



CRIME AND PUNISHMENT

VOLUME I, ISSUE 8

JUNE 2016

NONJUDICIAL PUNISHMENT

ARTICLE 15 ACTIONS

During **May 2016**, 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. Administrative discharge may also be an option for commanders after the conclusion of an Article 15, depending on the circumstances. The following are some of the NJP actions that closed out in May. Decisions regarding discharge are not included.

Dereliction of duty, willful; conduct unbecoming an officer (x3) – A Lieutenant Colonel willfully failed to submit an accurate monthly log documenting his participation in his off-duty employment. Additionally, the officer made three false official statements to a Special Agent during an official investigation regarding the company he was working for during his off-duty employment. The officer received forfeitures of \$4,194.00 pay per month for two months and a reprimand.

Misbehavior of a sentinel— An Airman First Class abandoned his post while on duty. Punishment consisted of a reduction to the grade of Airman, 10 days extra duty, and a reprimand.

Wrongful use of a controlled substance – A Senior Airman wrongfully used marijuana. The member received reduction to Airman (E-2), forfeiture of \$391.00 pay with \$196.00 of the forfeited pay suspended, and a reprimand.

Larceny; Impersonating a Commissioned Officer – An Airman First Class stole a debit card from his roommate. Additionally, he impersonated a commissioned officer by publically wearing the uniform and rank insignia of a USAF captain. The member received reduction to Airman Basic and a reprimand.

Dereliction of Duty (Underage Drinking): Willful; Providing Alcohol to Minors – An Airman Basic consumed alcohol while under the age of 21 and provided alcohol to an underage Airmen. The member received extra duty for 45 days, restriction to base for 45 days, and suspended forfeiture of \$783.00 a month for two months.

Failure to Obey Lawful Order – An Airman Basic in technical training, refused to continue training in the Security Forces Apprentice Course despite a lawful order issued by her Squadron Leader. The member received forfeiture of \$783.00 pay, restriction to base for 30 days, and a reprimand.

Dereliction of Duty: Willful; False Official Statement – An Airman First Class, a Basic Military Trainee, consumed alcohol while in Basic Military Training and lied about it when ques-

tioned. The member received reduction to the grade of Airman and a reprimand.

Providing Alcohol to a Minor – An Airman First Class wrongfully provided alcohol to two underage airman. The member received reduction to the grade of Airman, suspended forfeiture of \$878.00 pay, and a reprimand.

Dereliction of Duty (Underage Drinking): Willful – An Airman First Class consumed alcohol while under the age of 21. The member received a reduction to the grade of Airman.

Military Justice POCs

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

(671-2007)

Capt Wade Tucker (Courts)

Capt Matthew Blyth (NJP)

Karen Dreitzler

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

(221-2032)

Capt Enisa Dervisevic

TSgt Andrea Simmonds

JBSA Randolph (12 FTW and RND Mission Partners)

(652-9673)

Capt Eliot Peace

SSgt Timothy Morin

After Hours On-Call JAG—295-0064

Victim Witness Assistance Program

The Victim Witness Assistance Program (VWAP) is governed by the Victim and Witness Protection Act of 1982, and the Victims' Rights and Restitution Act of 1990.

Each of JBSA's legal office operating locations have a civilian VWAP coordinator whose responsibilities include:

- Ensuring that ALL victims and witnesses understand their rights,
- Serving as a POC through which victims and witnesses may obtain information concerning services and assistance in securing available services, and
- Providing information to victims/witnesses about significant events during investigation, prosecution and punishment of a crime at the earliest possible time
- **HOWEVER, THEY CANNOT TAKE A RESTRICTED REPORT**

Our local VWAP Coordinators are:

JBSA-FSH, SSgt Loran Harding
2422 Stanley Road, Bldg 134
JBSA-Fort Sam Houston, TX 78234
210-808-0169



JBSA-LAK, Ms. Melinda Smith
1701 Kenly Ave, Suite 106
JBSA-Lackland, TX 78236
210-671-5731



JBSA-RND, Mr. Jonnie Queen
1 Washington Circle, Suite 6
JBSA-Randolph, TX 78150
210-652-3110



COURTS-MARTIAL AT JBSA IN MAY 2016

A1C TA, 2 AF, Det 1, A1C DW, 802d SFS, and A1C JW, 59 MDTs, JBSA-Lackland, were tried in a joint general court-martial consisting of a military judge, 9-13 May 16 at JBSA-Lackland. A1C TA pled not guilty of one specification of wrongful use of Dextromethorphan in violation of Article 92, UCMJ, two specifications of sexual assault in violation of Article 120, UCMJ and one specification of consuming alcohol under the age of 21 in violation of Article 134, UCMJ. A1C DW pled not guilty of two specifications of sexual assault in violation of Article 120, UCMJ, one specification of sodomy in violation of Article 125, UCMJ and one specification of consuming alcohol under the age of 21 in violation of Article 134, UCMJ. A1C JW pled not guilty of two specifications of sexual assault in violation of Article 120, UCMJ and one specification of sodomy in violation of Article 125, UCMJ. All members were acquitted of all charges and specifications.

A1C Ricardo Villarreal III, 37 TRSS, JBSA-Lackland, was tried by special court-martial consisting of a military judge on 6 May 16 at JBSA-Lackland. A1C Villarreal pled and was found guilty of one specification of wrongful use of cocaine in violation of Article 112, UCMJ. The military judge sentenced A1C Villarreal to reduction to E-1, forfeitures of \$1,000.00 pay per month for two months and 45 days confinement.

AB Avery Dorsey, 344 TRS, JBSA-Lackland, was tried by summary court-martial consisting of a summary court-martial officer (like a judge) on 5 May 16 at JBSA-Lackland, Texas. AB Dorsey pled and was found guilty of one specification of dereliction of duty (possessing and consuming alcohol under the age of 21) in violation of Article 92, UCMJ, one specification of wrongful possession of marijuana and one specification of wrongful use of marijuana both in violation of Article 112a, UCMJ. The summary court-martial officer sentenced him to 15 days confinement, 21 days of hard labor without confinement, restriction to base for 2 months, forfeiture of \$1,000.00 pay and a reprimand. The convening authority in the case approved only the legal limits of the sentence which was 15 days confinement, 30 days restriction to base, forfeiture of \$1,000.00 pay and a reprimand.

After sentencing, members can request clemency. In some cases, this can change the outcome of their case and/or sentence to something less severe. Acquittals are final results and the name of the accused member will be reduced to initials. All courts-martial are open to the public. Visit our USAF Public Docket website at <http://www.afjag.af.mil/docket/index.asp>.