



DEPARTMENT OF THE ARMY
221ST BASE SUPPORT BATTALION
UNIT 29623
APO AE 09096

REPLY TO
ATTENTION OF

26 JUL 2004

AETV-WSB-CO

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: 221st Base Support Battalion (BSB) Commander's Policy (CP) 1-13 (Larceny or Shoplifting at Army and Air Force Exchange Service (AAFES) Facilities)

1. References:

- a. Army in Europe Regulation 27-9, 27 Oct 03, Misconduct by Civilians
- b. Army in Europe Regulation, 190-16, 19 Oct 03, Installation Access-Control
- c. USAREUR Regulation 600-700, 17 Jul 02, Identification Cards and Individual Logistical Support
- d. Army Regulation 60-20, 15 Dec 92, Army and Air Force Exchange Service Operating Policies

2. Purpose: To establish policy and procedures for the immediate suspension of access privileges to all AAFES facilities in Europe through confiscation of the DoD official identification card of all authorized personnel charged with larceny or shoplifting from an AAFES facility.

3. Policy: The Commanding General, US Army Europe/7th Army authorizes Individual Logistical Support (ILS) to active duty military personnel and civilians who accompany the U.S. Forces on the condition of good behavior. The privilege of access to AAFES facilities will be immediately suspended in the case of alleged larceny or shoplifting from AAFES. Such action will alleviate the possibility of continued abuse of privileges by shoplifters. All personnel subject to this policy letter will avoid misconduct, promote good conduct, and cooperate fully with BSB, other military, and host nation authorities in the investigation of misconduct incidents involving alleged shoplifting or larceny from AAFES facilities not only within the 221st BSB area of responsibility but also elsewhere in Europe. The value of the item shoplifted is inconsequential. Minimal proof required to take action will be a sworn statement from an AAFES employee(s) and/or witness(es) stating reasonable cause to believe that the individual(s) involved committed the offense. Video and audio recording by "Electronic Video Surveillance System" in conjunction with a sworn statement is sufficient evidence of misconduct to warrant immediate suspension of access to AAFES facilities.

4. Applicability: This policy letter applies to all active duty military personnel and individuals who receive ILS from the U.S. Forces in Europe (also referred to as authorized patrons) regardless of command-sponsorship status, including but not limited to the following:

- a. Active duty members of Regular (and Reserve) components of the United States Military.
- b. Family members of U.S. active duty military personnel.
- c. Members of households of U.S. active duty military personnel.

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- d. U.S. military retirees and their dependent family members.
- e. Active duty officers and enlisted personnel of foreign nations when on duty with U.S. Military Services on orders issued by the U.S. Army, Navy, Air Force, or Marine Corps.
- f. Appropriated and non-appropriated fund DOD civilian employees, their family members, and members of their households.
- g. Government contractors employees and their family members.
- h. United States consular and diplomatic personnel and their family members.

5. Responsibilities:

a. Commander, 221st BSB, serving as the Civilian Misconduct Action Authority (CMAA) under reference (a), is responsible for the following action(s).

(1) Initiates administrative sanction(s) in case of larceny/shoplifting, and in accordance with references (a) and (c), shall immediately suspend ILS of the offender (i.e. AAFES access) to prevent further misconduct.

(2) Orders the confiscation of official DoD identification cards authorizing ILS privileges when such privileges are abused.

(3) Issues final adjudication of the administrative sanction(s) imposed and provides notification on appeal procedures after Military Police investigators complete the case.

b. AAFES Retail Facility Managers shall provide appropriate security for their facilities and report any incident(s) of larceny or shoplifting to the Military Police.

c. Military Police will respond to reported incidents of shoplifting or larceny from AAFES facilities. When sufficient evidence and proof is available as described in paragraph (3) above, Military Police will charge the individual(s) involved with larceny/shoplifting. Depending upon the category of personnel involved, Military Police shall take the following actions:

(1) Department of Defense sponsored U.S. military personnel: In accordance with reference (b), Military Police will officially confiscate the DoD official identification card (DD Form 1173 or Common Access Card (CAC)) from all personnel charged in the shoplifting. Military Police will issue the subject (offender) a USAREUR Form AE 190-3D (Receipt for Confiscated ID Card) for use in place of the official DoD ID Card or CAC. All replacement documentation for the official ID Card or CAC will prominently indicate the following statement: "NO AAFES EXCHANGE PRIVILEGES." All confiscated Active Duty and Reserve DoD Military ID Cards (DD Form 2) will be forwarded by the Military Police to the ID Card Issuing Office at Detachment B, 55th PSB, APO AE 09096, located on Wiesbaden Army Airfield for official disposition in accordance with reference (b).

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(2) All confiscated DoD Civilian ID Cards (DD Form 1173 or Common Access Cards) and any retired United States Uniformed Services ID Card (Retired) (DD Form 2) will be forwarded by the Military Police to the ACMAA described in paragraph 5 (d) below who will immediately process the disposition of the card as appropriate in accordance with pertinent regulations.

(3) NATO Forces authorized personnel: A photo copy of the offender's official identification documents, to include a copy of any pertinent orders, will be made and attached to the official Military Police Report. Those persons possessing official NATO orders authorizing access to U.S. facilities will have the copy of orders bearing the USAREUR Ration Authorization stamp obliterated by over stamping with the appropriate statement: "NO AAFES EXCHANGE PRIVILEGES".

d. Assistant Civilian Misconduct Action Authority (ACMAA): The ACMAA will act as the POC for all actions concerning dependents, retirees, and civilian personnel. The ACMAA shall contact the Military Police each duty day to take possession of any confiscated retired, dependent and civilian DoD identification cards.

(1) The ACMAA will prepare and issue the necessary paperwork for immediate issue of a new identification card denying AAFES privileges for persons residing in the jurisdictional area of the 221st BSB.

(2) The ACMAA will forward all Military Police reports and the confiscated ID cards to the geographically responsible BSB/ASG CMAA for action as required by reference (a) for persons not residing in the jurisdictional area as the 221st BSB

(3) The ACMAA will develop and maintain an AAFES Suspension Report that list all individuals for whom AAFES privileges are suspended and will provide updates, as warranted, to the AAFES Area General Manager on a bi-weekly basis.

e. Authorized Patrons: In accordance with reference (b), when requested, authorized patrons must present their Identification Card to Military Police when requested and Military Police are authorized to confiscate the card for just cause. Military Police will provide the authorized patron a USAREUR Form AE 190-3D (Receipt for Confiscated ID Card) for use in place of the official DoD Identification Card. The issued receipt will temporarily authorize the bearer access to medical care and to logistical privileges other than AAFES privileges.

(1) Military personnel will report to their unit commander as soon as practical for official adjudication/disposition as required under pertinent regulations.

(2) Retirees, military and retiree dependents, and civilian employees and their dependents who reside within the jurisdictional area of the 221st BSB must contact the ACMAA, 221st BSB, on the next duty day to coordinate for the issue of a new identification card that will reflect loss of effected privileges. The CMAA (221st BSB Commander) will make final adjudication of the administrative sanction and notification of appeal procedures once the Military Police complete their investigation.

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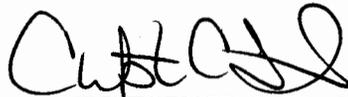
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(3) Retirees, military and retiree dependents, and civilian employees and their dependents who reside outside the jurisdictional area of the 221st BSB must contact their respective area CMAA who will take appropriate action, and issue a new identification card. In accordance with reference (a), the responsible CMAA will notify the civilian sponsor or the dependent's sponsor, and their sponsoring organizational commander of the final adjudication of administrative action and appeal procedures.

6. The contents of this policy will be reviewed and revalidated annually on the anniversary date of its publication. Revalidation will be reported in writing to the 221st BSB Adjutant within two weeks of the anniversary date. Policies requiring revision will be submitted within 30 days of the anniversary date for the Commander's approval/ signature.

7. The POC for active duty military personnel is the 221st BSB Provost Marshal, DSN 337-1580/5139 or commercial (0611) 705-1580/5139. The Point of Contact for all military dependents, civilian employee sponsors and their dependents, and retirees and their dependents, is the 221st BSB ACMAA, DSN 337-6150 or commercial 0611-705-6150 (fax 337-5151).

8. "Committed to Excellence!"



CHRISTOPHER C. FRANKS
LTC, CM
Commanding

DISTRIBUTION A + Mainz
AAFES Area General Manager