Judicial Proceedings Panel
Minutes of August 6, 2015 Public Meeting

AUTHORIZATION: The Judicial Proceedings Since Fiscal Year 2012 Amendments Panel (JPP), is a federal advisory committee established pursuant to Section 576(a)(2) of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2013, as amended by section 1731(b) of the NDAA for FY 2014 and section 546 of the NDAA for FY 2015, and in accordance with the Federal Advisory Committee Act of 1972, the Government in Sunshine Act of 1976, and governing federal regulations.

EVENT: The JPP held a public meeting on August 6, 2015, from 9:05 a.m. to 4:32 p.m. The Panel began the meeting to deliberate the issues regarding restitution and compensation for sexual assault victims and retaliation against individuals who report incidents of sexual assault within the military. The Panel used its last hour to address the tasking to review current trends and statistics of the judicial proceedings of sexual assault crimes in the military.

LOCATION: The meeting was held in the Faculty Conference Center, George Washington University, School of Law, 2000 H Street NW, Washington DC 20052.

MATERIALS: A verbatim transcript of the meeting was made and is incorporated herein. It is available on the JPP website: http://jpp.whs.mil.

PARTICIPANTS

Participating JPP Members:
The Honorable Elizabeth Holtzman, Chair
The Honorable Barbara Jones
Vice Admiral (Retired) Patricia A. Tracey
Professor Thomas W. Taylor
Mr. Victor Stone

Attending JPP Staff:
Lieutenant Colonel Kyle Green, United States Air Force, JPP Staff Director
Ms. Julie Carson
Ms. Meghan Tokash
Mr. Matt Osborn
Ms. Meghan Peters

Other Participants:
Ms. Maria Fried, Office of the General Counsel, Department of Defense, Designated Federal Official

MEETING MINUTES

The DFO opened the public meeting at 9:05 a.m. The Honorable Elizabeth Holtzman provided opening remarks, reviewed the tasks of the JPP and the agenda for the meeting.

Deliberations: Restitution and Compensation for Sexual Assault Victims

The Panel began its review of ten issues relating to restitution and compensation for sexual assault victims. Each issue was discussed and the Panel either agreed on a proposed recommendation or made a request for additional information and decided to further review those issues before reaching any conclusions.

Deliberations: Retaliation against Victims of Sexual Assault Crimes

Following a break for lunch, the Panel began deliberations on eleven issues relating to retaliation against individuals who report incidents of sexual assault within the military.
Ms. Julie Carson and Ms. Meghan Tokash of the JPP staff assisted with members' questions by directing them to information they previously received about retaliation against sexual assault victims. The Panel discussed five of the eleven issues and decided to continue their discussion of the remaining issues at a future meeting in order to stay within the time allotted on the agenda.

Panel Discussion Regarding Current and Pending Issues:

In the last hour of the public meeting, two of the JPP staff members, Mr. Matt Osborn and Ms. Meghan Peters, outlined the staff's proposed plan to review and evaluate current courts-martial trends and statistics relating to sexual assault crimes in the military. They presented the proposed plan to accomplish the JPP's tasks pertaining to court-martial trends analysis. Mr. Osborn specifically addressed how the data was being collected and described the database that would generate reports for the JPP members to conduct their review and analysis. Ms. Peters spoke about the experts and military personnel who could speak at future meetings to help with the Panel members' analysis and offered a proposed calendar from September through November. The Chair approved the staff's overview and draft proposal for the way ahead.

Public Comment

There was no public comment.

The DFO closed the meeting at 4:32 p.m.

CERTIFICATION

I hereby certify, to the best of my knowledge, the foregoing minutes are accurate and complete.

Elizabeth Holtzman
Chair
Judicial Proceedings Panel

MATERIALS

Meeting Records:

1. Transcript of August 6, 2015 JPP meeting, prepared by Neal R. Gross and Co., Inc.
2. Video recording of August 6, 2015 JPP meeting filmed by Army Television.

Read-Ahead Reference Materials Provided to Panel Members *Prior* to Public Meeting

Materials Related to Deliberations on Restitution and Compensation

3. JPP Report of Restitution and Compensation (Draft)
4. Proposed Issues for JPP Deliberations on Restitution and Compensation (Draft)

Materials Relevant to Deliberations on Retaliation

5. Proposed Issues for JPP Deliberations on Restitution (Draft)
6. Proposed Outline for Retaliation Report (Draft)
7. Continuum of Retaliation for Crime Victims
8. Chart of RFI Responses to Retaliation (Drafted by JPP Staff)
9. Change 1 to 27 February 15 Memorandum – Updated Procedures Regarding Reporting and Tracking Retaliation in Sexual Assault Cases (March 17, 2015)
10. U.S. Army Equal Opportunity/Sexual Assault Complaint Process
11. DD Form 2910 – Victim Reporting Preference Statement (Jun 14)
12. DD Form 2965 – Defense Sexual Assault Incident Database (DSAID) Data Form (Aug 13)
13. DD Form 149 – Application for Correction of Military Record under the Provisions of Title 10, U.S. Code, Section 1552 (Dec 14)
14. DoD SAPROInfo Paper – Issuance of Change 2 to DoD Instruction 6495.02, "Sexual Assault Prevention and Response Program Procedures," July 2015

Materials Relevant to Trends and Analysis to Courts-Martial

15. Executive Summary of Judicial Proceedings Panel Tasks: Trends and Analysis of Courts-Martial
16. JPP RFI Set 2 Question 66.1 – Courts-Martial Records
17. Court Data Collection Tracker
18. JPP Staff Briefing Slides on Trends, Statistics, Meetings and Analysis