



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

MCIEAST-MCB CAMLEJO 11103.1  
SJA  
21 FEB 2010

MARINE CORPS INSTALLATIONS EAST-MARINE CORPS BASE CAMP LEJEUNE ORDER 11103.1

From: Commanding General  
To: Distribution List

Subj: MILITARY HOUSING RESIDENCY RESTRICTIONS FOR REGISTERED SEX OFFENDERS

Ref: (a) SECNAV Memo of 7 Oct 08  
(b) CMC (I&L) ltr 11000 LFF of 31 Dec 08  
(c) CMC (LFF) ltr 11000 LFF-3 of 3 Feb 09  
(d) Cafeteria and Restaurant Workers Union, Local 473, AFL-CIO v. McElroy, 367 U.S. 886 (1961)  
(e) Berry v. Bean, 796 F.2d 713 (4th Cir. 1986)  
(f) Serrano Medina v. United States, 709 F.2d 104 (1st Cir. 1983)  
(g) SECNAV Memo of 11 Jun 08  
(h) South Carolina Code §23-3-400 et. seq.  
(i) Official Code of Georgia §42-1-12 et. seq.  
(j) North Carolina General Statute §14-208.5 et. seq.

1. Situation. Reference (a) prohibits registered sex offenders from having access to Department of Navy (DON) facilities and from occupying DON owned or leased military housing or Public-Private Venture housing. References (b) and (c) direct procedures needed to comply with reference (a). This Order provides supplemental direction to ensure compliance with references (a) through (c), and to ensure the good order and discipline of Marine Corps Installations East-Marine Corps Base Camp Lejeune (MCIEAST-MCB CAMLEJ) installations.

2. Cancellation. MCIEASTO 11103.1.

3. Mission. To establish policy and procedures regarding the implementation of military housing residency restrictions for registered sex offenders.

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. The good order and discipline of military installations is a matter of paramount importance in safeguarding national security. The proper stewardship of the morale of a command is likewise essential in order to support the undivided commitment of our deployed personnel to their duties. Military personnel must be afforded every opportunity to fully focus on the military mission, while relying on the command structure to safeguard personal property and family interests while they are away. It is this trust and reliance upon tranquility on the home front that helps to ensure our Marines are mission-focused when they go into harm's way. Courts have consistently held that military commanders have broad authority to prohibit entry onto a military reservation by certain persons in order to maintain good order and discipline, and to ensure operational readiness under references (d) through (f).

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(2) Concept of Operations. Pursuant to references (a) through (c) and in order to preserve morale, welfare, good order, and discipline, registered sex offenders will be denied residence in housing aboard our installations, unless waived by "competent authority" per reference (g), and paragraph 2.c of reference (b). Accordingly, assignment of military personnel, civilians, and their dependents to housing shall include a determination of whether the military applicant, or any dependent otherwise authorized to reside in housing, is considered a sex offender under the definitions of enclosure (2) to reference (c), or under references (h) through (i).

b. Subordinate Element Missions. To effect this Order, the following procedures shall be implemented. The Housing Officer shall:

(1) Screen the names of all military members, civilians, and dependents applying for housing against the Dru Sjodin National Sex Offender Public website maintained by the U.S. Department of Justice.

(2) Screen the names of all military members, civilians, and dependents applying for housing against the sex offender registry website of the state wherein the installation is located.

(3) Utilizing enclosure (1) of reference (c), or a similar written or electronic questionnaire, inquire of all applicants for housing whether the applicant or any person who will reside with the applicant is, or has ever been, required to register as a sex offender under the laws of the U.S. or any state.

(4) Consult the local Staff Judge Advocate in any case involving a military or civilian applicant, or dependent, whose screening reveals their status as a registered sex offender.

(5) In the event that any applicant or dependent is revealed to be a registered sex offender, deny the application for housing and inform the applicant as follows:

(a) "It is the policy of the DON and MCIEAST-MCB CAMLEJ, that a person required to register as a sex offender under Federal or state law not be granted access to DON facilities, including housing."

(b) "The denial of your application for housing based on a sex offender registration requirement of a family member may be appealed to the Deputy Commandant of the Marine Corps (Installation and Logistics), via the Installation Commander and Commanding General MCIEAST-MCB CAMLEJ, who will decide each appeal on a case-by-case basis. Any appeal must be filed in writing within 10 days of any denial of housing. The appeal should address at least the following factors, but may include any other additional written information the applicant deems relevant:

1. The nature and circumstances of the offense;
2. The precise criminal statute or law of which the person was convicted;
3. The state(s) or jurisdiction(s) in which the offense occurred and was adjudicated;
4. The dates of the offense, and the conviction;

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committed; 5. The age of the offender at the time the offense was

committed; 6. The age of the victim at the time the offense was

7. Evidence which tends to demonstrate the applicant's subsequent rehabilitation, exemplary conduct, or other commitment to legal obedience;

8. Whether the conviction requiring registration has been reversed, vacated, or set aside, or if the registrant has been granted an unconditional pardon of innocence for the offense requiring registration.

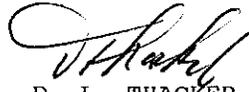
(6) Conduct recurring screenings of current occupants per reference (c), to include monthly electronic searches of applicable zip codes on the appropriate state databases.

5. Administration and Logistics. Not Applicable.

6. Command and Signal

a. Command. This Order is applicable to all MCIEAST-MCB CAMLEJ installations.

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



D. L. THACKER, JR.  
Deputy Commander

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