



THE DEFENSE ADVISORY COMMITTEE ON  
INVESTIGATION, PROSECUTION, AND DEFENSE OF  
SEXUAL ASSAULT IN THE ARMED FORCES

26 July 2022

MEMORANDUM FOR THE JUDGE ADVOCATE GENERAL OF THE AIR FORCE

SUBJECT: Victim Impact Statements under Rule for Courts-Martial 1001(c)

1. At the June 22, 2022 DAC-IPAD public meeting, the Committee voted to review the topic of whether military judges are giving appropriate deference to crime victims who provide victim impact statements in presentencing proceedings under RCM 1001(c), as requested by Congress in the Joint Explanatory Statement to the FY20 National Defense Authorization Act.

2. I respectfully ask your staff to provide our staff with the responses specified in the Request for Information by the date requested (Encl 1).

3. Thank you for your support of this important project. My POC is Mr. Chuck Mason, Data Lead, at (571) 296-5303 or [robert.c.mason2.civ@mail.mil](mailto:robert.c.mason2.civ@mail.mil).

JEFF A. BOVARNICK  
Colonel, U.S. Army  
Staff Director

Encl  
As stated

cc:  
Mr. Dwight Sullivan (DoD OGC)  
Service Representative

**Defense Advisory Committee on Investigation, Prosecution, and  
Defense of Sexual Assault in the Armed Forces (DAC-IPAD)**  
**Request for Information from The Judge Advocate General of the Air Force**  
**26 July 2022**

**Victim Impact Statements under Rule for Courts-Martial 1001(c)**

**I. Purpose**

1. At the June 22, 2022 DAC-IPAD public meeting, the Committee voted to review the topic of whether military judges are giving appropriate deference to crime victims who provide victim impact statements in presentencing proceedings under RCM 1001(c), as requested by Congress in the Joint Explanatory Statement to the FY20 National Defense Authorization Act.
2. As part of the DAC-IPAD’s review of victim impact statements and to support other statutory requirements, the Committee must review FY21 courts-martial documents.

**II. Authority**

1. The DAC-IPAD is a federal advisory committee established by the Secretary of Defense pursuant to section 546 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291), as amended.
2. The mission of the Committee is to advise the Secretary of Defense on the investigation, prosecution, and defense of allegations of rape, forcible sodomy, sexual assault, and other sexual misconduct involving members of the Armed Forces.

**III. Suspense**

Suspense	RFI	Proponent – Military Services
12 Aug 2022	Documents	Service TJAG provide documents requested in Section IV for courts-martial listed in attachment.

**IV. Documents Requested**

The DAC-IPAD requests the electronic record of trial (eROT) for only those 51 FY21 cases listed below which involve a victim impact statement under RCM 1001(c). If the eROT is not available for any of the 51 cases listed below, the DAC-IPAD requests the following documents for only those cases listed below which involve a victim impact statement under RCM 1001(c):

- a. The transcript of the sentencing portion of the trial;
- b. The transcript of any portions of the trial in which victim impact statements under RCM 1001(c) are discussed, such as motion hearings;
- c. Written victim impact statements;
- d. Motions and responses pertaining to victim impact statements;
- e. Judicial orders or findings related to victim impact statements;
- f. Any other materials that would ordinarily be contained within a record of trial pertaining to victim impact statements.

## DAC-IPAD Request for Information

### Victim Impact Statements under Rule for Courts-Martial 1001(c)

#### Air Force FY21 Convictions

	<b>Accused's Name</b>	<b>Victim Impact Statement? (Yes/No)</b>		<b>Accused's Name</b>	<b>Victim Impact Statement? (Yes/No)</b>
1	Ashmore, Donovan		27	Massie, Zane	
2	Baker, Dakota		28	McCoy, Ervin	
3	Berry, Nigel		29	McCrory, Julian	
4	Boren, Douglas		30	Payan, Christian	
5	Borneman, David		31	Pearson, Brandon	
6	Brown, Allan		32	Pearson Jr., Roderick	
7	Cabuhat, Domingo		33	Raver, Michael	
8	Cadavona, Ian		34	Renzi, Paul	
9	Cannon, Corey		35	Rivera-Moyet, Jorgediego	
10	Carlile, Joseph		36	Roberts, Deryk	
11	Cochran, Stacy		37	Rodriguez, Christian	
12	Cole, Kristopher		38	Ross, Jaden	
13	Daley, Sean		39	Sayers, Cody	
14	Dixon, Alexander		40	Souders, Garret	
15	Dyer, Brandon		41	Stafford, John	
16	Emas, Nicholas		42	Stewart, Roderick	
17	Garron, Charles		43	Taylor, Terry	
18	Gonzales, Giovanni		44	Torello, Dante	
19	Guihama, Jonel		45	Valentin-Andino, Michael	
20	Heppermann, Nathaniel		46	Velasquez, Nicholas	
21	Jackson, Nathaniel		47	Vieth, Adamg	
22	Jones, Alexander		48	Wells, Deshaun	
23	Kilcrease, Spencer		49	West, Demorris	
24	Kim, Won-Jun		50	Williamson, Tyler	
25	Knodel, Philip		51	Zapata, John	
26	Lopez, George (2 <sup>nd</sup> C-M – 12 Jun 21)				