

Below is the December 2013 monthly military justice update for Joint Base Lewis-McChord. Also included are three military justice "hot topics" from the newly passed National Defense Authorization Act. The new changes to the law are another example of the DOD's tough stance against sexual assault.

Non-Judicial Punishments (Article 15s):

- A Team McChord A1C received a suspended reduction in rank, suspended forfeiture of \$849.00 pay and a reprimand after the A1C was found guilty of using a military ID card which reflected falsified information.

- A Team McChord A1C received a suspended reduction in rank and a reprimand after the A1C was found guilty of failing to be at the appointed place of duty at the time prescribed.

- A Team McChord AB received 14 days restriction to Joint Base Lewis-McChord and a reprimand after the AB was found guilty of unlawfully striking another Airman on the face with the AB's fist.

Discharges:

- A Team McChord SSgt was discharged, with an honorable characterization, for unsatisfactory performance, specifically failing to progress in Military Training.

- A Team McChord SrA was discharged with an Under Honorable Conditions (General) characterization for a pattern of misconduct: conduct that was prejudicial to good order and discipline.

Hot Topics:

President Barack Obama signed the newest NDAA into law Dec. 26, and many substantial changes were made. Here are three military justice highlights:

1. Amended Article 43 of the Uniform Code of Military Justice to remove the statute of limitations for sexual assault (Article 120(b)) and sexual assault of a child (Article 120b(b)) (to be implemented immediately).

2. An adjudged sentence for the offenses of rape (120(a)) or sexual assault (120(b)), rape of a child (120b(a)) or sexual assault of a child (120b(b)), forcible sodomy (125), or attempts to commit these offenses must include a dismissal or dishonorable discharge (to be implemented Jun. 24, 2014).

3. The nature of an Article 32 hearing has changed from an investigative tool to a probable cause hearing or preliminary hearing, explicitly granting a victim the right to refuse to testify (to be implemented Dec. 26, 2014).