



MCCHORD'S LEGAL "EASE"

Volume 1, Issue 6

62 AW/JA

February 2017

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Participating in Protests

We know that with our service commitment comes certain restrictions on our freedom of speech and expression. However, Airmen can participate in some demonstrations about issues they care about, so long as they are careful to abide by existing instructions and guidance and are careful that their conduct is not service discrediting. Here's the quick and dirty on what you can and cannot do.

- Airmen may attend peaceful protests or demonstrations so long as they are not in uniform or otherwise identifiable as military members
- Airmen are prohibited from participating in protests or demonstrations...
 - In uniform, on duty, or in a foreign country, OR
 - If the demonstration
 - Could interfere with accomplishment of the mission, OR
 - Presents a clear danger to loyalty, discipline, or morale of members of the Armed Forces, OR
 - When the activities constitute breach of law or order, OR
 - When violence is likely to result, OR
 - That advocate supremacist or extremist ideologies, OR
 - That advocate illegal discrimination, the unlawful use of force or violence, or engage in efforts to deprive civil rights, OR
 - That advocate a partisan political view, OR
 - -(May attend as observer so long as no active participation)
 - If their conduct is service discrediting or prejudicial to good order & discipline
- You cannot do/say anything online that you couldn't do/say in person
 - Sharing a link or comment counts as "active participation" in the expression or organization
- Airmen identifiable as military members from their social media profiles (even if only privately) must make it clear that opinions expressed in their postings are their personal opinions and do not reflect the views of the USAF
 - Even with disclaimer, cannot ...
 - Post material that creates a clear danger to loyalty, discipline, or morale of members of the Armed Forces
 - Advocate supremacist or extremist ideologies
 - Advocate illegal discrimination, the unlawful use of force or violence, or otherwise engage in efforts to deprive civil rights
 - Engage in conduct online that is service discrediting or prejudicial to good order & discipline
 - "Retweet" or share links to partisan political pages/comments
 - Be contemptuous towards the President, VP, SecDef, SecAF, etc.
- Airmen may not engage in personal blogging during duty hours

DISCLAIMER: Nothing in this newsletter constitutes legal advice.

Participating in Protests (continued)

- Violation of AFIs 51-902 or 51-903 is punishable under Art 92, UCMJ
- Riot or breach of peace is punishable under Art 116, UCMJ
- Provoking speech/gestures toward other military members are punishable under Art 117, UCMJ
- For officers, contempt towards officials is punishable under Art 88, UCMJ
- Conduct that is of a type that would cause discredit to the Armed Services or prejudice to good order and discipline is punishable under Art 134, UCMJ
- Violation of state or federal law is punishable under Art 134, UCMJ

OK to...

- Attend a peaceful rally (not in uniform) in support of a policy you favor, so long as no implication of Air Force endorsement
- Petition your congressperson
- Express a non-partisan opinion on your social media, with a caveat that it is your personal opinion
- Engage in civil conversations about the merits of various policies

Not OK to...

- Advocate violations of lawful orders of the president or other authority
- Share racist propaganda on social media
- Participate in a riot
- Block a public establishment or roadway
- Disobey orders of law enforcement
- Host a blog dedicated to government overthrow or secession

If you have any questions about specific situations, give JA a call!

References:

AFI 51-903, *Dissident and Protest Activities*

AFI 51-902, *Political Activities*

To Fundraise or Not to Fundraise?

Fundraising is an event or activity soliciting money or materiel for charitable organizations, not to include businesses operating for profit. The Air Force conducts two annual fundraising campaigns at the workplace: the **Combined Federal Campaign (CFC)** and the **Air Force Assistance Fund (AFAF)** Campaign.

For the CFC, key workers will solicit each active duty military and civilian employee to contribute to **approved** organizations. For the AFAF, key workers will solicit Air Force personnel including active duty, Air Force Reserve, and Air National Guard members for contributions to support the AFAF charities that benefit Air Force military personnel and their families. Commanders will also use AFI 36-3101 to evaluate requests for additional fundraising.

Purely personal, unofficial volunteer efforts to support fundraising outside the Federal Government workplace are not prohibited where the efforts do not imply DoD endorsement. Persons on federal property are prohibited from soliciting, displaying or distributing commercial advertising, and vending merchandise of all kinds, but this does not apply to the collection of gifts-in-kind, such as food, clothing, and toys, or to solicitation of Federal employees **outside** of the Federal workplace.

Ensure contributions to fund drives are truly voluntary and that each individual can give, or not give, confidentially without fear of censure or criticism. No employee may be coerced in any way to participate or contribute to the campaign. Ensure no one establishes lists of persons who don't contribute. Guard lists of contributors under the Privacy Act. Use them only for accounting for and forwarding contributions.

At JBLM, the Army leads on all questions involving fundraising; as such, Army Regulations apply. However, AFI's still apply to Air Force workplaces. Please ensure to contact 253-967-9496 or 253-966-7935 if you have any questions.



Rank	Offense/Basis	Type of Action	Outcome
E-6	Assault consummated by battery	Non-Judicial Punishment (Article 15)	Guilty Suspended Reduction to E-5 Forf. \$1000 per month x2. Reprimand
E-4	Dereliction of duty	Non-Judicial Punishment (Article 15)	Guilty Suspended Reduction to E-3 7 days extra duty Reprimand
E-3	Minor disciplinary infractions	Administrative Discharge	Discharged Under Honorable Conditions (General) Service Characterization
E-3	Drug use	Administrative Discharge	Discharged Under Honorable Conditions (General) Service Characterization



McChord Field Satellite Legal Assistance Office

100 Col Joe Jackson Blvd, Suite 1082
JBLM, WA 98438
(253) 982-5513

Legal assistance is available to authorized DoD ID cardholders, by appointment only, to discuss personal civil legal matters, such as wills and estate planning, domestic relations, landlord/tenant issues, & consumer affairs. Attorneys cannot discuss criminal law issues, nor provide advice over the telephone.

Walk-in notary services & Powers of Attorney are available M-F, 0800-1600. Call to schedule an appointment for other matters.

McChord Field Office of the Staff Judge Advocate

100 Col Joe Jackson Blvd, Suite 3031
JBLM, WA 98438
(253) 982-6305

The Office of the SJA *only* provides legal assistance (Wills & Powers of Attorney) for personnel departing on contingency operations on short notice who cannot be seen by the satellite or the Fort Lewis Legal Assistance Office.

Mon/Wed: 0730-1630
Tu/Thurs/Fri: 0730-1500.

Online Legal Assistance

<https://aflegalassistance.law.af.mil/lass/lass.html>