



JUDICIAL PROCEEDINGS PANEL

September 15, 2017

FOR IMMEDIATE RELEASE

The Judicial Proceedings Panel Releases Its Report on Statistical Data Regarding Military Adjudication of Sexual Assault Offenses for Fiscal Year 2015

Arlington, VA – The Judicial Proceedings Since Fiscal Year 2012 Amendments Panel (JPP) has released its report on statistical data regarding the adjudication of adult-victim sexual assault crimes in the military for fiscal year 2015. This report builds on the JPP’s previous analysis and report, issued in April 2016, examining cases tried in fiscal years 2012–2014 and on the JPP’s previous recommendations related to sexual assault data collection.

To conduct its analysis, the JPP followed the same methodology used in its previous report: the Panel sought information from court records, case documents, and other publicly available resources. The JPP reviewed court-martial documents from the military Services for 738 sexual assault cases resolved in fiscal year 2015 in which at least one sexual assault charge was preferred. As it did with its previous data report, the JPP coordinated with the distinguished criminologist Dr. Cassia Spohn, Foundation Professor and Director, School of Criminology and Criminal Justice, Arizona State University, who analyzed the fiscal year 2015 data and provided descriptive statistics concerning case dispositions, outcomes, and punishments. The JPP considered this analysis, recent military appellate court decisions, and recent changes in military law in developing this report and made three recommendations regarding case adjudication data collection.

These recommendations are:

First reiterating its previous recommendation on this issue, the JPP recommended that the Secretary of Defense and the military Services adopt a standardized, document-based collection model for collecting and analyzing case adjudication data—a best practice employed by the U.S. Sentencing Commission—to implement the new Article 140a of the Uniform Code of Military Justice (UCMJ). This new UCMJ provision requires the Secretary of Defense to establish uniform standards and criteria for collecting military justice data across all of the Military Services within four years.

Second, the JPP found that the DoD Sexual Assault Prevention and Response Office’s data collection and reporting on the legal disposition of adult-victim sexual assault cases lacks sufficient clarity and thoroughness to meet the needs of Congress and DoD. The JPP therefore recommended that the new military justice data collection system established under Article 140a, UCMJ, be designed so as to become the exclusive source of sexual assault case adjudication data for the Department’s annual sexual assault report to Congress.

Third, the JPP recommended that the Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces consider continuing to analyze adult-victim

sexual assault court-martial data annually, using the document-based methodology followed by the JPP.

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. This is the ninth report issued by the JPP.

More information about the JPP, 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>.