



UNITED STATES MARINE CORPS
MARINE CORPS INSTALLATIONS EAST-MARINE CORPS BASE
PSC BOX 20005
CAMP LEJEUNE NC 28542-0005

MCIEAST-MCB CAMLEJO 1752.1
CIG

17 OCT 2013

MARINE CORPS INSTALLATIONS EAST-MARINE CORPS BASE CAMP LEJEUNE ORDER
1752.1

From: Commanding General
To: Distribution List

Subj: CIVILIAN, DEPENDENT, AND JUVENILE MISCONDUCT

Ref: (a) Title 18, U.S.C. (NOTAL)
(b) Title 50, U.S.C., §797 (NOTAL)
(c) BO P11101.33A
(d) MCO 5530.14A

Encl: (1) Definitions
(2) Disposition Guidelines

Reports Required: I. Report of Civilian Misconduct (MCIEAST-MCB
CAMLEJ-1752.1-01), par. 4b(1)(a)

1. Situation. The Commanding General (CG), Marine Corps Installations East-Marine Corps Base Camp Lejeune (MCIEAST-MCB CAMLEJ), requires all personnel who come aboard MCB CAMLEJ, regardless of status, to adhere to established rules, regulations, Federal, and state law. Those individuals who choose to violate such requirements or threaten the peace and security of this installation will be dealt with expeditiously and in consonance with the violation committed. This Order establishes a policy for civilian, dependent, and juvenile misconduct occurring aboard MCB CAMLEJ, in accordance with references (a) through (d).

2. Cancellation. BO 1752.1G.

3. Mission. This Order outlines the authority of the CG, MCIEAST-MCB CAMLEJ, over all personnel and activities within MCB CAMLEJ. The CG, by virtue of their office, exercises authority over offenses committed aboard this installation by civilians (as defined in enclosure (1)). Additionally, the CG exercises authority over all personnel in administrative matters which include, but are not limited to: housing affairs, traffic/motor vehicle and hunting regulations, shoplifting, juvenile misconduct, and other similar functions. This Order also applies to service members who are separated punitively or administratively (under other than honorable conditions (UOHC)) that represent a reasonable threat to the peace and security of this installation.

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

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4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. To maintain the peace and security of MCB CAMLEJ through judicious, timely, and coordinated administrative responses to all reported instances of civilian misconduct.

(2) Concept of Operation

(a) The military chain of command will resolve instances of misconduct committed by military personnel.

(b) Misconduct committed by civilians aboard MCB CAMLEJ will be resolved administratively and/or through prosecution in criminal proceedings.

(c) Offenses committed by civilians outside the jurisdictional boundaries of MCB CAMLEJ wherein there is a potential threat to the peace and security of this installation will be handled in accordance with reference (a) and (b) of this Order and applicable civilian personnel regulations. All administrative action taken in accordance with this Order shall be based upon facts and conclusions supported by a preponderance of the available evidence.

(d) Personnel residing in Privatized Housing shall conduct themselves in accordance with the rules and regulations as outlined in reference (c).

b. Subordinate Element Missions

(1) Commanders of MCB CAMLEJ organizations, including all outlying camps and tenant activities shall:

(a) Report instances of civilian misconduct to the Provost Marshal.

(b) Review every case of individuals separated from the military UOHC to determine if the separation is predicated upon conduct which clearly demonstrates a threat to or a tendency to threaten the peace and security of this installation. In cases wherein a determination is made that the conduct which led to the discharge clearly evidences such a threat, prepare a recommended declaration of Persona Non-Grata (PNG) and forward the proposed letter with supporting documentation to the Command Inspector General's (CIG's) office.

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(c) Upon approval by the CG, MCIEAST-MCB CAMLEJ, of a PNG letter, send the letter, via certified mail, to the service member in conjunction with discharge, ensuring the individual acknowledges receipt of the letter, and return the acknowledged copy to the CIG.

(2) Provost Marshal, MCIEAST-MCB CAMLEJ shall:

(a) Investigate instances of civilian misconduct and distribute the results of such investigations, per current regulations and this Order.

(b) Process personnel who have been barred from reentering this installation and who attempt to reenter MCB CAMLEJ for prosecution before the United States Federal Magistrate, as appropriate, by forwarding the processing documents to the Special Assistant United States Attorney (SAUSA) and the CIG.

(c) Upon receiving a report of serious misconduct committed by civilians/juveniles, deny an individual access to this installation if it is determined that individual(s) posed a legitimate threat to the peace and security of this installation or there is an imminent threat of injury to an individual if the civilian/juvenile is not immediately removed from this installation.

(3) CIG, MCIEAST-MCB CAMLEJ shall:

(a) Review investigations and reports of civilian misconduct occurring aboard MCB CAMLEJ, take appropriate administrative action as provided in enclosure (2), or forward such report along with recommended action to the CG, MCIEAST-MCB CAMLEJ.

(b) The CIG, acting on behalf of the CG, MCIEAST-MCB CAMLEJ, shall impose appropriate administrative action, short of evicting individuals from privatized base housing and declaring individuals PNG. The CIG shall not impose civilian personnel action.

(c) Receive and process, on behalf of the CG, all appeals from administrative actions taken against civilians or juveniles in accordance with the provisions of this Order.

(d) For cases dealing with juvenile misconduct, conduct a Juvenile Disciplinary and Rehabilitation Board (JDRB), with the juvenile and his/her parent(s) and representatives from MCB CAMLEJ, keeping in mind the age of the juvenile, and their rehabilitative potential. Not all cases are required to have a JDRB hearing; minor cases may be processed without a board, and major criminal or repeat offenses could result in a recommendation for PNG without a board.

(e) Maintain records on administrative action taken in accordance with applicable directives.

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(4) Staff Judge Advocate, MCIEAST-MCB CAMLEJ shall:

(a) Review proposed recommendations for PNG of civilians and those letters submitted by Commanders on individuals who are being separated UOHC or receive an adjudicated punitive discharge and forward them to the CG, MCIEAST-MCB CAMLEJ for signature.

(b) Forward a copy of the signed debarment letter on military personnel to the Commandant of the Marine Corps (JA) for information and filing.

(5) SAUSA shall:

(a) Upon receiving a report of serious misconduct committed by civilians/juveniles aboard MCB CAMLEJ, prosecute in U. S. Federal District Court.

(b) Civilians or individual(s) who posed a legitimate threat to the peace and security of MCB CAMLEJ or there is an imminent threat of injury to other personnel, will be prosecuted in U.S. Federal District Court.

5. Administration and Logistics

a. All records and materials relating to incidents involving civilian and juvenile misconduct are considered sensitive material and shall be maintained by the CIG and Provost Marshal in restricted access containers separate from general correspondence files. The privacy/sensitivity of these files should be maintained and disclosure to third parties is strictly controlled.

b. Access to civilian and juvenile files shall be limited to those individuals who have an official need to know such information. The individual upon whom the files relate can request copies of information on file through a Freedom of Information Act request.

c. All files relating to juveniles and not including a declaration of PNG shall be destroyed four years after the last incident therein.

d. PNG files shall be maintained by the CIG indefinitely.

e. All other files shall be maintained for a period as determined by the CIG.

f. All administrative actions are subject to appeal to the CG, MCIEAST-MCB CAMLEJ (Attn: CIG).

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6. Command and Signal

a. Command. This Order is applicable to MCB CAMLEJ subordinate and tenant commands.

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



J. W. CLARK, JR.
Deputy Commander

DISTRIBUTION: A/C

Definitions

1. Civilian. A civilian is anyone who is not a member of the Armed Forces on active duty and has attained his or her 18th birthday.
2. Juvenile. A juvenile is a person who has not attained his or her 18th birthday and is not a member of the Armed Forces on active duty.
3. Criminal Offense. A violation of the law of the United States or of the law of the State of North Carolina, as assimilated pursuant to section 13 of reference (a).
4. Minor Offense. A misdemeanor, the penalty for which does not exceed one year of imprisonment or a fine of not more than \$1,000.00, or both.
5. Administrative Due Process. Administrative due process includes notification of intent to take certain administrative action, the opportunity to respond in writing, or the opportunity to appeal any administrative action to the CG, MCIEAST-MCB CAMLEJ via the CIG. Administrative due process is separate and distinct from due process afforded in a criminal prosecution. Nothing herein prevents the CG, MCIEAST-MCB CAMLEJ, or other designated official from taking appropriate administrative action prior to providing due process in response to personnel who pose an immediate threat to the peace and security of MCB CAMLEJ or have committed serious offenses.

Note: All definitions are for the purposes of this Order only.

Disposition Guidelines

The below listing of misconduct, along with action normally imposed, is a guide and is not all inclusive or binding in any specific case. 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 the individual case. Additionally, more than one action may result from a single offense.

1. Conduct which normally results in an oral admonition; particularly minor offenses, especially when younger children are involved.

2. Conduct which normally results in a Warning Letter; Commission of minor offenses, unresolved neighborhood disputes, minor domestic disputes, failure to exercise control or supervision over minor children; minor affrays, violation of motor vehicle traffic regulation when action in addition to that of the Traffic Court Officer is appropriate.

3. Conduct which normally results in suspension of privileges or restriction to specified areas and/or a period of probation: shoplifting or theft from any activity/location aboard this installation (regardless of value of property taken); abuse of privileges; sponsorship of an individual not otherwise entitled to use facilities where such individual violates regulations or commits criminal misconduct aboard the installation; repeat of minor offenses, where a warning letter has previously been issued without results.

4. Conduct which normally results in a recommendation for eviction from Privatized Housing; repeated violation of housing or other regulations, a pattern of an inability to live peaceably with neighbors; waste or mismanagement of government provided utilities; willful destruction of property including assigned privatized housing; child or spouse abuse/neglect; commission of a felony; commission of any offense involving drug activity or weapons.

5. Conduct which normally results in a declaration of PNG, commission of any offense involving a weapon or drug related activity; commission of a felony; repeated minor violations of base 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 assaults; theft; burglaries; any offense/misconduct which threatens the peace and security of this installation.

6. 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.