



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

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FOR IMMEDIATE RELEASE

The Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces Publicly Releases Its Fourth Annual Report

Arlington, Virginia - The Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces (DAC-IPAD) has submitted its fourth annual report to the Secretary of Defense and Committees on Armed Services of the Senate and House of Representatives, in accordance with section 546 of the National Defense Authorization Act for Fiscal Year 2015 (Pub. L. 113-291), as amended. The report is now publicly available on the DAC-IPAD website at <http://dacipad.whs.mil>.

In this report the Committee sets forth three findings and nine observations from the culmination of the DAC-IPAD Case Review Working Group's examination of over 2,000 military investigative case files for investigations closed in fiscal year 2017 involving an active duty Service member alleged to have committed a penetrative sexual offense against an adult victim. The Committee's findings are related to victims' statements to military investigators, investigator discretion in tailoring an investigation to the specific facts of an alleged sexual offense, and the frequency of adverse administrative actions taken against subjects prior to the determination of whether charges will be preferred against the subject.

The report also provides an update regarding the DAC-IPAD Policy Working Group's in-depth study of reforms to the preliminary hearing and court-martial referral processes under Articles 32, 33, and 34 of the Uniform Code of Military Justice, as requested by the Acting General Counsel for the Department of Defense. Further, the report includes an overview of the Committee's analysis of and six recommendations related to the Department of Defense's initial *Report on Allegations of Collateral Misconduct Against Individuals Identified as the Victim of Sexual Assault in the Case Files of a Military Criminal Investigative Organization*, in accordance with section 547 of the FY19 NDAA (Public Law 115-232), originally submitted to the Secretary of Defense by the Committee Chair in September 2019.

In November 2019, the DAC-IPAD issued its *Court-Martial Adjudication Data Report*, which provided case characteristics and adjudication outcomes for sexual offense cases closed in fiscal years 2015 through 2018, including a multivariate statistical analysis prepared by a professional criminologist that identified patterns in the data. The present report also includes a summary of that data and a description of planned military installation site visits.

The DAC-IPAD was established by the Secretary of Defense in February 2016, in accordance with section 546 of the National Defense Authorization Act for Fiscal Year 2015, as amended. The Committee is tasked 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 based on its review of such cases on an ongoing basis. Please address any questions or comments to the DAC-IPAD mailbox at whs.pentagon.em.mbx.dacipad@mail.mil