



UNITED STATES MARINE CORPS
MARINE CORPS INSTALLATIONS NATIONAL CAPITAL REGION
MARINE CORPS BASE QUANTICO
3250 CATLIN AVENUE
QUANTICO, VIRGINIA 22134 5001

MCINCR-MCBQO 1752.1D
B 051

JUL 25 2019

MARINE CORPS INSTALLATIONS NATIONAL CAPITAL REGION-MARINE CORPS BASE
QUANTICO ORDER 1752.1D

From: Commander
To: Distribution List

Subj: FAMILY MEMBER MISCONDUCT

Ref: (a) MCINCR-MCBQO 5820.1B DEBARMENT PROCEDURES
(b) MCINCR-MCBQO 5560.2E MOTOR VEHICLE TRAFFIC SUPERVISION
(c) MCBO 5500.6 JUVENILE CURFEW
(d) MCO 5512.11E IDENTIFICATION CARDS FOR MEMBERS OF THE
UNIFORMED SERVICES, THEIR ELIGIBLE FAMILY MEMBERS, AND
OTHER ELIGIBLE PERSONNEL
(e) MCBO 11101.1B MANAGEMENT OF FAMILY HOUSING
(f) CMC Ltr 1754 MCCS CIVIL RECOVERY PROGRAM

Encl: (1) Sample Juvenile Misconduct Notice
(2) Sample Notification to Sponsor of Juvenile
(3) Sample Notification to Adult Family Member
(4) Sample Juvenile Hearing Rights Advisement Notice
(5) Sample Adult Hearing Rights Advisement Notice
(6) Sample Format of Juvenile Restriction Agreement
(7) Sample Format of Gratuitous Community Service Agreement
(8) Sample Format of Indemnification and Release of Liability
Statement
(9) Sample Format of Community Service Project Log

1. Situation. Misconduct is detrimental to quality of life and good order and discipline aboard Marine Corps Installations National Capital Region-Marine Corps Base Quantico (MCINCR-MCBQ). As such, it must be deterred through accountability, proper discipline and rehabilitation of the offenders.

2. Cancellation. MCBO 1752.1C.

3. Mission. Marine Corps Base Quantico will implement procedures to administratively address and resolve family member misconduct that occurs on the installation to ensure the safety, security, and good order for all those who live, work, and/or use the base facilities.

4. Execution

a. Commander's Intent. To execute a standardized flexible program that provides a fair and disciplined means to enforce and

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ensure good order on the installation through an administrative process. This Order is for the internal management of MCINCR-MCBQ, and does not create any right or benefit, substantive or procedural, enforceable by any party against the United States, 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.

b. Concept of Operations

(1) The service members and their families residing on the installation expect a strong, cohesive, and safe environment in which to raise their families. The quality of life and the good order and discipline of MCBQ can be adversely affected by malicious actions or omissions of the families residing on or visiting the Base. Because of their association with the military community, military family members, of both active duty and retirees, involved in minor misconduct are often amenable to corrective actions without resorting to the civil judicial processes.

(2) This order establishes appropriate administrative alternatives to the judicial process. Except in unusual circumstances, the policy of this Command is to ensure due process via a fair hearing before taking action against any Marine, Sailor, or family member. This Order in no way limits the authority of the Base Commander to take appropriate action without affording a hearing. Nor does it preclude referral of a case to civilian authorities for judicial proceedings where warranted.

(3) 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 in accordance with reference (a).

5. Administration and Logistics

a. Disposition of Cases Involving Misconduct

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

(2) School Misbehavior

(a) 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.

(b) Truancy of a dependent child residing on MCBQ is a matter of special concern. If the child is not in school, then it is of concern to the command as to the safety, whereabouts, and wellbeing of the child in question. Truancy matters will be monitored by the Staff Judge Advocate to ensure the service member's command is fully aware and engaged and a full accounting can be made for the child.

(3) Juvenile Curfew Violations. A juvenile curfew has been established for MCBQ by reference (c). Violations of the juvenile curfew regulations will be processed in accordance with reference (c). Repeated violations of the juvenile curfew could result in more severe actions described in this order or as specified in reference (a).

(4) Other Offenses

(a) Incidents of vandalism, disorderly conduct, shoplifting, spouse physical abuse, spouse emotional abuse, child abuse, child neglect or other significant acts of misbehavior will be immediately reported to the Provost Marshal via the Provost Marshal Office Desk Sergeant; as much detail as possible should be provided to facilitate investigation of the incident.

(b) Reports of misconduct aboard MCBQ are processed by the MCBQ Provost Marshal and submitted to the Staff Judge Advocate (SJA).

1. Juvenile Family Member Misconduct (other than Curfew Violations). A report of misconduct processed by the MCINCR-MCBQ Provost Marshal involving a juvenile will be documented on enclosure (1) and delivered to the sponsor and a copy forwarded to the SJA. The sponsor is required to contact the SJA regarding the incident within 5 business days of receipt of the report of misconduct.

2. Adult Family Member Misconduct. A report of misconduct processed by the Provost Marshal involving an adult family member will be forwarded to the SJA.

(c) SJA Actions Upon Receipt of Report of Misconduct. The SJA will review the report of misconduct for a determination of appropriate action. Based on the review of the report, the SJA may recommend to the COS to take one or several of the following actions on behalf of the Commander.

1. Dismiss the matter.
2. Refer the matter to the Special Assistant U.S. Attorney (SAUSA) for prosecutorial action.
3. If the incident involves an adult family member of an active duty or retired military member, or the sponsored person resides on base quarters, convene a Family Member Misconduct Hearing

in accordance with paragraph 5b below, to determine whether administrative sanctions per paragraph 5c below are appropriate.

4. If the incident involves juveniles only:

a. Refer the matter to the parent(s)/guardian(s);

or,

b. Convene a Family Member Misconduct Hearing in accordance with paragraph 5b below, to determine whether administrative sanctions per paragraph 5c below are appropriate.

b. Misconduct Hearing Procedures. The primary 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 will be conducted by the COS or by a designated hearing officer assigned by the COS or CO. The hearing is not a judicial proceeding; it is administrative in nature. Therefore, there is no right to have counsel present at the hearing.

(1) 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. Enclosure (2) will be used for juvenile family members. Enclosure (3) will be used for adult family members. In appropriate cases, it should be emphasized that voluntary participation in the hearing may result in administrative action rather than referral to civil authorities.

(2) 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.

(a) At the outset of the hearing enclosure (4) or (5) shall be used, as appropriate, 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.

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

1. To be present before the officer conducting the hearing.

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

3. To be present during the presentation of all information (unless disruptive) and to inspect all written statements being considered by the hearing officer. The hearing officer retains discretion for the presentation of verbal testimony based on the circumstances.

4. To make a statement or to remain silent concerning the suspected offense(s). The hearing officer will only consider the available evidence if the family member remains silent.

5. To appeal the outcome of the hearing, in writing, to the CO within 10 business days of written notification of the action.

(c) Once the family member/sponsor acknowledges their understanding of these rights, the hearing will proceed in a manner appropriate for the circumstances. The SJA's office will notify the family member/sponsor in writing of a decision within 10 business days of the hearing. If sanctions are imposed, the family member/sponsor will also be warned of the consequences of violating the terms of those sanctions.

(3) If it is determined that the family member's conduct warrants corrective action of greater severity than the hearing officer is empowered to impose, the Commander, MCINCR-MCBQ will be notified. 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, MCINCR-MCBQ may forward the case to the Decision Advisory Panel for consideration of debarment or return to the SJA for disposition.

c. Administrative Sanctions

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

(a) Letter of Reprimand

(b) Claim on Behalf of the Government. If the misconduct involves damage to government property, the COS or hearing officer may request voluntary repayment to the government for damages. If payment is not made voluntarily, the CO may refer the matter to the SJA who

may initiate a claim on behalf of the government for payment of damages.

(c) Suspension of Privileges. In accordance with reference (d), the Commander, MCINCR-MCBQ, or his designee, may suspend Uniformed Services Identification Card (ID) privileges for family members who are involved in shoplifting or for other acts to include fraud or misuse.

1. A first-time shoplifting offense will normally result in the suspension of ID card privileges for a minimum of 6 months. Additionally, reference (f) allows for the collection of \$200, via MCCS, for administrative costs associated with shoplifting. Repeat offenders will be dealt with on a case-by-case basis but will receive at least an additional 6-month suspension of privileges.

2. 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) and installation athletic events; use of recreational facilities; participation in youth activities; use of Command bus transportation; access to club facilities; and commercial enterprise privileges.

(d) Restriction to Quarters

1. This restriction refers to juveniles and may not exceed 90 days.

2. 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; to attend school; and transit directly on and off the installation.

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

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

5. When leaving for and returning from school, the juvenile must proceed directly.

6. Participation in school sponsored extracurricular activities or events may be prohibited.

7. 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).

8. Compliance with the terms of the restriction(s) listed in enclosure (6) is primarily the responsibility of the parent(s)/guardian(s).

(e) Community Service Program

1. 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 MCINCR-MCBQ community rather than to punish the juvenile.

2. 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.

3. The Misconduct Hearing Officer will ensure that enclosures (7) and (8) are signed prior to conclusion of the administrative hearing in cases where community service is indicated.

4. The SJA's office will deliver enclosure (9) to the appropriate organization for tracking purposes.

5. All community service work will be assigned to be performed on weekends and will be supervised by the parent/guardian. The parent/guardian must be present at all times during the course of community service work performed by the juvenile family member.

(f) 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.

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

(h) 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 (e), to involuntarily dispossess the occupants from quarters.

(i) Debarment from MCINCR-MCBQ. If a family member's presence aboard MCINCR-MCBQ is prejudicial to the good order and discipline of the installation, that family member may be referred to the Debarment Advisory Panel with a recommendation that they be debarred from MCINCR-MCBQ in accordance with reference (a).

(2) Before imposing any or all of the administrative sanctions enumerated in this order, the COS or hearing officer will afford the

family member an opportunity for a personal hearing. 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 juveniles during this hearing.

d. Appeal. The family member, or sponsor in the case of a juvenile family member, may appeal the imposition of administrative sanctions to the CO, MCINCR-MCBQ in writing, within 10 business days of receiving written 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 appeal within 10 business days of the Agency's receipt of the appeal.

e. Violation of Administrative Sanctions. Willfully violating an administrative sanction may result in more severe consequences. Upon discovery of the violation of the terms of an administrative sanction, the COS or hearing officer may impose additional sanctions or report the matter to the MCINCR-MCBQ Commander, for further action. If the family member's violation of the imposed sanctions is severe enough to demonstrate an unwillingness to cooperate in rehabilitation, the CO or COS may also refer the case to the SJA for referral to the appropriate civilian authorities for judicial action.

f. Good Behavior. Upon written request, the COS 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.

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

h. Definitions

(1) Family Member. Any person related to or sponsored by an active duty or retired military member who has a valid Uniformed Services Identification Card (ID).

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

(3) Misconduct. An act, which violates Federal law, military directives/orders, 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 Department of Defense Education Activity (DoDEA) School System aboard MCBQ.

6. Command and Signal

a. Command. This Order is applicable to all service members and civilians assigned or accessing Marine Corps Base Quantico.

b. Signal. Effective the date signed.



W. C. BENTLEY, III

DISTRIBUTION: A

SAMPLE JUVENILE MISCONDUCT NOTICE
(LETTERHEAD)

JUVENILE MISCONDUCT NOTICE

FULL NAME	DATE OF BIRTH (DD/MM/YY)	SSN
HOME ADDRESS	OFFENSE (1)	OFFENSE (2)
SPONSOR'S NAME	SPONSOR'S RANK	SPONSOR'S UNIT & ADDRESS
SPONSOR'S HOME ADDRESS	SPONSOR'S PHONE NUMBER	ICR NUMBER
OFFENSE DATE (DD/MM/YY)	OFFENSE TIME	OFFENSE LOCATION

OFFENSE DESCRIPTION:

SPONSOR INFORMATION

The Commander, MCB Quantico, has directed that you contact the Staff Judge Advocate's Office at (703) 784-9725 within five business days, for further instructions concerning adjudication of this incident.

JUVENILE'S SIGNATURE: _____ TIME/DATE: _____

SPONSOR'S SIGNATURE: _____ TIME/DATE: _____

ENCLOSURE (1)

POLICE OFFICER: _____
(PRINT RANK, LAST NAME, FIRST NAME, MIDDLE
INITIAL)

POLICE OFFICER SIGNATURE: _____ TIME/DATE: _____

ENCLOSURE (1)

SAMPLE NOTIFICATION TO SPONSOR OF JUVENILE
(LETTERHEAD)

1752
B 051

Sponsor Name
Address
City, State Zip Code

Dear Rank & Last Name:

On (date), your dependent, (name) was detained by the Provost Marshal Office for (offense) while aboard Marine Corps Base, Quantico.

In accordance with Marine Corps Installations National Capital Region-Marine Corps Base Quantico Order (MCINCR-MCBQO) 1752.1D, the Staff Judge Advocate's office addresses dependent misconduct issues on behalf of the Base Commander. You are directed to contact my office, no later than 1630, (date), in order to schedule a hearing. In order to protect the privacy of the juvenile involved, this hearing will be closed to the public. Failure to schedule or appear at the hearing will not prevent the imposition of an appropriate administrative sanction.

I strongly encourage you to read MCINCR-MCBQO 1752.1D so that you fully understand all rights and privileges you or your dependent are afforded, as well as understand the potential administrative actions that may result.

Please contact (point of contact) at (703) 784-9725 to schedule the hearing or if you have any immediate questions regarding the procedures.

Sincerely,

I.M. LAWYER
RANK, USMC
STAFF JUDGE ADVOCATE
By direction
of the Commander

ENCLOSURE (2)

SAMPLE NOTIFICATION TO ADULT FAMILY MEMBER
(LETTERHEAD)

1752
B 051

Family Member Name
Address
City, State Zip Code

Dear Title & Last Name:

On (date), you were detained by the Provost Marshal Office for (offense) while aboard Marine Corps Base, Quantico.

In accordance with Marine Corps Installations National Capital Region-Marine Corps Base Quantico Order (MCINCR-MCBQO) 1752.1D, the Staff Judge Advocate's office addresses family member misconduct issues on behalf of the Base Commander. You are directed to contact my office, no later than 1630, (date), in order to schedule a hearing. In order to protect your privacy this hearing will be closed to the public. Failure to schedule or appear at the hearing will not prevent the imposition of an appropriate administrative sanction.

I strongly encourage you to read MCINCR-MCBQO 1752.1D so that you fully understand all rights and privileges you are afforded, as well as understand the potential administrative actions that may result.

Please contact this office at (703) 784-9725 to schedule the hearing or if you have any immediate questions regarding the procedures. It is recommended that your sponsor accompany you to the hearing.

Sincerely,

I.M. LAWYER
RANK, USMC
STAFF JUDGE ADVOCATE
By direction
of the Commander

ENCLOSURE (3)

SAMPLE JUVENILE HEARING RIGHTS ADVISEMENT NOTICE

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 Installations National
Capital Region-Marine Corps Base Quantico (MCINCR-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. The hearing officer retains
discretion for the presentation of verbal testimony based
on the circumstances.

_____ To make a statement or to remain silent concerning the
suspected offense(s). The hearing officer will only
consider the available evidence if the family member
remains silent.

_____ To have the juvenile's parent(s)/guardian(s) appeal the
outcome of the hearing, in writing, within 10 business
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 (4)

SAMPLE JUVENILE HEARING RIGHTS ADVISEMENT NOTICE

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

_____ Letter of Reprimand.

_____ Recommend that the Staff Judge Advocate pursue a claim on Behalf of the Government.

_____ Written Essay.

_____ Suspension of Privileges.

_____ Restriction to Quarters.

_____ Probation.

_____ Recommend Involuntary Dispossession of Quarters.

_____ Recommend Debarment from MCINCR-MCBQ.

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

_____ Refer the matter to the Commander, MCINCR-MCBQ.

(Family Member)

(Staff Judge Advocate)

Witnessed by:

(Parent/Guardian)

(Date)

SAMPLE ADULT HEARING RIGHTS ADVISEMENT NOTICE

I _____, sponsored by _____,
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 (MCINCR-
MCBQ).

_____ That as an adult family member I am 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. The hearing officer retains
discretion for the presentation of verbal testimony based
on the circumstances.

_____ To make a statement or to remain silent concerning the
suspected offense(s). The hearing officer will only
consider the available evidence if the family member
remains silent.

_____ To appeal the outcome of the hearing, in writing, within
10 business days.

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

_____ Dismiss the matter.

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

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

_____ Letter of Reprimand.

_____ Suspension of Privileges.

ENCLOSURE (5)

SAMPLE HEARING RIGHTS ADVISEMENT NOTICE

- _____ Probation
- _____ Recommend that the Staff Judge Advocate pursue a claim on Behalf of the Government.
- _____ Recommend Involuntary Dispossession of Quarters.
- _____ Recommend Debarment from MCINCR-MCBQ.
- _____ Recommend that the Staff Judge Advocate refer the matter to the appropriate civilian authorities.
- _____ Refer the matter to the Commander, MCINCR-MCBQ.

(Family Member)

(Staff Judge Advocate)

Witnessed by:

(Sponsor/Other)

(Date)

ENCLOSURE (5)

SAMPLE FORMAT OF JUVENILE RESTRICTION AGREEMENT
(LETTERHEAD)

1752
B 051

From: Staff Judge Advocate
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 Staff Judge Advocate (SJA).

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, in writing, to the SJA.

ENCLOSURE (6)

SAMPLE FORMAT OF JUVENILE RESTRICTION AGREEMENT

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)

(Staff Judge Advocate)

Witnessed by:

(Parent/Guardian)

(Date)

SAMPLE FORMAT OF GRATUITOUS COMMUNITY SERVICE AGREEMENT

GRATUITOUS COMMUNITY SERVICE AGREEMENT BETWEEN MARINE CORPS
INSTALLATIONS NATIONAL CAPITAL REGION-MARINE CORPS BASE QUANTICO
(MCINCR-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 MCINCR-MCBQ.

The following conditions apply:

1. The gratuitous community service on the part of (juvenile's name) 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, MCINCR-MCBQ.
5. I, _____, hereby offer my gratuitous services to assist in _____ and expressly waive any future pay claims for my gratuitous services against the Federal government.
6. I understand that MCINCR-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)

(MCINCR-MCBQ Representative)

(Parent/Guardian)

(Date)

ENCLOSURE (7)

SAMPLE FORMAT OF INDEMNIFICATION AND RELEASE OF LIABILITY STATEMENT

(Parent/Guardian) and _____ Juvenile _____, in consideration for the opportunity for _____ Juvenile _____, to perform gratuitous community services for Marine Corps Installations National Capital Region-Marine Corps Base Quantico (MCINCR-MCBQ), in lieu of other possible administrative sanctions being imposed against his/her military sponsor and/or family members, hereby agree to indemnify, release, defend, and hold harmless the U.S. Government, all of its agencies, instrumentalities, officers, appointees, elected officials, employees, and agents, including but not limited to the USMC and all of its personnel, from and against any and all injuries, deaths, damages, claims, liabilities, losses, economic injury, costs, fees (including attorney fees), and expenses arising out of or claimed on account of or in relation to the gratuitous community service, whether caused by negligence or otherwise.

I acknowledge: that I agree to allow my child, _____, to voluntarily perform gratuitous community service; that performing gratuitous community service is completely by voluntary choice; and that neither my child, _____, nor I, are under compulsion to perform such service, my child and I will receive no compensation or other benefit from the U.S. Government except the avoidance of further administrative sanctions for this incident aboard MCINCR-MCBQ, and my child and I expressly waive any future pay claims for my child's gratuitous services against the Federal government.

(Parent/Guardian)

(Date)

(Witness)

(Date)

(Witness)

(Date)

