

**BY ORDER OF THE COMMANDER
WRIGHT-PATTERSON AIR FORCE
BASE**

**WRIGHT-PATTERSON AIR FORCE
BASE INSTRUCTION 31-213**

3 MARCH 2016



Security

**ARMED FORCES DISCIPLINARY
CONTROL BOARD**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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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 liaison and operations. This instruction applies to all personnel assigned to the 88 Air Base Wing (88 ABW) and subordinate units, and personnel assigned or attached to, or supported by, Wright-Patterson Air Force Base (WPAFB) and detachments. Military personnel who violate the specific prohibitions and requirements contained in paragraph 9, and all of its subparagraphs can be prosecuted under Article 92 of the Uniform Code of Military Justice (UCMJ), or any other applicable article of the UCMJ, as appropriate. This instruction is affected by the Privacy Act of 1974. All forms contain a Privacy Act statement. This publication does not apply to the Air National Guard or the Air Force Reserve Center (ANG/AFRC) units. Refer recommended changes and questions about this publication to the Office of Primary Responsibility (OPR) using the AF Form 847, *Recommendation for Change of Publication*; route AF Form 847s from the field through the appropriate functional's chain of command. Ensure that all records created as a result of processes prescribed in this publication are maintained in accordance with (IAW) Air Force Manual (AFMAN) 33-363, *Management of Records*, and disposed of IAW Air Force Records Information Management System (AFRIMS) Records Disposition Schedule (RDS).

1. Authority: The 88 ABW/CC is responsible for maintaining the health, safety, morals, welfare, morale and discipline of the 88 ABW personnel and their families. To carry out this responsibility, the 88 ABW/CC is authorized under AFJI 31-213 to declare establishments, businesses and areas “off-limits” to the 88 ABW military personnel where there exists sufficient cause to believe that service members may be exposed to or victimized by crime-conducive conditions.

2. Purpose: The purpose of establishing the Armed Forces Disciplinary Control Board (AFDCB) is to advise and make recommendations to commanders concerning establishments and places of business on matters which affect the health, safety, welfare, morale and discipline of the Armed Forces. The goal of the AFDCB is correction of the deficiency by the off-base establishment, business or area. However, if the deficiency is not corrected, the AFDCB may recommend the establishment, business or area “off-limits” to military personnel.

2.1. Service members are prohibited from entering establishments or areas declared “off-limits” by the 88 ABW/CC in accordance with this instruction. Violations may subject the member to disciplinary action under Article 92 of the Uniform Code of Military Justice (UCMJ).

3. Responsibilities:

3.1. The AFDCB functions under the supervision of a president (88 MSG/CC or designee) and serves all military personnel and family members at or near WPAFB.

3.2. The AFDCB studies and takes appropriate action on all reported conditions considered detrimental to the health, safety, welfare, morale and discipline of the Armed Forces. These activities include but are not limited to:

3.2.1. Disorder and lack of discipline.

3.2.2. Prostitution.

3.2.3. Sexually Transmitted Disease.

3.2.4. Liquor/Alcohol violations.

3.2.5. Racial or other discriminatory practices, i.e. sex, age, military service.

3.2.6. Drug abuse, sales and paraphernalia.

3.2.7. Criminal or illegal activities.

3.2.8. Illicit gambling.

3.2.9. Areas highly susceptible to terrorist activity.

3.2.10. Gang related activities.

4. Complaints: All active duty military personnel and their family members are encouraged to file suitable complaints with the AFDCB against off-base establishments, businesses and areas. Persons with complaints about off-base establishments or areas should put the complaint in writing IAW [Attachment 2, AFDCB COMPLAINT FORM](#), to include any relevant support documents.

5. Board Composition:

5.1. The 88 MSG/CC or designee is the AFDCB president. Duties of the president include scheduling meetings, notifying board members and presiding over all AFDCB meetings. The following are designated as members of the board:

- 5.1.1. *88 MSG/CC or designee
- 5.1.2. *88 MDG/CC or designee
- 5.1.3. *88 CG/CC or designee
- 5.1.4. *88 CEG/CL or designee
- 5.1.5. *88 ABW/CCC or designee
- 5.1.6. 88 SFS/CC or designee
- 5.1.7. AFOSI, 10 FIS/CC or designee
- 5.1.8. 88 ABW/JA
- 5.1.9. 88 SFS/S2I (recorder)
- 5.1.10. 88 MDOS/SGOH (Alcohol and Drug Abuse)
- 5.1.11. 88 AMDS/SGP (Public Health)
- 5.1.12. 88 ABW/EO
- 5.1.13. 88 ABW/PA
- 5.1.14. Local Law Enforcement by invitation

5.2. The above members indicated by * are designated as voting members; should there be a tie vote the president holds the deciding vote. All other members are acting as board advisors.

5.3. The AFDCB board meets as often as determined by the AFDCB president but no less than quarterly. 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.

5.3.1. Special meetings may be called by the AFDCB president as situations dictate, such as in case of an immediate safety and welfare concerns, requiring an “emergency temporary off-limits” placement of an establishment, business or area by the 88 ABW/CC.

5.3.2. A majority of voting members constitutes a quorum for board proceedings.

5.3.3. AFDCB is not adversarial in nature.

6. Recorder.

6.1. The 88 SFS/S2I will serve as the recorder for the AFDCB.

6.2. The recorder 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, meeting minutes, and correspondence are prepared and distributed to board members and others, as appropriate.

6.2.3. Maintain records of board proceedings as prescribed by applicable records management policies and procedures.

7. Meeting Minutes.

7.1. The written minutes of the AFDCB meetings will constitute the official record of the AFDCB proceedings. Verbatim transcripts of board meetings are not required. The minutes will indicate the AFDCB's actions in each case when recommendations are made to place the establishment off-limits.

7.2. The 88 ABW/CC will make a final determination based upon the board's recommendation. The reason for approving or removing an off-limit restriction should be indicated in the order of business to include a complete address of the establishment or area involved. The AFDCB's actions will be shown in the order of actions taken.

7.3. Distribution of the minutes will be limited to the 88 ABW/CC and each board member. Civilian authorities present during meetings may also receive a copy of the minutes if deemed appropriate.

8. Attendance of Observers or Witnesses.

8.1. The board may invite other military or civilian persons or organization representatives as witnesses or observers to assist in addressing installation or command issues if they are necessary or appropriate to the board proceedings.

8.1.1. Participation by Civilian Authorities is highly encouraged. They may be invited as observers or witnesses when they are aware of problem areas within the surrounding community.

8.2. Invited witnesses and observers are not authorized to vote on any action or procedure, but will still be listed as an attendee in the meeting minutes.

9. Establishing Facilities and Areas Off-Limits/Procedures.

9.1. Off-limit restrictions should only be invoked when there is substantive information indicating an establishment or area frequented by Armed Forces personnel presents adverse conditions. Boards should work in close cooperation with local officials and proprietors of business establishments to accomplish their mission through mutually cooperative efforts.

9.2. Boards should encourage personal visits by designated military authorities, civilian law enforcement, or health officials to establishments and areas considered below standard. AFDCBs should point out unhealthy conditions or undesirable practices to establishment owners. The owners or operators are required to produce the desired corrective action to be reconsidered favorably by the AFDCB .

9.3. When the board concludes that conditions adverse to the Armed Forces personnel do exist, the AFDCB will send a written notice IAW **Attachment 3, NOTIFICATION OF COMPLAINT**, via certified/return receipt mail requested, to the proprietor responsible for the establishment or area in question.

9.3.1. 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 board.

9.3.2. The AFDCB will designate an appropriate military agency to conduct a follow-up inspection to determine compliance or non-compliance of the reported complaint(s).

9.3.2.1. If the subsequent investigation reveals the responsible individual or business has failed to take corrective action, the board will determine the need to recommend the imposition of the off-limits restriction.

9.4. If undesirable conditions are not corrected, the proprietor may be invited to appear before the AFDCB to explain why the establishment or area should not be placed off-limits IAW **Attachment 4, LETTER OF INVITATION TO AFDCB**. Any proprietor may designate a representative in writing to appear before the board on their behalf.

9.5. The president of the board may take the following actions prior to calling the proprietor:

9.5.1. Schedule a review of findings and decisions during previous meetings.

9.5.2. When the proprietor or representative is called before the board, the proprietor will be presented a brief summary of the complaint concerning the establishment and the results of the subsequent inspection, at which time board members and invited guests will be allowed to question the proprietor.

9.5.2.1. After the briefing and questioning period, the proprietor will be allowed the opportunity to make final statements in defense, before being dismissed and advised they will be notified by certified mail of the 88 ABW/CC's decision.

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

9.7. The board should recommend an off-limits restriction only after the following has been accomplished or determined:

9.7.1. The letter of notification (**Attachment 3**) has been sent and return receipt received.

9.7.2. An opportunity for the proprietor to appear before the board has been extended (**Attachment 4**) and has been answered or declined.

9.7.3. Further inspection reports indicate improvements have not been made.

9.8. Recommendations of the AFDCB will be submitted in writing IAW **Attachment 5, NOTIFICATION OF OFF-LIMITS RESTRICTION**, to the 88 ABW/CC for approval. The 88 ABW/CC final determinations on the board's recommendations will then be returned to the AFDCB president for action.

9.8.1. Upon approval of the AFDCB's recommendations by the 88 ABW/CC, the president will present the approved **Attachment 5**, to the proprietor of the now "off-limits" establishment via certified/return receipt mail, thus notifying the proprietor of the restriction(s) imposed.

9.9. Meeting minutes will reflect the measures taken.

9.10. Where sufficient cause exists, commanders may temporarily declare establishments and areas off-limits to personnel of their respective commands in emergency situations. Detailed justification for this emergency action will be provided to the AFDCB and acted upon as first priority.

9.11. Commanders will publish a list of off-limits establishments and areas using appropriate command media channels.

9.12. Military Authorities may not post off-limit signs on private property.

10. Termination/Removal of Off-Limits Restriction/Notification.

10.1. Time limits should not be specified when an off-limits restriction will be revoked.

10.1.1. The adequacy of the corrective action taken by the proprietor of the establishment or area should be the only determining factor in removing the off-limits restriction.

10.2. Removal of an off-limits restriction requires AFDCB action.

10.2.1. Proprietors of off-limits establishments should be advised that they may submit a petition to remove off-limits restrictions to the president of the AFDCB at any time.

10.2.1.1. The petition must be in writing and include a detailed report of action taken to eliminate the condition or situation that caused imposition of the restriction.

10.2.2. The president of the AFDCB may direct an inspection to determine the validity of the corrective actions noted in the petition.

10.2.3. Upon receipt of the inspection report, the board will convene, review the inspection results and may either recommend the removal or continuation of the off-limits restriction to the 88 ABW/CC.

10.2.3.1. Should the board recommend continuance of the off-limits restriction; a written notification IAW **Attachment 6, NOTIFICATION OF OFF-LIMITS RESTRICTION CONTINUANCE AFTER APPEAL** will be sent by certified/return receipt mail to the proprietor. The proprietor may make further appeals to the 88 ABW/CC.

10.2.3.2. Should the 88 ABW/CC decide to remove the off-limits restriction, a written notification IAW **Attachment 7, NOTIFICATION OF REMOVAL OF OFF-LIMITS RESTRICTION**, will be sent by certified/return receipt mail to the proprietor.

10.3. The AFDCB may designate an appropriate military agency to conduct a follow-up inspection to determine continued compliance of the reported complaint(s).

10.3.1. Upon receipt of a positive inspection report, the board may send a letter of appreciation IAW **Attachment 8, LETTER OF COMPLIANCE**, recognizing the proprietor's continued cooperation.

11. Public Affairs.

11.1. Due to the sensitive nature of the subject matter, there will not be media release in connection with AFDCB meetings. All news media interviews and releases will be handled through the local Public Affairs office.

11.1.1. Any AFDCB proceedings which are 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 AFDCB. Members of the news media may be invited to participate in an advisory status in coordination with Public Affairs.

JOHN M. DEVILLIER, Colonel, 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

Adopted Form

AF Form 847, *Recommendation for Change of Publication*

Attachment 2
AFDCB COMPLAINT FORM

Figure A2.1. AFDCB Complaint Form

Date

TO: 88 MSG/CC
Armed Forces Disciplinary Control Board
Wright-Patterson AFB OH 45433

SUBJECT: Complaint - RE: _____
(Name/Address of Establishment)

FROM: _____
(Your Name/Rank)

(Address)

Duty Phone: _____ Home Phone: _____ Cell Phone: _____

1. Name, address and phone number of the establishment, business, organization, club, etc., with which you have a complaint.
2. Nature of complaint (racial discrimination, consumer, housing, etc.).
3. Date(s) of incident(s).
4. Name(s) and position or title of the individual(s) representing the establishment.
5. Did you enter into a contract with the establishment? _____
If yes, on what date? _____
Please attach a legible photocopy of your contract to your complaint.
6. Significant facts (Use separate sheet if necessary).

Signature/Date

Attachment 3

NOTIFICATION OF COMPLAINT

Figure A3.1. Notification of Complaint

(88 ABW Letterhead)

NOTE: Use certified/Return receipt mail

NOTIFICATION OF COMPLAINT

Date

88 MSG/CC
President, Armed Forces Disciplinary Control Board
Wright-Patterson AFB OH 45433

Mr. Walter J. Jones
1234 Main St
Fairborn OH 45434

Dear Mr. Jones,

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 safety, health, or welfare of members of the Armed Forces.

The AFDCB is initiating action to determine whether your establishment (*Name*) should be placed off-limits to members of the Armed Forces if (*cite conditions*) if not corrected by (*date*).

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, Colonel, USAF
Commander, 88th MSG

Attachment 4

LETTER OF INVITATION TO ADDRESS AFDCB

Figure A4.1. Letter of Invitation to Address AFDCB.

(88 ABW Letterhead)
 NOTE: Use certified/Return receipt mail
LETTER OF INVITATION TO ADDRESS AFDCB

88 MSG/CC Date
 President, Armed Forces Disciplinary Control Board
 Wright-Patterson AFB OH 45433

Mr. Walter J. Jones
 1234 Main St
 Fairborn OH 45434

Dear Mr. Jones,

This is in reference to my letter of *(date)* concerning the conditions reported at *(Name)* which adversely affected the health and welfare of members of the Armed Forces. Information has been received by the board which indicates you have not taken adequate corrective action to eliminate the reported condition.

Reports presented to the Armed Forces Disciplinary Control Board (AFDCB) indicates the following conditions still remain unaddressed: *(list and describe conditions)*.

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 are invited to appear in person, with or without counsel, before the AFDCB at its next meeting, scheduled on *(date, time, and place)*. At that time, you will have the opportunity to refute the allegation, or to inform the board of any remedial action you have taken or plan taking to correct the condition.

It is requested you inform the President of the AFDCB, in writing if you plan to attend or if you have named a representative to appear in your stead.

Any questions regarding this matter may be addressed to myself Colonel Doe, *(address)*. Please be assured every effort will be made to clarify the matter for you.

Sincerely,

John J. Doe, Colonel, USAF
 Commander, 88th MSG

Attachment 5

NOTIFICATION OF OFF LIMITS RESTRICTION

Figure A5.1. Notification of off Limits Restriction

(88 ABW Letterhead)

NOTE: Use certified/Return receipt mail

NOTIFICATION OF OFF-LIMITS RESTRICTION

Date

Colonel John C. Smith
Commander, 88th Air Base Wing
Wright-Patterson AFB OH 45433

Mr. Walter J. Jones
1234 Main St
Fairborn OH 45434

Dear Mr. Jones,

This letter is to inform you that your establishment identified as *(Name)*, located at *(Address)* has been declared off-limits to members of the Armed Forces effective *(date)*. Members of the Armed Forces are prohibited from entering your establishment as long as this order is in effect. This action is being taken because of *(state the conditions)* which are detrimental to the health or welfare of members of the Armed Forces.

This restriction will remain in effect indefinitely in accordance with established Armed Forces 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, *(cite address)*.

Sincerely,

John C. Smith, Colonel, USAF
Commander, 88th Air Base Wing

Attachment 6

NOTIFICATION OF OFF-LIMITS RESTRICTIONS CONTINUANCE AFTER APPEAL

Figure A6.1. Notification of off-Limits Restrictions Continuance after Appeal

(88 ABW Letterhead)

NOTE: Use certified/Return receipt mail

NOTIFICATION OF OFF-LIMITS RESTRICTIONS CONTINUANCE AFTER APPEAL

Date

Colonel John C. Smith
Commander, 88th Air Base Wing
Wright-Patterson AFB OH 45433

Mr. Walter J. Jones
1234 Main St
Fairborn OH 45434

Dear Mr. Jones,

Upon reviewing your appeal, 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 (*Name*), located at (*Address*).

This decision does not preclude further appeals or appearances before the AFDCB at any of its scheduled meetings. Correspondence appealing this action may be submitted to the President, Armed Forces Disciplinary Control Board, (*cite address*).

A representative of the AFDCB will visit your establishment to determine if steps have been taken to correct the conditions outlined.

Sincerely,

John C. Smith, Colonel, USAF
Commander, 88th Air Base Wing

Attachment 7

NOTIFICATION OF REMOVAL OF OFF-LIMITS RESTRICTION

Figure A7.1. Notification of Removal of off-Limits Restriction

(88 ABW Letterhead)

NOTE: Use certified/Return receipt mail

NOTIFICATION OF REMOVAL OF OFF-LIMITS RESTRICTION

Date

Colonel John C. Smith
Commander, 88th Air Base Wing
Wright-Patterson AFB OH 45433

Mr. Walter J. Jones
1234 Main St
Fairborn OH 45434

Dear Mr. Jones,

This letter is to inform you that your request for removal of the off-limits restriction now in effect was favorably considered by the Armed Forces Disciplinary Control Board (AFDCB).

This restriction will be removed effective (*date*), at which time members of the Armed Forces will be permitted to patronize your establishment identified as (*Name*), located at (*Address*).

A representative of the AFDCB will visit your establishment to ensure there are no re-occurring conditions.

Sincerely,

John C. Smith, Colonel, USAF
Commander, 88th Air Base Wing

Attachment 8

LETTER OF COMPLIANCE

Figure A8.1. Letter of Compliance

(88 ABW Letterhead)

NOTE: Use certified/Return receipt mail

LETTER OF COMPLIANCE

88 MSG/CC
President, Armed Forces Disciplinary Control Board
Wright-Patterson AFB OH 45433

Date

Mr. Walter J. Jones
1234 Main St
Fairborn OH 45434

Dear Mr. Jones,

This is in reference to my letter of *(date)* concerning the conditions reported at your establishment which adversely affected the health and welfare of members of the Armed Forces.

The Board 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 greatly appreciated.

Sincerely,

John J. Doe, Colonel, USAF
Commander, 88th MSG