



MCCHORD'S LEGAL "EASE"

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Source: Associated Press
(Original photo without the "X")

Political Activity—What Can You Do?!

Every four years, Americans get to exercise their Constitutional right and vote for the next President of the United States. It is a very exciting event, but important to keep in mind that there are some limitations to our political activities. See the table below for a list of common permissible activities and impermissible activities.

What about social media? Nowadays, many of us are constantly on Facebook, Instagram, Twitter, and other social media websites. While active duty

members may generally express personal views on political issues and candidates, there are certain restrictions.

- ◆ If you are reasonably identifiable as an active duty member on the social media website, then your posts must clearly state that the views expressed are *personal* and NOT those of the Department of Defense.
- ◆ You may **NOT** post or make direct links to a political party, candidate, group, or cause.

- ◆ You **MAY** be a Facebook friend, follow a Twitter account, etc., but you must refrain from suggesting that others do the same.

Remember: the elected President will be your next Commander-in-Chief. Be careful what you do and say. Under certain circumstances, Officers may be charged with violation of the UCMJ under Article 88, Contempt toward Officials, and Enlisted members may be charged under Article 134.

PERMISSIBLE ACTIVITIES	IMPERMISSIBLE ACTIVITIES
✓ Register to vote / vote / encourage others to vote	✗ Participate in partisan fundraising & parades
✓ Express opinion on candidates & issues (in <u>personal capacity</u>)	✗ Publish partisan letters of endorsement
✓ Sign petitions (in <u>personal capacity</u>)	✗ Attend political rally <u>in uniform</u>
✓ Write letters to editors of newspapers on personal views (in <u>personal capacity</u>)	✗ Political banner in military housing
✓ Normal sized bumper stickers on cars; political t-shirts & buttons (<u>out of uniform</u> + no appearance of endorsement)	✗ Wearing uniform when it would further political activity or promote an inference of official sponsorship
✓ Attend political rallies <u>out of uniform</u> , & in <u>personal capacity</u>	***Punishable under Art 92, UCMJ (Failure to Obey Order or Regulation)
✓ Donate money to political org	

DISCLAIMER: Nothing in this newsletter constitutes legal advice.

How Close is Too Close? — Keeping it Professional

As fellow Airmen in the World's Greatest Air Force, we often see ourselves as more than just co-workers—we're family. However, it's important to keep in mind that we must always be acting in a professional manner.

Professional relationships contribute to effective operation of the AF and enhance morale and discipline, while promoting respect for authority and focus on the mission. Relationships are unprofessional, on or off duty, when they detract from the authority of superiors or result in, or reasonably

create the appearance of favoritism, misuse of office or position, or the abandonment of organizational goals for personal interests.

Unprofessional relationships can exist between:

- ◆ officers
- ◆ enlisted
- ◆ officers & enlisted
- ◆ military members & civilian employees
- ◆ military members & contractors

Avoid relationships involving frequently shared activities when there is:

- ◆ disparity in rank

- ◆ supervisor-subordinate relationship
- ◆ inappropriate perception
- ◆ impact in morale, discipline, respect for authority / unit cohesion

The most common occurrences of unprofessional relationships include:

- ◆ dating/sexual relationships
- ◆ gambling
- ◆ borrowing money
- ◆ favors
- ◆ off-duty activities



Law Day—Miranda: More than Words

Law Day is a national day to celebrate the rule of law & its contributions to the freedoms Americans enjoy.

Law Day originated in 1957 when the American Bar Association (ABA) president Charles S. Rhyne envisioned a special day for celebrating our legal system. President Dwight D. Eisenhower made Mr. Rhyne's vision come true, by declaring 1 May of each year to be Law Day.

Every president since then has issued an annual Law Day Proclamation. This year's theme is "Miranda: More than Words."

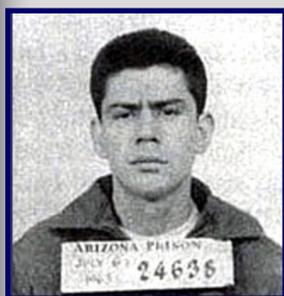
2016 marks the 50th anni-

versary of perhaps the nation's best-known U.S. Supreme Court case, *Miranda v. Arizona*. The Miranda Warning has become engrained in law enforcement and has often been recited in films and television shows.

Many of you are probably aware that the military offers similar procedural rights—Article 31 rights.

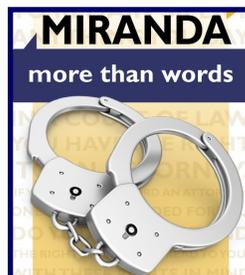
FUN FACTS:

- ◆ Article 31 rights have been around longer than the Miranda rights—16 years longer!
- ◆ Article 31 rights give an accused more protections than the Miranda rights! An accused in the military is entitled to a lawyer, regardless of economic need. Also, an accused must receive a reading of his/her rights prior to questioning anywhere; *Miranda* only requires this when the questioning occurs in custody.



Ernesto Miranda mugshot.

Source: Arizona Department of Library Archives and Public Records



Source: American Bar Association

Tips for Deploying Airmen

- ◆ Don't delay! As soon as you receive orders to deploy, schedule an appointment at the legal assistance office. The earlier you tend to your legal affairs, the greater opportunity you have to save time and money. Consider whether you need a will, living will, healthcare power of attorney (POA), general POA, or special POA.
- ◆ Go to the legal assistance website (<https://aflegalassistance.law.af.mil>) to view information on various legal topics. Doing so will help prepare you for what you may need to discuss with the attorney and will make your visit much quicker and more efficient.
- ◆ If you know that you will need something specific taken care of while you are gone, get a special POA in addition to a general POA. General POAs are not always accepted.
- ◆ If you become a party to a legal action while deployed, contact your nearest deployed legal office. **DO NOT IGNORE THE SUMMONS!** The action can be delayed pending your return, but you must give notice.
- ◆ Do you have rental home & automobile leases? A cell phone contract? Sometimes these can be terminated under the Servicemember's Civil Relief Act when you deploy. Make sure to ask about this at your legal assistance appointment.

"You have an AFFIRMATIVE DUTY to report all LOAC violations up the chain!"



- ◆ If your personal property is lost, damaged, or destroyed while traveling to or from or while at the deployed location: file a report with port authorities or airlines and/or security forces; contact the nearest legal office; provide evidence of possession/ownership; and provide evidence of value.
- ◆ Pay close attention to your Law of Armed Conflict (LOAC) training. You have an AFFIRMATIVE DUTY to report all LOAC violations up the chain! Failure to report is punishable under the UCMJ. You should: preserve physical evidence, draw detailed sketches or take photographs; collect descriptive notes; and identify witnesses & victims.
- ◆ When you get to your deployed location, you may get a briefing on a Status of Forces Agreement. This is an internationally binding agreement between the U.S. & host nation. It is in place to protect your rights, & resolve conflicting laws and customs. Pay attention to the local laws and policies. You must abide by them!

Reminders from the Legal Office

- ◆ **Have a request for logistical support from a Non-Federal Entity (NFE)?** Make sure to talk to the SJA's Office *before* promising that the Air Force will support.
- ◆ **Asked to testify or provide an affidavit in a civilian court?** Make sure to contact the SJA's Office for a legal briefing.
- ◆ **Looking for a second job?** Make sure to fill out AF Form 3902 and submit it to your supervisor before starting off-duty employment. The form must also be resubmitted when your AF duties change significantly, or when the number of regularly scheduled off-duty-hours increases.



JAGs on the Job

Major General James C. Johnson with the Staff Judge Advocate's Office and the Special Victim's Counsel at the 2nd Annual McChord Field Sexual Assault Legal Workshop



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

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.

Online Legal Assistance

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