

# AREA DEFENSE COUNSEL

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## First Term Airman Center



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***Integrity – Service – Excellence***



# Overview

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- Who We Are
- What We Do & What We Don't Do
- Why We Do It
- Your Rights
- Top 10 Ways to Our Office
- Help Us Help You



# Who We Are

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## Your JBA Defense Team



CAPT HEATHER M. CAINE



MSGT OWEN E. SEIVRIGHT

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# Who We Are Chain of Command

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- Not part of 316 WG, 89 AW or AFDW
- Air Force JAJ (Military Justice & Discipline)
- Independent Chain of Command
- Full-Time Criminal Defense – Not an Additional Duty

We Work For You!

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# Who We Are

## Privileged Communications

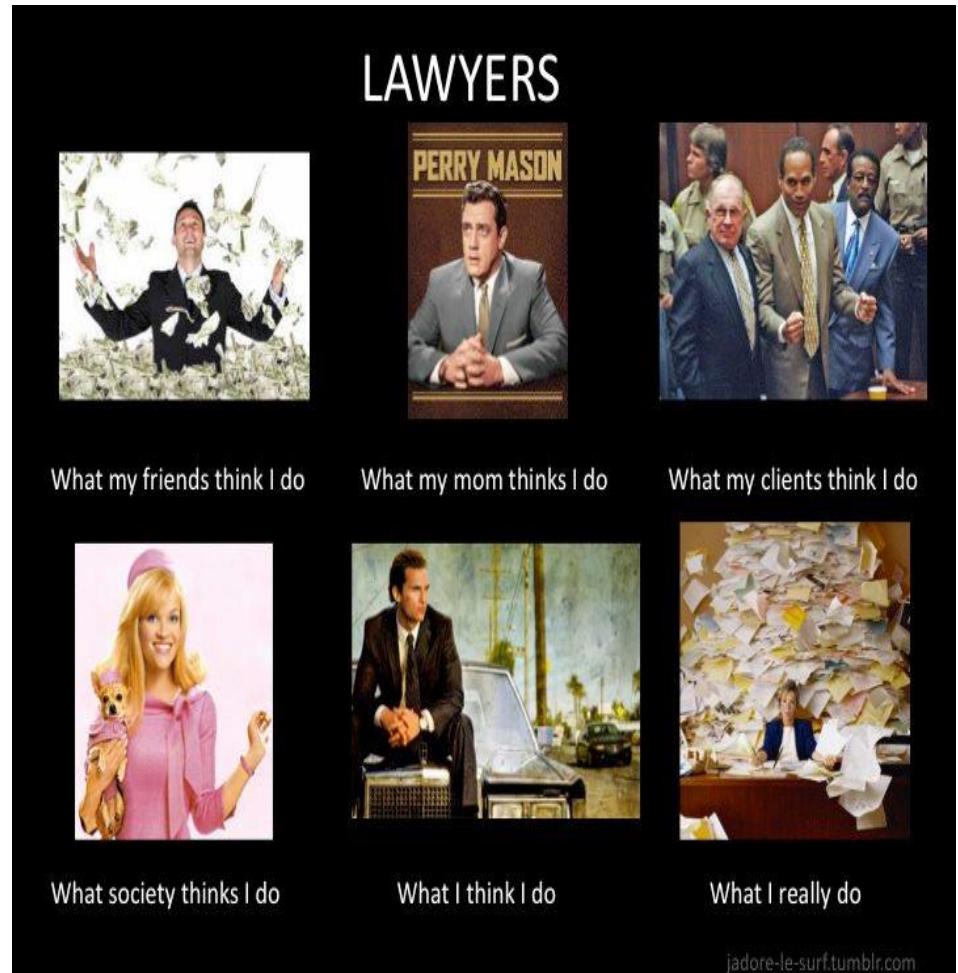
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- Absolute Confidential Relationship Between Attorney, Paralegal, & Client
  - We CANNOT even tell them where the body is!
  - The ONLY other person who can grant such confidence is a chaplain/clergyman/priest.
- Effect
  - Cannot be ordered to disclose what you say
  - Ensures honesty in communications between client (you) and your defense team (us)



# What We Do

- Rights Advisement
- LOR, UIF, or Related Matters
- Command Directed Mental Health Evaluations
- Referral EPR
- Reports of Survey
- Denial of Reenlistment
- Administrative Discharges
  - Honorable
  - Honorable under General Conditions
  - Under Other than Honorable Conditions (UOTHC)
- UCMJ Proceedings
  - Court Martial
  - Article 15 (NJP)



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# Why We Do It

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- A Strong and Independent Defense:
  - Air Force people deserve no less
  - Promotes credibility of the military justice system
  - Promotes good order/discipline thus Air Force Mission accomplishment
  - Strengthens reality/perception of fairness and justice



# What We Don't Do

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- IG/MEO Complaints (against someone)
  - Can assist if you are facing one
- Congressional Complaints (against someone)
  - Can assist if you are facing one
- Notaries and Administration of Oaths
- Civilian Criminal/Legal Matters
- Claims
- Air Force Discharge Review Board
- Board for Correction of Mil. Records



# Your Rights Myth vs. Truth

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**As a military member you give up all your rights  
when you enlist**



# Your Rights

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- Provided more procedural rights than typical civilian counter-part facing charges
- Free Representation in all UCMJ and Administrative Actions



# Your Rights

## Article 31 U.C.M.J.

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1. Right to be informed of specific offenses you are suspected of committing
2. Right to **REMAIN SILENT**
3. Any statement (oral or written) may (and most likely will) be used against you
4. Right to free military defense counsel, or civilian counsel at your expense
5. Right to consult a lawyer prior to questioning and present during questioning
6. Right to **terminate questioning at any time**

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# 10 Ways to Our Office

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10. Late to Work, Failure to Go, AWOL



# 10 Ways to Our Office

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## 9. Fitness Failures

1<sup>st</sup> Fail: LOC, LOA, LOR, Defer Promotion

2<sup>nd</sup> Fail: UIF, Prohibit from promotion testing, Ineligible to Reenlist

3<sup>rd</sup> Fail: Demotion, Deny retraining, Deny Reenlistment, Control Roster

4<sup>th</sup> Fail: Discharge



# 10 Ways to Our Office

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## 8. Financial Issues & GTC Abuse



# 10 Ways to Our Office

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7. Lying



# 10 Ways to Our Office

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## 6. Underage Drinking



# 10 Ways to Our Office

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## 5. Driving Under the Influence



# 10 Ways to Our Office

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4. Fighting, Domestic Abuse,  
Drunk & Disorderly Conduct



# 10 Ways to Our Office

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3. Drugs, Prescription Drugs, Spice, K2, Salvia, etc.



# 10 Ways to Our Office

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## 2. Sexual Assault

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# 10 Ways to Our Office

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## 1. Hanging Out with Idiots!



To quote further from people's exhibit A, your Twitter feed,  
"@holdupguy I'm in the getaway vehicle with  
the money and hostages. Where R U?"

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# Help Us Help You

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- Be a model Airman on and off duty
- Keep your uniform sharp & grooming in standards
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Supervisors, First Sergeants, and  
Commanders are more likely to help  
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troops who have made a positive



# Help Us Help You

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- Think long and hard before you agree to answer questions or write out a statement when someone reads you your Article 31 rights.
- Many people have no idea what they were doing when they agreed to answer questions.
- ADC is here to serve you, but **YOU HAVE TO ASK FOR US!**



# Contact Information

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# Conclusion

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# Questions?

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