

UCMJ Charges Expected in Espionage Case

An Alaska soldier arrested on suspicion of espionage will face military charges, but he is not expected to be charged in federal criminal court, according to an Army spokesman.

Spc. William Colton Millay, a 22-year-old military policeman from Owensboro, Ky., is expected to be charged under the Uniform Code of Military Justice within the week, according to Lt. Col. Bill Coppernoll, a spokesman for U.S. Army Alaska.

“We are preparing to prefer charges against Spc. Millay,” Coppernoll told Army Times.

Millay is assigned to the rear detachment of the 164th Military Police Company, 793rd Military Police Battalion, 2nd Engineer Brigade. The unit, known as the Arctic Enforcers, deployed to Afghanistan in the spring, leaving at Millay at Joint Base Elmendorf-Richardson.

Coppernoll said Millay was arrested at Elmendorf-Richardson on Oct. 29 as the result of an ongoing FBI and Army Counterintelligence investigation, but declined to explain the circumstances that led to Millay’s arrest.

The Army has been taking a hard line on information security violations following the arrest last year of former intelligence analyst Pfc.

Bradley Manning, who is accused of leaking hundreds of thousands of documents to the anti-secrecy website WikiLeaks.

“The Army is very serious about prosecuting any types of espionage, or leaks or any type of mishandling of sensitive material,” said Greg Rinckey, an attorney who specializes in courts-martial but is not connected to Millay’s case.

Rinckey said that it is possible Millay had access to sensitive information as a military policeman, but the case does not appear to be as serious as Manning’s. Nevertheless, the Army seems to be sending a message by getting tough with Millay, he said.

“The Army wants to send a message to other soldiers that this is not acceptable, and it will be dealt with extremely harshly,” Rinckey said.

Friends from Millay’s hometown were “shocked” to hear of his arrest and said the charges were uncharacteristic of Millay. One friend, Janssen Payne, said Millay is “as loyal to his country as he is to his best friends.”

“I just don’t see it,” Payne, 25, said of the Army’s accusations. “I just don’t see the motivation for him to do it.”

Payne said Millay’s brother was a soldier and that Millay was a supporter of the wars and then-President George W. Bush when the two of them were in high school.

“He was really patriotic and really loved his country,” Payne said.

At the time, Payne, Millay and their friends were part of a tight-knit group that filmed a several humorous shorts for YouTube. In a spoof of the “Die Hard” movies, Millay played a buffoonish

“Bruce Willis” character.

Payne recalled Millay getting in some minor trouble as a teenager, but said he had straightened out since joining the Army. However, Millay had not been in contact with many of his friends for several months.

“Everybody’s really worried about what will happen to him, and we all just want him to come home, but I know that would just kill him,” Payne said.

Millay remains in pre-trial confinement at the Anchorage Correctional Complex.

Mary Frances Rook, special agent in charge of the FBI in Alaska, said after the arrest that it was the result of the “close working relationship between the FBI and its military partners in Alaska.”

Representatives of the FBI and Department of Justice in Alaska declined to comment further and deferred to the Army and Defense Department.