



DEPARTMENT OF THE ARMY
UNITED STATES ARMY GARRISON STUTTGART
UNIT 30401
APO AE 09107

IMSG-ZA

06 AUG 2012

MEMORANDUM FOR Service Members, Civilian Employees and Family Members working or residing in USAG Stuttgart

SUBJECT: USAG Stuttgart Command Policy Letter #50; Suspension of EXCHANGE Privileges for Larceny of EXCHANGE Property and Passing Insufficient Funds Checks

1. REFERENCES:

- a. Army in Europe Regulation 27-9, dated 29 January 2009; Misconduct by Civilians.
- b. Army Regulation 215-8, dated 30 July 2008; Army and Air Force Exchange Service Regulation.
- c. Army Regulation 600-8-14, dated 17 June 2009; Identification Cards for Members of the Uniformed Services, their Eligible Family Members and other Eligible Personnel.

2. PURPOSE: The purpose of this memorandum is to provide uniform guidance in relation to Larceny of EXCHANGE Property (shoplifting) and wrongfully Passing Insufficient Funds Checks (Bad Checks).

3. REVISION: This policy letter supersedes USAG Stuttgart Command Policy Letter #41; Suspension of EXCHANGE Privileges for Larceny of EXCHANGE Property and Passing Insufficient Funds Checks, dated 1 August 2011.

4. APPLICABILITY: This garrison policy applies to all civilians identified in AER 27-9. The policy applies to children over the age of 10 years.

5. GUIDELINES:

a. Use of EXCHANGE facilities is a privilege and not a right. Persons apprehended for shoplifting EXCHANGE property and/or wrongfully passing bad checks will have their EXCHANGE privileges temporarily suspended and will not be permitted to enter any and all EXCHANGE facilities.

b. Apprehended persons will have their Common Access Card (CAC) or DD Form 1173 ID card confiscated by a Military Police Officer, and replaced in accordance with the enclosed Letter of Instruction. (Encl 1)

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c. The suspension will remain in effect until final resolution by the United States Army Garrison Stuttgart Civilian Misconduct Action Authority or the Civilian Misconduct Action Authority where the apprehended person and sponsor reside.

d. It is the apprehended person's responsibility to ensure that the facility that they enter is not an EXCHANGE facility. The apprehended person must affirmatively seek reinstatement of EXCHANGE privileges through the Assistant Civilian Misconduct Authority (ACMAA) who is identified in paragraph seven below. EXCHANGE facilities include, but are not limited to, Main Exchanges, Shoppettes, Food Courts, Power Zones and Auto Prides.

6. POLICY:

a. Civilians who are apprehended for shoplifting and/or passing bad checks will have their EXCHANGE privileges immediately suspended pending resolution of the charge by either the United States Army Garrison Stuttgart Civilian Misconduct Action Authority or the Civilian Misconduct Action Authority where the apprehended person and sponsor reside.

b. The CMAA will meet to determine whether a violation of law or regulation has occurred. The CMAA will utilize the preponderance of the evidence standard, which equates to the level of proof sufficient to show that the accusation is more likely to be true than not. These individuals will have their EXCHANGE privileges suspended for a period of six months.

c. A subsequent offense in an EXCHANGE facility may result in a permanent suspension of EXCHANGE privileges or other adverse administrative action in accordance with AER 27-9.

d. An apprehension for shoplifting or passing bad checks triggers an immediate suspension of EXCHANGE privileges pending final resolution of the matter.

e. Active duty military ID cards will not be confiscated. These individuals will be informed that they are prohibited from entering or utilizing any and all EXCHANGE facilities for six months and until a memorandum from the first line commander, O3 and above, requesting reinstatement of EXCHANGE privileges is acted on by the CMAA.

f. Restoration of EXCHANGE privileges is not automatic. An apprehended person must submit a letter requesting reinstatement of privileges and receive written approval from the CMAA before EXCHANGE privileges may be restored.

g. A suspended family member may also voluntarily participate in the Community Supervision Program as a consideration of privilege restoration.

7. RESPONSIBILITY:

a. Application of this policy will ensure that sponsors of apprehended civilians are informed

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that the conduct of their family members and other sponsored guests while shopping in an EXCHANGE facility is the responsibility of the sponsor.

b. Enforcement of this policy will ensure that civilian personnel who are apprehended for shoplifting and/or passing bad checks are treated uniformly and if appropriate, held accountable for their unlawful conduct.

c. Sponsors must make alternate accommodations for the period of suspension when a family member is suspended from using EXCHANGE facilities.

8. PROPONENT: The proponent of this policy is the USAG Stuttgart ACMAA, Mr. Anthony V. Black. You may contact the ACMAA for issues or questions concerning this policy and its application at DSN 431-3371 or by e-mail at: anthony.black@eur.armymil.


JOHN P. STACK
COL, SF
Commanding



DEPARTMENT OF THE ARMY
UNITED STATES ARMY GARRISON STUTTGART
UNIT 30401
APO AE 09107

REPLY TO
ATTENTION OF

IMSG-ZA

Date:

MEMORANDUM FOR Individual Suspected of Larceny of Exchange Property or Passing Insufficient Funds/Checks, USAG Stuttgart, APO AE 09107

SUBJECT: Letter of Instruction for Processing Replacement of USAG Stuttgart Civilian Personnel Identification Cards for Larceny of EXCHANGE Property and Passing Insufficient Funds Checks

1. References:

- a. Army in Europe Regulation 27-9, dated 29 January 2009; Misconduct by Civilians
- b. Army Regulation 215-8, dated 30 July 2008; Army and Air Force Exchange Service Regulation
- c. Army Regulation 600-8-14, dated 17 June 2009; Identification Cards for Members of the Uniformed Services, their Eligible Family Members and other Eligible Personnel

2. a. Name: _____

SSN: XXXX-XX-_____ (Last 4 of SSN)

Organization/Address _____

Duty/Home Phone _____ / _____

ID Form/Card # _____ Expiration Date _____

b. Sponsor's Name _____ SSN: XXXX-XX-_____ (Last 4 of SSN)

Organization/Address _____

Duty/Home Phone _____ / _____

3. Effective immediately, your EXCHANGE privileges are suspended, pending resolution of the charge by either the USAG Stuttgart Civilian Misconduct Action Authority (CMAA), if you reside within the USAG Stuttgart, or the CMAA where you and your sponsor reside will take action.

FOR OFFICIAL USE ONLY

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SUBJECT: Letter of Instruction for Processing Replacement of USAG Stuttgart Civilian Personnel Identification Cards for Larceny of EXCHANGE Property and Passing Insufficient Funds Checks

4. Identification (ID) Card Replacement Procedures:

a. Sponsored Members of Military Personnel: Sponsors will accompany their dependent to the servicing ID Card/DEERS office below within 72 hours from the date/time of the confiscation of the ID card by a Provost Marshal Office official with this document. After 72 hours the DD 1173 ID card will be deactivated. A replacement ID card will be issued for limited privileges.

b. DoD/DA Civilian Sponsor or Contractor personnel must report to the sponsor's servicing personnel office or contract officer representative within 72 hours of the date/time of the confiscation of the ID card by a PMO official to obtain DD Form 1172-2 (APPLICATION FOR DEPARTMENT OF DEFENSE COMMON ACCESS CARD DEERS ENROLLMENT) and present this document to the office below, along with the endorsed DD Form 1172-2, a passport and a second form of identification. The sponsor must accompany a dependent. After 72 hours the confiscated ID card will be deactivated. A replacement ID card will be issued for limited privileges.

**USAG/Stuttgart ID Card/DEERS Section
Panzer Kaserne
BLDG # 2915, 1st Floor
DSN: 431-2333/3806 COMM: 07031-15-2333/3806**

5. The CAC/ID card can be restored to full benefits at the end of the suspension period. Restoration of EXCHANGE privileges is not automatic. You must submit a letter to the POC below requesting reinstatement of privileges and receive the written approval of the CMAA.

**Commander
USAG/Stuttgart
ATTN: Assistant Civilian Misconduct Officer
APO AE 09107**

6. If you have any questions or need assistance, contact Anthony V. Black, the Assistant Civilian Misconduct Action Authority, at DSN 431-3371/ CIV 07031-15-3371 or by email at: anthony.black@eur.army.mil.

CF:
Chief, MPD

JOHN P. STACK
COL, SF
Commanding