

15 September 2001

Legal Services

YOUTH COUNCIL

Summary. This regulation was revised to include organizational changes. Also, the Youth Council chairperson is no longer only the Deputy Commander or Executive Officer of the U.S. Army Intelligence Center and Fort Huachuca (USAIC&FH).

Applicability. This regulation applies to all military personnel residing on Fort Huachuca, and all personnel living outside the boundaries of Fort Huachuca whose unmarried family members are eligible to use various Fort Huachuca facilities.

Supplementation. Supplementation of this regulation is prohibited without prior approval from the proponent.

Suggested improvements. The proponent of this regulation is the Office of the Staff Judge Advocate, USAIC&FH. Users may send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) through channels to Commander, U.S. Army Intelligence Center and Fort Huachuca, ATTN: ATZS-JA, Fort Huachuca, AZ 85613-6000.

Availability. This publication is available solely on the Fort Huachuca Homepage at <http://huachuca-www.army.mil>.

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*This regulation supersedes FH Regulation 27-3, 15 September 1994.

1. Purpose.

This regulation establishes policy and procedures for responding to dangerous, disruptive, disorderly, or criminal conduct by unmarried family members under 18 years of age which occurs on Fort Huachuca.

2. Reference.

Referenced publications and forms are listed in appendix A. Prescribed and referenced publications and forms are available electronically. Fort Huachuca publications and forms are available at <http://huachuca-www.army.mil> and higher echelon publications and forms are available at <http://www.usapa.army.mil>.

3. Explanation of abbreviations and terms.

a. Abbreviations.

- (1) CIDCriminal Investigation Division
- (2) SJAStaff Judge Advocate
- (3) USAIC&FH. .U.S. Army Intelligence Center and Fort Huachuca

b. Terms.

- (1) Misconduct. Behavior that--
 - (a) Violates the Federal law or Arizona State law.
 - (b) Violates Army or Fort Huachuca regulations.
 - (c) Is criminal, dangerous, disorderly, or disruptive to the Fort Huachuca community.
- (2) Youth Council. A group of individuals responsible for hearing cases of alleged youth misconduct on Fort Huachuca and imposing appropriate administrative sanctions. Council membership is explained in paragraph 5.

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4. Responsibilities.

- a. The USAIC&FH Commander's representative will serve as the chairperson of the council.
- b. The SJA office will provide a recorder who will be responsible for all administrative duties regarding the council. This includes but is not limited to screening blotters for incidents involving juveniles, notifying the juvenile to attend the council, and tracking community service.
- c. Other organizations listed in paragraph 5 will provide representatives to the council.
- d. The council will exercise overall staff supervision of the administrative disposition of incidents regarding alleged youth misconduct.
- e. Sponsors and youths called before the council will be required to comply with this regulation.

5. Council membership.

- a. The membership of the council will be--
 - (1) USAIC&FH Commander's representative (chairperson).
 - (2) Staff Judge Advocate (SJA) representative (recorder) who will have the military rank of captain or above.
 - (3) Provost Marshal.
 - (4) Chaplain.
 - (5) Army Community Services representative.
 - (6) Alcohol and Drug Control Office representative.
 - (7) Social Work Services, U.S. Army Medical Department Activity, representative.
 - (8) USAIC&FH Command Sergeant Major.

(9) Representatives from the 11th Signal Brigade, 111th Military Intelligence Brigade, and U.S. Army Electronic Proving Ground are preferred to have a military rank of major or above.

(10) Cochise County Social Services representative (optional).

(11) Commander, First Sergeant, and/or sponsor's supervisor will accompany sponsor and juvenile to the meeting.

6. Incidents under jurisdiction.

a. Military Police blotters and reports and Criminal Investigation Division (CID) reports will be screened by the recorder for incidents of alleged youth misconduct which fall within the recorder's jurisdiction. The recorder will obtain necessary reports from the Military Police and/or CID.

b. When the recorder receives information concerning an incident for which action by the council may be appropriate, the accused offender's sponsor will be contacted telephonically, followed by an information letter.

(1) An information letter will be sent to the sponsor and the accused offender, requiring their presence at the appropriate Council meeting. An information copy of the letter will be sent to the sponsor's chain of command requiring a representative to attend the same council meeting.

(2) The letter will explain the purpose of the council. It will also specifically point out the severe consequences for refusing to attend the council meeting.

7. Council meeting procedures.

a. The council will meet as directed by the chairperson to consider cases that are within its jurisdiction; however, every effort will be made to avoid convening the council for only one case on any particular day. Consideration will be given to resolving all cases expeditiously.

b. The council meeting will consist of an interview with the accused offender and his or her sponsor. During the meeting, the accused offender and the sponsor will have the opportunity to bring to the attention of the council any matters that they feel should be considered. Such matters may include but are not limited to--

(1) The accused offender's record.

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(2) The circumstances surrounding the offense(s).

(3) The controls or other corrective action initiated or proposed by the sponsor.

c. Based upon the information garnered during the council meeting, and any information obtained from the Military Police or CID reports and the sponsor's chain of command, the council will discuss each case and determine the appropriate disposition.

d. After carefully evaluating all evidence, the council will recommend to the Garrison Commander an appropriate administrative action. The following alternatives are representative of the type of administrative actions that may be taken by the council after determining that a family member, under the age of 18, has engaged in misconduct--

(1) No Action.

(2) Letter of warning.

(3) Referral to counseling.

(4) Referral to Leadership Values in Youth.

(5) Suspension/revocation of privileges abused by the offender.

(6) Suspension/revocation of the right to participate in Morale, Welfare, and Recreation activities.

(7) Referral to the Alcohol and Drug Abuse Prevention and Control Program Youth Education Program (in cases involving alcohol and/or drugs).

(8) Referral to a Community Service Program for a specified number of hours under the supervision of the sponsor and direction of the sponsor's chain of command. Community service will be performed in the sponsor's unit. The sponsor will be present to supervise the juvenile at all times.

(9) Imposition of a curfew.

(10) Referral to Shoplifters Alternative Program.

e. In cases involving serious misconduct or repeat offenders, the council may recommend through the Garrison Commander that the USAIC&FH Commander--

- (1) Bar the offender from the installation and/or--
- (2) Terminate the sponsor's right to reside in Government quarters.

8. Commander's decision.

The Commander and/or the Garrison Commander will consider the recommendation of the council, and may direct the recommended action or disapprove their recommendation, and take other appropriate action under this regulation. The USAIC&FH Commander's decision is final in all cases and is not subject to appeal. The Commander may, at his or her discretion, consider written communications from, or grant personal interviews with the sponsor, in the event that the sponsor disagrees with the action taken by the council.

9. Records.

The council will maintain records of each case considered. Records of all Council meetings will be kept confidential. Disclosure of information will be in accordance with the Freedom of Information Act and the Privacy Act.

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