



UNITED STATES MARINE CORPS

3D ASSAULT AMPHIBIAN BATTALION
1ST MARINE DIVISION, FMF
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In Reply Refer To:
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BNCO
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COMMANDING OFFICER'S POLICY LETTER 08-11

From: Commanding Officer, 3D Assault Amphibian Battalion
To: Distribution List

Subj: PRE-TRIAL RESTRICTION (PTR)

1. Purpose. To establish guidelines regarding placement of Marines on pre-trial restriction.

2. Background. It goes without saying that 3d Assault Amphibian Battalion Marines perform outstandingly day in and day out, but there are a select few who do not. These offenders dishonor our battalion, our division, and our Corps and they will be dealt with in a fair, but firm manner in which Company 1stSgt's must enforce. The following outlines the Battalion's policy to handle the more severe offenders of the UCMJ.

3. Applicability. This policy is applicable to all Marines and Sailors of 3d Assault Amphibian Battalion.

4. Policy.

a. Marines who are suspected of violating Articles 112a (drugs) or 86 (desertion/UA - over 30 days where they return on their own) and are pending special court-martial (SPCM) or higher will be considered for PTR for the purpose of preventing future serious misconduct and or ensuring their presence at trial.

b. Other court-martial offenses that rise to the level of special court-martial will likewise be considered on a case by case basis for PTR as their circumstances warrant.

c. Continued PTR will be approved solely by the Commanding Officer. Placement on PTR will be handled in the same administrative manner as pretrial confinement (PTC) with written notice/restriction papers and formal review by the BN CO within 7 days of placement on PTR to ensure fairness and need for continued PTR

d. PTR will be reviewed on a case by case basis. Every case is different and each case will be considered with meticulous attention considering the unique facts and circumstances associated.

e. The conditions of PTR may require but are not limited to:

- Marines will check in with the Battalion Officer On Duty every four hours, specifically on days at 1800 and 2145 and on non-duty days at 1000, 1400, 1800, and 2145.
- Marines will refrain from alcohol purchase, possession, or usage/ingestion.

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- Marines to remain within the limits of the 21 Area.
- Marines will not operate motor-vehicles.
- Marines to remain in uniform of the day outside their quarters.
- And any other conditions which may apply specifically to the case in question.

Note: Marines will be allowed unfettered access to area facilities (exchange, gym, chow, SMP club, etc...).

f. In the case where a Marine is referred to a SPCM and receives a pre-trial agreement (PTA) which pleads his case down to a Summary Court-Martial (SCM) or Bn NJP, the Marine's case will immediately be reviewed by the BN CO to determine whether continued PTR is appropriate.

g. Marines who are on PTR and subsequently are suspected of serious violations of the UCMJ may be placed in PTC as PTR has proven insufficient to prevent the commission of future serious misconduct.

h. Pretrial restraint is **NOT** punishment and shall not be used as such. Marines placed on PTR pending trial will not be subject to punishment or penalty of any kind, to include EPD.

5. Promulgation. This policy is effective upon signature. The point of contact for this matter is the Adjutant at 725-2619.


H. F. HALL