

**BY ORDER OF THE COMMANDER
ANDREWS AIR FORCE BASE**

**ANDREWS AIR FORCE BASE
INSTRUCTION 51-101**



14 MAY 2010

Law

YOUTH INTERVENTION PROGRAM (YIP)

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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This instruction implements Air Force Policy Directive 51-9, *Civil Law for Individuals*, and provides the framework for the disposition of juvenile misconduct cases and the treatment of juvenile offenders. The purpose of this instruction is to establish responsibilities and procedures for the administrative disposition of misconduct committed by juveniles on Andrews Air Force Base and to establish the Andrews Air Force Base Youth Intervention Program (YIP). The YIP will hear all cases in which a juvenile is alleged to have engaged in misconduct or cases referred to it by 316th Security Forces Squadron (316 SFS) through the installation legal office (316 WG/JA). The YIP will determine the appropriate disposition of the case by weighing the best interests of the juvenile and Andrews Air Force Base community. The action taken will be designed to attain the primary goal of maintaining good order and discipline on Andrews Air Force Base and, if possible, to rehabilitate the juvenile offender. This instruction applies to juveniles who engage in misconduct on Andrews Air Force Base and are dependents of personnel assigned to a unit on Andrews Air Force Base to include all personnel assigned to supported units, including Air Force Reserve, Navy, and Air National Guard (ANG) units, except where noted otherwise and dependents of active duty or retired military personnel using the Andrews Air Force Base facilities. This instruction also applies to the sponsors of juveniles who engage in misconduct on Andrews Air Force Base. Refer recommended changes and questions about this publication to the Office of Primary Responsibility (OPR) using AF Form 847, *Recommendation for Change of Publication*. Ensure that all records created as a result of processes prescribed in this publication are maintained in accordance with AFMAN 37-123 (will convert to AFMAN 33-363), *Management of Records*, and disposed of in accordance with the Air Force Records Disposition Schedule (RDS) located at <https://afrims.amc.af.mil>. See **Attachment 1** for a glossary of references and supporting information. This publication is affected by the Privacy Act of 1974. Each form required by this publication contains a Privacy

Act statement, either incorporated in the body of the document or in a separate statement accompanying each document.

SUMMARY OF CHANGES

This instruction has been completely revised and must be reviewed.

1. Authority:

1.1. Public Law 94-415, Juvenile Justice and the Juvenile Justice and Delinquency Prevention Act of 1974 (18 United States Code (U.S.C.) Sections 5031-5042), applies to Andrews Air Force Base. The statute provides that misconduct committed by a juvenile should be disposed of outside the federal courts whenever feasible. Accordingly, this instruction establishes an administrative system in lieu of juvenile delinquency proceedings or prosecution in U.S. Federal Magistrate Court.

1.2. Moreover, the installation commander is charged with the responsibility for maintaining law and order on the base (AFI 31-101, *The Air Force Installation Security Program*). To achieve this goal, the commander may demand that any juvenile charged with misconduct explain why base privileges should not be limited or revoked. Privileges subject to revocation include, but are not limited to, the following: Base Exchange privileges, commissary privileges, housing privileges, shoppette privileges, base driving privileges, and the privilege of entering or using any part (or all) of the base. This instruction complies with the foregoing law and instruction by ensuring that an offense involving a juvenile is identified, adjudicated, and disposed of in a manner that maintains good order and discipline while stressing deterrence and rehabilitation of the juvenile.

2. Purpose of the YIP:

2.1. The YIP is designed to:

2.1.1. Maintain good order and discipline on Andrews Air Force Base.

2.1.2. Educate juveniles and their sponsors on the consequences of misconduct and crime (i.e., the impact crime has on the juvenile offender, the offender's family, the victims, the community and mission effectiveness).

2.1.3. Rehabilitate juveniles through counseling, education, community service, restitution, and other means of corrective action as recommended by the YIP and ordered by the installation commander. Therefore, all actions should be designed to prevent further misconduct and instill respect for the law in Andrews Air Force Base's young people.

2.1.4. Protect the best interests of both the juvenile and the Andrews Air Force Base community. Accordingly, the system avoids labeling the juveniles with the stigma of "criminal" or "delinquent." Rather, the term "juvenile offender" is used in this instruction.

2.1.5. For the purposes of this instruction, the term juvenile or juvenile offender only refers to persons under the age of 18. All persons 18 years of age or older, regardless of marital/ dependent status, will be treated as adults and their cases will not be handled under this instruction. The term youth is interchangeable with juvenile in this respect.

2.2. Participation in the YIP Program. Participation by the juvenile in the YIP Program is voluntary. However, certain administrative sanctions may be taken against a juvenile offender even if the juvenile refuses to submit to the jurisdiction of the YIP. (For example, the installation commander, 316 WG/CC, retains the authority to bar the juvenile from base.) Conversely, certain rehabilitative measures, such as referral to counseling, performance of community service, or participation in a work program by the juvenile offender, may only be undertaken if the juvenile agrees to submit to the YIP's jurisdiction. Rescission of administrative sanctions (e.g., reinstatement of privileges) may be contingent upon the juvenile's consent to the jurisdiction of the YIP and satisfactory completion by the juvenile offender and/or his or her sponsor of such rehabilitative measures ordered by the YIP.

2.2.1. Typically traffic offenses will be handled by the U.S. Federal Magistrate Court.

2.3. Composition of the YIP:

2.3.1. The Deputy Commander, 316th Mission Support Group (316 MSG/CD), shall serve as the YIP Chairman.

2.3.2. The council will consist of representatives, as approved by the YIP Chairman, from the following member organizations:

2.3.2.1. Chaplain (316 WG/HC).

2.3.2.2. 316th Security Forces Squadron Commander (316 SFS/CC).

2.3.2.3. Staff Judge Advocate (316 WG/JA) or an Assistant Staff Judge Advocate (ASJA) appointed by the SJA.

2.3.2.4. Family Advocacy (779 MDOS/SGOMHF).

2.3.2.5. Special invited guests, such as a representative from the Airmen and Family Readiness Center (316 FSS/DPF), the sponsor's Commander, and/or the sponsor's First Sergeant.

2.4. YIP Members. Members will endeavor to provide continuity of attendees (i.e., avoid turnover of YIP member representatives whenever possible).

3. Responsibilities:

3.1. 316th Security Forces (316 SFS) will:

3.1.1. Prepare an AF Form 3545, *Incident Report*, Security Forces Management Information System (SFMIS) Report, or a Report of Investigation (ROI).

3.1.2. As appropriate based on severity, issue the juvenile a memorandum signed by the Commander, 316th Mission Support Group (316 MSG/CC), that immediately limits the juvenile's on-base privileges (see [Attachment 2](#)).

3.1.3. Notify the juvenile's sponsor's Unit First Sergeant or Commander.

3.1.4. Send the AF Form 3545/SFMIS Report/ROI and a copy of the limited privileges letter to the Staff Judge Advocate.

3.1.5. Refer to YIP or U.S. Federal Magistrate Court based on 316 WG/JA determination.

3.1.6. Issue a notification memorandum (see [Attachment 3](#)), signed by the YIP Chairman (316 MSG/CD), to the juvenile, and serve a copy on the juvenile's parents or sponsor informing them of the charge via certified mail. An information copy will be sent to the sponsor's unit commander and 316 WG/JA.

3.1.7. Annotate on the notification the date, time, and location of the meeting of the YIP. The meeting date on the memorandum shall be the next available meeting date from the date of the incident.

3.1.8. Notify YIP members of the date, time, and location of upcoming YIP meetings.

3.1.9. Provide copies of the AF Form 3545/SFMIS Report/ROI and the limited privileges letter to YIP members. 316 SFS and/or 316 WG/JA may also forward to the YIP Chairman any additional evidence of the misconduct (e.g., Base Exchange surveillance videotapes) as well as summaries of the incidents.

3.2. 316 WG/JA will:

3.2.1. Record the minutes of YIP meetings and provide copies to the YIP Chairman for review.

3.2.2. At the direction of the YIP Chairman, the installation legal office (316 WG/JA) will prepare a decision memorandum (see [Attachment 4](#)) for the 316 WG/CC's signature or designee, addressed to the juvenile offender, announcing the final disposition of the case. The memorandum shall also include information regarding community service, counseling referrals, etc., if applicable. Once signed and returned by the installation commander or designee, the installation legal office will ensure the signed memorandum is mailed to the juvenile offender and his or her sponsor and a copy forwarded to Security Forces Reports and Analysis (316 SFS/S5AR) and Military Personnel Flight Administrative Support (316 FSS/DPMPS).

3.2.3. If any of the juvenile offender's privileges, which are reflected on their DD Fm 1173, *Dependent Identification Card*, are to be revoked, the installation legal office will prepare a revocation memorandum (see [Attachment 5](#)) for the appropriate signature authority, addressed to the sponsor, directing the sponsor to apply for a replacement identification card for the juvenile offender with limited privileges. Once signed and returned by the appropriate signature authority, the installation legal office will ensure the signed memorandum is mailed to the juvenile offender and his or her sponsor and a copy forwarded to 316 FSS/DPMPS.

3.3. The YIP will:

3.3.1. Meet as directed by the YIP Chairman to review cases of juvenile misconduct. The YIP should meet at least once a quarter. If necessary due to the number of cases, the YIP Chairman may require more than one meeting per quarter. The YIP Chairman may cancel a meeting at his or her discretion and direct that cases be considered at the next meeting.

3.3.2. Recommend an appropriate command response to the misconduct, including but not limited to the following or any combination thereof:

3.3.2.1. No action.

- 3.3.2.2. Oral counseling, admonition, or reprimand of the juvenile offender and his or her sponsor.
 - 3.3.2.3. Written counseling, admonition, or reprimand of the juvenile offender and or his or her sponsor signed by the installation commander.
 - 3.3.2.4. Referral of the juvenile offender and/or sponsor to Family Support Center, Family Advocacy, Mental Health, or other agencies for counseling.
 - 3.3.2.5. Placing certain base areas and or facilities off-limits to the juvenile offender.
 - 3.3.2.6. Imposing a curfew other than the normal base curfew.
 - 3.3.2.7. Restricting access to base functions.
 - 3.3.2.8. Suspension or revocation of any or all base privileges.
 - 3.3.2.9. Barment.
 - 3.3.2.9.1. Termination of on-base quarters housing privileges. This action will normally only occur following barment approvals by the installation commander. Quarters termination procedures will follow established Liberty Park Tenant Lease Agreement policy.
 - 3.3.2.10. Requiring the juvenile to complete a specified number of hours of community service on or off Andrews Air Force Base.
 - 3.3.2.11. Identifying conditions that may contribute to juvenile problems and recommending corrective action to other base agencies.
 - 3.3.2.12. Any other permissible action deemed appropriate for the preservation of good order and discipline on Andrews Air Force Base and in the best interest of the juvenile offender.
- 3.3.3. Meet to follow up on juvenile misconduct cases discussed previously. The YIP may require the juvenile offender and sponsor to return to a future YIP meeting to determine whether the action taken was correct and sufficient. The YIP may recommend to the installation commander that the action taken in a particular case be modified based upon a subsequent YIP meeting.
- 3.4. The installation commander or designee will:
- 3.4.1. Review the minutes of the YIP meetings.
 - 3.4.2. Consider the recommendations of the YIP. The installation commander or designee will take the action deemed appropriate for the preservation of good order and discipline on Andrews Air Force Base while balancing the best interests of the rehabilitation of the juvenile. If the installation commander or designee rejects the YIP's recommendations, the YIP Chairman may direct that the YIP meet to discuss the case again.
- 3.5. The juvenile and his or her sponsor will:
- 3.5.1. Appear before the YIP as directed in the notification memorandum.
 - 3.5.2. Provide the YIP information relevant to the case.

3.5.3. Comply with all orders of the YIP and the decision memorandum issued by the 316 WG/CC. Participation in community service and counseling programs by the juvenile and/or the sponsor is voluntary, although rescission of administrative sanctions (e.g., reinstatement of privileges) may be contingent upon the satisfactory completion of such programs.

4. Conducting YIP Meetings:

- 4.1. The YIP Chairman shall conduct YIP meetings (see [Attachment 6](#)).
- 4.2. The YIP may arrange for the appearance of any witness deemed necessary for the resolution of the case. Formal rules of evidence do not apply. The YIP may rely on relevant hearsay evidence that is considered reliable (to include Security Forces reports).
- 4.3. YIP meetings shall be closed to the public. Information discussed will be disclosed to the public per the Privacy Act and Freedom of Information Act (FOIA).
- 4.4. Members of the YIP may make relevant inquiries of the juvenile, his or her sponsor, or any witness.
- 4.5. The juvenile and sponsor may make an oral statement. Information provided by the juvenile offender or any witness may or may not be under oath. Any other information provided by the juvenile must be in writing.
- 4.6. YIP meetings are not adversarial proceedings. Neither the juvenile nor his or her sponsor has the right to legal counsel during the meeting, to question their own witnesses, or to cross examine any witnesses called by the YIP. Moreover, nothing in this instruction shall be construed to grant any rights to the juvenile or his or her sponsor. Proper military decorum and courtesies will be maintained at all times by all personnel.
- 4.7. In order for the juvenile to be found Guilty of the alleged offense(s) with which he or she is accused, two-thirds of the YIP Hearing members in attendance at the meeting must cast their vote as Guilty using a preponderance of the evidence standard of proof. If two-thirds of the YIP Hearing members do not cast their vote as Guilty, then the YIP must find the juvenile Not Guilty of the alleged offense(s). Regardless of the outcome, the findings and/or recommendations of the YIP will be submitted to the installation commander or designee for approval.
- 4.8. The YIP will discuss such other matters (e.g., follow up on previous misconduct cases) as directed by the YIP Chairman.

5. Records Management:

- 5.1. The installation legal office acts as recorder for the YIP. The installation legal office shall maintain the records of the YIP and ensure the confidentiality of the records subject to the Privacy Act of 1974. In accordance with, the Air Force Records Disposition Schedule (RDS) located at <https://afrims.amc.af.mil>, units are responsible for the maintenance and disposal of electronic or paper records created.
- 5.2. No incident system of records will be generated or kept by YIP members. However, the installation legal office will maintain the records of the meetings (i.e. the minutes) and the recommended sanctions to be administered to the juvenile, if any. This is necessary to ensure accuracy and to ensure compliance by the juvenile and his or her sponsor with the

sanctions administered. All correspondence to the juvenile or his or her sponsor will be hand delivered or mailed.

6. Prescribed and Adopted Forms.

AF Form 847, *Recommendation for Change of Publication* and AF Form 3545, *Incident Report*.

STEVEN M. SHEPRO, Colonel, USAF
Commander, 316th Wing

Attachment 1

GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION/TERMS EXPLAINED

References

Air Force Policy Directive 51-9, *Civil Law for Individuals*

AF Form 3534, *Incident Report*

AF Form 847, *Recommendation for Change of Publication*

AFMAN 37-123 (will convert to AFMAN 33-363), *Management of Records*

Air Force Instruction 31-101, *The Air Force Installation Security Program*

DD Form 1173, *Dependant Identification Card*

Public Law 94-415, Juvenile Justice and the Juvenile Justice and Delinquency Prevention Act of 1974 (18 United States Code (U.S.C.) Sections 5031-5042)

Terms

Misconduct—Violation of a federal, state, or local statute; a breach of Air Force or installation instructions or regulations; or conduct disruptive to good order and discipline on Andrews Air Force Base. Examples include, but are not limited to, any of the following:

- i. Pattern of disobedience of the lawful rules set forth by security forces or recreation supervisors, etc., disrespect to military or civil servant personnel, or physical assault or battery upon any person.
- ii. Loitering about the streets, parking lots, or buildings of Andrews Air Force Base during the hours of darkness or after curfew.
- iii. Vandalism or destructive behavior causing up to \$500 in damages.
- iv. Shoplifting from a commissary, Base Exchange, or other AAFES institution.
- v. Illegal Drug use and/or possession on Andrews Air Force Base.
- vi. Inappropriate sexual behavior, harassment, or assault.
- vii. Underage drinking.
- viii. Theft of personal or government property.
- ix. Damage to personal or government property.

Jurisdiction—The YIP shall have jurisdiction over all juvenile misconduct that occurs on Andrews Air Force Base, as referred by the installation legal office.

Juvenile—Any person who has not attained his/her eighteenth birthday, regardless of marriage status.

Juvenile Offender—A juvenile who has been determined by the YIP, in accordance with procedures set forth in this instruction, to have engaged in misconduct on Andrews Air Force Base.

Preponderance of the Evidence—The standard of proof necessary to find that the juvenile committed the misconduct in question. This standard is met when the evidence as a whole shows that it is more probable than not that the fact sought to be proved (i.e., that the juvenile committed the act) actually occurred.

Sponsor—An adult who is the parent or guardian of a juvenile alleged to have committed misconduct on Andrews Air Force Base. A sponsor includes the host of a guest from off-base parents and/or guardians, who have responsibility for the conduct of juveniles in his or her charge.

Youth Intervention Program (YIP)—The committee charged with reviewing cases of juvenile misconduct.

Attachment 2

MEMORANDUM LIMITING JUVENILE'S PRIVILEGES (SAMPLE)

MEMORANDUM FOR (Juvenile's Name)

(Address)

(Address)

FROM: 316 MSG/CC

(Address)

(Address)

SUBJECT: Limited Privileges and ID Card Reissue

1. On _____(date), your ID card was confiscated for _____(nature of offense). The AF Form 52 in your possession is good for 72 hours or until the next duty day.
2. To receive a new ID card with limited privileges, you must appear in person at Military Personnel Flight Customer Service and receive a revised DD Form 1173 with appropriate benefits and privileges. Medical privileges and the expiration date of your ID card will not change.
3. If your privileges are reinstated, you will receive a copy of the disposition of the case.
4. If you have any questions, please contact 316 SFS Reports and Analysis at (301) 981-2066.

(Signature)
(Typed Name and Grade)
Commander

cc:
316 FSS/DPMPs

Attachment 3

MEMORANDUM NOTIFYING JUVENILE OF YIP MEETING (SAMPLE)

MEMORANDUM FOR (Juvenile's Name)

(Address)

(Address)

FROM: 316 WG/CC

1535 Command Drive ,Suite AB-203

Andrews AFB MD 20762-7001

SUBJECT: Order to Appear Before the Youth Intervention Program (YIP)

1. In accordance with AAFB Instruction 51-101, Youth Intervention Program, you and your parent(s)/sponsor are ordered to appear before the YIP on _____(date). The council meets in the 316 Mission Support Group conference room, Building 1535, Rm EE209 . You and your parent(s)/sponsor may use this letter to gain access to Andrews Air Force Base for the purpose of attending the meeting.

2. On _____(date), you were allegedly involved in juvenile misconduct on Andrews Air Force Base. Misconduct is defined as any violation of federal, state, or local statute, a breach of Air Force or installation instructions or regulations, or other activity prejudicial to good order and discipline on Andrews Air Force Base. Specifically, you allegedly _____. At the meeting you and your parent(s)/sponsor will have the opportunity to explain why your base privileges should not be limited or revoked. The privileges subject to revocation include but are not limited to the following: Base Exchange, commissary, base housing, and base entry.

3. You and your parent(s)/sponsor may present any relevant evidence for consideration by way of witness statements or exhibits. You may testify or decline to testify at your discretion. You may also request the YIP call witnesses on your behalf.

4. The Security Forces Squadron can also provide copies of any relevant statement(s)/complaint reports. You must make a FOIA request by sending your request to 744 CS/SCSAR (FOIA), 1535 Command Drive, Suite B-109, Andrews AFB MD 20762, faxed or e-mailed requests must include a mailing address. Questions can be directed to the 744th Communications Squadron at 301-981-4088 or 5007.

5. A copy of this letter will be served to your parent(s)/sponsor. Another copy will be presented to your sponsor's commander.

6. If you fail to appear at the designated time, you may be barred from installation pursuant to AFI 31-101.

(Signature)
(Typed Name and Grade)
Commander

cc:

(Parent/Sponsor)

(Sponsor's Commander)

Attachment 4

MEMORANDUM NOTIFYING JUVENILE OF YIP DECISION (SAMPLE)

MEMORANDUM FOR (Juvenile's Name)
(Address)
(Address)

FROM: 316 WG/CC
1535 Command Drive Suite AB-203
Andrews AFB MD 20762-7001

SUBJECT: Youth Intervention Program (YIP) Decision

1. On _____(date), you met with the Youth Intervention Program (YIP) to determine if you were involved in a (shoplifting incident) at the (Base Exchange) at Andrews Air Force Base. The Board determined you were involved as alleged. Because of your involvement with the misconduct, you must comply with the following actions:

a. Your Base Exchange privileges will be revoked for a period of (six (6) months).

b. You must complete the _____(course) by _____(date). You should call _____(contact) before _____(date) at _____(telephone) to schedule the class. The return of your privileges on base is contingent upon completion of this class.

c. You must complete _____ hours of community service by _____(date). You should call _____(contact) to schedule those hours.

d. Other actions as appropriate.

2. Upon completion of community service, sponsor must send a (Memorandum of Record, or email) to 316 WG/JA in order for the case to be closed out.

3. Failure to comply with these requirements could result in further action being taken.

4. Good order and discipline must be maintained on this base. (You must understand that taking items that do not belong to you is wrong.) I believe you understand what is right and wrong. If

you learn from this experience, perhaps some good will come of an otherwise unfortunate incident. You have the intelligence and potential to do much better, and I am certain you can.

(Signature)
(Typed Name and Grade)
Commander

cc:
316 SFS/S5AR
316 FSS/DPMPS

Attachment 5

MEMORANDUM REVOKING JUVENILE'S PRIVILEGES (SAMPLE)

MEMORANDUM FOR (Parent/Sponsor)

(Address)

(Address)

FROM: 316 Appropriate CC
1535 Command Drive, Suite _____
Andrews AFB MD 20762-700_

SUBJECT: Revocation of Base Exchange Privileges

1. On _____(date), your son/daughter/guest, (juvenile's name), was reported to Security Forces by (Base Exchange (BX) security for taking merchandise totaling \$23.50 at the BX).
2. As result of this violation and according to AFI 31-101, your son's/daughter's/guest's _____(privileges) are hereby revoked, commencing on (the date of the incident). This order will remain in effective until _____.
3. If _____(juvenile's name) has not surrendered his ID card, then you and your son/daughter/guest are hereby directed to report to Military Personnel Flight Customer Service Center within four (4) duty days from the date this letter is received. At that time, you may apply for a replacement card with limited privileges.

(Signature)
(Typed Name and Grade)
Appropriate Commander

cc:
316 FSS/DPMPS

Attachment 6

SAMPLE SCRIPT FOR YOUTH INTERVENTION PROGRAM (YIP) PROCEEDINGS

CHAIR: This Hearing will come to order. I am _____, chairperson. This Hearing is convened under the provisions of AAFBI 51-101, by order of _____, 316th Wing Commander. The juvenile is/is not present. The juvenile's sponsor is present.

CHAIR: The purpose of this Hearing is to make Findings of Fact regarding the juvenile's alleged misconduct _____. The Hearing is to explore alternative solutions and recommend corrective action(s) to the 316th Wing Commander. When selecting appropriate administrative sanctions to recommend, the Hearing board will evaluate the juvenile's prior record of misconduct, the seriousness of the misconduct, the degree of parental guidance and discipline evident and the availability of community agencies to support any corrective action/sanctions recommended.

JA: My name is _____, from the 316 WG Legal Office. I am the Legal Advisor for this proceeding. As Legal Advisor, I ensure that you receive a fair, impartial, and orderly Hearing. The Chairperson will now introduce the other members of the Hearing.

CHAIR: [introduces the other members of the Hearing]

CHAIR: The YIP is not bound by formal rules of evidence prescribed for criminal trials. Furthermore, an administrative hearing does not employ the "beyond-a-reasonable-doubt" standard. On the contrary, administrative hearings seek to find all the relevant facts from the best evidence that is available and they employ a "preponderance-of-evidence" test in making their findings. Preponderance of the evidence means that based upon all of the evidence presented, it is more probable than not that a certain incident actually occurred.

CHAIR: I will now advise you of the procedures for this hearing:

CHAIR: First, you have the right to appear before all open sessions of this hearing in person.

CHAIR: You may or may not provide sworn testimony before the hearing. This is your decision. If you do not elect to provide sworn testimony, you may make an unsworn statement to the hearing either personally or through your sponsor, orally, in writing, or both. If you do not choose to testify or make a statement, the hearing will not consider your silence as an admission of truth of the evidence that has been presented against you.

CHAIR: Finally, you have the right during the proceedings of this hearing to submit evidence, including matters in extenuation and mitigation. Extenuation means those facts or circumstances that lessen the impact of your misconduct. It is also appropriate to share with us those things that will impact you and your family or actions that you have taken to correct your behavior. Mitigation means those facts and circumstances that you think could reduce the severity of recommendations made by this Board. You may submit any evidence you desire to the hearing to consider, including sworn or unsworn statements, affidavits, certificates, or stipulations. However, this is not an adversarial hearing. However, it is a full discussion of the circumstances that took place. You will be permitted to explore the information that is presented.

CHAIR: In order for the YIP to find you guilty of the alleged offense(s), two-thirds of the Hearing members present at this meeting must cast their vote as Guilty. If two-thirds of the Hearing members present do not cast their vote as Guilty, then the YIP must find you Not Guilty of the alleged offense(s). Regardless of the outcome of this Hearing, the YIP's findings and/or recommendations will be submitted to the installation commander or designee for approval. It will be him alone that makes the final decision on the imposition of sanctions, if any.

CHAIR: Do you understand the purpose of this Hearing and your rights as juvenile before it?

RESP: Yes/No. (Explore any area the Juvenile does not understand.)

CHAIR: The YIP may not impose certain rehabilitative measures against you, the juvenile, unless you agree to submit to the jurisdiction of the YIP. If you refuse to submit to the jurisdiction of the YIP, administrative sanctions such as barring you from base or terminating your family's on-base housing privileges can still be imposed even without your consent. Do you understand that you do not have to submit to the jurisdiction of the YIP?

RESP: Yes/No

CHAIR: Do you understand that your presence and cooperation here is voluntary and that you may choose to leave at any time, at which time the Hearing would continue to consider evidence without your presence?

RESP: Yes/No

CHAIR: Do you wish to submit to the YIP's jurisdiction?

RESP: Yes/No.

CHAIR: In a few minutes, I will state the misconduct you are accused of. You will then be asked to respond to the allegations. The Hearing members will ask you questions. After the discussion of these questions between the juvenile and Hearing members, or your admission of misconduct, you will be given the opportunity to present evidence in defense. As I advised you earlier, you do not have to make a statement yourself, nor can any inference be drawn from your silence.

CHAIR: The Hearing may recommend, but is not limited to, any combination of the following actions:

- a. Sponsor counseling
- b. A formal apology
- c. Sponsor's statement, detailing the steps to be taken to prevent further misconduct
- d. Curfew imposition
- e. Community service under parental/guardian supervision
- f. Withdrawal of logistic support privileges such as AAFES, DeCA, Services
- g. Suspension or revocation of driving privileges (if applicable)
- h. Restriction from transportation on base
- i. Juvenile (and sponsor) required to participate in a rehabilitative treatment program
- j. Barment from Andrews Air Force Base and US government owned or leased Military Family Housing
- k. Recommendation for restitution
- l. Other (as determined by the hearing panel)

CHAIR: Before stating the alleged misconduct, I must once again ask you if you have any questions about this proceeding or the actions that this Hearing could recommend.

RESP: Yes/No

CHAIR: I will now state the alleged misconduct. The alleged misconduct is:

CHAIR: _____, did you commit the alleged misconduct of _____? [Read charges from sheet - one at a time.]

RESP: YES/NO

CHAIR: Very well. At this time, the YIP Hearing members may call witnesses to the alleged misconduct. The Hearing members would like to call: _____ [Board calls its witnesses one by one].

[NOTE 1: The Legal Advisor will administer oaths, if it is a sworn statement, and ask preliminary identifying questions of all witnesses.]

CHAIR: The Hearing members may now ask questions [Continue calling and questioning witnesses individually until all witnesses have been called].

CHAIR: The Hearing members have no further witnesses to call. Does the Juvenile have any witnesses to call?

RESP: No/Yes, I call _____.

CHAIR: (If Yes) The Hearing members may now ask questions.

CHAIR: Does the Juvenile or his/her sponsor wish to make a statement at this time?

RESP: Yes/No

CHAIR: (If Yes) Do you wish the statement to be sworn or unsworn?

RESP: _____. (If sworn, Legal Advisor administers oath and asks preliminary identifying questions. Hearing members will be allowed to ask questions at the end of the statement.)

CHAIR: The Hearing members may now ask questions.

[After Hearing members have completed questioning]

JA/CHAIR: Does the Juvenile have anything further to present?

RESP: Yes/No

CHAIR: The Hearing is in recess. The Board will now deliberate, and you will be notified of the decision via hand-carried or delivered mail.

This Hearing is closed.