

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

AIR FORCE JOINT INSTRUCTION 31-213



**EDWARDS AIR FORCE BASE
Supplement**

22 FEBRUARY 2013

Security

**ARMED FORCES DISCIPLINARY
CONTROL BOARD OFF-INSTALLATION
LIAISON AND OPERATIONS**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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(Lieutenant Colonel Marvin W. Tubbs)

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This instruction implements Air Force Joint Instruction (AFJI) 31-213, *Armed Forces Disciplinary Control Boards and Off-Installation Liaison and Operations*, and prescribes procedures for the establishment, operation, and coordination of the Armed Forces Disciplinary Control Board (AFDCB). This instruction does not address the use of off-installation liaisons and operations. This instruction applies to all personnel assigned or attached to, or supported by, Edwards Air Force Base (EAFB). Failure to observe the specific prohibitions and requirements contained in Paragraph 9.11. is a violation of Article 92, *Uniform Code of Military Justice* (UCMJ). Violations of this provision can be prosecuted under Article 92 of the UCMJ, as well as any other applicable articles of the UCMJ, when appropriate. Ensure that all records created as a result of processes prescribed in this publication are maintained in accordance with Air Force Manual (AFMAN) 33-363, *Management of Records*, and disposed of in accordance with Air Force Records Information Management System (AFRIMS) Records Disposition Schedule (RDS) located at <https://www.my.af.mil/gcss-af61a/frims/frims>. Refer recommended changes and questions about this publication to the Office of Primary Responsibility using the AF IMT 847, *Recommendation for Change of Publication*; route AF IMT 847s from the field through the appropriate functional's chain of command.

1. Authority. The 412th Test Wing Commander (412 TW/CC) is responsible for maintaining the health, safety, morals, welfare, morale and discipline of EAFB personnel and their families. To carry out this responsibility, the 412 TW/CC is authorized under AFJI 31-213 to declare establishments, businesses and areas "off-limits" to EAFB military personnel where there exists

sufficient cause to believe that service members may be exposed to or victimized by crime-conducive conditions.

2. Purpose of the AFDCB. The AFDCB is an organization whose purpose is to assist the 412 TW/CC in eliminating undesirable conditions and situations that may adversely affect the health, safety, morals, welfare, morale and discipline of EAFB personnel and their families. The goal of the AFDCB is correction of any such undesirable conditions or situation by an off-base establishment or business. However, when the deficiency is not corrected, the AFDCB may recommend to 412 TW/CC to place the establishment, business or area “off-limits” to military personnel assigned to Edwards AFB.

3. Functions of the AFDCB.

3.1. The AFDCB studies and takes appropriate action on all reports of conditions and situations relating to prostitution, sexually transmitted disease, liquor violations, racial and other discriminatory practices, alcohol and drug abuse, drug abuse paraphernalia, criminal or illegal activities involving cults or hate groups, illicit gambling, areas susceptible to terrorist activity, unfair commercial or consumer practices, and unsafe conditions which may adversely affect the health and well-being of military personnel and their families.

3.1.1. The AFDCB will immediately forward to 412 TW/CC any reported circumstances involving discrimination based on race, color, sex, religion, age, or national origin.

4. AFDCB Composition. The 412th Mission Support Group Commander (412 MSG/CC) is the AFDCB President. The following are designated as members of the AFDCB:

- 4.1. 412 SFS/CC or designee.
- 4.2. 412 TW/JA or designee.
- 4.3. 412 CE/CL or designee.
- 4.4. 412 FSS/CC or designee.
- 4.5. 412 MDG/CC or designee.
- 4.6. 412 TW/HC or designee.
- 4.7. 412 TW/EO.
- 4.8. 412 TW/IG.
- 4.9. 412 TW/PA.
- 4.10. 412 TW/SE.
- 4.11. AFOSI, Detachment 111.

5. Complaints to the AFDCB.

5.1. All active duty military personnel and their family members are encouraged to file complaints they may have against off-base establishments, businesses or areas with the AFDCB when such complaints are within the AFDCB’s jurisdiction. Persons with complaints about off-base establishments, businesses or areas should put the complaint in writing and attach any relevant documents.

5.2. A sample complaint form is found at Attachment 2.

6. AFDCB Meetings.

6.1. The AFDCB meets quarterly, or whenever a meeting is called by 412 TW/CC or the AFDCB President. Regular quarterly AFDCB meetings will normally be held in conjunction with the quarterly Status of Discipline (SoD) meeting. AFDCB meetings may be held more frequently as situations dictate, such as when consideration needs to be given toward placing an establishment in an off-limits status.

6.1.1. The AFDCB President will schedule and preside at all AFDCB meetings.

6.1.2. A majority of voting members constitutes a quorum for AFDCB meetings.

6.1.3. AFDCB meetings are not adversarial in nature.

6.2. The AFDCB President or an individual designated by AFDCB President will:

6.2.1. Provide an agenda and any relevant complaints to each voting member at least 72 hours prior to the meeting.

6.2.2. Ensure records, minutes, and correspondence are prepared and distributed to AFDCB members and others, as appropriate. Correspondence to the proprietor of an off-base establishment, business or area will be sent via certified mail, return receipt requested.

6.2.3. Maintain records of AFDCB meetings as prescribed by applicable records management policies and procedures.

6.3. The AFDCB President may specify whether the meetings will be open or closed. Normally proceedings are closed, but may be open to the public when circumstances warrant.

6.4. The AFDCB should coordinate with appropriate civil authorities on problems or adverse conditions in the AFDCB's area of jurisdiction.

6.4.1. Participation by civil agencies or individuals in AFDCB meetings is highly encouraged. They may be invited as observers or witnesses in accordance with Paragraph 7 when they are aware of problem areas within the AFDCB's jurisdiction.

7. Attendance of Observers or Witnesses. The AFDCB President may invite other military or civilian persons or organization representatives as witnesses or observers if they are necessary or appropriate to the AFDCB meetings. These visitors may assist in addressing installation or command issues, but will not vote on any action or procedure. Invited witnesses and observers will be listed in the minutes of the meeting.

8. Minutes.

8.1. Minutes will be prepared in accordance with Attachment 3. The written minutes of AFDCB meetings will constitute the official record of the AFDCB meetings. Verbatim transcripts of AFDCB meetings are not required.

8.1.2. The reasons for recommending approval or removal of an off-limits restriction, to include a complete address of the establishment or area involved, will be annotated. When a recommendation is made to place an establishment off-limits, the minutes will show the procedural steps followed in reaching the decision.

8.1.3. A report containing the results of any investigation or inspection conducted by the AFDCB concerning an establishment, business or area will be submitted at the next AFDCB meeting and summarized in the minutes.

8.2. Minutes and recommendations of the AFDCB will be forwarded to 412 TW/CC for approval.

8.3. Distribution of the minutes of AFDCB meetings will be limited to 412 TW/CC and each voting member.

8.3.1. AFDCB minutes are subject to release and disclosure in accordance with applicable publications and directives. Civilian and government agencies that have an interest in the functions of the AFDCB may receive a copy if deemed appropriate in accordance with the Freedom of Information Act (FOIA) or other publication or directive. Civilian and military observers and witnesses may also receive a copy if deemed appropriate in accordance with the FOIA or other publication or directive.

9. Off-Limits Establishments, Businesses and Areas.

9.1. It is essential that the AFDCB does not act arbitrarily. Actions must not be of a punitive nature. The AFDCB should work in close cooperation with local officials and proprietors of business establishments and seek to accomplish its mission through mutually cooperative efforts.

9.2. When the AFDCB concludes that conditions adverse to military personnel exist, the AFDCB will send a written notice (Attachment 4) to the individual or business responsible for the alleged condition or situation. The AFDCB will specify a reasonable amount of time for the condition or situation to be corrected, along with the opportunity for the individual or business to present any relevant information to the AFDCB.

9.3. If the proprietor takes remedial action to correct undesirable conditions previously noted, the AFDCB should send a letter of appreciation (Attachment 5) recognizing this cooperation.

9.4. If undesirable conditions are not corrected, the proprietor will be invited to appear before the AFDCB to explain why the establishment, business or area should not be placed off-limits (Attachment 6). Any proprietor may designate in writing a representative to appear before the AFDCB on his or her behalf.

9.5. In cases where proprietors have been invited to appear before the AFDCB, the President of the AFDCB will perform the following:

9.5.1. Prior to calling the proprietor, review the findings and decision of the previous meeting, call for inspection reports, and allow those present to ask questions and discuss the case.

9.5.2. When the proprietor or the representative is called before the AFDCB, the proprietor will be presented a brief summary of the complaint concerning the establishment, business or area. Afford the proprietor an opportunity to present matters in defense. Invite those present to question the proprietor. After the questioning period, allow the proprietor the opportunity to make a final statement before being dismissed.

9.6. Deliberations on recommended actions will be in closed session, attended only by AFDCB members and other persons as determined by the AFDCB President.

9.7. The AFDCB will only make a recommendation to 412 TW/CC to place an establishment, business or area off-limits after thorough investigation into, and review of, the facts and

circumstances surrounding the alleged conditions that adversely affect the health, safety, morals, welfare, morale and discipline of military personnel or their families; inspection of the establishment, business or area (as appropriate); and compliance with the procedural requirements contained in this supplement.

9.7.1. Such recommendations must be supported by substantive information indicating an establishment, business or area frequented by military personnel presents conditions which adversely affect their health, safety, morals, welfare, morale and discipline.

9.8. Recommendations of the AFDCB will be submitted to 412 TW/CC for approval or disapproval. 412 TW/CC's final determination on the AFDCB's recommendations will then be forwarded to the AFDCB President.

9.9. Upon approval of an AFDCB recommendation to impose a restriction, the President will write the proprietor informing them that an off-limits restriction has been imposed (Attachment 7).

9.10. 412 TW/CC will cause a list of off-limits establishments and areas to be published using command and media channels.

9.11. Service members are prohibited from entering establishments or areas declared off-limits by 412 TW/CC in accordance with AFJI 31-213 and this instruction. Violations may subject the member to disciplinary action under Article 92 of the UCMJ, or any other applicable article of the UCMJ, as appropriate.

9.11.1. Family members of service members and others associated with the service or installation should be made aware of the off-limits restrictions.

10. Temporary Off-Limits Establishments and Areas. In emergency situations, where sufficient cause exists, commanders may declare establishments and areas temporarily off-limits to personnel of their respective commands. Commanders must immediately notify 412 TW/CC and AFDCB President of such an emergency declaration. Detailed justification for the emergency declaration will be provided to the AFDCB and the AFDCB will act upon these emergency declarations as a first priority.

11. Removal of Off-Limits Restrictions.

11.1. No time period should be established for how long an off-limits restriction will remain in effect. The adequacy of corrective action taken by the proprietor of the establishment, business or area must be the determining factor in removing the off-limits restriction. As a matter of policy, a change of ownership, management, or name of any off-limits establishment, business or area does not, in and of itself, revoke the off-limits restriction.

11.2. Proprietors of establishments, businesses or areas declared off-limits should be advised they may submit to the President of the AFDCB at any time a petition to remove off-limits restrictions.

11.2.1. Submitted petitions must be in writing and include a detailed report of action taken to eliminate the condition or situation that caused imposition of the restriction.

11.2.2. The President of the AFDCB may direct an investigation to determine the status of the corrective actions noted in the petition.

11.3. The AFDCB will discuss the matter at the next meeting and will recommend to the 412 TW/CC either the removal or continuation of the off-limits restriction based on the results of the review of the petition and/or the investigation.

11.4. A letter of notification for continuance of the off-limits restriction should be sent to the proprietor if 412 TW/CC does not remove the off-limits restriction (Attachment 8). A letter of notification of the removal of the off-limits restriction should be sent to the proprietor if 412 TW/CC removes the off-limits restriction (Attachment 9 or Attachment 10).

11.5. The proprietor of the establishment, business or area may appeal to the next higher commander after an unsuccessful petition under Paragraph 11.2.

12. Public Affairs.

12.1. Due to the sensitive nature of the subject matter, there will not be a media release in connection with AFDCB meetings. However, any AFDCB proceeding which is open to the public will also be open to representatives of the news media. Representatives of the news media will be considered observers, and will not participate in matters considered by the AFDCB.

12.2. News media interviews and releases will be handled through the Public Affairs office according to applicable service regulations.

MICHAEL T. BREWER, Brigadier General, USAF
Commander

Attachment 1**GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

AFJI 31-213, *Armed Forces Disciplinary Control Boards and Off-Installation Liaison and Operations*, 27 July 2006

AFMAN 33-363, *Management of Records*, 1 March 2008

Article 92, *Uniform Code of Military Justice* (10 U.S.C. Section 892)

DOD5400.7-R_AFMAN 33-302, *Freedom of Information Act Program*, 21 October 2010

Adopted Form

AF Form 847, *Recommendation for Change of Publication*, 22 September 2009

Abbreviations and Acronyms

412 TW—412th Test Wing

412 CE—412th Civil Engineer Directorate

412 FSS—412th Force Support Squadron

412 MDG—412th Medical Group

412 MSG—412th Mission Support Group

412 SFS—412th Security Forces Squadron

AF—Air Force

AFDCB—Armed Forces Disciplinary Control Board

AFTC—Air Force Test Center

AFI—Air Force Instruction

AFJI—Air Force Joint Instruction

AFMAN—Air Force Manual

AFOSI—Air Force Office of Special Investigations

AFRIMS—Air Force Records Information Management System

CC—Commander

CD—Deputy Commander

DoD—Department of Defense

EAFB—Edwards Air Force Base

EO—Equal Opportunity

FOIA—Freedom of Information Act

HC—Chaplain

IG—Inspector General

JA—Judge Advocate

OPR—Office of Primary Responsibility

PA—Public Affairs

RDS—Records Disposition Schedule

SE—Safety

UCMJ—Uniform Code of Military Justice

Attachment 2
AFDCB COMPLAINT

Figure A2.1. AFDCB Complaint

(Your Name/Rank)

(Address)

(Duty Phone/Home Phone)

President, Armed Forces Disciplinary Control Board

5 N. Seller Avenue

Edwards AFB CA 93524

SUBJECT: Complaint Regarding: (Name of Establishment)

1. Name, address and phone number of the establishment, business, organization, club, etc., with which you have a complaint. Name(s) and position or title of the individual(s) representing the establishment.
2. Type of complaint (racial discrimination, criminal activity, consumer issues, etc.).
3. Date of incident(s).
4. Significant facts (use separate sheet if necessary).
5. What relief do you want from the establishment and/or what condition do you believe should be corrected?

Please be aware that you may be a potential witness in the Armed Forces Disciplinary Control Board Process, and your name will be subject to release under the Freedom of Information Act (FOIA).

(Your Signature/Date)

Attachment 3

SAMPLE OF AFDCB MINUTES

Figure A3.1. Sample of AFDCB Minutes

MEMORANDUM FOR 412 TW/CC	Date
FROM: Armed Forces Disciplinary Control Board (AFDCB)	
SUBJECT: AFDCB Meeting Minutes – <i>(date)</i>	
<p>1. Pursuant to authority contained in AFJI 31-213, <i>Armed Forces Disciplinary Control AFDCBs and Off-Installation Liaison and Operations</i>, the Edwards Air Force Base AFDCB convened at <i>(place)</i>, <i>(date)</i>.</p> <p>2. The following voting members were present: <i>(list names, titles, and addresses)</i>.</p> <p>3. The following non-voting members were present: <i>(list names, titles, and addresses)</i>.</p> <p>4. The following members were absent: <i>(list names, titles, and addresses)</i>.</p> <p>5. The following observers or witnesses were present: <i>(list names, titles, and addresses)</i>.</p> <p>6. Order of business:</p> <ol style="list-style-type: none"> a. Call to order. b. Welcome. c. Introduction of members and guests. d. Explanation of the purpose of the AFDCB meeting. e. Reading of minutes. f. Unfinished business. g. New business. h. Closed deliberations session. i. Recommendations. <p>(1) List of areas and establishments being placed in an off-limits restriction. Include the complete name and address (or adequate description of the area) of any establishment.</p> <p>(2) List of areas and establishments being removed from off-limits restrictions. Include the complete name and address (or adequate description of the area) of any establishment listed.</p> <p>(3) Other matters or problems of concern.</p> <p>j. Time, date, and place for next AFDCB meeting.</p> <p>k. Adjournment of the AFDCB.</p> <p>(AFDCB President or Designee's name) (Rank, branch of service) Armed Forces Disciplinary Control Board</p> <p>Approved: (AFDCB President's name) (Rank, branch of service) President, Armed Forces Disciplinary Control Board</p> <p>Approved/Disapproved:</p> <p>(412 Test Wing Commander's name) (Rank, branch of service) Commander, 412th Test Wing</p>	

Attachment 4

AFDCB LETTER OF NOTIFICATION SAMPLE

Figure A4.1. AFDCB Letter Of Notification Sample

(Letterhead)	[Date]
Lt Col John J. Doe President, Armed Forces Disciplinary Control Board 5 Seller Avenue Edwards AFB CA 93524	
Mr. Joe J. Smith 1234 Main Street Palmdale CA 93550	
Dear Mr. Smith	
It has come to the attention of the Armed Forces Disciplinary Control Board (AFDCB) that certain conditions reported at your establishment may adversely affect the health, safety, morals, welfare, morale and discipline of members of the Armed Forces.	
The AFDCB is initiating action to determine whether your establishment (<i>area</i>) should be placed off-limits to members of the Armed Forces if (<i>cite conditions</i>) are not corrected by (<i>date</i>). A representative of the AFDCB will visit your establishment to determine if steps have been taken to correct the conditions outlined above.	
Sincerely	
JOHN J. DOE, Lt Col, USAF	
NOTE: Use certified mail, return receipt requested.	

Attachment 5

AFDCB LETTER OF APPRECIATION SAMPLE

Figure A5.1. AFDCB Letter of Appreciation Sample

(Letterhead)	[Date]
Lt Col John J. Doe President, Armed Forces Disciplinary Control Board 5 N. Seller Avenue Edwards AFB CA 93524	
Mr. Joe J. Smith 1234 Main Street Palmdale CA 93550	
Dear Mr. Smith	
This is in reference to my letter of (<i>date</i>) concerning the conditions reported at your establishment that adversely affected the health, safety, morals, welfare, morale and discipline of members of the Armed Forces.	
The AFDCB appreciates your action to correct the condition previously noted and does not contemplate further action with respect to this specific matter.	
Your continued cooperation is appreciated.	
Sincerely	
JOHN J. DOE, Lt Col, USAF	
NOTE: Use certified mail, return receipt requested.	

Attachment 6

AFDCB LETTER OF INVITATION SAMPLE

Figure A6.1. AFDCB Letter of Invitation Sample

(Letterhead)	[Date]
Lt Col John J. Doe President, Armed Forces Disciplinary Control Board 5 N. Seller Avenue Edwards AFB CA 93524	
Mr. Joe J. Smith 1234 Main Street Palmdale CA 93550	
Dear Mr. Smith	
<p>This is in reference to my letter of (<i>date</i>) concerning the conditions reported at your establishment that adversely affected the health, safety, morals, welfare, morale and discipline of members of the Armed Forces.</p> <p>Information has been received by the Armed Forces Disciplinary Control Board (AFDCB) which indicates you have not taken adequate corrective action to eliminate the reported condition. Reports presented to the AFDCB indicate (<i>list and describe conditions</i>).</p> <p>You are advised that the AFDCB will initiate action to determine whether your establishment should be declared off-limits to members of the Armed Forces. You may appear in person, with or without counsel, before the AFDCB at its next scheduled meeting on (<i>date, time, and place</i>). At that time, you will have the opportunity to refute the allegation, or to inform the AFDCB of any remedial action you have taken or contemplate taking to correct the condition. It is requested you inform the President of the AFDCB if you plan to attend.</p> <p>Any questions regarding this matter may be addressed to Lt Col Doe, (<i>address</i>). Every effort will be made to clarify the matter for you.</p>	
Sincerely	
JOHN J. DOE, Lt Col, USAF	
NOTE: Use certified mail, return receipt requested.	

Attachment 7

AFDCB OFF-LIMITS APPROVAL LETTER SAMPLE

Figure A7.1. AFDCB off-Limits Approval Letter Sample

(Letterhead)	[Date]
Lt Col John J. Doe President, Armed Forces Disciplinary Control Board 5 N. Seller Avenue Edwards AFB CA 93524	
Mr. Joe J. Smith 1234 Main Street Palmdale CA 93550	
Dear Mr. Smith	
<p>This letter is to inform you that your establishment has been declared off-limits to members of the Armed Forces effective (<i>date</i>). Members of the Armed Forces are prohibited from entering your establishment (<i>premises</i>) as long as this order is in effect. This action is being taken because of (<i>state the conditions</i>) which are detrimental to the (<i>health, safety, morals, welfare, morale or discipline</i>) of members of the Armed Forces.</p> <p>This restriction will remain in effect indefinitely in accordance with established Air Force policy. Removal of the restriction will be considered by the Armed Forces Disciplinary Control Board upon presentation of information that satisfactory corrective action has been taken. Correspondence appealing this action may be submitted to the President, Armed Forces Disciplinary Control Board, (<i>address</i>).</p>	
Sincerely	
JOHN J. DOE, Lt Col, USAF	
NOTE: Use certified mail, return receipt requested.	

Attachment 8

AFDCB LETTER OF NOTIFICATION AND CONTINUANCE OF OFF-LIMITS
RESTRICTIONS AFTER APPEARANCE BEFORE THE AFDCB SAMPLEFigure A8.1. AFDCB Letter of Notification and Continuance of off-Limits Restrictions
after Appearance Before the AFDCB Sample

(Letterhead)	[Date]
Lt Col John J. Doe President, Armed Forces Disciplinary Control Board 5 N. Seller Avenue Edwards AFB CA 93524	
Mr. Joe J. Smith 1234 Main Street Palmdale CA 93550	
Dear Mr. Smith	
The Armed Forces Disciplinary Control Board (AFDCB) did not favorably consider your request for removal of the off-limits restriction now in effect at your establishment. This decision does not preclude further appeals or appearances before the AFDCB at any of its scheduled meetings. Correspondence pertaining to this matter should be addressed to the President, Armed Forces Disciplinary Control Board, (<i>address</i>). Correspondence appealing this action may be submitted to the President, Armed Forces Disciplinary Control Board at the above address.	
Sincerely	
JOHN J. DOE, Lt Col, USAF	
NOTE: Use certified mail, return receipt requested.	

Attachment 9

AFDCB LETTER OF REMOVAL OF OFF-LIMITS RESTRICTION SAMPLE

Figure A9.1. AFDCB Letter of Removal of off-Limits Restriction Sample

(Letterhead)	[Date]
Lt Col John J. Doe President, Armed Forces Disciplinary Control AFDCB 5 N. Seller Avenue Edwards AFB CA 93524	
Mr. Joe J. Smith 1234 Main Street Palmdale CA 93550	
Dear Mr. Smith	
This letter is to inform you that the off-limits restriction against (<i>name of establishment</i>) is removed effective (<i>date</i>). Members of the Armed Forces are permitted to patronize your establishment as of that date.	
The corrective actions taken in response to the concerns of the Armed Forces Disciplinary Control Board are appreciated.	
Sincerely	
JOHN J. DOE, Lt Col, USAF	
NOTE: Use certified mail, return receipt requested.	

Attachment 10

AFDCB NOTIFICATION OF REMOVAL OF OFF-LIMITS RESTRICTION SAMPLE

Figure A10.1. AFDCB Notification of Removal of off-Limits Restriction Sample

(Letterhead)	[Date]
Lt Col John J. Doe President, Armed Forces Disciplinary Control Board 5 Seller Avenue Edwards AFB CA 93524	
Mr. Joe J. Smith 1234 Main Street Palmdale CA 93550	
Dear Mr. Smith	
This letter is to inform you that your request for removal of the off-limits restriction now in effect at (<i>name of establishment</i>) was favorably considered by the Armed Forces Disciplinary Control Board (AFDCB).	
This restriction will be removed effective (<i>date</i>). Members of the Armed Forces will be permitted to patronize your establishment as of that date.	
The corrective actions taken in response to the concerns of the AFDCB are appreciated.	
Sincerely	
JOHN J. DOE, Lt Col, USAF	
NOTE: Use certified mail, return receipt requested.	