

A Summary of Courts-Martial Statistics and Analysis for the JPP Public Meeting on January 22, 2016

The JPP staff analyzed 1,761 adult sexual assault cases from the Army, Air Force, Marine Corps, Navy, and Coast Guard involving a charged offense of sexual assault that reached trial by court-martial or other resolution in FY 2012, 2013, and 2014. On January 22, 2016, the staff will present the Panel with the results of its review and analysis of those adult sexual assault cases provided by the Military Services.

A series of descriptive statistics for the entire collection of cases provides:

- The portion of cases belonging to each Military Service
- The fiscal year in which the cases were adjudicated
- The number of cases in which a penetrative or contact offense was the most serious offense charged
- The rank and sex of the Service Member accused
- The sex, and military or civilian status, of the individual making the report of sexual assault
- Trial details: court-martial type; forum; outcome; sentence type and amount
- An analysis of how these various attributes relate to one another, e.g., the conviction rate for penetrative offenses by Military Service or by Fiscal Year.

JPP Staff's Proposed Research Questions used to guide the statistical analysis:

1. What types of offenses were referred to General and Special courts-martial?
2. Is there a difference in the disposition of adult sexual assault offenses by year? By Service? By Accused's rank? By victim demographics?
3. How often are adult sex assault charges preferred and subsequently dismissed? How often are they referred to court-martial?
4. How often does an Article 32 hearing occur and what is its impact on case processing?
5. How often are defendants pleading guilty to at least one adult sexual assault offense?
6. What are the factors associated with the type and amount of punishment (adjudged and approved) rendered at court-martial?
7. How do court-martial sentences compare with sentences for like offenses and offenders in Federal and State courts?
8. What types of adult sexual assault offenses were disposed by nonjudicial punishment and/or administrative separation?
9. How frequently do military appellate courts set aside sexual assault convictions or reduce sentences in such cases? How frequently are convictions set aside after the accused pleads guilty to the sexual assault offense?