



# Shakey's Law Corner

An Andersen Air Force Base Legal Office Publication

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## STATUS OF JUSTICE

### Nonjudicial Punishments May-June 2023

Andersen AFB commanders administered **8** Nonjudicial Punishment actions under Article 15 of the Uniform Code of Military Justice (UCMJ) for the following offenses:

**Dereliction of Duty (36 SFS)** - An A1C knowingly provided alcohol to a minor Airman. The A1C received a suspended reduction to AB, 20 days extra duty, restriction to AAFB for 20 days, forfeiture of \$958 pay for two months, and a reprimand.

**Dereliction of Duty (734 AMS)** - A SSgt negligently failed to have two wing tip walkers during a C-5 towing operation that was within 25 horizontal feet of an obstruction. The SSgt received 14 days extra duty and a reprimand.

**Damage/Larceny of Non-military Property over \$1,000 (36 CES)** - An A1C damaged and stole parts from a non-military vehicle. The A1C received a suspended reduction to Amn and a reprimand.

**Damage/Larceny of Non-military Property over \$1,000(554 RHS)** - An A1C damaged and stole parts from a non-military vehicle. The A1C received a suspended reduction to Amn, forfeitures of \$1,074.00 pay for 2 months, and a reprimand.

**Domestic Violence (36 EAMXS)** - A SrA hit his spouse on various occasions. The SrA received a suspended reduction to A1C, suspended forfeiture of \$1,273 pay for two months, 20 days extra duty, and a reprimand.

**Assault Consummated by Battery (36 SFS)** - A SrA hit two civilians in their faces and heads. The SrA received a suspended reduction to A1C, forfeiture of \$500 pay for two months, 20 days extra duty, and a reprimand.

**Assault Consummated by Battery (36 SFS)** - A SrA hit and kicked a civilian. The SrA received a suspended reduction to A1C, forfeiture of \$1,273 pay, 30 days extra duty, and a reprimand.

**Drunken Operation of a Vehicle, Aircraft, or Vessel (554 RHS)** - A SSgt operated their POV while intoxicated. The SSgt also refused to return to the scene of an accident. The SSgt received a reduction to SrA, suspended forfeitures of \$1,519.00 for 2 months, and a reprimand.

### Administrative Discharges May-June 2023

Andersen AFB commanders processed **2** Enlisted administrative discharges.

**Notification Cases: 2**  
Drug Abuse (General characterization)  
Unsatisfactory Performance: Failure to Progress in Military Training (Honorable characterization)

### Courts-Martial Cases May-June 2023

**US v. SrA Mason Burkhardtbauder (36 MXS)**  
After his not guilty plea, SrA Burkhardtbauder was convicted at a special court-martial of assaulting a fellow airman in his squadron. He was sentenced to 45 days in jail, 15 days of hard labor, reduction to E-2, & a reprimand.

**US v. A1C Matthew Uy (36 CS)**  
A1C Uy plead guilty at a summary court-martial to wrongful use of meth on multiple occasions. He was sentenced to 14 days in jail, 15 days of hard labor, & reduction to E-1.

**US v. SrA Dharam Rampersad (36 SFS)**  
SrA Rampersad plead guilty at a summary court-martial to abusive sexual contact, assault, sexual harassment, communicating a threat, dereliction of duty, AWOL & a false official statement. He was sentenced to 30 days in jail.

**Where can I see upcoming trials?**  
» DAF Public Docket:  
<https://legalassistance.law.af.mil/AMJAMS/PublicDocket/docket.html>

Air Force Legal Assistance Web Site



Air Force Smooth Move Web Site



Air Force Claims Service Center



## Preventive Law Information

### Typhoon Mawar and Filing A Claim With The Air Force

by SrA Cara Verlinde

In the aftermath of Typhoon Mawar, one of the biggest questions our office has received is “How do I file a claim with the Air Force?” For starters, if you have private insurance, you must file a claim with that company before filing a claim with the Air Force. The Air Force may be able to make a secondary payment for deductibles, losses beyond policy limits, and for losses that are not covered. If you are not covered by insurance, you can file directly with the Air Force; however, as the Air Force does not act as a replacement for insurance, you will only be reimbursed up to certain amounts as set by the Air Force Claims Service Center (AFCSC).

Due to the high volume of claims arising out of Typhoon Mawar, you will submit your claim directly to the AFCSC, not with 36 WG/JA. When submitting your claim, email [afsc@us.af.mil](mailto:afsc@us.af.mil) with all necessary documentation. Necessary documents include: a DD Form 1842 to initiate your claim (template can be found on the 36 WG/JA SharePoint), include copies of insurance policies and declaration pages, insurance claim payments or denials, photos of damages (if possible), any receipts for high-value items (if possible), and a copy of your orders to Guam. Once received, you will be assigned an AFCSC paralegal who will work with you one-on-one to gather any further information they need to process your claim. The AFCSC goal is to fully process Typhoon Mawar claims within 30 days of receipt. Once a settlement has been reached, their goal is to process the payment within seven days. Completing a SF 3881 with your financial account information and including it within your initial documents sent to the Air Force Claims Center will expedite electronic payment of your claim.

For further information on the claims filing process, please visit the 36 WG/JA SharePoint site. Here you will also find form & email templates, to help you navigate the submission process. It is also important to note that you have up to two years to submit your Typhoon Mawar claims. **36 WG/JA SharePoint:** <https://usaf.dps.mil/sites/Andersen/WingStaffAgencies/36WGJA/SitePages/Home.aspx>

See below for information pertaining to the claims filing process for Army and Navy personnel:

**Navy Claims Office**

**Hours:** Monday-Friday, 8 a.m. to 4 p.m. Eastern Time  
**Toll Free:** 888-897-8217 **Commercial:** 757-440-6315 **DSN:** 564-3310  
**Fax:** 703-432-2591  
**Email:** [NorfolkClaims@us.navy.mil](mailto:NorfolkClaims@us.navy.mil)  
**Website:** [https://www.jag.navy.mil/organization/code\\_15.htm](https://www.jag.navy.mil/organization/code_15.htm)

**Army Claims Filing System**

**Hours:** Monday-Friday, 7:30 a.m. to 4:30 p.m. Eastern Time  
**Commercial:** 502-626-3000 **DSN:** 464-3000  
**Fax:** 502-626-1320  
**Email:** [usarmy.knox.hqda-otjag.mbx.cpcs@mail.mil](mailto:usarmy.knox.hqda-otjag.mbx.cpcs@mail.mil)  
**Website:** <http://www.JAGCNet.army.mil/Pclaims>

### Maintaining a Sober and Disciplined Force

By MSgt Brian Redfern

Driving under the influence (DUI) incidents have serious consequences, both in terms of personal safety and operational readiness. The Air Force understands the gravity of these incidents and employs various preventative measures to ensure airmen comply with standards. The Air Force has a zero-tolerance policy wherein any member found guilty of driving under the influence will face potential administrative discharge, reduction in rank, forfeiture of pay, and/or court-martial proceedings. It's also important to know that Security Forces personnel have broad authority to test for alcohol. IAW 36WGI31-218 para 2.3, while driving on AAFB, consent to be tested for alcohol or drugs is implied. This means that by choosing to drive on base, you are consenting to be tested. Additionally, Security Forces personnel have procedures in place to get a search authorization (similar to a search warrant) to extract blood or urine for testing purposes. Further, installation driving privileges will be immediately suspended pending resolution of any suspected intoxicated driving incident, regardless of the geographic location where it occurred.

Education is often one of the best deterrents, and Air Force leaders at all levels are encouraged to teach a culture of responsible alcohol use and the importance of having a designated driver plan. One excellent resource on AAFB is the Airmen Against Drunk Driving Program. The AADD program offers a ride to every military member, regardless of unit affiliation, and is also available to retirees and family members. All you need to do is call 366-RIDE (7433) between 1100 and 0300, Friday or Saturday. Members who utilize this service are taken directly to their place of residence, whether on base or off. You can also volunteer to provide this service to your fellow Airmen by going to the Andersen Air Force Base SharePoint site and clicking the "Community Sites" web link.

Driving under the influence is a serious offense which poses significant risks to individual safety and unit readiness, not to mention personal careers. Leaders within the Air Force play a crucial role in preventing DUI incidents. By actively promoting responsible behavior, setting high standards, and leading by example, Airmen can create an environment of accountability and a culture of responsible alcohol use.



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**Hours of Operation**

Monday & Tuesday 0900-1500  
 Wednesday 1200-1500  
 Thursday & Friday 0900-1500  
 Closed Weekends, Holidays, &  
 PACAF Family Days



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