UNITED STATES MARINE CORPS
MARINE CORPS AIR STATION
PSC BOX 8003
CHERRY POINT, NC 28533-0003

AirStaO 1620.1C
INSP
22 DEC 2008

AIR STATION ORDER 1620.1C

From: Commanding Officer, Marine Corps Air Station, Cherry Point
To: Distribution List

Subj: MARINE CORPS AIR STATION (MCAS), CHERRY POINT, AREA ARMED FORCES DISCIPLINARY CONTROL BOARD

Ref: (a) MCO 1620.2D

Encl: (1) Board Membership
(2) Duties of President
(3) Board Procedures

1. Situation. To implement the guidelines of the reference and establish procedures for the operation of the MCAS Cherry Point Area Armed Forces Disciplinary Control Board.

2. Cancellation. AirStaO 1620.1B.

3. Mission. The MCAS Cherry Point Area Armed Forces Disciplinary Control Board, hereinafter called "the Board," is to advise and make recommendations to the CO concerning the correction of conditions which may adversely affect the health, safety, morale, or discipline of military personnel. The Board will be governed in its operations and procedures by the reference and this order.

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. To ensure that illegal business practices, criminal or other discriminatory practices, unfair commercial or consumer practices, and other undesirable conditions are investigated in order to promote the safety and well being of all military members and family members of the command and tenant units.

(2) Concept of Operations

(a) The Board shall be composed of members listed in enclosure (1).

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(b) The CO shall be the sponsoring commander for the Board and will appoint the President of the Board.

(c) The President of the Board shall be governed in the performance of his/her duties in accordance with the reference and enclosure (2).

(d) The Board shall meet on an as needed basis; meeting dates and times will be determined by the President of the Board.

(e) The Board shall conduct meetings as designated by the President of the Board. The President shall determine whether the meetings will be open or closed to the public.

(f) The Board will receive and take appropriate action in connection with all conditions detrimental to the good health, safety, welfare, morale, or discipline of military personnel. This will include, but not be limited to, conditions involving the following:

1. Criminal activities or misconduct which violate military, federal, state, or local laws, regulations, or rules.

2. Narcotics, marijuana, or dangerous drugs and drug abuse paraphernalia.

3. Liquor violations.

4. Illicit gambling.

5. Military and civilian relationships that may be detrimental to military personnel.

6. Unsanitary or other adverse conditions in establishments frequented by military personnel.

7. Unethical or illegal commercial or consumer practices.

8. Prostitution or sexually transmitted diseases.

9. Fire, safety, or health hazards.

10. Disorders and lack of discipline.

11. Other undesirable conditions or practices that may adversely affect military personnel.

12. Racial and other discriminatory practices.

13. Criminal or illegal activities involving cults or hate groups.

14. Areas susceptible to terrorist activity.

15. Other undesirable conditions that may adversely affect members of the military or their families.

(g) The Board will immediately forward to the sponsoring commander information reported to the Board regarding discrimination based on race, color, sex, religion, age, or national origin.

(h) The Board shall conduct active liaison with appropriate civil authorities concerning problems or adverse conditions existing in the Board's area of interest.

(i) The Board shall make appropriate recommendations to the CO concerning establishments and/or areas to be placed off-limits and the removal of off-limits restrictions.

5. Administration and Logistics

a. The contents of this Order will be widely disseminated to all Armed Forces personnel; particularly all COs including tenant commands.

b. The Commanding General, 2d Marine Aircraft Wing, the COs, Naval Health Clinic, Fleet Readiness Center East, and Combat Logistics Company 21 concur with the contents of this Order insofar as it pertains to members of their command.

6. Command and Signal

a. Command. This Order is applicable to the Marine Corps Reserve.

b. Signal. This Order is effective the date signed.

ROBERT D. CLINTON
By direction

DISTRIBUTION: A

BOARD MEMBERSHIP

1. The membership of the Board shall consist of the following representatives:

a. Voting members

(1) Inspector, MCAS Cherry Point, (President of the Board).

(2) Inspector, 2d MAW, or designee.

(3) Director, Security and Emergency Services, MCAS Cherry Point, or designee.

(4) Community Plans and Liaison Officer, or designee.

(5) Commanding Officer, Naval Health Clinic, or designee.

(6) Commanding Officer, Fleet Readiness Center East, or designee.

(7) Director, Safety and Standardization, MCAS Cherry Point.

(8) Drug and Alcohol Awareness Advisors.

(9) Equal Opportunity Advisor, MCAS Cherry Point.

(10) Command Chaplain, MCAS Cherry Point, or designee.

(11) Head Preventive Medicine Department, MCAS Cherry Point, or designee.

(12) Station Sergeant Major.

(13) Wing Sergeant Major.

b. Advisory (Non-voting Members)

(1) Staff Judge Advocate, or designee.

(2) Joint Public Affairs Officer, or designee.

2. For the conduct of emergency meetings or meetings that will require a vote, the listed representatives will attend or send a designated representative.

DUTIES OF PRESIDENT

1. Schedule and preside at all Board meetings.

2. Prepare an agenda prior to each meeting and ensure it is distributed to each voting member at least 72 hours prior to the meeting.

3. Submit the Board minutes with recommendations, if any, to the CO, via the SJA, for review and approval/disapproval by return endorsement.

4. Inform members of any special meeting and its purpose as far in advance as possible.

5. Publish a list of off-limits areas/establishments.

6. Notify appropriate civil officials of off-limits areas/establishments and request that they post a sign, on public property and in a conspicuous location, listing areas or establishments off-limits to military personnel. With the coordination of the Public Affairs Office, off-limits establishments shall also be published in the Windsock. Off-limits areas may also be distributed via "all-hands" email to Station and 2d MAW personnel.

7. Maintain appropriate records and files pertaining to Armed Forces Disciplinary Control Board activities.

BOARD PROCEDURES

1. General Considerations

a. The purpose of the Board meetings is to take appropriate action in accordance with this Order and the reference regarding matters which may adversely affect the health, safety, welfare, morale, or discipline of military personnel.

b. No meeting of the Board will be conducted unless a quorum of voting members is present. A quorum is defined as a majority of the voting membership.

2. Initiating an Action

a. The Board may take action based upon complaints originating from any source including, but not limited to, the command, federal, state, or local authorities, members of the Board, or any individual, military or civilian. The Board may investigate or inspect the conditions or practices of complaints as required. The Board's findings and recommendations will be prepared by the President of the Board and presented to the Board membership at the next Board meeting.

b. Prior to initiating routine off-limits action, the President of the Board will notify the sponsoring commander of the Board's findings and recommendations regarding any situations which adversely affect the health, safety, welfare, morale, or discipline of military personnel. The President of the Board will make efforts to correct the conditions or practices through liaison with community leaders and by notifying the proprietor of the establishment or area of undesirable conditions or practices and requesting that remedial action be taken.

c. If conditions or practices are not corrected by working with community leaders and the offending proprietor, the president will send a letter of notification by certified mail, return receipt requested, advising the proprietor of the undesirable conditions or practices and that off-limits proceedings will be initiated unless such conditions or practices are corrected. Specific and reasonable time limits in which the corrective action is expected to be accomplished will be indicated in the letter of notification.

d. If subsequent investigation reveals the undesirable conditions or practices have not been corrected within the time specified, written notification by certified mail, return receipt requested, will advise such proprietors of their right to appear before the Board and to present evidence bearing upon the contemplated off-limits action. Proprietors may designate, in writing, individual(s) to represent them at the Board meeting.

e. In cases where the proprietor has been invited to appear before the Board, the President will perform the following actions:

(1) Prior to calling the proprietor:

(a) Review the findings and decisions of the previous meeting.

(b) Call for the inspection reports and all evidence of record.

(c) Afford the Board members an opportunity to raise questions and discuss the case.

(2) When the proprietor is called before the Board:

(a) Present the proprietor with a brief summary of the complaint.

(b) Afford the proprietor an opportunity to present matters in defense of the allegation.

(c) Offer board members an opportunity to question.

(d) After the questioning period, afford the proprietor the opportunity to make a final statement before being dismissed.

(3) After excusing the proprietor from the Board, the members will discuss suggestions and recommendations regarding disposition of the case in closed session.

f. Unless emergency conditions exist which are extremely harmful to military personnel, an establishment or area will not be recommended for off-limits action until the proprietor has been:

(1) Notified in writing of the adverse conditions or practices.

(2) An opportunity for the proprietor to appear before the board has been extended. Set a reasonable time in which to correct deficiencies and further investigation indicates the improvements have not been made within the time specified or the proprietor clearly indicates that the undesirable conditions or practices will not be corrected.

g. If subsequent investigation reveals the undesirable conditions are not corrected within the time specified, or if the proprietor clearly indicates an unwillingness to correct the conditions or practices, the Board may vote in closed session on the recommendations. Any recommendation may be approved by the concurrence of at least a majority of the voting members present at the time the vote is taken.

h. The minutes of the Board meeting will indicate the Board's action in disposing of each case. When a recommendation is made that an area/establishment be placed off—limits, the minutes will show the procedural steps followed in reaching the decision.

i. Recommendations, and the Board's rationale, will be submitted to the sponsoring commander. The sponsoring commander may either approve or disapprove the recommendations and forward the decision to the President of the Board with an explanation for approving any recommendation involving placing an area/establishment off-limits.

3. Action. After approval of the Board's recommendations by the sponsoring commander, the President of the Board will dispatch to the proprietor of the establishment or area a letter of declaration stating an off-limits restriction has been imposed and the reasons therefore.

4. Continuation and Removal of "Off-Limits" Restrictions

a. Proprietors of establishments or areas declared off-limits should be advised that correspondence appealing this action may be submitted to the President. In the appeal process, the proprietor shall submit reasons why the off-limits restrictions should be removed.

b. A letter of notification of continuance of off-limits restriction will be sent to the proprietor when the Board to which the appeal is submitted does not favorably consider removal of the off-limits restriction. The letter will include the reasons for disapproval.

c. When it has been determined that adequate corrective measures have been taken by the proprietor of the establishment or area to meet the requirements for good health, safety, welfare, morale, or discipline of military personnel, the Board will take the following action:

(1) Discuss the matter at the next meeting and make appropriate recommendations.

(2) Forward recommendations for removal of off-limits restriction, with reasons therefore, to the sponsoring commander. If the recommendation is approved by the sponsoring commander, dispatch a letter of removal of off-limits restriction to the proprietor indicating the sponsoring commander's reasons for the action taken and the specific address or description of the establishment or area at which the off-limits restriction has been removed.

(3) Record what actions were taken in the minutes of the Board meeting.

d. Board decisions to continue off-limits restriction or to recommend lifting off-limits restriction shall require the concurrence of at least a majority of the voting members present at the time the vote is taken.