

ANNEX F: COORDINATING INSTRUCTIONS FOR IDC RECONSIDERATIONS

1. (U) AN ALLEGED ABUSER, VICTIM, OR A PARENT ON BEHALF OF A CHILD VICTIM MAY REQUEST RECONSIDERATION IN WRITING TO THE IDC CHAIR, THROUGH THE FAPM, WITHIN 30 CALENDAR DAYS OF NOTIFICATION OF THE INCIDENT STATUS DETERMINATION (ISD). THIS ANNEX PROVIDES INSTRUCTION FOR PROCESSING IDC RECONSIDERATIONS AND APPEALS OF RECONSIDERATION DETERMINATIONS. ANNEX G PROVIDES A PROCESS MAP FOR PROCESSING RECONSIDERATION AND APPEAL OF RECONSIDERATION DECISION REQUESTS.

1.A. (U) THE FAPM WILL SERVE AS THE ACTION OFFICER FOR PROCESSING THE RECONSIDERATION REQUEST ENSURING COMPLIANCE WITH THIS ANNEX.

1.B. (U) TREATMENT DIRECTED IN ACCORDANCE WITH THE INITIAL OR RECONSIDERATION IDC DETERMINATION WILL NOT BE SUSPENDED, INTERRUPTED, OR POSTPONED PENDING THE OUTCOME OF THE RECONSIDERATION OR APPEAL OF RECONSIDERATION DETERMINATION REQUEST.

2. (U) THE REQUEST MUST BE SUBMITTED USING THE FORMAT AS OUTLINED IN ANNEX H.

2.A. (U) THE REQUEST MUST INCLUDE THE INCIDENT NUMBER.

2.B. (U) THE REQUEST MUST FULLY IDENTIFY THE BASIS FOR THE RECONSIDERATION.

2.C. (U) THE REQUEST MUST PROVIDE DOCUMENTATION TO SUPPORT THE BASIS OF RECONSIDERATION.

3. (U) A RECONSIDERATION MAY ONLY BE GRANTED BY THE IDC CHAIR FOR ONE OF TWO BASIS.

3.A. (U) THE FIRST BASIS OF RECONSIDERATION IS NEW INFORMATION PERTAINING TO THE ACT AND IMPACT OF THAT SPECIFIC INCIDENT NOT PREVIOUSLY CONSIDERED BY THE IDC. NOTE: INFORMATION NOT AVAILABLE DUE TO THE REQUESTOR'S FAILURE TO COOPERATE DURING INTAKE AND INTERVIEWS IS NOT A BASIS FOR GRANTING A RECONSIDERATION. NEW INFORMATION MUST BE RELEVANT TO THE ACT AND IMPACT OF THE SPECIFIC INCIDENT.

3.B. (U) THE SECOND BASIS IS IDC PROCEDURES WERE NOT IN COMPLIANCE WITH AD 2021-26 AND EXORD 156-21.

3.C. (U) FOR A RECONSIDERATION REQUEST ON THE BASIS OF NEW INFORMATION, THE FAPM WILL FORWARD THE REQUEST AND THE NEW INFORMATION TO THE FAPC WITHIN 3 WORKING DAYS. THE FAPC WILL

REVIEW THE RECORD AND WRITE A MEMORANDUM (SEE ANNEX I) TO THE IDC CHAIR ADVISING IF THERE IS NEW MATERIAL INFORMATION PERTAINING TO THE ACT AND IMPACT OF THE SPECIFIC INCIDENT IN THE REQUEST WITHIN 10 WORKING DAYS.

3.D. (U) FOR A RECONSIDERATION REQUEST ON THE BASIS OF THE IDC PROCEDURAL ERRORS, THE FAPM FORWARD THE REQUEST AND INFORMATION ABOUT THE PROCEDURAL ERRORS TO THE FAPC WITHIN 3 WORKING DAYS. THE FAPM AND THE FAPC, WILL REVIEW THE REQUEST AND WRITE SEPARATE MEMORANDA (SEE ANNEX I AND ANNEX J) TO THE IDC CHAIR ADVISING IF THERE WAS A PROCEDURAL ERROR WITHIN 10 WORKING DAYS.

3.E. (U) UPON COMPLETION OF THE RECOMMENDATION MEMO(S), THE FAPM WILL PREPARE A PACKET FOR THE IDC CHAIR TO REVIEW THAT INCLUDES THE ORIGINAL ISD, THE RECONSIDERATION REQUEST, ANY NEW INFORMATION PROVIDED, THE RECOMMENDATION MEMO FROM THE FAPC AND/OR FAPM, AND A STANDARD DECISION MEMO (ANNEX K) FOR THE IDC CHAIR WITHIN 3 WORKING DAYS.

3.F. (U) THE IDC CHAIR WILL MAKE A DECISION TO EITHER APPROVE OR DENY THE RECONSIDERATION REQUEST WITHIN 15 WORKING DAYS.

3.G. (U) IF APPROVED BY THE IDC CHAIR, THE RECONSIDERATION WILL BE CONDUCTED BY THE IDC THAT MADE THE INITIAL DETERMINATION FOR THE INCIDENT.

3.G.1. (U) THE IDC CHAIR WILL ENSURE THE FAPC ASSIGNS A NEW FAP CLINICIAN TO CONDUCT A NEW ASSESSMENT, INTERVIEWS ALL INDIVIDUALS INVOLVED AND PREPARES A NEW INCIDENT SUMMARY FOR PRESENTATION TO THE IDC.

3.G.2. (U) ALL IDC MEMBERS WILL BE FULLY PREPARED TO ADDRESS ANY NEW, RELEVANT INFORMATION IDENTIFIED IN THE RECONSIDERATION REQUEST IN THEIR REPORT TO THE IDC AND TO VOTE BASED ON THE NEW INCIDENT SUMMARY AND PRESENTATION.

3.G.3. (U) THE FAPM UTILIZES THE IDC FIDELITY CHECKLIST (ANNEX D) THROUGHOUT THE RECONSIDERATION, INFORMING THE IDC CHAIR IMMEDIATELY OF ANY NON-COMPLIANCE WITH AD 2021-26 OR EXORD 156-21.

4. (U) THE REQUESTER MAY APPEAL THE RECONSIDERATION DECISION IN WRITING TO THE SENIOR COMMANDER THROUGH THE FAPM AND IDC CHAIR, WITHIN 30 CALENDAR DAYS OF NOTIFICATION OF THE RECONSIDERATION ISD.

4.A. (U) AN APPEAL OF THE RECONSIDERATION DETERMINATION REQUEST MUST SUBMITTED USING THE FORMAT AS OUTLINED IN ANNEX L.

4.A.1. (U) A REQUEST FOR APPEAL OF RECONSIDERATION DETERMINATION MUST INCLUDE THE INCIDENT NUMBER.

4.A.2. (U) A REQUEST FOR AN APPEAL OF A RECONSIDERATION DETERMINATION MUST FULLY IDENTIFY THE BASIS FOR THE APPEAL OF THE RECONSIDERATION DETERMINATION AND PROVIDE DOCUMENTATION TO SUPPORT THE BASIS OF RECONSIDERATION.

5. (U) AN APPEAL OF A RECONSIDERATION DETERMINATION MAY ONLY BE GRANTED BY THE SENIOR COMMANDER FOR TWO REASONS.

5.A. (U) THE FIRST BASIS FOR AN APPEAL OF A RECONSIDERATION DETERMINATION IS NEW INFORMATION IS AVAILABLE THAT WAS NOT PREVIOUSLY CONSIDERED BY THE IDC. NOTE: INFORMATION NOT AVAILABLE DUE TO THE REQUESTOR'S FAILURE TO COOPERATE DURING INTAKE AND INTERVIEWS IS NOT A BASIS FOR GRANTING AN APPEAL OF A RECONSIDERATION DETERMINATION. THE NEW INFORMATION MUST BE RELEVANT TO ACT AND IMPACT OF THE SPECIFIC INCIDENT BEING CONSIDERED.

5.B. (U) THE SECOND BASIS IS IDC RECONSIDERATION PROCEDURES WERE NOT IN COMPLIANCE WITH AD 2021-26 AND EXORD 156-21.

5.C. (U) FOR AN APPEAL OF A RECONSIDERATION DETERMINATION ON THE BASIS OF NEW INFORMATION, THE FAPM WILL FORWARD THE REQUEST AND THE NEW INFORMATION TO THE FAPC WITHIN 3 WORKING DAYS. THE FAPC WILL REVIEW THE RECORD AND WRITE A MEMORANDUM (SEE ANNEX M) TO THE IDC CHAIR ADVISING IF THERE IS NEW MATERIAL INFORMATION PERTAINING TO THE ACT AND IMPACT OF THE SPECIFIC INCIDENT IN THE REQUEST WITHIN 10 WORKING DAYS.

5.D. (U) FOR AN APPEAL OF A RECONSIDERATION DETERMINATION ON THE BASIS OF IDC PROCEDURAL ERRORS, THE FAPM WILL FORWARD THE REQUEST AND THE NEW INFORMATION TO THE FAPC WITHIN 3 WORKING DAYS. THE FAPM AND THE FAPC, WILL REVIEW THE REQUEST AND WRITE SEPARATE MEMORANDA (SEE ANNEX M AND ANNEX N) TO THE INSTALLATION SENIOR COMMANDER ADVISING IF THERE WAS A PROCEDURAL ERROR WITHIN 10 WORKING DAYS.

5.E. (U) UPON COMPLETION OF THE RECOMMENDATION MEMO(S), THE FAPM WILL PREPARE A PACKET FOR THE IDC CHAIR TO REVIEW THAT INCLUDES THE INITIAL RECONSIDERATION PACKET, THE RECONSIDERATION ISD, THE APPEAL OF RECONSIDERATION DETERMINATION REQUEST AND DOCUMENTATION PROVIDED, THE RECOMMENDATION MEMO(S) FROM THE FAPC AND/OR FAPM FOR THE APPEAL, A RECOMMENDATION MEMO FOR THE IDC CHAIR TO COMPLETE AND PROVIDE TO THE INSTALLATION SENIOR COMMANDER (ANNEX O), AND STANDARD DECISION MEMO (ANNEX P) FOR

THE SENIOR COMMANDER TO COMPLETE. THE PACKET WILL BE PROVIDED TO THE IDC CHAIR WITHIN 3 WORKING DAYS AFTER COMPLETING RECOMMENDATION MEMOS.

5.F. (U) THE IDC CHAIR WILL MAKE A RECOMMENDATION (ANNEX O) AND FORWARD THE ENTIRE PACKET TO THE SENIOR COMMANDER REGARDING THE APPEAL OF RECONSIDERATION REQUEST WITHIN 15 WORKING DAYS.

5.G. (U) THE SENIOR COMMANDER WILL REVIEW THE PACKET AND MAKE A DECISION (ANNEX P) REGARDING THE APPEAL OF RECONSIDERATION REQUEST WITHIN 15 WORKING DAYS.

5.H. (U) IF THE APPEAL OF RECONSIDERATION DETERMINATION REQUEST IS APPROVED BY THE SENIOR COMMANDER, THE APPEAL OF RECONSIDERATION DETERMINATION WILL BE CONDUCTED AT THE NEXT AVAILABLE IDC BY THE IDC THAT MADE THE INITIAL AND RECONSIDERATION DETERMINATION FOR THE INCIDENT. THE DETERMINATION IS FINAL AND NOT SUBJECT TO APPEAL.

5.I. (U) IF THE APPEAL OF RECONSIDERATION DETERMINATION REQUEST IS DISAPPROVED BY THE INSTALLATION SENIOR COMMANDER THE RECONSIDERATION DETERMINATION IS FINAL AND NOT SUBJECT TO FURTHER APPEALS.