

2023 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 6

BY REPRESENTATIVE CHARLES OWEN

A CONCURRENT RESOLUTION

To authorize and direct the Louisiana National Guard to study its Rules of Court that could result in nonunanimous verdicts in court-martial findings and to provide remedial proposals for legislation.

WHEREAS, the Louisiana National Guard is a military service composed of the Louisiana Army National Guard, the Louisiana Air National Guard, and the Louisiana State Guard governed by the provisions of the Uniform Code of Military Justice (UCMJ) and led by an adjutant general appointed by the governor of Louisiana; and

WHEREAS, the UCMJ is the foundation for military law that outlines criminal offenses and defines the military justice system; and

WHEREAS, the state of Louisiana, as a sovereign state with significant independence from the federal government, provides a Uniform Code of Military Justice in Title 29 of the Louisiana Revised Statutes of 1950 that models the UCMJ; and

WHEREAS, the articles of the UCMJ maintain provisions which could result in nonunanimous verdicts in court-martial findings; and

WHEREAS, in the case of *Ramos v. Louisiana*, 140 S. Ct. 1390, 206 L.Ed.2d 583 (2020), unanimous verdicts are required in all jurisdictions of the United States; and

WHEREAS, the state of Louisiana intends to enforce the decision in *Ramos v. Louisiana*, 140 S. Ct. 1390, 206 L.Ed.2d 583 (2020) pursuant to the laws of this state.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby authorize and direct the adjutant general of the Louisiana National Guard to conduct a study

to determine whether the Uniform Code of Military Justice authorizes nonunanimous verdicts and provide findings and recommendations to remedy such conflict of law.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the governor and the adjutant general.

BE IT FURTHER RESOLVED that one print copy and one electronic copy of any report produced pursuant to this Resolution shall be submitted to the David R. Poynter Legislative Research Library as required by R.S. 24:772.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE