**UNITED STATES MARINE CORPS**
MARINE AIR GROUND TASK FORCE TRAINING COMMAND
MARINE CORPS AIR GROUND COMBAT CENTER
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CCO 1620.1D
CIG
MAR 05 2018

COMBAT CENTER ORDER 1620.1D

From: Commanding General
To: Distribution List

Subj: ARMED FORCES DISCIPLINARY CONTROL BOARD AND OFF-INSTALLATION MILITARY ENFORCEMENT SERVICES

Ref: (a) MCO 1620.2D
(b) SECNAVINST 5820.7C
(c) 18 U.S.C 1385
(d) 5 U.S.C. 552
(e) SECNAVINST 5210.8D
(f) 32 CFR 631
(g) http://www.29palms.marines.mil/Portals/56/Docs/Off_Limit_Establishments.pdf

Encl: (1) Board Procedures
(2) Board Guide

1. Situation. In order to protect members of the Armed Forces from detrimental conditions in the civilian community, the Marine Air Ground Task Force Training Command (MAGTFTC), Marine Corps Air Ground Combat Center (MCAGCC) will establish and maintain an Armed Forces Disciplinary Control Board (AFDCB) and compile an off limits establishments listing in accordance with the references. The AFDCB will also act as a liaison between military commands and appropriate civil authorities.

2. Cancellation. CCO 1620.1C.

3. Mission. Publish instructions and procedures for the AFDCB to ensure the health, morale, welfare, and discipline of the Armed Forces.

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent

(a) Establish the AFDCB and conduct the board in accordance with this Order.

(b) Ensure the "Off Limits Establishments" list is published.

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

(2) Concept of Operations. Per reference (a), convene the board quarterly.

(a) Composition of the AFDCB. The Command Inspector General (CIG) shall preside and act as President of the AFDCB. In the CIG's absence the Staff Judge Advocate (SJA) will preside.

(b) Voting Board Members. Representatives or the designee from the following offices are deemed voting members:

1. Sergeant Major, MAGTFTC, MCAGCC

2. SJA

3. Director, Government and External Affairs

4. Installation Support Directorate (ISD), Director Mission Assurance Division

(c) Non-Voting Members. If deemed appropriate, the President may appoint, as non-voting members, representatives from the following special staff and resident commands:

1. CIG Chief (Coordinator and Recorder)

2. Naval Hospital Twentynine Palms

3. Religious Ministries Directorate

4. ISD, Marine Corps Community Services Division

5. 7th Marines

6. Combat Logistic Battalion 7

7. Marine Wing Support Squadron 374

8. Marine Corps Communication-Electronics School

9. Equal Opportunity Advisor

(3) AFDCB Administration. The MAGTFTC, MCAGCC AFDCB will be administered and executed as required and in accordance with the references.

b. Subordinate Element Missions

(1) CIG

(a) The CIG Chief shall mail announcements and summaries of the results of board meetings to appropriate civil agencies.

(b) Ensure that the "Off Limits Establishments" list is compiled and sent to the Public Affairs Officer for electronic posting.

(2) Government External Affairs, Strategic Communications. The Public Affairs Officer shall publish the list of "Off Limits Establishments" and areas via reference (g).

(3) Commanding Officer, Naval Hospital Twentynine Palms, Preventive Services Department. The Preventive Services Department shall:

(a) Investigate identified establishment upon AFDCB request.

(b) Notify the San Bernardino County Public Health Department when there is a public health concern.

(c) Advise the AFDCB upon detection of potential health concerns or upon notification by the San Bernardino County Public Health Department.

(4) Resident Commands. All subordinate and resident commands shall maintain the list of "Off Limit Establishments" and areas in command files and post the list on bulletin boards.

5. Administration and Logistics. Directives of the Combat Center are published and distributed electronically. Electronic versions of the Combat Center directives can be found at: http://www.29palms.marines.mil/Staff/G1-Manpower/Adjutant-Office/Orders/.

6. Command and Signal

a. Command. This Order is applicable to active duty and reserve personnel aboard MAGTFTC, MCAGCC.

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

R. MARTINEZ
Chief of Staff

Distribution: A

Board Procedures

1. Purpose. To prescribe procedures for the operation of the board. Board proceedings are neither disciplinary nor punitive in nature.

2. Meeting. The board meets quarterly at the direction of the President. The meetings shall be open to the public unless closure is reasonably necessary to prevent disclosure of:

a. Properly and currently classified material.

b. Internal personnel rules and practices.

c. Matter exempted from disclosure by statute or regulation.

d. Trade secrets or similar commercial or financial information.

e. Internal advice, recommendations, and subjective evaluations pertaining to internal decision-making process.

f. Personal information the disclosure of which would cause undue embarrassment or a clearly unwarranted invasion of privacy for an individual.

g. Information compiled for civil, criminal, or military law enforcement purposes, which might tend to compromise the sources of the information or the techniques by which the information was gained.

h. Other information that might endanger personnel or render operations ineffective.

3. AFDCB composition. Attendance at the board meetings is the primary duty of the members. With permission of the President, a member may be excused from attending by delegating the duty to a responsible subordinate. A quorum consists of more than half of the appointed members. The board may not conduct business without a quorum. A majority of the voting members constitutes a quorum for board proceedings.

4. Attendance of observers or witnesses. The board may invite individual persons or organizational representatives as witnesses or observers. Invited witnesses and observers will be listed in the minutes of the meeting. The following may be appropriate:

a. Federal, State, local judicial, legislative, and law enforcement officials.

b. Housing regulation and enforcement authorities.

c. Medical, health and social service authorities.

d. Environmental protection authorities.

e. Alcoholic beverage control authorities.

f. Equal employment opportunity authorities.

g. Consumer affairs advocates.

h. Chambers of Commerce representatives.

i. Public works or utility authorities.

j. Local fire marshal and public safety authorities.

k. State and local school board or education officials.

l. Any other representation deemed appropriate by the President or the Commanding General (CG), such as: news media, union representatives, and so forth.

5. Appropriate areas for board consideration. The board will study and take appropriate action on all reports of conditions considered detrimental to the good order and discipline, health, morals, welfare, safety, and morale of Armed Forces personnel.

6. Off-limit procedures

a. Off-limits restrictions will only be invoked when there is substantive information that an establishment or area frequented by Armed Forces personnel presents conditions that adversely affect their health, safety, welfare, morale, or morals. The board shall not act arbitrarily. Board actions are neither punitive nor disciplinary. The board shall work in close cooperation with local officials and proprietors of business establishments and seek to accomplish its mission through mutually cooperative efforts. The board will encourage personal visits by local military and civilian enforcement of health officials to establishments considered below standard. The board will point out unhealthy conditions or undesirable practices to establishment owners or operators to produce the desired corrective action.

b. If the board decides to investigate or inspect an establishment or area, the President or his designee will submit a report with his findings, opinions, or recommendations at the next meeting. If the board decides that conditions adverse to Armed Forces personnel do exist, the President will send a letter of notification to the owner and operator. All correspondence to such owner or operator must be sent by certified mail, return receipt requested. If the owner or operator takes appropriate corrective action, a letter will be sent thanking him for cooperation.

c. If undesirable conditions remain uncorrected, a letter will be sent to the owner or operator inviting appearance before the board to explain why the establishment or area should not be off limits. Such owner or operator may appear at the hearing represented by counsel.

d. In cases where an owner or operator has been invited to appear, the President will normally:

(1) Before calling the owner or operator before the board:

(a) Review the findings and decisions of the previous meeting.

(b) Call for inspection reports.

(c) Allow those present to ask questions and discuss the case.

(2) When the owner or operator is called before the Board:

(a) Present the owner or operator with a brief summary of the complaint concerning the establishment or place.

(b) Afford the proprietor an opportunity to present matters in defense, in extenuation, and in mitigation.

(c) Invite those present to question the owner or operator.

(d) After the questioning, allow the owner or operator an opportunity to make a final statement before closing the hearing for deliberations.

e. The board will recommend off-limits restriction only after the following:

(1) Reasonable notice has been given to the owner or operator of the proposed action.

(2) The owner or operator has had a reasonable opportunity to be heard by the board.

(3) Investigation shows that undesirable conditions remain uncorrected since the owner or operator was notified of the problem.

f. The President shall ensure the minutes show the Board's action in each case. When the board recommends off-limits action, the President shall ensure the minutes show the procedural steps taken in reaching that recommendation.

g. The President shall submit a recommendation to the CG for action. The CG will approve or disapprove the recommendation and forward his decision to the President.

h. If the CG approves the recommendations, the President will notify in writing the owner or operator that the off-limits restriction has been imposed. The letter will include advice on appealing the restriction.

7. Removal of off limits restrictions

a. Removal of off-limits restriction requires board action. Owners or operators may request that the restriction be reconsidered on the basis of improved conditions at any time. Owners or operators should submit the reasons for believing that conditions have improved.

b. The board shall request that the owner or operator appear before the board at the next scheduled meeting and offer evidence of the allegedly improved conditions. Once the meeting is called to order, procedure shall be the same when a case is first considered. If the board determines that restrictions should remain in place, a notice will be sent to the owner or operator. Owners and operators dissatisfied with the board's action may

appeal to the Commandant of the Marine Corps (JAR), Headquarters U.S. Marine Corps, Washington DC 20380-1775. The board will normally make quarterly inspections of off-limits establishments to ensure that restrictions should remain in place. The President shall ensure that the results of inspections are included in the minutes.

c. When the board learns that undesirable conditions have been corrected, it will:

(1) Discuss the matter at the next scheduled meeting and make an appropriate recommendation.

(2) Forward a recommendation to the CG. If approved, a letter will be sent to the owner or operator.

(3) State in the minutes the action taken.

8. Public Affairs. Due to the sensitive nature of the subject matter, there will normally not be a media release in connection with board proceedings. Nevertheless, any board meeting open to the public is also open to news media. Representatives of the media will be considered observers. The President may invite them to participate in an advisory status in coordination with the Public Affairs Officer.

9. Minutes

a. The CIG will ensure the minutes are prepared. The written minutes will constitute the official record of the board proceedings. Verbatim transcripts are not required. The reason for recommending or not recommending an off-limits or extending or removing an off-limits restriction, including the complete address of the establishment or area, must be shown in the minutes. The minutes must be kept in chronological order. Any change in name or address of a business or person in an off-limits restriction must be included in the minutes.

b. Distribution of the minutes is limited to:

(1) Members of the board.

(2) Each advisory member, if appropriate.

(3) Civilian governmental agencies having a legitimate governmental interest in the off-limits restrictions and affected business and areas.

c. Minutes may conceivably be subject to disclosure per reference (a).

d. The President shall forward the minutes to the CG for approval. The minutes are not final until approved by the CG.

Board Guide

1. President. This meeting of the Marine Air Ground Task Force Training Command, Marine Corps Air Ground Combat Center Armed Forces Disciplinary Control Board is called to order. The time is _____ on _____. I welcome all persons present and look forward to receiving your input. The following members are present _____ and we have a quorum. The following guests are present_____.
The purpose of the board is to ensure the health, morale, welfare, and discipline of the Armed Forces by protecting members from detrimental conditions in the civilian community. The board has two missions:

a. Advise and make recommendations to the Commanding General on matters concerning the elimination of crime or other conditions that may negatively affect the health, safety, morals, welfare, morale, or discipline of Armed Forces personnel.

b. Insure the establishment and maintenance of the highest degree of liaison and coordination between military commands and appropriate civil authorities.

c. This meeting may be open to the public unless closure is reasonably necessary to prevent disclosure of:

(1) Properly and currently classified material.

(2) Internal personnel rules and practices.

(3) Matter exempted from disclosure by statute or regulation.

(4) Trade secrets or similar commercial or financial information.

(5) Internal advice, recommendations, and subjective evaluations pertaining to internal decision making process.

(6) Personal information the disclosure of which would cause undue embarrassment or a clearly unwarranted invasion of privacy for any individual.

(7) Information compiled for civil, criminal, or military law enforcement purposes which might tend to compromise the sources of the information or the techniques by which the information was gained.

(8) Other information that might endanger personnel or render operations ineffective.

(9) The recorder will now read the minutes of the last meeting.

2. Recorder. (Reading of minutes).

3. President. Does any person have comments about the last meeting or the minutes?

4. President. There being no further comments about the last meeting or minutes, I now call for inspection reports.

5. Recorder. We have the following reports. (Name the establishment or area and briefly describe the undesirable conditions). Are there any questions?

6. Recorder. There being no further questions, does anyone want to discuss those reports.

7. President. We will now consider the following establishments (areas). The purpose of this board is neither disciplinary nor punitive. There are no rules of evidence for this hearing. This board will consider any information that appears to be authentic, relevant and reasonably reliable regardless of whether it might be admissible in a criminal trial. The board will recommend off-limits sanctions if it finds by a preponderance of the evidence - meaning more than 50% of the weight of the evidence - that certain conditions may negatively effect the health, safety, morals, welfare, morale, or discipline of the Armed Forces personnel. Persons owning or operating any establishment or area have the following rights:

a. The right to be present and represented by counsel.

b. The right to notice in the form of a brief summary of the complaint concerning the establishment or place.

c. The right to present matters in defense, in extenuation, and in mitigation.

d. The right to confront information and witnesses presented at the hearing.

e. After the questioning, the right to make a final statement before I close the hearing for deliberations.

f. The right to request reconsideration of the decisions of this board.

g. The right to appeal the decisions of this board to the Commandant of the Marine Corps.

8. President. I recognize _____, the owner (operator) of _____, and I direct the Recorder to present him (her) with a brief summary of the complaint concerning his (her) establishment (area).

9. President. Have you had a fair opportunity to review that summary? You have the opportunity to present any matters you may have in defense, extenuation, or mitigation.

10. President. Do you have any other matters in defense, extenuation, or mitigation? I now invite those present to ask questions of Mr./Ms. _____. Bear in mind that no questions tending only to harass or annoy this person may be asked.

11. President. There being no further questions, you now have the opportunity to make a final statement before this Board closes for deliberations.

12. President. This board is closed at _____ on _____ for deliberations. All parties will be notified by mail of the decision of the board.

13. President. This board is once again called to order in open session at _____ on _____. The nest meeting will be at _____ on _____ at _____. Does anyone have any further business?

14. President. There being no further business, this meeting is adjourned at _____ on _____.