



JUDICIAL PROCEEDINGS PANEL

February 1, 2016

FOR IMMEDIATE RELEASE

The Judicial Proceedings Since Fiscal Year 2012 Amendments Panel Releases Report on Restitution and Compensation for Military Adult Sexual Assault Crimes.

Arlington, VA – The Judicial Proceedings Panel (JPP) today released a report containing six recommendations to Congress and the Secretary of Defense to simplify and accelerate the provision of restitution and compensation to victims of sexual assault in the military. These recommendations are issued in response to the Panel’s tasking by Congress in the National Defense Authorization Act for Fiscal Year 2014 to analyze and assess the adequacy of the provision of compensation and restitution for victims of sexual assault crimes committed by military Service personnel and specifically to evaluate three proposals for expanding such relief.

The Panel concluded that to best meet the financial needs of sexual assault victims, a new Department of Defense compensation program should be established that will provide benefits to victims without regard to the physical location of the offense or the victim’s state of residence, both of which may be complicating factors that limit victims in military sexual assault cases from accessing existing state victim compensation funds.

The JPP also encouraged the President to enact the recently proposed executive order that will modify the Rules for Courts-Martial to provide victims with the right to be heard before a convening authority enters into a pretrial agreement, noting that the inclusion of restitution in a pretrial agreement is within the discretion of convening authorities. The Panel further recommended that the military Services provide recurring training to attorneys and victim assistance personnel on the availability and use of restitution in pretrial agreements.

The JPP evaluated proposals to amend the Uniform Code of Military Justice to allow for compensation of victims from the forfeited wages of incarcerated Service members, to include bodily harm among the injuries meriting compensation under Article 139, and to add restitution as an authorized punishment that may be adjudged at courts-martial. Ultimately, the Panel determined that the negative effects of these proposals would outweigh the benefits each sought to achieve and instead recommends establishment of a new, uniform DoD compensation program.

To make its assessment, the JPP collected extensive testimony and research from experts in the field of restitution and compensation, Service members, civilian Department of Defense personnel, and victim advocacy organizations.

Ms. Elizabeth Holtzman, JPP Chair, said, “By ensuring victims of military sexual assault receive appropriate compensation for their injuries, the Department of Defense is sending an important message that victims count. Appropriate restitution should help further reporting and punishment of perpetrators.”

More information about the Panel, including the full version of this report and testimony and materials considered by the Panel members in developing these recommendations, is available on the JPP’s website at <http://jpp.whs.mil>.