



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

MCIEAST-MCB CAMLEJO 5810.3A
SJA
JAN 03 2020

MARINE CORPS INSTALLATIONS EAST-MARINE CORPS BASE CAMP LEJEUNE ORDER
5810.3A

From: Commanding General
To: Distribution List

Subj: AUTHORITY TO DIRECT AND CONDUCT CERTAIN TYPES OF SEARCHES
AND SEIZURES ABOARD MARINE CORPS BASE CAMP LEJEUNE

Ref: (a) MCIEAST-MCB CAMLEJO 11100.5A
(b) MCM, 2019
(c) MCO 5580.2B Ch 2
(d) JAGINST 5800.7F

1. Situation. To provide general guidance regarding the authority to direct certain types of searches and seizures by personnel assigned to organizations aboard Marine Corps Base Camp Lejeune (MCB CAMLEJ).

2. Cancellation. MCIEAST-MCB CAMLEJO 5810.3.

3. Mission

a. Scope. This Order applies to all areas and all property within the confines of MCB CAMLEJ, including areas and property under the control of tenant commands. Additionally, this Order applies to all persons located within the confines of MCB CAMLEJ, regardless of the command to which they are assigned. However, the commanding officers (CO) of tenant organizations and area commanders retain their authority to order searches and seizures when they do so in compliance with the references and this Order. The Area Commander Assignments are detailed in reference (a).

b. Whenever doubt exists as to the proper course of action, all commanders and law enforcement personnel shall seek legal guidance from their organizational Staff Judge Advocate (SJA) before conducting searches.

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. All searches and seizures conducted pursuant to this Order must comply with applicable law, Department of Defense (DoD) and Service Regulations, and the Uniform Code of Military Justice.

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(2) Concept of Operations. All COs of tenant and subordinate commands aboard MCB CAMLEJ shall comply with this Order.

b. Coordinating Instructions

(1) Searches not Requiring Probable Cause. The Commanding General (CG), Marine Corps Installations East-MCB CAMLEJ may periodically direct the Provost Marshal Office (PMO) to conduct random vehicle inspections to locate and seize contraband or unlawfully possessed government property. Such inspections are permitted to determine and ensure the security, military fitness, and good order and discipline of the installation by preventing contraband from being brought aboard the installation, as well as protecting government property from being improperly removed from the installation. The CG may also direct that vehicles be randomly stopped to determine the qualification of the drivers to operate them or to ensure that the vehicles comply with applicable safety standards. Such stops and inspections may be directed to apply to vehicles entering or exiting the installation or at the entryway to any restricted area aboard the installation to include, but not limited to, housing, schools, the hospital, and range areas. The sequence of vehicles stopped and inspected must be truly random (e.g., every vehicle or every fifth or 10th vehicle) and must be obeyed without exception, regardless of the type of vehicle or the rank or identity of the driver or passengers. The order from the CG to the PMO shall be in writing and must specify the time, date, and location of the inspections, the scope of such inspections, and the random vehicle selection criteria. PMO will not determine the selection criteria. Only the CG may direct random vehicle stops and inspections aboard the installation; however, PMO may be delegated the authority in writing to temporarily suspend the directed inspections for safety and operational purposes (e.g., conditions at the front gate create a traffic hazard on Highway 24).

(2) Jurisdiction in Base Housing. Under the Privatized Housing Program, housing units are owned and operated by a private property management company, and military tenants sign a lease with the property management company. The Government is not a party to the lease. Privatized housing may be located on or off a military installation, and the type of jurisdiction will dictate the authorities of the commander.

(a) Federal Exclusive Jurisdiction. Only Federal laws apply; law enforcement is the sole responsibility of DoD and the Federal courts.

(b) Concurrent Jurisdiction. Both Federal and state/local laws and regulations apply; law enforcement is the responsibility of either or both Federal and local authorities; the assignment of responsibility for law enforcement is frequently the subject of a written Memorandum of Agreement.

(c) Proprietary Jurisdiction. State and local laws and regulations have full effect; law enforcement is the responsibility of state and local authorities; DoD law enforcement personnel have no legal authority.

(3) Search Authorizations-Tenant Commanders and Area Commanders. When acting in compliance with the references, Tenant Commanders are empowered to grant search authorizations within the area of their respective commands. In the absence of the cognizant Tenant Commander, Law Enforcement Officers (LEO) should seek authorization from the geographically co-located Area Commander (see reference (a)). In Base Housing and in training areas, or in the absence of both the Tenant and Area Commanders, the LEO should consult with the Base SJA and seek authorization from the Installation Commander.

5. Administration and Logistics. If there are any questions as to the interpretation of this Order, contact the Base SJA or assigned trial counsel at Legal Services Support Section for clarification.

6. Command and Signal.

a. Command. This Order is applicable to MCB CAMLEJ and all personnel found thereon.

b. Signal. This Order is effective the date signed and will remain in effect until revised or when indicated by appropriate authority.



N. E. DAVIS
Chief of Staff

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