



DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON, FORT BLISS
1741 MARSHALL ROAD
FORT BLISS, TEXAS 79916-3803

AMIM-BLG-ZA (190-45g2)

26 October 2021

POLICY MEMORANDUM # 21

SUBJECT: Command Policy on Installation Shoplifting

1. References:

- a. DoDI 5105.55, Defense Commissary Agency, March 12, 2008
- b. AR 190-45, Law Enforcement Reporting, September 27, 2016
- c. AR 215-8, Army and Air Force Exchange Service Operations, October 5, 2012
- d. AR 215-1, Military Morale, Welfare, and Recreation Programs and Nonappropriated Fund Instrumentalities, September 24, 2010
- e. DECA Directive 30-18, Defense Commissary Agency Security Programs

2. Purpose: Theft of Defense Commissary Agency (DECA), Army and Air Force Exchange Service (AAFES), or Morale, Welfare, and Recreation (FMWR) merchandise or other assets by shoplifting is an abuse of Department of Defense cardholder privilege. This document establishes policy for the administrative disposition of individuals apprehended for shoplifting on Fort Bliss, TX.

3. Enforcement: When DECA, AAFES, or MWR staff detain a subject they suspect of shoplifting, an employee will immediately contact the Directorate of Emergency Services – Police Service Division (DES-PSD) to request assistance. To the best of their ability, the employee responsible for the detention will maintain control of the subject and any evidence gathered as a result of the alleged theft until DES-PSD responds.

4. Procedures: DES-PSD will process the subjects pursuant to the following procedures:

- a. Soldiers are titled on a Law Enforcement Report. Soldiers are subject to prosecution pursuant to the Uniform Code of Military Justice.
- b. Civilians and Family Members who shoplift an amount less than \$100 are issued a Central Violations Bureau (CVB) ticket. The CVB will process the ticket issued to Civilians and Family Members pursuant to CVB procedure.

c. DES-PSD apprehend Civilians and Family Members who shoplift an amount equal to or greater than \$100 and escort the subject to DES-PSD for processing. These individuals are subject to prosecution by the Special Assistant United States Attorney.

5. AAFES: AAFES shoplifters are subject to a mandatory \$200 civil recovery fee, regardless of the value of the merchandise.

6. Revocation of Privileges:

a. DECA, AAFES, and MWR personnel will complete a Memorandum for Record – Revocation of Post Exchange Privileges (MFR-RPEP). This document will include the date and description of the incident, the subject's name, the sponsor's identification card number, and the subject's right to appeal. Employees of each directorate will provide a copy of the MFR-RPEP to all shoplifters. DECA, AAFES, and MWR will provide a copy of the MFR-RPEP to DES-PSD at the time of the shoplifting incident.

b. Every 1st and 15th of each month, DECA, AAFES, and MWR will provide the MFR-RPEP of all subjects identified for shoplifting in the previous two weeks to the Directorate of Human Resources-Identification (DHR-ID) Card Section and Office of the Staff Judge Advocate.

c. Subjects will lose DECA, AAFES, and MWR privileges for a period of six (6) months following the date of the shoplifting offense. Persons who lost DECA, AAFES, and MWR privileges shall not enter into any DECA, AAFES, or MWR facility until privileges are reinstated. As an exception, subjects who are active duty uniformed personnel may be allowed controlled access to the Commissary and PX to satisfy personal appearance, health, and sanitary requirements. Upon availability, a Non-Commissioned Officer will escort the subject. Suspended persons caught entering DECA, AAFES, or MWR facilities are subject to criminal trespassing charges.

d. The MFR-RPEP will instruct the subject to report to DHR-ID Card Section to receive a restricted ID card. The restricted ID card will remove DECA, AAFES, and MWR privileges. The subject must receive the restricted ID card within three weeks of the date of the shoplifting incident. If the subject does not report to the ID Card Section within three weeks, the ID Card Section will terminate the subject's installation access on the twenty-first (21) day following the incident.

7. Reinstatement of Privileges:

a. On appeal, the Garrison Commander may reinstate privileges within the six (6) month revocation period for cogent and compelling reasons.

b. After six (6) months from the date of the shoplifting incident, the subject may return to the ID Card Section for reinstatement of an ID card with DECA, AAFES, and MWR privileges.

8. Multiple Offenses: If a subject has committed two or more shoplifting offenses in a five year period, the Garrison Commander may issue a permanent revocation of privileges. On appeal, the Garrison Commander may reinstate the subject's privileges for cogent and compelling reasons after 24 months of the second incident of shoplifting, provided the subject has fully paid all applicable claims and fees.

9. Availability: A copy of this policy will be posted in DECA, AAFES, and MWR facilities, and made available upon request. The proponent of this policy is the Office of the Staff Judge Advocate.

//Original Signed//
JAMES A. BRADY
COL, IN
Commanding