



JUDICIAL PROCEEDINGS PANEL
SUITE 150, ONE LIBERTY CENTER
875 NORTH RANDOLPH STREET
ARLINGTON, VA 22202

Focus Points

Judicial Proceedings since Fiscal Year 2012 Amendments Panel

Topic areas for study by the Judicial Proceedings Panel as outlined in the law establishing the Panel or as subsequently tasked to the Panel:

- **Article 120:** Assess and make recommendations to improve the implementation of reforms of Article 120 of the Uniform Code of Military Justice (UCMJ), and assess likely consequences of amending the definition of rape under Article 120 to include a situation in which a person commits a sexual act upon another person by abusing his or her position in the chain of command to access or coerce the individual.
- **Trends and Statistics of Courts-Martial:** Monitor the implementation of the withholding initial disposition authority policy and review and evaluate any trends in response to or disposition of sexual assault crimes, punishments rendered by courts-martial, and court-martial convictions where punishments were reduced or later set aside upon appeal.
- **Assessment & Trends of Training/Experience of Prosecutor & Defense Counsel:** Assess training and experience levels of military defense and trial counsel and how that may impact trends in prosecution and adjudication of adult sexual assault cases.
- **Mandatory Minimum Sentences:** Assess the implementation and effects of the mandatory minimum sentences of a dismissal or dishonorable discharge for certain sexual assault offenses as well as the appropriateness of mandatory minimum sentences for offenses under the UCMJ.
- **Special Victim Capability:** Monitor trends in the Special Victim Capabilities required by Congress to respond to sexual assault victims.
- **Special Victims' Counsel Program:** Assess the implementation and effect of the Special Victims' Counsel Program and recommend modifications as appropriate.
- **Victims' Past Sexual Conduct (MRE 412):** Review and assess instances in which the defense introduced evidence of a victim's prior sexual conduct, a victim's prior sexual conduct was considered in a proceeding, or when prior sexual conduct was determined to be inadmissible.
- **Victim Compensation & Restitution:** Assess and develop recommendations on expanding compensation and restitution, specifically considering providing forfeited wages of incarcerated members of the Armed Forces to victims as compensation; adding bodily harm as an injury meriting compensation under Article 139 of the UCMJ; and allowing the court-martial to direct and require a member of the Armed Forces provide restitution to a victim.