



UNITED STATES MARINE CORPS  
MARINE CORPS BASE  
QUANTICO, VIRGINIA 22134-5001

MCBO 1752.1B  
B 051  
10 Aug 10

MARINE CORPS BASE ORDER 1752.1B w/Ch 1

From: Commander  
To: Distribution List  
  
Subj: FAMILY MEMBER MISCONDUCT

Ref: (a) MCBO P5560.2D  
(b) MCBO P11101.1A  
(c) MCO 5512.11D  
(d) MCBO 5800.5A

Encl: (1) Sample Format of Juvenile Restriction Agreement  
(2) Sample Format of Hearing Rights Advisement Form  
(3) Sample Format of Gratuitous Community Service Agreement  
(4) Sample Format of Indemnification and Release of Liability Statement  
(5) Sample Format of Community Service Project Log

1. Purpose. To establish procedures for handling of family member misconduct aboard Marine Corps Base, Quantico (MCBQ).

2. Cancellation. MCBO 1752.1A.

3. Summary of Revision. This Revision contains significant changes and should be reviewed in its entirety.

4. General

a. Misconduct is detrimental to quality of life and good order and discipline aboard MCBQ. As such, it must be deterred through proper discipline and rehabilitation of the offenders.

b. The quality of life and the good order and discipline of MCBQ can be greatly diminished by certain actions or omissions of the families residing on or visiting the Base. The Marines, Sailors, and their families residing here deserve a strong, cohesive, and attractive environment in which to raise their families. Because of their association with the military community, military family members, of both active duty and retirees, involved in misconduct are often amenable to correction without resorting to civil judicial processes. This Order establishes appropriate administrative procedures alternative to judicial proceedings. Except in unusual circumstances, the policy of this Command is to refrain from taking action against any Marine, Sailor, or family member until there has been a fair hearing. This Order in no way limits the authority of the Base Commander to take appropriate

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action without affording a hearing. Nor does it preclude referral of a case to civilian authorities for judicial proceedings.

c. Civilians who are involved in misconduct, who are not family members of active duty or retired military members, and who do not reside in quarters, have no special relationship to the military community. Accordingly, such cases shall be referred to appropriate civil officials and/or the Decision Advisory Panel for consideration of debarment.

d. This Order is for the internal management of MCBQ, and does not create any right or benefit, substantive or procedural, enforceable by any party against the U.S., its agencies or instrumentalities, its officers or employees, or any person. This policy is promulgated primarily for the purpose of assuring efficient allocation of governmental resources.

## 5. Definitions

a. Juvenile. Any person not on active duty who is younger than 18 years of age.

b. Family Member. Any person related to or sponsored by an active duty or retired military member who has a valid Military ID Card.

c. Misconduct. An act, which violates Federal law, military directives, and/or laws of the Commonwealth of Virginia, and is not punishable by death or life imprisonment. Specifically excluded from this definition are minor traffic offenses and infractions of regulations pertaining to the Quantico Dependents' School System.

## 6. Disposition of Cases Involving Misconduct

a. Traffic Offenses. All minor traffic violations will be handled in accordance with reference (a).

b. School Misbehavior. Except in extraordinary cases warranting specific Command attention, school-related infractions (e.g., incidents occurring on school grounds, during school hours, or school related functions) will be under the purview of parents, teachers, and principals.

### c. Other Minor Offenses

(1) Incidents of vandalism, disorderly conduct, shoplifting, or other significant acts of misbehavior will be immediately reported to the Commanding Officer, Security Battalion, via the Military Police Desk Sergeant. As much detail as possible should be provided to facilitate the investigation of the incident.

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(2) Reports of misconduct aboard MCBQ are submitted to the Command Inspector General (CIG). The CIG will review the report for a determination of appropriate action. The CIG may take one or several of the following actions:

(a) Dismiss the matter.

(b) If the incident involves juveniles, refer the matter to the parent(s)/guardian(s).

(c) Impose administrative sanctions per paragraph 7 below if the offender is a family member of an active duty or retired military member, or resides in quarters.

(d) Refer the matter to the Special Assistant to the U.S. Attorney via the Staff Judge Advocate (SJA) for prosecutorial action.

(e) Refer the matter to civil authorities.

(f) Refer the matter to the Commander, MCBQ.

## 7. Administrative Sanctions

a. The Commander, MCBQ via the CIG may impose administrative sanctions, including, but not limited to those below. Frequently, these sanctions will be in lieu of referring the case to the appropriate civilian authorities, although they may be imposed in addition thereto. (The failure of a family member/sponsor to appear at an administrative hearing does not preclude the Commander, MCBQ from imposing administrative sanctions, referring the case to civil authorities, or both).

(1) Letter of Reprimand.

(2) Claim on Behalf of the Government. If the misconduct involves damage to government property, the CIG may request voluntary repayment to the government for damages. If payment is not made voluntarily, the CIG will refer the matter to the SJA who may initiate a claim on behalf of the government for payment of damages.

(3) Suspension of Privileges. In accordance with reference (c), the Commander, MCBQ may suspend ID card privileges for family members who are involved in shoplifting. A first-time shoplifting offense will result in the suspension of ID card privileges for a minimum of 6 months. Repeat offenders will be dealt with on a case-by-case basis, but will receive at least a 6-month suspension of privileges. These privileges include, but are not limited to, access to the Commissary and/or Marine Corps Exchange; attendance at various Marine Corps Community Services (MCCS) events and athletic contests; use of recreational facilities; participation in

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youth activities; use of Command bus transportation; access to club facilities; and commercial enterprise privileges.

(4) Restriction to Quarters

(a) This restriction refers primarily to juveniles and may not exceed 90 days.

(b) Under such restriction, a juvenile family member would be permitted to be absent from quarters only to attend religious services, to be treated at the Naval Health Clinic, Quantico (NHCQ) or other medical or dental facilities, and to attend school.

(c) Entry to the Marine Corps Exchange, MCCS activities and Commissary is expressly prohibited, even if a parent or guardian accompanies the juvenile.

(d) When proceeding to and from religious services or the NHCQ or other medical or dental facilities, the juvenile must be accompanied by an adult.

(e) When leaving for and returning from school, the juvenile must proceed directly.

(f) Participation in school sponsored extracurricular activities or events may be prohibited.

(g) Any agreement involving restriction of the juvenile must be reduced to writing and signed by the juvenile and the juvenile's parent(s)/guardian(s).

(h) Compliance with the terms of the restriction(s) is primarily the responsibility of the parent(s)/guardian(s) in accordance with enclosure (1).

(5) Community Service Program

(a) This sanction is designed primarily to assist in the rehabilitation of juveniles. Ideally, the community service required of the juvenile under this Program should be related to the juvenile's misconduct, and be designed to provide constructive assistance to the MCBQ community rather than to punish the juvenile.

(b) Community service should not exceed 40 hours and be performed over a period not to exceed 2 months. All work performed under this Program will be supervised by the juvenile's parent/guardian.

(c) The Misconduct Hearing Officer will ensure that enclosures (3) and (4) are signed prior to conclusion of the administrative hearing in cases where community service is indicated.

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(d) The CIG's office will deliver enclosure (5) to the appropriate organization for tracking purposes.

(e) All community service work will be assigned to be performed on weekends and will be supervised by the sponsor. **The sponsor must be present at all times during the course of community service work by the family member.**

(6) Essay. This sanction is designed primarily for juveniles. It allows an opportunity for the offender to reflect upon their misconduct and explore possible alternatives to involvement in future misconduct.

(7) Probation for 1 Year or Less. This suspension of the imposition of sanctions is to impress upon the family member the seriousness of his/her misconduct.

(8) Involuntary Dispossession of Quarters. If a family member continues to be involved in misconduct, or for serious first-time offenses, procedures may be initiated pursuant to reference (b), to involuntarily dispossess the occupants from quarters.

(9) Debarment from MCBQ. In accordance with reference (d), this sanction is issued to personnel whose presence aboard this Base is prejudicial to the good order and discipline of the Command. Before imposing any or all of the administrative sanctions enumerated per paragraph 7a above, the CIG will afford the family member an opportunity for a personal hearing with the Decision Advisory Panel. This hearing is designed to inform the family member of their rights and to give them an opportunity to be heard. Parent(s)/guardian(s) must accompany juvenile during this hearing. The Decision Advisory Panel membership includes SJA; CIG; Commanding Officer, Security Battalion; and Sergeant Major when the hearing involves an enlisted family member.

8. Misconduct Hearing Procedures. The hearing will be conducted by a designated hearing officer assigned to the CIG office. One purpose of the hearing is to allow the family member/sponsor the opportunity to be heard and to present to the hearing officer any information or material that they believe is relevant. The hearing is not a judicial proceeding, but rather, is administrative in nature; therefore, there is no right to have counsel present at the hearing.

a. Notice. The family member/sponsor will be notified in writing of the basis for the hearing; the voluntary nature of appearing at the hearing; the effect of choosing not to appear; and the number to contact to schedule the date, time, and place of the hearing. In appropriate cases, it should be emphasized that voluntary participation in the hearing may result in administrative action rather than referral to civil authorities.

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b. Hearing. The atmosphere of the hearing shall be conducted in a fair and orderly manner ensuring that the dignity and decorum of the proceedings reflect their serious nature. Due regard will be given to the age of the juvenile concerned (if appropriate), and rehabilitation rather than punishment will be emphasized.

(1) At the outset of the hearing, enclosure (2) shall be used to advise the family member/sponsor of the administrative nature of the hearing, the necessity for voluntary participation, and the maximum sanctions that can be imposed.

(2) After ascertaining that the hearing participants understand the nature of the proceedings, the family member/sponsor shall be informed of the following rights:

(a) To be present before the officer conducting the hearing.

(b) To be advised of the suspected offense(s).

(c) To be present during the presentation of all information (unless disruptive) and to inspect all written statements being considered by the hearing officer.

(d) To make a statement or to remain silent concerning the suspected offense(s).

(e) To appeal the outcome of the hearing, in writing, within 7 business days.

(3) Once the family member/sponsor acknowledges their understanding of these rights, the hearing will proceed in a manner appropriate for the circumstances. Within 5 business days of this hearing, the CIG's office will notify the family member/sponsor in writing of a decision. If sanctions are imposed, the family member/sponsor will also be warned of the consequences of violating the terms of those sanctions.

c. Upon completion of the hearing, if it is determined that the family member's conduct warrants corrective action of greater severity than the CIG is empowered to impose, this fact will be reported to the Commander, MCBQ. The report shall identify the family member involved and contain a detailed account of the facts surrounding the offense(s) including any matters presented by the family member/sponsor during the hearing. It will also indicate any prior misconduct by the family member, and the extent to which the family member has complied with previous administrative action. The Commander, MCBQ may forward the case to the Decision Advisory Panel for consideration of debarment or return to the CIG for disposition.

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9. Appeal. The sponsor may appeal the imposition of administrative sanctions to the Chief of Staff, MCBQ in writing, within 7 business days of receiving notice of the administrative action. No administrative sanction will become effective while an appeal is pending. The requestor will be notified in writing of the action taken on the appeal within 14 business days of receiving the appeal.

10. Violation of Administrative Sanctions. Willfully violating an administrative sanction may result in serious consequences. Upon discovery of the disregard of the terms of an administrative sanction, the CIG may impose additional sanctions or report the matter to the MCBQ Commander, for further action. If the family member's violation of the imposed sanctions is severe enough to indicate an unwillingness to cooperate in rehabilitation, the CIG may also refer the case to the SJA for referral to the appropriate civilian authorities for judicial action.

11. Good Behavior. Upon written request, the CIG may, at any time, remit or suspend any or all sanctions. Individuals should be aware that such requests will be granted only for compelling reasons. Strong evidence of rehabilitation, such as receipt of a personal award, exemplary performance in a community service program, or long and continuing good behavior, is usually the only basis for remitting or suspending administrative sanctions.

12. Records. All records and materials relating to incidents involving misconduct will be maintained by the CIG, kept separately from general files, and be destroyed 2 years after the last incident recorded therein or until the sponsor leaves MCBQ. The CIG will provide pertinent information, to include information regarding the status of restriction, if any, to the Commanding Officer, Security Battalion.

/s/  
D. J. CHOIKE

DISTRIBUTION: A



**UNITED STATES MARINE CORPS**

MARINE CORPS BASE  
3250 Catlin Avenue  
QUANTICO VIRGINIA 22134 5001

1752.1B  
B 051  
6 Aug 13

MARINE CORPS BASE ORDER 1752.1B Ch 1

From: Command Inspector General  
To: MCBQ Adjutant (B 013)

Subj: FAMILY MEMBER MISCONDUCT

1. Situation. To ensure changes are made to the subject order.

2. Mission. Marine Corps Base Order 1752.1B updated references and change to paragraph 6c.

3. Execution. To direct the following changes to the subject order.

a. Change page 1, reference (a). Delete MCBO 5800.1A and replace with MCBO P5560.2D.

b. Change page 1, reference (d). Delete MCBO 5800.5 and replace with MCBO 5800.5A.

c. Change page 2, paragraph 6c. Delete Misconduct and replace with Other Minor Offenses.

4. Administration and Logistics. None.

5. Command and Signal

a. Command. This order is applicable to all Marines, Reservists and sailors attached to this command.

b. Signal. Effective date signed.

/s/  
DAVID W. MAXWELL

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

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SAMPLE FORMAT OF JUVENILE RESTRICTION AGREEMENT

To: (Juvenile's Name)  
Family member of (Sponsor's name),  
(Quarters #), Marine Corps Base, Quantico, VA 22134

1. You have been found to have been involved in (state offense) for which you are hereby placed on restriction to Quarters # (xxxx) for (specific amount of time). You are required to comply with the following conditions of restriction:

a. You may only be absent from quarters to attend religious services, to be treated at the Naval Health Clinic, Quantico, (NHCQ) or other medical or dental facilities, and to attend school.

b. You must be accompanied by an adult when proceeding to and from religious services or the NHCQ or other medical or dental facilities.

c. You must proceed directly to and from school.

d. You may be prohibited from participating in school sponsored extracurricular activities or events. If participation is desired, prior approval must be obtained from the Command Inspector General (CIG).

e. Entry to the Marine Corps Exchange, Marine Corps Community Service activities and Commissary is expressly prohibited, even if accompanied by a parent or guardian.

f. You are also allowed to travel from quarters to off base directly with parent(s)/guardian(s).

2. By your signature, you certify that you understand the terms of this agreement, and that a request for deviation from the above items or restriction must be made to the CIG.

3. The acceptance of restriction is strictly a voluntary administrative action. If you fail to accept restriction or to abide by the terms of this agreement, you will be subject to more severe administrative sanctions.

\_\_\_\_\_  
(Juvenile)

\_\_\_\_\_  
(Command Inspector General)

Witnessed by:

\_\_\_\_\_  
(Parent/Guardian)

\_\_\_\_\_  
(Date)

ENCLOSURE (1)

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SAMPLE FORMAT OF HEARING RIGHTS ADVISEMENT FORM

I \_\_\_\_\_, parent/guardian of \_\_\_\_\_,  
am aware of the following as it pertains to a Misconduct  
Hearing conducted on \_\_\_\_\_ at \_\_\_\_\_.

\_\_\_\_\_ That the hearing is administrative in nature; not  
judicial.

\_\_\_\_\_ That the Misconduct Hearing Officer is acting on  
behalf of the Commander, Marine Corps Base,  
Quantico (MCBQ).

\_\_\_\_\_ That my family member is entitled to the following  
rights:

\_\_\_\_\_ To be present before the officer conducting the  
hearing.

\_\_\_\_\_ To be advised of the suspected offense(s).

\_\_\_\_\_ To be present during the presentation of all  
information and inspect all written statements being  
considered by the hearing officer.

\_\_\_\_\_ To make a statement or to remain silent concerning  
the suspected offense(s).

\_\_\_\_\_ To have the juvenile's parent(s)/guardian(s) appeal  
the outcome of the hearing, in writing, within 7  
days.

\_\_\_\_\_ That the Hearing Officer may take one or more of the  
following actions:

\_\_\_\_\_ Dismiss the matter.

\_\_\_\_\_ Refer the matter to the juvenile's  
parent(s)/guardian(s).

\_\_\_\_\_ Recommend counseling services, Consolidated  
Substance Abuse Counseling Center, and  
alcohol/drug treatment.

ENCLOSURE (2)

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SAMPLE FORMAT OF HEARING RIGHTS ADVISEMENT FORM

\_\_\_\_\_ Impose administrative sanctions, that include, but are not limited to:

\_\_\_\_\_ Letter of Reprimand.

\_\_\_\_\_ Claim on Behalf of the Government.

\_\_\_\_\_ Written Essay.

\_\_\_\_\_ Suspension of Privileges.

\_\_\_\_\_ Restriction to Quarters.

\_\_\_\_\_ Probation.

\_\_\_\_\_ Involuntary Dispossession of Quarters.

\_\_\_\_\_ Debarment from MCBQ.

\_\_\_\_\_ Recommend that the Staff Judge Advocate refer the matter to the appropriate civilian authorities.

\_\_\_\_\_ Refer the matter to the Commander, MCBQ.

\_\_\_\_\_  
(Juvenile)

\_\_\_\_\_  
(Command Inspector General)

Witnessed by:

\_\_\_\_\_  
(Parent/Guardian)

\_\_\_\_\_  
(Date)

ENCLOSURE (2)

10 Aug 10

SAMPLE FORMAT OF GRATUITOUS COMMUNITY SERVICE AGREEMENT

GRATUITOUS COMMUNITY SERVICE AGREEMENT BETWEEN  
MARINE CORPS BASE, QUANTICO (MCBQ), VA AND  
PERSON PROVIDING GRATUITOUS COMMUNITY SERVICE AND PARENT(S)  
/GUARDIAN(S)

STATEMENT OF UNDERSTANDING: This is a service agreement made for the purposes of providing gratuitous community service to MCBQ.

The following conditions apply:

1. The gratuitous community service on the part of Juvenile is completely voluntary and he/she is under no compulsion or requirement to perform such service.

2. Gratuitous community service is entirely without paid compensation or reimbursement.

3. Persons who provide gratuitous community service are not considered Federal employees for purposes of either the claims provisions (Federal Tort Claims Act, Title 28, U.S. Code, 2671 et seq) or worker's compensation laws (Worker's Compensation Act, Title 5, U.S. Code, 8101 et seq) of the U.S., or for any other purpose.

4. Gratuitous community service may be terminated at any time at the discretion of the Command Inspector General, MCBQ.

5. I, \_\_\_\_\_, hereby offer my gratuitous services to assist in \_\_\_\_\_.

6. I understand that MCBQ will provide materials, but that any expense that I incur will not be reimbursed by the Federal Government. I also understand that I am not covered under either provisions of the (Federal Tort Claims Act, Title 28, U.S. Code, 2671 et seq) or (Worker's Compensation Act, Title 5, U.S. Code, 8101 et seq).

\_\_\_\_\_  
(Juvenile)

\_\_\_\_\_  
(MCBQ Representative)

\_\_\_\_\_  
(Parent/Guardian)

\_\_\_\_\_  
(Date)

ENCLOSURE (3)



