



JUDICIAL PROCEEDINGS PANEL

Courts-Martial Trends and Statistics



JPP Statutory Tasks

- Review and evaluate current trends in response to sexual assault crimes whether by courts-martial proceedings, non-judicial punishment and administrative actions, including the number of punishments by type, and the consistency and appropriateness of the decisions, punishments, and administrative actions based on the facts of individual cases
- Identify any trends in punishments rendered by military courts, including general, special, and summary courts-martial, in response to sexual assault, including the number of punishments by type, and the consistency of the punishments, based on the facts of each case compared with the punishments rendered by Federal and State criminal courts
- Review and evaluate court-martial convictions for sexual assault in the year covered by the most-recent report of the Judicial Proceedings Panel and the number and description of instances when punishments were reduced or set aside upon appeal and the instances in which the defendant appealed following a plea agreement, if such information is available



Foundational Issues

- 1. Are sexual assault charges being resolved at the appropriate level?*
- 2. Are disposition decisions consistent for similar types of cases?*
- 3. Is there consistency in the punishments rendered at courts-martial for sexual assault charges?*
- 4. Can the JPP provide a meaningful analysis of whether the decisions and punishments were appropriate and consistent based on the information available?*



Foundational Issues

5. *Are the punishments imposed for sexual assault offenses under the UCMJ any harsher or more lenient than expected based on the offense(s) charged?*

6. *How do the punishments imposed at court-martial for sexual assault offenses compare with punishments for similar offenses in State and Federal courts?*



Foundational Issues

7. *How frequently do military appellate courts set aside sexual assault convictions or reduce sentences in such cases?*

8. *How frequently do military appellate courts set aside sexual assault convictions in cases where the accused pled guilty to the offense?*



Additional Matters

Are there any discernable patterns that enable us to make an assessment of the health of the military justice system as it relates to the adjudication of sexual assault offenses?



Order of presentations:

Court-martial data analysis

Nonjudicial punishment and administrative separation actions

Appellate court decisions in sexual assault cases