

RECORD OF NONJUDICIAL PUNISHMENT PROCEEDINGS (TSgt thru CMSgt)

TO (Name, Grade, Organization, SSN, and Major Command of Service Member)
 WHITE, VINCENT B., MSgt, 1 SOFSS

[514091]

ATCH(SI)

AFSOC

1. Offer of Nonjudicial Punishment.

a. (Commander initials one block)

(1) I am considering whether I should punish you under Article 15, Uniform Code of Military Justice (UCMJ).

(2) I am considering whether I should recommend that _____
 punish you under Article 15, UCMJ. (See Note 1)

b. Your alleged misconduct is in violation of the punitive article(s) of the UCMJ as listed in item 16.

c. You have the rights listed on Page 3 under "Rights of Member," including the right to consult a lawyer before making any decision and to have a lawyer assist you throughout the proceedings. You have an appointment scheduled with the Area Defense Counsel (ADC), Building 90086, (850) 884-5216, at 1000 (time) 7 Apr 22 (date). ADC consultation is not mandatory and if you choose not to consult the ADC, you should cancel the scheduled appointment.

d. If you accept nonjudicial punishment proceedings and are found to have committed one or more of the offenses alleged, the maximum punishment the commander taking action may impose on you is listed on Page 3.

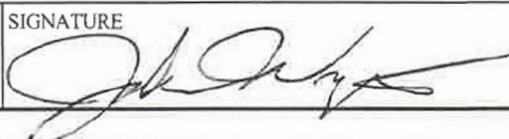
e. You will notify me of your decision by 1308 (time) 11 Apr 22 (date) unless I grant you an extension of time. (See Note 2)

NAME/GRADE/ORGANIZATION OF COMMANDER

SIGNATURE

DATE

WYGANT, JACOB D., Lt Col, 1 SOFSS



6 Apr 22

2. Service.

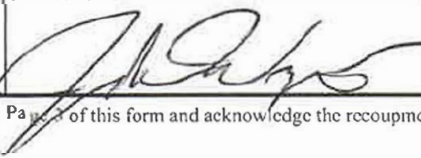
NAME/GRADE/ORGANIZATION PERSON SERVING MEMBER
 (See Note 3)

SIGNATURE

TIME SERVED

DATE SERVED

WYGANT, JACOB D., Lt Col, 1 SOFSS



1308

6 Apr 22

3. Member's Acknowledgement and Elections. I understand the rights listed on Page 3 of this form and acknowledge the recoupment statement on Page 3 (Member initials one block on each line)

a. I have consulted a lawyer.

I have not consulted a lawyer.

b. I waive my right to court-martial and accept nonjudicial punishment proceedings.

I demand trial by court-martial in lieu of nonjudicial punishment.

c. I have attached a written presentation.

I have not attached a written presentation.

d. I request a personal appearance before you and that it not be public.

I request a personal appearance before you and that it be public.

I do not request a personal appearance before you.

NAME/GRADE OF SERVICE MEMBER

SIGNATURE

TIME

DATE

WHITE, VINCENT B., MSgt

4. Commander's Decision.

a. I have considered the evidence, including any matters you have presented, and find that: (Commander initials appropriate block)

(1) Nonjudicial punishment is not appropriate or you did not commit the offense(s) alleged. I hereby terminate these proceedings.

(2) You committed one or more of the offenses alleged. I lined out and initialed the offense(s), if any, for which I determined nonjudicial punishment is not appropriate or which you did not commit. I hereby impose punishment as listed in item 16.

b. I will consider placing this record of nonjudicial punishment in your Senior Noncommissioned Officer Selection Record (SNCOSR) or forwarding it to a senior review authority who will make the final decision. You may submit a statement of rebuttal, mitigation, or circumstances to be considered. You have until _____ [5 calendar days from receipt] to submit matters for my consideration. (See Note 4)

c. Reductions in grade, forfeitures of pay, and suspensions of any punishment are effective immediately. All other punishments take effect when you are notified of the punishment, unless otherwise stated.

d. You must notify me by _____ (time), _____ (date) whether you appeal, unless I grant you an extension of time. You are entitled to advice of counsel in making this decision. You must notify me of your appeal decision and submit any matters you wish considered within the time provided or your right to appeal is waived. Any documents supporting your appeal must be submitted at the same time you make your appeal decision. A decision not to appeal is final. (See Note 5)

NAME/GRADE/ORGANIZATION OF COMMANDER

SIGNATURE

DATE

WYGANT, JACOB D., Lt Col, 1 SOFSS

5. Member's Acknowledgement. I acknowledge receipt of the punishment, my right to appeal, and the SNCO Selection Record notification.

NAME OF SERVICE MEMBER

SIGNATURE

TIME

DATE

WHITE, VINCENT B.

6. Member's Elections on Appeal and Senior Noncommissioned Officer Selection Record Notification. (Member initials one block in each column) Member's decision ends the time limit to appeal and to submit matters on SNCO Selection Record (SNCOSR).

a. I do not appeal.

d. I have submitted matters on SNCOSF.

b. I appeal and submit matters in writing.

e. I have not submitted matters on SNCOSF.

c. I appeal and do not submit matters in writing.

NAME OF SERVICE MEMBER	SIGNATURE	TIME	DATE
WHITE, VINCENT B.			

7. Commander Action on Appeal. (Commander initials one block) After considering all matters presented in your appeal, I hereby deny your appeal; grant your appeal; grant your appeal in part, as shown in item 16. (See Note 6)

NAME/GRADE/ORGANIZATION OF COMMANDER	SIGNATURE	DATE

8. Appellate Authority Action on Appeal. (Appellate authority initials one block) After considering all matters presented in your appeal, I hereby deny your appeal; grant your appeal; grant your appeal in part, as shown in item 16.

NAME/GRADE/ORGANIZATION OF APPELLATE AUTHORITY	SIGNATURE	DATE

9. Commander Action on SNCO Selection Record. (Commander initials one block) After considering all matters you have presented, I have determined this action will not be filed in your SNCO Selection Record; will be filed in your SNCO Selection Record, and will be forwarded to _____ for review.

10. Reviewing Authority Action on SNCO Selection Record. (Reviewing authority initials one block) I have determined this action will be filed in your SNCO Selection Record; will not be filed in your SNCO Selection Record

NAME/GRADE/ORGANIZATION OF REVIEWING AUTHORITY	SIGNATURE	DATE

11. Unfavorable Information File (UIF) Action. (Commander initials one block) This action will be filed in your UIF; will not be filed in your UIF. (See Note 7)

12. Member's Acknowledgement. I have been informed of the UIF and SNCOSF decisions. I have seen the action taken on any appeal.

NAME OF SERVICE MEMBER	SIGNATURE	DATE
WHITE, VINCENT B.		

13. Servicing SJA Legal Review. Record is legally sufficient and the action is final.

NAME/GRADE/ORGANIZATION OF REVIEWING ATTORNEY	SIGNATURE	DATE
TALCOTT, MATTHEW D., Col. 1 SOW/JA		

14. MPF and AFO Distribution. Copy received by MPF on _____ and AFO on _____.
(date/initials) (date/initials)

15. GCMCA SJA Administrative Supervisory Review. Record is in compliance with AFi 51-202 and Part V, MCM.

NAME/GRADE/ORGANIZATION OF REVIEWING ATTORNEY	SIGNATURE	DATE

16. (See Note 8)
Item 1b. (continued)

Violation of the UCMJ, Article 90

You, having received a lawful command from Lieutenant Colonel Jacob Wygant, your superior commissioned officer, then known by you to be your superior commissioned officer, to receive an initial dose of a COVID-19 vaccine with full licensure approval from the FDA and provide proof by 28 March 2022, or words to that effect, did, at or near Hurlburt Field, Florida, on or about 28 March 2022, willfully disobey the same.

SERVICE MEMBER'S LAST NAME & SSN:	DATE OF COMMANDER'S OFFER:
WHITE,	

RIGHTS OF MEMBER

1. You have all the rights specified in Article 15 of the Uniform Code of Military Justice (UCMJ), in part V of the Manual for Courts-Martial (MCM) and in Air Force Instruction (AFI) 51-202, *Nonjudicial Punishment*. These rights are summarized below:
 - a. You have the right to consult a lawyer before making any decisions, and a lawyer may assist you throughout the proceedings. A military defense counsel is available to advise you, free of charge, or you may retain civilian counsel at your own expense.
 - b. You have the right (1) to accept nonjudicial proceedings under Article 15, UCMJ, in which case your commander (or the commander to whom this action is sent) will decide whether you committed the alleged offense, or (2) to demand trial by court-martial which requires proof of guilt beyond a reasonable doubt. You have 3 duty days to make this decision, unless you request an extension of time and the commander grants the extension. Your acceptance of nonjudicial punishment proceedings is not an admission that you committed the alleged misconduct. The commander will make that decision only after you present your evidence or statement in defense, if you choose to do so.
 - c. If you demand trial by court-martial, charges could be referred for trial by a special or general court-martial. You have a right to be represented by counsel at a court-martial. You have additional rights at a trial by court-martial which you should ask your lawyer to explain.
 - d. You have the right to examine the evidence against you before you make any decisions. Your lawyer may assist you in making a statement and/or obtaining evidence in your defense, and for use in extenuation and mitigation.
 - e. If you accept nonjudicial punishment proceedings, you have the right (1) to make a full oral and/or written presentation to the commander (or a designee, in some cases) who will decide your punishment, (2) to present witnesses who are reasonably available, and (3) to be accompanied by someone to speak on your behalf. You may request the proceeding be open or closed to the public, but the commander makes the decision.
 - f. You do not have to make any oral or written statement regarding the offense(s) of which you are accused and any statement made may be used as evidence against you in a later proceeding. See Article 31b, UCMJ.
2. If the commander imposes punishment, you have 5 calendar days to appeal to the next superior commander. You have the right to consult with a lawyer before deciding whether to appeal and to assist you in your appeal. In your appeal, you may present additional written matters.

- Note 1:** If a personal appearance is made to someone other than the commander who will impose punishment, that person sends, by separate indorsement, a summary of the appearance and copies of all documents presented, to the imposing commander.
- Note 2:** The date and time in item 1e must be a minimum of 3 duty days (including weekends and holidays if normally scheduled duty days for the member) from the date and time the member is notified in item 2.
- Note 3:** The initiating commander may direct a subordinate, senior to the member, when practicable, to notify and serve the member. The person serving the member, whether the commander or subordinate, signs and annotates the date and time of service.
- Note 4:** See AFI 36-2608, *Military Personnel Records System*, for further guidance concerning filing the Record of Nonjudicial Punishment in the appropriate selection record.
- Note 5:** The date and time in item 4c must be a minimum of 5 calendar days from the date and time the member is notified in item 5.
- Note 6:** If the imposing commander grants less than the full relief requested, the commander must forward the appeal to the appellate authority through the servicing Staff Judge Advocate. See AFI 51-202, paragraph 4.6, for further guidance.
- Note 7:** See AFI 36-2907, *Unfavorable Information File (UIF) Program*, for further guidance.
- Note 8:** A continuation page may be used if necessary. Identify the information by the item number.

MAXIMUM PERMISSIBLE PUNISHMENTS

1. If the commander imposing punishment is a:
 - a. Lieutenant Colonel or above and you are enlisted: Forfeiture of one-half month's pay per month for two months, 60 days restriction, 45 days extra duty, 30 days correctional custody, a reprimand, and reduction of one grade; E-8 and E-9 may be reduced one grade only by a commander who has promotion authority to those grades.
 - b. Major and you are in the grade E-6: Forfeiture of one-half month's pay per month for two months, 60 days restriction, 45 days extra duty, 30 days correctional custody, a reprimand, and reduction of one grade for E-6. A Major may not impose NJP on an E-8 or E-9.
 - c. Lieutenant or Captain and you are in the grade E-6 or E-7: Forfeiture of 7 days pay, 14 days restriction, 14 days extra duty, 7 days correctional custody, and a reprimand. A Lieutenant or Captain may not impose NJP on an E-8 or E-9.
2. Restriction and extra duties may be combined to run concurrently, but the combination may not exceed the maximum imposable for extra duties. Correctional custody may not be imposed in combination with restriction or extra duties. If reduction is imposed, forfeiture of pay is based on the grade to which the member was reduced, even if the reduction was suspended. See Part V, MCM, for additional guidance.

STATEMENT OF UNDERSTANDING REGARDING RECOUPMENT OF EDUCATION ASSISTANCE, SPECIAL PAY, OR BONUSES

I understand that the Air Force may be entitled to recoup a portion of education assistance, special pay, or bonus money which I received, if any, if I separate before completing the period of active duty I agreed to serve. I understand this recoupment applies regardless whether I voluntarily separate or I am involuntarily discharged. I further understand: (1) the recoupment in all cases is an amount that bears the same ratio to the total amount or cost provided to me, as the unserved portion of active duty bears to the total period of active duty I agreed to serve; and (2) that if I dispute that I am indebted for educational assistance, a board or other authority will make findings and recommendations concerning the validity of the indebtedness.

CUI



DEPARTMENT OF THE AIR FORCE
1ST SPECIAL OPERATIONS WING (AFSOW)
HURLBURT FIELD FLORIDA

22 March 2022

MEMORANDUM FOR MSGT VINCENT B. WHITE

FROM: 1 SOFSS/CC

SUBJECT: Order to Receive Mandatory COVID-19 Vaccine – MSgt Vincent B. White

REFERENCES: (a) DAFI 52-201, *Religious Freedom in the Department of the Air Force*
(b) Secretary of Defense, *Mandatory Coronavirus Disease 2019 Vaccination of Department of Defense Service Members* (24 August 2021)
(c) Secretary of the Air Force, *Mandatory Coronavirus Disease 2019 Vaccination of Department of the Air Force Military Members* (3 September 2021)
(d) Secretary of the Air Force, *Supplemental Coronavirus Disease 2019 Vaccination Policy* (7 December 2021)

1. On 31 January 2022, I ordered you to receive an initial dose of a COVID-19 vaccine with full licensure approval from the FDA and provide proof of said vaccination. On 14 February 2022 you were issued a Letter of Reprimand (LOR) for non-compliance with that order. Additionally, on 23 February 2022, I ordered you a second time to receive an initial dose of a COVID-19 vaccine with full licensure approval from the FDA and provide proof of said vaccination. On 08 March 2022, you were issued a second LOR for non-compliance with that order. This will be my third order to you to receive a COVID-19 vaccine with full licensure approval from the FDA and provide proof.

2. In accordance with References (b), (c) and (d), I am ordering you to receive an initial dose of a COVID-19 vaccine with full licensure approval from the FDA AND provide proof by 18 Mar 22 (DATE). Additionally, you are ordered to receive the second dose of the same vaccine AND provide proof by 18 Apr 22 (DATE).

3. Failure to comply with this lawful order may result in administrative and/or punitive action for a violation of the Uniform Code of Military Justice.

4. Please contact me at: 884-7124 or email: jacob.wygant@us.af.mil with any questions or concerns.


JACOB E. WYGANT, Col, USAF
Commander, 1 SOFSS

1st Ind, 1 SOFSS/CC, 22 March 2022, Order to Receive Mandatory COVID-19 Vaccine –
MSgt Vincent B. White

MSGT VINCENT B. WHITE

MEMORANDUM FOR 1 SOFSS/CC

1. I understand that I have to receive my initial dose of a COVID-19 vaccine with full licensure approval from the FDA AND provide proof by _____(DATE). Additionally, I am ordered to receive the second dose of the same vaccine AND provide proof by _____(DATE).

Member Refused to sign 22 Mar 22/DHB
VINCENT B. WHITE, MSgt, USAF
Section Chief, Customer Support