



UNITED STATES
AIR FORCE ACADEMY

MILITARY JUSTICE TRANSPARENCY BULLETIN

February 2025 — March 2025

Approved by the Staff Judge Advocate

The information in this bulletin is intended to provide USAFA personnel a concise summary of discipline across USAFA and should not be interpreted as directing commanders or supervisors to take any particular action in future cases, as all cases are unique. This edition covers cases completed in February and March 2025. The bulletin will be published bi-monthly and specifically include all disciplinary actions involving allegations of sexual misconduct in accordance with DAF guidance. This information will also be accessible at: <https://www.usafa.edu/transparency-bulletin/>

Due to Privacy Act protections, names are only included for courts-martial resulting in a guilty verdict since courts are public hearings.

If you have questions or suggestions for improvement, please direct them to your chain of command.

Sincerely,

Colonel Christopher Morgan
USAF Academy Staff Judge Advocate

TRAINING / TRENDS

Commanders at USAFA must navigate their authority carefully to avoid undue command influence, as defined by Article 37 of the Uniform Code of Military Justice (UCMJ). This law states: “No person subject to this chapter may attempt to coerce or, by any unauthorized means, influence the action of a court-martial or any member thereof, in reaching the findings or sentence in any case, or the action of any convening, approving, or reviewing authority with respect to his judicial acts.” Commanders are thus prohibited from directing a subordinate to impose a specific outcome in a case or limiting their discretion where they have authority, ensuring military justice remains impartial for all.

Commanders can take certain actions without crossing the line of undue influence, as outlined in Article 37 of the Uniform Code of Military Justice (UCMJ). This law permits “a superior convening authority or officer [to] generally discuss matters to consider regarding the disposition of alleged violations...with a subordinate convening authority or officer” ((a)(5)(A)(i)), such as discussing misconduct’s impact on readiness. It also allows them to “withhold the authority of a subordinate convening authority or officer to dispose of offenses in individual cases, types of cases, or generally” ((d)(1)), for example, requiring all DUI-related offenses be referred to them, without mandating outcomes. These steps help everyone at USAFA see how leadership supports fairness without compromising the process.

UPCOMING COURTS-MARTIAL

As a reminder, an accused is innocent of all charges unless and until proven guilty beyond a reasonable doubt. All courts-martial are held in the USAFA Courtroom (2nd Floor, Harmon Hall) and are open to the public. If the courtroom is full, individuals may view the proceeding from an overflow room.

CASE NAME	CHARGES	DATE
<i>United States v. AFC W.C.</i>	Article 112a, Wrongful Use of Controlled Substances (THC-9)	Trial: 5-9 May 2025
<i>For more information about upcoming cases across the Air Force, visit the AF JAG Corps Public Docket: https://legalassistance.law.af.mil/AMJAMS/PublicDocket/docket.html</i>		

COURTS-MARTIAL RESULTS

United States v. AFC E.S. On 3 March 2025, a general court-martial was convened, at which the accused stood trial on charges of sexual assault and abusive sexual contact under Article 120, UCMJ and assault under Article 128, UCMJ. Following a four-day trial before a judge alone, the accused was found not guilty on all charges.

DISCHARGE BOARD RESULTS

Although many discharges/disenrollments may occur via written notification and response, in some cases a discharge board is warranted. The additional due process measures of a board is required in cases involving non-probationary officers, NCOs, Airmen with > 6 years of service, or when seeking a service characterization of Under Other Than Honorable (UOTHC). An UOTHC characterization is reserved for serious misconduct and typically results in a loss of most military/VA benefits. A Board of Inquiry/Discharge Board provides additional procedural standards, to include an impartial panel (similar to a jury), a neutral legal advisor, and the presence of counsel for the government, victim, and respondent.

N/A

NONJUDICIAL PUNISHMENT

Nonjudicial punishment (NJP) is a tool through which a commander offers an accused the opportunity to have their case decided by the commander or to demand a trial by court-martial. If the individual chooses to accept the NJP, it is not an admission of guilt, but rather a decision to have the commander decide guilt and, if appropriate, punishment. The punishment options in NJP are more limited than at a court-martial and depend on the rank of the commander and the accused. For cadets and officers, punishment is limited to forfeiture of pay, reprimand, and restriction. For enlisted, punishment may also include reduction in rank and/or extra duty. Punishments may also be suspended, which essentially acts as a probationary period in which the punishment will be removed after a period of time if the individual complies with the terms of the suspension.

Wrongful Use of THC: A cadet received nonjudicial punishment for wrongfully using delta-9 THC. The punishment consisted of restriction to the limits of the Air Force Academy for 30 days, and a reprimand.

Dereliction of Duties: An enlisted member received nonjudicial punishment for dereliction of duty by failing to refrain from drinking alcoholic beverages while under the legal age of 21 years and by failing to refrain from providing alcoholic beverages to individuals under the legal age of 21 years. The punishment consisted of forfeiture of \$504.00 pay per month for 2 months, with one month suspended, restriction to the limits of the Air Force Academy for 60 days, and a reprimand.

Wrongful Use of THC: An enlisted member received nonjudicial punishment for wrongfully using THC on divers occasions. The punishment consisted of reduction to the grade of Airman, a suspended forfeiture of \$1181.00 pay per month for two months, and a reprimand.

* Disenrollment/discharge action may be initiated following completion of NJP process. Those actions will be reflected in the next section (Discharges/Disenrollments), but may not appear until the next report due to the time of completion of those actions.

DISCHARGE / DISENROLLMENTS

Airmen and cadets are subject to disenrollment/discharge if they engage in conduct inconsistent with military service. As an analogy to the civilian sector, these decisions are the equivalent of an employer terminating an employee or in the case of cadets, a university removing a student. For non-committed and non-prior enlisted cadets, a disenrollment decision automatically results in discharge from the military. For committed cadets, after disenrollment the SECAF determines whether the cadet will serve their commitment via enlisted service (ADSC), monetary recoupment, ROTC, or whether the service commitment is waived. All individuals discharged from the military will receive a service characterization of either Entry Level (< 180 days), Honorable, Under Honorable Conditions (General) or Under Other than Honorable Conditions (UOTHC). Cadets also receive a rating between 1 and 5, which is used to determine whether they should be considered for other commissioning programs.

The rating system is as follows:

- 1 – Highly recommend;*
- 2 – Recommend as average;*
- 3 – Should not be considered w/o weighing needs of the service against reasons for disenrollment;*
- 4 – Physical/medical;*
- 5 – Definitely not recommend;*
- 6 – Entry Level/Cadet not at Academy long enough for another rating.*

As of the date of this bulletin, the approximate rate for monetary recoupment is \$55,000 per year of attendance at USAFA.

Academic Deficiency: 2 cadets resigned in lieu of (RILO) involuntary disenrollment due to academic deficiencies. Both received Honorable discharge characterizations, with ratings of 3 and no ADSC. 5 cadets were involuntarily disenrolled due to academic deficiencies. 1 Cadet was disenrolled with an Honorable discharge characterization, a rating of 2 and no ADSC. 2 Cadets were disenrolled with an Honorable discharge characterization, a rating of 3, and no ADSC. 1 Cadet was disenrolled with an Honorable discharge characterization, a rating of 5 and no ADSC.

Physical Fitness: No Physical Fitness disenrollments this period.

Misconduct:

Honor Code Violation: 1 Cadet was disenrolled for an honor violation based on lying, with intent to deceive, in violation of the honor code. That cadet received an Honorable discharge characterization with a rating of 3. The cadet has an ADSC and the USAFA/CC recommended that the cadet be ordered to enlist active duty for a period of three years.

Conduct and Aptitude Probation Failure: 3 cadets were disenrolled for failure to meet the terms of their conduct and aptitude probation. One cadet was disenrolled with an Honorable discharge characterization, a rating of 5, and no ADSC. One cadet was disenrolled with a General discharge characterization, a rating of 5, and a recommendation for monetary recoupment. One cadet was disenrolled with an Honorable characterization, a rating of 5, and a recommendation for monetary recoupment.

Minor Disciplinary Infractions/Performance: Two enlisted members were separated from the military with a General discharge characterization. One was separated based minor disciplinary infractions and one was separated based on a combination of minor disciplinary infractions and unsatisfactory performance.

Wrongful Use of a Controlled Substance/Failure to Obey Lawful Order: 3 cadets were discharged for drug related offenses connected with THC use, two for wrongful use and one for violating a lawful order to refrain from using. All three cadets were discharged with a General discharge characterization and a rating of 5. Two were recommended for monetary recoupment while the third was recommended to be ordered to enlisted active-duty service for two years.

SEXUAL MISCONDUCT RESULTS

In accordance with DAFI 51-201, Administration of Military Justice, all legal offices are required to publish the results of disciplinary actions taken in response to allegations of sexual misconduct, to include sexual assault and sexual harassment. The following summary includes only UCMJ or Adverse Administrative Actions taken for allegations of sexual misconduct during this period.

The results are also accessible at: <https://www.usafa.edu/transparency-bulletin/>

DISCLAIMER: The information provided is to foster transparency and promote deterrence amongst Airmen and Guardians. It should not be misconstrued as a mechanism to count cases of sexual misconduct, because it could result in double counting data.

Results of Courts-Martial:

United States v. AFC E.S. On 3 March 2025, a general court-martial was convened, at which the accused stood trial on charges of sexual assault and abusive sexual contact under Article 120, UCMJ and assault under Article 128, UCMJ. Following a four-day trial before a judge alone, the accused was found not guilty on all charges.

Nonjudicial Punishment: N/A

Administrative Actions: N/A