

coxcommission@wcl.american.edu
2009 Commission on Military Justice
17773 Courtside Landings Circle
Punta Gorda, FL 33955
October 20, 2009

Department of Defense Joint Service Committee on Military Justice

Dear Committee Members:

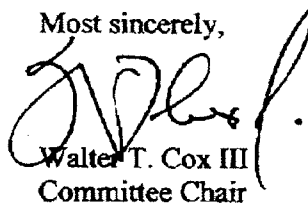
As you are aware, the 2009 Commission on Military Justice recently completed work on recommendations that the Commission believes will advance principles of justice, equity, and fairness in American military justice. In the course of the Commission's work, we held public hearings and collected more than 600 pages of information, suggestions, and ideas about modern American military justice.

One matter which generated a great deal of interest and input was on the troubling issue of animal abuse and abandonment by service members of their domestic animals while stationed overseas. Currently there is not an adequate mechanism for holding these service members criminally accountable when they abuse or abandon these non-public animals. Article 134, para. 60, UCMJ, codifies the crime of abusing a public animal, but there is no similar provision for abuse of a pet or other non-public animal.

Because this abuse and abandonment often takes place overseas and is beyond the reach of local civilian authorities, service members can go unpunished for this conduct. This legal loophole can also cause great discredit upon the armed forces when local communities are forced to deal with these neglected and abused animals. While the Commission is not making a formal recommendation on how to address this issue, we note that an amendment to Article 134, clause 3, may be an effective way in which to close this loophole. Forwarded with this correspondence is the material which the Commission received on this issue for your committee's consideration.

Thank you for your interest.

Most sincerely,



Walter T. Cox III
Committee Chair

encl.