

MSgt Zier Case Summary

- Jeremy Zier is a combat photographer that has served in the U.S. Air Force for over 23 years and has deployed five times in support of military operations around the world. He earned the Bronze Star due to direct support of intense combat operations.
- On 28 November 2019, after a sustained career of exceptional service, Jeremy was selected for promotion to Chief Master Sergeant (E-9). A week later, a third party went to investigators with a claim of inappropriate touching allegedly witnessed at a holiday party on 7 December 2019. Investigators spent months on a witch hunt putting together a case that now included isolated allegations spanning back 5 years in time.
- The allegation and ensuing investigation led to the convening of a Special Court Martial at Joint Base San Antonio – Randolph on 10 August 2020. After a full five-day trial, the jury panel heard all the facts and circumstances of the case and found Jeremy guilty of lesser included offenses: abusive sexual contact and dereliction of duty. The jury panel sentenced him to a single rank reduction from E-8 to E-7 and did *not* adjudge a punitive discharge.
- Immediately following sentencing on 14 August 2020, a slanderous social media campaign was launched by the named victim and other individuals close to her in an attempt to influence Air Force leaders to rectify the sentence the jury panel had lawfully adjudged. These articles and postings contained unsubstantiated claims that never existed in any testimony at the court-martial but served as a means to inflame the passions of readers. The alleged “facts” in these spurious articles were neither charged nor supported by evidence or testimony. Indeed, if true, she could have presented them under oath while she was subject to cross-examination at the just concluded court martial, and not exclusively in the court of public opinion and the media.
- On 17 August 2020 – within days after the conclusion of his court-martial – Jeremy made his first attempt to retire from the Air Force. However, he received a message that he was ineligible to retire due to administrative codes.
- On 8 September 2020, Jeremy was notified of a command decision to refer his case to an Administrative Discharge Board despite the just concluded court-martial decision not to discharge him. The squadron commander ultimately testified that social media posts, which were excluded from evidence because of their unreliable nature, helped drive his decision on his recommendation for an Administrative Discharge. Indeed, the squadron commander recommended that Jeremy receive an Under Other Than Honorable Conditions service characterization, which is the administrative equivalent of a punitive discharge.
- On 28 September 2020, Jeremy submitted a request for Retirement in Lieu of (RILO) the pending Administrative Discharge Board. The RILO package was submitted to Jeremy’s chain of command, but no action was taken as it was never routed up the chain of command until May 2021. This lack of action forced Jeremy to defend himself at the Administrative Discharge Board without receiving the results of his RILO request, which is still pending.

- On 11 November 2020, the convening authority denied Jeremy's then-Area Defense Counsel's (ADC) request to delay the Discharge Board date given the ADC's unavailability of the date selected by the legal office. This denial by the convening authority forced Jeremy to sever his attorney-client relationship with his ADC that represented him since February 2020. Formal Article 138 complaints by Jeremy to the respective convening authorities in response to the severed relationship were denied.
- The Administrative Discharge Board was held on 10 December 2020, where a full panel heard all the facts and circumstances and found that Jeremy fully met the retention criteria under AFI 36-3208, para. 5.55, and it was in the best interests of the Air Force to retain Jeremy in the Air Force. Prior to that finding, Jeremy's new ADCs presented evidence in a pre-board hearing regarding the convening authority's decision to deny the delay request that caused the severance of Jeremy's attorney-client relationship. The legal advisor to the Administrative Board ruled that constitutional harm occurred because of the severed attorney-client relationship.
- Once again, the chain of command was greatly disappointed with the results of now two full blown legal processes – a court-martial and an administrative board. After an additional onslaught of slanderous media attention, on 22 April 2021, the General Court-Martial Convening Authority took the unprecedented action of recommending the Secretary of the Air Force overturn the decision of the Administrative Discharge Board to retain Jeremy.
- The military's only reason to keep Jeremy in the Air Force and invoke this unprecedented option, even though he repeatedly tried to retire, is to get their pound of flesh – his retirement pension and benefits – a result that two objective panels have failed to provide. That is not an appropriate and violates basic due process. It is weaponizing the very regulation that exists to ensure a fair process in an effort to undermine a service member's due process rights. By referring this case to the Secretary of the Air Force, the only reasonable inference is that the convening authorities believe there is only one acceptable result, and they will continue to take adverse action until they achieve that result.
- As of 2 June 2021, Jeremy has applied and been denied retirement more than 50 times. For almost a full year, he sits in a state of limbo where he continues to be ostracized by his unit and unable to move on with his life as the Air Force continues to seek alternative avenues to violate his rights and persecute him.
- In October 2021, the Air Force unilaterally moved up his ETS to 30 November 2021 [it was set for 30 September 2022] and if he is not allowed to retire by the Air Force he will not be allowed to reenlist and get no retirement benefits.

News Media References:

<https://taskandpurpose.com/news/air-force-nco-sexual-misconduct-jail-time/>

<https://www.expressnews.com/news/local/article/No-jail-time-for-senior-Air-Force-NCO-convicted-15495824.php>

<https://taskandpurpose.com/news/jeremy-zier-air-force-sexual-assault/>

<https://www.expressnews.com/news/local/article/Air-Force-panel-senior-master-sergeant-convicted-16039620.php>