



# CRIME AND PUNISHMENT

VOLUME II, ISSUE 8

AUGUST 2017

## NONJUDICIAL PUNISHMENT

### ARTICLE 15 ACTIONS

During the month of July 2017, JBSA Commanders administered 6 nonjudicial punishment actions under Article 15 of the UCMJ. The punishments imposed reflect the commander's determination of an appropriate punishment after considering the circumstances of the offense and the offender's record. A "suspended" punishment does not take effect unless the offender engages in additional misconduct or fails to satisfy the conditions of the suspension. The suspension period usually lasts six months unless a lesser amount is specified. The following are the NJP actions that closed out during the month of July.

**Dereliction of Duty x 3:** An Airman First Class in technical training was in possession of alcohol while under the age of 21, was late for accountability, and visited a hotel off base without proper authorization. The member received a reduction to Airman Basic, forfeitures of \$799 pay for two months (suspended), 30 days restriction, and a reprimand.

**Dereliction of Duty:** An Airman Basic in technical training abused over the counter medication. The member received forfeitures of \$799 pay per month for two months (1 month suspended), 14 days extra duty, 14 days restriction, and a reprimand.

**Failure to Obey Lawful Order x 2:** A technical sergeant failed to obey a lawful order. The member received a reduction to Staff Sergeant, forfeitures of \$1,616 pay (suspended) and a reprimand.

**Unprofessional Relationship:** A technical sergeant engaged in a unprofessional relationship with a co-worker. The member received a reduction to Staff Sergeant, forfeitures of \$1,616 pay (suspended) and a reprimand.

**Failure to Obey Lawful Order x 2:** A Staff Sergeant failed to obey a lawful order. The member received a reduction to Senior Airman, forfeitures of \$1,267 pay (suspended) and a reprimand.

**AWOL:** An Airman First Class failed to report to his assigned duty location at the time prescribed. The member received a reduction to Airman (suspended), 30 days extra duty and a reprimand.

### Military Justice POCs

**JBSA Lackland (37 TRW, 59 MDW and LAK Mission Partners)**

(671-2007)

*Capt Rob Waldrup (Courts)*

*Capt Stacie Persons (Courts)*

*Ms. Karen Dreitzler (Courts)*

*Capt Tony Rock (NJP)*

*TSgt Stephan Williams (NJP)*

**JBSA Fort Sam Houston (502 ABW and FSH/CB Mission Partners)**

(221-2032)

*Capt Kelly Rodriguez*

*SSgt Linae Totten*

**JBSA Randolph (12 FTW and RND Mission Partners)**

(652-9673)

*Capt Samantha McClure (Courts)*

*Capt James Dawkins (NJP)*

*SSgt Margo Walker*

*After Hours On-Call JAG—295-0064*

# Court Member Selection Process

At some time in your military career, you may be detailed to sit as a member of a court-martial. Court members serve essentially the same function in a military court-martial as jurors serve in civilian courts. When serving as a court-martial member, that service becomes the primary duty of that Airman until the close of the trial.

## Selection

- When convening a court-martial, the convening authority personally selects members who are “best qualified” for this duty. Pursuant to Article 25(d)(2) of the UCMJ factors used in court member selection include: age, education, training, experience, length of service, and judicial temperament.
- Prior to sitting as a member in a court-martial, court members are usually asked to complete a court member data sheet with personal and professional information. This data sheet provides counsel for both sides in information about a member’s background and assists them in determining whether there is reason to excuse that particular member from sitting on the court.

- Once detailed to sit on a court-martial, a member must avoid allowing others to speak about upcoming cases in their presence to maintain impartiality

## Excusal

Excusal Requests Prior to Trial: Requests to be excused from court member duty *should be* based on good cause.

- Requests should be written and forwarded to the convening authority through his/her staff judge advocate (SJA)
- Members detailed to a court-martial should not depart the local area on leave or on temporary duty assignment (TDY) without coordination with the SJA unless they have been properly relieved from duty

Excusal Requests During Trial: After the court-martial is assembled, the convening authority may only excuse court members for good cause.

## COURTS-MARTIAL AT JBSA IN JULY 2017

**There were no courts-martial conducted during the month of July, 2017.**

**Court member nominations deadline: 25 August, IAW JBSA OPORD 17-003**

- JBSA-Fort Sam, JBSA-Camp Bullis, and JBSA-Lackland commanders will nominate 100% of qualified AF officers and 5% of qualified AF enlisted members who are suitable for duty.

- JBSA-Randolph commanders will nominate 50% of qualified AF officers and 5% of qualified AF enlisted members who are suitable for duty.

***Please contact your Military Justice POCs with any questions.***