



UNITED STATES MARINE CORPS  
MARINE CORPS AIR STATION  
POSTAL SERVICE CENTER BOX 8003  
CHERRY POINT, NORTH CAROLINA 28533-0003

ASO 5370.2F  
INSP  
6 Jan 12

AIR STATION ORDER 5370.2F

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

Subj: CIVILIAN/MILITARY FAMILY MEMBER/JUVENILE MISCONDUCT

Ref: (a) Title 18, U.S. Code (NOTAL)  
(b) Title 50, U.S. Code, Section 797 (NOTAL)  
(c) MCO 5530.14A

Encl: (1) Definitions  
(2) Description of Administrative Actions  
(3) Disposition Guidelines

1. Situation. To establish guidelines for the disposition of cases involving civilian misconduct occurring aboard Marine Corps Air Station (MCAS), Cherry Point.

2. Cancellation. AirStaO 5370.2E.

3. Mission. By virtue of the office, the Commanding Officer (CO), MCAS Cherry Point, has authority over all personnel and activities aboard this installation. While the military chain of command exercises authority over instances of misconduct committed by military personnel, the CO exercises administrative as well as legal authority regarding instances of misconduct committed by civilians, military family members, and juveniles. References (a) through (c) provide the CO with a wide range of options that may be imposed upon civilians, military family members, and juveniles who commit violations of established regulations or criminal offenses aboard the Air Station. These options include, but are not limited, to prosecution in Federal Magistrate or District Court, permanent debarment, eviction from military housing, suspension of privileges, restriction from certain areas/facilities, probation, assignment to community service, and other administrative measures.

DISTRIBUTION STATEMENT A: Approved for public release;  
distribution is unlimited.

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. To describe the various administrative and legal options available to the CO regarding instances of misconduct committed by civilians, military family members, and juveniles, and to provide guidelines for implementing administrative and legal options.

(2) Concept of Operations

(a) The Station Inspector (INSP) and the Special Assistant to the United States Attorney (SAUSA) are directly involved in handling instances of misconduct committed by civilians, military family members, and juveniles. The INSP and SAUSA consult to determine which cases should be handled by the INSP using administrative options and which cases should be handled by the SAUSA through the Federal Magistrate or District Court. Some cases may result in both administrative and legal actions.

(b) The INSP is delegated authority to pursue all administrative options regarding instances of misconduct. The decision to prosecute civilians, military family members, and juveniles in Federal District Court rests with the SAUSA, who ensures that the CO is kept informed of the status of cases being federally prosecuted.

(3) Enclosure (1) describes those persons subject to administrative and legal authority in the context of this Order. Enclosure (2) identifies the various administrative options available to the CO. Enclosure (3) provides guidelines for implementing administrative and legal options.

5. Administration and Logistics. The Commanding General, 2d Marine Aircraft Wing, and the Commanding Officers of Combat Logistics Company-21, the Cherry Point Naval Health Clinic, 12th Dental Company, and the Fleet Readiness Center East concur with the contents of this Order insofar as it pertains to their Commands.

6. Command and Signal

a. Command. This Order is applicable to all personnel aboard MCAS Cherry Point.

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

  
E. S. WEISSBERGER  
Executive Officer

DISTRIBUTION: A

**DEFINITIONS**

1. Civilian. For the purposes of this Order, a civilian is any person who is not a member of the Armed Forces, on active duty or in a Reserve duty status, and has attained his or her 18th birthday.
2. Military Family Member. Military family members are civilians who are granted privileges based upon sponsorship by active duty or retired military personnel.
3. Juvenile. A juvenile is a person who has not yet attained his or her 18th birthday and is not a member of the Armed Forces on active duty or in a Reserve duty status.
4. Civilian Government Employee. A civilian who is granted access to the Air Station based upon their employment by the Federal Government.
5. Commercial Employee or Contract Employee. A civilian who is granted access to the Air Station to perform contracted services for the Government; or to provide services for personnel working or residing aboard the Air Station.
6. Guest(s). Guests are any Sponsored individuals who are not otherwise entitled to be aboard the Air Station or to use its facilities and services.

DESCRIPTION OF ADMINISTRATIVE ACTIONS

1. Letter of Warning. This correspondence is issued to warn those involved in minor misconduct that further misconduct may lead to more substantial administrative measures.
2. Suspension of Privileges. This action suspends specific privileges of those involved in misconduct, especially the privilege that was violated by the misconduct (e.g. Exchange/ Commissary privileges, pool, gymnasium, skate park, etc.)
3. Debarment. This action directs individuals involved in misconduct to leave and not re-enter the limits of specified Military Reservations. Debarment correspondence includes a Debarment Order.

DISPOSITION GUIDELINES

Below is a listing of misconduct along with action normally imposed. It is a guide and not all inclusive. Where any instance of misconduct is not listed herein, action will be taken consistent with the seriousness of the misconduct. More/less severe action may be taken based upon the circumstances of an individual case. Additionally, more than one action may result from a single offense.

1. Conduct that Normally Results in an Oral Admonition:

Minor Offense(s), especially when younger children are involved.

2. Conduct that Normally Results in a Letter of Warning:

Unresolved neighborhood disputes; minor domestic disputes; failure to exercise control or supervision over minor children; violation of motor vehicle regulations when action in addition to that of the Traffic Court Officer is appropriate; violation of wildlife regulations; violation of pet regulations; any minor violation which threatens the peace and/or security of this Installation.

3. Conduct which Normally Results in Suspension of Privileges or Restriction to or from Specified Areas and/or a Period of Probation:

Shoplifting or theft from any activity/location aboard this Installation; abuse of privileges; sponsorship of an individual not otherwise entitled to use facilities where such individual violates regulations or commits criminal misconduct aboard this Installation.

4. Conduct which normally results in a Letter of Debarment:

Commission of any offense involving a weapon or drug related activity; commission of a felony; repeated minor violations of regulations where the individual has been previously warned or lesser administrative action was taken without results; serious domestic disturbances; serious spouse/child neglect or abuse; aggravated assault; theft, burglary, repeated motor vehicle violations; any offense/misconduct that threatens the peace and/or security of this Installation. A Letter of Debarment will terminate employment and future employment opportunities.

ASO 5370.2E  
6 Jan 12

5. Referral to Federal Authorities:

Any violation of Federal or state law, especially serious offenses or trespassing, after having been ordered from this Installation, will be referred to the SAUSA for action; and any DD Form 1805 citation (United States District Court Violation Notice).