

U.S. Army Hawaii Regulation 1

Provost Marshal

**U.S. Army Hawaii
Standards and
Discipline**

Department of the Army
Headquarters,
United States Army Hawaii
Schofield Barracks, HI
20 June 2017

UNCLASSIFIED

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Effective 21 June 2017

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UNITED STATES ARMY STANDARDS AND DISCIPLINE

By Order of the Senior Commander, U.S. Army Hawaii:

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History. This is the inaugural release of this publication. This regulation supersedes the following policy memorandums: Policy Memorandum Installation-1, Discipline, Law, and Order dated 21 JAN 12.

Summary. This regulation provides provisions to and amplification of the Hawaii Penal Code assimilated on U.S. Army Hawaii installations.

Applicability. This regulation applies to all Soldiers, Civilians, Family Members, contractors and other personnel who work on, reside on, or visit any U.S. Army installation, facility, or work site in the State of Hawaii.

Suggested Improvements. The proponent of this regulation is the Directorate of Emergency Services (DES). Send comments and suggested improvements on a DA Form 2028 (Recommended Changes to Publications and Blank Forms) to the Commander, U.S. Army Garrison-Hawaii, ATTN: IMHW-ES, Schofield Barracks, Hawaii 96857-5000.

Distribution. This regulation is distributed through electronic media at the U.S. Army Garrison Hawaii Homepage: <http://www.garrison.hawaii.army.mil/command/documents.htm> under the publications tab.

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Chapter 1 Introduction

1-1. Purpose.

a. This regulation establishes policy, responsibilities, and procedures to facilitate good order and discipline on all U.S. Army Garrison- Hawaii (USAG-HI) sites.

b. This regulation applies to all Soldiers, Civilians, Family Members, contractors, and other personnel who work on, reside on, or visit any U.S. Army installations, facilities, or work sites in Hawaii.

1-2. References. Required and related publications and prescribed and referenced forms are listed in Appendix A.

1-3. Responsibilities.

a. Senior Commander.

(1) Establishes command policy and designates responsibility for the enforcement of this regulation to the Director of Emergency Services, USAG-HI.

(2) Delegates the overall responsibility of the suspension, revocation, and reinstatement of installation driving privileges to the Garrison Commander for USAG-HI installations and sites.

b. Garrison Commander.

(1) Overall responsible for the suspension, revocation, and reinstatement of installation driving privileges on USAG-HI installations and sites.

(2) May delegate the authority to suspend, revoke, and reinstate installation driving privileges to the Community Compliance Office (CCO) on his or her behalf.

(3) Designated as the appellate authority for the reinstatement of installation driving privileges.

c. Director of Emergency Services. Has primary staff responsibility for establishing, administering, and enforcing the provisions of this regulation.

d. Community Compliance Office. Has primary staff responsibility for the suspension, revocation, and reinstatement of installation driving privileges.

e. Installation Safety Office. Participate and assist in developing traffic accident prevention initiatives in support of the installation traffic safety program.

f. Army Substance Abuse Program (ASAP). Provide treatment and education services to personnel with alcohol or drug abuse problems.

g. Unit Commanders. Ensure the provisions of this regulation are enforced.

h. Sponsors. Military and civilian sponsors are responsible for their Family members' and guests' awareness and understanding of this regulation.

i. Vehicle Operators. Vehicle operators are responsible for knowing, understanding, and complying with the provisions of this regulation.

j. Passengers. The senior military or DoD civilian passenger of a government vehicle is responsible for ensuring the driver of such vehicle complies with the provisions of this regulation.

1-4. Punitive Regulation. Violations of provisions found within Chapter 2 of this regulation may be punishable under the following:

a. Uniform Code of Military Justice (UCMJ).

b. United States Code (USC).

c. Hawaii Criminal and Traffic Law Manual (Hawaii Revised Statutes). All changes and amendments to the HRS apply on USAG-HI installations and sites through the Assimilative Crimes Act (18 USC § 13).

1-5. Exceptions. The Senior Commander, U.S. Army Hawaii (USARHAW), may grant exceptions to the provisions of this policy.

1-6. Severability of Provisions. If a provision of this policy is held invalid, all remaining severable provisions shall remain in effect. If a provision of this policy is held invalid in one or more of its applications, the provision shall remain in effect in all its valid applications that are severable.

1-7. Definitions.

a. Aggressive or Potentially Aggressive Dog Breed. Pit Bull Terriers, Staffordshire Terriers, Rottweilers, Doberman Pinschers, Chows, and wolf hybrids. This definition also extends to other dogs that demonstrate a propensity for dominant or aggressive behavior as indicated by any of the following types of conduct—

(1) Unprovoked barking, growling, or snarling at people approaching the animal.

(2) Aggressively running along fence lines when people are present.

(3) Biting or scratching people.

(4) Escaping confinement or restriction to chase people.

a. Alcoholic Beverage. Potable beverage containing any amount of ethyl alcohol. This includes malt beverages, wines, and distilled spirits.

b. Commercial Solicitation. The conduct of any private business, including the offering and sale of insurance, on a military installation, whether initiated by the seller or buyer.

c. Demonstration. Any act, exhibition, manifestation, display of feelings, or protest on any subject or any show-of-force.

d. Door-to-Door Solicitation. A sales method whereby an agent proceeds randomly or selectively from household-to-household without specific prior appointments or invitations.

e. Drug. Substances recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary or any supplement to any of them. Substances intended for use in the diagnosis, care, mitigation, treatment, or prevention of any disease, illness, or infirmity in man or animals, excluding "over-the-counter" substances legally obtained without a prescription. Substances (other than food) intended to affect the structure of any function of the body of man or animals. Substances intended for use as a component in any specific substance as noted above.

f. Drug Paraphernalia. All equipment, products, and materials of any kind that are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, processing, preparing, testing, analyzing, packaging, storing, containing, concealing, injecting, inhaling, or otherwise introducing into the human body a controlled substance in violation of this memorandum or any other Army regulation. See HRS § 329-1 and HRS § 329-43.5.

g. Explosives. A device that produces a rapid expansion of gases in a very short time, releasing the energy that is stored in the original material in various combinations of the forms of heat and light, and its breaking down into gases that occupy a much

greater volume than its original form did. The expansion of the gases occurs at a very great speed and they displace great volumes of air. There are three principle types of explosives: mechanical, chemical, and nuclear.

h. Electronic Cigarette. A device used to simulate the experience of smoking, having a cartridge with a heater that vaporizes liquid nicotine or other liquid instead of burning tobacco. Due to the nature, appearance, and safety concerns of electronic cigarettes, they are considered to be in the same category as tobacco products. The use of electronic cigarettes is restricted in the same way that all tobacco is restricted.

i. Fireworks. Any composition or device that is for the purpose of producing a visible or audible effect by combustion, deflagration, detonation, or explosion of any type.

j. Non-Partisan Political Activity. An activity in support of, or related to, candidates not representing national, state political parties, and associated or ancillary organizations. Issues relating to Constitutional amendments, referendums, or approval of municipal ordinances are deemed not specifically identified with national or state political parties.

k. Partisan Political Activity. An activity in support of candidates representing national or state political parties and associated or ancillary organizations.

l. Personally Owned Firearm. Any weapon for which the operating force is an explosive, including, but not limited to: pistols, revolvers, rifles, shotguns, automatic firearms, noxious gas projectors, mortars, bombs, and cannons.

m. Picketing. Any person or persons stationed outside, on, or approaching a USAG-HI installation to protest the installation's operation.

l. Soldier. Military personnel of all military services.

n. Tobacco Products. Tobacco products include, but are not limited to, cigarettes, cigars, pipe tobacco, smokeless tobacco (snuff, dip, chewing tobacco), and liquids used in electronic smoking devices such as e-cigarettes.

o. Unattended Child(ren). Children under 10 years of age left alone in motor vehicles, Island Palm Communities quarters, at public transportation bus stops, playgrounds, parks, or recreation areas, when beyond the line of sight of a parent or child 12 years or older. Children are unattended when left alone in Island Palm Communities quarters even though an electronic monitoring device or intercom has been installed and is monitored by a neighbor in a nearby facility.

p. Weapons. Devices capable of inflicting destruction to property and/or individuals. All BB, pellet-type, paintball, and Airsoft rifles, pistols, or guns are included in this definition.

Chapter 2 Punitive Policies

2-1. Violation Prevention. A Soldier who becomes aware that a Family member has violated this policy memorandum will ensure that their Family member is informed of the policy memorandum provisions and will seek to ensure that their Family member(s) comply with this policy memorandum in the future.

2-2. Prohibited Items. No personnel shall have in his possession the following items unless authorized in accordance with (IAW) performance of official duties:

- a. Dangerous weapons, items, or devices prohibited by Federal or Hawaii law.
- b. Except in the performance of official military duties, possession of shooting weapons with mounted lights is prohibited on USAG-HI installations.
- c. The possession of handcuff keys is prohibited on USAG-HI installations unless in the performance of law enforcement mission.
- d. Lock bumping material or any material that may be used to manufacture lock-bypassing materials, including but not limited to: files, blank keys, instruction booklets, pamphlets, or videos.
- e. A straight edge razor in Unaccompanied Personnel Housing.
- f. Fireworks. Exception - commercial fireworks used in holiday celebrations on the installation will be transported, set up, and fired by commercial firms or licensed pyrotechnic technicians in accordance with local laws and NFPA Standard 1123.
- g. Explosives, pyrotechnics, or blank ammunition except for authorized training, sports, or ceremonial purposes.
- h. Any knife with a blade length over 4 inches, other than those used for food preparation, which are stored in food preparation areas. Outside of food preparation areas, individuals may carry larger knives under the following circumstances: (1) While hunting on post; (2) In the execution of airborne operations as authorized by the appropriate commander; and, (3) While performing field duty, if authorized by the company/troop/battery level commander. Commanders will retain said knives of personnel residing in Army Hawaii Soldier Housing in the unit arms room except when used under the circumstances stated in this paragraph.

i. Hawaii law that authorizes licensed individuals to carry concealed handguns does not apply on USAG-HI installations or in Island Palm Communities; thus, state-issued concealed handgun permits are not recognized or valid on Army Installations in the State of Hawaii. Under no circumstances will the transportation of loaded or concealed handguns, shotguns, or rifles be permitted on USAG-HI installations except by duly authorized law enforcement personnel or by military personnel in the performance of their official duties.

2-3. Restrictions Governing Certain Substances. Individuals will not import, dispense, distribute, sell, transfer, or deliver any substances deemed illegal by the federal Drug Enforcement Administration, State of Hawaii, or Department of Defense on USAG-HI installations or in Island Palm Communities. This paragraph includes items listed in the Secretary of the Army Memorandum, Prohibited Substances (Spice in Variations), dated 10 February 2011, USARPAC Policy Memorandum 11-10, Policy on Prohibiting the Use, Possession, Distribution, and Purchase of Intoxicating Substances, dated 4 May 2011, and AR 600-85, paragraph 4-2p dated 28 December 2012.

2-4. Drug Paraphernalia. The purchase, importation, manufacture, possession, storage, use, sale, distribution, or transfer of drug paraphernalia is prohibited. This paragraph includes, but is not limited to, the definition of drug paraphernalia and examples provided in HRS § 329-1 and HRS § 329-43.5.

2-5. Alcoholic beverages.

a. The minimum age for possession and consumption of alcoholic beverages in the State of Hawaii is 21. Individuals under 21 years of age will not purchase, possess, or consume alcoholic beverages on USAG-HI installations. Soldiers under 21 years of age will not purchase, possess, or consume alcoholic beverages. See AR 215-1 paragraph 10-1.

b. Individuals will not deliver, transfer, give, or distribute alcoholic beverages to anyone under 21 years of age. In addition, individuals will not sell or offer to sell alcoholic beverages to anyone, except as authorized by AR 215-1, chapter 10.

c. Soldiers will not consume any alcoholic beverage at any place, whether on or off a USAG-HI installation, while on duty. A Soldier's commander determines on-duty status.

d. Individuals will not possess, while in a vehicle or on a moped, motorcycle or bicycle, any bottle, can, or other receptacle containing any alcoholic beverage with a broken seal, an opened seal, or with contents partially removed.

e. Military personnel will not have a blood alcohol level of 0.05 percent or above when reporting for or while on duty.

f. On USAG-HI installations, individuals may consume alcoholic beverages only in designated locations.

g. Individuals may consume alcoholic beverages in quarters, including Island Palm Communities quarters, and Unaccompanied Personnel Housing rooms. The maximum amount of alcohol that a Soldier may store in Unaccompanied Personnel Housing is one bottle of wine or six bottles or cans of beer containing no more than twelve ounces.

h. Personnel may consume alcoholic beverages (e.g., distilled spirits, wine, beer, ale, and malt liquor) at the following locations: installation club system facilities (e.g., Hale Ikena, Nagorski Conference Center); PTA Recreation Center; post exchange beverage bars; post-operated bowling centers; golf courses; permanently established outdoor recreation areas to include but not limited to Bowen Park, Kunia Park, and Piliilaa Army Recreation Center (above the seawall, to the perimeter fence); softball and baseball fields, while such fields are in use for unit recreational activities; other premises while in use for unit recreational activities; and recreation centers on special occasions approved in writing by the USAG-HI Commander.

i. Individuals may not consume or store alcoholic beverages in other locations, including government buildings unless authorized by the first O-6 in the chain of command.

j. Individuals may consume alcoholic beverages as part of officially sanctioned religious services under the supervision of assigned chaplains.

k. Additional restrictions at Fort DeRussy. Except as stated as follows, individuals will not display to public view, drink, possess, use, or offer any alcoholic beverage, in any container with a broken or opened seal, at Fort DeRussy. Individuals must consume alcoholic beverages purchased from or served at the Hale Koa Hotel or within the hotel, in hotel areas designated for their consumption by the general manager of the hotel in accordance with established agreements, if any, between the Senior Commander or the USAG-HI Commander, and the Hale Koa Hotel management.

l. Exceptions. Nothing in the above paragraphs prohibits consumption or possession of alcohol: (1) Pursuant to a valid medical prescription; or (2) In medicines lawfully sold in the U.S. when possessed or consumed for their intended purpose.

2-6. Tobacco.

a. Effective 1 January 2016, individuals under the age of 21 will not purchase, possess, consume, or introduce tobacco products on USAG-HI installations.

b. Tobacco products may not be used in unaccompanied Soldier housing or in government buildings.

2-7. “Off-Limits” Structures and Areas. Individuals will not enter off-limits or restricted areas without authority.

a. Off-limits areas include but are not limited to—

(1) Island Palm Communities residential areas (except chain of command supervised formations or other activities moving along USAG-HI approved physical training running routes or activity routes, IAW Policy Memorandum USAG-HI 1, quadrangles, and Unaccompanied Personnel Housing, except for residents, invited guests, or other personnel authorized by the USAG-HI and/or USAG-PTA Commander as having legitimate business in the area.

(2) Vacant structures and storage and supply buildings or areas.

(3) Golf courses, except for employees and authorized patrons.

(4) All ranges and training areas, unless specifically authorized.

(5) Specified parking areas when so marked or posted.

(6) Establishments placed off-limits by the Armed Forces Disciplinary Control Board under the provisions of AR 190-24.

(7) Other areas when so marked or posted.

2-8. Interfering with Law Enforcement Personnel. It is unlawful and a criminal offense for any person to knowingly interfere with, resist, obstruct, delay, hinder, or disobey (or attempt any of the foregoing actions) a military police person, military police investigator, Criminal Investigation Division agent, federal law enforcement agent (including agents of the Federal Bureau of Investigation, Drug Enforcement Administration, Alcohol, Tobacco, Firearms and Explosives, U.S. Marshals Service, and Department of Defense or Department of Army Civilian Police or Security Guard), U.S. Attorney, or any officer or non-commissioned officer (NCO) when engaged in law enforcement or disciplinary investigations. Additionally, it is unlawful and a criminal offense for any person to knowingly destroy, conceal, damage, dispose of, or change in any manner (or attempt any of the foregoing actions) such article known to him to be the subject of law enforcement or disciplinary investigations by any of the foregoing military or federal authorities. Nothing in this paragraph authorizes law enforcement officials or anyone else to compel a person to incriminate himself or to answer any question the answer to which may tend to incriminate him in violation of UCMJ Article 31 or the Fifth Amendment to the U.S. Constitution.

Chapter 3 Non-punitive Policies

3-1. Unaccompanied Soldier Housing. Soldiers may entertain guests of either gender in their Army Hawaii Soldier Housing room or common living area; guests may also use the Army Hawaii Soldier Housing latrines. The following restrictions apply:

a. Overnight visitation is prohibited. Visitors must leave Unaccompanied Personnel Housing prior to 2230 on weekdays and 0030 on weekends. Visitors are not permitted before 0930 on any day of the week.

b. A parent or legal guardian must accompany any non-military visitor below the age of 18 who is not a member of the Soldier's immediate Family (e.g., brother or sister).

c. Soldiers being visited will ensure their visitors comply with the Unaccompanied Personnel Housing Standing Operating Procedures, respect the privacy rights of other Soldiers, and do not engage in loud, dangerous, or otherwise tumultuous conduct while visiting Unaccompanied Personnel Housing.

d. Soldiers will comply with additional restrictions contained in the Unaccompanied Personnel Housing Standing Operating Procedures.

3-2. Fire Prevention and Safety. Individuals will not, nor knowingly allow their Family members to:

a. Smoke in bed in any Island Palm Communities quarters, Unaccompanied Personnel Housing, or in any other U.S. Government facility used for sleeping.

b. Smoke in fuel storage areas, fuel disbursing points, storage areas in warehouses, areas where oxygen is stored or administered, paint shops, carpenter shops, ammunition and explosive storage and handling areas, motor repair shops, or in other hazardous areas where smoking restrictions are posted.

c. Use gasoline for any purpose other than as motor fuel or as fuel for an appliance that is designed to burn gasoline as a fuel.

d. Only authorized fire department personnel may use fire hydrants for fire-fighting purposes. Any other use of fire hydrants must be specifically approved in writing by the Directorate of Public Works (DPW).

e. In accordance with AR 600-63, smoking is prohibited in all DA occupied workplaces, with the exception of recreation facilities requiring approval. If possible, designated smoking areas will provide a reasonable measure of protection from the

elements. However, the designated areas will be at least 50 feet from common points of ingress into the workplace and will not be located in areas that are commonly used by non-smokers.

f. Soldiers will not smoke in any room or common area of Unaccompanied Personnel Housing.

3-3. Production of Identification. Upon the request of a military law enforcement official, Department of the Army law enforcement official, Department of the Army contracted security or access control officer, or any commissioned, warrant, petty, or NCO (E-5 and above), any Soldier on a USAG-HI installation must produce and allow inspection of his/her Common Access Card (CAC), Armed Forces of the United States Geneva Conventions Identification Card. The Soldier must also state his/her current unit of assignment or attachment, and whether he/she is on active duty or inactive duty for training. In lieu of a CAC, the Soldier must produce an alternate form of picture identification. Before responding to any request for identification, a Soldier may ask to see proof of the law enforcement official's status or the requester's rank, e.g., badge or DD Form 2 (Active).

3-4. Standards of Dress and Prohibited Attire. All military personnel must wear the prescribed uniform of the day while conducting military business at USAG-HI facilities. Exceptions include emergent situations, personnel in a leave status, and Soldiers on permissive TDY for residence hunting provided they have leave documents in their possession. Also excepted from this policy are Soldiers whose medical profiles preclude their ability to wear the prescribed uniform of the day. In this case, a clean Physical Training (PT) uniform is approved provided the Soldier has in his/her possession documentation relating to their profile. The mixing of uniforms is prohibited; the only items of military clothing acceptable for wear with civilian attire, without insignia or rank, are windbreakers, sweaters, black all-weather coats, and overcoats.

a. Soldiers will not remove their ACU top while driving their POV. The only item that may be removed while driving a POV is the headgear. While operating or riding in a tactical military vehicle, appropriate headgear will always be worn.

b. Civilian attire worn on post should be clean, well-maintained, properly fitted and present a neat, orderly appearance (buttoned, belted, zipped, or fastened). Shirts should provide complete, conservative coverage, with or without pockets. Shorts and skirts of conservative length are suitable for casual wear. All headgear worn by Soldiers will be worn appropriately, with the bill to the front of the head and will be removed indoors absent a religious exemption. Athletic or walking shoes or sandals, with or without socks are authorized, as are thong-type footwear. Examples of prohibited attire are listed below:

- (1) Clothing that is excessively brief, short, revealing, tight, baggy, or loose.
- (2) Clothing containing obscene, discriminating, harassing, offensive, or suggestive images or words.
- (3) Clothing and accessories intended to present a paramilitary appearance or accessories that appear to be weapons.
- (4) Clothing that is torn, ragged, or dirty.
- (5) Clothing not specifically designed as headgear (bandannas, do-rags).
- (6) Clothing that is nightwear or sleepwear.
- (7) Soiled or sweaty athletic clothing except while engaging in sports activities in recreation areas.
- (8) Underwear as outerwear, or clearly visible (sports bras, boxers).
- (9) Swimwear (bikinis, Speedos, bathing suits) except in swimming and recreation areas.
- (10) Bare chest or shirtless men except in swimming and recreation areas.
- (11) Bare feet except in swimming and recreation areas.

3-5. Obscene/Racial T-Shirts, Bumper Stickers and Similar Items. Individuals will not wear clothing on USAG-HI installations that displays an obscene, racial, extremist or any other offensive message that is prejudicial to good order and discipline. Similarly, privately owned vehicles operated on USAG-HI installations are prohibited from displaying any sign, bumper sticker, or other item that is patently obscene, racial, or extremist in nature.

3-6. Privately Owned Vehicles. Commanders are responsible for ensuring all privately owned vehicles are properly registered with a state, have the required state safety sticker, and that vehicle owners have current valid auto insurance. Personnel are required to register their POVs through the state Department of Motor Vehicles within thirty days of the vehicle's arrival to Hawaii.

3-7. Military Courtesy. Soldiers in uniform or civilian attire will render honors during the raising and lowering of the U.S. flag or the playing of the national anthem at public events in accordance with AR 600-25.

a. All vehicle drivers, military or civilian, will halt vehicles during flag ceremonies. Military members will dismount and render the hand salute. The senior Soldier aboard any bus or truck transporting personnel will be the only party required to dismount and render appropriate courtesy in accordance with AR 600-25.

b. Soldiers in uniform will render a salute to a senior officer in open-air lanais, unless the appropriate authority posts signs establishing the area as a no-salute area.

3-8. Disruptive Music and Noise. Individuals will not play radios and other audio equipment loudly enough to be heard more than 30 feet away. This prohibition does not apply to musical performances or other entertainment events authorized by the USAG-HI Commander. The following are prohibited:

a. Vehicles causing unnecessary noise because of improper loading, defects, or lack of a proper muffler.

b. Animals causing frequent or continued noise disturbing the comfort of other persons. An example of frequent noise is a dog barking on and off, unprovoked for thirty minutes. An example of continued noise is a dog barking consistently, unprovoked for ten minutes.

c. Operational use of equipment (including but not limited to washers, dryers, power tools, hand tools, etc.) causing loud or unusual noise between the hours of 2200 and 0630.

3-9. Cadence. Formations moving through Island Palm Communities areas will not call cadence.

3-10. Use of Headphones. The use of headphones or earphones while walking, jogging, skating, skate boarding, riding scooters, rollerblading, or bicycling including pocket bike, motorcycle or moped on or adjacent to roadways or roadway intersections on DoD installations is prohibited.

a. The wearing of any portable headphones, earphones or other listening devices while operating a motor vehicle is prohibited with the except of hands free cellular phones IAW Policy Memorandum USAG-HI-43, Prohibition Against Using Cellular Phones While Operating Motor Vehicles on U.S. Army Installations in Hawaii.

b. Motorcycle operators may wear motorcycle helmets equipped with operator-passenger intercom systems.

3-11. Littering or Scavenging. Individuals must deposit trash and garbage only in receptacles provided for that purpose. Individuals will not scavenge in dumpsters,

garbage cans, trash receptacles, or landfill areas without the prior approval of the USAG-HI and/or USAG-PTA Commander.

3-12. Distributing Written Materials, Demonstrating or Congregating. Individuals will not distribute publications, including pamphlets, newspapers, magazines, handbills, flyers, or other printed material, on any USAG-HI installation without the prior approval of the Director of Family and Morale, Welfare, and Recreation. (This prohibition does not preclude distribution through regularly established and approved outlets.)

a. Individuals will not picket, demonstrate, conduct sit-ins, congregate, conduct protest marches, make political speeches, hold political rallies, engage in partisan or non-partisan political activity, or engage in other similar activities on USAG-HI installations. Posting or displaying candidate or party name signs or marquees anywhere on installation owned property is not permitted.

b. Prohibitions on the activities defined in this paragraph extend to the installation of Fort DeRussy (encompassing the Hale Koa Hotel and grounds) in Waikiki, as well as all sidewalks and roadways on Fort DeRussy property.

c. The Honolulu Police Department (HPD) has primary responsibility to police all City-owned areas, as well as to assist with primary law enforcement obligations in the public-accessed, non-patron areas, of Fort DeRussy.

3-13. Meetings on Army Installations. Individuals will not participate in, hold, or cause to be held any assembly, gathering, or meeting on a USAG-HI installation, which:

a. Is prohibited by law or lawful regulation.

b. Could interfere with or prevent the orderly accomplishment of the installation's mission or that represents a clear danger to the loyalty, morale, or discipline of the troops.

3-14. Solicitation. Individuals will not conduct commercial solicitations on USAG-HI installations, except as authorized under AR 210-7.

a. Residents of Island Palm Communities who wish to engage in home based businesses will seek permission from the Business and Non-Profit Liaison, DFMWR, 656-0083.

b. Individuals will not use an official bulletin or any other notice, official or unofficial, to announce the presence and availability of a commercial agent.

c. Individuals may conduct authorized solicitations on an individual basis and by appointment only; individuals will not solicit military personnel and civilian employees during the hours they are on duty. Any approved solicitation of military personnel who live in Island Palm Communities will occur only at their respective quarters. Individuals may conduct authorized solicitation of enlisted personnel quartered in Unaccompanied Personnel Housing only upon approval of, and at a place designated by, the unit commander. Solicitors must comply with AR 210-7 to include the prohibition against door-to-door sales.

d. Individuals subjected to improper solicitations should inform the Directorate of Emergency Services promptly.

3-15. Fundraising. Fundraising activities on USAG-HI installations require prior written approval of the USAG-HI DFMWR, except for Army Emergency Relief Fund drives authorized by AR 930-4 and Combined Federal Campaign drives in compliance with Chapter 3, AR 600-29. For more information, visit the DFMWR fundraising website at: <http://mwrarmyhawaii.com/support-services/fundraising>. All fundraising activities must comply with Policy Memorandum USAG-HI-18, Fundraising on USAG-HI Installations.

3-16. Posting or Display of Advertisements. Permission from the USAG-HI Commander is required for posting or displaying advertisements or banners in the Schofield Barracks Area (to include Wheeler Army Airfield, Helemano, Mokuleia, Makua, Mendoca Park and Waianae-Kai) and Fort Shafter Area (to include Fort DeRussy, Aliamanu, Red Hill and Tripler). Advertisements must be of community or troop interest and of weather-resistant construction.

3-17. Resale of Exchange and Commissary Goods. Items purchased from commissaries or exchanges are for the personal use of the military purchaser, his or her Family members, or for use as bona fide gifts. Bona fide gifts are personal in nature and given for a customary or special occasion. Purchasers will not transfer merchandise obtained from a commissary or Post Exchange to unauthorized persons. Purchasers will not resell items purchased from exchanges or commissaries to unauthorized persons, whether or not the resale is for a profit. Individuals will not purchase items from exchanges or commissaries with the intent to sell or give such items to unauthorized persons.

3-18. Use of Bicycle, Skateboard, Scooter, Hover Boards, Segway's, Roller or In-Line Skates. Bicycle helmets approved by the Consumer Product Safety Commission will be worn by all personnel, including Family members, who ride bicycles on USAG-HI installations. Wearing approved protective headgear is mandatory while using powered and non-powered scooters, skateboards, roller skates, and roller blades. Hand, elbow, and knee protection is highly recommended for these type of activities. Skateboarding,

riding child/toy scooters, roller and in-line skating are prohibited on USAG-HI installations as follows:

- a. Upon any roadway with a speed limit of 20 MPH or greater.
- b. Inside public buildings or upon lanais and covered walkways of public buildings.
- c. In or on drainage ditches.
- d. On sidewalks.
- e. Upon any roadway portion or other place designated and posted as a “No Skateboarding” zone.
- f. Upon roadways between sunset and sunrise.
- g. Upon the PX and commissary parking lots during hours of business.
- h. No person shall ride a bicycle, skateboard, child/toy scooter, roller or in-line skates upon any sidewalk, roadway, parking lot or parking garage at Fort DeRussy.

3-19. Control of Children. Military personnel and/or their spouses with Family members on USAG-HI installations must properly control and supervise these Family members at all times.

a. Children, other than groups with an adult sponsor present, will not camp out on a USAG-HI installation, except in yards of quarters. Military sponsors are responsible for the conduct of children camping in their yard. Written requests for sponsored groups to use training areas for camping must go through the DPW, Real Estate Office for a permit. The DPW will coordinate with the Public Affairs Office and USAG-HI Administrative Law if necessary. The group will then coordinate with Range Control to schedule and ensure they meet all of our requirements to use training areas.

b. Individuals must adhere to child supervision guidelines in accordance with Policy Memorandum USAG-HI-34, Child Supervision Policy for Army Installations in Hawaii.

c. Juveniles will not involve themselves in wanton destruction, vandalism, violation of existing Army regulations, or violation of existing Hawaii laws while on a USAG-HI installation. Unemancipated Juveniles (ages 10 - 17) visiting or residing within the jurisdictional limits of USAG-HI who are involved in dangerous, disruptive, disorderly, or criminal conduct may be required to attend the Juvenile Review Board. This board consists of a group of individuals responsible for hearing cases of alleged misconduct and imposing appropriate administrative action.

3-20. Unauthorized Guests in Island Palm Communities Quarters. Only Soldiers, spouses, Family members, or other authorized residents may occupy Island Palm Communities quarters on USAG-HI installations.

a. Soldiers will request written approval for guests to reside in Island Palm Communities quarters when guest(s) stay(s) more than 30 days. Sponsors will submit requests, including the guest's name, age, sex, relationship, and duration of stay, to the Island Palm Communities.

b. Military or Family members, if eligible for, but not occupying Island Palm Communities quarters on Oahu, will not board in Family housing for more than 7 days.

c. All convicted sex offenders must follow procedures outlined in US Army Hawaii Policy Letter #18- Sex Offender Registration and Residency.

3-21. Pets. General Prohibitions.

a. Individuals will not abandon animals on or outside USAG-HI installations.

b. Feeding of feral animals is prohibited.

c. Individuals will not raise or breed pets housed on USAG-HI installations for consumption or commercial purposes.

d. Pets are not allowed on Fort DeRussy except for seeing-eye dogs and service animals.

e. Aquarium fish are the only authorized pets in Unaccompanied Soldier Housing. Aquarium tanks in Unaccompanied Personnel Housing must be smaller than 5 gallons or have dimensions smaller than 16 inches in length, 8 inches in width and 10 inches in height.

f. The housing or boarding of wild animals, farm animals, and exotic animals (examples: pigs, rats, mice, chickens, monkeys, reptiles, spiders, snakes) in or outside Island Palm Communities quarters is prohibited.

g. The housing or boarding of any aggressive or potentially aggressive dog breed, unless the dog is a certified military working dog that is being boarded by its handler/trainer, in or outside Island Palm Communities quarters is generally prohibited IAW Policy Memorandum 36, Prohibited Dog Breeds on USAG-HI Installations.

h. Dog fighting for sport or dogs participating in canine "blood sport" fighting is illegal in Hawaii.

i. Individuals will not intentionally maul, torture, mutilate, injure, or kill any domestic animal. Euthanasia of a domestic animal by a veterinarian is authorized.

j. Licensing and Registration.

(1) Pet owners residing on USAG-HI installations will register dogs and cats, housed on USAG-HI installations, with the Fort Shafter or Schofield Barracks Veterinary Treatment Facility (VTF) within 14 days after the pet arrives on the installation. At the time of registration, owners must present a rabies certificate of vaccination to the VTF.

(2) Dog owners must register dogs over 4 months old with the City and County of Honolulu. Register dogs at the City Licensing Department, 1041 Nuuanu Street, Honolulu, HI 96817, or at any satellite city hall.

(3) Owners must immediately report changes to pet registration to the appropriate VTF.

(4) Island Palm Communities residents will register pets with their Island Palm Communities community center.

k. Control and Care of Domestic Animals. Owners of domestic animals are responsible for the security, care, and behavior of their pets.

(1) Pets must be completely under control at all times. Outdoor pets that are unsupervised must be contained within a fenced area. Pets leashed, but not contained within a fenced area must be supervised at all times. Pets must not be left tied anywhere or left unattended in carports or garages. Pets are strictly prohibited from running loose.

(2) Control animals to the extent necessary to prevent loud or continuous noises, annoyance, littering, destruction of plants or other property, and injury or disease to people and other animals.

(3) Report animal bite or scratch incidents to the Provost Marshal. Following an incident, such animals are subject to a 10-day quarantine at home or the VTF, at the discretion of the veterinarian.

(4) Ensure close control of female pets in season (heat) to prevent a gathering of other animals.

(5) Ensure that animals defecate only in the owner's yard. Owners must also pick up, bag, and place feces in a garbage can daily. In the event an animal owned by, or under the control of, a person defecates upon other grounds, the person will immediately pick up, bag, and place the feces in a garbage can.

(6) All dogs and cats must wear pet collars. Pet collars must have a current rabies immunization tag attached.

(7) All cats and dogs kept on USAG-HI installations or in Island Palm Communities are required to have an identification microchip implanted under their skin IAW Policy Memorandum USAG-HI-35, Army Installation Microchip Program. This requirement is consistent with the State of Hawaii Department of Agriculture Administrative Rules on animal identification and registration. Upon initial screening and registering pet with VTF, if the pet does not have a microchip, pet owners have 90 days to comply with the microchip policy. Microchips can be obtained from any military VTF or a local veterinarian.

(8) Ensure maintenance of pets in a humane manner. Provide adequate shelter from heat, cold, sun, and rain while kept outside; maintain a high level of sanitation where animals are housed; provide adequate quantities of food and water; immunize pets; do not leave pets unattended inside motor vehicles; arrange for pets to receive care while the owners are away from home longer than 24 hours.

I. Penalties. Failure to comply with pet ownership and control requirements may, in addition to other administrative or punitive action, result in impoundment or removal of pets and loss of the privilege to have pets in Island Palm Communities housing on USAG-HI installations, or termination of Island Palm Communities quarters. Island Palm Communities and the USAG-HI Commander retain authority to require the removal of any animal from Island Palm Communities quarters.

Chapter 4

Debarments

4-1. Purpose. This chapter sets forth guidance for issuing prohibited entry orders to individuals who are titled or charged for misconduct, or whose presence is contrary to good order and discipline. Such individuals include DoD affiliated and non-affiliated individuals, active and reserve component military personnel, military retirees, Family members, appropriated and non-appropriated fund federal government employees, non-affiliated recipients, and all others identified as persons to be excluded from the installation for cause.

4-2. Policy. A bar order may be issued when an individual's misconduct, whether on or off post, establishes that his or her continued presence on the installation is not in the best interests of the Army or adversely affects the maintenance of good order and discipline. A bar order becomes effective the date the order is issued. If an individual violates an order not to reenter an installation, he or she may be prosecuted for criminal trespass and subject to both fine and imprisonment. Title U.S.C. § 1382 makes it

unlawful to reenter an Army post after having been “ordered not to reenter by any officer or person in command or charge” of the installation.

4-3. Responsibilities.

a. The Senior Commander retains the authority to exclude individuals from a military post to assure the health, safety, and security of those who live and work on the installation or to protect property. The Senior Commander also retains the authority to review whether a case with compelling circumstances warrants imposing a penalty more or less severe than the normal course of action. Such alternative course of actions may include issuing a warning letter in lieu of barring an individual or issuing a longer debarment period than typically prescribed to the offense.

b. The Commander, USAG-HI, and the Commander, USAG-PTA, are authorized to issue bar orders following the procedures below. The Directorate of Emergency Services, Provost Marshal Office, and the USAG-HI Community Compliance Office are authorized to carry out the administrative and ministerial functions necessary to process bar orders. These offices will review incidents of misconduct and requests for bar orders from units or law enforcement personnel within their areas of responsibility. The bar orders will be processed according to the procedures below.

c. Commanders in the grade of O-6 are authorized to issue bar orders to enlisted Soldiers in their command who are separated pursuant to AR 635-200, chapter 14. Commanders will demonstrate discretion in issuing bars and determining their duration, considering all relevant case-specific factors to include the nature and gravity of the underlying offenses which form the basis of the separation. The unit’s servicing legal office will obtain and use template bar orders from the USAG-HI Community Compliance Office. If the Soldier is present for their separation, units will obtain written acknowledgment of the bar orders, effective upon discharge, from the separated Soldier and provide a copy of the bar order and written acknowledgment to and processed by the Directorate of Emergency Services, Provost Marshal Office, and the USAG-HI Community Compliance Office pursuant to paragraph 4-4 of this regulation.

4-4. Procedures.

a. Types of Bars: Generally, there are 2 types of bars: (1) Standard Bar, which is where an individual is barred from any access to the installation and (2) Limited Bar, which is where an individual retains limited privileges to reenter the installation under certain circumstances. The type of bars individuals receive depends on their status. For individuals with more than one status, the least restrictive type of bar should be issued. Bars should be issued as follows:

- (1) A civilian not affiliated with the military receives a standard bar order.

(2) Military Family members and retirees receive limited bar orders that are narrowly tailored to authorize the individual access directly to and from emergency medical treatment and scheduled medical appointments. Except for urgent or emergency medical treatment, notification must be made to the Military Police Desk Sergeant not less than 24 hours prior to entering the installation for any of the aforementioned reasons and again when leaving the installation.

(3) DoD appropriated employees receive limited bar orders authorizing access to Army installations to the extent necessary to perform their official duties or to defend against related adverse actions. Any other government employee, such as non-appropriated DoD, non-DoD Federal, State of Hawaii and City and County employees with installation access should be brought to the USAG-HI Commander to determine the type of bar or whether their employing agency would prefer to relieve them of their on-post duties before issuing a bar.

(4) Service members receive a narrowly tailored bar providing exceptions that may be applicable to that person, and the bar cannot prohibit entry to the installation he or she is assigned or attached. Moreover, if a Soldier is being involuntarily separated from military service with a punitive discharge or unfavorable characterization of service, commanders should submit a request to bar if the underlying misconduct warrants. Ideally, such a request should be made in advance of the separation date so that the memorandum can be presented to the Soldier in person.

b. Predetermined Length of Bar for Particular Offenses. A single act of misconduct, occurring on or off post, may justify a bar order. For offenses listed below in which a Central Violations Bureau form (previously DD Form 1805) is issued, a Military Policy Report (MPR) (DA Form 3975) is generated, or equivalent reports are prepared by civilian law enforcement authorities, the period of exclusion is specified below:

(1) Indefinite Bar (until senior commander gives individual written permission for reentry):

- Arson
- Aggravated Assault Offenses (felonies)
- Burglary/Housebreaking
- Counterfeiting /Forgery
- Property Destruction or Damage (over \$500)
- Drug/Narcotic Distribution Offenses
- Embezzlement /Fraud Offense
- Criminal Homicide (murder and non-negligent homicide)

Kidnapping /Abduction
Motor Vehicle Theft
Prostitution
Robbery
Sexual Offenses (i.e. rape, sodomy, sexual assault, sexual abuse, sex with a minor, possession or production of child pornography)

(2) Period Specified Bar (3 Years)

Assault (simple battery)
Uttering Bad Checks
Disorderly Conduct/Public Drunkenness/Liquor Law Violations
Driving Under the Influence
Illegal Drug Possession/Paraphernalia
Indecent Exposure/Voyeurism
Larceny/Theft/Shoplifting Offenses (\$100 or over)
Destruction or Damage Under \$500
Receiving Stolen Property
Resisting Arrest
Repeated pattern of minor criminal misconduct – three or more titled (or charged) offenses
Terroristic Threats
Trespassing
Vandalism (mischief)

(3) Period Specified Bar (2 Years)

Larceny/Theft/Shoplifting Offenses (under \$100)

(4) All other instances warranting exclusion from the installation, including bar orders issued by other services, will be reviewed by the Office of the Staff Judge Advocate, 25th Infantry Division, Administrative Law Section, and USAG-HI, prior to forwarding for appropriate further action, if any.

c. Upon issuance of a bar, Military Police desk personnel will enter the information in the Centralized Operations Police Suite (COPS) system. A copy of the bar will be attached to the MPR, one copy forwarded to the issuing commander's office with supporting documentation, and one copy issued to the offender being barred. Ensure the personal delivery of the bar order to the offender when released from MP custody, or dispatch the bar order by certified mail, return receipt requested. Once the bar order has been issued, provide copies of the bar order to the "Copy Furnished" addressees on the bar order. If the bar order is returned by the Postmaster as undeliverable, send a

copy of the letter to the MP operations section responsible for police operation in the area where the incident that led to a bar order occurred. If the offender of the bar order reappears on post, law enforcement personnel will serve the bar letter on him or her, and obtain a signed receipt as proof of delivery. The recipient will immediately be escorted off post. The MPs will then notify the initiating commander of the details of the delivery. After receiving this notification, the initiating commander will provide a copy to each of the "Copy Furnished" addressees.

d. Maintain a copy of the signed order, supporting evidence, proof of delivery, and all other related documents. Retain the documentation, even if the order is not approved or delivered, as it may support a later bar order if the individual commits further misconduct. Bar actions will be maintained on file for at least one year after the bar letter expires.

e. Notify individuals receiving bar orders of their right to submit evidence through offices requesting modification from standard bar to a limited bar based on their current status or future change in status (e.g., civilian enters active duty or marries a service member). Individuals may submit a request for reconsideration at any time. Commanders USAG-HI and USAG-PTA, in conjunction with the Office of the Staff Judge Advocate will evaluate reconsideration responses submitted by individuals who receive orders, and recommend appropriate action.

Appendix A References

Section I. Required References

10 United States Code (USC) § 831
Armed Forces, Uniform Code of Military Justice (UCMJ), Article 31, Compulsory self-incrimination prohibited.

10 USC § 912a
Armed Forces, UCMJ, Article 112a, Wrongful use, possession, etc., of controlled substances.

18 USC § 13
Crimes and Criminal Procedure, Laws of States adopted for areas within Federal jurisdiction.

18 USC § 1382
Crimes and Criminal Procedure, Entering military, naval, or Coast Guard property.

21 USC § 812
Food and Drugs, Schedule of Controlled Substances.

21 USC § 813
Food and Drugs, Treatment of Controlled Substance Analogues.

Hawaii Revised Statutes (HRS) § 132D
Fireworks.

HRS § 134
Firearms, ammunition and dangerous weapons.

HRS § 134-8
Ownership, etc., of automatic firearms, silencers, etc., prohibited; penalties.

HRS § 134-51
Deadly weapons; prohibitions; penalty.

HRS § 134-52
Switchblade knives; prohibitions; penalty.

HRS § 281-101.5
Prohibitions involving minors; penalty.

HRS § 329-1
Uniform Controlled Substances Act, Definitions.

HRS § 329-43.5
Prohibited acts related to drug paraphernalia.

HRS § 712-1250.5
Promoting intoxicating liquor to a person under the age of twenty-one.

Army Regulation (AR) 190-11
Physical Security of Arms, Ammunition, and Explosives, 05 Sep 2013.

AR 210-7
Personal Commercial Solicitation on Army Installations, 18 Oct 2007.

AR 215-1
Military Morale, Welfare, and Recreation Programs and Non-appropriated Fund Instrumentalities, 24 Sep 2010.

AR 215-8
Army and Air Force Exchange Service Operations, 05 Oct 2012.

AR 385-10
The Army Safety Program, RAR 27 Nov 2013.

AR 600-20
Army Command Policy, RAR 06 Nov 2014.

AR 600-25
Salutes, Honors, and Visits of Courtesy, 24 Sep 2004.

AR 600-63
Army Health Promotion, RAR 14 Apr 2015.

Secretary of the Army Memorandum, Prohibited Substances (Spice in Variations), 10 Feb 2011.

USARPAC Policy Memorandum 11-10, Policy on Prohibiting the Use, Possession, Distribution, and Purchase of Intoxicating Substances, 4 May 2011.

Department of Defense Form 2(ACT), Armed Forces of the United States - Geneva Conventions Identification Card (Active), Jul 74.