



# CRIME AND PUNISHMENT

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## NONJUDICIAL PUNISHMENT

### ARTICLE 15 ACTIONS

During December 2015, JBSA commanders administered 16 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 for six months unless a lesser amount is specified. The following are some of the NJP actions that closed out in December.

**Aggravated Sexual Contact** – An Airman in technical training touched through the clothing the buttocks, inner thigh, and groin of another technical training student. The member received a reduction to the grade of airman basic, 45 days restriction, 45 days extra duty and a reprimand.

**Dereliction of Duty: Willful** – An Technical Sergeant failed to properly submit the beginning and ending of his leave on several occasions. The member received suspended forfeiture of \$713.00 pay and a reprimand.

**Dereliction of Duty: Willful** – A Staff Sergeant failed to adhere to a no-contact order given by the squadron commander. The member received a suspended reduction to the grade of senior airman, forfeiture of \$1,225.00 pay and a reprimand.

**Damage to Government Property** – An Airman First Class in technical training unlawfully caused damage to a window by striking it with his fist. The member received forfeiture of \$911.00 pay, 10 days restriction, 10 days extra duty and a reprimand.

**Dereliction of Duty: Willful** – An Airman First Class was accused of providing alcohol to a minor. For this misconduct, the member received a reduction to E-2, forfeiture of \$867.00 for two months (suspended), and a reprimand. The member's suspension of forfeiture of \$867.00 for two months was later vacated after the member was found smoking while in technical training.

**AWOL** – An Airman First Class in technical training failed to stay at his appointed place of duty. The member received a suspended reduction to the grade of airman, fourteen days restriction, fourteen days extra duty and a reprimand.

**Dereliction of Duty: Willful** – An Airman was accused of cheating during a test in technical training. For this misconduct, the member received a reduction to E-1, forfeiture of \$773.00 for two months (one month) suspended, and a reprimand.

**Dereliction of Duty: Willful** – An Airman Basic in technical training entered into the dormitory of the opposite sex without the proper authority. The member received forfeiture of \$773.00 pay per month for two months, 45 days restriction, 45 days extra duty and a

reprimand.

**Dereliction of Duty: Willful** – An Airman First Class in technical training failed to stay inside the dormitory during the hours of 2000-0400. The member received fourteen days restriction, fourteen days extra duty and a reprimand.

**Dereliction of Duty: Willful** – An Airman First Class in technical training possessed and consumed alcohol while under the age of 21. The member received 14 days restriction, 14 days extra duty and a reprimand.

### Military Justice POCs

#### JBSA Lackland (671-2007)

*Capt Chris Porter (Courts)*  
*Capt Matthew Blyth (NJP)*  
*Karen Dreitzler*

#### JBSA Fort Sam Houston (221-2032)

*Capt Enisa Dervisevic*  
*TSgt Andrea Simmonds*

#### JBSA Randolph (652-9673)

*Capt Eliot Peace*  
*SSgt Nelly Hensley*

#### After Hours On-Call JAG

*JBSA Lackland - 210-288-7379*

*JBSA Fort Sam - 210-317-8738*

*JBSA Randolph - 210-275-2453*

## **Expedited Transfers (AFI 90-6001, SAPR Program, Chapter 11)**

An ET provides victims who file an unrestricted report of sexual assault the option of a permanent change of station (PCS) or a temporary or permanent change of assignment (PCA) to a location that will assist with the immediate and future welfare of the victim, while also allowing them to move to locations that can offer additional support to assist with healing, recovery, and rehabilitation. Here, in the training environment, additional challenges are encountered if an ET is necessary to assist a victim of sexual assault because of course timings, and career –specific course availability. Special consideration is taken here at JBSA to ensure that the goals of the ET program can be maximized while allowing individual Airmen to obtain their career goals in the best way possible.

In order for an ET to be approved, a victim of sexual assault must make a credible unrestricted report of sexual assault. Once a report is made to a SARC, SAPR VA, VVA, SVC, or SQ/CC, the process of an ET will be fully explained to a victim. The moves can be permanent or temporary and depend on the best location for a victim to go in order to maintain his/her training/career progression while still being able to build resiliency. The option also exists for an offender to also PCS/PCA after a report to allow a victim to stay within his/her home environment. These types of transfers are made after the offender's commander, and the installation commander, and AFPC will consider many factors when determining if this is the best course of action.

If you have any questions surrounding the ET program, please reference the AFI 90-6001, or your local SARC office, or the SARC hotline 210-808-7272.

## **COURTS-MARTIAL AT JBSA IN DECEMBER 2015**

US v. SrA Benjamin C. Todd, 93d Intelligence Squadron, JBSA-Lackland, Texas, was tried by general court-martial on 2 Dec 15 at JBSA-Lackland, Texas. SrA Todd pled and was found guilty of three specifications of possessing child pornography in violation of Article 134, UCMJ. The military judge sentenced SrA Todd to reduction to E-1, five months confinement and a bad conduct discharge.

US v. SSgt Leonardo E. Aguirre-Obregon, Air Force Medical Operations Agency, JBSA-Lackland-Kelly, Texas, was tried by a general court-martial consisting of a military judge on 8 Dec 15 at JBSA-Lackland, Texas. SSgt Aguirre-Obregon pled and was found guilty of three specifications of assault of a child under the age of 16 years in violation of Article 128, UCMJ. The military judge sentenced SSgt Aguirre-Obregon to reduction to the grade of E-1, forfeiture of all pay and allowances, 24 months confinement and a dishonorable discharge.

US v. SSgt Raymond L. Oliver III, 341st Recruiting Squadron, JBSA-Lackland, Texas, was tried by special court martial consisting of a military judge on 29 Dec 15 at JBSA-Lackland, Texas. SSgt Oliver pled and was found guilty of one specification of wrongful use of methamphetamine in violation of Article 112, UCMJ. The military judge sentenced SSgt Oliver to reduction to E-1, two months confinement and a bad conduct discharge.

US v. A1C Tyler S. Gibson, 624th Operations Center, JBSA-Lackland, Texas, was tried by summary court martial on 18 Dec 15 at JBSA-Lackland, Texas. A1C Gibson pled and was found guilty of one specification of wrongful use of marijuana and one specification of wrongful use of Xanax in violation of Article 112, UCMJ. The summary court officer sentenced A1C Gibson to reduction to E-1 and 30 days confinement.

**After sentencing, members can request clemency. In some cases, this can change the outcome of their case and/or sentence. All courts-martial are open to the public. Visit our USAF Public Docket website at <http://www.afjag.af.mil/docket/index.asp>.**