

**UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

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**UNITED STATES**

**v.**

**Airman First Class IAN M. GRIFFIN-BALES  
United States Air Force**

**ACM 35189**

**10 September 2003**

Sentence adjudged 17 April 2002 by GCM convened at Spangdahlem Air Base, Germany. Military Judge: Thomas W. Pittman (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 20 months, forfeiture of all pay and allowances, and reduction to E-1.

Appellate Counsel for Appellant: Colonel Beverly B. Knott, Major Terry McElyea, Major Karen L. Hecker, and Captain Anthony B. Kolenc.

Appellate Counsel for the United States: Colonel LeEllen Coacher, Lieutenant Colonel Lance B. Sigmon, and Captain Steven J. Grocki.

Before

**PRATT, ORR, W.E., and CONNELLY**  
Appellate Military Judges

**OPINION OF THE COURT**

CONNELLY, Judge:

The appellant was convicted, in accordance with his pleas, of nine specifications of wrongful use and possession of controlled substances, in violation of Article 112a, UCMJ, 10 U.S.C. § 912a. The adjudged and approved sentence is a bad-conduct discharge, confinement for 20 months, forfeiture of all pay and allowances, and reduction to E-1. In an issue raised pursuant to *United States v. Grostefon*, 12 M.J. 431 (C.M.A. 1982), the appellant argues that his sentence to a bad-conduct discharge and 20 months' confinement is inappropriately severe.

On numerous occasions during the five-month period from September 2001 to January 2002, the appellant used marijuana, hashish, methamphetamine, cocaine and psilocybin. Many of these uses occurred on a military installation and involved other military members. Taking into consideration the facts and circumstances surrounding the offenses, it is clear that the appellant was instrumental in introducing controlled substances onto a military installation. As a result of his drug use, the appellant was removed from his weapons load crew. This action impacted his unit's mission, as his short-staffed crew could not be deployed, and another weapons load crew was required to remain deployed longer than planned.

We review issues of sentence appropriateness to determine whether, considering the entire record, the character of the appellant and the nature of the offenses for which he is being sentenced, the sentence adjudged or approved is appropriate. *United States v. Peoples*, 29 M.J. 426 (C.M.A. 1990); *United States v. Snelling*, 14 M.J. 267 (C.M.A. 1982). "Sentence appropriateness involves the judicial function of assuring that justice is done and that the accused gets the punishment he deserves." *United States v. Healy*, 26 M.J. 394, 395 (C.M.A. 1988).

The appellant had a brief, but good military record prior to the onset of his drug abuse. This record, however, is more than offset by the appellant's extensive drug use, his introduction of controlled substances onto a military installation, and his frequent use of drugs with other military members. Moreover, despite his initial detection by and confession to agents of the Air Force Office of Special Investigations in early November 2001, the appellant continued his frequent use of illegal drugs throughout December 2001 and most of January 2002. The appellant's drug use impacted the accomplishment of the Air Force's mission by disabling one of the service's weapons load crews. The punitive discharge and period of confinement are both appropriate in this case. We hold that the appellant's approved sentence is not inappropriately severe.

The approved findings and sentence are correct in law and fact, and no error prejudicial to the substantial rights of the appellant occurred. Article 66(c), UCMJ, 10 U.S.C. § 866(c); *United States v. Reed*, 54 M.J. 37, 41 (2000). Accordingly, the approved findings and sentence are

AFFIRMED.

OFFICIAL

FELECIA M. BUTLER, TSgt, USAF  
Chief Court Administrator