

# Alaska Code of Military Justice

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HB 126 AND THE ALASKA NATIONAL GUARD

# Good Order & Discipline

Courts-Martial, Non-Judicial Punishment  
ACMJ

Alaska Criminal Law

Administrative Actions

# How We Got Here

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- This bill is a priority for the Alaska National Guard (AKNG), and is supported by the governor.
- Earlier version of HB 126 Passed DMVA committee in spring (Rep. LeDoux & Rep. Tuck).
- Earlier version instructed the AKNG to create regulations related to the Punitive Articles of the ACMJ and Nonjudicial punishment.
- The AKNG has been working, both internally and with legislative offices, over the course of the summer.

# Commanders Action Group

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1. Established by the BG (AK) Hummel.
2. Composed of Soldiers/Airmen, Officers/Enlisted.
3. Conducted detailed read-throughs and discussions of the Punitive Articles of the UCMJ, the State Model Code, and other state codes.
4. Additional work on Nonjudicial Punishment regulation.

# Changes to the Latest Version

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1. The Punitive Articles are now in statute, not regulation.
  - Sec 26.05.577 through Sec. 26.05.634.
2. The ACMJ will apply to all soldiers/airmen at all times.
  - Will apply equally to the State Defense Force.
3. Addition of DUI and Sexual Assault Charges
  - Sex Assault provisions (Sec. 620, 621 & 622) taken from Louisiana Code, itself adapted from federal code.
  - Both required further language clarifying jurisdiction. Civilians will always get the first right of refusal.

**\*\*Nonjudicial Punishment has remained regulatory\*\***

# Additional Changes to the Latest Version

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1. Amendment requested by the Court System
2. Addition of Grand Jury Provision (Sec. 26.05.444)
3. Revision to Investigation Section, now referred to as “Probable Cause Hearing” Section (Sec. 26.05.468)

# Moving Forward

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1. This version of HB 126 is supported by the AKNG.
2. AKNG will continue to work with legislators to refine the bill, as needed.
3. While this bill is discussed during the session, AKNG should have a fully-formed Nonjudicial Punishment regulation to present to legislators.
4. AKNG desires that HB 126 is passed during the winter/spring of 2016, so that implementation can begin in summer of that year.

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# QUESTIONS?

For further questions or comments at a later date  
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