to the FIS case manager.	Freedom of Information Act (FOIA) or redacting official for installation, servicing SJA, commander, and FIS case manager.
SOO accepting or declining Army fatal incident Family brief	Identify the briefer to lead the presentation team. FIS case manager generates the SOO letter for presentation to the PNOK. FIS case manager provides technical assistance to briefer and CAO or CAC concerning the scheduling of and conduct of the upcoming Army fatal incident presentation.	Approval authority, G–1 POC, unit or organization POC, briefer, CAO, CAC, and FIS case manager
Prepare for fatal incident Family brief	Conduct training for the presentation team, to include— a. FIS case manager, legal advisor and briefer review scripted presentation. b. Rehearse presentation with chaplain, CAO, and FIS case manager, and so forth. c. Include a PAO representative and legal advisor, if desired.	Briefer, presentation team, FIS case manager, and CAO
Fatal incident Family brief to PNOK	Conduct Army fatal incident Family brief. Distribute copies of the redacted AR 15–6 investigation report to PNOK at the conclusion of the presentation.	Briefer, presentation team, FIS case manager, and CAO
Address unresolved remaining questions	Briefer develops an action plan to resolve all PNOK remaining questions related to the conduct and content of the AR 15–6	O–6 briefer, presentation team, FIS case manager, and CAO
Complete trip report	FIS case manager completes a trip report and submits to Casualty Incident Section Chief and Casualty and Mortuary Affairs Branch Chief	FIS case manager
Distribute the redacted AR 15–6 investigations to SNOK who were not at the fatal incident Family brief with the PNOK.	FIS case managers ensure the redacted AR 15–6 investigations are distributed to the rest of the SNOK who requested a copy and were not in attendance of the PNOK presentation brief.	FIS case managers, unit or organization POC, CAOs, and CACs

Table 2–2
Process and sequencing of events for suicide incident Family brief

Condition	Action	Authority or responsibility
Self-inflicted incident	Command identify deceased Soldier.	Commander

Table 2–2
Process and sequencing of events for suicide incident Family brief—Continued

	Use casualty reporting channels to notify CMAOD.	
Death is verified as a suicide (confirmed manner of death as suicide on death certificate)	Appoint AR 15–6 IO. When manner of death is suicide, only the AFME, state medical examiner, or local coroner may determine cause of death. <i>Note.</i> All safety investigations conducted by USACRC and criminal investigations by USACIDC take precedence over AR 15–6 investigation.	Appointing authority, command of deceased Soldier
Death is verified as a suicide	Secure state or local death certificates. CAC will forward the death certificate to Casualty Support Section. Case assigned to a FIS case manager.	CAC, Casualty Support Section, FIS case manager
Safety or criminal investigation initiated	USACRC 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.	USACRC IO, AR 15–6 IO, USACIDC special agent
AR 15–6 investigation in process	Provide status updates of AR 15–6 to FIS case manager every 30 days or as requested. Examples of information to provide the FIS case manager via email or phone include— a. IO working the case. b. At Legal for review. c. Awaiting approval. d. Other, such as returned to IO by Legal or command, pending assignment of subsequent IO, pending receipt of USACIDC, or other agency report.	AR 15–6 IO, SJA advisor, approval authority, CACs, FIS case manager, and so forth.
AR 15–6 investigation report with DA Form 1574–1 and executive summary is due. Suspense set by appointing authority.	Legal review of completed investigations. If investigation is not complete, request an extension. Relay status to FIS case manager.	AR 15–6 IO, legal advisor, FIS case manager, and appointing authority
Approval authority takes final action on facts, findings, and recommendations. Signs DA Form 1574–1.	Investigation complete. Relay status of completion to FIS case manager.	Approval authority, AR 15–6 IO, legal reviewer, and FIS case manager
Approved AR 15–6 investigation	Submit signed unredacted AR 15–6 investigation report to FIS case manager. Submit case for redaction process.	Installation commander, approval authority, and FIS case manager
Approved AR 15–6 investigation is redacted	Ensure information contained in the reports has been redacted within the principles of 5 USC 552 and 5 USC 552a.	FOIA or redacting official for installation, servicing SJA, and FIS case manager
NOK signs SOO accepting Army suicide incident family presentation.	Identify the briefer to lead the presentation team. Unit or organization command generates the SOO letter for presentation to the PNOK, and where appropriate to the SNOK (Parent(s)). FIS case manager provides assistance and oversight to the briefer, their team, and CAC or CAO	Approval authority, G–1 POC, unit or organization POC, briefer, CAO or CAC, and FIS case manager

Table 2–2
Process and sequencing of events for suicide incident Family brief—Continued

	concerning the conduct of the upcoming Army suicide incident Family brief.	
Prepare for suicide incident Family brief	Conduct training for the presentation team, to include— a. FIS case manager, SJA, and O–6 briefer review scripted presentation. b. Rehearse presentation with chaplain and CAO. c. Include behavioral health, PAO, and legal advisor, if desired.	Briefer, presentation team, FIS case manager, and CAO
Suicide incident Family brief to PNOK	Conduct Army suicide incident Family brief. Distribute copies of the redacted AR 15–6 investigation report to PNOK at the conclusion of the presentation.	Briefer, presentation team, and CAO
Address unresolved remaining questions	Briefer develops an action plan to resolve all PNOK’s remaining questions related to the conduct and content of the redacted AR 15–6.	Briefer, presentation team, and CAO
Conference report or after action report (AAR)	Complete and submit to FIS case manager an AAR within 10 days of briefing.	Briefer
Distribute the redacted AR 15–6 investigations to SNOK who were not at the suicide incident Family brief with the PNOK	FIS case managers ensure the redacted AR 15–6 investigations are distributed to the SNOK who requested a copy and were not in attendance of the PNOK presentation brief.	FIS case manager, unit or organization POC, CAOs, and CACs

Chapter 3

Death Investigations Conducted Under AR 15–6

3–1. General

a. Following a fatality, several investigations may take place including a safety investigation, a USACIDC investigation, a line of duty (LOD) investigation, an external Occupational Safety and Health Administration investigation, and an AR 15–6 death investigation. Some of these investigations are conducted concurrently and should be closely coordinated to ensure the integrity of each investigation and prevent any adverse impact on the resulting legal proceedings.

(1) Information from the criminal investigation will be shared to the maximum extent possible without risking compromise of the criminal investigation. USACIDC retains the authority to withhold sensitive criminal information that would risk such compromise.

(2) If a conflict occurs between the investigations regarding access to the incident site, acquiring and examining evidence, and interviewing witnesses, the criminal investigation has primacy over all other investigations. Until criminality is ruled out as a contributing factor in a death, USACIDC is responsible for investigating noncombat deaths to the extent necessary to determine whether criminality is involved. The safety investigation has primacy, only after criminality has been ruled out.

b. Under the provisions of AR 385–10, the Director of Army Safety determines whether a centralized accident investigation or an installation-level accident investigation will be conducted. 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 IO. The office of the Commander, USACRC will inform CMAOD or the AR 15–6 appointing authority of initiation of a safety investigation of a deceased Soldier.

c. A spirit of cooperation is required to ensure that the AR 15–6 IO will have access to evidence.

d. The safety accident investigation board will allow the AR 15–6 IO 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 accident 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 IO. The safety accident board will inform the AR 15–6 IO if it removes components for analysis.

3–2. Appointing authority

a. Only a GCMCA or a general or flag officer assigned to a command billet with a servicing SJA may normally appoint an administrative IO or board of officers for Class A accidents. Only the next superior authority to the GCMCA or general or flag officer authorized to appoint an administrative investigation or board of officers for Class A accidents may appoint an administrative IO or board of officers for Class A training accidents resulting in death; or combat-related deaths involving non-DoD personnel or an insider (green on blue) attack. In accordance with DoDI 6055.07, the combatant commander has the responsibility to convene an investigation to inquire into a friendly fire incident. Appointing authorities should check the combatant commander’s guidance to determine if that authority has been delegated. Appointment authority for AR 15–6 investigations is governed by the provisions of AR 15–6.

(1) For investigations of the deaths of deployed U.S. forces from what is believed to be hostile fire, the GCMCA or general or flag officer commander may delegate appointing or approval authority, in writing, to a special court-martial convening authority or a subordinate general or flag officer. This authority may not be further delegated.

(2) If evidence is discovered during a hostile fire investigation that indicates that the deaths may have resulted from friendly fire, the IO will immediately suspend the investigation and inform the appointing authority and legal advisor. The appointing authority, in turn, will immediately notify the combatant commander, or their designee, as appropriate, who has the authority to appoint an investigation into the friendly fire incident. Any evidence from the hostile fire investigation may be provided to the IO or board conducting the friendly fire investigation or board. For further policy and procedure related to friendly fire incidents, refer to DoDI 6055.07 and AR 638–8.

b. The IO of the AR 15–6 death investigation, usually appointed by the GCMCA, will conduct a timely and accurate investigation of the incident. The appointing authority may appoint assistant IOs. All selected IOs and assistant IOs are appointed by memorandum to serve under AR 15–6 using formal procedures as delineated in 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, the legal review, findings, and recommendations are submitted to the approval authority for appropriate action before being redacted for release to the PNOK and SNOK upon request. After confirmation the fatal incident Family briefs are complete Congressional Representative, press, and media may be presented with the AR 15–6 investigation.

Chapter 4

Reporting Requirements and Redacting Investigation Reports of Fatalities

4–1. Reporting requirements

a. Following a fatal training, operational, or friendly fire accident; hostile death; or confirmed suicide incident of a Soldier or US civilian that becomes a fatality while accompanying military personnel or as a result of military action, the FIS case manager will contact the servicing SJA/legal advisor, servicing FOIA offices, and unit or organization commander to obtain a POC for the AR 15–6 death investigation.

b. The AR 15–6 investigation appointing or approval authority will maintain the lead in communicating with the AR 15–6 IO, the servicing SJA or legal advisor, and the supporting PAO.

c. 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, salvage operations, facts that help the PNOK understand the process, and the expected completion date of the investigation. Commanders should additionally be aware that USACIDC will also provide monthly updates when a USACIDC investigation is concurrently occurring. It is important that coordination occurs between, but not limited to, Commander, USACIDC, Commander, USACRC, the approval authority, PAO, and the CAO to ensure the information given to Families is consistent, accurate, and credible.

d. 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 638–8. 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 or approval 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 or approval 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 the FIS case manager in CMAOD who will instruct the CAO on its delivery to the PNOK. Once presented to the PNOK, the assigned FIS case manager in CMAOD 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, allied or partner forces, the media, or the public before it is presented to the PNOK.

e. The information provided to the PNOK at the time of the presentation, or later in the form of updates, must be reviewed by servicing SJA 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.

f. Agencies responsible for the following reports will notify the FIS case manager when the PNOK receives a completed investigation or report including the:

- (1) AFME autopsy report.
- (2) USACIDC investigation.
- (3) LOD investigation.

4-2. 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 wounded in action by U.S., or friendly forces actively engaged with an enemy, or who are directing fire at a hostile force 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 combatant commander for action (see DoDI 6055.07 and AR 638-8, para 2-14 prescribing requirements for friendly fire investigations and reporting). The Commander, 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, LOD, and safety investigations.

b. Commanders or directors of Army units and organizations that suspect a possible friendly fire incident must promptly report the incident.

c. Follow these procedures whenever a unit or organization 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, commanders or directors of units and organizations will report one of the following terms in the "inflicting force" section of the initial or supplemental casualty report: "unknown," "buddy" (U.S. Forces), or "amigo" (Allied Forces). 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 AFME notifies CMAOD that friendly fire may have caused the death. In those cases, CMAOD will contact the CAC so the CAO can immediately inform the Family of the suspected friendly fire incident.

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

(d) Upon completion of the AR 15-6 death investigation or the Army fatal incident Family brief, CMAOD will request that the reporting CAC submit a supplemental report to reflect any changes based on the results of the investigation.

(2) After the AR 15-6 death investigation is approved for release, CMAOD will request the GCMCA-level commander appoint the briefer to present the AR 15-6 death investigation to the Soldier's PNOK. For USAR and ARNG Soldiers, CMAOD, through the FIS case managers, will coordinate with appropriate program managers at USAR and National Guard Bureau levels for coordination of briefers.

4-3. Unit- and organization-level redaction requirements and guidance for death investigation and fatality reports provided to eligible surviving primary next of kin

a. Redacted AR 15-6 investigation report provided to the PNOK under the purview of this regulation does not require a 5 USC 552 (FOIA) request. The Director, CMAOD will provide an AR 15-6 death investigation request document through the CAO or the CAC for the PNOK to accept or decline to receive a copy of the redacted AR 15-6 death investigation. The AR 15-6 investigation request document signed by the PNOK will be provided to the FIS case manager for processing and delivery.

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 or organization 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 reports to the PNOK, a letter, prepared by the servicing SJA or legal advisor, will accompany the redacted version of the report and will explain, in general terms, the reasons for the redaction. Ensure the information contained in the reports has been redacted within the principles of 5 USC 552 and 5 USC 552a, as if the PNOK requested the report 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; LOD investigations should be referred to HRC FOIA office; and medical reports should be referred to U.S. Army Medical Command.

4-4. Release of information

a. This regulation is not intended to provide the PNOK with information not otherwise releasable under 5 USC 552 and 5 USC 552a, as implemented by AR 25-55 and AR 25-22. Unauthorized or premature disclosure of information compromises the integrity of the AR 15-6 investigation and PNOK notification process.

b. Casualty-related reports for the PNOK are not processed under the tenets of FOIA unless explicitly submitted as a FOIA request. The initial release authority for requests for administrative investigations made under FOIA is TJAG. The initial release authority for a casualty-related AR 15-6 report intended for the PNOK is the appointing authority. The release authority is responsible for ensuring reports that contain classified material are marked and handled in accordance with AR 380-5. The release authority for information related to safety investigations is the Commander, USACRC. The Commander, USACRC retains the authority to redact safety investigation reports as defined in AR 385-10. The release authority for LOD investigations is HRC FOIA Office. In the event the AR 15-6 death investigation and LOD investigation are conducted simultaneously, documents related to the LOD (DA Form 2173 (Statement of Medical Examination and Duty Status) and DD Form 261 (Report of Investigation - Line of Duty and Misconduct Status)) and any findings related to the LOD determination will be redacted from the AR 15-6 death investigation prior to release to the PNOK.

c. After the approval authority finalizes the AR 15-6 death investigation, the command or release authority will provide an unredacted copy of the AR 15-6 report to the FIS case manager, the servicing SJA, and servicing FOIA or redacting official for the installation for prompt redaction. Following completion of redactions of the AR 15-6 death investigation report, the servicing SJA, and servicing FOIA or redacting official for the installation, will provide a redacted copy to the FIS case manager for distribution. The redacted report of the death investigation will first be made available to the PNOK. At the time of the fatal incident Family brief, the report will be hand delivered to the PNOK at the conclusion of the brief if the fatal incident Family brief is requested. If the offer for a fatal incident Family brief is declined by the PNOK, the report will be made available to the PNOK. Following release to the PNOK, reports of redacted AR 15-6 death investigations are distributed, when properly requested, in the following sequence:

- (1) NOK.
- (2) Interested offices within DoD and DA.
- (3) Members of Congress, upon request, in accordance with AR 1-20.
- (4) Allied and partner forces.
- (5) 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) and fatal incident Family brief presentations before permitting Congressional, allied and partner forces, media, and public releases.

e. If the PNOK elected to receive a fatal incident or suicide incident Family brief via the SOO, he/she will be briefed in person by a briefer under the provisions of this regulation. The redacted AR 15-6 death investigation will be delivered in person to the appropriate requesting Family member through the CAO or CAC, unless otherwise requested. The FIS case manager in CMAOD is responsible for coordinating hand delivery of the report through the CAO to the PNOK. The Family member requesting a report may waive the requirement for hand delivery.

f. The release authority's release letter accompanying the redacted AR 15–6 investigation report should include the name and contact information of a knowledgeable field grade officer to serve as the unit, organization, or command POC who can address questions.

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, or friendly fire accidents and hostile deaths. 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 guardian will determine PNOK's ability to receive the presentation.

b. Should an accident involve a Soldier attached to another military Service, follow the inter-service participation guidance in DoDI 6055.07.

c. Should a fatal incident involve a DA Civilian, the GCMCA has discretion to offer a fatal incident Family brief to the PNOK of the DA Civilian. The commander will notify HRC immediately after making a decision to brief the PNOK of the DA Civilian.

d. TAG may consider any other incident that does not fall under a category listed in paragraph 5–1*a* eligible for a presentation.

e. The GCMCA has discretion to offer the fatal incident Family brief to the SNOK after presentation of the brief to the PNOK, or when the PNOK has formally declined via the SOO.

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

a. Once the AR 15–6 death investigation is approved and redaction of the AR 15–6 death investigation process started, the FIS case manager 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 offer of the Army fatal incident Family brief is required for the specified incident.

(2) Request that the appropriate brigade-level commander in the grade of colonel (O–6) or higher be appointed as the briefer for the presentation.

(3) Identify a POC in the unit or organization where the incident occurred for communication with the assigned FIS case manager in order to coordinate the SOO and the development and conduct of the briefing.

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. 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 briefer has been identified, the FIS case manager will prepare the SOO (see fig 5–1) for the fatal incident Family brief. Once drafted and signed by the Casualty Incident Section chief in CMAOD, the CAO will provide the SOO to the PNOK for briefing election. The PNOK can elect to receive or decline either or both of the following: to receive a presentation 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 AVENUE, DEPARTMENT 450
FORT KNOX, KY 40122-5405

[DATE]

Casualty and Mortuary Affairs

Mrs. [insert PNOK Family name]
[insert physical address]
[insert city, state and zip code]

Dear Mrs. [insert PNOK Family name]:

On behalf of the Combat Aviation Team, 1st Armored Division, I want to extend my heartfelt sympathy on the loss of your [insert relation], Chief Warrant Officer 2 [insert First, MI, Last name].

Major General [insert Last name], Commanding Officer of 1st Cavalry Division reviewed, approved, and signed the collateral investigation that was undertaken to better understand the facts and circumstances surrounding [insert First name] death. As the Primary Next of Kin, we want to offer you an opportunity to personally receive a presentation of the findings of this investigation. The presentation team would be led by Colonel [insert Last name] from [insert First name] chain of command, an Army Chaplain, and your Casualty Assistance Officer, Major [insert First/Last name].

If you would like to receive a personal presentation, please indicate by selecting below. Normally, briefings are done face-to-face, however, due to the Corona-virus pandemic you may elect to receive the brief via teleconference. Please select one of the options below.

Sincerely,

[insert First MI. Last name]
Colonel, U.S. Army
Commanding

- ☒ I request to receive a face-to-face presentation.
☒ I am willing to receive a videoconference presentation.
☒ I decline to receive a presentation.

_____(Printed name)_____(Signature)_____(Date)_____

Figure 5–1. Statement of offer for fatal incident Family brief

d. Once the PNOK has signed the SOO, either accepting or declining the brief, the CAO transmits the SOO to the FIS case manager. For fatal operational and training accidents, friendly fire, hostile incidents, or death cases deemed as high interest, FIS case manager will notify the briefer of the PNOK's decision and act upon any requests for reports or presentations made by the PNOK. The FIS case manager will begin coordination and oversight with the briefer and their team of the presentation.

e. The PNOK who declines the presentation, but requested a copy of the AR 15–6 report of investigation, will receive a redacted report in accordance with information releasable under federal law and paragraph 4–2 of this regulation. FIS case manager will file the signed SOO declining the presentation in the casualty record in the Defense Casualty Information Processing System (DCIPS) and no further action will be required. Upon receipt of the redacted AR 15–6 report to the PNOK and Family members, the case will then be closed.

f. The PNOK who accepts the presentation offer will be scheduled for a presentation in accordance with table 2–1. FIS case manager will file the signed SOO accepting the presentation in the casualty record in DCIPS.

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

(1) O–6 briefer and their staff, in coordination with FIS case manager, will develop the composition of the presentation team in accordance with chapters 2 and 5 of this regulation.

(2) O–6 briefer and their staff, with oversight from FIS case manager, will develop the presentation slide deck for the fatal incident Family brief.

(3) The briefer will prepare and conduct training sessions and rehearsals for the presentation team with oversight from the FIS case manager.

(4) The approval authority will provide a redacted and unredacted copy of all AR 15–6 death investigation reports to FIS case manager, if not previously provided.

(5) The servicing SJA or legal advisor will conduct the legal review of all materials intended for use during rehearsals and the actual presentation.

(6) The supporting PAO will prepare press releases with questions and answers in accordance with chapter 8 of this regulation.

(7) The CAO will work with the PNOK, under FIS 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 individuals to attend. Obtaining a list of intended invitees will enable the presentation team to determine the PNOK's intent to invite media or legal representation. Families must be permitted to do so, if they wish. The Army will not put 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 or to record the briefing, FIS case manager will recommend whether it is appropriate for the briefer to include the PAO or a representative from the Office of the SJA to travel with the presentation team. The Family must obtain approval from the briefer prior to the presentation if they wish to record video or audio of the brief. The CAO is responsible for gaining approval for the audio or visual recording ahead of time. The briefer may decline the request to record the presentation. If the briefer grants the request, he or she will determine whether the Army will also record the brief and maintain a copy of the presentation.

(8) 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 to the FIS case manager. 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 FIS case manager, no less than 10 days prior to the scheduled presentation. The CAO will provide supplemental reports if notified of any changes to the list of personnel attending the brief of the well-being report.

(9) The CAO will conduct a reconnaissance of the area where the presentation will be conducted and recommend a hotel in the vicinity of the family member being briefed for the members of the presentation team, to include the FIS case manager. For fatal training or operational accidents, friendly fire, hostile death, or cases deemed as high interest presentations, the FIS case manager would relay this information directly with the briefer. 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 team travel with the PNOK Family members in a privately-owned vehicle. The CAOs should consult with their supporting travel office and legal advisor before permitting Family members to travel in General Services Administration vehicles.

(10) The FIS case manager will obtain the following information and assemble it in a packet for hand delivery to 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.
- (c) The redacted copy of the AR 15–6 death investigation report to provide to the PNOK at the conclusion of the fatal incident Family brief.

5–3. Composition of the presentation team

a. At a minimum, the presentation team will be composed of the briefer, the Family’s CAO, chaplain (unless the NOK requests no chaplain presence), and a FIS case manager for fatal training or operational accidents, friendly fire, hostile death, or cases deemed as high interest by the 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 clergy person to accompany the presentation team; however, the local civilian clergy will not substitute for an Army chaplain.

c. TAG will determine any other CMAOD representation, as needed. The FIS case manager from CMAOD 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, military police, other Service investigations, LOD, 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. The briefer will consider the inclusion of a 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.

e. 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, units must 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.

f. The briefer should consider other subject matter experts (SMEs), as appropriate, to participate either in the presentation or by telephone. Such experts could include a medical examiner from the office of the AFME System or the CLO from USACIDC.

5–4. Scheduling the Army fatal incident Family brief

a. The PNOK will select a preferred date (based on a window provided by the briefer), time (primary and alternate), and location for the presentation. The best location for the PNOK to receive the presentation is the PNOK’s 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. For multi-casualty fatal training or operational accidents, friendly fire, and cases deemed as high interest by CMAOD briefings, the PNOK’s preferences will be passed through the CAO to the FIS who will develop the briefing schedule for approval by the briefer. The goal is to conduct multiple briefs within a 3-day window (see table 2–1), if reasonably possible and in accordance with the PNOK’s desires. If necessary, for a multi-casualty incident, to schedule outside that 3-day window, TAG can approve a request by the briefer for an extension or a request to authorize travel for PNOKs to one briefing location under unit or organization funds.

c. 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 all PNOKs can be briefed. Additionally, Families will be requested not to release information to the public until all PNOKs and possible SNOKs have been briefed.

(2) For PNOK who require or request more than 1-week delay beyond the 3-day window, the briefer must tell the PNOK that they will do everything within their ability to not allow press releases to occur, but release to third parties may occur prior to the presentation if delayed.

(3) When TAG has approved PNOK travel for one location, travel will be authorized for the PNOK as defined by Joint Travel Regulations. Travel will be funded by unit or organization.

5–5. Funding for temporary duty travel and pay

- a.* Travel expenses for military personnel and DA civilians comprising a presentation team will be provided by each participant's current unit or organization of assignment.
- b.* There is no authorization to fund PNOK travel except as listed in paragraph 5–4. PNOK and SNOK are responsible for their own travel. Consequently, every attempt should be made to accommodate presentations at the PNOK's convenience, such as in the hometown in which the PNOK resides. The DA is not authorized to pay for travel expenses incurred by PNOK, SNOK, or other Family members invited by the PNOK.
- c.* Pay and allowances for National Guard and Reserve personnel comprising a presentation team will be provided by each participant's current unit or organization of assignment.

Chapter 6

Preparing for the Army Suicide Incident Family Brief

6–1. General

The purpose of the Suicide Incident Family Brief Program is to ensure the PNOK receive a full account of the circumstances surrounding the loss of their loved one, based on the approved AR 15–6 investigation. The program also serves to provide information about any corrective actions the unit has taken as a result of the releasable findings and recommendations 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 suicide incident Family brief to the PNOK.
- b.* The FIS case manager will advise commanders in generating the draft of the SOO (see fig 6–1) 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 FIS case manager. FIS case managers will have oversight of the briefing process and advise briefers and their staff to ensure all appropriate steps are completed. The unit or organization POC will provide updates throughout the process to the FIS case manager, to include the scheduled presentation time and date.
- c.* 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 any provision of federal law.
- d.* SNOK can request to their CAO for their own separate suicide incident Family brief. The unit and organization commanders have discretion to accept or offer the suicide incident Family brief to the SNOK. If a SNOK request is approved by the command, the brief will be scheduled after the PNOK has been briefed or provided a copy of the redacted AR 15–6 investigation.



DEPARTMENT OF THE ARMY
ORGANIZATIONAL NAME/TITLE
STANDARDIZED STREET ADDRESS
CITY STATE 12345-1234

[DATE]

Mrs. [insert family name] (PNOK)
[insert physical address]

Dear [insert family name] (PNOK):

On behalf of the U.S. Army Human Resources Command, I want to extend my heartfelt sympathy on the loss of your son, Warrant Officer 1 [insert First M. Last name].

Lieutenant General [insert Last name], Commanding General of XVIII Airborne Corps and Fort Bragg reviewed, approved, and signed the collateral investigation that was undertaken to better understand the facts and circumstances surrounding [insert First name] death. As the Primary Next of Kin, we want to offer you an opportunity to personally receive a presentation of the findings of this investigation. The presentation team would be led by Colonel [insert Last Name] from [insert First name] chain of command, an Army Chaplain, and your Casualty Assistance Officer, Captain [insert Last name].

If you would like to receive a personal presentation, please indicate by selecting below.

Sincerely,

[insert First M. Last name]
Lieutenant Colonel, U.S. Army
Deputy Commander

I wish to receive a personal presentation. ☒ Yes ☒ No

(Printed name) (Signature) (Date)

Figure 6-1. Statement of offer for suicide incident Family brief

6–2. Actions required by the Fatal Incident Section case manager after approval of the AR 15–6 death investigation

a. Upon receipt of the redacted AR 15–6, the FIS case manager 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 offer of the Army suicide incident Family brief is required to the PNOK.
- (2) Request that the appropriate brigade-level commander in the grade of colonel (O–6) or higher be appointed as the briefer for the presentation.

- (3) Ensure the commander appoints a POC in the unit or organization where the incident occurred for communication with the assigned FIS case manager.

b. 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 briefer has been identified, the FIS case manager will provide a sample draft document of the SOO (see fig 6–1) and guidance for the unit or organization to prepare. Once drafted and signed by the briefer, the CAO will provide the SOO to the PNOK for briefing election. The PNOK can elect to receive or decline either or both of the following: to receive a presentation or to obtain a redacted copy of the AR 15–6 investigation report.

c. Once the PNOK has signed the SOO, either accepting or declining the indicated brief, the CAO transmits the SOO to the unit or organization briefer’s staff, with a copy furnished to FIS case manager.

d. The PNOK who declines the presentation, but requested 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. FIS case manager will file the signed SOO, declining the presentation, in the casualty record in DCIPS and no further action will be required. When the PNOK receives the redacted AR 15–6 report, the case will then be closed.

e. The PNOK who accepts the presentation offer will be scheduled for a presentation in accordance with table 2–2. FIS case manager will file the signed SOO, accepting the presentation, in the casualty record in DCIPS. The unit will coordinate the presentation with the assistance and oversight from FIS case manager.

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

- (1) FIS case manager will provide a draft sample presentation slide for the briefer.
- (2) The servicing SJA or legal advisor will conduct the legal review of all materials intended for use during rehearsals and the actual presentation.

- (3) The briefer and his/her staff, under guidance from FIS case manager, will develop the composition of the presentation team in accordance with chapters 2 and 5 of this regulation.

- (4) The briefer will prepare and conduct training sessions and rehearsals for the presentation team with guidance from the FIS case manager.

- (5) The approval authority will provide a redacted and unredacted copy of all AR 15–6 death investigation reports to FIS case manager, if not previously provided.

- (6) The supporting PAO will prepare press releases with questions and answers in accordance with chapter 8 of this regulation.

- (7) The CAO will work with the PNOK, under FIS 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 individuals to attend. Obtaining a list of intended invitees will enable the presentation team to determine the PNOK’s intent to invite media or legal representation. Families must be permitted to do so, if they wish. The Army will not put 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 or to record the briefing, FIS case manager will make a recommendation to the briefer on whether to include PAO or a legal advisor to travel with the presentation team. The Family must obtain approval from the briefer prior to the presentation if they wish to record video or audio of the brief. The CAO is responsible for gaining approval for the audio or visual recording ahead of time. The briefer may decline the request to record the presentation. If the briefer grants the request, he/she will determine whether to also record the brief so the Army can maintain a copy of the presentation.

- (8) 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 to the FIS and the briefer. 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 the briefer, no less than 10 days prior to the scheduled presentation. The CAO will provide supplemental reports if notified of any changes to the list of personnel attending the brief of the well-being report.

(9) 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. In the case of suicide incident Family briefs, the CAO will work with the briefer without going through FIS case manager. 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 must consult with their supporting travel office and legal advisor before permitting Family members to travel in General Services Administration vehicles.

(10) The FIS case manager will provide the briefer by mail the redacted copy of AR 15–6 death investigation report prior to the scheduled travel for the suicide incident Family brief. The releasable AR 15–6 death investigation will be provided to the PNOK at the conclusion of the suicide incident Family brief.

(11) The CAO will provide the following information to the briefer and FIS case manager of a suicide incident:

(a) The well-being report, prepared within 10 days and supplemental report if any changes.

(b) List of persons the PNOK invited and expected to attend to the presentation. The list will identify those by name and relationship to PNOK.

6–3. Composition of briefing team

a. The AR 15–6 investigation approval authority will appoint colonel-level (or higher) 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 the FIS case manager will attend the suicide incident Family brief.

b. For suicide cases, at a minimum, the presentation team will be composed of the briefer, the Family’s CAO, and a chaplain (unless the NOK requests no chaplain presence). 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.

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 AFME System conducted an autopsy or the civilian equivalent who has jurisdiction or possibly the CLO from USACIDC.

6–4. Coordination, scheduling, and conduct of suicide incident Family brief

a. For suicide incident Family briefs, the briefer will coordinate the completion of the AR 15–6 investigation and the PNOK SOO 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 suicide incident Family brief to coincide with the final USACIDC investigation out-brief, both to minimize the potential traumatic effect on the PNOK 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 PNOK.

b. The briefer will offer the suicide incident Family brief to the deceased Soldier’s PNOK and, when practical, to the SNOK. The PNOK will select a preferred date (based on a window provided by the briefer), time (primary and alternate), and location of the presentation. The best location for the PNOK to receive the presentation is the Family home. When offering an additional suicide incident Family brief to SNOKs, 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 additional questions from the Family, refer any issues outside their 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 PNOK’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 PNOK to wait to receive accurate information at a later date than to offer misinformation during the suicide incident 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, and to the FIS case manager.

e. The briefer will identify issues that remain unresolved for the Family and provide feedback that would be useful for other commanders preparing to conduct a suicide incident Family brief. FIS case manager, when appropriate, will ask the TAG to task appropriate organizations to respond to any unresolved issues related to the presentation.

6–5. 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. Since many Soldier suicides stem from

relationship issues, including to not limited to issues 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.

b. 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. FIS case manager, prior to being shipped, will print and bind the redacted AR 15–6 death investigation and will separate and label any graphic photographs in an envelope, as well as disturbing information, “Caution: This envelope contains graphic photographs. Viewer discretion is advised.” Disturbing information will be labeled “Caution: This envelope contains potentially upsetting information.”

c. When briefing relationship issues 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 7

Conducting a Fatal Incident Family Brief and Suicide Incident Family Briefs

7–1. Responsibilities prior to the brief

a. The briefer 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) if different from the location of the rehearsal. The CAO will also review the well-being report of the current emotional, mental, and physical state of the PNOK and Family with the rest of the presentation team.
- (4) The opportunity for the briefer to practice prior to the official presentation.
- (5) The opportunity for FIS case managers to provide feedback and recommendations to the briefer and presentation team.

b. The presentation team members will wear either the Army service uniform or Army green 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, coordination prior to travel, and execution must be made.

c. The briefer is responsible for creating the presentation, its style, and content. FIS case managers will provide templates for the presentation.

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 PNOK 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.

e. FIS case manager is available to review the presentation and offer feedback.

7–2. The presentation

a. The briefer’s primary responsibility is to meet personally with the PNOK and deliver a thorough explanation of the releasable facts, finding, and recommendations surrounding the circumstances of the incident, as illustrated by the AR 15–6 investigation; to express genuine care and compassion; and to answer all the questions the PNOK 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. Questions concerning other reports or investigations that are not related to the AR 15–6 death investigation findings should be referred to the appropriate agency. Do not discuss matters of information regarding another investigation, other than the AR 15–6 death investigation. Do not discuss matters of information regarding LOD investigation, even though the AR 15–6

and LOD were a combined investigation, HRC takes final action on all death LOD determinations. HRC FOIA office is the release authority for LOD investigations upon completion and redaction process.

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 presentation 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, findings, and circumstances that surrounded the incident. This portion of the discussion will focus on releasable results of the AR 15–6 redacted death investigation report.

(3) An explanation of any corrective actions and recommendations 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 PNOK.

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. FIS case manager prints and binds the redacted AR 15–6 death investigation and will separate and label any graphic photographs in an envelope, as well as disturbing information, "Caution: This envelope contains graphic photographs. Viewer discretion is advised." Disturbing information will be labeled "Caution: This envelope contains potentially upsetting information."

f. At the conclusion of the presentation, the briefer will answer any remaining questions, refer any issues outside their area of competence to participating SMEs, and ensure a prompt follow-up of unresolved issues. One of the goals of the presentation is to answer all questions and concerns the PNOK and invited Family members have, while in their presence. The CMAOD representative and FIS case manager 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 PNOK of a prompt reply to unresolved issues. The completion of the due-outs will then be monitored by both the briefer and FIS case manager. Previous arrangements with SMEs to be on call for the purpose of answering questions from the PNOK during the fatal incident Family brief are essential.

g. During the presentation, the primary responsibility of the CAO is to act as a consoler to the PNOK. The CAO will take notes in the absence of the FIS case manager, particularly capturing all the questions and concerns of the PNOK, specifically during suicide incident Family briefs. They 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.

7–3. Presence of advisors at the presentation

a. Families experiencing the loss of a loved one as a result of an operational or training accident, friendly fire, hostile incident, cases deemed as high interest by CMAOD, and confirmed 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 PNOK 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 to the PNOK, can affect the tone and atmosphere of the meeting itself. Even when the PNOK 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 fatal incident 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 PNOK. Therefore, they can only respond to questions from the PNOK, not those of the attorney. If the attorney has a list of questions for the PNOK to ask, the briefer must offer to take the questions back to their 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 potentially the SNOK. Any questions the reporter may have must be presented in writing for the briefer to pass on to their supporting PAO for a response.

d. If either scenario in paragraphs 6–3*b* or 6–3*c* occurs, it is 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.

7–4. Completion of the presentation

a. 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.

b. Upon departure from the briefing site, the appropriate POC 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 Casualty Incident Section chief in CMAOD to report completion of the fatal incident Family brief.

c. Unresolved issues that fall outside the capability of the AR 15–6 appointing or approval authority or the ACOM will be directed to FIS case manager at HRC, who will ask appropriate organizations for a response and follow-up.

d. Within 10 working days of completion of the 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 FIS case manager. FIS case manager will ask appropriate organizations to respond to any unresolved issues related to the presentation.

Chapter 8

Public Affairs Office Integration and Support

8–1. General

Servicing PAOs for appointing or approval authorities will publicly release information about fatal incidents and confirmed Soldier suicides as soon as possible, through standard press releases or press conferences at the installation level. Public release of AR 15–6 death investigation findings will never occur prior to completion of the fatal or suicide incident Family briefs and release to OCLL when requested. In accordance with public affairs doctrine, maximum disclosure of releasable information with minimum delay remains the overarching standard. Release of information on deceased 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 638–8 and completion of the fatal or suicide incident Family brief.

8–2. Public affairs officer actions following a fatal military training or operational accident, friendly fire, or hostile incident and of all confirmed suicides

a. The first appropriate Army PAO (based on geographical area of responsibility or the PAO for the applicable unit or organization) 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 commander should issue a subsequent (see para 8–2*a*) 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 will be withheld until the NOK of the casualties have been officially notified.

(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 and Congress has been notified, the supporting PAO of the units 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 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 CMAOD 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 or incident involves large numbers of 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 will be used to notify Congress. The information memorandum for Congress 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 redacted AR 15–6 investigation for public affairs purposes

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

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

c. Under no circumstances will any information relative to the results of the investigation be released to the media, Congress, allied or partner forces, or the general public prior to the Family either declining or receiving the presentation (see table 2–2).

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

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."

Appendix A

References

Section I

Required Publications

AR 15–6

Procedures for Administrative Investigations and Boards of Officers (Cited in the title page.)

AR 385–10

The Army Safety Program (Cited in para 3–1*b*.)

AR 638–8

Army Casualty Program (Cited in para 1–19*q*.)

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. USC material is available at <https://uscode.house.gov/>.

AR 1–20

Legislative Liaison

AR 11–2

Managers' Internal Control Program

AR 20–1

Inspector General Activities and Procedures

AR 25–22

The Army Privacy and Civil Liberties Program

AR 25–30

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

Army Records Management Program

AR 27–20

Claims

AR 59–4

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

AR 215–1

Military Morale, Welfare, and Recreation Programs and Nonappropriated Fund Instrumentalities

AR 360–1

The Army Public Affairs Program

AR 380–5

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

Army Mortuary Affairs Program

DA Pam 25–403

Army Guide to Recordkeeping

DA Pam 385–40

Army Accident Investigations and Reporting

DoDI 1300.18

Department of Defense (DoD) Personnel Casualty Matters, Policies, and Procedures (Available at <https://www.esd.whs.mil/directives/issuances/dodi/>.)

DoDI 6055.07

Mishap Notification, Investigation, Reporting, and Record Keeping (Available at <https://www.esd.whs.mil/directives/issuances/dodi/>.)

Public Law 104–191

Health Insurance Portability and Accountability Act of 1996

5 USC 552

Public information; agency rules, opinions, orders, records, and proceedings

5 USC 552a

Records maintained on individuals

5 USC 2105

Employee

10 USC

Armed Forces

10 USC 1219

Statement of origin of disease or injury: limitations

32 USC

National Guard

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 website (<https://armypubs.army.mil/>) and DD forms are available on the Executive Services Directorate website (<https://www.esd.whs.mil/directives/forms/>).

DA Form 11–2

Internal Control Evaluation Certification

DA Form 1574–1

Report of Proceedings by Investigating Officer

DA Form 2028

Recommended Changes to Publications and Blank Forms

DA Form 2173

Statement of Medical Examination and Duty Status

DD Form 261

Report of Investigation - Line of Duty and Misconduct Status

Appendix B

Internal Control Evaluation

B-1. Function

The function covered by this evaluation is the Army fatal incident and suicide incident Family briefs.

B-2. Purpose

The purpose of this evaluation is to assist HRC, TAG, CMAOD, 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.* Is requirement for the FIS case manager to receive the redacted AR 15-6 being followed by Commanders of ACOMs, ASCCs, and DRUs?
- b.* Was the Family reassured (either verbally or nonverbally) of the Army's concern regarding the tragedy? Is the Family aware of the compassion of the Army leaders?
- c.* Was a thorough explanation of the redacted AR 15-6 investigation explained to the PNOK and other Family members invited by the PNOK?
- d.* Are AARs being received by CMAOD within 10 working days after briefing?

B-5. Supersession

This evaluation replaces the evaluation for the Army fatal incident Family brief previously published in AR 638-34, dated 19 February 2015.

B-6. Comments

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

Glossary

Section I

Abbreviations

AAR

after action report

ACOM

Army command

AFME

Armed Forces medical examiner

AR

Army regulation

ARIMS

Army Records Information Management System

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

CAR

Chief, Army Reserve

CCH

Chief of Chaplains

CLL

Chief of Legislative Liaison

CLO

casualty liaison officer

CMAOD

Casualty and Mortuary Affairs Operations Division

CNGB

Chief, National Guard Bureau

CPA

Chief, Public Affairs

DA

Department of the Army

DA Pam

Department of the Army pamphlet

DAS

Director of the Army Staff

DCIPS

Defense Casualty Information Processing System

DCS

Deputy Chief of Staff

DD

Department of Defense (forms)

DoD

Department of Defense

DoDI

Department of Defense instruction

DRU

direct reporting unit

FIS

Fatal Incident Section

FOIA

Freedom of Information Act

GCMCA

general court-martial convening authority

HRC

U.S. Army Human Resources Command

IO

investigating officer

LOD

line of duty

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

RRS–A

Records Retention Schedule-Army

SJA

staff judge advocate

SME

subject matter expert

SNOK

secondary next of kin

SOO

statement of offer

TAG

The Adjutant General

TAGD

The Adjutant General Department

TJAG

The Judge Advocate General

TSG

The Surgeon General

USACIDC

U.S. Army Criminal Investigation Command

USACRC

U.S. Army Combat Readiness Center

USAR

U.S. Army Reserve

USC

United States Code

Section II**Terms****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 the resulting total cost of property damage is \$2 million or more; an Army aircraft is destroyed, missing, or abandoned; or an injury or occupational illness results in a fatality or permanent total disability.

Confirmed suicide

A suicide where in the AFME or civilian equivalent who has case jurisdiction has determined the manner of death to be suicide. The AFME's manner of death finding takes precedence over all other investigative findings.

Department of the Army Civilian employees

An individual meeting the definition of "employee" under 5 USC 2105 as well as Civilians of DoD non-appropriated fund instrumentalities paid for from Army non-appropriated funds. This includes Army Civilians filling full-time, part-time, intermittent, or on-call positions. This excludes dual status National Guard and Reserve technicians and contractor civilians.

Family Member

For purposes of this regulation, parents, spouses, adult children, and such other relatives of the deceased (see AR 215-1).

Fatal

Results in death of a Soldier or Federal civilian employee.

Fatal incident Family brief

Includes all categories of Army Chief of Staff mandated offer of a Family brief to the PNOK of a deceased Soldier serving on active duty regardless of component that died as a result of training and operational accidents, friendly fire or suspected friendly fire, confirmed suicides, hostile action, and high interest case.

Friendly fire

In casualty reporting, a casualty circumstance applicable to persons killed in action or wounded in action mistakenly or accidentally by friendly forces actively engaged with the enemy, who are directing fire at a hostile force or what is through to be a hostile force.

High public, press, or congressional interest

Extremely visible articles or stories likely to get attention from Members of Congress and constituents. Demands immediate coverage by the press.

Hostile death

A death resulting from any of the following:

- a. Any action against an enemy of the United States.
- b. Any action with an opposing armed force of a foreign country in which the Armed Forces of the United States are or have been engaged.
- c. While serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party.
- d. As the result of an act of any such enemy of opposing armed forces.
- e. As the result of an act of any hostile foreign force.
- f. As the result of an international terrorist attack against the United States or a foreign nation friendly to the United States, recognized as such an attack by the Secretary of the Army, or jointly by the Secretaries of the Services concerned, if personnel from more than one Service are wounded in the attack.
- g. As a result of military operations while serving outside the territory of the United States as part of a peacekeeping force.

Joint service accident

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

Mishap unit

The unit that the Soldier was performing on-duty activities with at the time of their 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.

Primary next of kin

A person of any age most closely related to the deceased Soldier according to the line of succession. Seniority, as determined by age, will control when the persons are of equal relationship (see DoDI 1300.18 for additional information).

Redacted AR 15–6 report

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

Respond to queries

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

Secondary next of kin

A 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 DoDI 1300.18.

Soldier

As used in this regulation, the term Soldier includes members of the Army serving on active duty in any component, members of the Reserve Officers' Training Corps Simultaneous Membership Program, cadets of the United States Military Academy, cadets on orders who are enrolled in Senior Reserve Officers' Training Corps, and applicants for enrollment engaged in a flight or in flight instruction authorized by Section 2110, Title 10, United States Code.

Suicide incident Family brief

The other subset of fatal incident; includes mandatory offer of suicide incident Family brief to PNOK of a deceased Soldier serving on active duty at the time of death whose manner of death was suicide as listed on either a death certificate or autopsy report.

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 or collective combat or peacekeeping skills. Training-related death is due to either a training accident, or the result of natural cause as manner of death, by service aggravation during or within 1 hour after any training activity where the exercise or activity could be a contributing factor for the cause of death.

Well-being report

Written report provided by DA Casualty Offices and completed by the PNOK's CAO. A written summary of the current climate within the Family, submitted to the briefer in advance of the fatal incident 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.

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