



JUDICIAL PROCEEDINGS PANEL

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FOR IMMEDIATE RELEASE

The Judicial Proceedings Panel Releases its Report on Victims' Appellate Rights

Arlington, VA – The Judicial Proceedings Since Fiscal Year 2012 Amendments Panel (JPP) today released a report to Congress and the Secretary of Defense to improve the rights of victims of sexual assault in the military justice system's appellate process. The Panel made four recommendations to Congress, the Department of Defense, and the Services: (1) to call on Congress to provide victims with the ability to protect their rights in post-conviction appellate proceedings; (2) to grant the Court of Appeals for the Armed Forces (CAAF) specific jurisdiction to review victims' appeals under Article 6b of the Uniform Code of Military Justice, the military victims' rights statute; (3) to provide victims with an opportunity to be heard prior to appellate counsel review of certain sealed materials; and (4) to require that victims be provided with notice of significant appellate matters.

The Panel began its assessment of the protection of victims' rights in the appellate process after hearing concerns expressed by the Military Services' special victims' counsel program managers at the JPP public meeting in April 2016. In response, the JPP Chair solicited a legislative proposal from the program managers addressing their concerns. The Panel held two public meetings in September and October 2016 to hear the perspectives of judges, practitioners and experts—including a former chief judge of the CAAF, former military appellate judges, military appellate defense and government counsel, civilian appellate defense counsel, an official from the Department of Justice Office of Victims of Crime, and attorneys from victims' rights organizations—about the proposed changes to the appellate process. The JPP also received written submissions from the Department of Defense, current and former Service judge advocates, and victims' rights organizations.

In developing its recommendations, the Panel carefully considered the issues and stakeholder perspectives, holding over 11 hours of deliberations from November 2016 to May 2017, with subject matter experts available to assist with specific questions of law and policy. The JPP is pleased to release this report detailing its findings and recommendations regarding victims' appellate rights.

The Judicial Proceedings Panel is an independent federal advisory committee tasked with conducting an independent review and assessment of military judicial proceedings for sexual assault offenses since Fiscal Year 2012, for the purpose of developing recommendations to Congress and the Secretary of Defense for improvements to such proceedings. The JPP was established by the Secretary of Defense in June 2014 in accordance with section 576(a)(2) of the National Defense Authorization Act for Fiscal Year 2013.

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