



UNITED STATES MARINE CORPS
MARINE CORPS RECRUIT DEPOT/EASTERN RECRUITING REGION
P.O. BOX 19001
PARRIS ISLAND, SOUTH CAROLINA 29905-9001

DepO 5512.9B
SJA

APR 4 2002

DEPOT ORDER 5512.9B w/chl

From: Commanding General
To: Distribution List

Subj: SJSPENSION OF COMMISSARY AND EXCHANGE PRIVILEGES FOR
SHOPLIFTING BY MILITARY DEPENDENTS

Ref: (a) MCO P5512.11c chl
(b) DepO 5370.11A

Encl: (1) Sample Advice Form
(2) Sample Notification Letter

1. Purpose. To establish local procedures to implement section 1.5.1 of reference (a) for suspending commissary and exchange privileges of military dependents apprehended for shoplifting aboard this installation.

2. Cancellation. DepO 5512.9A.

3. Background. Reference (a) provides that a military dependent's commissary and exchange privileges may be suspended if that dependent has abused those privileges by shoplifting from either facility.

4. Summary of Revision. Reassigns action previously taken by the Commanding Officer, Headquarters and Service Battalion, to the Assistant Chief of Staff, Quality Management.

5. Action. A dependent suspected of shoplifting from the commissary or exchange will be processed as set forth below:

a. Commissary/Exchange Personnel

- (1) Identify and detain the suspected shoplifter.
- (2) Request Military Police assistance at the scene.

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b. Provost Marshal's Office Personnel

(1) Conduct an investigation if there is probable cause to believe that the dependent has shoplifted, apprehend the dependent and issue a U.S. District Court Violation Notice (DD Form 1805), pursuant to reference (b).

(2) Confiscate the subject's dependent identification (ID) card at the scene.

(3) Provide the subject with the advice form at enclosure (1) explaining their rights under this Order and advising them of the suspension of their commissary and exchange privileges which will result if they are determined, by the Assistant Chief of Staff, Quality Management, to have been shoplifting.

(4) Promptly deliver the subject's dependent ID card and complete investigation to the Assistant Chief of Staff, Quality Management. This should be accomplished within 24 hours, or the next working day, as appropriate.

(5) Promptly notify the Director, DCAC (ID card section) that the individual's ID card has been confiscated. This notification may be done telephonically.

c. Assistant Chief of Staff, Quality Management

(1) Determine if the suspect was shoplifting, based upon the PMO investigation and any statement provided by the subject.

(2) When feasible, orally notify the subject, within 24 hours of the seizure, of the action being taken by the command. This will normally be accomplished telephonically.

(3) If the shoplifting allegation is not substantiated by PMO's investigation, promptly return the ID card to the dependent (normally within 24 hours of the seizure).

(4) If the shoplifting allegation is substantiated, promptly prepare a follow-up notification letter, for the Chief of Staff's signature (enclosure (2)), informing the dependent that they were caught shoplifting on a given date and explaining: the action being taken by the command; the duration of the suspension of privileges; the procedures to request

a full-privileges ID card be reissued after completion of the suspension period; and the individual's right to a written appeal. Deliver the confiscated ID card and four copies of the signed notification letter to the Director DCAC.

d. Director, DCAC. In cases of shoplifting substantiated by the Assistant Chief of Staff, Quality Management, accomplish the following:

(1) Have the dependent complete a DD Form 1172 application for ID card.

(2) Issue a new DD Form 1173, without commissary or exchange privileges, in accordance with reference (a).

(3) Forward a copy of the DD Form 1172 and a copy of the notification letter (enclosure (1)), to the Commanding Officer of the dependent's sponsor (if the sponsor is on active duty), to the Assistant Chief of Staff, Quality Management and to the appropriate service special agent office listed in Attachment 1 of reference (a), if the dependent's sponsor is assigned to another branch of the service.

(4) If the dependent is found not guilty of the shoplifting charges by a court of competent jurisdiction, then ID card privileges shall be restored upon petition by the dependent.

e. Special Assistant U.S. Attorney (SAUSA). If a dependent is found not guilty of shoplifting by a federal court, the SAUSA shall inform the Director DCAC of the court's results.

6. Appeals. Appeals of suspension of privileges may be made to the Commanding General. They must be in writing and may be submitted at any time during the period of privilege suspension. Non-active duty dependent appeals will be referred to the Commandant of the Marine Corps (MPH-20).


R. E. MOTL
Chief of Staff

DISTRIBUTION: A



UNITED STATES MARINE CORPS

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PO BOX 19001
PARRIS ISLAND, SOUTH CAROLINA 29905-9001

DepO 5512.9B Ch 1
SJA

04 JUN 2004

DEPOT ORDER 5512.9B Ch 1

From: Commander
To: Distribution List

Subj: SUSPENSION OF COMMISSARY AND EXCHANGE PRIVILEGES FOR
SHOPLIFTING BY MILITARY DEPENDENTS

1. Purpose. To direct a pen change to the basic Order.
2. Action. Promulgation page, reference (a), change to read "MCO P5512.11C."
3. Filing Instructions. File this Change transmittal immediately behind the signature page of the basic Order.


J. VALENTIN

DISTRIBUTION: A

DepO 5512.9B
4 Apr 02

SAMPLE ADVICE FORM

-HEADING-

5815
SJA

From:

To:

Subj: ADVICE FORM CONCERNING SUSPENSION OF DEPENDENT
COMMISSARY AND EXCHANGE PRIVILEGES FOR SHOPLIFTING

Ref: (a) MCO P5512.11B w/Ch 1
(b) DepO 5512.9B

1. You are suspected of the crime of larceny by shoplifting. Consequently, your DD Form 1173 Identification Card has been confiscated pursuant to reference (a).

2. In accordance with reference (b), the Assistant Chief of Staff, Quality Management, will determine whether your commissary and exchange privileges should be suspended. This determination will probably be made within the next 24 hours (or the next working day) and will be based upon our investigative report of this incident and any written statement which you care to submit at this time. You are cautioned, however, that a decision by the command to suspend your commissary and exchange privileges is in addition to any action taken in federal court by way of criminal prosecution. You are reminded therefore, that you need not make any statement whatsoever and that any statement you make may be used against you in a court of law.

3. If you are not notified by the Assistant Chief of Staff, Quality Management, or his representative, within 24 hours (or the next working day), contact the Director, DCAC (telephone number 228-3223) for instructions on how to recover your identification card.

4. If the decision is made to suspend your commissary and exchange privileges, the Director, DCAC will issue you a new identification card which will indicate that you are not authorized to use any Department of Defense commissary or

ENCLOSURE (1)

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exchange, Those privileges may be suspended for periods not to exceed 12 months. This 12 month period may be shortened or terminated if, in the commander's judgment, the case so warrants. At any time during the period of privilege suspension you may submit a written appeal or request for clemency to the Commanding General. Following the period of suspension, you may request reissuance from the Director, DCAC of an identification card which again authorizes you to use commissary and exchange facilities.

5. If a court of competent jurisdiction finds you not guilty of shoplifting, then your commissary and exchange privileges shall be restored upon your request to the Director, DCAC.

Military Policeman

ENCLOSURE (1)

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SAMPLE NOTIFICATION LETTER

-HEADING-

5815
SJA/CL

From: Commanding General, Marine Corps Recruit Depot/Eastern
Recruiting Region, Parris Island

To:

Subj: NOTIFICATION OF SUSPENSION OF DEPENDENT COMMISSARY AND
EXCHANGE PRIVILEGES FOR SHOPLIFTING

Ref: (a) MCO P5512.11B w/Ch 1
(b) DepO 5512.9B

1. On _____ 20_____, you were caught shoplifting in the (Commissary/Marine Corps Exchange) located at Marine Corps Recruit Depot, Parris Island, South Carolina. The item(s) you stole had an approximate value of \$_____.

2. In accordance with the references, your DD Form 1173 Identification Card has been confiscated and a decision has been made to suspend your commissary and exchange privileges for a period of (maximum of 12 months) commencing with the date of this notification. You are to contact the Director, DCAC at this installation immediately. The Director, DCAC will issue you a new identification card which will indicate that you are not authorized to use any Department of Defense commissary or exchange.

3. At any time during the period of suspension, you may submit a written appeal or request for clemency to the Depot Commanding General. Following the period of suspension, you may apply for an identification card which authorizes you to use commissary and exchange facilities again.

4. The suspension of your commissary and exchange privileges is in addition to, and in no way affects, future criminal prosecution for this crime. However, if a court of competent jurisdiction finds you not guilty of shoplifting, then your

ENCLOSURE (2)

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commissary and exchange privileges shall be restored upon your request to the Director, DCAC.

Chief of Staff

Copy to:

AC/S, QM

AC/S, SUP&SVC

AC/S, MCCS

ADJ

SJA

(Sponsor's CO)

(Appropriate Service Special Agent Office, per Ref (a)).

ENCLOSURE (2)