



UNITED STATES MARINE CORPS

MARINE CORPS AIR STATION YUMA

BOX 99100

YUMA, ARIZONA 85369-9100

IN REPLY REFER TO:
StaO 1620.1C
SJA

09 SEP 2013

STATION ORDER 1620.1C

From: Commanding Officer
To: Distribution

Subj: ARMED FORCES DISCIPLINARY CONTROL BOARD

Ref: (a) MCO 1620.2D

Encl: (1) List of Membership
(2) Board Procedures
(3) Duties of President
(4) Letter of Notification
(5) Letter of Invitation
(6) Letter of Appreciation
(7) Off-Limits Approval Letter
(8) Letter of Declaration of Off-Limits
(9) Notification of Continuance After Appearance
(10) Letter of Removal
(11) Format of Meeting Minutes

1. Situation. Per the reference, Armed Forces Disciplinary Control Boards (AFDCB) is established to advise and make recommendations on matters of health and safety. The S-1 will publish the Off-Limits Bulletin.

2. Cancellation. StaO 1620.1B

3. Mission. To establish MCAS Yuma AFDCB, provide guidance and procedures for conduct, per the reference.

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. To establish procedures for MCAS Yuma AFDCB and to promulgate off-limit locations for this installation ensuring that armed forces personnel are aware of off-limit locations within MCAS Yuma AOR. Off-limit locations will be published in installation bulletins, websites, newspapers, and other available media.

(2) Concept of Operations

(a) The Board provides a venue for all commanders aboard the Air Station who seek to have an area or specific location placed off-limits to military personnel.

(b) All armed forces personnel assigned to units falling under MCAS Yuma AOR must adhere to the restrictions on the regional off-limits list. Armed forces personnel visiting or on temporary additional duty within the MCAS Yuma AOR will also adhere to this policy. Violations may subject

the individual to disciplinary action under the Uniform Code of Military Justice.

(c) MCAS Yuma AFDCB will be structured and conducted to include an encompassing investigation and review of all situations within the AOR that might place Marines and Sailors at risk. The MCAS Yuma AFDCB will receive reports and make recommendations on conditions within their AOR relating to any of the following:

- a. Criminal activities or other misconduct
- b. Prostitution.
- c. Sexually transmitted disease.
- d. Liquor violations.
- e. Racial or other discriminatory practices.
- f. Alcohol or drug abuse.
- g. Drug paraphernalia sales.
- h. Fire, safety, or health concerns.
- i. Activities involving cults, gangs, or hate groups.
- j. Illegal gambling.
- k. Areas susceptible to terrorist activity.
- l. Areas involving gang member activity.
- m. Areas involved in trafficking in persons.
- n. Unfair commercial or consumer practices.
- o. Military and civilian relationships that may be detrimental to military personnel.
- p. Unsanitary or other adverse conditions in establishments frequented by military personnel.
- q. Unethical or illegal business practices.
- r. Other undesirable conditions that may adversely affect members of the military or their families.

b. Subordinate Element Missions

(1) MCAS Yuma Executive Officer.

(a) In accordance with the reference and enclosures (2) and (3) of this Order, serve as President of the MCAS Yuma AFDCB. The MCAS Yuma AFDCB will cover a 50-mile radius from the MCAS Yuma borders and, any other area frequented by MCAS Yuma armed forces personnel not covered by another installation's AFDCB.

(b) Compile and promulgate quarterly the subordinate commands off-limits lists to all units falling under the MCAS Yuma AFDCB.

(2) Staff Judge Advocate, MCAS Yuma AFDCB.

(a) Serve in an advisory capacity to the CO, MCAS Yuma regarding AFDCB issues.

(b) Serve as a representative on the MCAS Yuma AFDCB.

(c) Provide a Board Recorder to prepare minutes of Board proceedings and Board correspondence.

(d) Update this order and/or any directives that promulgate policy and procedures for establishing and conducting local AFDCBs.

(3) Provost Marshal. Serve as a representative on the MCAS Yuma AFDCB.

(4) Chaplain. Serve as a representative on the MCAS Yuma AFDCB.

(5) Public Affairs Officer. Serve as a representative on the MCAS Yuma AFDCB.

(6) Director, Community Plans & Liaison Officer. Provide a representative to the MCAS Yuma AFDCB.

(7) Director, Consolidated Substance Abuse Counseling Center. Serve as a representative on the MCAS Yuma AFDCB.

(8) Director, Marine Corps Community Services. Serve as a representative on the MCAS Yuma AFDCB.

(9) Naval Criminal Investigative Service (NCIS). Provide an agent or officer to serve as a representative on the MCAS Yuma AFDCB.

(10) Equal Opportunity Advisor. Serve as a representative on the MCAS Yuma AFDCB.

(11) Chief, Fire Department. Provide a representative to serve on the MCAS Yuma AFDCB.

(12) Manager, Safety. Provide a representative to serve on the MCAS Yuma AFDCB.

(13) Commanding Officer, H&HS. Provide a field grade officer, SgtMaj or Senior Enlisted Advisor (SEA) to represent your command element on the MCAS Yuma AFDCB.

(14) MCAS Yuma Tenant Commands

(a) MAG-13. The commanding officer is encouraged to provide a field grade officer, SgtMaj or SEA to represent the command element as a voting member on the MCAS Yuma AFDCB.

(b) MAWTS-1. The commanding officer is encouraged to provide a field grade officer, SgtMaj or SEA to represent the command element as a voting member on the MCAS Yuma AFDCB.

(c) CLC-16. The commanding officer is encouraged to provide a field grade officer, SgtMaj or SEA to represent the command element as a voting member on the MCAS Yuma AFDCB.

(d) VMFT-401. The commanding officer is encouraged to provide a field grade officer, SgtMaj or SEA to represent the command element as a voting member on the MCAS Yuma AFDCB.

(15) Sergeant Major, MCAS Yuma

(a) Serve as SEA to the Commanding Officer on all matters pertaining to the MCAS Yuma AFDCB.

(b) Serve as the SEA and voting member on the MCAS Yuma AFDCB.

(16) S-1, MCAS Yuma.

(a) Promulgate Station Bulletin 1620 at the conclusion of each MCAS Yuma AFDCB or as directed by the CO, MCAS Yuma.

(b) Provide list of local off-limit locations to the MCIWEST-MCB CAMPEN CIG within 30 days of the AFDCB.

5. Administration and Logistics

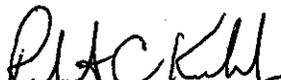
a. Records of Board proceedings will be maintained as prescribed by records management policies and procedures.

b. Directives issued by this Headquarters are published and distributed electronically. Electronic versions of the MCAS Yuma directives can be found at: <https://www.mciwest.usmc.mil/inst/mcasy/default.aspx>

6. Command and Signal

a. Command. This Order is applicable to all personnel, commands, organizations, units, activities under MCIWEST-MCB CAMPEN AOR.

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


ROBERT C. KUCKUK

MCAS YUMA AFDCB LIST OF MEMBERS

1. Membership shall consist of representatives from the following areas:
 - a. MCAS Yuma Executive Officer (President of the Board)
 - b. Sergeant Major, MCAS Yuma
 - c. Staff Judge Advocate
 - d. Provost Marshal
 - e. Public Affairs Officer
 - f. Community Plans & Liaison Officer
 - g. Consolidated Substance Abuse Counseling Center
 - h. MCCS
 - i. NCIS
 - j. Equal Opportunity Advisor
 - k. Fire Department
 - l. H&HS
 - m. MAG-13
 - n. MAWTS-1
 - o. CLC-16
 - p. VMFT-401
 - q. Chaplain
 - r. Safety
 - s. Board Recorder
2. The Board shall function under the supervision of the Board President.
3. All members of the Board are voting members except the Board Recorder.
4. Where special expertise in any area is required, the President may appoint, as a non-voting member, the expert representative deemed appropriate and my request the CO, MCAS Yuma to assign and investigating officer into matters required by other directives.
5. The Board will meet quorum requirements if a majority of the appointed, voting members are present.

ENCLOSURE (1)

BOARD PROCEDURES

1. Frequency. In accordance with the reference, the MCAS Yuma AFDCB shall meet once per quarter and at such times as the President of the Board may direct. The President may decide whether the meetings will be open or closed to the public.

2. Agenda. The Board will receive reports, and take appropriate action on conditions in their area which are detrimental to health, safety, morals, welfare, or discipline of military personnel. This will include conditions involving the following:

- a. Criminal activities or other misconduct
- b. Prostitution.
- c. Sexually transmitted disease.
- d. Liquor violations.
- e. Racial or other discriminatory practices.
- f. Alcohol or drug abuse.
- g. Drug paraphernalia sales.
- h. Fire, safety, or health concerns.
- i. Activities involving cults, gangs, or hate groups.
- j. Illegal gambling.
- k. Areas susceptible to terrorist activity.
- l. Areas involving gang member activity.
- m. Areas involved in trafficking in persons.
- n. Unfair commercial or consumer practices.
- o. Military and civilian relationships that may be detrimental to military personnel.
- p. Unsanitary or other adverse conditions in establishments frequented by military personnel.
- q. Unethical or illegal business practices.
- r. Other undesirable conditions that may adversely affect members of the military or their families.

3. Meetings

a. A Board meeting can only be convened when a quorum of voting members are present. A quorum is defined as a majority of the voting members.

b. Unless emergency conditions exist which are extremely harmful to military personnel, an establishment will not be recommended for off-limits action until the proprietor has been notified in writing by the President of the Board of the adverse conditions and, given an opportunity to be heard and a reasonable time in which to correct deficiencies.

c. Recommendations for any action will be deliberated and voted on by the Board in a closed session. Only members of the Board shall be present during deliberations and voting.

d. Recommendations for any action require vote by the majority of the voting members present and voting.

4. Initiating Off-Limits Action

a. The Board may take action based upon complaints originating from any source including, but not limited to: individuals, the Command, local or state agencies, or members of the Board. After hearing a complaint, Board

ENCLOSURE

ENCLOSURE (2)

members must vote on whether an investigation or inspection will be initiated.

b. If the Board votes to investigate or inspect an area or establishment, the President or designee will prepare and submit a report of findings and recommendations at the next meeting.

c. After a review of the investigation or inspection, the Board will vote on whether conditions adverse to military personnel exist. A letter of notification (encl 4) will be sent to the owner or manager of the establishment advising them to raise standards by a specific date and that if such conditions or practices continue, off-limits proceedings will be initiated.

d. If remedial action is taken to correct the undesirable condition, the Board should send a letter (encl 6) stating the appropriate correction has been taken and the business will remain open to armed forces personnel.

e. If the undesirable conditions are not corrected in a reasonable time, the owner or manager will be invited to appear before the Board to explain why the establishment should not be placed off-limits (encl 5).

f. In cases where proprietors have been invited to appear (encl 5), the President will perform the following actions:

(1) Prior to calling the proprietor or his representative, the Board will review the findings and decisions of previous meetings.

(2) When the proprietor is called before the Board, the proprietor will be presented with a summary of the complaint, be afforded the opportunity to present matters in defense of the allegation, be asked questions by the Board, and after the questioning period, be given a final opportunity to make a statement.

(3) After excusing the proprietor from the meeting, the Board shall deliberate and vote on appropriate recommendations for the Commanding Officer. Deliberations or recommended actions will take place in a closed session and will be provided to the Commanding Officer in writing (encl 7).

(4) If the Board votes to recommend an establishment to be placed off-limits, the Board will provide a draft Letter of Declaration (encl 8) to the Commanding Officer with the Board's Approval Letter. The Letter of Declaration will be sent to the proprietor by certified mail with return receipt.

6. Minutes

a. The written minutes of the AFDCB meeting will constitute the official records of the AFDCB proceedings (encl 11).

b. The written minutes will include the reason for approving or removing an off-limits restriction and the complete address of the establishment or area involved.

c. Board minutes, records, and files are for official use only. The Freedom of Information Act shall govern all requests for Board records.

7. Emergency Off-Limits Action. When emergency conditions exist which are extremely harmful to military personnel, subordinate commanding officers may temporarily declare establishments or areas "off-limits" to military personnel subject to their jurisdiction. They must then report the circumstance immediately to the Commanding Officer, MCAS Yuma. Detailed jurisdiction for the emergency action shall be provided to the Board, which will convene and act upon the matter on a priority basis.

8. Removal of Off-Limits Restrictions

a. Removal of an off-limits restriction requires a majority vote by a quorum of the Board.

b. Change in ownership, management, or name of any off-limits establishment does not, in and of itself, remove the off-limits restriction.

c. After an establishment has been on the off-limits list for at least 90 days, proprietors of establishments declared off-limits may request to be heard at the next Board meeting.

(1) Proprietors must come prepared to demonstrate how they have removed their deficiencies.

(2) The Board will discuss the matter and make appropriate recommendations.

(3) Recommendations for removal of "off-limits" restrictions will be forwarded to the Commanding Officer, MCAS Yuma for approval (encl 10).

(4) After appearance, if Board votes continuance, notification (encl 9) will be sent to the proprietor with justification.

DUTIES OF THE PRESIDENT

1. Schedule the time, date, and place for the Board meetings and preside at those meetings.
2. Prepare an agenda prior to each meeting and ensure its distribution to each voting member at least 72 hours prior to the meeting.
3. Ensure written minutes are produced for each Board meeting. A verbatim transcript is not required; however, the reasons for approving or removing an "off-limits" restriction, to include a complete address of the establishment, shall be contained in the order of business.
4. Submit Board minutes, with recommendations, if any, to the Commanding Officer, MCAS Yuma, via the Staff Judge Advocate, for review and approval/disapproval by return endorsement.
5. Ensure the responsible individuals are notified of any unfavorable action being contemplated or taken regarding their establishments. All correspondence forwarded to establishment proprietors will be certified mail, return receipt requested.
6. Publish lists of "off-limits" areas and establishments to all units within the area, and all other units stationed in other areas whose personnel frequent the Board's area.
7. Ensure the procedures are established to inform all service personnel, including those who may be visiting or are in travel status, of off-limits restrictions in effect within the Board's area of interest.
8. Maintain appropriate records and files pertaining to AFDCB activities.
9. Conduct inspections of off-limits establishments.

ENCLOSURE (3)

LETTER OF NOTIFICATION
(Letterhead)

Proprietor
Address

Dear Sir:

This letter is to inform you that it has come to the attention of the Armed Forces Disciplinary Control Board (AFDCB) that certain conditions reported at your establishment(s) may adversely affect the (health, welfare, safety, etc.) of members of the Armed Forces.

The AFDCB is initiating action to determine whether your establishment (area) should be placed off-limits to members of the Armed Forces if (cite condition(s)) are not corrected by (date).

A representative of the AFDCB will visit your establishment to determine if steps have been taken to correct the conditions outlined above.

ENCLOSURE (4)

LETTER OF INVITATION
(Letterhead)

Proprietor
Address

Dear Sir:

This is in reference to my letter of (date) concerning the condition at your establishment which adversely affects the (health, welfare, safety, etc.) of members of the Armed Forces. Information has been received by the Board that indicates you have not taken adequate corrective action to eliminate the reported condition(s).

Reports presented to the Armed Forces Disciplinary Control Board (AFDCB) indicates (list and describe condition(s)).

You are advised that the AFDCB will initiate action to determine whether your establishment should be declared off-limits to members of the Armed Forces.

You may appear in person, with or without counsel, before the AFDCB at its next scheduled meeting on (date, time, and place). At that time, you will have the opportunity to refute the allegation, or to inform the Board of any remedial action you have taken or contemplate taking, to correct the condition. It is requested that you inform the President of the AFDCB if you plan to attend.

Any questions regarding procedures of the AFDCB may be addressed to the President, AFDCB, (address). You will be given the opportunity to discuss the substance of these allegations at the next scheduled meeting of the AFDCB.

ENCLOSURE (5)

LETTER OF APPRECIATION
(Letterhead)

Proprietor
Address

Dear Sir:

This is in reference to my letter of (date) concerning the condition(s) at your establishment which adversely affected the (health, welfare, safety, etc.) of members of the Armed Forces.

The Board appreciates your action to correct the condition(s) previously noted and does not contemplate further action with respect to this specific matter.

Your continued cooperation is solicited.

ENCLOSURE

ENCLOSURE (6)

APPROVAL LETTER
(Letterhead)

MEMORANDUM FOR (COMMANDING OFFICER OF SUPPORTED INSTALLATION)

Subj: ESTABLISHMENTS OR AREAS RECOMMENDED FOR OFF-LIMITS DESIGNATION

1. On (date), the Armed Forces Disciplinary Control Board (AFDCB) recommended imposition of the following off-limits restrictions:

(Name and address of establishment(s))

2. Commanders furnishing AFDCB representatives are requested to provide any comments within 10 days as to whether (name of establishment or area) should be placed off-limits.

3. A copy of the AFDCB minutes and recommendations is enclosed.

ENCLOSURE (7)

DECLARATION OF OFF-LIMITS
(Letterhead)

Proprietor
Address

Dear Sir:

This is to inform you that your establishment has been declared off-limits to members of the Armed Forces effective (date). Members of the Armed Forces are prohibited from entering your establishment (premises) as long as this order is in effect. This action is being taken because of (state the condition(s) which are detrimental to the health or welfare) of the Armed Forces.

This restriction will remain in effect indefinitely per the establishment Armed Forces policy. After 90 days of off-limits restriction you may request to be heard at the next scheduled AFDCB meeting. Removal of the restriction will be considered by the AFDCB upon presentation of information that satisfactory corrective action has been taken.

Correspondence appealing this action may be submitted to the president, AFDCB (address), however, you will not have the opportunity to discuss the merits of your corrective action until the next scheduled meeting of the AFDCB.

ENCLOSURE (8)

NOTIFICATION OF CONTINUANCE OF OFF-LIMITS RESTRICTION
AFTER APPEARANCE BEFORE THE AFDCB
(Letterhead)

Proprietor
Address

Dear Sir:

The Armed Forces Disciplinary Control Board (AFDCB) did not favorably consider your request for removal of the off-limits restriction now in effect at your establishment.

This decision does not preclude further appeals or appearances before the AFDCB at any of its scheduled meetings. Correspondence pertaining to this matter should be addressed to the President, AFDCB, (address).

ENCLOSURE (9)

LETTER OF REMOVAL OF OFF-LIMITS RESTRICTION
(Letterhead)

Proprietor
Address

Dear Sir:

This letter is to inform you that the off-limits restriction against (name of establishment) is removed effective (date). Members of the Armed Forces are permitted to patronize your establishment as of that date.

The corrective action taken in response to the concerns of the Armed Forces Disciplinary Control Board (AFDCB) is appreciated.

ENCLOSURE (10)

MEETING MINUTES
(Letterhead)

MEMORANDUM FOR _____

Subj: ARMED FORCES DISCIPLINARY CONTROL BOARD (AFDCB)

1. Pursuant to the authority contained in MCO 1620.2D and AFDCB convened at (place), (date).
2. The following voting members were present: (list names, titles, and addresses)
3. The following military members were present: (list names, titles, and addresses)
4. The following civilian advisory members were present: (list names, titles, and addresses)
5. Order of Business
 - a. Call to Order.
 - b. Welcome.
 - c. Introduction of members and guests.
 - d. Explanation of purpose of board.
 - e. Reading of minutes.
 - f. Unfinished or continuing business.
 - g. New business (subparagraph as necessary).
 - h. Recommendations.
 - (1) List of areas and establishments being placed in an off-limits restriction. Include complete name and address/area of any establishment listed.
 - (2) List of areas and establishments being removed from off-limits restrictions. Include complete name and address/area of any establishment listed.
 1. Other matters or problems of mutual concern.
 - i. Time, date, and place for next board meeting.
 - j. Adjournment of the Board.

(Board Recorder's Name)

Approved:

(Board President's Name)
(Rank, Branch of Service)
President, AFDCB

Note: The minutes of the Board president will be forwarded by official correspondence from the board president to the sponsoring commander for approval of the board's recommendation. By return endorsement, the sponsoring commander will either approve or disapprove the board's recommendation.

ENCLOSURE (11)

