

SUMMARY of CHANGE

This revision implements changes to Ft Jackson Regulation 210-1, Exclusion from the Installation, and incorporates Ft Jackson Regulation 210-2, Fort Jackson Installation Hearing Officer, into one regulation.

- o Updated rules for issuance of an exclusion letter for offences occurring on the installation (Chapter 1)
- o Delegates authority to the Directorate of Emergency Services to issue 30 day temporary exclusion letter pending a signed exclusion letter from the Garrison Commander (Chapter 1)
- o Updates exclusion periods for offenses committed to bring the penalties into parity (Appendix A)
- o Incorporates Ft Jackson Regulation 210-2, Installation Hearing Officer, into one regulation (Chapters 2 & 3)

Department of the Army
Headquarters, United States Army
Army Training Center and Fort Jackson
Fort Jackson, South Carolina 29207-5015

Fort Jackson Regulation 210-1

1 September 2016


Installation Hearing Officer

Exclusions from the Installation and Installation Facilities

FOR THE COMMANDER:

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History. This publication is a major revision.

Summary. This regulation supersedes Fort Jackson Regulation, 210-1, *Exclusions from Installations*, 1 March 2006 and Fort Jackson Regulation, 210-2, *Fort Jackson Installation Hearing Officer*, 1 March 2006.

Applicability.

a. This regulation applies to the Active Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve, unless otherwise stated. It also applies to Department of the Army Civilian employees and the U.S. Army Corps of Engineers and Civil Works activities and tenants and volunteers in accordance with Section 1588, Title 10, United States Code and AR 608-1. During mobilization or national emergency, this regulation remains in effect without change.

b. This regulation is punitive. A violation of any of these paragraphs is separately punishable as a violation of a lawful general regulation under Article 92, Uniform Code of Military Justice. Penalties for violating any of these paragraphs include the full range of statutory and regulatory sanctions, both criminal and administrative.

Proponent and exception authority. The proponent of this regulation is the Director, Fort Jackson Office of the Staff Judge Advocate. The proponent has the authority to approve exceptions or waivers to this regulation that are consistent with controlling law and regulations. The proponent may delegate this approval authority, in writing. Activities may request a waiver to this regulation by providing justification that includes a full analysis of the expected benefits and must include a formal review by the activity's senior legal officer. All waiver requests will be endorsed by the commander or senior leader of the requesting activity and forwarded through their higher headquarters to the policy proponent. Refer to AR 25-30 for specific guidance.

Army internal control process. This regulation contains internal control provisions in accordance with AR 11-2 and identifies key internal controls that must be evaluated (See Appendix B).

Supplementation. Supplementation of this regulation and establishment of command and local forms are prohibited without prior approval from Director, Fort Jackson Office of the Staff Judge Advocate, Building 2600 Lee Road, Fort Jackson, SC 29207.

Suggested improvements. Users send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to Director, Fort Jackson Office of the Staff Judge Advocate, Building 2600 Lee Road, Fort Jackson, SC 29207.

Distribution. This publication is available in electronic media only and intended for command levels A, B, C, D, and E for the Active Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve.

This regulation supersedes Fort Jackson Regulation 210-1, dated 1 March 2006.

UNCLASSIFIED

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Chapter 1

Ft Jackson Exclusions from the Installation and Installation Facilities Section I:

Introduction

1-1. Purpose

Ensure the timely, fair, and efficient administrative resolution of allegations of misconduct relating to abuse of installation privileges and the good order of the installation. This regulation is not intended to interfere with or otherwise preempt action under the Uniform Code of Military Justice or Civilian Criminal Proceedings in any federal or state court.

1-2. Scope

a. Provide the Commanding General's direction to designated subordinates (Garrison Commander, Provost Marshal, and others properly delegated) regarding issuing letters of exclusion to persons apprehended for offenses listed in Appendix A.

b. Establishes the Installation Hearing Officer (IHO) position with the responsibility to consider all cases referred to him or her, to make findings of fact, to take action, and/or to recommend action, as appropriate.

c. The IHO has cognizance over additional Fort Jackson regulations separate and apart from solely Exclusions. (See Appendix C and references therein regarding (1) Juvenile Delinquency Control, (2) Hunting and Fishing Regulation, (3) Vehicle for Hire Operations, (4) Physical Security of Arms, Ammunition, and Explosives, (5) Motor Vehicle Traffic Supervision and (6) housing matters) This regulation provides IHO procedures for addressing these categories of matters plus any others that are added or amended in the future.

1-3. References

See Appendix C.

1-4. Definitions

See Appendix D.

1-5. Letter of Exclusion

a. Under the authority of Title 18, United States Code, section 1382, Fort Jackson shall issue letters of exclusion to all civilian personnel apprehended by law enforcement agencies for the commission of offenses on Fort Jackson listed in Appendix A of this regulation.

b. No letters of exclusion will be issued to active duty Soldiers.

c. Appendix B contains samples of the most common exclusion letters for the

installation. These vary depending on the status or the scope of the exclusion.

d. Exclusion letters may only be signed by the Garrison Commander or any other person who has, by regulation or other writing, the authority to sign "FOR THE COMMANDING GENERAL."

e. Letters of exclusion shall be issued by the Directorate of Emergency Services to apprehended civilian personnel prior to their expulsion from the military installation. A copy of the letter will be forwarded through the military sponsor's chain of command to the military sponsor (for excluded family members), to the Reserve Component chain of command (for excluded members of the Reserve Components), to the Contract Officer (for contractors) or to the civilian supervisor (for excluded civilian employees). The Directorate of Emergency Services shall issue a thirty (30) day interim letter of exclusion of apprehension for offenses meeting exclusion criteria outlined in this regulation, pending the Commander's final decision letter. If the apprehended person refuses to provide written acknowledgment of receipt, the apprehended person may be photographed and fingerprinted. Photographs and fingerprints will be filed with the copy of the letter of exclusion.

f. Letters of exclusion will be issued in accordance with this regulation to permanent residents of Unaccompanied Personnel Housing (UPH) and privatized housing on the installation when they are apprehended by law enforcement agencies for the commission of the following offenses listed in Appendix A: 6, 7, 8, 10, 11, 16, 19, 20, 26, and 32. The Provost Marshal will forward to the Garrison Commander, through the Staff Judge Advocate, additional situations that warrant exclusion letters to permanent residents. Termination from UPH, eviction from privatized housing, and procedures to exclude permanent residents of UPH or privatized housing from the installation are independent procedures to address different concerns. (Eviction from privatized housing is a separate action, not covered by this regulation, which is taken by the owner or its agent, and is not a Command or Government initiated action.) Conduct which may warrant termination from UPH will not always warrant the additional sanction of exclusion from the installation. As appropriate, one or both of these methods may be employed to address misconduct by permanent residents. Although a permanent resident may be involuntarily terminated from UPH without being excluded from the installation, generally, a permanent resident should first be terminated from UPH before he/she is excluded from the installation. Limited letters of exclusion will be issued to the following individuals:

(1) *Family Members of Active Duty Soldiers*: Exclusion letters will permit access to AAFES, commissary, medical, and dental facilities.

(2) *Retirees*: Exclusion letters will permit access to AAFES, commissary, medical, and dental facilities.

(3) *Reserve Component Members*: Exclusion letters will permit access to AAFES, commissary, medical, and dental facilities and places of duty while acting under military orders.

(4) *Fort Jackson Civilian Employees*: Exclusion letters will permit access to place of employment.

(5) If a person has more than one status, the letter of exclusion must grant access to all facilities to which the individual is entitled, e.g., retirees who are civilian employees receive access to facilities enjoyed by retirees as well as civilian employees.

(6) For exclusion based on misconduct in AAFES or commissary facilities, the exclusion letter will deny the family member, retiree, or Reserve Component Member access to the facility in which the misconduct occurred.

(7) All incidents involving the abuse of installation privileges afforded identification cardholders shall also be reported to the Office of the Staff Judge Advocate, Installation Hearing Officer, for possible suspension of privileges. There may be other potential categories of exclusion not expressly listed in Appendix A or in this regulation. Any request shall be forwarded by the Provost Marshal, through the Installation Hearing Officer, to the Garrison Commander for approval and signature. The signed exclusion letter will then be routed through the military sponsor's chain of command to the sponsor (for excluded family members), through the Reserve Component chain of command to the excluded soldier (for the Reserve Components), to the Contracting Officer (for contractors) or through the civilian supervisor to the employee (for excluded civilian employees).

g. Multiple exclusions shall run consecutively.

h. Any person in violation of the provisions of a letter of exclusion may be prosecuted in federal court under Title 18, United States Code, Section 1382.

i. Appeals of letters of exclusion will be addressed to the Installation Hearing Officer, Office of the Staff Judge Advocate, Fort Jackson, South Carolina 29207. Final decision authority for appeals rests solely with the Installation Commander.

j. Nothing in this regulation is intended to prevent or otherwise preclude labor organizations, who have negotiated agreements with Fort Jackson, from exercising their rights as prescribed by statute, regulation, or the negotiated agreement.

Chapter 2

Hearing Procedures Applicable in All Cases

a. Hearings conducted under this regulation are administrative in nature and will be informal. Neither any Rules of Evidence nor the provisions of AR 15-6 apply. This regulation does not create or expand any substantive or procedural rights which do not otherwise exist in any case or class of cases.

b. Hearings pursuant to this regulation are intended only to afford an affected person the opportunity to present any matters to the IHO before he or she renders either an Initial Decision or a Final Decision or makes a recommendation to the Final Decision authority. The IHO may receive and consider evidence bearing on the case from any source and by any means not precluded by law or regulation. Unless precluded from doing so by some other law or regulation when a hearing is requested, the IHO will permit the affected person to examine and comment on all evidence in the case at the time of the hearing.

c. Failure to make a request for a hearing to the IHO within the time allotted will result in waiver of the hearing. Notwithstanding untimely requests, the IHO may grant a hearing based on a showing of good cause.

d. After processing an allegation of misconduct, or receiving from the CID or any other law enforcement agency type of report of an on-post incident in the following categories of cases, the Provost Marshal will refer the case to an IHO by forwarding a legible copy of any relevant documents to the Staff Judge Advocate, ATZJ-SJA-AL (Attention: Installation Hearing Officer):

- (1) All juvenile misconduct occurring on Fort Jackson;
- (2) Cases involving violations of hunting and fishing regulations on Fort Jackson;
- (3) Violations of commercial taxi operating privileges on the installation.

e. All other referral authorities will likewise refer appropriate cases to an IHO within three duty days after learning of misconduct appropriate for referral. The IHO will contact the affected person to arrange a hearing.

f. When an affected person is given reasonable notice of the time and place for a hearing and fails to appear or present evidence, the IHO may make a decision or recommendations based on the information available.

g. In addition to the sanctions which may be imposed under this or other regulations, an IHO may recommend to the proper authorities any other administrative action which may be appropriate in a particular case.

h. A federal civilian employee whose conditions of employment are adversely affected by an IHO's decision may grieve that decision under the appropriate grievance procedures.

Chapter 3

Procedures Applicable in Specific Categories of Cases

3-1. Suspension and Revocation of Installation Driving Privileges

a. Army Regulation 190-5, Motor Vehicle Traffic Supervision, dated 22 May 2006 applies to all suspensions and revocations of installation driving privileges. The IHO will conduct hearings involving primarily privately owned vehicle (POV) driving privileges. The Installation Commander has the authority, under AR 190-5, to suspend or revoke the privilege to operate a government vehicle on Fort Jackson. Nothing in this regulation prevents the Installation Commander or a subordinate commander from referring appropriate cases involving government vehicles to an IHO for review and recommendations.

b. Upon the occurrence of an offense or the existence of a situation that warrants the suspension or revocation of installation POV driving privileges, the Provost Marshal shall forward all information concerning the incident to the Chief, Administrative Law, Office of the Staff Judge Advocate.

(1) Offenses other than intoxicated driving. A person's privilege to drive a vehicle on Fort Jackson may be suspended or revoked for serious traffic offenses (Chapter 5, AR 190-5), for the accumulation of excessive points under the military Traffic Point System (Chapter 5, AR 190-5), or when other evidence shows the person presents a danger to traffic safety. The Chief, Administrative Law, upon receiving information which warrants a suspension or revocation of installation driving privileges, will immediately notify the affected person that his or her privileges will be suspended or revoked 10 days after the notice is received unless that person requests a hearing in writing from the Staff Judge Advocate, ATZJ-SJA-AL (Attention: Installation Hearing Officer) within that 10 days. An IHO will schedule the hearing within 10 days after the request is received. A personal representative or counsel may represent the affected person at the hearing. If the revocation or suspension is upheld after such hearing, the affected person may appeal or request reconsideration. Such request must be forwarded through command channels to the Installation Commander within 10 days from the date the individual is notified of the suspension or revocation resulting from the hearing. The suspension or revocation will remain in effect pending a final decision on the request.

(2) Intoxicated driving offenses. Upon receiving information about an intoxicated driving incident which warrants a suspension, the Chief, Administrative Law, will notify the affected person that his or her privileges are suspended immediately pending resolution of the incident.

The affected person may request a hearing to determine if post driving privileges will be restored pending resolution of the charge. A hearing request must reach the Staff Judge Advocate, ATZJ-SJA-AL (Attention: Installation Hearing Officer) within 10 days after the suspension notice is received. An IHO will hold the hearing within 10 days after the request is received and will make a Final Decision. A personal representative or counsel may represent the affected person at the hearing. If the affected person is convicted or receives nonjudicial punishment for an intoxicated driving offense, or refused to submit a lawfully requested chemical test to determine the content of alcohol or drugs in the blood, driving privileges will be revoked for at least one year (see Chapter 2, AR 190-5). If the intoxicated driving charge is dismissed or reduced, the affected person may request a hearing in writing before an IHO to determine whether driving privileges may be restored, pursuant to AR 190-5, paragraph 2-10.

(a) An IHO may decide to continue a previously imposed suspension but grant limited driving privileges (such as the privilege to drive solely for the purpose of using installation medical or dental facilities).

(b) Unit commanders will forward any request for revocation of installation driving privilege through the Provost Marshal to the Chief, Administrative Law. If the request involves POV driving privileges, the procedures described above will apply. If the request involves GOV driving privileges, the IHO will review the case and make recommendations to the installation commander.

3-2. Suspension of Operating Permit for Commercial Vehicle for Hire (Taxi)

a. An IHO is designated to review and render a Final Decision in all cases of suspension of operating permits for commercial vehicles for hire IAW FJ REG 190-4, Vehicle for Hire Operations, 3 June 2015.

b. The Provost Marshal will take appropriate initial action to revoke or suspend the operating permit of a commercial vehicle for hire upon the observance of, or report of contractual or other violations of FJ Reg 190-4, Vehicle For Hire Operations, Chapter 2, Paragraph h, (6), 3 June 2015.

c. On the taking of initial action by the Provost Marshal, the affected person will be notified by the Provost Marshal that the suspension or revocation will become final unless an appeal is submitted to the Staff Judge Advocate, ATZJ-SJA-AL (Attention: Installation Hearing Officer), in writing, within 10 calendar days.

d. When the IHO receives a timely appeal from an operator of a commercial vehicle for hire, the IHO will review the appeal, conduct a hearing (at the IHO's discretion), and render a Final Decision, informing the Provost Marshal. If no appeal is submitted by the commercial vehicle for hire operator within 10 calendar days of the initial action of the Provost Marshal, the initial action of the Provost Marshal becomes the Final Decision.

3-3 Suspension of Hunting and Fishing Privileges.

a. The IHO will be bound by the provisions of FJ Reg 28-4, Hunting and Fishing, 1 July 2009 in applying this subparagraph of this regulation.

b. The Provost Marshal, as Initial Decision official, on taking initial action revoking or suspending

hunting or fishing privileges, will notify the affected person that the revocation or suspension will become final unless an appeal is made, in writing, to the Staff Judge Advocate, ATZJ-SJA-AL (Attention: Installation Hearing Officer), within 10 calendar days of the initial action.

c. The Provost Marshal will immediately forward all available information concerning the circumstances which led to the revocation or suspension to the IHO. If the affected person appeals within 10 calendar days of the initial action revoking or suspending privileges, the IHO will review the appeal, notify the Provost Marshal, conduct a hearing (at the IHO's discretion), and render a Final Decision in the matter, so informing both the Provost Marshal and the DFMWR. If the affected person does not submit a timely appeal, the initial action revoking or suspending hunting or fishing privileges becomes the Final Decision.

3-4 Offenses Involving Juveniles

a. The IHO will be bound by the provisions of Appendix A and FJ Reg 190-1, Juvenile Delinquency Control, 1 July 2005 relating to juvenile offenders in applying this subparagraph.

b. Upon learning of an offense involving a juvenile (a person under the age of 18 who has not been emancipated), the Provost Marshal will forward all available information concerning the matter to the IHO according to paragraph 4d, above.

c. Upon receipt of this information, the IHO will notify the juvenile's sponsor of the date and time of the hearing which will be conducted into the allegations of misconduct. The sponsor will be advised that any evidence relating to the allegations may be presented at the hearing, and that statements may be made orally or in writing by the sponsor and/or the juvenile. The sponsor will be further informed that failure to appear at the hearing will result in recommendations of the IHO to the Garrison Commander based solely on the evidence available to the IHO.

d. The definitions of "community service" and "restitution" are contained in Appendix E, and will be used as guidelines for appropriate sanctions, as will the Appendix to FJ Reg 190-1, Juvenile Delinquency Control, 1 July 2005.

3-5 Exclusion from Installation

- a. The IHO is designated to review appeals in all cases of an individual's exclusion from Fort Jackson.
- b. Upon the occurrence of an offense or offenses that warrants exclusion from the installation, the Provost Marshal will, IAW the provisions of this regulation issue letters of exclusion to such individual(s) prior to their expulsion from the Fort Jackson military installation. Such letter will contain instructions for an appeal through the IHO to the Installation Commander.
- c. If an affected person submits information or makes a timely request for a hearing, the IHO will review the evidence or conduct a hearing, and make a recommendation to the Installation Commander.

3-6 Abuse of Installation Privileges

- a. The IHO is designated to review and render a Final Decision in all cases of abuse of privileges in Army facilities IAW AR 600-8-14, Identification Cards for Members of the Uniformed Services, Their Family Members, and Other Eligible Personnel, 17 June 2009.
- b. Upon receiving notice of an abuse of installation privileges, the Provost Marshal will immediately forward all information to the IHO who will, if a sanction has not otherwise been issued, impose sanctions (including suspension or revocation of privileges), notify the individual of any installation privileges that have been suspended, and indicate the specific period of suspension or revocation and that the suspension or revocation will become final unless an appeal is submitted, in writing, within 10 calendar days to the IHO.
- c. If an affected person makes a timely appeal, the IHO will review the appeal, conduct a hearing (at the IHO's discretion), and render a Final Decision in the matter, informing the individual, the individual's commander (if applicable), the Provost Marshal, and the DFMWR.

3-7 Involuntary Termination of Government Quarters

- a. Under FJ Reg 210-5, Involuntary Termination of Government Quarters, 1 March 2006, the Garrison Commander may refer complex factual disputes regarding misconduct in government quarters to the IHO.
- b. Upon receiving a case from the Garrison Commander, the IHO will give the sponsor of the quarters or the persons involved reasonable notice of the hearing date. The IHO will make findings of fact and recommendations for appropriate action to the Garrison Commander.

3-8 Misconduct Involving a Firearm

a. Under FJ Supplement 1 to AR 190-11 Physical Security of Arms, Ammunition, and explosives, 9 December 2011, the Provost Marshal may revoke a person's privilege to register and possess a firearm on Fort Jackson for misconduct involving a firearm or for careless or reckless use of a firearm. Any person whose privilege has been revoked may appeal the Provost Marshal's decision. The appeal must be in writing and must reach the Staff Judge Advocate, ATZJ-SJA-AL (Attention: Installation Hearing Officer), within 10 duty days after the date of revocation. The IHO may grant a hearing (at his or her discretion) and will issue a Final Decision.

b. This regulation is intended to complement other regulations, especially the various categories of other types of misconduct that IHO has purview of (beyond the specific misconduct listed in Appendix A). The IHO shall apply this regulation to avoid inconsistencies and attempt to provide a harmonious interpretation.

**Appendix A
Exclusions and Periods from the Installation**

Exclusion Offense	Period
1. Disorderly Conduct	1 year
2 nd Offense	2 years
3 rd Offense	Permanent
2. Simple assault	1 year
2 nd Offense	5 Years
3. Assault by striking, beating or wounding	1 year
4. All other assaults	3 years
5. Shoplifting by non-affiliated civilian (person not entitled to military ID card)	3 years
2 nd Offense	Permanent
Shoplifting by affiliated civilian (person entitled to military ID card)	1 year
2 nd Offense	2 years
3 rd Offense	3 years
6. Robbery	Permanent
7. Burglary	Permanent
8. Housebreaking	Permanent
9. Illegal entry of on-post housing or government buildings	3 years
2 nd Offense	Permanent
10. Homicides	Permanent
11. Rape; sodomy; sexual abuse of a child	Permanent
12. Larceny of government property other than shoplifting	3 years
2 nd Offense	Permanent
13. Larceny of private property	3 years
2 nd Offense	Permanent

14. Solicitation without a permit	1 year
15. Violating a previous letter of exclusion	Permanent
16. Carrying a concealed weapon 2 nd Offense	3 years Permanent
17. Willful damage to government property 2 nd Offense	3 years Permanent
18. Being in a posted off-limits area 2 nd Offense 3 rd Offense	1 year 2 years Permanent
19. Possession of a controlled substance listed at Title 18, USC Sec 812, Schedule I, II or III 2 nd Offense	5 years Permanent
20. Manufacture or distribution of a controlled substance listed at Title 18 USC, Sec 812, Schedule I, II or III	Permanent
21. Improper night hunting	5 years
22. Improper hunting of game birds	5 years
23. Exceeding hunting/fishing bag limits	5 years
24. Taking of prohibited game/fish or taking otherwise nonprohibited game/fish during off season	5 years
25. Violating offenses 20, 21, 22 or 23 above while hunting, fishing or trapping without a Fort Jackson permit	Permanent
26. Use of a firearm while committing any offense listed above which carries an exclusion period of 5 or more years	Permanent

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| 27. Prohibited consumption of alcoholic beverages as set forth in FJ Reg 600-3, Prohibited Practices and Illegal and Unprofessional Associations | 1 year |
| 2 nd Offense | 2 years |
| 3 rd Offense | Permanent |
| 28. Presence in a training area while impaired by alcohol or illegal drugs, as set forth in FJ Reg 600-3 | 1 year |
| 2 nd Offense (Alcohol) | 5 years |
| 2 nd Offense (Illegal Drugs) | Permanent |
| 29. Violation of FJ Reg 600-3 pertaining to excessively loud music or noise generated by sound generating or amplification equipment | 1 year |
| 2 nd Offense | 3 years |
| 30. Loitering as set forth in FJ Reg 600-3 | 1 year |
| 2 nd Offense | 3 years |
| 3 rd Offense | 5 years |
| Any subsequent infractions that warrants an exclusion | Permanent |
| 31. An attempt to commit any offense listed above | Same as period for the offense |
| 32. Reckless Driving/DUI | 1 Year |
| 33. Unlawful Entry or Trespassing | 1 Year |
| 2 nd Offense | Permanent |

Appendix B Examples of Letters of Exclusions

Section I

This appendix contains examples of letters of exclusion for different categories of people. Each letter requires the PMO representative to fill in blanks and/or cross out inapplicable language. The letters are as follows:

Figure B-1- Temporary letter of exclusion pending commander's decision.

Figure B-2 - Exclusion letter for nonaffiliated civilian (a person who has no connection to DOD by virtue of employment or family relationship).

Figure B-3 - Exclusion letter for federal civilian employee working at Fort Jackson.

Figure B-4 - Exclusion letter for military retiree or family member. Letter grants installation access for medical, dental, Post Exchange, and commissary use only.

Figure B-5 - Exclusion letter for military retiree or family member who is also a federal employee at Fort Jackson. Letter grants installation access for, employment, medical, dental, Post Exchange, and commissary use only.

Figure B-6 - Exclusion letter for member of U.S. Army Reserve or Army National Guard.

Figure B-7 - Exclusion letter for military retiree or family member who is to be excluded from the installation for misconduct in AAFES or commissary facilities. Letter grants access to medical and dental facilities only.

Figure B-8 – Notice to sponsor of juvenile exclusion/suspension

Figure B-9 – Suspension of driving privileges

Appendix C
References

Section I
Required Publications

All publications are available at <http://www.apd.army.mil/>

FJ Reg 210-1
Exclusions from Installations

FJ Reg 210-2
Fort Jackson Installation Hearing Officer

FJ Reg 210-5
Involuntary Termination of Government Quarters

FJ Reg 190-1
Juvenile Delinquency Control

FJ Reg 28-4
Hunting and Fishing Regulation

FJ Reg 199-4
Vehicle for Hire Operations

AR 600-8-14
Identification Cards for Members of the Uniformed Services, Their Family Members, and Other Eligible Personnel

FJ Supp to AR 190-11
Physical Security of Arms, Ammunition, and Explosives

AR 190-5
Motor Vehicle Traffic Supervision

Title 18, U.S.C Section 1382
Entering military, naval, or Coast Guard property

DoD Directive 1330.17-R
DoD Commissary Program

AR 600-20
Army Command Policy

Ft Jackson 210-1

AR 60-20

Army and Air Force Exchange Service, Operating Policies

FJ Reg 600-3

Prohibited Practices and Illegal Associations

Appendix D Definitions

D-1. Installation Hearing Officer (IHO)

A person appointed in writing by the Installation Commander to serve as an IHO. Those eligible to serve as an IHO are any field grade officer; any judge advocate, or any Department of the Army civilian attorney.

D-2. Final Decision

The administrative determination as to the facts or an appropriate administrative disciplinary measure in a case, which determination will not be reviewed by any higher authority.

D-3. Initial Decision

The determination as to the facts or an appropriate disciplinary measure in a case, which determination may be, or is required to be, reviewed by some higher authority.

D-4. Review Authority

When provided for in a specific category of cases, the authority who reviews the IHO's Initial Decision and renders an administrative Final Decision which will be no more severe than that of the Initial Decision of the IHO. The Installation Commander retains all authority delegated herein, and reserves the right to exercise review authority even when not specifically provided for.

D-5. Appropriate Case

An appropriate case for referral to an IHO is any case in which there is an alleged violation of any applicable federal or state law, or of any applicable Department of Defense, Army, TRADOC, or Fort Jackson regulation or policy, for which the Referral Authority, believes administrative action pertaining to some installation privilege may be warranted. A case is appropriate for referral to the IHO if, when allegations are deemed to be correct, the administrative action to be taken would include (but not necessarily be limited to) exclusion from the installation, community service or restitution in juvenile cases, or suspension or revocation of installation privileges (such as the privilege to drive a privately owned vehicle, operate a commercial vehicle for hire (e.g., a taxi), hunt, fish, occupy government quarters, register a firearm, or patronize the PX, commissary, or morale, welfare, and recreation facilities).

D-6. Referral Authority

An agency or official authorized by this regulation to refer appropriate cases to an IHO for review. Referral Authorities include the Garrison Commander, the Provost Marshal, the DPW, the DMWR, the Commissary Officer, the AAFES Manager, and unit commanders at any level.

D-7. Community Service

Community service is defined as work performed by a juvenile as recommended by the IHO for the benefit of the Fort Jackson community. This work may consist of "light" manual labor such as police call, raking pine straw, washing military vehicles, painting, etc. Juveniles will not do "heavy" labor, use power tools, lawn mowers, or conduct or support any type of unit training. Juveniles will not be used on ranges or in industrial type areas.

D-8. Restitution

Restitution is defined as actions taken by the juvenile to reverse the adverse effect of his or her actions against another person or person's property. Examples of restitution include, but are not limited to, monetary compensation for shoplifting or damages to property, or clean up, in the case of vandalism.

Appendix E
Applicability

1. **APPLICABILITY.** Any juvenile alleged to have committed an act of juvenile delinquency on Fort Jackson is subject to the provisions of this regulation.

2. **POLICY.** The involvement of an IHO in situations concerning offenses committed by juveniles will meet these objectives:

a. Assist sponsors in realizing their responsibilities toward juvenile family members.

b. Emphasize to the juvenile the consequences of their actions resulting in sanctions recommended by an IHO.

3. **HEARINGS.** Hearings will be informally conducted. Commanders and other interested parties may be invited to attend and provide input. The sponsor will be consulted as to the amount and specifics of any community service or restitution recommended.