



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 57TH WING AND 99TH AIR BASE WING (ACC)
NELLIS AIR FORCE BASE NEVADA

NOV 20 2012

MEMORANDUM FOR ALL NELLIS AFB, CREECH AFB, AND NTTR COMMANDERS

FROM: 57 WG/CC and 99 ABW/CC

SUBJECT: Withholding Initial Disposition Authority Under the Uniform Code of Military Justice in Sexual Contact Cases

1. Pursuant to our special court-martial convening authority under Article 23 of the Uniform Code of Military Justice (UCMJ), Rules for Courts-Martial 306, 401, and 601, and Special Order G-12-001, dated 20 March 2012, we hereby withhold initial disposition authority from all commanders located at Nellis AFB, Creech AFB, and the Nevada Test and Training Range (NTTR) who are not at least a group commander, with respect to the following alleged offenses: (a) aggravated sexual contact, in violation of Article 120 of the UCMJ; (b) abusive sexual contact, in violation of Article 120, UCMJ; and (c) all attempts to commit such offenses, in violation of Article 80, UCMJ. Additionally, this withholding applies to all other alleged offenses arising from or relating to the same incident(s), whether committed by the alleged perpetrator or the alleged victim of the aggravated sexual contact, abusive sexual contact or the attempts thereof. Although initial disposition has been withheld, unit commanders are encouraged to provide to their own recommendations regarding initial disposition.
2. The effective date of this action will be upon signature of this letter.
3. In accordance with Secretary of Defense Panetta's sexual assault policy letter of 20 Jun 2012, nothing in this policy directive removes the responsibility of commanders, at every level, to maintain an environment free of sexual assault, to provide support and assistance to victims, and maintain good order and discipline within their units.
4. Please direct questions to Captain David Fox, Chief, Military Justice, Commercial (702) 652-7526/DSN 682-7526 or david.fox-02@nellis.af.mil.

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