

By Lt. Col. Gordon Hammock
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I've served as the 437th Airlift Wing the Staff Judge Advocate for more than two years now, and as a JAG for more than 13 years. During the first nine months of 1999, the following military justice actions occurred here at Charleston AFB:

- 15 Charleston military members faced court-martial (12 for drug use).
- 44 Charleston military members were involuntarily separated.
- 58 Charleston military members received Articles 15, Uniform Code of Military Justice punishment.

Those would be impressive military justice statistics, if *numbers* were the goal. They're not. The goal is good order and discipline. Not reflected in the numbers above is the uncounted number of family members who suffer because of the punishment imposed on their spouse/parent/other relative/friend. In an age where the word "victim" has become overused and trite, these innocent members capture the word's true meaning. They are the "collateral damage" of the military justice system.

Warfighters should recognize the term "collateral damage." It's the incidental damage to civilian persons and property resulting from a military strike against a legitimate military target. Warfighters make every effort to minimize collateral damage, but recognize it can't be eliminated. Even with "smart" weapons, collateral damage is a predictable consequence of waging war. In its wake, we can attempt to mitigate the damage inflicted—but we can't undo it.

The military justice process, and in particular the crucible of the courtroom, bear comparison to the battlefield. A military member commits an offense and is "targeted" for punishment. By imposing punishment, innocent people—themselves members of our military family—suffer unfairly. As with the battlefield, we attempt to mitigate the collateral effects of the military justice system. We assist

Military justice and collateral damage

these innocent victims through the combined efforts of base agencies and personnel, such as first sergeants, chaplains and the Family Support Center. Though we recognize damage can be mitigated, it cannot be undone.

In my 13 years as prosecutor, defense counsel and Staff Judge Advocate, I've seen the hurt from all sides of the fence. I've observed a father—a retired and decorated military veteran of three wars—bite his lip in anguish to the point of bleeding as he observed his staff sergeant son led away from a court-martial in handcuffs.

I've seen a major's wife—who was hoping against hope and the facts of the case that the court-martial panel would return a verdict of "not guilty"—sob uncontrollably and clutch her 3-week-old daughter tightly as the President of the Court-Martial announced the major was "guilty" of drug use.

In the past four months, I've seen 12 airmen led to the Charleston Naval Brig, and in their wake, I've seen tears of wives, girlfriends, fathers and mothers—all with a "What are we going to do now?" look in their anguished eyes. On a lesser level, I've seen military families deal with the bitter reality and shame of an unanticipated stripe and pay loss, and the reality of having to find a new job and home in the wake of an unplanned and forced separation from the Air Force.

I write this letter to the military member. I encourage you to think about the consequences of your conduct before you make the wrong choice, a choice that will bring unfortunate and undeserved consequences to your loved ones. With that said, let me offer six rules for

keeping your Air Force career from ending prematurely and keeping your family members out of harm's way:

Don't use/possess/sell drugs or hang around with those who do: Zero tolerance is the Air Force position. You will eventually be caught and, in all likelihood, be bounced out of the Air Force via court-martial or, if you're lucky, involuntary separation.

Don't misuse your Nations Bankcard -- pay your bills on time: (and if you can't, tell your first sergeant before he tells you). Your commander gets a monthly report that tells him/her if you've misused your card, or if you're late in paying your bill. This is a "stupid on station" offense - because you *will* be caught for Nations Bank offenses.

Don't lie -- ever: Integrity is the Air Force's first core value. Protect yours by practicing unflinching honesty and accountability.

Drink responsibly: Many of the offenses we see are related to too much alcohol (e.g., DUI, domestic assaults, disorderly conduct). Think! Exercise self-discipline and avoid punishment.

Maintain proper and professional relationships: On and off-duty, treat others with dignity and in line with Air Force expectations and customs. Off-color speech or inappropriate conduct is a surefire way to get noticed quickly.

Swallow your pride and seek help early: Don't wait for your supervisor or first sergeant to recognize problems and speak to you; see them first. The AF has a wealth of programs designed to assist members through difficult times. I urge you to give your chain of command the chance to help you—before it must punish you.

I encourage you to take care of those who love you. You can do that by thinking in advance about the consequences of your actions—and by choosing the right course of conduct.

