

LAW & ORDER | The Office of the Staff Judge Advocate | November 2023

Good order and discipline are the foundation of mission success across our Armed Forces.

In an open letter to the force written in June 2023, Chief Master Sergeant of the Air Force JoAnne Bass explained, "what sets us apart from everyone else is a relentless adherence to standards... and this is what makes us the world's greatest Air Force!" To maintain standards across Edwards Air Force Base and Plant 42, we must hold ourselves, our teammates, and everyone else in our community accountable. Tools exist to promote good order and discipline, not just for military personnel, but all Airmen and even for non-DoD affiliated civilians simply passing through Edwards—good order and discipline are required from all living, working or visiting our military community. Below is an overview of actions taken and consequences imposed to enforce standards:

NONJUDICIAL PUNISHMENT (NJP)

Nonjudicial punishment (also referred to as an Article 15, in reference to the Uniform Code of Military Justice (UCMJ) which authorizes the action) is a tool that provides commanders with an essential and swift means of maintaining good order and discipline. A member must concur with using NJP as a forum addressing allegations of misconduct or demand trial by court-martial once NJP is offered by a commander. NJP is designed to promote behavioral changes in service members without the stigma that comes with a criminal conviction at trial. NJP lies between an administrative Letter of Reprimand and a court-martial on the spectrum of the continuum of discipline, whose ultimate goal is to promote rehabilitation of service members to motivate them to adhere to standards.

The following NJPs were effectuated at Edwards AFB during the third quarter of 2023:

An Airman First Class (E-3) assigned to 412 AMXS failed to go to their appointed place of duty on six different occasions in violation of Article 86, UCMJ (Failure to Go) and they made four false statements to their leadership in violation of Article 107, UCMJ (False Official Statement). The member received a reduction to the grade of Airman Basic (E-1), with reduction below Airman (E-2) suspended, and a reprimand.

A Staff Sergeant (E-5) assigned to 412 FSS attempted to falsely change their projected PCS departure date in an official personnel system without proper authorization, in violation of Article 92, UCMJ (Failure to Obey), and they made a false statement in violation of Article 107, UCMJ (False Official Statement). The member received a reduction to the grade of Senior Airman (E-4) and a reprimand.

An Airman (E-2) assigned to 412 OMRS provided an official a false doctor's note seeking a medical profile, in violation of Article 107, UCMJ (False Official Statement). The member received a reduction to the grade of Airman Basic (E-1) and a reprimand.



A Staff Sergeant (E-5) assigned to 412 SFS was derelict in the performance of their duties when they made unwanted and unprofessional comments and gestures towards a subordinate in violation of Article 92, UCMJ (Dereliction of Duty). The member received a reduction to the grade of Senior Airman (E-4), forfeitures of \$1519.00 pay per month for two months, suspended, and a reprimand.

A Major (O-4) assigned to 412 TW was derelict in the performance of their duties on multiple occasions when they failed to obtain proper commander authorization for a pay advance, when they engaged in unprofessional relationships with civilian subordinate personnel in violation of Article 92, UCMJ (Dereliction of Duty), and they fraternized with numerous enlisted service members on terms of military equality in violation of Article 134, UCMJ (Fraternization). The member received forfeitures of \$3,750.00 pay per month for two months and a reprimand.

ADMINISTRATIVE DISCHARGES

Involuntarily discharging a service member from the United States Air Force may be an appropriate action for a commander or civilian director to take when a member has demonstrated an inability to meet Air Force standards. Common basis for discharge includes, but are not limited to: drug abuse, sexual assault, a civilian court conviction, or a series of minor misconduct. Discharges can result in one of three service characterizations: honorable, under honorable conditions (general), and under other than honorable conditions.

The following discharge action was completed during the third quarter of 2023:

An Airman First Class (E-3) assigned to 412 AMXS was involuntarily discharged for minor disciplinary infractions. The member received a general service characterization.

FEDERAL MAGISTRATE COURT

The federal magistrate court program is run in conjunction with the United States Attorney's Office. Edwards Security Forces personnel are empowered to issue citations for traffic violations and criminal activities that occur on federal land. Those actions are then prosecuted in Federal Magistrate Court by judge advocates with the 412 Test Wing Office of the Staff Judge Advocate appointed as Special Assistant United States Attorneys. This tool is primarily useful to ensure enforcement of standards amongst civilians, including military dependents, DoD employees, contractor employees, and any other civilian present on Edwards AFB or Plant 42 who commits traffic violations or crimes on our federal reservations. By contrast, violations of traffic laws and the criminal code by service members are addressed under the UCMJ.

The following magistrate court citations were closed out during the third quarter of 2023:

36 civilians were cited for speeding. They received an average fine of \$250.00.

A civilian was cited for driving in excess of 100 mph. They were fined \$535.00.

2 civilians were cited for failing to stop at a stop sign. They received an average fine of \$180.00.

2 civilians were cited for not having their drivers' licenses in possession. They received an average fine of \$180.00.





A civilian was cited for having an open container of alcohol in their vehicle. They were fined \$330.00.

A civilian was cited for not having license plates displayed, front and rear. They were fined \$155.00.

A civilian was cited for having unlawful material on a vehicle window. They were fined \$105.00.

A civilian was cited for driving on a suspended license. They were issued a mandatory court appearance.

6 civilians were cited for possession of a controlled substance. They received an average fine of \$3,300.00.

A civilian was cited for Driving Under the Influence (DUI). They were fined \$430.00.

2 civilians were cited for trespassing on a military installation. They received an average fine of \$700.00.

OTHER CONSEQUENCES FOR DRIVING OFFENSES

California criminal and traffic laws also apply on a vast portion of Edwards base and Plant 42. Along with Security Forces, the Kern County and Los Angeles County Sheriffs can and will enforce state law. Of note, Security Forces may suspend those who do not meet standards from driving on base, such as those who speed or commit other traffic infractions. Aggravated violations of standards, such as repeated offenses or speeding in a school zone, may result in a complete base driving ban by the Installation Commander.

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