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

COURT-MARTIAL ADJUDICATION DATA REPORT

November 2019

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Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces

Court-Martial Adjudication
Data Report

November 2019

November 25, 2019

The Honorable James Inhofe
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Committee on Armed Services
United States Senate
Washington, DC 20510

The Honorable Jack Reed
Ranking Member
Committee on Armed Services
United States Senate
Washington, DC 20510

The Honorable Adam Smith
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The Honorable Mac Thornberry
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Committee on Armed Services
U.S. House of Representatives
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The Honorable Mark T. Esper
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301

Dear Chairmen, Ranking Members, and Mr. Secretary:

We are pleased to submit the Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces ("DAC-IPAD" or "Committee") report on military sexual assault case adjudication for fiscal years 2015 through 2018. This report continues to build upon the military sexual assault case disposition data collection and reporting project begun by the DAC-IPAD's predecessor, the Judicial Proceedings Panel (JPP) and continued by the DAC-IPAD as requested by the Department of Defense General Counsel in a June 2018 letter to the Committee Chair.

In this stand-alone data report, the DAC-IPAD provides the most comprehensive military sexual assault case adjudication data ever compiled, as well as a detailed statistical analysis conducted by a professional criminologist retained by the DAC-IPAD. The Committee makes no findings or recommendations at this time; our intent with this report is to provide policymakers with the most up-to-date, accurate, and reliable information available on the outcomes of adult sexual assault allegations in which charges were preferred against a military subject under the Uniform Code of Military Justice.
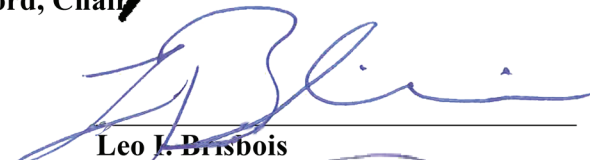
The Committee is continuing to examine the conviction and acquittal rates for sexual assault prosecutions that are presented in this report as well as the process for preferring and referring charges for sexual assault offenses to court-martial.
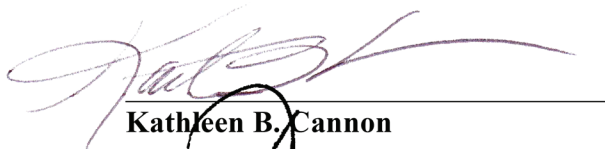
The members of the DAC-IPAD would like to express our sincere gratitude and appreciation to the many members of the Military Services, including the Coast Guard, who have diligently assisted the Committee in its collection of case documents for this project and to the JPP for its initiation of this important endeavor.
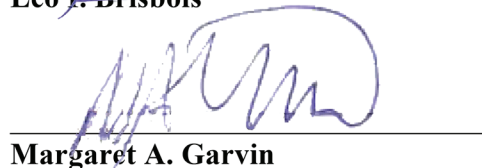
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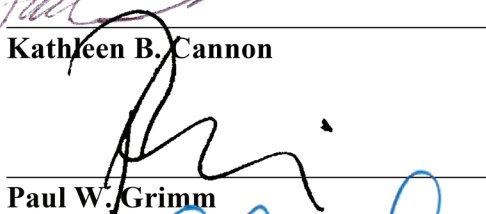
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Martha S. Bashford, Chair

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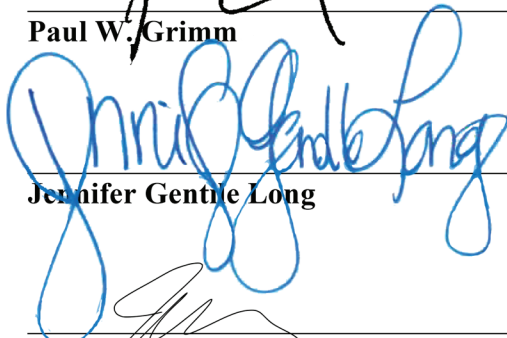
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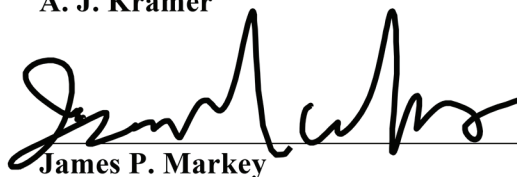
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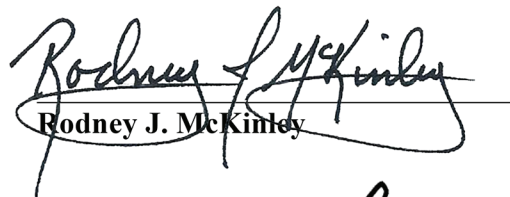
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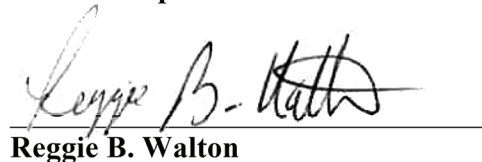
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Rodney J. McKinley

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James R. Schwenk

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Cassia C. Spohn

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Meghan A. Tokash

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Reggie B. Walton

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EXECUTIVE SUMMARY

In section 546 of the National Defense Authorization Act for Fiscal Year 2015, enacted on December 23, 2014, Congress directed the Secretary of Defense to establish the sixth congressionally mandated task force on sexual assault in the military since 2003: the Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces (DAC-IPAD).[1] Its authorizing legislation charges the Committee to execute three tasks over its five-year term:[2]

1. 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;

2. To review, on an ongoing basis, cases involving allegations of sexual misconduct for purposes of providing advice to the Secretary of Defense; and

3. To submit an annual report to the Secretary of Defense and to the Committees on Armed Services of the Senate and the House of Representatives no later than March 30 of each year.

This report describes the Committee's annual collection and analysis of military case adjudication statistical data for adult-victim sexual assault cases in which charges were preferred for penetrative or contact sexual assault offenses and in which final action on the case is complete.[3] The Committee has collected and recorded case documents including charge sheets, Article 32 reports, and Results of Trial forms for a total of 574 cases completed in fiscal year 2018, 691 cases completed in fiscal year 2017, 769 cases completed in fiscal year 2016, and 780 cases completed in fiscal year 2015. This report and a detailed appendix provide case characteristics, disposition outcomes, and adjudication outcomes for these cases, including sex, Service branch, and pay grade of the subject; relationship of the victim to the subject; nature of the charges; forum; and case outcome. This report also includes a multivariate statistical analysis prepared by a professional criminologist that identifies patterns in the data.

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1 National Defense Authorization Act for Fiscal Year 2015, Pub. L. No. 113-291 [hereinafter FY15 NDAA], § 546, 128 Stat. 3374 (2014).

2 *Id.*

3 For purposes of the DAC-IPAD's case review and data collection, the term "sexual assault" includes the following offenses under the Uniform Code of Military Justice: rape (Article 120(a)), sexual assault (Article 120(b)), aggravated sexual contact (Article 120(c)), abusive sexual contact (Article 120(d)), forcible sodomy (Article 125), and attempts to commit these offenses (Article 80).

SEXUAL ASSAULT COURT-MARTIAL CASE ADJUDICATION TRENDS AND ANALYSIS

I.   INTRODUCTION

The Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces (DAC-IPAD) was established by the Secretary of Defense in February 2016 pursuant to section 546 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2015, as amended.[4] The mission of the DAC-IPAD 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.[5] In order to provide that advice, the Committee is directed to review, on an ongoing basis, cases involving allegations of sexual misconduct.[6]

Before the DAC-IPAD was established, Congress tasked the Judicial Proceedings Since Fiscal Year 2012 Amendments Panel (Judicial Proceedings Panel, or JPP) with reviewing and evaluating the judicial response to sexual assault cases in the military. To conduct its analysis, the JPP sought information from court records, case documents, and other publicly available resources for courts-martial resolved in fiscal years 2012 through 2015. Information from the cases was entered into a JPP-developed database, and the JPP coordinated with a criminologist to analyze the data and provide descriptive statistics concerning court-martial case characteristics, case dispositions, and case outcomes.

To continue the collection and analysis of data on sexual assault courts-martial, the DAC-IPAD formed the Data Working Group (DWG). The DWG is composed of three Committee members: Dr. Cassia Spohn, who serves as the working group's chair; Chief Master Sergeant of the Air Force (retired) Rod McKinley; and Mr. James Markey. The DWG has continued to develop, refine, and expand the DAC-IPAD database and, in the past calendar year, added cases completed in fiscal year 2018.

II.   METHODOLOGY OF THE DATA WORKING GROUP

In September 2018, the DAC-IPAD staff, at the direction of Chair Martha S. Bashford, requested that the Military Services provide documents, utilizing their individual case tracking databases, for cases involving a preferred charge of sexual assault completed in fiscal year 2018.[7] The staff screened the case records provided by the Services to identify duplicate cases, cases with incomplete documentation, cases of sexual assault that did not involve an adult victim, cases that did not involve a sex offense, and cases whose

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4   FY15 NDAA, *supra* note 1, § 546; National Defense Authorization Act for Fiscal Year 2016, Pub. L. No. 114-92, § 537, 129 Stat. 726, 817 (2015).

5   FY15 NDAA, *supra* note 1, § 546(c)(1).

6   *Id.* at § 546(c)(2).

7   A "completed" case is any case tried to verdict, dismissed without further action, or dismissed and then resolved by non-judicial or administrative proceedings.

reported year of case completion was not correct. The resulting 574 cases from fiscal year 2018 were then added to the electronic database.

The DAC-IPAD database includes cases encompassing fiscal years 2012 through 2018, all of which involve at least one charge of a penetrative sexual offense (i.e., rape, aggravated sexual assault, sexual assault, forcible sodomy, and attempts to commit these offenses) or a contact sexual offense (i.e., aggravated sexual contact, abusive sexual contact, wrongful sexual contact, and attempts to commit these offenses). The Department of Defense (DoD) does not collect information on the legal outcome of cases in which the victim is the spouse or an intimate partner; therefore the statistical data for fiscal years 2012 through 2014, collected by the JPP, do not include the legal outcomes of those classes of cases and will not be included in the historical discussion to follow.

III. MILITARY JUSTICE INFORMATION FOR SEXUAL ASSAULT CASES COLLECTED BY THE DAC-IPAD

The DAC-IPAD relies on the Military Services to report cases meeting the criteria specified. The Committee therefore does not assert that it has the complete universe of cases throughout the Armed Forces in which a sexual assault charge was filed. The data were also limited to cases in which a complete set of disposition records could be identified and retrieved for analysis. In the following tables and charts, percentages may not total 100, owing to rounding errors or missing data. Also, cadets/midshipmen and warrant officers are included with "officers." Data tables for fiscal years 2015 through 2018, provided in Appendix A, inform the presentation of data that follows.

Court-Martial Case Characteristics

The DAC-IPAD received 574 court-martial records from the Services that involved the preferral of an adult-victim sexual assault offense and were completed in fiscal year 2018. Among the Services, the Army generated the most cases. Courts-martial records indicated that the accused was usually male and the victims were most often female. In addition, the vast majority of courts-martial involved one military victim; however, there were several that involved multiple victims. In 75% of cases, the most serious charge that was preferred was a penetrative offense.

As in the past, the DAC-IPAD notes that a number of characteristics are similar across the cases from fiscal year 2015 through fiscal year 2018:

- The characteristics of the accused and the victim
- The proportion of cases involving a penetrative offense
- The proportion of cases tried by court-martial
- The proportion of penetrative offenses referred to general courts-martial

Overview of Total Cases Received

Table 1. Military Service Response to Request for Information (FY 2018)

	Cases Reported	Cases Entered	% Valid
Army	386	232	60.1%
Marine Corps	94	82	87.2%
Navy	109	94	86.2%
Air Force	170	151	88.8%
Coast Guard	15	15	100.0%
Total	774	574	74.2%

The Military Services provided 774 cases in response to the request for information. After the DAC-IPAD staff reviewed the cases to verify their alignment with established criteria for inclusion, 574 cases (74% of submitted cases) for FY18 were added to the database. Reasons for a case being classified as "non-responsive" and therefore not added to the database include being a non-qualifying non-sex offense, being a child-victim sex offense, being an instance of duplicate reporting, and falling into another fiscal year.

Figure 1. Cases Documented by the DAC-IPAD

FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
301	590	738	780	769	691	574
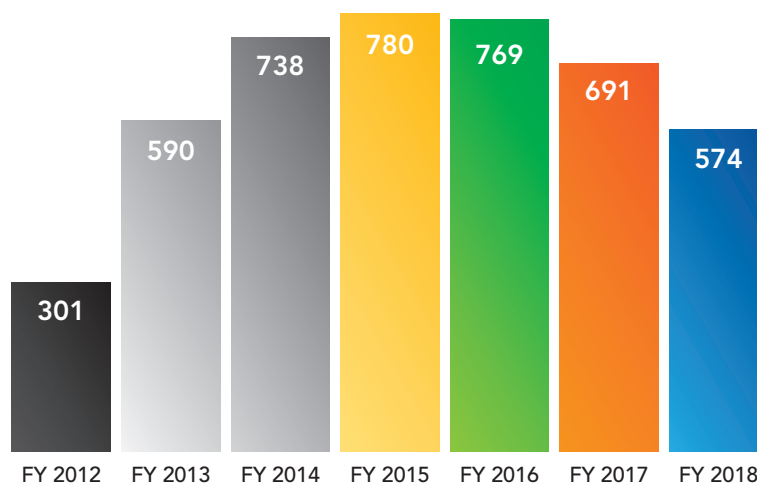
The DAC-IPAD case adjudication database includes cases encompassing fiscal years 2012 through 2018, as illustrated above. However, it should be noted that the total for fiscal year 2016 has increased by 1 case and fiscal year 2017 by 33 cases since the last report of the DAC-IPAD,[8] because the Committee staff is

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8   For comparison, during the fiscal year 2017 collection and analysis cycle, the DAC-IPAD added an additional 30 FY16 cases to the case adjudication database, including 1 FY15 case reclassified as FY16.

continuously identifying and recording cases that were not previously reported to the Committee by the Military Services. Such cases are typically identified by the DAC-IPAD staff by tracking appellate decisions and by reclassifying cases that were provided to the Committee for the incorrect fiscal year.

The 574 cases recorded in FY18 represents an almost 17% decline in cases from FY17, a sharper drop than the nearly 11% decline between FY17 and FY16. When compared to the 780 cases recorded in FY15, the FY18 figure represents a 26% decrease in the cases documented. The reason for the continuing decline cannot be determined from the data; the question will continue to be examined in future fiscal years.

Figure 2. Military Service of the Accused
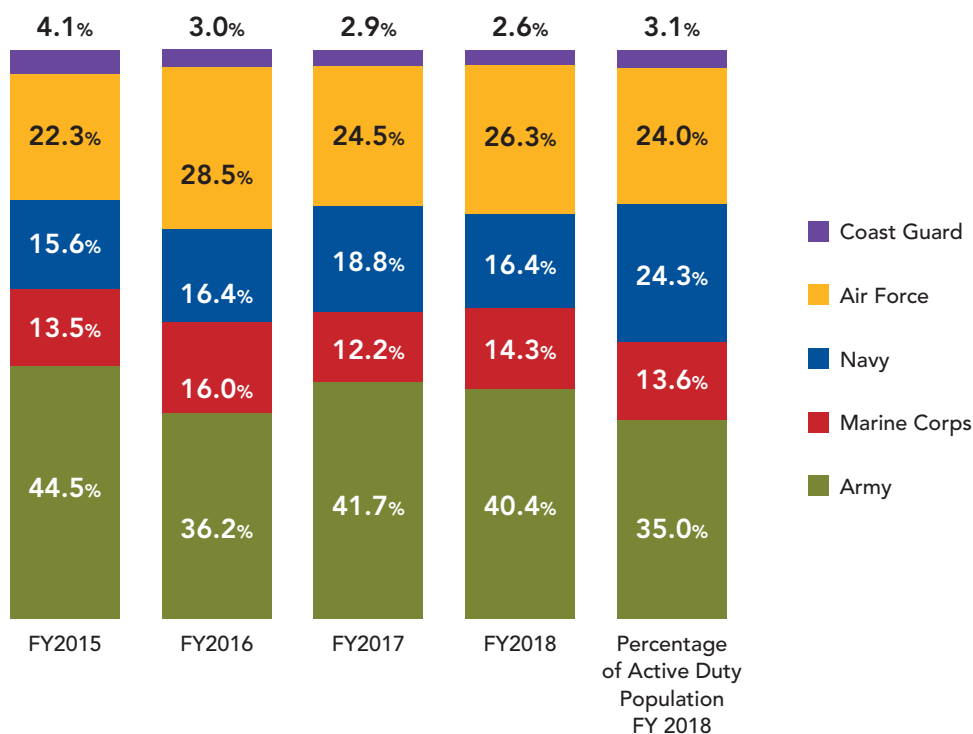
Of the 574 cases received by the DAC-IPAD for FY18, the Army generated the most cases (40%), followed by the Air Force (26%), Navy (16%), Marine Corps (14%), and Coast Guard (3%). To provide additional context for the number of cases included in the DAC-IPAD database from each Military Service, the tables below show the active duty population in each Military Service in fiscal years 2015 through 2018 and the proportion that each Military Service constitutes of the overall active duty population.[9]

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9   Fiscal year 2018 data obtained from https://www.dmdc.osd.mil/appj/dwp/dwp_reports.jsp. Fiscal years 2015 through 2017 obtained from the DoD demographic reports, available at https://www.militaryonesource.mil/reports-and-surveys/demographic-profiles. The figures do not include the number of Guard and Reserve Component members who were on active duty and subject to the Uniform Code of Military Justice (UCMJ).

Table 2. Active Duty Population by Military Service with Number of Sexual Assault Cases in the DAC-IPAD Database (FY 2018)

	Size of Active Duty Population	Percentage of Total Active Duty Population	Number of Cases in DAC-IPAD Database	Percentage of Cases in DAC-IPAD Database
Army	476,179	35.0%	232	40.4%
Marine Corps	185,415	13.6%	82	14.3%
Navy	329,851	24.3%	94	16.4%
Air Force	325,880	24.0%	151	26.3%
Coast Guard	42,114	3.1%	15	2.6%
Total	1,359,439	100.0%	574	100.0%

Table 3. Active Duty Population by Military Service with Number of Sexual Assault Cases in the DAC-IPAD Database (FY 2017)

	Size of Active Duty Population	Percentage of Total Active Duty Population	Number of Cases in DAC-IPAD Database	Percentage of Cases in DAC-IPAD Database
Army	472,047	35.3%	288	41.7%
Marine Corps	184,401	13.8%	84	12.2%
Navy	319,492	23.9%	130	18.8%
Air Force	318,580	23.8%	169	24.5%
Coast Guard	41,581	3.1%	20	2.9%
Total	1,336,101	100.0%	691	100.0%

Table 4. Active Duty Population by Military Service with Number of Sexual Assault Cases in the DAC-IPAD Database (FY 2016)

	Size of Active Duty Population	Percentage of Total Active Duty Population	Number of Cases in DAC-IPAD Database	Percentage of Cases in DAC-IPAD Database
Army	475,400	35.4%	278	36.2%
Marine Corps	183,501	13.7%	123	16.0%
Navy	324,524	24.2%	126	16.4%
Air Force	317,883	23.7%	219	28.5%
Coast Guard	40,473	3.0%	23	3.0%
Total	1,341,781	100.0%	769	100.0%

Table 5. Active Duty Population by Military Service with Number of Sexual Assault Cases
in the DAC-IPAD Database (FY 2015)

	Size of Active Duty Population	Percentage of Total Active Duty Population	Number of Cases in DAC-IPAD Database	Percentage of Cases in DAC-IPAD Database
Army	491,365	36.3%	347	44.5%
Marine Corps	183,417	13.5%	105	13.5%
Navy	327,801	24.2%	122	15.6%
Air Force	311,357	23.0%	174	22.3%
Coast Guard	39,970	3.0%	32	4.1%
Total	1,353,910	100.0%	780	100.0%

As noted earlier, the total number of cases reported declined in 2018, as each Military Service recorded fewer cases than in the previous fiscal year. The rate at which cases were recorded as responsive to the case criteria was similar for the Air Force (89%), Navy (86%), and Marine Corps (87%). For the Coast Guard, 100% of the cases reported were responsive to the criteria and thus were added to the case adjudication database. The Army had the lowest percentage (60%) of cases reported as responsive (232 of 386). However, as a percentage, the Navy had the largest decline at 28%, followed by the Coast Guard (25%) and the Army (19%).

Accused Characteristics

For fiscal years 2015 through 2018, the accused in nearly all cases is male (99%).

Figure 3. Sex of the Accused

Male   Female

FY 2018	574 (99.7%)	2 (0.3%)
FY 2017	686 (99.3%)	5 (0.7%)
FY 2016	765 (99.5%)	4 (0.5%)
FY 2015	774 (99.2%)	6 (0.8%)
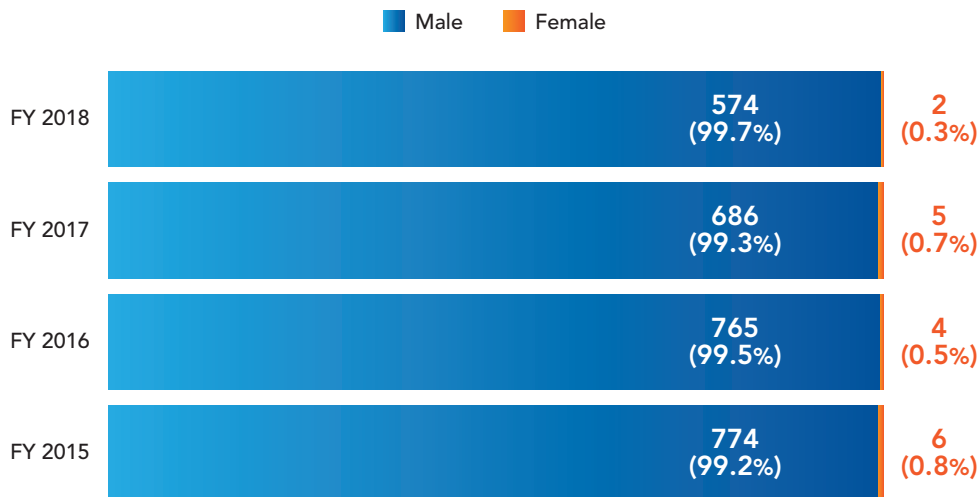
In addition, the accused is most often enlisted.

Figure 4. Pay Grade of the Accused (FY 2018)

Pay Grade	Count
E-1	26
E-2	38
E-3	145
E-4	135
E-5	87
E-6	60
E-7	29
E-8	7
E-9	2
Cadet/MIDN	6
W-1	1
W-2	1
W-3	2
W-4	0
W-5	0
O-1	3
O-2	11
O-3	8
O-4	8
O-5	4
O-6	1
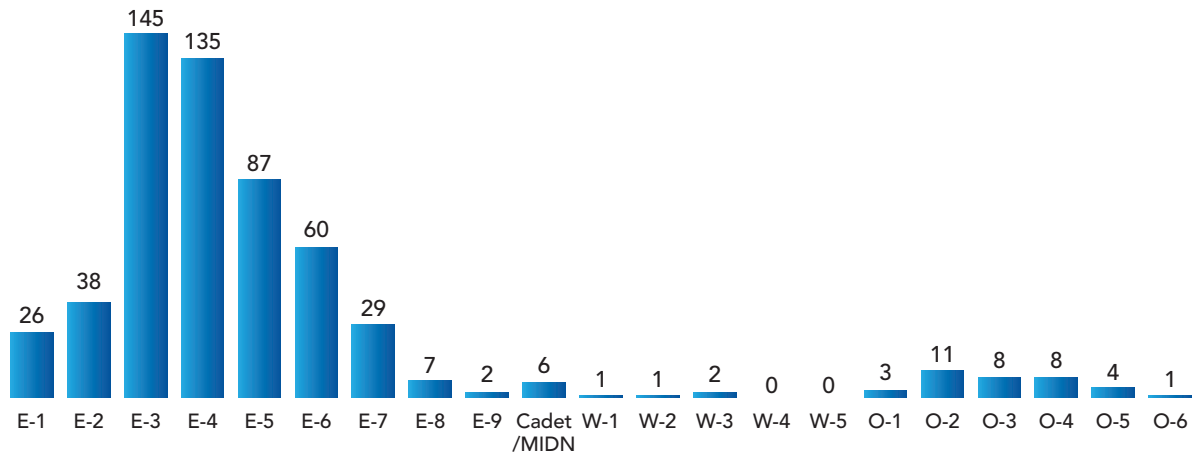
Figure 5. Pay Grade of the Accused (FY 2017)

Pay Grade	Count
E-1	39
E-2	37
E-3	131
E-4	168
E-5	116
E-6	79
E-7	52
E-8	14
E-9	0
Cadet/MIDN	11
W-1	1
W-2	4
W-3	2
W-4	1
W-5	0
O-1	1
O-2	9
O-3	16
O-4	2
O-5	6
O-6	2
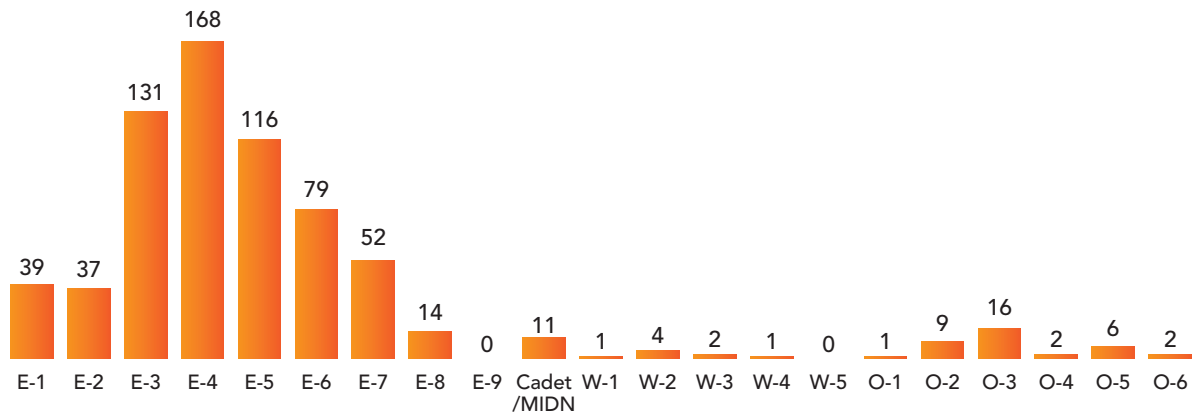
Figure 6. Pay Grade of the Accused (FY 2016)

Pay Grade	Count
E-1	22
E-2	48
E-3	155
E-4	196
E-5	140
E-6	90
E-7	50
E-8	17
E-9	6
Cadet/MIDN	5
W-1	1
W-2	6
W-3	0
W-4	0
W-5	0
O-1	1
O-2	2
O-3	17
O-4	6
O-5	4
O-6	3
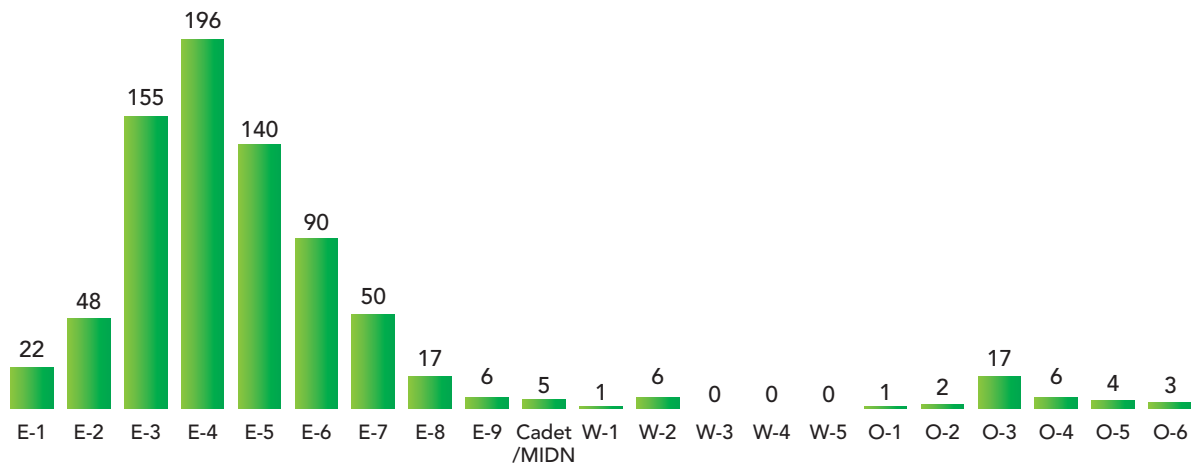
Figure 7. Pay Grade of the Accused (FY 2015)

Pay Grade	Count
E-1	30
E-2	43
E-3	159
E-4	187
E-5	156
E-6	87
E-7	46
E-8	8
E-9	6
Cadet/MIDN	3
W-1	1
W-2	1
W-3	2
W-4	0
W-5	1
O-1	3
O-2	11
O-3	20
O-4	12
O-5	3
O-6	1
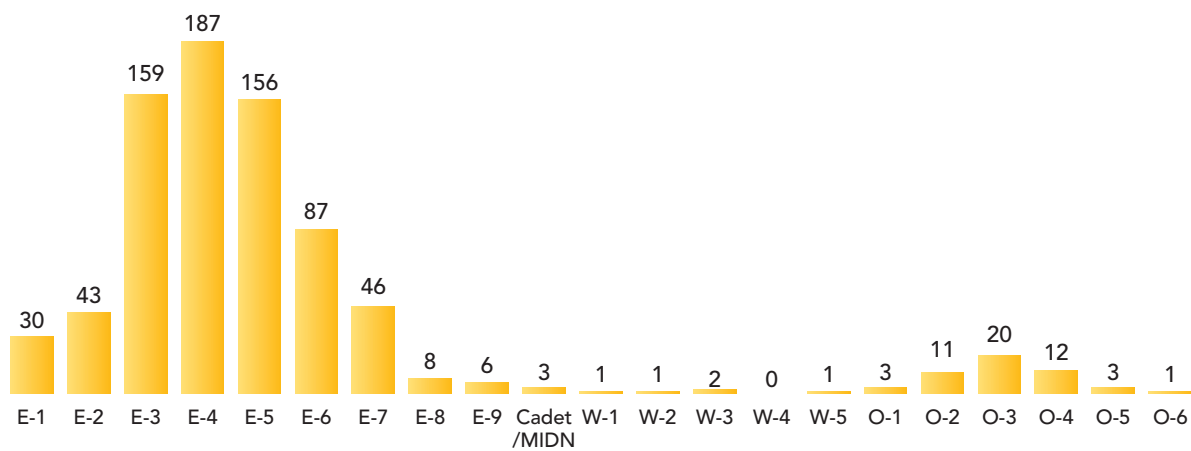
In FY18, enlisted personnel were roughly 80% of the total active duty population but were a higher percentage of the cases (92%) in the database. While officers were nearly 20% of the active duty population, they were a smaller percentage of the cases (8%). In FY18, personnel in the pay grades E3 to E5 were approximately 61% of the active duty population and accounted for most (69%) of the enlisted accused.[10] Fiscal year 2018 saw a change in the distribution of accused among pay grades when compared to that in fiscal years 2015 through 2017. For both enlisted and officers, in FY18 the accused shifted to a more junior pay grade (E-2 and O-2) as than was recorded in previous years (E-3 and O-3). In addition, the number of accused cadets/midshipmen declined nearly 50% in FY18, returning to the level observed in FY16. The basis for these changes is unclear from the data, and it is unknown whether the same observations will be recorded in the future.

Victim Characteristics

In FY18 nearly 91% of the victims were female and 9% were male. Of the 574 cases in FY18, there were 539 cases with exclusively female victims (93.9%), 32 cases with exclusively male victims (5.6%) and 3 cases with both male and female victims (0.5%)

Figure 8. Sex of the Victim(s)

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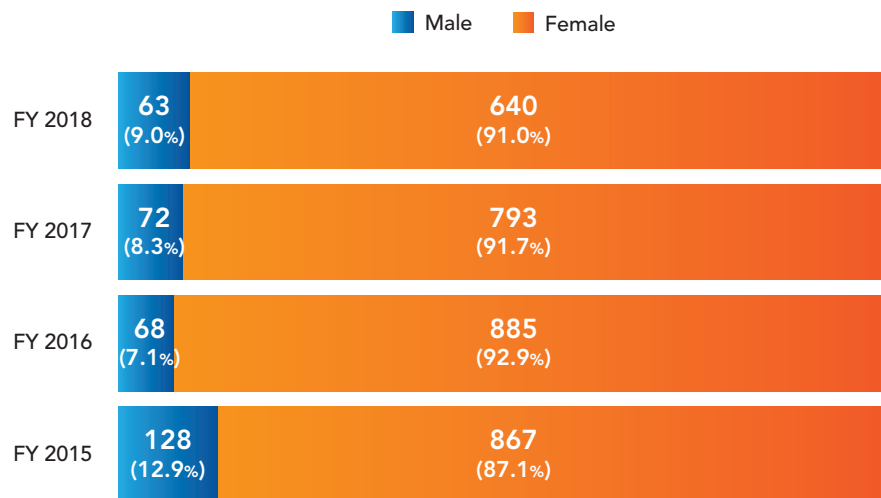
10   *Id.*

In FY18 when the accused was male, the victim was exclusively female in 94% of the cases, and exclusively male in 5% of the cases; in less than 1% of the cases, victims were of both sexes.

Figure 9. Male Accused/Sex of the Victim(s)

■ Male   ■ Female   ■ Male & Female

	Male	Female	Male & Female
FY 2018	31 (5.4%)	538 (94.1%)	3 (0.5%)
FY 2017	40 (5.8%)	641 (93.4%)	5 (0.7%)
FY 2016	44 (5.8%)	718 (93.9%)	3 (0.4%)
FY 2015	67 (8.7%)	704 (91.0%)	3 (0.4%)
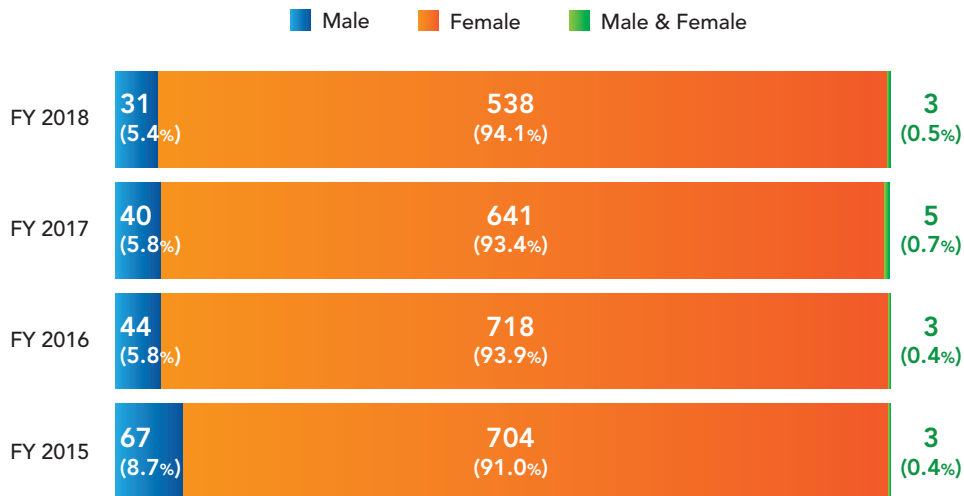
In FY18 there were two cases when the accused was female and the victim was female in one case and male in the other.

Figure 10. Female Accused/Sex of the Victim(s)

■ Male   ■ Female

	Male	Female
FY 2018	1 (50.0%)	1 (50.0%)
FY 2017	2 (40.0%)	3 (60.0%)
FY 2016		4 (100.0%)
FY 2015	2 (33.3%)	1 (66.7%)
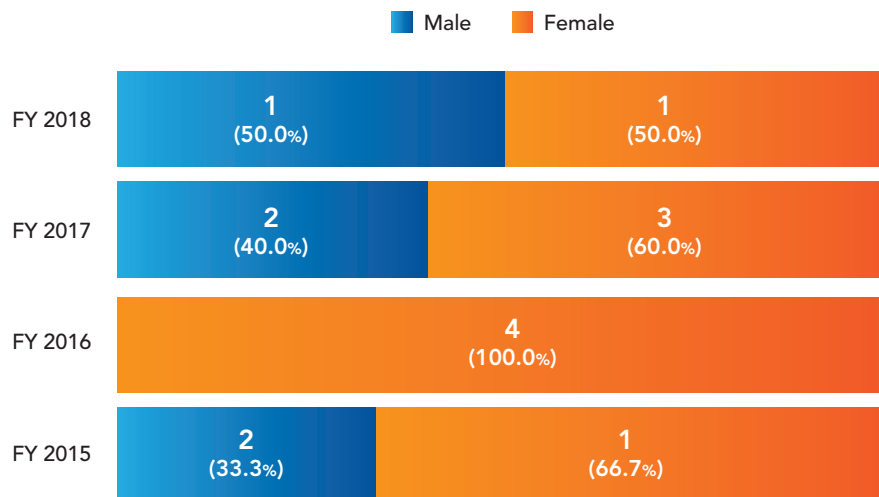
Of the 574 cases in FY18, there were 347 cases with exclusively military victims (60.5%), 207 cases with exclusively civilian victims (36.1%) and 20 cases with both military and civilian victims (3.5%)

Figure 11. Status of the Victim(s)

■ All Military ■ All Civilian ■ Military and Civilian

FY 2018	347 (60.5%)	207 (36.1%)	20 (3.5%)
FY 2017	415 (60.1%)	247 (35.7%)	29 (4.2%)
FY 2016	470 (61.1%)	268 (34.9%)	31 (4.0%)
FY 2015	526 (67.4%)	223 (28.6%)	31 (4.0%)
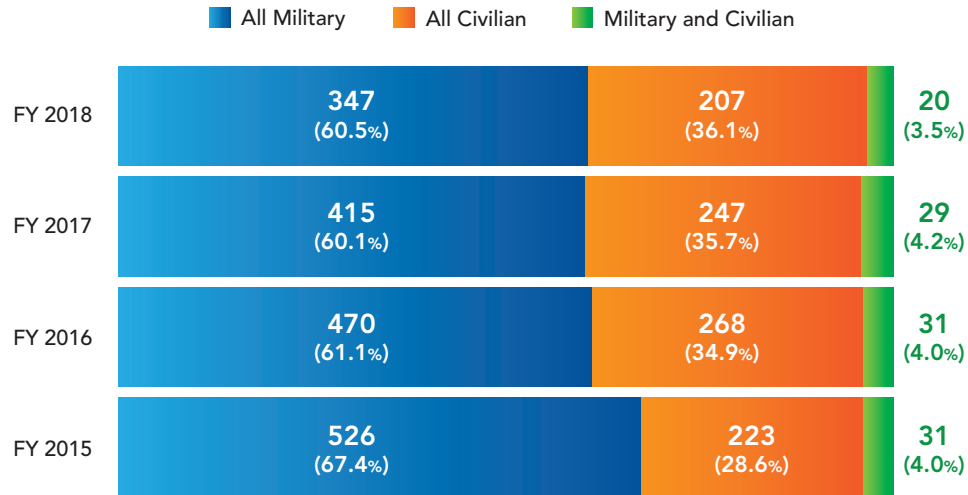
In FY18 the accused's spouse or intimate partner was the victim in 14% of the cases, a decrease from FY17 (18%), FY16 (23%) and FY15 (15%).

Figure 12. Victim Relationship to Accused

■ Spouse or Intimate Partner ■ Other Relationship

FY 2018	82 (14.3%)	492 (85.7%)
FY 2017	121 (17.5%)	570 (82.5%)
FY 2016	173 (22.5%)	596 (77.5%)
FY 2015	117 (15.0%)	663 (85.0%)
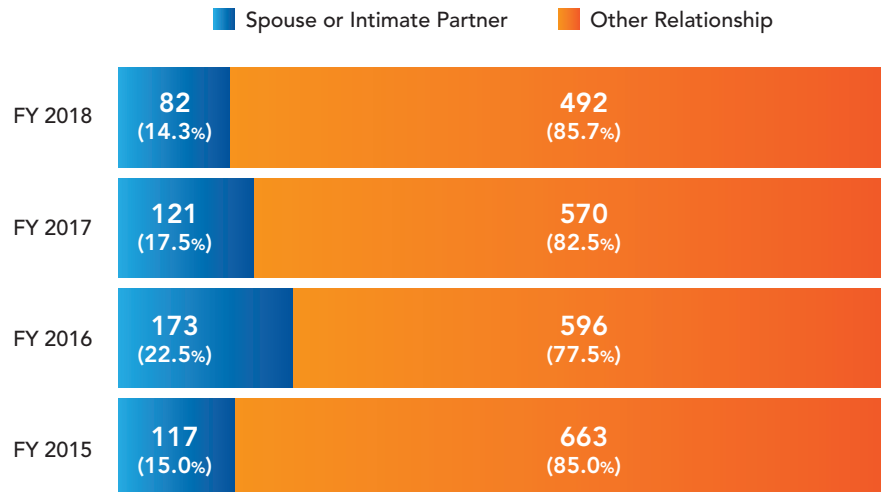
Most cases in FY18, as well as historically, involved one (86%) or two (10%) victims. The percentage of cases involving a single victim is the highest recorded; conversely, the percentage of cases with three or more victims is the lowest recorded (4.0%).

Figure 13. Number of Victim(s) per Case

One Victim   Two Victims   Three or More Victims

	One Victim	Two Victims	Three or More Victims
FY 2018	493 (85.7%)	58 (10.1%)	23 (4.0%)
FY 2017	573 (82.9%)	87 (12.6%)	31 (4.5%)
FY 2016	652 (84.8%)	77 (10.0%)	40 (5.2%)
FY 2015	650 (83.3%)	92 (11.8%)	38 (4.9%)
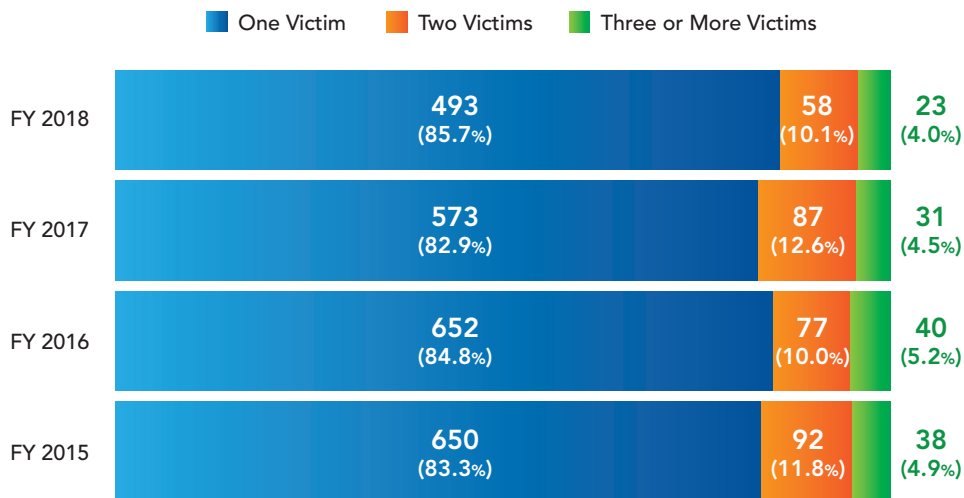
Characteristics of the Nature of the Charges

A penetrative offense, as opposed to a contact offense, was the type of offense preferred most often, appearing in 431 (75.1%) of 574 cases in FY18. This preferral rate is similar to those observed in fiscal years 2017 (74.7%) and 2106 (75.4%), and slightly higher than in 2015 (71.5%).

Figure 14. Type of Most Serious Sex Offense(s) Charged

Penetrative Offense   Contact Offense

	Penetrative Offense	Contact Offense
FY 2018	431 (75.1%)	143 (24.9%)
FY 2017	516 (74.7%)	175 (25.3%)
FY 2016	580 (75.4%)	189 (24.6%)
FY 2015	558 (71.5%)	222 (28.5%)
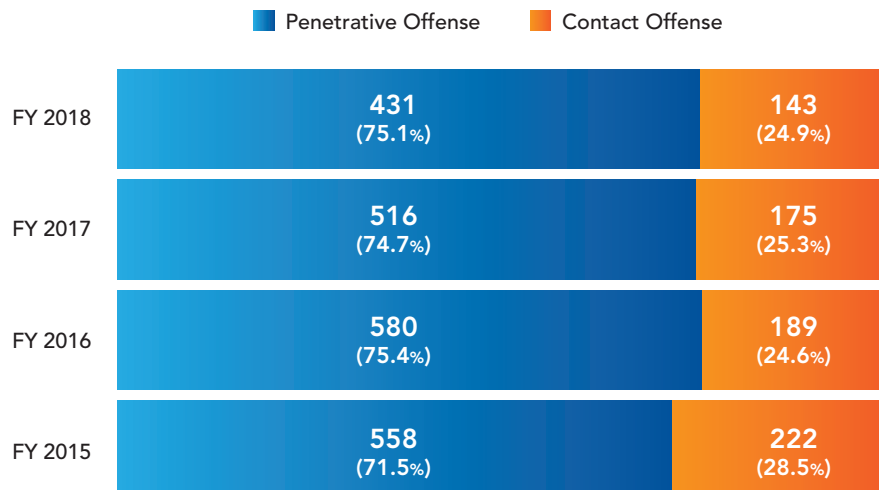
Figure 15. Type of Most Serious Sex Offense(s) Charged by Pay Grade (FY 2018)

Legend: ■ Penetrative ■ Contact

Pay Grade	Penetrative	Contact
O-6		1 (100%)
O-5	3 (75.0%)	1 (25.0%)
O-4	7 (87.5%)	1 (12.5%)
O-3	4 (50.0%)	4 (50.0%)
O-2	9 (81.8%)	2 (18.2%)
O-1	3 (100%)	
W-3	2 (100%)	
W-2	1 (100%)	
W-1		1 (100%)
Cadet/MIDN	6 (100%)	
E-9	1 (50.0%)	1 (50.0%)
E-8	4 (57.1%)	3 (42.9%)
E-7	22 (75.9%)	7 (24.1%)
E-6	36 (60.0%)	24 (40.0%)
E-5	62 (71.3%)	25 (28.7%)
E-4	108 (80.0%)	27 (20.0%)
E-3	110 (75.9%)	35 (24.1%)
E-2	32 (84.2%)	6 (15.8%)
E-1	21 (80.8%)	5 (19.2%)
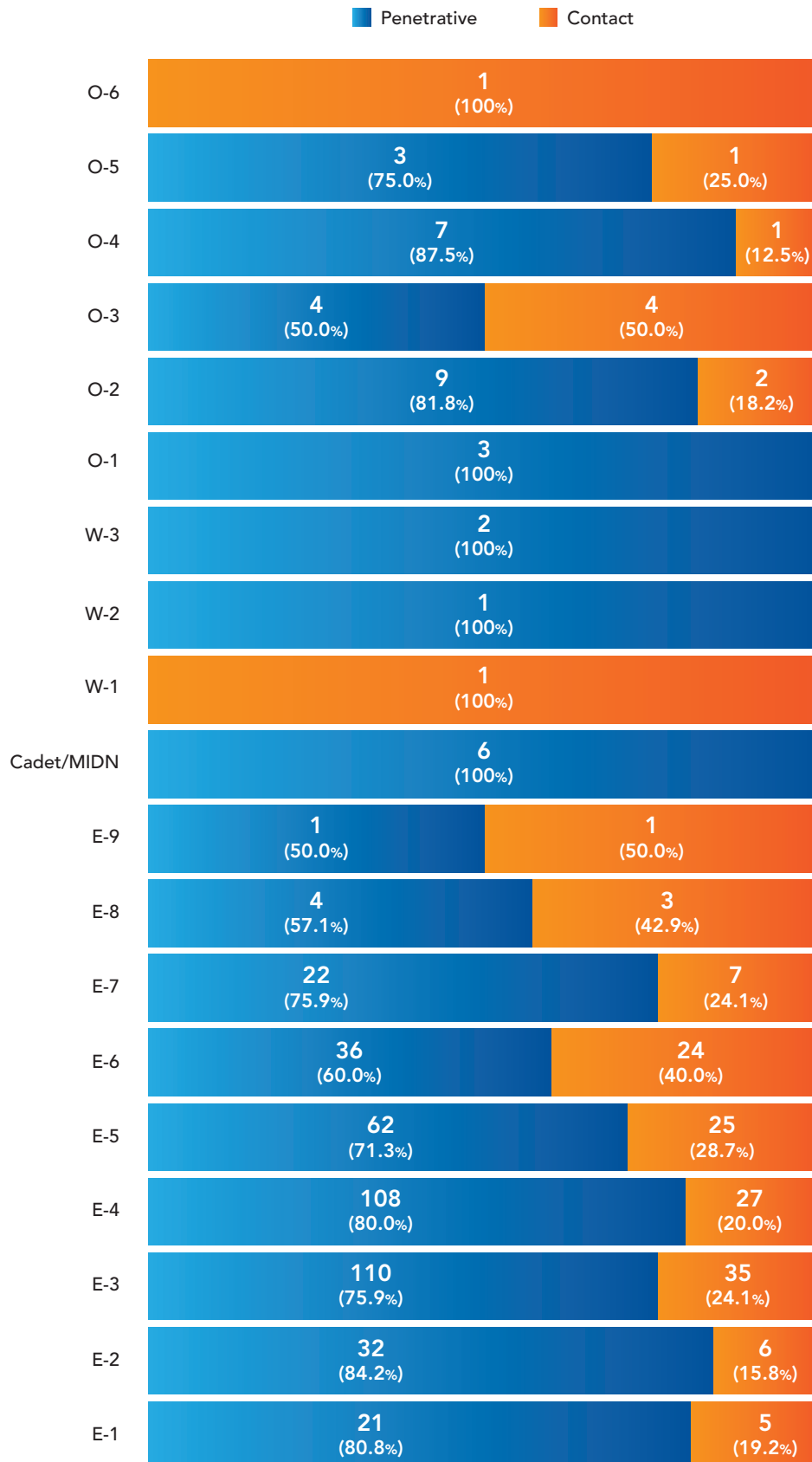
Article 32 Hearings

In 2014 the Article 32 hearing, required prior to charges being referred to a general court-martial, was changed from a pretrial investigation into a less robust preliminary hearing. Under the old process, victims were frequently required to appear, testify, and undergo cross-examination from defense counsel; this requirement has been removed from the process.

In FY18, Article 32 hearings were held in 373 cases and waived in an additional 104 cases. The number of hearings waived more than doubled from FY15 to FY16; but while there were fewer hearings waived in FY17 and FY18, the proportion of hearings waived in FY17 (22%) and FY18 (22%) was unchanged from FY16 (21%).

Figure 16. Article 32 Hearings

■ Article 32 Held   ■ Article 32 Waived

	Article 32 Held	Article 32 Waived
FY 2018	373 (78.2%)	104 (21.8%)
FY 2017	422 (78.3%)	117 (21.7%)
FY 2016	497 (78.9%)	133 (21.1%)
FY 2015	540 (90.3%)	58 (9.7%)
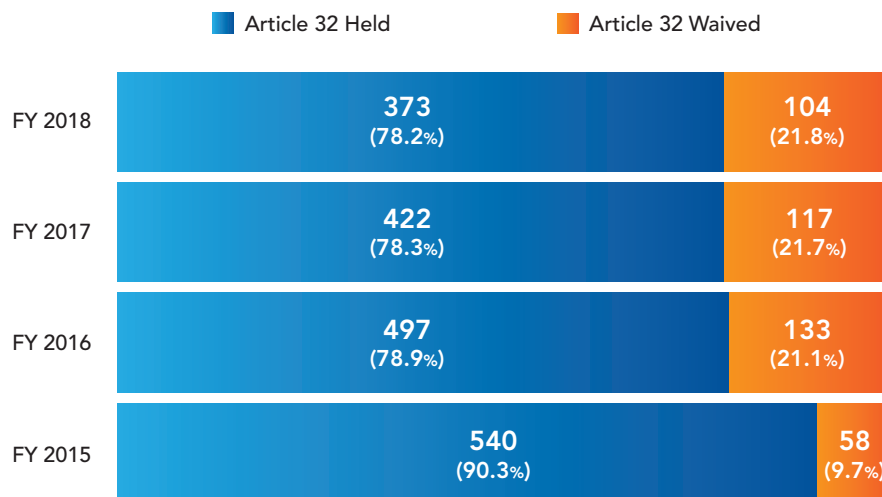
In FY18, Article 32 hearings were waived in 63 cases without a pretrial agreement, a decrease from 66 cases in FY17. Of the 104 cases in FY18 for which the Article 32 hearing was waived, 85 (82%) involved a penetrative offense and 19 (18%) involved a contact offense. The conviction rate, for any offense, when the Article 32 hearing was waived increased in FY18 (67%) from a low in FY16 (53%). The conviction rate for a sex offense (penetrative or contact), when the Article 32 hearing was waived, was 34% in FY18, an increase from 27% in FY17.

Figure 17. Article 32 Waiver

Legend: ■ FY 2018 ■ FY 2017 ■ FY 2016 ■ FY 2015

Waived Without Pretrial Agreement
- FY 2018: 63 (60.6%)
- FY 2017: 66 (56.4%)
- FY 2016: 92 (69.2%)
- FY 2015: 30 (51.7%)

Waived When Contact Offense Preferred
- FY 2018: 19 (18.3%)
- FY 2017: 19 (16.2%)
- FY 2016: 21 (15.8%)
- FY 2015: 11 (19.0%)

Waived When Penetrative Offense Preferred
- FY 2018: 85 (81.7%)
- FY 2017: 98 (83.8%)
- FY 2016: 112 (84.2%)
- FY 2015: 47 (81.0%)
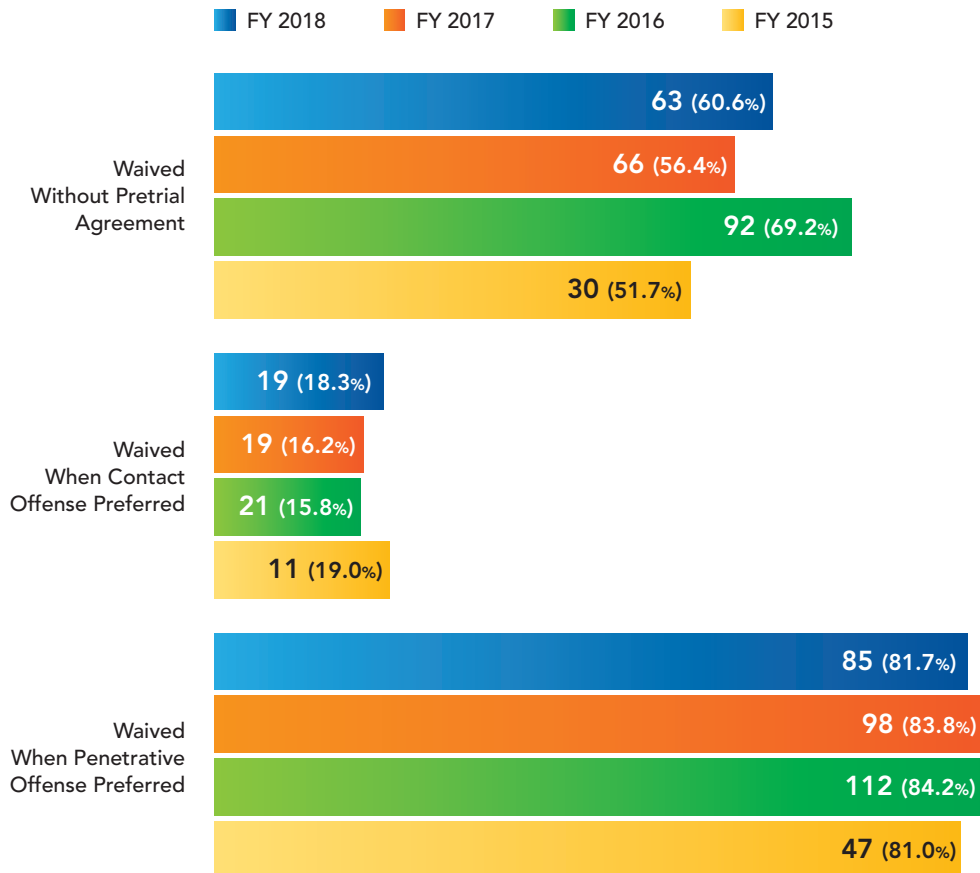
Figure 18. Article 32 Waiver: Conviction Rate

■ FY 2018   ■ FY 2017   ■ FY 2016   ■ FY 2015

Conviction When Article 32 Waived — Non-SA Offense
- 34 (32.7%)
- 41 (35.0%)
- 26 (19.5%)
- 21 (36.2%)

Conviction When Article 32 Waived — Contact Offense
- 4 (3.8%)
- 8 (6.8%)
- 15 (11.3%)
- 4 (6.9%)

Conviction When Article 32 Waived — Penetrative Offense
- 32 (30.8%)
- 24 (20.5%)
- 30 (22.6%)
- 21 (36.2%)
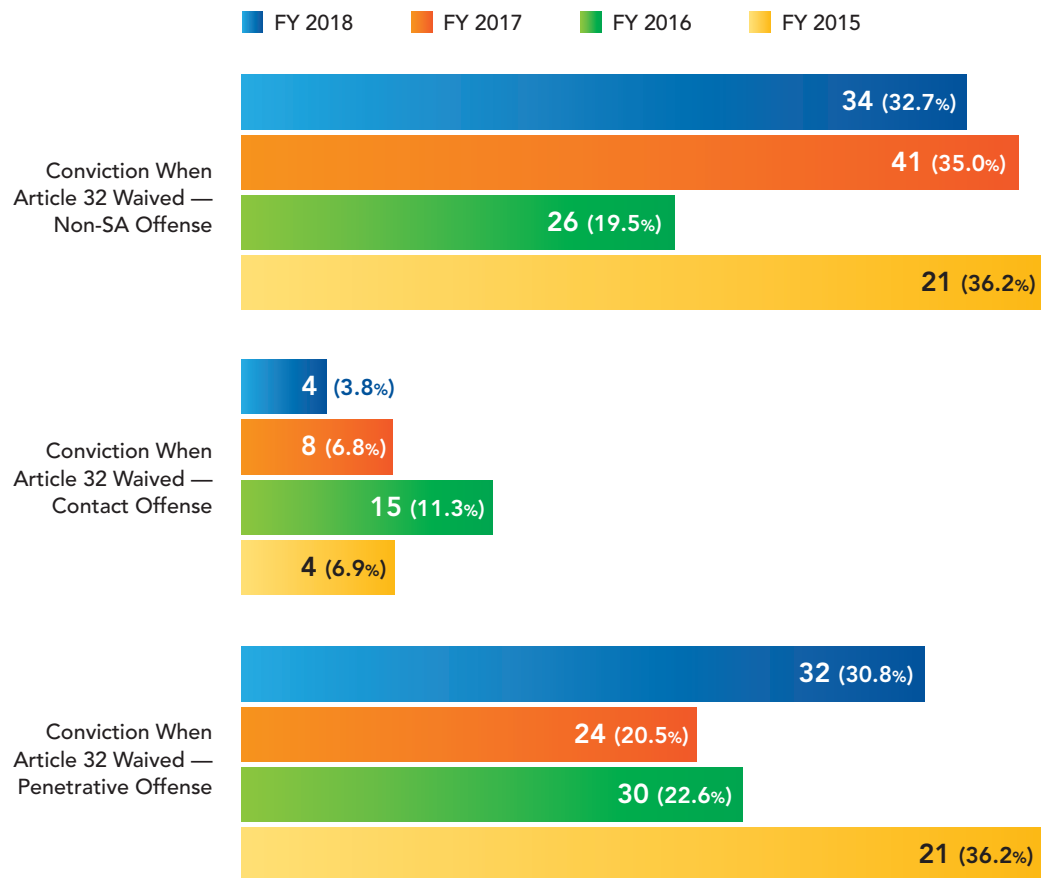
Disposition Decisions

In FY18, convening authorities referred a total of 378 cases to trial by general, special, and summary court-martial; thus, 66% of all preferred cases were referred to trial, a slight increase from 64% in FY17. Conversely, in FY18 convening authorities dismissed or resolved through alternate administrative means 196, or 34%, of preferred cases. Overall, 82% of referred cases in FY18 were referred to trial by general court-martial, representing an increase from FY17 (when the figure was 77%) and a return to the level observed in FY16 (81%).

The following tables set out case dispositions by Military Service of the accused for fiscal years 2015 through 2018.

Table 6. Case Disposition by Military Service of the Accused (FY 2018)

	General Court-Martial				Special Court-Martial				Summary Court-Martial			
	Penetrative		Contact		Penetrative		Contact		Penetrative		Contact	
Army	131	78.4%	21	12.6%	0	0.0%	11	6.6%	0	0.0%	4	2.4%
Marine Corps	32	55.2%	6	10.3%	8	13.8%	9	15.5%	0	0.0%	3	5.2%
Navy	40	60.6%	3	4.5%	5	7.6%	11	16.7%	2	3.0%	5	7.6%
Air Force	68	81.9%	9	10.8%	0	0.0%	6	7.2%	0	0.0%	0	0.0%
Coast Guard	1	25.0%	0	0.0%	0	0.0%	1	25.0%	0	0.0%	2	50.0%

Table 7. Case Disposition by Military Service of the Accused (FY 2017)

	General Court-Martial				Special Court-Martial				Summary Court-Martial			
	Penetrative		Contact		Penetrative		Contact		Penetrative		Contact	
Army	143	76.5%	25	13.4%	1	0.5%	10	5.3%	4	2.1%	4	2.1%
Marine Corps	31	49.2%	3	4.8%	10	15.9%	13	20.6%	4	6.3%	2	3.2%
Navy	50	56.2%	5	5.6%	2	2.2%	28	31.5%	2	2.2%	2	2.2%
Air Force	70	81.4%	6	7.0%	0	0.0%	10	11.6%	0	0.0%	0	0.0%
Coast Guard	6	37.5%	1	6.3%	2	12.5%	3	18.8%	0	0.0%	4	25.0%

Table 8. Case Disposition by Military Service of the Accused (FY 2016)

	General Court-Martial				Special Court-Martial				Summary Court-Martial			
	Penetrative		Contact		Penetrative		Contact		Penetrative		Contact	
Army	164	80.8%	24	11.8%	1	0.5%	10	4.9%	2	1.0%	2	1.0%
Marine Corps	40	48.2%	10	12.0%	7	8.4%	16	19.3%	7	8.4%	3	3.6%
Navy	45	54.2%	7	8.4%	6	7.2%	16	19.3%	2	2.4%	7	8.4%
Air Force	90	84.1%	10	9.3%	1	0.9%	5	4.7%	0	0.0%	1	0.9%
Coast Guard	11	61.1%	0	0.0%	1	5.6%	2	11.1%	0	0.0%	4	22.2%

Table 9. Case Disposition by Military Service of the Accused (FY 2015)

	General Court-Martial				Special Court-Martial				Summary Court-Martial			
	Penetrative		Contact		Penetrative		Contact		Penetrative		Contact	
Army	192	77.1%	29	11.6%	3	1.2%	14	5.6%	1	0.4%	10	4.0%
Marine Corps	41	54.7%	8	10.7%	4	5.3%	9	12.0%	6	8.0%	7	9.3%
Navy	49	52.1%	10	10.6%	2	2.1%	25	26.6%	0	0.0%	8	8.5%
Air Force	85	73.9%	15	13.0%	1	0.9%	12	10.4%	0	0.0%	2	1.7%
Coast Guard	9	34.6%	2	7.7%	3	11.5%	4	15.4%	3	11.5%	5	19.2%

The severity of the offense charged influences the type of court-martial to which a charge is referred. Among cases completed in FY18, 95% of penetrative offenses were referred to trial by general court-martial, while contact offenses were referred at about equal frequency to general (43%) and special court-martial (42%) and less often to summary court-martial (15%). In contrast, in FY17 contact offenses were referred to general (35%) and summary court-martial (10%) less often than to special court-martial (55%).

Figure 19. Case Disposition: Penetrative Offense(s) Preferred and Case Ultimately Resolved at Court-Martial
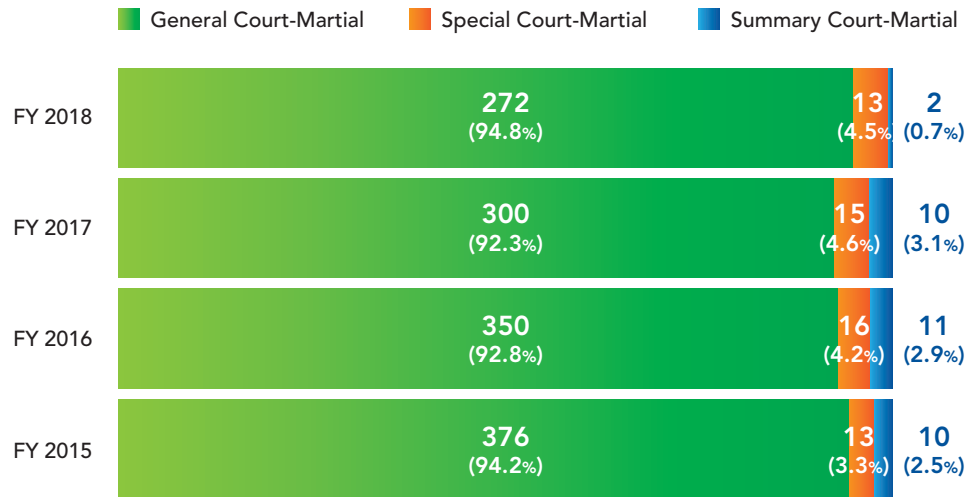
Figure 20. Case Disposition: Contact Offense(s) Preferred and Case Ultimately Resolved at Court-Martial
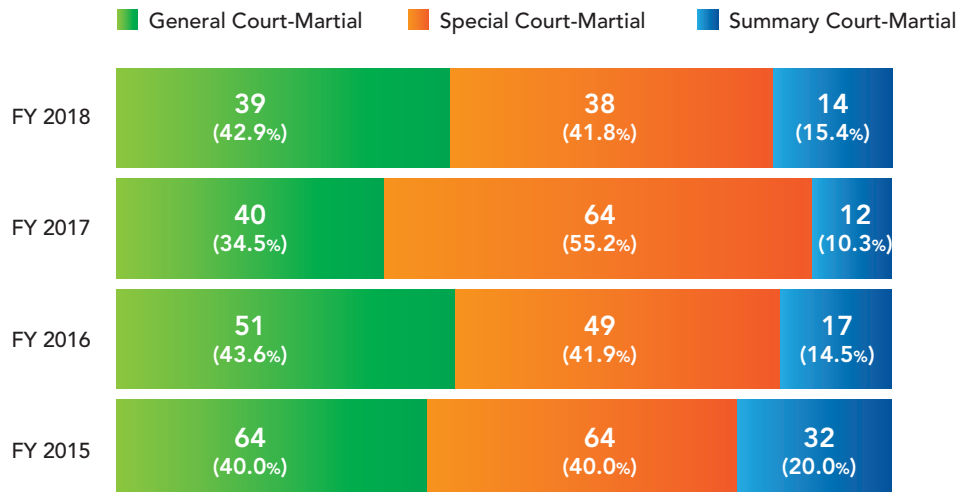
In FY18 there were 13 cases (4.5%) with a penetrative offense preferred and ultimately resolved at special court-martial and 2 cases (0.7%) at summary court-martial. While it is accurate to state that in some instances a special or summary court-martial was convened after a penetrative sexual assault offense was initially charged, those courts-martial were the result of plea agreements that dismissed the penetrative sexual assault charge in exchange for guilty pleas to other offenses, which were then referred to special or summary courts-martial. <u>The DAC-IPAD did not document any instances in FY18 of the penetrative offense being contested at special or summary court-martial</u>.

To provide additional information on the charges and specifications for each of the cases in question, the tables in Appendix B detail the charges preferred; the advice of the staff judge advocate, if available; the terms of any pretrial agreements; the charges referred to special or summary court-martial; the accused's pleas; and the findings at trial.

Figure 21. Outcomes for Penetrative Offense(s) Preferred by Pay Grade (FY 2018)

Legend:
- Dismissed Without Judicial Action
- Alternative Disposition
- Acquitted of All Charges
- Convicted of Penetrative Offense
- Convicted of Contact Offense
- Convicted of Non-Sex Offense

Pay Grade	Dismissed Without Judicial Action	Alternative Disposition	Acquitted of All Charges	Convicted of Penetrative Offense	Convicted of Contact Offense	Convicted of Non-Sex Offense
O-5	1 (33.3%)		1 (33.3%)	1 (33.3%)		
O-4		2 (28.6%)	1 (14.3%)	3 (42.9%)		1 (14.3%)
O-3			2 (50.0%)	2 (50.0%)		
O-2	2 (22.2%)	1 (11.1%)	5 (55.6%)			1 (11.1%)
O-1		1 (33.3%)	1 (33.3%)			1 (33.3%)
W-3	1 (50.0%)					1 (50.0%)
W-2			1 (100%)			
Cadet/MIDN		1 (16.7%)	3 (50.0%)	2 (33.3%)		
E-9						1 (100%)
E-8				1 (25.0%)		3 (75.0%)
E-7	2 (9.1%)		4 (18.2%)	7 (31.8%)	1 (4.5%)	8 (36.4%)
E-6	6 (16.7%)	7 (19.4%)	9 (25.0%)	8 (22.2%)		6 (16.7%)
E-5	14 (22.6%)	9 (14.5%)	15 (24.2%)	8 (12.9%)	4 (6.5%)	12 (19.4%)
E-4	23 (21.3%)	23 (21.3%)	24 (22.2%)	16 (14.8%)	4 (3.7%)	18 (16.7%)
E-3	22 (20.0%)	17 (15.5%)	29 (26.4%)	18 (16.4%)	3 (2.7%)	21 (19.1%)
E-2	5 (15.6%)	3 (9.4%)	7 (21.9%)	10 (31.3%)		7 (21.9%)
E-1	1 (4.8%)	3 (14.3%)	5 (23.8%)	5 (23.8%)		7 (33.3%)

Figure 22. Outcomes for Contact Offense(s) Preferred by Pay Grade (FY 2018)

Legend:
- Dismissed Without Judicial Action
- Alternative Disposition
- Acquitted of All Charges
- Convicted of Contact Offense
- Convicted of Non-Sex Offense

Pay Grade	Dismissed Without Judicial Action	Alternative Disposition	Acquitted of All Charges	Convicted of Contact Offense	Convicted of Non-Sex Offense
O-6	1 (100.0%)				
O-5		1 (100.0%)			
O-4		1 (100.0%)			
O-3	1 (25.0%)	1 (50.0%)		1 (25.0%)	
O-2	1 (50.0%)	1 (50.0%)			
W-1		1 (100.0%)			
E-9	1 (100%)				
E-8				1 (33.3%)	2 (66.7%)
E-7			2 (28.6%)		5 (71.4%)
E-6	5 (20.8%)	4 (16.7%)	3 (12.5%)	1 (4.2%)	11 (45.8%)
E-5	1 (4%)	4 (16.0%)	5 (20.0%)	4 (16.0%)	11 (44.0%)
E-4	5 (18.5%)	5 (18.5%)	4 (14.8%)	4 (14.8%)	9 (33.3%)
E-3	3 (8.6%)	10 (28.6%)	5 (14.3%)	1 (2.9%)	16 (45.7%)
E-2		3 (50.0%)			3 (50.0%)
E-1	1 (20.0%)	1 (20.0%)		1 (20.0%)	2 (40.0%)

Adjudication Outcomes

Conviction, acquittal, and dismissal rates summarize how sexual assault prosecutions are ultimately resolved in the military justice system. Figures 23–28 illustrate outcomes for cases according to the type of offense charged (penetrative or contact) and how the case was adjudicated (by a military judge or by a panel of military members).

Figure 23. Outcomes for Penetrative Offense(s): Referred to Court-Martial

Legend:
- Convicted of Penetrative Offense
- Convicted of Contact Offense
- Convicted of Non-Sex Offense
- Acquitted of All Charges

	Convicted of Penetrative Offense	Convicted of Contact Offense	Convicted of Non-Sex Offense	Acquitted of All Charges
FY 2018	81 (28.2%)	12 (4.2%)	87 (30.3%)	107 (37.3%)
FY 2017	103 (31.7%)	17 (5.2%)	105 (32.3%)	100 (30.8%)
FY 2016	106 (28.1%)	24 (6.4%)	105 (27.9%)	142 (37.7%)
FY 2015	147 (36.8%)	13 (3.3%)	123 (30.8%)	116 (29.1%)

Figure 24. Outcomes for Penetrative Offense(s): Adjudicated by Military Judge

Legend:
- Convicted of Penetrative Offense
- Convicted of Contact Offense
- Convicted of Non-Sex Offense
- Acquitted of All Charges

	Convicted of Penetrative Offense	Convicted of Contact Offense	Convicted of Non-Sex Offense	Acquitted of All Charges
FY 2018	49 (33.3%)	7 (4.8%)	66 (44.9%)	25 (17.0%)
FY 2017	56 (32.0%)	11 (6.3%)	72 (41.1%)	36 (20.6%)
FY 2016	54 (30.0%)	16 (8.9%)	69 (38.3%)	41 (22.8%)
FY 2015	84 (39.1%)	10 (4.7%)	72 (33.5%)	49 (22.8%)

25
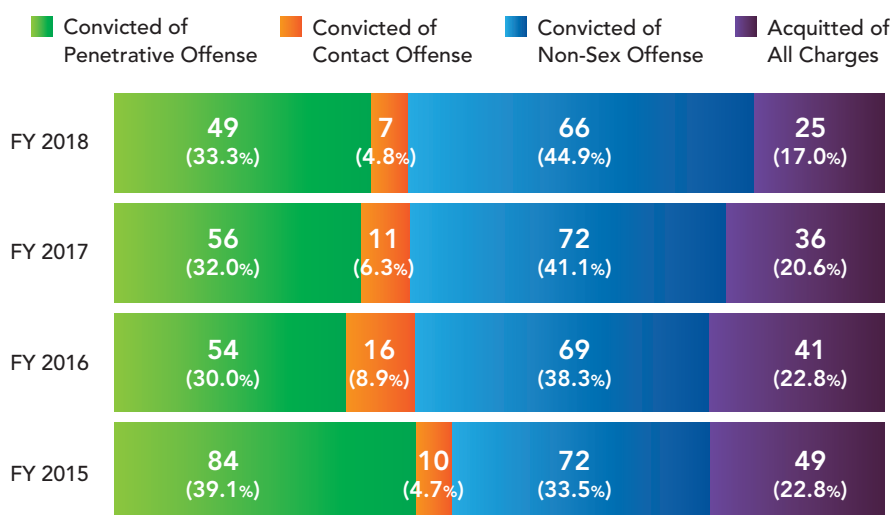
Figure 25. Outcomes for Penetrative Offense(s): Adjudicated by Panel of Military Members

Legend: Convicted of Penetrative Offense | Convicted of Contact Offense | Convicted of Non-Sex Offense | Acquitted of All Charges

	Convicted of Penetrative Offense	Convicted of Contact Offense	Convicted of Non-Sex Offense	Acquitted of All Charges
FY 2018	32 (23.2%)	5 (3.6%)	19 (13.8%)	82 (59.4%)
FY 2017	47 (33.6%)	4 (2.9%)	25 (17.9%)	64 (45.7%)
FY 2016	52 (28.3%)	6 (3.3%)	27 (14.7%)	101 (54.9%)
FY 2015	62 (36.3%)	3 (1.8%)	42 (24.6%)	66 (38.6%)

Figure 26. Outcomes for Contact Offense(s): Referred to Court-Martial

Legend: Convicted of Contact Offense | Convicted of Non-Sex Offense | Acquitted of All Charges

	Convicted of Contact Offense	Convicted of Non-Sex Offense	Acquitted of All Charges
FY 2018	13 (14.3%)	59 (64.8%)	19 (20.9%)
FY 2017	22 (19.0%)	72 (62.1%)	22 (19.0%)
FY 2016	29 (24.8%)	72 (61.5%)	16 (13.7%)
FY 2015	44 (27.5%)	90 (56.3%)	26 (16.3%)
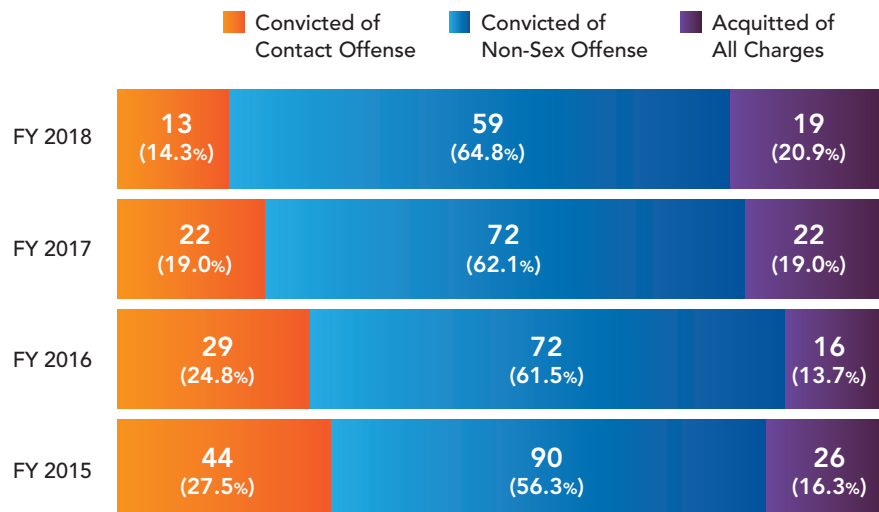
Figure 27. Outcomes for Contact Offense(s): Adjudicated by Military Judge

Legend: Convicted of Contact Offense | Convicted of Non-Sex Offense | Acquitted of All Charges

	Convicted of Contact Offense	Convicted of Non-Sex Offense	Acquitted of All Charges
FY 2018	7 (14.9%)	37 (78.7%)	3 (6.4%)
FY 2017	12 (17.9%)	53 (79.1%)	2 (3.0%)
FY 2016	12 (17.4%)	54 (78.3%)	3 (4.3%)
FY 2015	20 (25.0%)	53 (66.3%)	7 (8.8%)
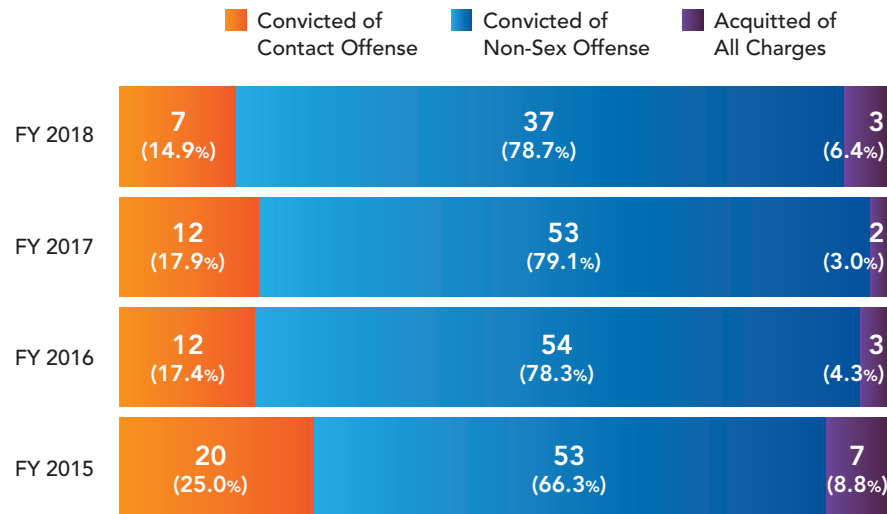
Figure 28. Outcomes for Contact Offense(s): Adjudicated by Panel of Military Members

Legend: Convicted of Contact Offense | Convicted of Non-Sex Offense | Acquitted of All Charges

	Convicted of Contact Offense	Convicted of Non-Sex Offense	Acquitted of All Charges
FY 2018	5 (16.7%)	11 (36.7%)	14 (46.7%)
FY 2017	8 (21.6%)	10 (27.0%)	19 (51.4%)
FY 2016	11 (35.5%)	7 (22.6%)	13 (41.9%)
FY 2015	15 (31.3%)	15 (31.3%)	18 (37.5%)
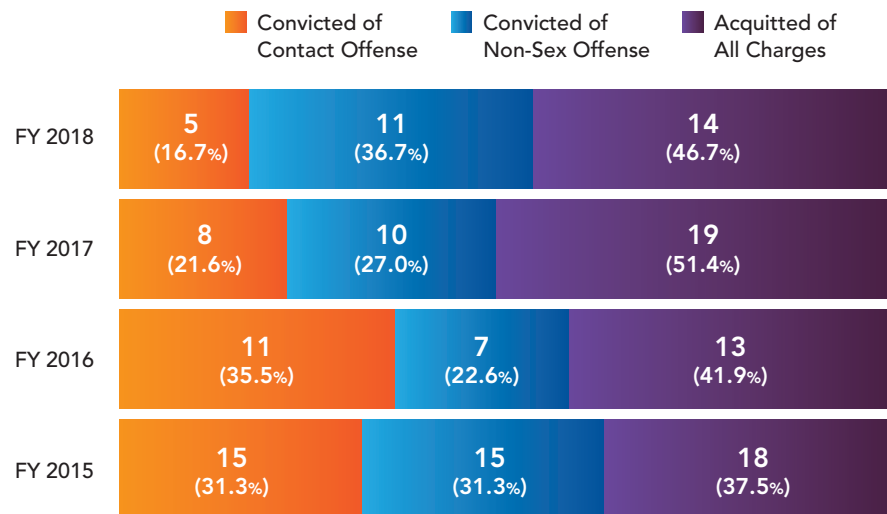
Figures 29–34 illustrate outcomes for cases where the sexual assault offense was contested, according to the type of offense charged (penetrative or contact), and how the case was adjudicated (by a military judge or by a panel of military members).

Figure 29. Outcomes for Contested Penetrative Offense(s)

Legend:
- ■ Convicted of Penetrative Offense
- ■ Convicted of Contact Offense
- ■ Convicted of Non-Sex Offense
- ■ Acquitted of All Charges

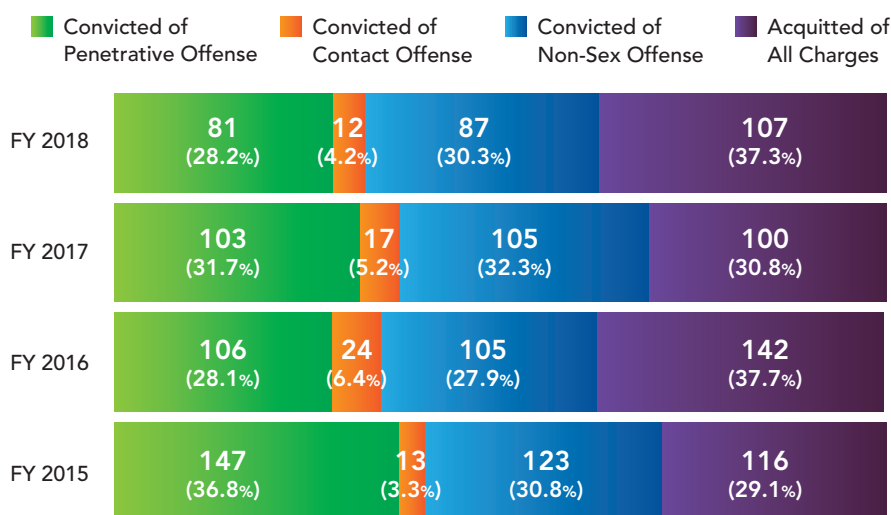|	Convicted of Penetrative Offense	Convicted of Contact Offense	Convicted of Non-Sex Offense	Acquitted of All Charges
FY 2018	56 (21.9%)	7 (2.7%)	86 (33.6%)	107 (41.8%)
FY 2017	72 (25.4%)	7 (2.5%)	105 (37.0%)	100 (35.2%)
FY 2016	80 (23.8%)	9 (2.7%)	105 (31.3%)	142 (42.3%)
FY 2015	102 (29.4%)	6 (1.7%)	123 (35.4%)	116 (33.4%)

Figure 30. Outcomes for Contested Penetrative Offense(s): Adjudicated by Military Judge

Legend:
- ■ Convicted of Penetrative Offense
- ■ Convicted of Contact Offense
- ■ Convicted of Non-Sex Offense
- ■ Acquitted of All Charges

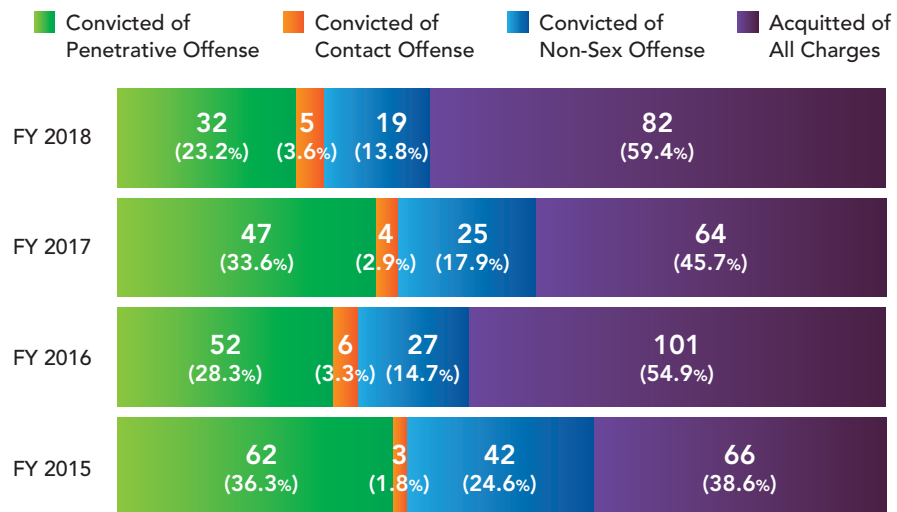|	Convicted of Penetrative Offense	Convicted of Contact Offense	Convicted of Non-Sex Offense	Acquitted of All Charges
FY 2018	24 (20.7%)	2 (1.7%)	65 (56.0%)	25 (21.6%)
FY 2017	26 (19.0%)	3 (2.2%)	72 (52.6%)	36 (26.3%)
FY 2016	28 (19.9%)	3 (2.1%)	69 (48.9%)	41 (29.1%)
FY 2015	42 (25.3%)	3 (1.8%)	72 (43.4%)	49 (29.5%)
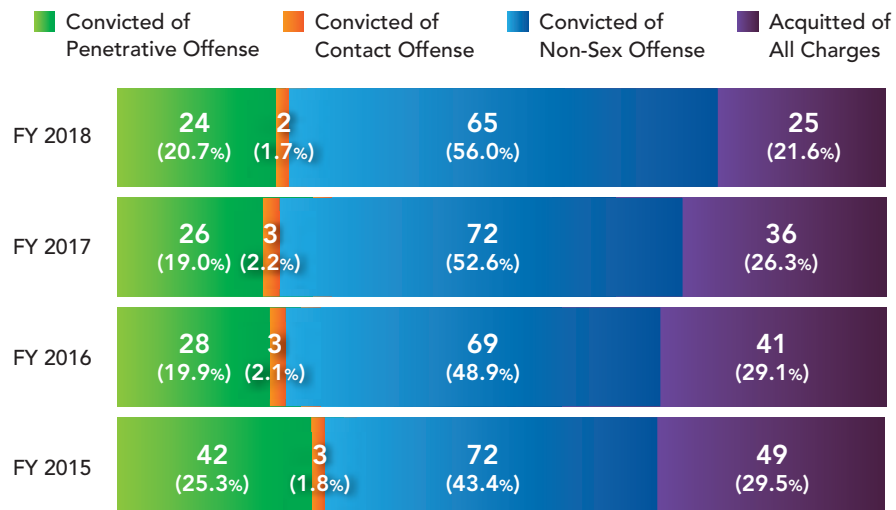
Figure 31. Outcomes for Contested Penetrative Offense(s): Adjudicated by Panel of Military Members

Legend: Convicted of Penetrative Offense | Convicted of Contact Offense | Convicted of Non-Sex Offense | Acquitted of All Charges

FY	Penetrative	Contact	Non-Sex	Acquitted
FY 2018	32 (23.2%)	5 (3.6%)	19 (13.8%)	82 (59.4%)
FY 2017	46 (33.1%)	4 (2.9%)	25 (18.0%)	64 (46.0%)
FY 2016	52 (28.0%)	6 (3.2%)	27 (14.5%)	101 (54.3%)
FY 2015	60 (35.1%)	3 (1.8%)	42 (24.6%)	66 (38.6%)
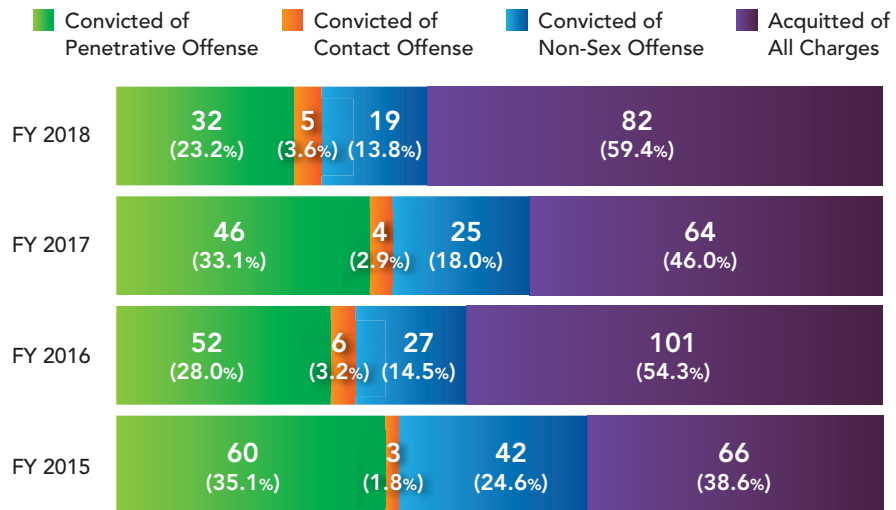
Figure 32. Outcomes for Contested Contact Offense(s)

Legend: Convicted of Contact Offense | Convicted of Non-Sex Offense | Acquitted of All Charges

FY	Contact	Non-Sex	Acquitted
FY 2018	6 (7.1%)	59 (70.2%)	19 (22.6%)
FY 2017	11 (10.5%)	72 (68.6%)	22 (21.0%)
FY 2016	18 (17.0%)	72 (67.9%)	16 (15.1%)
FY 2015	30 (20.5%)	90 (61.6%)	26 (17.8%)

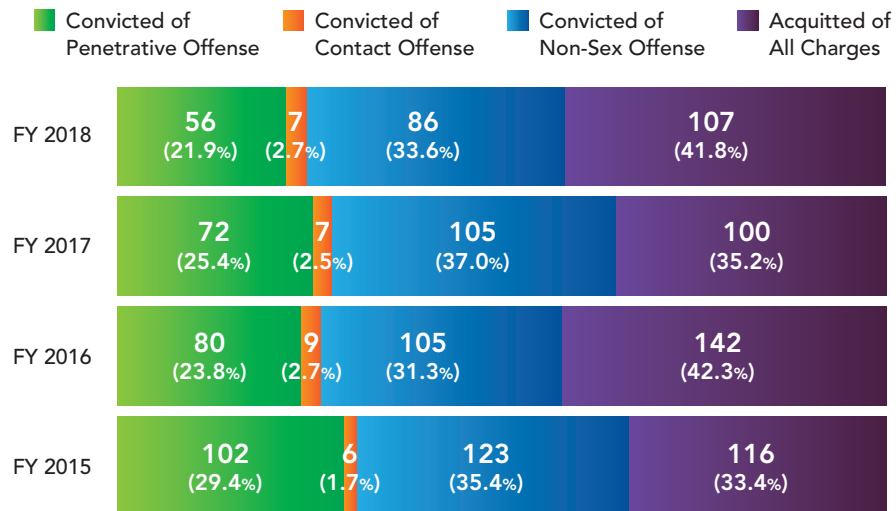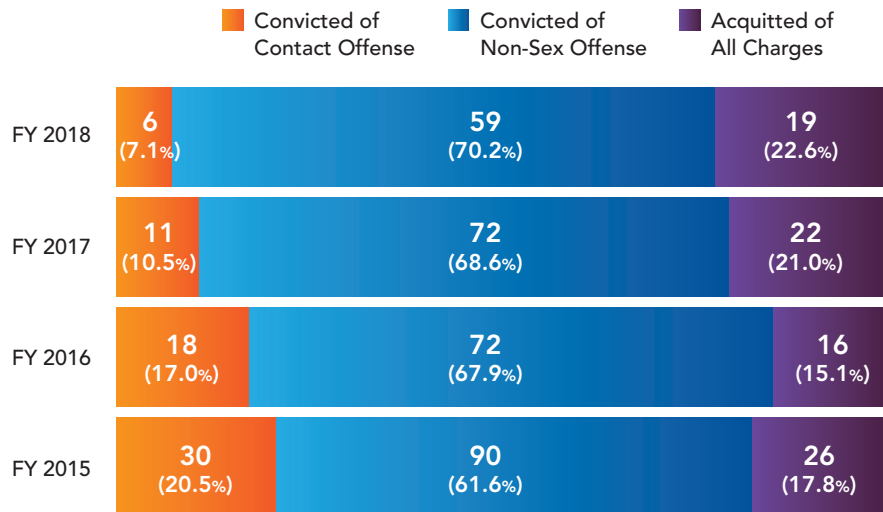**Figure 33. Outcomes for Contested Contact Offense(s): Adjudicated by Military Judge**

Legend:
- Convicted of Contact Offense
- Convicted of Non-Sex Offense
- Acquitted of All Charges

	Convicted of Contact Offense	Convicted of Non-Sex Offense	Acquitted of All Charges
FY 2018	1 (2.4%)	37 (90.2%)	3 (7.3%)
FY 2017	2 (3.5%)	53 (93.0%)	2 (3.5%)
FY 2016	3 (5.0%)	54 (90.0%)	3 (5.0%)
FY 2015	14 (18.9%)	53 (71.6%)	7 (9.5%)
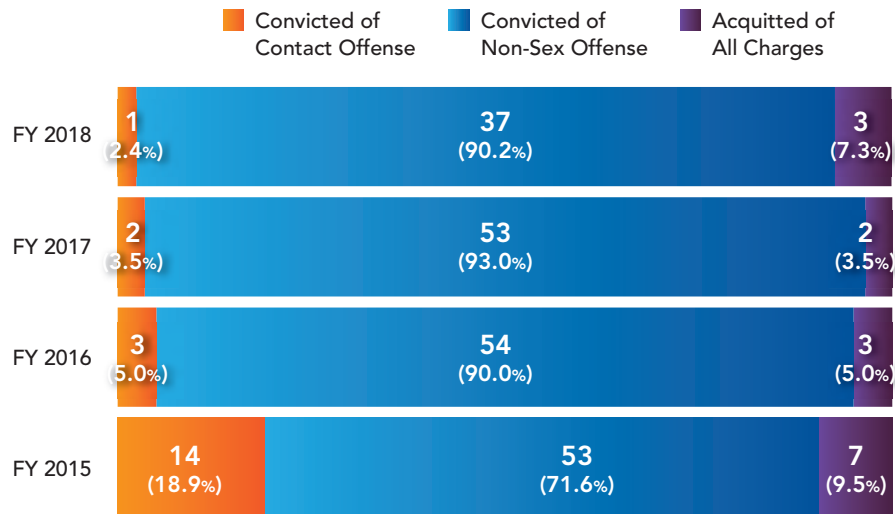
Figure 34. Outcomes for Contested Contact Offense(s): Adjudicated by Panel of Military Members

Legend:
- Convicted of Contact Offense
- Convicted of Non-Sex Offense
- Acquitted of All Charges

	Convicted of Contact Offense	Convicted of Non-Sex Offense	Acquitted of All Charges
FY 2018	5 (16.7%)	11 (36.7%)	14 (46.7%)
FY 2017	8 (21.6%)	10 (27.0%)	19 (51.4%)
FY 2016	11 (35.5%)	7 (22.6%)	13 (41.9%)
FY 2015	15 (31.3%)	15 (31.3%)	18 (37.5%)
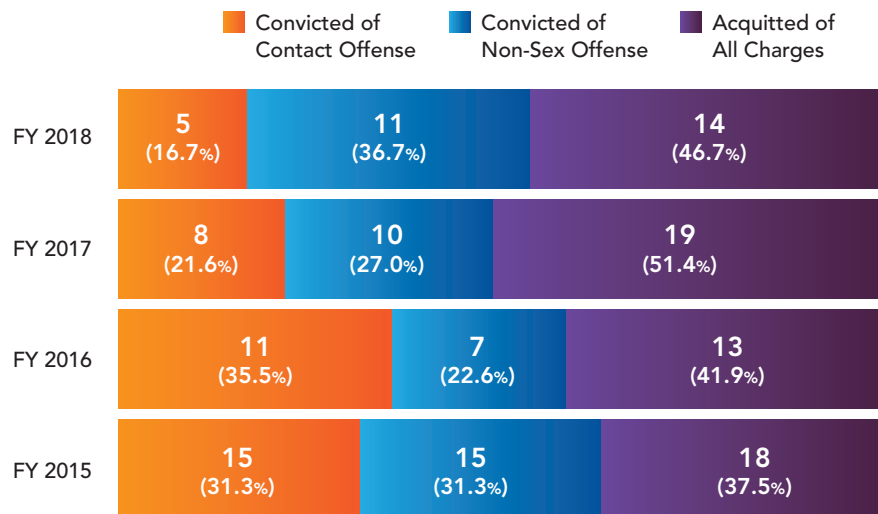
In FY18, among cases charged with a penetrative offense, non–intimate partner victim cases were more likely to end in acquittal (27%) than intimate partner victim cases (17%), and intimate partner victim cases were more likely to end in a conviction for a non–sexual assault offense (31% compared to 18%).

Figure 35. Accused Charged with Penetrative Offense(s) – Victim: Spouse or Intimate Partner

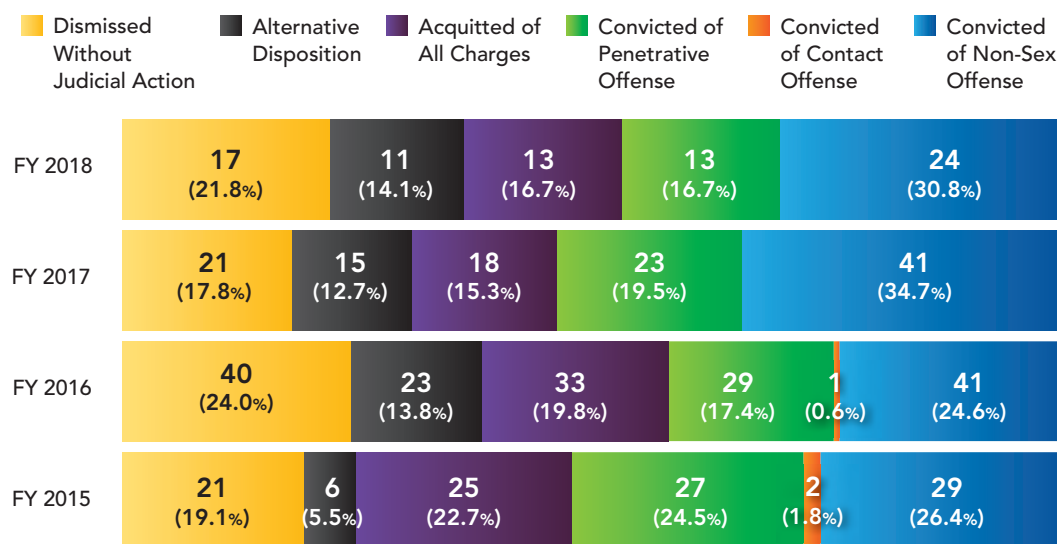|	Dismissed Without Judicial Action	Alternative Disposition	Acquitted of All Charges	Convicted of Penetrative Offense	Convicted of Contact Offense	Convicted of Non-Sex Offense
FY 2018	17 (21.8%)	11 (14.1%)	13 (16.7%)	13 (16.7%)		24 (30.8%)
FY 2017	21 (17.8%)	15 (12.7%)	18 (15.3%)	23 (19.5%)		41 (34.7%)
FY 2016	40 (24.0%)	23 (13.8%)	33 (19.8%)	29 (17.4%)	1 (0.6%)	41 (24.6%)
FY 2015	21 (19.1%)	6 (5.5%)	25 (22.7%)	27 (24.5%)	2 (1.8%)	29 (26.4%)

Figure 36. Accused Charged with Penetrative Offense(s) – Victim: Other Relationship

	Dismissed Without Judicial Action	Alternative Disposition	Acquitted of All Charges	Convicted of Penetrative Offense	Convicted of Contact Offense	Convicted of Non-Sex Offense
FY 2018	60 (17.0%)	56 (15.9%)	94 (26.6%)	68 (19.3%)	12 (3.4%)	63 (17.8%)
FY 2017	65 (16.3%)	90 (22.6%)	82 (20.6%)	80 (20.1%)	17 (4.3%)	64 (16.1%)
FY 2016	65 (15.7%)	75 (18.2%)	109 (26.4%)	77 (18.6%)	23 (5.6%)	64 (15.5%)
FY 2015	59 (13.2%)	73 (16.3%)	91 (20.3%)	120 (26.8%)	11 (2.5%)	94 (21.0%)
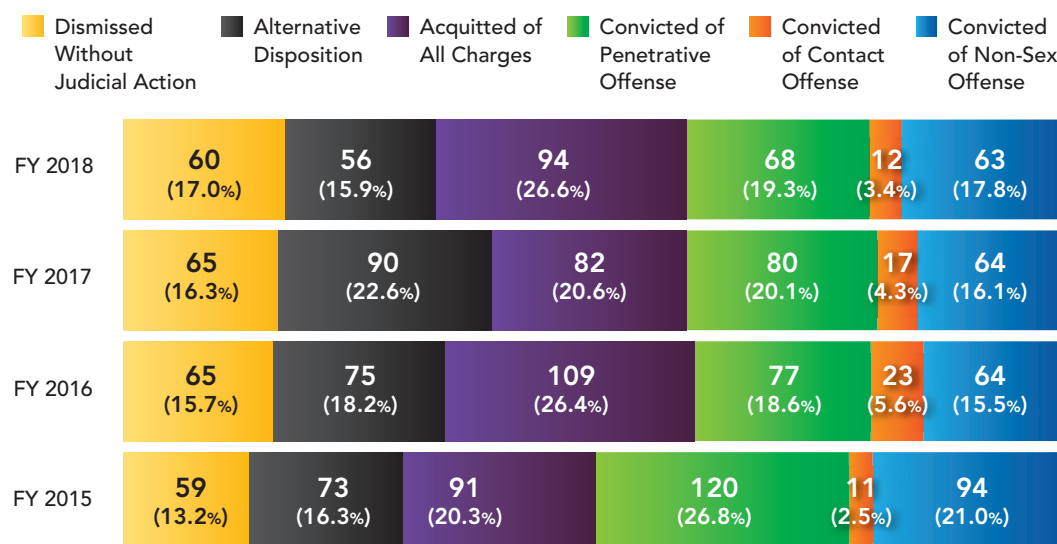
The small numbers of intimate partner victim cases with a contact offense charge make it difficult to draw any statistical conclusions. In FY18 there were 4 cases involving a charged contact offense and an intimate partner, an increase from 3 cases in FY17 and a decline from 6 cases in FY16 and 7 cases in FY15. When cases are combined across the charged offense (penetrative and contact), conviction rates are similar for intimate partner cases (46%) and non–intimate partner cases (43%), but dismissal rates were higher for intimate partner victim cases (24%) than for non–intimate partner cases (15%).

Figure 37. Accused Charged with Contact Offense(s) – Victim: Spouse or Intimate Partner

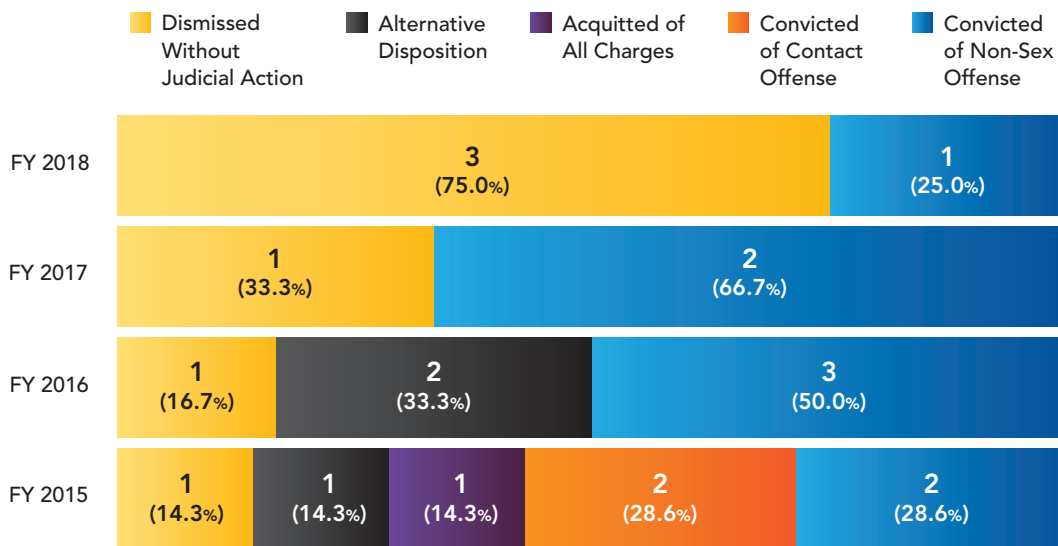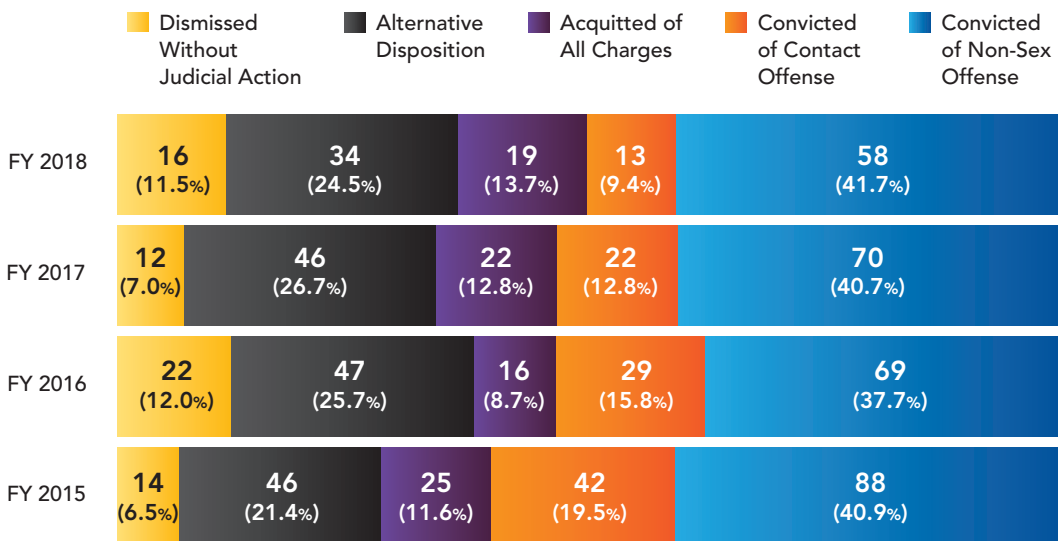**Figure 38. Accused Charged with Penetrative Offense(s) – Victim: Other Relationship**

IV. MULTIVARIATE ANALYSIS

Summary of the Multivariate Analyses – Fiscal Year 2018

Consistent patterns emerge from the multivariate analyses. The following variables have relatively consistent effects on the conviction and sentencing outcomes: Military Service branch, number of charges, and charged/conviction offense.

Service Branch

- The likelihood of being convicted of any charge was greater in the Army, Marine Corps, and Navy than in the Air Force or the Coast Guard.

- The likelihood of being convicted of a penetrative offense was greater in the Army and the Marine Corps than in the Air Force.

- There were no statistically significant differences between the Military Services in the chances of acquittal.

- The likelihood of case dismissal was greater in the Coast Guard than in all other Service branches.

- The chances of a punitive separation outcome were greater in the Army and in the Air Force than in the Navy.

Number of Charges

- There was a positive association between the number of charges and the chances of both a conviction and a conviction for a penetrative offense: the likelihood of both outcomes increased when the number of charges increased.

- The chances of acquittal and case dismissal declined as the number of charges increased.

- The chances of punitive separation and of confinement increased as the number of charges increased. The sentence severity scale score increased as the number of charges increased.

Charged Offense / Conviction Offense

- Convictions for penetrative offenses were linked to the highest chance of a confinement sentence; there was no difference in the chances of a confinement sentence between contact offense convictions and non–sexual assault convictions.

- The chances of punitive separation were greater for penetrative and contact offense convictions than for non–sexual assault convictions.

- Sentence severity is greater for penetrative offense convictions than for contact offense convictions and non–sexual assault convictions; sentences are more severe for contact offense convictions than non–sexual assault convictions.

Victim Variables

- The likelihood of case dismissal was higher when the involved parties were current or former intimate partners than when the victim and the accused had other types of relationships.

- The chances of punitive separation were lower in cases that involved only victims who were Military Service members, than in cases that involved only civilians or a combination of civilians and Military Service members.

Summary of the Multivariate Analyses – Fiscal Year 2017

Consistent patterns emerge from the multivariate analyses. The following variables have relatively consistent effects on the conviction and sentencing outcomes: service rank of the accused, number of charges, and charged/conviction offense.

Service Branch

- The chances of a conviction for a penetrative offense were greater in the Army than in the Air Force.

- The chances of a conviction for any offense were lower in the Air Force than in all other Service branches.

- The chances of an acquittal were greater in the Air Force than in the Army; the chances of a dismissal were greater in the Air Force than in the Army and Navy.

- Convicted members of the Marine Corps face a greater chance of punitive separation than their counterparts in the Coast Guard.

- Convicted members of the Air Force and Marine Corps faced more severe sentences, on average, than convicted members of the Army and Coast Guard. Convicted members of the Marine Corps faced more severe sentences, on average, than members of the Navy.

Number of Charges

- The chances of a conviction for any offense, of punitive separation, and of a more severe sentence increased when the number of charges was higher.

- The chances of acquittal and the chances of dismissal both decreased when the number of charges was higher.

Charged Offense / Conviction Offense

- The chance of a confinement sentence was greatest when the conviction was for a penetrative offense, but the difference between penetrative offense convictions and contact offense convictions was not statistically significant. Convictions for a contact offense or for a penetrative offense were more likely than convictions for non–sexual assault offenses to result in a confinement sentence.

- The likelihood that charges would be dismissed was greater when the accused was charged with a penetrative offense than when the accused was charged with a contact offense.

- The likelihood of a punitive separation sentence was greater when the conviction was for a sexual assault offense rather than a non–sexual assault offense.

- Sentence severity was greatest, on average, for penetrative offense convictions and the difference when compared to other offense convictions is statistically significant. Sentence severity, on average, was greater for contact-offense convictions than for non–sexual assault convictions.

Victim Variables

- A greater number of victims in a case was associated with an increased chance of a conviction for a penetrative offense.

- Military-only victim cases were linked to reduced chances that the case would result in a confinement sentence, as compared to civilian-only victim cases and those with military and civilian victims.

- Female-only victim cases were linked to increased chances that the case would result in a punitive separation sentence, as compared to male-only victim cases and those with female and male victims.

Summary of the Multivariate Analyses – Fiscal Year 2016

Consistent patterns emerge from the multivariate analyses. The following variables have relatively consistent effects on the conviction and sentencing outcomes: Military Service branch, number of charges, and charged/conviction offense.

Service Branch

- The chances of a conviction were lower in Air Force cases than in the other Service branches.

- Cases were more likely to end in acquittal in the Air Force than in the Marine Corps.

- Cases were more likely to be dismissed in the Air Force, Marine Corps, and Navy than in the Army.

- Members of the Marine Corps who are convicted face more severe sanctions than convicted members of the Air Force and Navy; members of the Army who are convicted face more severe sanctions than convicted members of the Navy.

Number of Charges

- The chances of a conviction increase as the number of charges increases.

- The chances of acquittal and dismissal decline as the number of charges increases.

- The chances of a punitive separation sanction become greater as the number of charges increases.

- The severity of sentences increases as the number of charges increases.

Charged Offense / Conviction Offense

- Those charged with a penetrative offense are less likely to be convicted of any offense.

- Those charged with a penetrative offense are more likely to be acquitted.

- Those convicted of a penetrative offense face more severe sanctions (confinement, punitive separation, and sentence severity) than those convicted of a non–sexual assault offense; those convicted of a penetrative offense face more severe sanctions (confinement and sentence severity) than those convicted of a contact offense.

- Those convicted of a contact offense face more severe sanctions than those convicted of a non–sexual assault offense.

Victim – Accused Relationship

- The chances of case dismissal are greater for intimate-partner cases than for cases with other relationships between the victim and the accused.

Summary of the Multivariate Analyses – Fiscal Year 2015[11]

In most analyses, the strongest predictor of outcome was whether the accused was charged with or convicted of at least one count of a penetrative offense. Those who were charged with penetrative offenses were less likely than those charged with contact offenses to be convicted of at least one charge, were more likely to be acquitted of all charges, and were more likely to have the case dismissed without further judicial action. On the other hand, if the accused was convicted of a penetrative offense, he or she was more likely to be sentenced to confinement, was more likely to receive a punitive separation, and faced a substantially longer sentence than those convicted of non-sex offenses. By contrast, neither the rank of the accused nor the gender of the victim affected any of the outcomes examined.

Service Branch

- The chances of a conviction for a penetrative offense were more likely if the accused was in the Army than if the accused was in the Air Force or the Marine Corps.

- The chances of conviction for at least one charge were more likely if the accused was in the Coast Guard than if the accused was in any of the other Services.

- Cases were less likely to result in an acquittal at trial if the accused was serving in the Army or Coast Guard than if the accused was serving in the Air Force or Navy.

- Cases were less likely to be dismissed without further judicial action if the accused was in the Air Force rather than in the Marine Corps or the Navy.

- Members of the Army were more likely than those in the Coast Guard to receive a punitive separation.

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11 The fiscal year 2015 multivariate analysis was completed by Dr. Cassia Spohn under the authority of the Judicial Proceedings Panel and published in the *Report on Statistical Data Regarding Military Adjudication of Sexual Assault Offenses* (April 2016).

Number of Charges

- The chances of a conviction increased as the number of charges increased.

- The chances of acquittal and dismissal declined as the number of charges increased.

- The severity of sentences increased as the number of charges increased.

Number of Victims

- The chances of conviction increased as the number of victims increased.

- The chances of a confinement sentence increased as the number of victims increased.

Status of Victims

- The chances of conviction were lower for cases in which the victim was a member of the military rather than a civilian.

- The chances of acquittal were higher for cases in which the victim was a member of the military rather than a civilian.

- The chances that the accused would receive either a sentence of confinement or a punitive separation were lower if the victim was a member of the military rather than a civilian.

Victim – Accused Relationship

- The chances of conviction were lower if the victim was a spouse or intimate partner of the accused.

- The chances of case dismissal were greater for intimate partner cases than for cases with other relationships between the victim and the accused.

- The confinement sentence was almost three years longer if the victim was the spouse or intimate partner.

V.   DATA PROJECT WAY FORWARD

The DWG will continue the data collection and analysis project in the coming months. Future analyses will include descriptive statistics concerning court-martial case characteristics, case dispositions, and case outcomes.

APPENDIX A. DAC-IPAD CASE ADJUDICATION DATABASE: SEXUAL OFFENSE(S) DEMOGRAPHIC AND ADJUDICATION DATA

The Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces (DAC-IPAD) was established by the Secretary of Defense in February 2016 pursuant to section 546 of the National Defense Authorization Act for Fiscal Year 2015, as amended. The Committee is tasked by its authorizing statute 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, drawing on its review of such cases on an ongoing basis.

The following tables provide a general overview of data contained in the DAC-IPAD database for fiscal years 2015–18, as of June 13, 2019, and are the source material for the data charts and discussion in this report. The organization follows that in the previous DAC-IPAD reports (March, 2018 and March, 2019) and Appendix A in the 2017 Judicial Proceedings Panel Report (September, 2017). Utilizing similar organizational schemes aids an understanding of changes over time. In addition, the analyses in the two previous reports provide a logical roadmap for understanding the dispositional outcomes of sexual assault cases in the military. The purpose of estimating bivariate relationships and multivariate relationships is to gain an understanding about why certain patterns of results are observed.

It should be noted that the DAC-IPAD relies on the Services to report all cases meeting the specified criteria. The DAC-IPAD therefore cannot assert that it has the complete universe of cases throughout the Armed Forces in which a sexual assault charge was filed. The data were also limited to cases in which a complete set of disposition records could be identified and retrieved for analysis. In interpreting the data, readers should keep in mind that

- Percentages may not total 100, owing to rounding errors or missing data;
- Cadets/Midshipmen and warrant officers are included with "officers" in tables.

DESCRIPTIVE STATISTICS

Tables 1 and 2 provide general description and demographic overview of the data contained in the database.

BIVARIATE ANALYSES

Tables 3 through 14 present the results of analyses that estimate relationships between case characteristics and case-processing outcomes. These analyses provide the opportunity to better understand why patterns of case outcomes are observed. The tables present patterns of relationships between two variables. These are known as bivariate relationships because the focus is on two variables; one is an outcome variable and the other is a predictor variable that can help explain the outcome.

Analyses of bivariate relationships provide an initial examination of relationships between key variables, such as, for example, type of offense charge and conviction result. These examinations are limited because our outcomes of interested are complex and are affected by many variables.

MULTIVARIATE ANALYSES

Tables 15 to 21 present patterns of relationships between multiple variables. These are known as multivariate relationships because the focus is on multiple variables; one is the outcome variable and several predictor variables help explain the outcome. Outcome variables are also known as dependent variables and predictor variables are also called independent variables.

Multivariate models represent a second step, after bivariate relationships are estimated. Multivariate models allow for the inclusion of multiple variables in the model so that we can examine relationships between one outcome, such as conviction, and several predictor variables, such as Military Service branch, the relationship between the accused and the victim, and the offense charged. Predictor variables may be related to our outcome of interest (i.e., conviction or not) and to the other predictor variable of interest; thus multivariate models are useful because they employ mathematical formulas to isolate the part of each predicator that is truly related to the outcome variable and not to the other predictor variables. When a predictor variable is uniquely and strongly related to an outcome variable, after being separated from its relationship with the other predictor variables in the model, we conclude the relationship is "statistically significant." This means that the relationship observed between a predictor and an outcome would likely be observed over different samples of cases; the relationship is not due to random chance. In other words, we conclude that the relationship truly exists and is not an artifact of the sample of data we examined.

Two types of multivariate regression models are used because the key outcome (dependent) variables of interest are either dichotomous, with only two categories, or continuous, with numerical values rather than categories. When dependent variables are dichotomous, logistic regression models are appropriate. Ordinary least squares (OLS) models are used when dependent variables are continuous.

Several predictor variables of interest are categorical; that is, their attributes are categories rather than numbers. An example is Service of the accused. This variable has five categories: Army, Marine Corps, Navy, Air Force, and Coast Guard. Entering categorical variables into regression models requires that one category serves as the reference category against which all other categories are compared. It is necessary to change the reference category to make all relevant comparisons. In the model results presented below, the Army serves as the reference category for the accused's Service branch. This is changed and models are reestimated so that the other branches have the opportunity to serve as the reference category and are compared to the others.

TABLES:

Fiscal Year 2018

Fiscal Year 2017

Fiscal Year 2016

TABLE 1
CASE CHARACTERISTICS (FY 2018)

	n	%
FY 2018 Total Cases	574	
Military Service of the Accused		
Army	232	40.4
Marine Corps	82	14.3
Navy	94	16.4
Air Force	151	26.3
Coast Guard	15	2.6
Rank of Accused		
Enlisted	529	92.2
Officer	45	7.8
Pay Grade of Accused		
Enlisted (N = 529)		
E-1	26	4.9
E-2	38	7.2
E-3	145	27.4
E-4	135	25.5
E-5	87	16.4
E-6	60	11.3
E-7	29	5.5
E-8	7	1.3
E-9	2	0.4
Officer (N = 45)[a]		
Cadet/MIDN	6	13.3
W-1	1	2.2
W-2	1	2.2
W-3	2	4.4
W-4	0	0.0
W-5	0	0.0
O-1	3	6.7
O-2	11	24.4
O-3	8	17.8
O-4	8	17.8
O-5	4	8.9
O-6	1	2.2
Sex of Accused		
Male	572	99.7
Female	2	0.3

Location of Unit to Which Accused Assigned When Charges Preferred		
CONUS	437	76.1
OCONUS	97	16.9
Vessel	40	7.0
Sex of Victim(s)		
All Female	539	93.9
All Male	32	5.6
Female and Male	3	0.5
Status of Victim(s)		
All Military	347	60.5
All Civilian	207	36.1
Military and Civilian	20	3.5
Accused Charged with Penetrative Offense(s)		
Yes	431	75.1
No	143	24.9
Accused Convicted of Penetrative Offense(s) (N = 431)		
Yes	81	18.8
No	350	81.2
Accused Charged with Contact Offense(s)		
Yes	143	24.9
No	431	75.1
Accused Convicted of Contact Offense(s) (N = 143)		
Yes	13	9.1
No	130	90.9

[a] *Because the pay grades of O-7, O-8, O-9, and O-10 had no accused documented by the DAC-IPAD, they are omitted from this table.*

TABLE 2
CASE DISPOSITIONS AND CASE OUTCOMES (FY 2018)

	n	%
FY 2018 Total Cases	574	

Type of Court-Martial (N = 378)		
General Court-Martial	311	82.3
Special Court-Martial	51	13.5
Summary Court-Martial	16	4.2
Type of Trial Forum (N = 378)		
Military Judge	194	51.3
Panel of Military Members	168	44.4
Summary Court-Martial Officer	16	4.2

Article 32 Hearing Held		
Yes	373	65.0
Waived	104	18.1
Not Applicable	97	16.9
Accused Charged with Penetrative Offense(s) (N = 431)		
Convicted of Penetrative Offense	81	18.8
Convicted of Sexual Contact Offense	12	2.8
Convicted of Non-Sex Offense	87	20.2
Acquitted of All Charges	107	24.8
Alternative Disposition	67	15.5
Dismissed Without Judicial Action	77	17.9
(After Article 32 Hearing)	*63*	*81.8*
Accused Charged with Sexual Contact Offense(s) (N = 143)		
Convicted of Sexual Contact Offense	13	9.1
Convicted of Non-Sex Offense	59	41.3
Acquitted of All Charges	19	13.3
Alternative Disposition	33	23.1
Dismissed Without Judicial Action	19	13.3
(After Article 32 Hearing)	*12*	*63.2*
Outcomes for Cases Referred to Trial		
Accused Charged with Penetrative Offense(s) (N = 287)		
Convicted of Penetrative Offense	81	28.2
Convicted of Sexual Contact Offense	12	4.2
Convicted of Non-Sex Offense	87	30.3
Acquitted of All Charges	107	37.3
Accused Charged with Sexual Contact Offense(s) (N = 91)		
Convicted of Sexual Contact Offense	13	14.3
Convicted of Non-Sex Offense	59	64.8
Acquitted of All Charges	19	20.9
Outcomes for Contested Trials		
Accused Charged with Penetrative Offense(s) (N = 256)		
Convicted of Penetrative Offense	56	21.9
Convicted of Sexual Contact Offense	*7*	2.7
Convicted of Non-Sex Offense	86	33.6
Acquitted of All Charges	107	41.8
Accused Charged with Sexual Contact Offense(s) (N = 84)		
Convicted of Sexual Contact Offense	6	7.1
Convicted of Non-Sex Offense	59	70.2
Acquitted of All Charges	19	22.6

TABLE 3
ARTICLE 32 WAIVER (FY 2018)

	n	%
Cases in Which Art. 32 Applicable		
Art. 32 Held	373	78.2
Art. 32 Waived	104	21.8
Waived Without Pretrial Agreement	63	60.6
Waived When Involving Penetrative Offense	85	81.7
Waived When Involving Contact Offense	19	18.3
Conviction Rate When Art. 32 Waived – Non-Sex Offense	34	32.7
Conviction Rate When Art. 32 Waived – Contact Offense	4	3.8
Conviction Rate When Art. 32 Waived – Penetrative Offense	32	30.8

TABLE 4
TYPE OF TRIAL BY OFFENSE(S), MILITARY SERVICE, AND RANK OF ACCUSED (FY 2018)

	General Court-Martial		Special Court-Martial		Summary Court-Martial	
	n	%	n	%	n	%
Most Serious Type of Offense(s) Charged						
Penetrative Offense	272	94.8	13	4.5	2	0.7
Contact Offense	39	42.9	38	41.8	14	15.4
Military Service						
Army	152	91.0	11	6.6	4	2.4
Marine Corps	38	65.5	17	29.3	3	5.2
Navy	43	65.2	16	24.2	7	10.6
Air Force	77	92.8	6	7.2	0	0.0
Coast Guard	1	25.0	1	25.0	2	50.0
Rank of Accused						
Officer	26	96.3	1	3.7	0	0.0
Enlisted	285	81.2	50	14.2	16	4.6

TABLE 5
TYPE OF MOST SERIOUS SEX OFFENSE(S) CHARGED BY PAY GRADE (FY 2018)

	Penetrative		Contact	
	n	%	n	%
Enlisted				
E-1	21	80.8	5	19.2
E-2	32	84.2	6	15.8
E-3	110	75.9	35	24.1
E-4	108	80.0	27	20.0
E-5	62	71.3	25	28.7
E-6	36	60.0	24	40.0
E-7	22	75.9	7	24.1
E-8	4	57.1	3	42.9
E-9	1	50.0	1	50.0
Officer				
Cadet/MIDN	6	100.0	0	0.0
W-1	0	0.0	1	100.0
W-2	1	100.0	0	0.0
W-3	2	100.0	0	0.0
W-4	0	0.0	0	0.0
W-5	0	0.0	0	0.0
O-1	3	100.0	0	0.0
O-2	9	81.8	2	18.2
O-3	4	50.0	4	50.0
O-4	7	87.5	1	12.5
O-5	3	75.0	1	25.0
O-6	0	0.0	1	100.0

[a] *Because the pay grades of O-7, O-8, O-9, and O-10 had no accused documented by the DAC-IPAD, they are omitted from this table.*

TABLE 6
OUTCOMES OF SEXUAL OFFENSE(S) BY MILITARY SERVICE OF ACCUSED (FY 2018)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) (N = 431)												
Army N = 181	43	23.8	7	3.9	43	23.8	38	21.0	28	15.5	22	12.2
Marine Corps N = 50	13	26.0	2	4.0	17	34.0	8	16.0	4	8.0	6	12.0
Navy N = 67	9	13.4	2	3.0	20	29.9	16	23.9	7	10.4	13	19.4
Air Force N = 128	16	12.5	1	0.8	6	4.7	45	35.2	27	21.1	33	25.8
Coast Guard N = 5	0	0.0	0	0.0	1	20.0	0	0.0	1	20.0	3	60.0

			Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
Accused Charged with Contact Offense(s) (N = 143)												
Army N = 51			6	11.8	22	43.1	8	15.7	9	17.6	6	11.8
Marine Corps N = 32			3	9.4	13	40.6	2	6.3	11	34.4	3	9.4
Navy N = 27			1	3.7	16	59.3	2	7.4	6	22.2	2	7.4
Air Force N = 23			3	13.0	6	26.1	6	26.1	4	17.4	4	17.4
Coast Guard N = 10			0	0.0	2	20.0	1	10.0	3	30.0	4	40.0

TABLE 7
OUTCOMES OF SEXUAL OFFENSE(S) BY RANK OF ACCUSED (FY 2018)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) (N = 431)												
Officer N = 35	8	22.9	0	0.0	4	11.4	14	40.0	5	14.3	4	11.4
Enlisted N = 396	73	18.4	12	3.0	83	21.0	93	23.5	62	15.7	73	18.4

			Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
Accused Charged with Contact Offense(s) (N = 143)												
Officer N = 10			1	10.0	0	0.0	0	0.0	6	60.0	3	30.0
Enlisted N = 133			12	9.0	59	44.4	19	14.3	27	20.3	16	12.0

TABLE 8
OUTCOMES OF CHARGED PENETRATIVE OFFENSE(S) BY PAY GRADE OF ACCUSED (FY 2018)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Enlisted (N = 396)												
E-1 N = 21	5	23.8	0	0.0	7	33.3	5	23.8	3	14.3	1	4.8
E-2 N = 32	10	31.3	0	0.0	7	21.9	7	21.9	3	9.4	5	15.6
E-3 N = 110	18	16.4	3	2.7	21	19.1	29	26.4	17	15.5	22	20.0
E-4 N = 108	16	14.8	4	3.7	18	16.7	24	22.2	23	21.3	23	21.3
E-5 N = 62	8	12.9	4	6.5	12	19.4	15	24.2	9	14.5	14	22.6
E-6 N = 36	8	22.2	0	0.0	6	16.7	9	25.0	7	19.4	6	16.7
E-7 N = 22	7	31.8	1	4.5	8	36.4	4	18.2	0	0.0	2	9.1
E-8 N = 4	1	25.0	0	0.0	3	75.0	0	0.0	0	0.0	0	0.0
E-9 N = 1	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0
Officer (N = 35)[a]												
Cadet/MIDN N = 6	2	33.3	0	0.0	0	0.0	3	50.0	1	16.7	0	0.0
W-1 N = 0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-2 N = 1	0	0.0	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0
W-3 N = 2	0	0.0	0	0.0	1	50.0	0	0.0	0	0.0	1	50.0
W-4 N = 0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-5 N = 0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
O-1 N = 3	0	0.0	0	0.0	1	33.3	1	33.3	1	33.3	0	0.0
O-2 N = 9	0	0.0	0	0.0	1	11.1	5	55.6	1	11.1	2	22.2
O-3 N = 4	2	50.0	0	0.0	0	0.0	2	50.0	0	0.0	0	0.0
O-4 N = 7	3	42.9	0	0.0	1	14.3	1	14.3	2	28.6	0	0.0
O-5 N = 3	1	33.3	0	0.0	0	0.0	1	33.3	0	0.0	1	33.3
O-6 N = 0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0

[a] *Because the pay grades of O-7, O-8, O-9, and O-10 had no accused documented by the DAC-IPAD, they are omitted from this table.*

TABLE 9
OUTCOMES OF CHARGED CONTACT OFFENSE(S) BY PAY GRADE OF ACCUSED (FY 2018)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Enlisted (N = 133)												
E-1 N = 5			1	20.0	2	40.0	0	0.0	1	20.0	1	20.0
E-2 N = 6			0	0.0	3	50.0	0	0.0	3	50.0	0	0.0
E-3 N = 35			1	2.9	16	45.7	5	14.3	10	28.6	3	8.6
E-4 N = 27			4	14.8	9	33.3	4	14.8	5	18.5	5	18.5
E-5 N = 25			4	16.0	11	44.0	5	20.0	4	16.0	1	4.0
E-6 N = 24			1	4.2	11	45.8	3	12.5	4	16.7	5	20.8
E-7 N = 7			0	0.0	5	71.4	2	28.6	0	0.0	0	0.0
E-8 N = 35			1	33.3	2	66.7	0	0.0	0	0.0	0	0.0
E-9 N = 1			0	0.0	0	0.0	0	0.0	0	0.0	1	100.0
Officer (N = 10)[a]												
Cadet/MIDN N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-1 N = 1			0	0.0	0	0.0	0	0.0	1	100.0	0	0.0
W-2 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-3 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-4 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-5 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
O-1 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
O-2 N = 2			0	0.0	0	0.0	0	0.0	1	50.0	1	50.0
O-3 N = 4			1	25.0	0	0.0	0	0	2	50.0	1	25.0
O-4 N = 1			0	0.0	0	0.0	0	0.0	1	100.0	0	0.0
O-5 N = 1			0	0.0	0	0.0	0	0.0	1	100.0	0	0.0
O-6 N = 1			0	0.0	0	0.0	0	0.0	0	0.0	1	100.0

[a] *Because the pay grades of O-7, O-8, O-9, and O-10 had no accused documented by the DAC-IPAD, they are omitted from this table.*

TABLE 10
OUTCOMES OF SEXUAL OFFENSE(S) BY SEX AND STATUS OF VICTIM (FY 2018)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) (N = 431)												
Victim Sex												
All Females N = 417	77	18.5	10	2.4	86	20.6	105	25.2	63	15.1	76	18.2
All Males N = 13	4	30.8	2	15.4	0	0.0	2	15.4	4	30.8	1	7.7
Females & Males N = 1	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0
Victim Status												
All Military N = 242	46	19.0	9	3.7	38	15.7	66	27.3	38	15.7	45	18.6
All Civilian N = 173	29	16.8	1	0.6	47	27.2	38	22.0	27	15.6	31	17.9
Military & Civilian N = 16	6	37.5	2	12.5	2	12.5	3	18.8	2	12.5	1	6.3

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
Accused Charged with Contact Offense(s) (N = 143)												
Victim Sex												
All Females N = 122			11	9.0	53	43.4	18	14.8	24	19.7	16	13.1
All Males N = 19			2	10.5	5	26.3	0	0.0	9	47.4	3	15.8
Females & Males N = 2			0	0.0	1	50.0	1	50.0	0	0.0	0	0.0
Victim Status												
All Military N = 105			7	6.7	46	43.8	12	11.4	29	27.6	11	10.5
All Civilian N = 34			5	14.7	12	35.3	5	14.7	4	11.8	8	23.5
Military & Civilian N = 4			1	25.0	1	25.0	2	50.0	0	0.0	0	0.0

TABLE 11
OUTCOMES OF SEXUAL OFFENSE(S) BY RELATIONSHIP BETWEEN ACCUSED AND VICTIM (FY 2018)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) (N = 431)												
Spouse or Intimate Partner N = 78	13	16.7	0	0.0	24	30.8	13	16.7	11	14.1	17	21.8
Other Relationship N = 353	68	19.3	12	3.4	63	17.8	94	26.6	56	15.9	60	17.0

Accused Charged with Contact Offense(s) (N = 143)												
Spouse or Intimate Partner N = 4			0	0.0	1	25.0	0	0.0	0	0.0	3	75.0
Other Relationship N = 139			13	9.4	58	41.7	19	13.7	33	23.7	16	11.5

TABLE 12
OUTCOMES OF SEXUAL OFFENSE(S) BY ACCUSED'S LOCATION (FY 2018)

	Convicted of Penetrative Offense		Convicted of Sexual Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) (N = 431)												
CONUS N = 332	67	20.2	9	2.7	63	19.0	86	25.9	54	16.3	53	16.0
OCONUS N = 76	13	17.1	2	2.6	17	22.4	15	19.7	13	17.1	16	21.1
Vessel N = 23	1	4.3	1	4.3	7	30.4	6	26.1	0	0.0	8	34.8

Accused Charged with Contact Offense(s) (N = 143)												
CONUS N = 105			12	11.4	46	43.8	10	9.5	23	21.9	14	13.3
OCONUS N = 21			1	4.8	7	33.3	6	28.6	5	23.8	2	9.5
Vessel N = 17			0	0.0	6	35.3	3	17.6	5	29.4	3	17.6

TABLE 13
OUTCOMES OF SEXUAL OFFENSE(S) BY TYPE OF TRIAL FORUM (FY 2018)

	Convicted of Penetrative Offense		Convicted of Sexual Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges	
	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) and Case Referred to General or Special Court-Martial (N = 285)								
Adjudicated by Military Judge N = 147	49	33.3	7	4.8	66	44.9	25	17.0
Adjudicated by Panel of Members N = 138	32	23.2	5	3.6	19	13.8	82	59.4
Accused Charged with Contact Offense(s) and Case Referred to General or Special Court-Martial (N = 77)								
Adjudicated by Military Judge N = 47			7	14.9	37	78.7	3	6.4
Adjudicated by Panel of Members N = 30			5	16.7	11	36.7	14	46.7

TABLE 14
OUTCOMES OF SEXUAL OFFENSE(S) BY TYPE OF TRIAL FORUM FOR CASES IN WHICH THE ACCUSED PLED NOT GUILTY (FY 2018)

	Convicted of Penetrative Offense		Convicted of Sexual Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges	
	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s), Referred to General or Special Court-Martial and Pled Not Guilty to SA Offense (N = 254)								
Adjudicated by Military Judge N = 116	24	20.7	2	1.7	65	56.0	25	21.6
Adjudicated by Panel of Members N = 138	32	23.2	5	3.6	19	13.8	82	59.4
Accused Charged with Contact Offense(s), Referred to General or Special Court-Martial and Pled Not Guilty to SA Offense(N = 71)								
Adjudicated by Military Judge N = 41			1	2.4	37	90.2	3	7.3
Adjudicated by Panel of Members N = 30			5	16.7	11	36.7	14	46.7

TABLE 15
VARIABLES ASSOCIATED WITH ADJUDGED SENTENCE OF CONFINEMENT (FY 2018)

	No Confinement		Confinement	
	n	%	n	%
Military Service of Accused (NS)				
Army	19	15.7	102	84.3
Marine Corps	10	20.8	38	79.2
Navy	13	27.1	35	72.9
Air Force	5	15.6	27	84.4
Coast Guard	2	66.7	1	33.3
Rank of Accused (NS)				
Officer	3	23.1	10	76.9
Enlisted	46	19.2	193	80.8
Sex of Victim (NS)[a]				
All Females	46	19.4	191	80.6
All Males	2	15.4	11	84.6
Females and Males	1	50.0	1	50.0
Status of Victim (NS)[b]				
All Military	34	23.3	112	76.7
All Civilian	13	13.8	81	86.2
Military and Civilian	2	16.7	10	83.3
Relationship Between Accused and Victim (NS)				
Spouse or Intimate Partner	5	13.2	33	86.8
Other Relationship	44	20.6	170	79.4
Conviction Offense (p < .05)[c]				
Penetrative Offense	1	1.2	80	98.8
Contact Offense	4	16.0	21	84.0
Non-Sex Offense	44	30.1	102	69.9
Number of Counts Preferred (p < .05)	5.63 (sd = 3.60)		7.76 (sd = 7.34)	
Number of Victims (NS)	1.24 (sd = .56)		1.34 (sd = 1.08)	
Type of Court-Martial (p < .05)				
General Court-Martial	24	12.3	171	87.7
Special Court-Martial	16	37.2	27	62.8
Summary Court-Martial	9	64.3	5	35.7
Type of Trial Forum (p < .05)				
Military Judge	22	13.3	144	86.7
Panel of Military Members	18	25.0	54	75.0
Summary Court-Martial Officer	9	64.3	5	35.7

a The relationship is not statistically significant when the "male and female" category is excluded from the analysis.

b The relationship is not statistically significant when the "military and civilian" category is excluded from the analysis.

c The relationship is not statistically significant when the "penetrative offense" category is excluded from the analysis.

TABLE 16
VARIABLES ASSOCIATED WITH ADJUDGED SENTENCE OF PUNITIVE SEPARATION (FY 2018)

	No Separation		Separation	
	n	%	n	%
Military Service of Accused (p < .05)				
Army	31	25.6	90	74.4
Marine Corps	19	39.6	29	60.4
Navy	27	56.3	21	43.8
Air Force	3	9.4	29	90.6
Coast Guard	3	100.0	0	0.0
Rank of Accused (NS)				
Officer	2	15.4	11	84.6
Enlisted	81	33.9	158	66.1
Sex of Victim (NS)[a]				
All Females	77	32.5	160	67.5
All Males	4	30.8	9	69.2
Females and Males	2	100	0	0
Status of Victim (p < .05)[b]				
All Military	60	41.1	86	58.9
All Civilian	23	24.5	71	75.5
Military and Civilian	0	0	12	100
Relationship Between Accused and Victim (NS)				
Spouse or Intimate Partner	9	23.7	29	76.3
Other Relationship	74	34.6	140	65.4
Conviction Offense (p < .05)				
Penetrative Offense	0	0	81	100
Contact Offense	5	20	20	80
Non-Sex Offense	78	53.4	68	46.6
Number of Counts Preferred (p < .05)	6.12 (sd = 4.14)		7.95 (sd = 7.75)	
Number of Victims (p < .05)	1.19 (sd = .51)		1.39 (sd = 1.17)	
Type of Court-Martial (p < .05)[c]				
General Court-Martial	40	20.5	155	79.5
Special Court-Martial	29	67.4	14	32.6
Summary Court-Martial	14	100.0	0	0.0
Type of Trial Forum (p < .05)[d]				
Military Judge	47	28.3	119	71.7
Panel of Military Members	22	30.6	50	69.4
Summary Court-Martial Officer	14	100.0	0	0.0

[a] *The relationship is not statistically significant when the "male and female" category is excluded from the analysis.*

[b] *The relationship is statistically significant when the "military and civilian" category is excluded from the analysis.*

[c] *This relationship is statistically significant when Summary Courts-Martial are excluded from the analysis.*

[d] *This relationship is not statistically significant when Summary Court-Martial officers are excluded from the analysis.*

TABLE 17
VARIABLES ASSOCIATED WITH SENTENCE SEVERITY (FY 2018)

	Average Sentence Severity[a]
Military Service of Accused (p < .05)	
Army	8.19
Marine Corps	7.87
Navy	6.23
Air Force	9.07
Coast Guard (1 case ended in confinement)[b]	0.00
Rank of Accused (NS)	
Officer	9.82
Enlisted	7.78
Sex of Victim (NS)	
All Females	7.95
All Males	7.55
Males and Females (1 case ended in confinement)	0.00
Status of Victim (NS)	
All Military	7.50
All Civilian	8.04
Military and Civilian	10.50
Relationship Between Accused and Victim (NS)	
Spouse or Intimate Partner	8.56
Other Relationship	7.76
Type of Conviction Offense (p < .05)	
Penetrative Offense	11.30
Contact Offense	7.95
Non-Sex Offense	5.22
Type of Court-Martial (p < .05)[c]	
General Court-Martial	8.78
Special Court-Martial	3.56
Type of Trial Forum (NS)[d]	
Military Judge	7.79
Panel of Military Members	8.84

[a] See Table 22 – Adjudged Sentencing Severity Scale (FY 2018) for a description of the scale.

[b] The relationship is statistically significant when the Coast Guard case is excluded from the analysis.

[c] Summary courts-martial are excluded from this analysis because 9 of 14 summary courts-martial did not end in confinement or a punitive separation.

[d] Summary court-martial officer cases are excluded from this analysis because 9 of the 14 summary courts-martial officer cases did not end in confinement or a punitive separation.

TABLE 18
LOGISTIC REGRESSION: VARIABLES RELATED TO CONVICTIONS (FY 2018)

	B	SE	Exp(B)
Accused Convicted of a Penetrative Offense[a]			
Military Service of Accused			
Army (reference)			
Marine Corps	.18	.38	1.20
Navy	−.61	.41	.54
Air Force	−.69*	.34	.50
Coast Guard	-	-	-
Accused Rank (Enlisted)	.37	.44	1.45
Victim Was Spouse or Intimate Partner	−.25	.39	.78
Female Victim(s)	−.15	.69	.86
Military Victim(s)	.12	.29	1.13
Number of Victims	.71*	.23	2.03
Number of Charges	.03	.03	1.03

	B	SE	Exp(B)
Accused Convicted of At Least One Charge[b]			
Military Service of Accused			
Army (reference)			
Marine Corps	.04	.28	1.04
Navy	.14	.27	1.15
Air Force	−1.06*	.26	.35
Coast Guard	−1.15*	.69	.32
Accused Rank (Enlisted)	−.61	.39	.54
Victim Was Spouse or Intimate Partner	−.24	.33	.79
Female Victim(s)	.43	.44	1.53
Military Victim(s)	−.14	.21	.87
Number of Victims	−.02	.18	.98
Number of Charges	.22*	.03	1.25
Accused Charged with Penetrative Offense	−.25	.23	.78

[a] *Analysis includes cases with a penetrative offense charge. Analysis excludes the Coast Guard because no Coast Guard cases resulted in a conviction for a penetrative offense.*

[b] *Analysis includes cases with a penetrative offense charge or a contact offense charge.*

**TABLE 19
LOGISTIC REGRESSION: VARIABLES RELATED TO ACQUITTALS AND DISMISSALS (FY 2018)**

	B	SE	Exp(B)
Accused Acquitted of All Charges			
Military Service of Accused			
Army (reference)			
Marine Corps	−.30	.40	.74
Navy	−.27	.33	.77
Air Force	.20	.26	1.23
Coast Guard	−1.63	1.07	.20
Accused Rank (Enlisted)	.44	.37	1.56
Victim Was Spouse or Intimate Partner	−.30	.38	.74
Female Victim(s)	1.22	.65	3.38
Military Victim(s)	.03	.24	1.03
Number of Victims	.40	.26	1.50
Number of Charges	−.32*	.06	.73
Accused Charged with a Penetrative Offense	.46	.30	1.58

	B	SE	Exp(B)
Dismissed without Judicial Action			
Military Service of Accused			
Army (reference)			
Marine Corps	.09	.42	1.10
Navy	.31	.36	1.36
Air Force	.52	.29	1.68
Coast Guard	1.73*	.59	5.67
Accused Rank (Enlisted)	−.26	.45	.77
Victim Was Spouse or Intimate Partner	.78*	.35	2.19
Female Victim(s)	.14	.58	1.15
Military Victim(s)	.01	.26	1.01
Number of Victims	.02	.28	1.02
Number of Charges	−.15*	.05	.86
Accused Charged with a Penetrative Offense	.26	.31	1.29

TABLE 20
LOGISITIC REGRESSION: VARIABLES RELATED TO SENTENCE OF
CONFINEMENT AND PUNITIVE SEPARATION (FY 2018)

	B	SE	Exp(B)
Adjudged Sentence Included Confinement			
Military Service of Accused			
Army (reference)			
Marine Corps	−.36	.48	.70
Navy	−.11	.46	.90
Air Force	−.71	.65	.49
Coast Guard	−1.51	1.27	.22
Accused Rank (Enlisted)	−1.75	1.00	.17
Victim Was Spouse or Intimate Partner	−.23	.66	.80
Female Victim(s)	−.29	.76	.75
Military Victim(s)	−.76	.45	.47
Number of Victims	−.27	.28	.76
Number of Charges	.11*	.05	1.12
Accused Convicted of a Penetrative Offense	4.15*	1.10	63.11
Accused Convicted of a Contact Offense	1.07	.64	2.92

	B	SE	Exp(B)
Adjudged Sentence Included Punitive Separation			
Military Service of Accused[a]			
Army (reference)			
Marine Corps	−.78	.45	.46
Navy	−1.04*	.45	.35
Air Force	.66	.72	1.93
Coast Guard	-	-	-
Accused Rank (Enlisted)	.17	1.04	1.18
Victim Was Spouse or Intimate Partner	−.29	.55	.75
Female Victim(s)	.63	.80	1.88
Military Victim(s)	−1.02*	.42	.36
Number of Victims	−.02	.31	.98
Number of Charges	.07*	.04	1.08
Accused Convicted of a Non-Sex Offense[b]	−3.32*	.53	.04

[a] *Coast Guard cases are excluded from this analysis because no Coast Guard cases with a conviction resulted in punitive separation.*

[b] *The reference category is accused convicted of penetrative offense or a contact offense. These two conviction offense categories (penetrative and contact) were combined because all penetrative conviction cases ended in punitive separation (see Table 16 – Variables Associated with Adjudged Sentence of Punitive Separation (FY 2018) above).*

TABLE 21
OLS REGRESSION: VARIABLES RELATED TO SENTENCE SEVERITY (FY 2018)

	B	Beta	T-value
Military Service of Accused			
Army (reference)			
Marine Corps	.21	.02	.34
Navy	−.51	−.04	−.79
Air Force	.23	.02	.34
Coast Guard	−4.35	−.07	−1.35
Accused Rank (Enlisted)	−.55	−.03	−.53
Victim Was Spouse or Intimate Partner	−.01	.00	−.01
Female Victim(s)	.40	.02	.40
Military Victim(s)	−.67	−.08	−1.32
Number of Victims	−.01	−.00	−.05
Number of Charges	.15*	.24	3.94
Accused Convicted of a Penetrative Offense	6.36*	.71	12.62
Accused Convicted of a Contact Offense	2.75*	.19	3.44

TABLE 22
ADJUDGED SENTENCING SEVERITY SCALE (FY 2018)

Sentence	n	%
Confinement up to and including 2 months	22	10.6
Confinement greater than 2 months and up to 5 months	14	6.8
Confinement greater than 5 months and up to 8 months	1	.5
Confinement 9 months to 12 months	1	.5
Confinement 13 months to 18 months OR punitive separation	4	1.9
Punitive separation and confinement up to and including 2 months	17	8.2
Punitive separation and confinement greater than 2 months and up to 5 months	13	6.3
Punitive separation and confinement greater than 5 months and up to 8 months	16	7.7
Punitive separation and confinement 9 months to 12 months	14	6.8
Punitive separation and confinement 13 months to 18 months	12	5.8
Punitive separation and confinement 19 months to 24 months	14	6.8
Punitive separation and confinement 25 months to 36 months	29	14.0
Punitive separation and confinement 37 months to 60 months	17	8.2
Punitive separation and confinement 60 months to 120 months	22	10.6
Punitive separation and confinement greater than 120 months	11	5.3

The adjudged sentencing severity scale was developed by Patricia D. Breen and Brian D. Johnson ("Military Justice: Case Processing and Sentencing Decisions in America's 'Other' Criminal Courts," *Justice Quarterly* 35.4 [2018]: 639–69) and combines the confinement sentence with punitive separations. The scale was developed through consultation with judge advocates. For the purposes of the current analysis, only cases that ended in a conviction were analyzed

and cases that did not result in a sanction of confinement or punitive separation are not included. The scale is used in place of a variable that simply measures the number of confinement months because the distribution of confinement months is not normal. The distribution of values is concentrated at the lower end of the scale. In other words, a large number of cases ended in shorter confinement sentences than longer sentences. Non-normal distributions may present problems when OLS regression models are estimated.

TABLE 23
CASE CHARACTERISTICS (FY 2017)

	n	%
FY 2017 Total Cases	691	
Military Service of the Accused		
Army	288	41.7
Marine Corps	84	12.2
Navy	130	18.8
Air Force	169	24.5
Coast Guard	20	2.9
Rank of Accused		
Enlisted	636	92.0
Officer	55	8.0
Pay Grade of Accused		
Enlisted (N = 636)		
E-1	39	6.1
E-2	37	5.8
E-3	131	20.6
E-4	168	26.4
E-5	116	18.2
E-6	79	12.4
E-7	52	8.2
E-8	14	2.2
E-9	0	0.0
Officer (N = 55)[a]		
Cadet/MIDN	11	20.0
W-1	1	1.8
W-2	4	7.3
W-3	2	3.6
W-4	1	1.8
W-5	0	0.0
O-1	1	1.8
O-2	9	16.4
O-3	16	29.1

O-4	2	3.6
O-5	6	10.9
O-6	2	3.6
Sex of Accused		
Male	686	99.3
Female	5	0.7
Location of Unit to Which Accused Assigned When Charges Preferred		
CONUS	503	72.8
OCONUS	130	18.8
Vessel	58	8.4
Sex of Victim(s)		
All Female	644	93.2
All Male	42	6.1
Female and Male	5	0.7
Status of Victim(s)		
All Military	415	60.1
All Civilian	247	35.7
Military and Civilian	29	4.2
Accused Charged with Penetrative Offense(s)		
Yes	516	74.7
No	175	25.3
Accused Convicted of Penetrative Offense(s) (N = 516)		
Yes	103	20.0
No	413	80.0
Accused Charged with Contact Offense(s)		
Yes	175	25.3
No	516	74.7
Accused Convicted of Contact Offense(s) (N = 175)		
Yes	23	13.1
No	152	86.9

[a] Because the pay grades of O-7, O-8, O-9, and O-10 had no accused documented by the DAC-IPAD, they are omitted from this table.

TABLE 24
CASE DISPOSITIONS AND CASE OUTCOMES (FY 2017)

	n	%
FY 2017 Total Cases	691	
Type of Court-Martial (N = 441)		
General Court-Martial	340	77.1
Special Court-Martial	79	17.9
Summary Court-Martial	22	5.0
Type of Trial Forum (N = 441)		
Military Judge	242	54.9
Panel of Military Members	177	40.1
Summary Court-Martial Officer	22	5.0
Article 32 Hearing Held		
Yes	422	61.1
Waived	117	16.9
Not Applicable	152	22.0
Accused Charged with Penetrative Offense(s) (N = 516)		
Convicted of Penetrative Offense	103	20.0
Convicted of Sexual Contact Offense	17	3.3
Convicted of Non-Sex Offense	105	20.3
Acquitted of All Charges	100	19.4
Alternative Disposition	105	20.3
Dismissed Without Judicial Action	86	16.7
(After Article 32 Hearing)	68	79.1
Accused Charged with Sexual Contact Offense(s) (N = 175)		
Convicted of Sexual Contact Offense	22	12.6
Convicted of Non-Sex Offense	72	41.1
Acquitted of All Charges	22	12.6
Alternative Disposition	46	26.3
Dismissed Without Judicial Action	13	7.4
(After Article 32 Hearing)	7	53.8
Outcomes for Cases Referred to Trial		
Accused Charged with Penetrative Offense(s) (N = 325)		
Convicted of Penetrative Offense	103	31.7
Convicted of Sexual Contact Offense	17	5.2
Convicted of Non-Sex Offense	105	32.3
Acquitted of All Charges	100	30.8
Accused Charged with Sexual Contact Offense(s) (N = 116)		
Convicted of Sexual Contact Offense	22	19.0
Convicted of Non-Sex Offense	72	62.1
Acquitted of All Charges	22	19.0

Outcomes for Contested Trials		
Accused Charged with Penetrative Offense(s) (N = 284)		
Convicted of Penetrative Offense	72	25.4
Convicted of Sexual Contact Offense	7	2.5
Convicted of Non-Sex Offense	105	37.0
Acquitted of All Charges	100	35.2
Accused Charged with Sexual Contact Offense(s) (N = 105)		
Convicted of Sexual Contact Offense	11	10.5
Convicted of Non-Sex Offense	72	68.6
Acquitted of All Charges	22	21.0

TABLE 25
ARTICLE 32 WAIVER (FY 2017)

	n	%
Cases in Which Art. 32 Applicable		
Art. 32 Held	422	78.3
Art. 32 Waived	117	21.7
Waived Without Pretrial Agreement	66	56.4
Waived When Involving Penetrative Offense	98	83.8
Waived When Involving Contact Offense	19	16.2
Conviction Rate When Art. 32 Waived – Non SA-Offense	41	35.0
Conviction Rate When Art. 32 Waived – Contact Offense	8	6.8
Conviction Rate When Art. 32 Waived – Penetrative Offense	24	20.5

TABLE 26
TYPE OF TRIAL BY OFFENSE(S), MILITARY SERVICE, AND RANK OF ACCUSED (FY 2017)

	General Court-Martial		Special Court-Martial		Summary Court-Martial	
	n	%	n	%	n	%
Most Serious Type of Offense(s) Charged						
Penetrative Offense	300	92.3	15	4.6	10	3.1
Contact Offense	40	34.5	64	55.2	12	10.3
Military Service						
Army	168	89.8	11	5.9	8	4.3
Marine Corps	34	54.0	23	36.5	6	9.5
Navy	55	61.8	30	33.7	4	4.5
Air Force	76	88.4	10	11.6	0	0.0
Coast Guard	7	43.8	5	31.3	4	25.0
Rank of Accused						
Officer	36	100.0	0	0.0	0	0.0
Enlisted	304	75.1	79	19.5	22	5.4

TABLE 27
TYPE OF MOST SERIOUS SEX OFFENSE(S) CHARGED BY PAY GRADE (FY 2017)

	Penetrative		Contact	
	n	%	n	%
Enlisted				
E-1	27	69.2	12	30.8
E-2	26	70.3	11	29.7
E-3	99	75.6	32	24.4
E-4	139	82.7	29	17.3
E-5	89	76.7	27	23.3
E-6	49	62.0	30	38.0
E-7	29	55.8	23	44.2
E-8	13	92.9	1	7.1
E-9	0	0.0	0	0.0
Officer				
Cadet/MIDN	9	81.8	2	18.2
W-1	1	100.0	0	0.0
W-2	4	100.0	0	0.0
W-3	2	100.0	0	0.0
W-4	1	100.0	0	0.0
W-5	0	0.0	0	0.0
O-1	1	100.0	0	0.0
O-2	7	77.8	2	22.2
O-3	12	75.0	4	25.0
O-4	1	50.0	1	50.0
O-5	5	83.3	1	16.7
O-6	2	100.0	0	0.0

[a] *Because the pay grades of O-7, O-8, O-9, and O-10 had no accused documented by the DAC-IPAD, they are omitted from this table.*

TABLE 28
OUTCOMES OF SEXUAL OFFENSE(S) BY MILITARY SERVICE OF ACCUSED (FY 2017)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) (N = 516)												
Army N = 232	57	24.6	10	4.3	47	20.3	34	14.7	59	25.4	25	10.8
Marine Corps N = 55	11	20.0	2	3.6	23	41.8	9	16.4	4	7.3	6	10.9
Navy N = 77	12	15.6	5	6.5	18	23.4	19	24.7	10	13.0	13	16.9
Air Force N = 141	21	14.9	0	0.0	12	8.5	37	26.2	30	21.3	41	29.1
Coast Guard N = 11	2	18.2	0	0.0	5	45.5	1	9.1	2	18.2	1	9.1

			Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
Accused Charged with Contact Offense(s) (N = 175)												
Army N = 56			8	14.3	26	46.4	5	8.9	13	23.2	4	7.1
Marine Corps N = 29			5	17.2	8	27.6	5	17.2	6	20.7	5	17.2
Navy N = 53			4	7.5	27	50.9	4	7.5	17	32.1	1	1.9
Air Force N = 28			3	10.7	7	25.0	6	21.4	9	32.1	3	10.7
Coast Guard N = 9			2	22.2	4	44.4	2	22.2	1	11.1	0	0.0

TABLE 29
OUTCOMES OF SEXUAL OFFENSE(S) BY RANK OF ACCUSED (FY 2017)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) (N = 516)												
Officer N = 45	10	22.2	2	4.4	8	17.8	10	22.2	5	11.1	10	22.2
Enlisted N = 471	93	19.7	15	3.2	97	20.6	90	19.1	100	21.2	76	16.1
Accused Charged with Contact Offense(s) (N = 175)												
Officer N = 10			0	0.0	5	50.0	1	10.0	4	40.0	0	0.0
Enlisted N = 165			22	13.3	67	40.6	21	12.7	42	25.5	13	7.9

TABLE 30
OUTCOMES OF CHARGED PENETRATIVE OFFENSE(S) BY PAY GRADE OF ACCUSED (FY 2017)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Enlisted (N = 471)												
E-1 N = 27	1	3.7	0	0.0	7	25.9	4	14.8	13	48.1	2	7.4
E-2 N = 26	8	30.8	2	7.7	7	26.9	4	15.4	3	11.5	2	7.7
E-3 N = 99	19	19.2	4	4.0	16	16.2	16	16.2	26	26.3	18	18.2
E-4 N = 139	32	23.0	0	0.0	26	18.7	23	16.5	39	28.1	19	13.7
E-5 N = 89	11	12.4	6	6.7	18	20.2	24	27.0	13	14.6	17	19.1
E-6 N = 49	12	24.5	1	2.0	8	16.3	11	22.4	6	12.2	11	22.4
E-7 N = 29	7	24.1	1	3.4	11	37.9	5	17.2	0	0.0	5	17.2
E-8 N = 13	3	23.1	1	7.7	4	30.8	3	23.1	0	0.0	2	15.4
E-9 N = 0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Officer (N = 45)[a]												
Cadet/MIDN N = 9	3	33.3	0	0.0	0	0.0	2	22.2	0	0.0	4	44.4
W-1 N = 1	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1	100.0
W-2 N = 4	0	0.0	0	0.0	3	75.0	0	0.0	1	25.0	0	0.0
W-3 N = 2	0	0.0	0	0.0	1	50.0	1	50.0	0	0.0	0	0.0
W-4 N = 1	0	0.0	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0
W-5 N = 0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
O-1 N = 1	0	0.0	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0
O-2 N = 7	3	42.9	0	0.0	1	14.3	1	14.3	0	0.0	2	28.6
O-3 N = 12	2	16.7	2	16.7	2	16.7	3	25.0	2	16.7	1	8.3
O-4 N = 1	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
O-5 N = 5	1	20.0	0	0.0	0	0.0	1	20.0	2	40.0	1	20.0
O-6 N = 2	0	0.0	0	0.0	1	50.0	0	0.0	0	0.0	1	50.0

[a] *Because the pay grades of O-7, O-8, O-9, and O-10 had no accused documented by the DAC-IPAD, they are omitted from this table.*

TABLE 31
OUTCOMES OF CHARGED CONTACT OFFENSE(S) BY PAY GRADE OF ACCUSED (FY 2017)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Enlisted (N = 165)												
E-1 N = 12			4	33.3	3	25.0	0	0.0	5	41.7	0	0.0
E-2 N = 11			0	0.0	3	27.3	1	9.1	6	54.5	1	9.1
E-3 N = 32			6	18.8	10	31.3	5	15.6	8	25.0	3	9.4
E-4 N = 29			5	17.2	12	41.4	4	13.8	8	27.6	0	0.0
E-5 N = 27			2	7.4	10	37.0	3	11.1	8	29.6	4	14.8
E-6 N = 30			3	10.0	18	60.0	4	13.3	3	10.0	2	6.7
E-7 N = 23			2	8.7	10	43.5	4	17.4	4	17.4	3	13.0
E-8 N = 1			0	0.0	1	100.0	0	0.0	0	0.0	0	0.0
E-9 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Officer (N = 10)[a]												
Cadet/MIDN N = 2			0	0.0	1	50.0	0	0.0	1	50.0	0	0.0
W-1 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-2 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-3 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-4 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-5 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
O-1 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
O-2 N = 2			0	0.0	0	0.0	0	0.0	2	100.0	0	0.0
O-3 N = 4			0	0.0	2	50.0	1	25.0	1	25.0	0	0.0
O-4 N = 1			0	0.0	1	100.0	0	0.0	0	0.0	0	0.0
O-5 N = 1			0	0.0	1	100.0	0	0.0	0	0.0	0	0.0
O-6 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0

[a] *Because the pay grades of O-7, O-8, O-9, and O-10 had no accused documented by the DAC-IPAD, they are omitted from this table.*

TABLE 32
OUTCOMES OF SEXUAL OFFENSE(S) BY SEX AND STATUS OF VICTIM (FY 2017)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) (N = 516)												
Victim Sex												
All Females N = 490	96	19.6	16	3.3	100	20.4	96	19.6	99	20.2	83	16.9
All Males N = 22	4	18.2	1	4.5	4	18.2	4	18.2	6	27.3	3	13.6
Females & Males N = 4	3	75.0	0	0.0	1	25.0	0	0.0	0	0.0	0	0.0
Victim Status												
All Military N = 283	49	17.3	13	4.6	50	17.7	59	20.8	62	21.9	50	17.7
All Civilian N = 209	45	21.5	1	0.5	54	25.8	38	18.2	38	18.2	33	15.8
Military & Civilian N = 24	9	37.5	3	12.5	1	4.2	3	12.5	5	20.8	3	12.5

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
Accused Charged with Contact Offense(s) (N = 175)												
Victim Sex												
All Females N = 154			20	13.0	66	42.9	21	13.6	36	23.4	11	7.1
All Males N = 20			2	10.0	6	30.0	1	5.0	9	45.0	2	10.0
Females & Males N = 1			0	0.0	0	0.0	0	0.0	1	100.0	0	0.0
Victim Status												
All Military N = 132			19	14.4	53	40.2	16	12.1	35	26.5	9	6.8
All Civilian N = 38			2	5.3	17	44.7	6	15.8	9	23.7	4	10.5
Military & Civilian N = 5			1	20.0	2	40.0	0	0.0	2	40.0	0	0.0

TABLE 33
OUTCOMES OF SEXUAL OFFENSE(S) BY RELATIONSHIP BETWEEN ACCUSED AND VICTIM (FY 2017)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) (N = 516)												
Spouse or Intimate Partner N = 118	23	19.5	0	0.0	41	34.7	18	15.3	15	12.7	21	17.8
Other Relationship N = 398	80	20.1	17	4.3	64	16.1	82	20.6	90	22.6	65	16.3

			Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
Accused Charged with Contact Offense(s) (N = 175)												
Spouse or Intimate Partner N = 3			0	0.0	2	66.7	0	0.0	0	0.0	1	33.3
Other Relationship N = 172			22	12.8	70	40.7	22	12.8	46	26.7	12	7.0

TABLE 34
OUTCOMES OF SEXUAL OFFENSE(S) BY ACCUSED'S LOCATION (FY 2017)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) (N = 516)												
CONUS N = 376	79	21.0	12	3.2	70	18.6	64	17.0	81	21.5	70	18.6
OCONUS N = 107	20	18.7	3	2.8	26	24.3	27	25.2	20	18.7	11	10.3
Vessel N = 33	4	12.1	2	6.1	9	27.3	9	27.3	4	12.1	5	15.2

			Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
Accused Charged with Contact Offense(s) (N = 175)												
CONUS N = 127			14	11.0	47	37.0	18	14.2	38	29.9	10	7.9
OCONUS N = 23			6	26.1	8	34.8	3	13.0	4	17.4	2	8.7
Vessel N = 25			2	8.0	17	68.0	1	4.0	4	16.0	1	4.0

TABLE 35
OUTCOMES OF SEXUAL OFFENSE(S) BY TYPE OF TRIAL FORUM (FY 2017)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges	
	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) and Case Referred to General or Special Court-Martial (N = 315)								
Adjudicated by Military Judge N = 175	56	32.0	11	6.3	72	41.1	36	20.6
Adjudicated by Panel of Members N = 140	47	33.6	4	2.9	25	17.9	64	45.7

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges	
Accused Charged with Contact Offense(s) and Case Referred to General or Special Court-Martial (N = 104)								
Adjudicated by Military Judge N = 67			12	17.9	53	79.1	2	3.0
Adjudicated by Panel of Members N = 37			8	21.6	10	27.0	19	51.4

TABLE 36
OUTCOMES OF SEXUAL OFFENSE(S) BY TYPE OF TRIAL FORUM FOR CASES IN WHICH THE ACCUSED PLED NOT GUILTY (FY 2017)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges	
	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s), Referred to General or Special Court-Martial and Pled Not Guilty to SA Offense (N = 276)								
Adjudicated by Military Judge N = 137	26	19.0	3	2.2	72	52.6	36	26.3
Adjudicated by Panel of Members N = 139	46	33.1	4	2.9	25	18.0	64	46.0

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges	
Accused Charged with Contact Offense(s), Referred to General or Special Court-Martial and Pled Not Guilty to SA Offense (N = 94)								
Adjudicated by Military Judge N = 57			2	3.5	53	93.0	2	3.5
Adjudicated by Panel of Members N = 37			8	21.6	10	27.0	19	51.4

TABLE 37
VARIABLES ASSOCIATED WITH ADJUDGED SENTENCE OF CONFINEMENT (FY 2017)

	No Confinement		Confinement	
	n	%	n	%
Military Service of Accused (NS)				
Army	32	21.6	116	78.4
Marine Corps	7	14.3	42	85.7
Navy	12	18.2	54	81.8
Air Force	9	20.9	34	79.1
Coast Guard	3	23.1	10	76.9
Rank of Accused (NS)				
Officer	7	28.0	18	72.0
Enlisted	56	19.0	238	81.0
Sex of Victim (p < .05)[a]				
All Females	56	18.8	242	81.2
All Males	7	41.2	10	58.8
Females and Males	0	0.0	4	100
Status of Victim (p < .05)[b]				
All Military	47	25.5	137	74.5
All Civilian	16	13.4	103	86.6
Military and Civilian	0	0.0	16	100
Relationship Between Accused and Victim (p < .05)				
Spouse or Intimate Partner	7	10.6	59	89.4
Other Relationship	56	22.1	197	77.9
Conviction Offense (p < .05)				
Penetrative Offense	5	4.9	98	95.1
Contact Offense	4	10.3	35	89.7
Non-Sex Offense	54	30.5	123	69.5
Number of Counts Preferred (p < .05)	6.06 (sd = 3.78)		7.66 (sd = 6.12)	
Number of Victims (NS)	1.11 (sd = .36)		1.36 (sd = .87)	
Type of Court-Martial (p < .05)				
General Court-Martial	37	15.8	197	84.2
Special Court-Martial	9	14.1	55	85.9
Summary Court-Martial	17	81.0	4	19.0
Type of Trial Forum (p < .05)				
Military Judge	16	7.8	188	92.2
Panel of Military Members	30	31.9	64	68.1
Summary Court-Martial Officer	17	81.0	4	19.0

[a] *The relationship remains statistically significant when the "male and female" category is excluded from the analysis.*

[b] *The relationship remains statistically significant when the "military and civilian" category is excluded from the analysis.*

TABLE 38
VARIABLES ASSOCIATED WITH ADJUDGED SENTENCE OF PUNITIVE SEPARATION (FY 2017)

	No Separation		Separation	
	n	%	n	%
Military Service of Accused (p < .05)				
Army	45	30.4	103	69.6
Marine Corps	14	28.6	35	71.4
Navy	29	43.9	37	56.1
Air Force	10	23.3	33	76.7
Coast Guard	9	69.2	4	30.8
Rank of Accused (NS)				
Officer	5	20.0	20	80.0
Enlisted	102	34.7	192	65.3
Sex of Victim (p < .05)[a]				
All Females	95	31.9	203	68.1
All Males	11	64.7	6	35.3
Females and Males	1	25.0	3	75.0
Status of Victim (p < .05)[b]				
All Military	72	39.1	112	60.9
All Civilian	34	28.6	85	71.4
Military and Civilian	1	6.3	15	93.8
Relationship Between Accused and Victim (NS)				
Spouse or Intimate Partner	17	25.8	49	74.2
Other Relationship	90	35.6	163	64.4
Conviction Offense (p < .05)				
Penetrative Offense	0	0.0	103	100.0
Contact Offense	8	20.5	31	79.5
Non-Sex Offense	99	55.9	78	44.1
Number of Counts Preferred (p < .05)	6.45 (sd =5.08)		7.80 (sd = 6.04)	
Number of Victims (p < .05)	1.13 (sd = .46)		1.40 (sd = .92)	
Type of Court-Martial (p < .05)[c]				
General Court-Martial	55	23.5	179	76.5
Special Court-Martial	31	48.4	33	51.6
Summary Court-Martial	21	100.0	0	0.0
Type of Trial Forum (p < .05)[d]				
Military Judge	57	27.9	147	72.1
Panel of Military Members	29	30.9	65	69.1
Summary Court-Martial Officer	21	100.0	0	0.0

[a] *The relationship remains statistically significant when the "females and males" category is excluded from the analysis.*

[b] *The relationship is not statistically significant when the "military and civilian" category is excluded from the analysis.*

[c] *This relationship remains statistically significant when summary courts-martial are excluded from the analysis.*

[d] *This relationship is not statistically significant when summary court-martial officers are excluded from the analysis.*

TABLE 39
VARIABLES ASSOCIATED WITH SENTENCE SEVERITY (FY 2017)

	Average Sentence Severity [a]
Military Service of Accused (p < .05)	
Army	7.85
Marine Corps	8.38
Navy	6.31
Air Force	9.42
Coast Guard	3.90
Rank of Accused (NS)	
Officer	7.78
Enlisted	7.65
Sex of Victim (NS)	
All Females	7.68
All Males	6.70
Females and Males (all 4 cases ended in confinement)	9.00
Status of Victim (p < .05)	
All Military	6.98
All Civilian	8.10
Military and Civilian	10.88
Relationship Between Accused and Victim (NS)	
Spouse or Intimate Partner	8.61
Other Relationship	7.38
Type of Conviction Offense (p < .05)	
Penetrative Offense	10.91
Contact Offense	7.44
Non-Sex Offense	5.15
Type of Court-Martial (p < .05)[b]	
General Court-Martial	8.56
Special Court-Martial	4.30
Summary Court-Martial	0.0
Type of Trial Forum (p < .05)[c]	
Military Judge	7.39
Panel of Military Members	8.38
Summary Court-Martial Officer	0.0

a See Table 44 – Adjudged Sentencing Severity Scale (FY 2017) for a description of the scale.

b The relationship remains statistically significant when the summary courts-martial cases are excluded from the analysis.

c The relationship is not statistically significant when the summary court-martial officer cases are excluded from the analysis.

TABLE 40
LOGISTIC REGRESSION: VARIABLES RELATED TO CONVICTIONS (FY 2017)

	B	SE	Exp(B)
Accused Convicted of a Penetrative Offense[a]			
Military Service of Accused			
Army (reference)			
Marine Corps	−.24	.38	.79
Navy	−.64	.37	.53
Air Force	−.73*	.30	.48
Coast Guard	−.80	.86	.45
Accused Rank (Enlisted)	.20	.40	1.22
Victim Was Spouse or Intimate Partner	−.30	.33	.74
Female Victim(s)	.04	.52	1.04
Military Victim(s)	−.37	.25	.70
Number of Victims	.76*	.20	2.14
Number of Charges	.01	.03	1.01

	B	SE	Exp(B)
Accused Convicted of At Least One Charge[b]			
Military Service of Accused			
Army (reference)			
Marine Corps	.12	.27	1.13
Navy	−.03	.23	.97
Air Force	−.93*	.23	.39
Coast Guard	.60	.50	1.81
Accused Rank (Enlisted)	−.15	.31	.87
Victim Was Spouse or Intimate Partner	.24	.26	1.27
Female Victim(s)	.16	.34	1.17
Military Victim(s)	−.06	.19	.94
Number of Victims	−.11	.15	.90
Number of Charges	.16*	.03	1.17
Accused Charged with Penetrative Offense	−.38	.20	.68

a Analysis includes cases with a penetrative offense charge.

b Analysis includes cases with a penetrative offense charge or a contact offense charge.

TABLE 41
LOGISTIC REGRESSION: VARIABLES RELATED TO ACQUITTALS AND DISMISSALS (FY 2017)

	B	SE	Exp(B)
Accused Acquitted of All Charges			
Military Service of Accused			
Army (reference)			
Marine Corps	.43	.35	1.54
Navy	.39	.30	1.48
Air Force	.63*	.26	1.87
Coast Guard	.27	.66	1.31
Accused Rank (Enlisted)	.20	.37	1.22
Victim Was Spouse or Intimate Partner	−.15	.32	.86
Female Victim(s)	.40	.50	1.50
Military Victim(s)	.01	.23	1.01
Number of Victims	−.26	.26	.77
Number of Charges	−.11*	.04	.90
Accused Charged with a Penetrative Offense	.51	.27	1.67

	B	SE	Exp(B)
Dismissed without Judicial Action			
Military Service of Accused			
Army (reference)			
Marine Corps	.61	.39	1.84
Navy	.17	.35	1.18
Air Force	.91*	.28	2.49
Coast Guard	−.59	1.06	.56
Accused Rank (Enlisted)	.51	.39	1.66
Victim Was Spouse or Intimate Partner	.41	.32	1.50
Female Victim(s)	.16	.52	1.17
Military Victim(s)	.14	.25	1.16
Number of Victims	.22	.21	1.24
Number of Charges	−.12*	.04	.89
Accused Charged with a Penetrative Offense	.70*	.33	2.21

TABLE 42
LOGISITIC REGRESSION: VARIABLES RELATED TO SENTENCE OF
CONFINEMENT AND PUNITIVE SEPARATION (FY 2017)

	B	SE	Exp(B)
Adjudged Sentence Included Confinement[a]			
Military Service of Accused			
Army (reference)			
Marine Corps	.87	.51	2.39
Navy	.79	.43	2.20
Air Force	−.06	.50	.94
Coast Guard	1.16	.79	3.19
Accused Rank (Enlisted)	−.87	.56	.42
Victim Was Spouse or Intimate Partner	.68	.52	1.97
Female Victim(s)	1.01	.63	2.73
Military Victim(s)	−.73*	.38	.48
Number of Victims	.44	.37	1.55
Number of Charges	.07	.04	1.07
Accused Convicted of a Penetrative Offense	2.55*	.52	12.85
Accused Convicted of a Contact Offense	1.87*	.59	6.45

	B	SE	Exp(B)
Adjudged Sentence Included Punitive Separation[a]			
Military Service of Accused			
Army (reference)			
Marine Corps	.74	.45	2.09
Navy	−.02	.40	.98
Air Force	.43	.50	1.53
Coast Guard	−1.50	.92	.22
Accused Rank (Enlisted)	1.03	.66	2.79
Victim Was Spouse or Intimate Partner	.31	.43	1.37
Female Victim(s)	2.24*	.84	9.39
Military Victim(s)	−.47	.34	.63
Number of Victims	.59	.35	1.80
Number of Charges	.08*	.03	1.08
Accused Convicted of a Non-Sex Offense[b]	−3.54*	.46	.03

a This model includes only cases that resulted in a conviction for a contact offense, penetrative offense, or a non–sexual assault offense.

b The reference category is accused convicted of penetrative offense or a contact offense. These two conviction offense categories (penetrative and contact) were combined because all penetrative conviction cases ended in punitive separation (see Table 38 – Variables Associated with Adjudged Sentence of Punitive Separation (FY 2017)).

TABLE 43
OLS REGRESSION: VARIABLES RELATED TO SENTENCE SEVERITY (FY 2017)

	B	Beta	T-value
Military Service of Accused			
Army (reference)			
Marine Corps	1.71*	.64	2.67
Navy	.32	.03	.55
Air Force	1.21	.09	1.81
Coast Guard	−1.71	−.07	−1.45
Accused Rank (Enlisted)	.15	.01	.19
Victim Was Spouse or Intimate Partner	.67	.06	1.11
Female Victim(s)	1.15	.06	1.13
Military Victim(s)	−.75	−.08	−1.60
Number of Victims	.15	.03	.50
Number of Charges	.15*	.20	3.48
Accused Convicted of a Penetrative Offense	6.16*	.66	12.30
Accused Convicted of a Contact Offense	3.31*	.25	4.75

TABLE 44
ADJUDGED SENTENCING SEVERITY SCALE (FY 2017)

Sentence	n	%
Confinement up to and including 2 months	28	10.4
Confinement greater than 2 months and up to 5 months	20	7.4
Confinement greater than 5 months and up to 8 months	9	3.3
Confinement 9 months to 12 months	0	0.0
Confinement 13 months to 18 months OR punitive separation	13	4.8
Punitive separation and confinement up to and including 2 months	12	4.5
Punitive separation and confinement greater than 2 months and up to 5 months	16	5.9
Punitive separation and confinement greater than 5 months and up to 8 months	26	9.7
Punitive separation and confinement 9 months to 12 months	17	6.3
Punitive separation and confinement 13 months to 18 months	21	7.8
Punitive separation and confinement 19 months to 24 months	15	5.6
Punitive separation and confinement 25 months to 36 months	19	7.1
Punitive separation and confinement 37 months to 60 months	19	7.1
Punitive separation and confinement 60 months to 120 months	35	13
Punitive separation and confinement greater than 120 months	19	7.1

The adjudged sentencing severity scale was developed by Breen and Johnson, "Military Justice" (see Table 22), and combines the confinement sentence with punitive separations. The scale was developed through consultation with judge advocates. For the purposes of the current analysis, only cases that ended in a conviction were analyzed and cases that did not result in a sanction of confinement or punitive separation are not included. The scale is used in place of a variable that simply measures the number of confinement months because the distribution of confinement months is not normal. The distribution of values is concentrated at the lower end of the scale. In other words, a large number of cases ended in shorter confinement sentences than longer sentences. Non-normal distributions may present problems when OLS regression models are estimated.

TABLE 45
CASE CHARACTERISTICS (FY 2016)

	n	%
FY 2016 Total Cases	769	

	n	%
Military Service of the Accused		
Army	278	36.2
Marine Corps	123	16.0
Navy	126	16.4
Air Force	219	28.5
Coast Guard	23	3.0
Rank of Accused		
Enlisted	724	94.1
Officer	45	5.9
Pay Grade of Accused		
Enlisted (N = 724)		
E-1	22	3.0
E-2	48	6.6
E-3	155	21.4
E-4	196	27.1
E-5	140	19.3
E-6	90	12.4
E-7	50	6.9
E-8	17	2.3
E-9	6	0.8
Officer (N = 45)[a]		
Cadet/MIDN	5	11.1
W-1	1	2.2
W-2	6	13.3
W-3	0	0.0
W-4	0	0.0
W-5	0	0.0
O-1	1	2.2
O-2	2	4.4
O-3	17	37.8
O-4	6	13.3
O-5	4	8.9
O-6	3	6.7

Sex of Accused		
Male	765	99.5
Female	4	0.5
Location of Unit to Which Accused Assigned When Charges Preferred		
CONUS	543	70.6
OCONUS	174	22.6
Vessel	52	6.8
Sex of Victim(s)		
All Female	722	93.9
All Male	44	5.7
Female and Male	3	0.4
Status of Victim(s)		
All Military	470	61.1
All Civilian	268	34.9
Military and Civilian	31	4.0
Accused Charged with Penetrative Offense(s)		
Yes	580	75.4
No	189	24.6
Accused Convicted of Penetrative Offense(s) (N = 580)		
Yes	106	18.3
No	474	81.7
Accused Charged with Contact Offense(s)		
Yes	189	24.6
No	580	75.4
Accused Convicted of Contact Offense(s) (N = 189)		
Yes	29	15.3
No	160	84.7

[a] Because the pay grades of O-7, O-8, O-9, and O-10 had no accused documented by the DAC-IPAD, they are omitted from this table.

TABLE 46
CASE DISPOSITIONS AND CASE OUTCOMES (FY 2016)

	n	%
FY 2016 Total Cases	769	
Type of Court-Martial (N = 494)		
General Court-Martial	401	81.2
Special Court-Martial	65	13.2
Summary Court-Martial	28	5.7
Type of Trial Forum (N = 494)		
Military Judge	249	50.4
Panel of Military Members	217	43.9
Summary Court-Martial Officer	28	5.7
Article 32 Hearing Held		
Yes	497	64.6
Waived	133	17.3
Not Applicable	139	18.1
Accused Charged with Penetrative Offense(s) (N = 580)		
Convicted of Penetrative Offense	106	18.3
Convicted of Sexual Contact Offense	24	4.1
Convicted of Non-Sex Offense	105	18.1
Acquitted of All Charges	142	24.5
Alternative Disposition	98	16.9
Dismissed Without Judicial Action	105	18.1
(After Article 32 Hearing)	76	72.4
Accused Charged with Sexual Contact Offense(s) (N = 189)		
Convicted of Sexual Contact Offense	29	15.3
Convicted of Non-Sex Offense	72	38.1
Acquitted of All Charges	16	8.5
Alternative Disposition	49	25.9
Dismissed Without Judicial Action	23	12.2
(After Article 32 Hearing)	7	30.4
Outcomes for Cases Referred to Trial		
Accused Charged with Penetrative Offense(s) (N = 377)		
Convicted of Penetrative Offense	106	28.1
Convicted of Sexual Contact Offense	24	6.4
Convicted of Non-Sex Offense	105	27.9
Acquitted of All Charges	142	37.7

Accused Charged with Sexual Contact Offense(s) (N = 117)		
Convicted of Sexual Contact Offense	29	24.8
Convicted of Non-Sex Offense	72	61.5
Acquitted of All Charges	16	13.7
Outcomes for Contested Trials		
Accused Charged with Penetrative Offense(s) (N = 336)		
Convicted of Penetrative Offense	80	23.8
Convicted of Sexual Contact Offense	9	2.7
Convicted of Non-Sex Offense	105	31.3
Acquitted of All Charges	142	42.3
Accused Charged with Sexual Contact Offense(s) (N = 106)		
Convicted of Sexual Contact Offense	18	17.0
Convicted of Non-Sex Offense	72	67.9
Acquitted of All Charges	16	15.1

TABLE 47
ARTICLE 32 WAIVER (FY 2016)

	n	%
Cases In Which Art. 32 Applicable		
Art. 32 Held	497	78.9
Art. 32 Waived	133	21.1
Waived Without Pretrial Agreement	92	69.2
Waived When Involving Penetrative Offense	112	84.2
Waived When Involving Contact Offense	21	15.8
Conviction Rate When Art. 32 Waived – Non SA-Offense	26	19.5
Conviction Rate When Art. 32 Waived – Contact Offense	15	11.3
Conviction Rate When Art. 32 Waived – Penetrative Offense	30	22.6

TABLE 48
TYPE OF TRIAL BY OFFENSE(S), MILITARY SERVICE, AND RANK OF ACCUSED (FY 2016)

	General Court-Martial		Special Court-Martial		Summary Court-Martial	
	n	%	n	%	n	%
Most Serious Type of Offense(s) Charged						
Penetrative Offense	350	92.8	16	4.2	11	2.9
Contact Offense	51	43.6	49	41.9	17	14.5
Military Service						
Army	188	92.6	11	5.4	4	2.0
Marine Corps	50	60.2	23	27.7	10	12.0
Navy	52	62.7	22	26.5	9	10.8
Air Force	100	93.5	6	5.6	1	0.9
Coast Guard	11	61.1	3	16.7	4	22.2
Rank of Accused						
Officer	33	97.1	1	2.9	0	0.0
Enlisted	368	80.0	64	13.9	28	6.1

TABLE 49
TYPE OF MOST SERIOUS SEX OFFENSE(S) CHARGED BY PAY GRADE (FY 2016)

	Penetrative		Contact	
	n	%	n	%
Enlisted				
E-1	19	86.4	3	13.6
E-2	40	83.3	8	16.7
E-3	125	80.6	30	19.4
E-4	156	79.6	40	20.4
E-5	102	72.9	38	27.1
E-6	58	64.4	32	35.6
E-7	33	66.0	17	34.0
E-8	9	52.9	8	47.1
E-9	4	66.7	2	33.3
Officer				
Cadet/MIDN	5	100.0	0	0.0
W-1	1	100.0	0	0.0
W-2	6	100.0	0	0.0
W-3	0	0.0	0	0.0
W-4	0	0.0	0	0.0
W-5	0	0.0	0	0.0
O-1	1	100.0	0	0.0
O-2	2	100.0	0	0.0
O-3	11	64.7	6	35.3
O-4	4	66.7	2	33.3
O-5	3	75.0	1	25.0
O-6	1	33.3	2	66.7

[a] *Because the pay grades of O-7, O-8, O-9, and O-10 had no accused documented by the DAC-IPAD, they are omitted from this table.*

TABLE 50
OUTCOMES OF SEXUAL OFFENSE(S) BY MILITARY SERVICE OF ACCUSED (FY 2016)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) (N = 580)												
Army N = 222	58	26.1	15	6.8	44	19.8	50	22.5	30	13.5	25	11.3
Marine Corps N = 85	13	15.3	4	4.7	23	27.1	14	16.5	13	15.3	18	21.2
Navy N = 78	15	19.2	2	2.6	18	23.1	18	23.1	11	14.1	14	17.9
Air Force N = 181	17	9.4	3	1.7	13	7.2	58	32.0	43	23.8	47	26.0
Coast Guard N = 14	3	21.4	0	0.0	7	50.0	2	14.3	1	7.1	1	7.1

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
Accused Charged with Contact Offense(s) (N = 189)												
Army N = 56			12	21.4	18	32.1	6	10.7	16	28.6	4	7.1
Marine Corps N = 38			3	7.9	24	63.2	2	5.3	4	10.5	5	13.2
Navy N = 48			9	18.8	17	35.4	4	8.3	8	16.7	10	20.8
Air Force N = 38			3	7.9	9	23.7	4	10.5	18	47.4	4	10.5
Coast Guard N = 9			2	22.2	4	44.4	0	0.0	3	33.3	0	0.0

TABLE 51
OUTCOMES OF SEXUAL OFFENSE(S) BY RANK OF ACCUSED (FY 2016)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) (N = 580)												
Officer N = 34	5	14.7	1	2.9	11	32.4	11	32.4	2	5.9	4	11.8
Enlisted N = 546	101	18.5	23	4.2	94	17.2	131	24.0	96	17.6	101	18.5

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
Accused Charged with Contact Offense(s) (N = 189)												
Officer N = 11			2	18.2	3	27.3	1	9.1	3	27.3	2	18.2
Enlisted N = 178			27	15.2	69	38.8	15	8.4	46	25.8	21	11.8

TABLE 52
OUTCOMES OF CHARGED PENETRATIVE OFFENSE(S) BY PAY GRADE OF ACCUSED (FY 2016)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Enlisted (N = 546)												
E-1 N = 19	5	26.3	2	10.5	3	15.8	5	26.3	2	10.5	2	10.5
E-2 N = 40	12	30.0	3	7.5	8	20.0	10	25.0	5	12.5	2	5.0
E-3 N = 125	19	15.2	3	2.4	23	18.4	28	22.4	34	27.2	18	14.4
E-4 N = 156	30	19.2	7	4.5	23	14.7	37	23.7	28	17.9	31	19.9
E-5 N = 102	15	14.7	6	5.9	20	19.6	26	25.5	20	19.6	15	14.7
E-6 N = 58	11	19.0	2	3.4	10	17.2	12	20.7	3	5.2	20	34.5
E-7 N = 33	6	18.2	0	0.0	7	21.2	9	27.3	4	12.1	7	21.2
E-8 N = 9	2	22.2	0	0.0	0	0.0	4	44.4	0	0.0	3	33.3
E-9 N = 4	1	25.0	0	0.0	0	0.0	0	0.0	0	0.0	3	75.0
Officer (N = 34)[a]												
Cadet/MIDN N = 5	1	20.0	0	0.0	1	20.0	2	40.0	0	0.0	1	20.0
W-1 N = 1	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0
W-2 N = 6	0	0.0	1	16.7	2	33.3	3	50.0	0	0.0	0	0.0
W-3 N = 0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-4 N = 0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-5 N = 0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
O-1 N = 1	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
O-2 N = 2	1	50.0	0	0.0	0	0.0	1	50.0	0	0.0	0	0.0
O-3 N = 11	2	18.2	0	0.0	4	36.4	4	36.4	0	0.0	1	9.1
O-4 N = 4	0	0.0	0	0.0	1	25.0	1	25.0	0	0.0	2	50.0
O-5 N = 3	0	0.0	0	0.0	1	33.3	0	0.0	2	66.7	0	0.0
O-6 N = 1	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0

[a] *Because the pay grades of O-7, O-8, O-9, and O-10 had no accused documented by the DAC-IPAD, they are omitted from this table.*

TABLE 53
OUTCOMES OF CHARGED CONTACT OFFENSE(S) BY PAY GRADE OF ACCUSED (FY 2016)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Enlisted (N = 178)												
E-1 N = 35			1	33.3	2	66.7	0	0.0	0	0.0	0	0.0
E-2 N = 8			1	12.5	3	37.5	0	0.0	1	12.5	3	37.5
E-3 N = 30			8	26.7	10	33.3	3	10.0	7	23.3	2	6.7
E-4 N = 40			4	10.0	18	45.0	3	7.5	9	22.5	6	15.0
E-5 N = 38			4	10.5	15	39.5	3	7.9	14	36.8	2	5.3
E-6 N = 32			4	12.5	8	25.0	4	12.5	11	34.4	5	15.6
E-7 N = 17			4	23.5	7	41.2	2	11.8	3	17.6	1	5.9
E-8 N = 8			0	0.0	5	62.5	0	0.0	1	12.5	2	25.0
E-9 N = 2			1	50.0	1	50.0	0	0.0	0	0.0	0	0.0
Officer (N = 11)[a]												
Cadet/MIDN N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-1 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-2 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-3 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-4 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-5 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
O-1 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
O-2 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
O-3 N = 6			2	33.3	2	33.3	1	16.7	1	16.7	0	0.0
O-4 N = 2			0	0.0	0	0.0	0	0.0	1	50.0	1	50.0
O-5 N = 1			0	0.0	0	0.0	0	0.0	1	100.0	0	0.0
O-6 N = 2			0	0.0	1	50.0	0	0.0	0	0.0	1	50.0

[a] *Because the pay grades of O-7, O-8, O-9, and O-10 had no accused documented by the DAC-IPAD, they are omitted from this table.*

TABLE 54
OUTCOMES OF SEXUAL OFFENSE(S) BY SEX AND STATUS OF VICTIM (FY 2016)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) (N = 580)												
Victim Sex												
All Females N = 560	99	17.7	19	3.4	103	18.4	139	24.8	97	17.3	103	18.4
All Males N = 20	7	35.0	5	25.0	2	10.0	3	15.0	1	5.0	2	10.0
Females & Males N = 0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Victim Status												
All Military N = 328	57	17.4	16	4.9	49	14.9	83	25.3	64	19.5	59	18.0
All Civilian N = 227	44	19.4	6	2.6	51	22.5	52	22.9	31	13.7	43	18.9
Military & Civilian N = 25	5	20.0	2	8.0	5	20.0	7	28.0	3	12.0	3	12.0

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
Accused Charged with Contact Offense(s) (N = 189)												
Victim Sex												
All Females N = 162			24	14.8	66	40.7	11	6.8	39	24.1	22	13.6
All Males N = 24			4	16.7	6	25.0	5	20.8	8	33.3	1	4.2
Females & Males N = 3			1	33.3	0	0.0	0	0.0	2	66.7	0	0.0
Victim Status												
All Military N = 142			23	16.2	53	37.3	12	8.5	36	25.4	18	12.7
All Civilian N = 41			5	12.2	17	41.5	4	9.8	10	24.4	5	12.2
Military & Civilian N = 6			1	16.7	2	33.3	0	0.0	3	50.0	0	0.0

TABLE 55
OUTCOMES OF SEXUAL OFFENSE(S) BY RELATIONSHIP BETWEEN ACCUSED AND VICTIM (FY 2016)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) (N = 580)												
Spouse or Intimate Partner N = 167	29	17.4	1	0.6	41	24.6	33	19.8	23	13.8	40	24.0
Other Relationship N = 413	77	18.6	23	5.6	64	15.5	109	26.4	75	18.2	65	15.7

			Convicted of Penetrative Offense	Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
Accused Charged with Contact Offense(s) (N = 189)													
Spouse or Intimate Partner N = 6			0	0.0	3	50.0	0	0.0	2	33.3	1	16.7
Other Relationship N = 183			29	15.8	69	37.7	16	8.7	47	25.7	22	12.0

TABLE 56
OUTCOMES OF SEXUAL OFFENSE(S) BY ACCUSED'S LOCATION (FY 2016)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) (N = 580)												
CONUS N = 422	77	18.2	18	4.3	71	16.8	104	24.6	71	16.8	81	19.2
OCONUS N = 127	25	19.7	4	3.1	26	20.5	31	24.4	22	17.3	19	15.0
Vessel N = 31	4	12.9	2	6.5	8	25.8	7	22.6	5	16.1	5	16.1

			Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
Accused Charged with Contact Offense(s) (N = 189)													
CONUS N = 121			21	17.4	47	38.8	9	7.4	31	25.6	13	10.7
OCONUS N = 47			3	6.4	16	34.0	5	10.6	16	34.0	7	14.9
Vessel N = 21			5	23.8	9	42.9	2	9.5	2	9.5	3	14.3

TABLE 57
OUTCOMES OF SEXUAL OFFENSE(S) BY TYPE OF TRIAL FORUM (FY 2016)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges	
	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) and Case Referred to General or Special Court-Martial (N = 366)								
Adjudicated by Military Judge N = 180	54	30.0	16	8.9	69	38.3	41	22.8
Adjudicated by Panel of Members N = 186	52	28.3	6	3.3	27	14.7	101	54.9

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges	
Accused Charged with Contact Offense(s) and Case Referred to General or Special Court-Martial (N = 100)								
Adjudicated by Military Judge N = 69			12	17.4	54	78.3	3	4.3
Adjudicated by Panel of Members N = 31			11	35.5	7	22.6	13	41.9

TABLE 58
**OUTCOMES OF SEXUAL OFFENSE(S) BY TYPE OF TRIAL FORUM FOR
CASES IN WHICH THE ACCUSED PLED NOT GUILTY (FY 2016)**

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges	
	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s), Referred to General or Special Court-Martial and Pled Not Guilty to SA Offense (N = 327)								
Adjudicated by Military Judge N = 141	28	19.9	3	2.1	69	48.9	41	29.1
Adjudicated by Panel of Members N = 186	52	28.0	6	3.2	27	14.5	101	54.3

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges	
Accused Charged with Contact Offense(s), Referred to General or Special Court-Martial and Pled Not Guilty to SA Offense (N = 91)								
Adjudicated by Military Judge N = 60			3	5.0	54	90.0	3	5.0
Adjudicated by Panel of Members N = 31			11	35.5	7	22.6	13	41.9

TABLE 59
VARIABLES ASSOCIATED WITH ADJUDGED SENTENCE OF CONFINEMENT (FY 2016)

	No Confinement		Confinement	
	n	%	n	%
Military Service of Accused (NS)				
Army	28	19.0	119	81.0
Marine Corps	15	22.4	52	77.6
Navy	15	24.6	46	75.4
Air Force	6	13.3	39	86.7
Coast Guard	5	31.3	11	68.8
Rank of Accused (NS)				
Officer	5	22.7	17	77.3
Enlisted	64	20.4	250	79.6
Sex of Victim (NS)[a]				
All Females	66	21.2	245	78.8
All Males	3	12.5	21	87.5
Females and Males	0	0.0	1	100.0
Status of Victim (p < .05)[b]				
All Military	49	24.7	149	75.3
All Civilian	18	14.6	105	85.4
Military and Civilian	2	13.3	13	86.7
Relationship Between Accused and Victim (p < .05)				
Spouse or Intimate Partner	7	9.5	67	90.5
Other Relationship	62	23.7	200	76.3
Conviction Offense (p < .05)[c]				
Penetrative Offense	4	3.8	102	96.2
Contact Offense	14	26.4	39	73.6
Non-Sex Offense	51	28.8	126	71.2
Number of Counts Preferred (NS)	6.59 (sd = 4.96)		7.87 (sd = 5.91)	
Number of Victims (NS)	1.19 (sd = .58)		1.33 (sd = .80)	
Type of Court-Martial (p < .05)				
General Court-Martial	36	14.6	210	85.4
Special Court-Martial	15	24.2	47	75.8
Summary Court-Martial	18	64.3	10	35.7
Type of Trial Forum (p < .05)				
Military Judge	22	10.7	183	89.3
Panel of Military Members	29	28.2	74	71.8
Summary Court-Martial Officer	18	64.3	10	35.7

[a] The relationship is not statistically significant when the "male and female" category is excluded from the analysis.

[b] The relationship remains statistically significant when the "military and civilian" category is excluded from the analysis.

[c] The relationship is not statistically significant when the "penetrative offense" category is excluded from the analysis.

TABLE 60
VARIABLES ASSOCIATED WITH ADJUDGED SENTENCE OF PUNITIVE SEPARATION (FY 2016)

	No Separation		Separation	
	n	%	n	%
Military Service of Accused (NS)				
Army	43	29.3	104	70.7
Marine Corps	26	38.8	41	61.2
Navy	28	45.9	33	54.1
Air Force	15	33.3	30	66.7
Coast Guard	8	50.0	8	50.0
Rank of Accused (NS)				
Officer	7	31.8	15	68.2
Enlisted	113	36.0	201	64.0
Sex of Victim (NS)a				
All Females	114	36.7	197	63.3
All Males	6	25.0	18	75.0
Females and Males	0	0.0	1	100.0
Status of Victim (p = .05)b				
All Military	79	39.9	119	60.1
All Civilian	39	31.7	84	68.3
Military and Civilian	2	13.3	13	86.7
Relationship Between Accused and Victim (NS)				
Spouse or Intimate Partner	21	28.4	53	71.6
Other Relationship	99	37.8	163	62.2
Conviction Offense (p < .05)				
Penetrative Offense	3	2.8	103	97.2
Contact Offense	22	41.5	31	58.5
Non-Sex Offense	95	53.7	82	46.3
Number of Counts Preferred (NS)	6.97 (sd = 5.39)		7.96 (sd = 5.91)	
Number of Victims (NS)	1.26 (sd = .82)		1.33 (sd = .73)	
Type of Court-Martial (p < .05)c				
General Court-Martial	59	24.0	187	76.0
Special Court-Martial	33	53.2	29	46.8
Summary Court-Martial	28	100.0	0	0.0
Type of Trial Forum (p < .05)d				
Military Judge	61	29.8	144	70.2
Panel of Military Members	31	30.1	72	69.9
Summary Court-Martial Officer	28	100.0	0	0.0

a The relationship is not statistically significant when the "females and males" category is excluded from the analysis.

b The relationship is not statistically significant when the "military and civilian" category is excluded from the analysis.

c This relationship is statistically significant when summary courts-martial are excluded from the analysis.

d This relationship is not statistically significant when summary court-martial officers are excluded from the analysis.

TABLE 61
VARIABLES ASSOCIATED WITH SENTENCE SEVERITY (FY 2016)

	Average Sentence Severity [a]
Military Service of Accused (p < .05)	
Army	8.15
Marine Corps	7.48
Navy	5.74
Air Force	6.55
Coast Guard	6.27
Rank of Accused (NS)	
Officer	6.83
Enlisted	7.32
Sex of Victim (NS)	
All Females	7.29
All Males	7.32
Females and Males (1 case ended in confinement)	7.00
Status of Victim (NS)	
All Military	6.83
All Civilian	7.75
Military and Civilian	8.87
Relationship Between Accused and Victim (p < .05)	
Spouse or Intimate Partner	8.30
Other Relationship	6.97
Conviction Offense (p < .05)	
Penetrative Offense	10.53
Contact Offense	6.19
Non-Sex Offense	5.1
Type of Court-Martial (p < .05)[b]	
General Court-Martial	8.38
Special Court-Martial	3.96
Type of Trial Forum (p < .05)[c]	
Military Judge	7.25
Panel of Military Members	8.27

[a] *See Table 66 – Adjudged Sentencing Severity Scale (FY 2016) for a description of the scale.*

[b] *Summary courts-martial are excluded from this analysis because 18 of 28 summary courts-martial convictions did not end in confinement or a punitive separation sanction.*

[c] *Summary court-martial officer cases are excluded from this analysis because 18 of the 28 summary court-martial officer cases did not end in confinement or a punitive separation sanction.*

TABLE 62
LOGISTIC REGRESSION: VARIABLES RELATED TO CONVICTIONS (FY 2016)

	B	SE	Exp(B)
Accused Convicted of a Penetrative Offense[a]			
Military Service of Accused			
Army (reference)			
Marine Corps	−.71*	.35	.49
Navy	−.33	.33	.72
Air Force	−1.20*	.32	.30
Coast Guard	−.37	.70	.69
Accused Rank (Enlisted)	−.28	.51	.76
Victim Was Spouse or Intimate Partner	−.02	.29	.98
Female Victim(s)	−.95	.51	.39
Military Victim(s)	−.17	.25	.85
Number of Victims	.33	.18	1.40
Number of Charges	.02	.02	1.02

	B	SE	Exp(B)
Accused Convicted of At Least One Charge[b]			
Military Service of Accused			
Army (reference)			
Marine Corps	.02	.23	1.02
Navy	−.04	.23	.96
Air Force	−1.13*	.23	.32
Coast Guard	.54	.50	1.71
Accused Rank (Enlisted)	−.12	.36	.89
Victim Was Spouse or Intimate Partner	−.28	.24	.76
Female Victim(s)	−.37	.34	.69
Military Victim(s)	−.19	.18	.82
Number of Victims	−.11	.14	.90
Number of Charges	.17*	.02	1.18
Accused Charged with Penetrative Offense	−.40*	.20	.67

[a] *Analysis includes cases with a penetrative offense charge.*

[b] *Analysis includes cases with a penetrative offense charge or a contact offense charge.*

TABLE 63
LOGISTIC REGRESSION: VARIABLES RELATED TO ACQUITTALS AND DISMISSALS (FY 2016)

	B	SE	Exp(B)
Accused Acquitted of All Charges			
Military Service of Accused			
Army (reference)			
Marine Corps	−.45	.32	.64
Navy	−.16	.29	.86
Air Force	.24	.23	1.27
Coast Guard	−.68	.78	.51
Accused Rank (Enlisted)	.58	.38	1.79
Victim Was Spouse or Intimate Partner	−.33	.25	.72
Female Victim(s)	−.24	.43	.79
Military Victim(s)	−.13	.21	.88
Number of Victims	−.07	.20	.93
Number of Charges	−.11*	.03	.90
Accused Charged with a Penetrative Offense	1.24*	.29	3.47

	B	SE	Exp(B)
Dismissed without Judicial Action			
Military Service of Accused			
Army (reference)			
Marine Corps	.77*	.31	2.16
Navy	.67*	.31	1.95
Air Force	.55*	.27	1.73
Coast Guard	−.88	1.06	.42
Accused Rank (Enlisted)	−.08	.48	.93
Victim Was Spouse or Intimate Partner	.85*	.26	2.34
Female Victim(s)	.97	.63	2.64
Military Victim(s)	.13	.22	1.14
Number of Victims	−.00	.23	1.00
Number of Charges	−.14*	.04	.87
Accused Charged with a Penetrative Offense	.22	.27	1.25

TABLE 64
LOGISITIC REGRESSION: VARIABLES RELATED TO SENTENCE OF
CONFINEMENT AND PUNITIVE SEPARATION (FY 2016)

	B	SE	Exp(B)
Adjudged Sentence Included Confinement[a]			
Military Service of Accused			
Army (reference)			
Marine Corps	.22	.40	1.25
Navy	.18	.40	1.19
Air Force	.52	.53	1.68
Coast Guard	−.33	.63	.72
Accused Rank (Enlisted)	−.37	.58	.69
Victim Was Spouse or Intimate Partner	.72	.52	2.06
Female Victim(s)	−.90	.68	.41
Military Victim(s)	−.42	.35	.66
Number of Victims	.15	.25	1.16
Number of Charges	.05	.03	1.05
Accused Convicted of a Penetrative Offense	2.44*	.55	11.42
Accused Convicted of a Contact Offense	.34	.39	1.40

	B	SE	Exp(B)
Adjudged Sentence Included Punitive Separation[a]			
Military Service of Accused			
Army (reference)			
Marine Corps	.08	.36	1.09
Navy	−.33	.38	.72
Air Force	−.15	.44	.86
Coast Guard	−.65	.62	.52
Accused Rank (Enlisted)	.26	.55	1.30
Victim Was Spouse or Intimate Partner	−.30	.42	.75
Female Victim(s)	−.85	.56	.43
Military Victim(s)	−.50	.32	.61
Number of Victims	−.15	.20	.86
Number of Charges	.08*	.03	1.08
Accused Convicted of a Penetrative Offense	3.92*	.62	50.60
Accused Convicted of a Contact Offense	.68	.36	1.98

a Analysis includes cases with a conviction for any offense.

TABLE 65
OLS REGRESSION: VARIABLES RELATED TO SENTENCE SEVERITY (FY 2016)[a]

	B	Beta	T-value
Military Service of Accused			
Army (reference)			
Marine Corps	.66	.06	1.14
Navy	−1.13*	−.10	−1.94
Air Force	−.97	−.08	1.50
Coast Guard	−.53	−.02	−.50
Accused Rank (Enlisted)	−.26	−.01	−.30
Victim Was Spouse or Intimate Partner	−.11	−.01	−.19
Female Victim(s)	−.26	−.01	−.33
Military Victim(s)	−.47	−.05	−1.00
Number of Victims	−.38	−.07	−1.34
Number of Charges	.22*	.29	5.30
Accused Convicted of a Penetrative Offense	5.98*	.66	12.74
Accused Convicted of a Contact Offense	1.89*	.16	2.96

[a] *Analysis includes cases with a conviction for any offense with a sentence of confinement and/or punitive separation.*

TABLE 66
ADJUDGED SENTENCING SEVERITY SCALE (FY 2016)

Sentence	n	%
Confinement up to and including 2 months	33	11.8
Confinement greater than 2 months and up to 5 months	18	6.5
Confinement greater than 5 months and up to 8 months	7	2.5
Confinement 9 months to 12 months	5	1.8
Confinement 13 months to 18 months OR punitive separation	12	4.3
Punitive separation and confinement up to and including 2 months	11	3.9
Punitive separation and confinement greater than 2 months and up to 5 months	17	6.1
Punitive separation and confinement greater than 5 months and up to 8 months	37	13.3
Punitive separation and confinement 9 months to 12 months	28	10
Punitive separation and confinement 13 months to 18 months	15	5.4
Punitive separation and confinement 19 months to 24 months	12	4.3
Punitive separation and confinement 25 months to 36 months	22	7.9
Punitive separation and confinement 37 months to 60 months	23	8.2
Punitive separation and confinement 60 months to 120 months	20	7.2
Punitive separation and confinement greater than 120 months	19	6.8

The adjudged sentencing severity scale was developed by Breen and Johnson, "Military Justice" (see Table 22), and combines the confinement sentence with punitive separations. The scale was developed through consultation with

judge advocates. For the purposes of the current analysis, only cases that ended in a conviction were analyzed and cases that did not result in a sanction of confinement or punitive separation are not included. The scale is used in place of a variable that simply measures the number of confinement months because the distribution of confinement months is not normal. The distribution of values is concentrated at the lower end of the scale. In other words, a large number of cases ended in shorter confinement sentences than longer sentences. Non-normal distributions may present problems when OLS regression models are estimated.

TABLE 67
CASE CHARACTERISTICS (FY 2015)

	n	%
FY 2015 Total Cases	780	
Military Service of the Accused		
Army	347	44.5
Marine Corps	105	13.5
Navy	122	15.6
Air Force	174	22.3
Coast Guard	32	4.1
Rank of Accused		
Enlisted	722	92.6
Officer	58	7.4
Pay Grade of Accused		
Enlisted (N = 722)		
E-1	30	4.2
E-2	43	6.0
E-3	159	22.0
E-4	187	25.9
E-5	156	21.6
E-6	87	12.0
E-7	46	6.4
E-8	8	1.1
E-9	6	0.8
Officer (N = 58)[a]		
Cadet/MIDN	3	5.2
W-1	1	1.7
W-2	1	1.7
W-3	2	3.4
W-4	0	0.0
W-5	1	1.7
O-1	3	5.2
O-2	11	19.0

O-3	20	34.5
O-4	12	20.7
O-5	3	5.2
O-6	1	1.7
Sex of Accused		
Male	774	99.2
Female	6	0.8
Location of Unit to Which Accused Assigned When Charges Preferred		
CONUS	532	68.2
OCONUS	195	25.0
Vessel	53	6.8
Sex of Victim(s)		
All Female	708	90.8
All Male	69	8.8
Female and Male	3	0.4
Status of Victim(s)		
All Military	526	67.4
All Civilian	223	28.6
Military and Civilian	31	4.0
Accused Charged with Penetrative Offense(s)		
Yes	558	71.5
No	222	28.5
Accused Convicted of Penetrative Offense(s) (N = 558)		
Yes	147	26.3
No	411	73.7
Accused Charged with Contact Offense(s)		
Yes	222	28.5
No	558	71.5
Accused Convicted of Contact Offense(s) (N = 222)		
Yes	44	19.8
No	178	80.2

[a] *Because the pay grades of O-7, O-8, O-9, and O-10 had no accused documented by the DAC-IPAD, they are omitted from this table.*

TABLE 68
CASE DISPOSITIONS AND CASE OUTCOMES (FY 2015)

	n	%
FY 2015 Total Cases	780	
Type of Court-Martial (N = 559)		
General Court-Martial	440	78.7
Special Court-Martial	77	13.8
Summary Court-Martial	42	7.5
Type of Trial Forum (N = 559)		
Military Judge	295	52.8
Panel of Military Members	221	39.5
Summary Court-Martial Officer	42	7.5
Unknown	1	0.2
Article 32 Hearing Held		
Yes	540	69.2
Waived	58	7.4
Not Applicable	182	23.3
Accused Charged with Penetrative Offense(s) (N = 558)		
Convicted of Penetrative Offense	147	26.3
Convicted of Sexual Contact Offense	13	2.3
Convicted of Non-Sex Offense	123	22.0
Acquitted of All Charges	116	20.8
Alternative Disposition	79	14.2
Dismissed Without Judicial Action	80	14.3
(After Article 32 Hearing)	63	78.8
Accused Charged with Sexual Contact Offense(s) (N = 222)		
Convicted of Sexual Contact Offense	44	19.8
Convicted of Non-Sex Offense	90	40.5
Acquitted of All Charges	26	11.7
Alternative Disposition	47	21.2
Dismissed Without Judicial Action	15	6.8
(After Article 32 Hearing)	9	60.0
Outcomes for Cases Referred to Trial		
Accused Charged with Penetrative Offense(s) (N = 399)		
Convicted of Penetrative Offense	147	36.8
Convicted of Sexual Contact Offense	13	3.3
Convicted of Non-Sex Offense	123	30.8
Acquitted of All Charges	116	29.1

Accused Charged with Sexual Contact Offense(s) (N = 160)		
Convicted of Sexual Contact Offense	44	27.5
Convicted of Non-Sex Offense	90	56.3
Acquitted of All Charges	26	16.3
Outcomes for Contested Trials		
Accused Charged with Penetrative Offense(s) (N = 347)		
Convicted of Penetrative Offense	102	29.4
Convicted of Sexual Contact Offense	6	1.7
Convicted of Non-Sex Offense	123	35.4
Acquitted of All Charges	116	33.4
Accused Charged with Sexual Contact Offense(s) (N = 146)		
Convicted of Sexual Contact Offense	30	20.5
Convicted of Non-Sex Offense	90	61.6
Acquitted of All Charges	26	17.8

TABLE 69
ARTICLE 32 WAIVER (FY 2015)

	n	%
Cases In Which Art. 32 Applicable		
Art. 32 Held	540	90.3
Art. 32 Waived	58	9.7
Waived Without Pretrial Agreement	30	51.7
Waived When Involving Penetrative Offense	47	81.0
Waived When Involving Contact Offense	11	19.0
Conviction Rate When Art. 32 Waived – Non SA-Offense	21	36.2
Conviction Rate When Art. 32 Waived – Contact Offense	4	6.9
Conviction Rate When Art. 32 Waived – Penetrative Offense	21	36.2

TABLE 70
TYPE OF TRIAL BY OFFENSE(S), MILITARY SERVICE, AND RANK OF ACCUSED (FY 2015)

	General Court-Martial		Special Court-Martial		Summary Court-Martial	
	n	%	n	%	n	%
Most Serious Type of Offense(s) Charged						
Penetrative Offense	376	94.2	13	3.3	10	2.5
Contact Offense	64	40.0	64	40.0	32	20.0
Military Service						
Army	221	88.8	17	6.8	11	4.4
Marine Corps	49	65.3	13	17.3	13	17.3
Navy	59	62.8	27	28.7	8	8.5
Air Force	100	87.0	13	11.3	2	1.7
Coast Guard	11	42.3	7	26.9	8	30.8
Rank of Accused						
Officer	45	100.0	0	0.0	0	0.0
Enlisted	395	76.8	77	15.0	42	8.2

TABLE 71
TYPE OF MOST SERIOUS SEX OFFENSE(S) CHARGED BY PAY GRADE (FY 2015)

	Penetrative		Contact	
	n	%	n	%
Enlisted				
E-1	21	70.0	9	30.0
E-2	37	86.0	6	14.0
E-3	117	73.6	42	26.4
E-4	152	81.3	35	18.7
E-5	108	69.2	48	30.8
E-6	52	59.8	35	40.2
E-7	25	54.3	21	45.7
E-8	3	37.5	5	62.5
E-9	1	16.7	5	83.3
Officer[a]				
Cadet/MIDN	2	66.7	1	33.3
W-1	1	100.0	0	0.0
W-2	1	100.0	0	0.0
W-3	2	100.0	0	0.0
W-4	0	0.0	0	0.0
W-5	0	0.0	1	100.0
O-1	3	100.0	0	0.0
O-2	6	54.5	5	45.5
O-3	14	70.0	6	30.0
O-4	11	91.7	1	8.3
O-5	1	33.3	2	66.7
O-6	1	100.0	0	0.0

[a] *Because the pay grades of O-7, O-8, O-9, and O-10 had no accused documented by the DAC-IPAD, they are omitted from this table.*

TABLE 72
OUTCOMES OF SEXUAL OFFENSE(S) BY MILITARY SERVICE OF ACCUSED (FY 2015)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) (N = 558)												
Army N = 264	88	33.3	4	1.5	60	22.7	44	16.7	50	18.9	18	6.8
Marine Corps N = 72	11	15.3	5	6.9	21	29.2	14	19.4	4	5.6	17	23.6
Navy N = 67	18	26.9	1	1.5	14	20.9	18	26.9	3	4.5	13	19.4
Air Force N = 136	26	19.1	3	2.2	18	13.2	39	28.7	20	14.7	30	22.1
Coast Guard N = 19	4	21.1	0	0.0	10	52.6	1	5.3	2	10.5	2	10.5

			Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
Accused Charged with Contact Offense(s) (N = 222)												
Army N = 83			20	24.1	25	30.1	8	9.6	27	32.5	3	3.6
Marine Corps N = 33			2	6.1	22	66.7	0	0.0	3	9.1	6	18.2
Navy N = 55			12	21.8	21	38.2	10	18.2	8	14.5	4	7.3
Air Force N = 38			9	23.7	12	31.6	8	21.1	8	21.1	1	2.6
Coast Guard N = 13			1	7.7	10	76.9	0	0.0	1	7.7	1	7.7

TABLE 73
OUTCOMES OF SEXUAL OFFENSE(S) BY RANK OF ACCUSED (FY 2015)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) (N = 558)												
Officer N = 42	13	31.0	2	4.8	13	31.0	6	14.3	1	2.4	7	16.7
Enlisted N = 516	134	26.0	11	2.1	110	21.3	110	21.3	78	15.1	73	14.1

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
Accused Charged with Contact Offense(s) (N = 222)												
Officer N = 16			5	31.3	5	31.3	1	6.3	4	25.0	1	6.3
Enlisted N = 206			39	18.9	85	41.3	25	12.1	43	20.9	14	6.8

TABLE 74
OUTCOMES OF CHARGED PENETRATIVE OFFENSE(S) BY PAY GRADE OF ACCUSED (FY 2015)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Enlisted (N = 516)												
E-1 N = 21	7	33.3	1	4.8	8	38.1	3	14.3	1	4.8	1	4.8
E-2 N = 37	11	29.7	2	5.4	8	21.6	4	10.8	8	21.6	4	10.8
E-3 N = 117	27	23.1	3	2.6	22	18.8	24	20.5	24	20.5	17	14.5
E-4 N = 152	40	26.3	0	0.0	23	15.1	37	24.3	23	15.1	29	19.1
E-5 N = 108	26	24.1	4	3.7	25	23.1	25	23.1	16	14.8	12	11.1
E-6 N = 52	15	28.8	1	1.9	13	25.0	13	25.0	4	7.7	6	11.5
E-7 N = 25	7	28.0	0	0.0	10	40.0	4	16.0	1	4.0	3	12.0
E-8 N = 3	1	33.3	0	0.0	0	0.0	0	0.0	1	33.3	1	33.3
E-9 N = 1	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0

Officer (N = 42)a											
Cadet/MIDN N = 2	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2	100.0
W-1 N = 1	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-2 N = 1	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-3 N = 2	1	50.0	0	0.0	1	50.0	0	0.0	0	0.0	0	0.0
W-4 N = 0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-5 N = 0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
O-1 N = 3	1	33.3	0	0.0	1	33.3	1	33.3	0	0.0	0	0.0
O-2 N = 6	0	0.0	0	0.0	4	66.7	1	16.7	0	0.0	1	16.7
O-3 N = 14	4	28.6	2	14.3	4	28.6	2	14.3	1	7.1	1	7.1
O-4 N = 11	5	45.5	0	0.0	3	27.3	1	9.1	0	0.0	2	18.2
O-5 N = 1	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1	100.0
O-6 N = 1	0	0.0	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0

[a] Because the pay grades of O-7, O-8, O-9, and O-10 had no accused documented by the DAC-IPAD, they are omitted from this table.

TABLE 75
OUTCOMES OF CHARGED CONTACT OFFENSE(S) BY PAY GRADE OF ACCUSED (FY 2015)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Enlisted (N = 206)												
E-1 N = 9			3	33.3	3	33.3	0	0.0	3	33.3	0	0.0
E-2 N = 6			1	16.7	2	33.3	1	16.7	2	33.3	0	0.0
E-3 N = 42			11	26.2	20	47.6	3	7.1	7	16.7	1	2.4
E-4 N = 35			5	14.3	11	31.4	5	14.3	11	31.4	3	8.6
E-5 N = 48			10	20.8	18	37.5	7	14.6	9	18.8	4	8.3
E-6 N = 35			5	14.3	12	34.3	5	14.3	8	22.9	5	14.3
E-7 N = 21			4	19.0	13	61.9	3	14.3	1	4.8	0	0.0
E-8 N = 5			0	0.0	3	60.0	1	20.0	1	20.0	0	0.0
E-9 N = 5			0	0.0	3	60.0	0	0.0	1	20.0	1	20.0
Officer (N = 16)[a]												
Cadet/MIDN N = 1			0	0.0	0	0.0	0	0.0	1	100.0	0	0.0
W-1 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-2 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-3 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-4 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
W-5 N = 1			0	0.0	0	0.0	0	0.0	1	100.0	0	0.0
O-1 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
O-2 N = 5			2	40.0	1	20.0	1	20.0	0	0.0	1	20.0
O-3 N = 6			2	33.3	3	50.0	0	0.0	1	16.7	0	0.0
O-4 N = 1			1	100.0	0	0.0	0	0.0	0	0.0	0	0.0
O-5 N = 2			0	0.0	1	50.0	0	0.0	1	50.0	0	0.0
O-6 N = 0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0

[a] *Because the pay grades of O-7, O-8, O-9, and O-10 had no accused documented by the DAC-IPAD, they are omitted from this table.*

TABLE 76
OUTCOMES OF SEXUAL OFFENSE(S) BY SEX AND STATUS OF VICTIM (FY 2015)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) (N = 558)												
Victim Sex												
All Females N = 521	133	25.5	11	2.1	117	22.5	108	20.7	74	14.2	78	15.0
All Males N = 36	14	38.9	2	5.6	5	13.9	8	22.2	5	13.9	2	5.6
Females & Males N = 1	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0
Victim Status												
All Military N = 351	81	23.1	5	1.4	73	20.8	81	23.1	57	16.2	54	15.4
All Civilian N = 184	56	30.4	7	3.8	43	23.4	33	17.9	20	10.9	25	13.6
Military & Civilian N = 23	10	43.5	1	4.3	7	30.4	2	8.7	2	8.7	1	4.3

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
Accused Charged with Contact Offense(s) (N = 222)												
Victim Sex												
All Females N = 187			36	19.3	74	39.6	22	11.8	41	21.9	14	7.5
All Males N = 33			8	24.2	15	45.5	3	9.1	6	18.2	1	3.0
Females & Males N = 2			0	0.0	1	50.0	1	50.0	0	0.0	0	0.0
Victim Status												
All Military N = 175			33	18.9	70	40.0	24	13.7	39	22.3	9	5.1
All Civilian N = 39			8	20.5	15	38.5	2	5.1	8	20.5	6	15.4
Military & Civilian N = 8			3	37.5	5	62.5	0	0.0	0	0.0	0	0.0

TABLE 77
OUTCOMES OF SEXUAL OFFENSE(S) BY RELATIONSHIP BETWEEN ACCUSED AND VICTIM (FY 2015)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) (N = 558)												
Spouse or Intimate Partner N = 110	27	24.5	2	1.8	29	26.4	25	22.7	6	5.5	21	19.1
Other Relationship N = 448	120	26.8	11	2.5	94	21.0	91	20.3	73	16.3	59	13.2

			Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
Accused Charged with Contact Offense(s) (N = 222)												
Spouse or Intimate Partner N = 7			2	28.6	2	28.6	1	14.3	1	14.3	1	14.3
Other Relationship N = 215			42	19.5	88	40.9	25	11.6	46	21.4	14	6.5

TABLE 78
OUTCOMES OF SEXUAL OFFENSE(S) BY ACCUSED'S LOCATION (FY 2015)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
	n	%	n	%	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) (N = 558)												
CONUS N = 386	102	26.4	8	2.1	76	19.7	90	23.3	52	13.5	58	15.0
OCONUS N = 142	38	26.8	5	3.5	35	24.6	20	14.1	27	19.0	17	12.0
Vessel N = 30	7	23.3	0	0.0	12	40.0	6	20.0	0	0.0	5	16.7

			Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges		Alternative Disposition		Dismissed Without Judicial Action	
Accused Charged with Contact Offense(s) (N = 222)												
CONUS N = 146			29	19.9	56	38.4	22	15.1	28	19.2	11	7.5
OCONUS N = 53			11	20.8	19	35.8	2	3.8	17	32.1	4	7.5
Vessel N = 23			4	17.4	15	65.2	2	8.7	2	8.7	0	0.0

TABLE 79
OUTCOMES OF SEXUAL OFFENSE(S) BY TYPE OF TRIAL FORUM (FY 2015)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges	
	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s) and Case Referred to General or Special Court-Martial (N = 389)a								
Adjudicated by Military Judge N = 215	84	39.1	10	4.7	72	33.5	49	22.8
Adjudicated by Panel of Members N = 173	62	36.3	3	1.8	42	24.6	66	38.6
Accused Charged with Contact Offense(s) and Case Referred to General or Special Court-Martial (N = 128)								
Adjudicated by Military Judge N = 80			20	25.0	53	66.3	7	8.8
Adjudicated by Panel of Members N = 48			15	31.3	15	31.3	18	37.5

a In one case, the DAC-IPAD could not determine whether adjudication was by a military judge or by a panel of members

TABLE 80
OUTCOMES OF SEXUAL OFFENSE(S) BY TYPE OF TRIAL FORUM FOR CASES IN WHICH THE ACCUSED PLED NOT GUILTY (FY 2015)

	Convicted of Penetrative Offense		Convicted of Contact Offense		Convicted of Non-Sex Offense		Acquitted of All Charges	
	n	%	n	%	n	%	n	%
Accused Charged with Penetrative Offense(s), Referred to General or Special Court-Martial and Pled Not Guilty to SA Offense (N = 338)a								
Adjudicated by Military Judge N = 166	42	25.3	3	1.8	72	43.4	49	29.5
Adjudicated by Panel of Members N = 171	60	35.1	3	1.8	42	24.6	66	38.6
Accused Charged with Contact Offense(s), Referred to General or Special Court-Martial and Pled Not Guilty to SA Offense (N = 122)								
Adjudicated by Military Judge N = 74			14	18.9	53	71.6	7	9.5
Adjudicated by Panel of Members N = 48			15	31.3	15	31.3	18	37.5

a In one case, the DAC-IPAD could not determine whether adjudication was by a military judge or by a panel of members

TABLE 81
LOGISTIC REGRESSION: VARIABLES RELATED TO CONVICTIONS (FY 2015)

	B	SE	Exp(B)
Accused Convicted of a Penetrative Offense			
Military Service of Accused			
Army (reference)			
Marine Corps	−1.15	.39	.32*
Navy	−.48	.33	.62
Air Force	−.77	.28	.46*
Coast Guard	−.86	.64	.42
Accused Rank (Enlisted)	−.14	.39	.87
Victim Was Spouse or Intimate Partner	−.13	.31	.88
Female Victim(s)	−.54	.41	.58
Military Victim(s)	−.34	.25	.71
Number of Victims	.60	.18	1.82*
Number of Charges	.06	.02	1.06*

	B	SE	Exp(B)
Accused Convicted of At Least One Charge			
Military Service of Accused			
Army (reference)			
Marine Corps	−.12	.23	.89
Navy	.003	.23	1.00
Air Force	−.48	.23	.61*
Coast Guard	1.20	.50	3.32*
Accused Rank (Enlisted)	−.56	.36	.57
Victim Was Spouse or Intimate Partner	−.61	.24	.55*
Female Victim(s)	−.39	.34	.68
Military Victim(s)	−.44	.18	.64*
Number of Victims	.04	.14	1.04
Number of Charges	.25	.02	1.28*
Accused Charged with Penetrative Offense	.38	.20	.68*

TABLE 82
LOGISTIC REGRESSION: VARIABLES RELATED TO ACQUITTALS AND DISMISSALS (FY 2015)

	B	SE	Exp(B)
Accused Acquitted of All Charges			
Military Service of Accused			
Army (reference)			
Marine Corps	.30	.38	1.36
Navy	.71	.32	2.04*
Air Force	.94	.29	2.57*
Coast Guard	−1.81	1.07	.16
Accused Rank (Enlisted)	.71	.49	2.03
Victim Was Spouse or Intimate Partner	.62	.35	1.85
Female Victim(s)	.24	.42	1.28
Military Victim(s)	.45	.27	1.56
Number of Victims	−.36	.28	.70
Number of Charges	−.27	.04	.76*
Accused Charged with a Penetrative Offense	.94	.28	2.56*

	B	SE	Exp(B)
Dismissed without Judicial Action			
Military Service of Accused			
Army (reference)			
Marine Corps	1.41	.37	4.10*
Navy	.96	.36	2.62*
Air Force	.56	.33	1.74
Coast Guard	.34	.72	1.41
Accused Rank (Enlisted)	−.80	.46	.45
Victim Was Spouse or Intimate Partner	.74	.32	2.10*
Female Victim(s)	1.00	.63	2.73
Military Victim(s)	.13	.28	1.14
Number of Victims	−1.28	.70	.28
Number of Charges	−.26	.06	.77*
Accused Charged with a Penetrative Offense	.94	.34	2.56*

APPENDIX B. DAC-IPAD CASE ADJUDICATION DATABASE: FISCAL YEAR 2018 PENETRATIVE OFFENSE(S) PREFERRED AND RESOLVED AT SPECIAL OR SUMMARY COURTS-MARTIAL

In Figure 19, in the body of this report, the DAC-IPAD documented 15 instances in which charges were preferred for a penetrative sexual assault offense and the case was resolved at a special (13 cases) or summary court-martial (2 cases). While it is correct that there are instances in which a special or summary court-martial was convened after a penetrative sexual assault offense was initially charged, the courts-martial were the result of plea agreements that dismissed the penetrative sexual assault charge in exchange for guilty pleas to other offenses which were then referred to special or summary courts-martial.

To provide additional information on the charges and specifications for each of the cases in question, the following tables detail the charges preferred; the advice of the staff judge advocate, if available; the terms of any pretrial agreements; the charges referred to special or summary court-martial; the accused's pleas; and the findings at trial.

DAC-IPAD Adjudication Database:
Fiscal Year 2018 – Penetrative Offense(s) Preferred and Case Ultimately Resolved at Special Court-Martial

Case	Offense	Spec	Articles	SJA Advice	Terms of PTA
			Preferral		
1	I	1	Article 80 – Attempted Penetrative		In exchange for guilty plea to Article 128 offense, the CA withdrew the Article 80 – Attempted Rape and Article 120 – contact offenses. After announcement of sentence, the Government dismissed the withdrawn charges without prejudice to ripen into prejudice upon completion of appellate review.
	II	1	Article 120 – Contact		
	Add'l I	1	Article 128 – Assault & Battery		
2	I	1	Article 80 – Attempted Rape		In exchange for guilty plea to Article 128 and Article 134 offenses, the CA withdrew the charges with a not guilty plea. After announcement of sentence, the Government dismissed the withdrawn charges without prejudice to ripen into prejudice upon completion of appellate review.
	II	1	Article 80 – Attempted Penetrative		
	III	1	Article 120c – Indecent Exposure		
	Add'l I	1	Article 128 – Assault & Battery		
	Add'l II	1	Article 134 – Disorderly Conduct		
3	I	1	Article 120 – Penetrative	Dismiss	In exchange for guilty plea to Article 128 and Article 134 offenses, the CA withdrew the charges with a not guilty plea. After announcement of sentence, the Government dismissed the withdrawn charges without prejudice to ripen into prejudice upon completion of appellate review.

The Article 120 – Penetrative and Article 128 (two specifications) offenses were withdrawn and dismissed prior to referral. |
	II	1	Article 128 – Aggravated assault	GCM	
		2	Article 128 – Aggravated assault	Dismiss	
		3	Article 128 – Aggravated assault	GCM	
		4–6	Article 128 – Assault & Battery	Dismiss	
	Add'l I	1–2	Article 128 – Assault & Battery	GCM	
	Add'l II	1	Article 112a – Wrongful Use	GCM	
		2	Article 112a – Wrongful Possession	GCM	
4	I	1–2	Article 128 – Assault & Battery		In exchange for guilty plea to Article 128 and Article 90 offenses, the Article 120 – Rape and Article 120 – Penetrative offenses were not referred to SPCM and dismissed without prejudice to ripen into prejudice upon completion of appellate review.
	II	1	Article 90 – Disobeying Superior		
	III	1	Article 120 – Rape		
		2	Article 120 – Penetrative		
5	I	1	Article 120 – Penetrative	GCM	In exchange for guilty plea to a new charge of Article 128 – Assault & Battery, the Article 120 – Rape and Article 120 – Contact offenses previously referred to GCM were dismissed without prejudice to ripen into prejudice upon completion of appellate review.
		2	Article 120 – Contact	GCM	
6	I	1–5	Article 92 – Failure to Obey		In exchange for guilty plea to multiple offenses, the CA withdrew charges with a not guilty plea, including the Article 120 – Penetrative offenses. After announcement of sentence, the Government dismissed the withdrawn charges without prejudice to ripen into prejudice upon completion of appellate review.
	II	1	Article 107 – False Official Statement		
	III	1–2	Article 120 – Penetrative		
	IV	1	Article 128 – Simple Assault		
	V	1–4	Article 134 – Adultery		
		5–6	Article 134 – Obstructing Justice		

		Referral		
Offense	Spec	Articles	Plea	Finding
I	1	Article 80 – Attempted Rape	Not Guilty	W/D
II	1	Article 120 – Contact	Not Guilty	W/D
Add'l I	1	Article 128 – Assault & Battery	Guilty	Guilty
I	1	Article 80 – Attempted Rape	Not Guilty	W/D
II	1	Article 80 – Attempted Sexual	Not Guilty	W/D
III	1	Assault 120c – Indecent Exposure	Not Guilty	W/D
Add'l I	1	Article 128 – Assault & Battery	Guilty	Guilty
Add'l II	1	Article 134 – Disorderly Conduct	Guilty	Guilty
I	1	Article 120 – Penetrative	Not Referred	W/D
II	1	Article 128 – Aggravated assault	Not Guilty	W/D
	2	Article 128 – Aggravated assault	Not Referred	W/D
	3	Article 128 – Aggravated assault	Not Guilty	W/D
	4–6	Article 128 – Assault & Battery	Not Referred	W/D
Add'l I	1–2	Article 128 – Assault & Battery	Guilty	Guilty
Add'l II	1	Article 112a – Wrongful Use	Guilty	Guilty
	2	Article 112a – Wrongful Possession	Not Guilty	W/D
I	1–2	Article 128 – Assault & Battery	Guilty	Guilty
II	1	Article 90 – Disobeying Superior	Guilty	Guilty
III	1	Article 120 – Rape	Not Referred	W/D
	2	Article 120 – Penetrative	Not Referred	W/D
I	1	Article 120 – Penetrative	Not Referred	W/D
	2	Article 120 – Contact	Not Referred	W/D
Add'l I	1	Article 128 – Assault & Battery	Guilty	Guilty
I	1	Article 92 – Failure to Obey	Not Guilty	W/D
	2–3	Article 92 – Failure to Obey	Guilty	Guilty
	4–5	Article 92 – Failure to Obey	Not Guilty	W/D
II	1	Article 107 – False Official	Guilty	Guilty
III	1–2	Statement	Not Guilty	W/D
IV	1	Article 120 – Penetrative	Not Guilty	W/D
V	1	Article 128 – Simple Assault	Guilty	Guilty
	2–3	Article 134 – Adultery	Not Guilty	W/D
	4	Article 134 – Adultery	Guilty	Guilty
	5	Article 134 – Adultery	Not Guilty	W/D
	6	Article 134 – Obstructing Justice	Guilty	Guilty

DAC-IPAD Adjudication Database:
Fiscal Year 2018 – Penetrative Offense s) Preferred and Case Ultimately Resolved at Special Court-Martial

Case	Offense	Spec	Preferral Articles	SJA Advice	Terms of PTA
7	I II	1 2 1	Article 120 – Penetrative Article 120 – Contact Article 134 – Indecent Conduct		In exchange for guilty plea to Article 134 – Indecent Conduct, the CA withdrew Article 120 – Penetrative and Article 120 – Contact offenses after referral but prior to entry of pleas. The dismissal to ripen into prejudice upon completion of appellate review.
8	I II III	1 1–3 4–6 1	Article 92 – Failure to Obey Article 120 – Penetrative Article 120 – Contact Article 134 – Adultery	GCM GCM GCM GCM	In exchange for guilty plea to Article 92 and Article 134, the CA withdrew Article 120 – Penetrative and Article 120 – Contact offenses. After announcement of sentence, the Government dismissed the withdrawn charges without prejudice to ripen into prejudice upon completion of appellate review.
9	I II	1 1	Article 120 – Penetrative Article 128 – Assault & Battery		In exchange for guilty plea to Article 128, the CA withdrew without prejudice the Article 120 – Penetrative offense prior to referral to SPCM. The dismissal to ripen into prejudice upon completion of appellate review.
10	I II III	1–3 1 & 3 2 1	Article 120 – Rape Article 128 – Assault & Battery Article 128 – Assault & Battery Article 134 – Adultery	Dismiss Dismiss SPCM SPCM	No PTA.
11	I II III IV V Add'l I Add'l II	1 1–2 1 1–8 1 1–2 1	Article 86 – Absence Place of Duty Article 92 – Failure to Obey Article 107 – False Official Statement Article 112a – Wrongful Use Article 121 – Larceny Article 120 – Penetrative Article 134 – Crimes Not Capital		In exchange for guilty plea to Article 86, Article 92, and Article 112a, the CA withdrew offenses with a plea of not guilty. The dismissal by the CA to ripen into prejudice upon completion of appellate review. The Article 120 – Penetrative and Article 134 offenses were withdrawn and dismissed prior to referral.
12	I II III IV V VI VI Add'l I	1 1 1–2 1–5 6–9 10–1 1 1 1 2 1	Article 83 – Fraudulent Enlistment Article 92 – Failure to Obey Article 107 – False Official Statement Article 112a – Wrongful Use Article 112a – Wrongful Possession Article 112a – Wrongful Use Article 120 – Penetrative Article 134 – Obstructing Justice Article 134 – Soliciting Another Article 128 – Assault & Battery		In exchange for guilty plea to Article 83, Article 112a, Article 128, and Article 134 offenses, the CA withdrew offenses with a plea of not guilty. The dismissal by the CA to ripen into prejudice upon completion of appellate review. The Article 120 – Penetrative offense was withdrawn and dismissed prior to referral.
13	I Add'l I Add'l II	1 1 1–2	Article 120 – Penetrative Article 107 – False Official Statement Article 134 – Adultery		In exchange for guilty plea to Article 107 and Article 134 offenses, the CA will not refer Article 120 – Penetrative offense to GCM. The dismissal by the CA to ripen into prejudice upon completion of appellate review.

Referral				
Offense	Spec	Articles	Plea	Finding
I	1	Article 120 – Penetrative	W/D	W/D
	2	Article 120 – Contact	W/D	W/D
II	1	Article 134 – Indecent Conduct	Guilty	Guilty
I	1	Article 92 – Failure to Obey	Guilty	Guilty
II	1–3	Article 120 – Penetrative	Not Guilty	Withdrawn
	4–6	Article 120 – Contact	Not Guilty	Withdrawn
III	1	Article 134 – Adultery	Guilty	Guilty
I	1	Article 120 – Penetrative	Not Referred	W/D
II	1	Article 128 – Assault & Battery	Guilty	Guilty
I	1–3	Article 120 – Rape	Not Referred	W/D
II	1 & 3	Article 128 – Assault & Battery	Not Referred	W/D
II	2	Article 128 – Assault & Battery	Not Guilty	Not Guilty
III	1	Article 134 – Adultery	Not Guilty	Not Guilty
I	1	Article 86 – Absence Place of Duty	Guilty	Guilty
II	1–2	Article 92 – Failure to Obey	Guilty	Guilty
III	1	Article 107 – False Official	Not Guilty	W/D
IV	1–8	Statement	Guilty	Guilty
V	1	Article 112a – Wrongful Use	Not Guilty	W/D
Add'l I	1–2	Article 121 – Larceny	Not Referred	W/D
Add'l II	1	Article 120 – Penetrative	Not Referred	W/D
I	1	Article 83 – Fraudulent Enlistment	Guilty	Guilty
II	1	Article 92 – Failure to Obey	W/D	W/D
III	1–2	Article 107 – False Official	Not Guilty	W/D
IV	1–4	Statement	Not Guilty	W/D
	5	Article 112a – Wrongful Use	W/D	W/D
	6	Article 112a – Wrongful Use	Guilty	Guilty
	7–9	Article 112a – Wrongful Possession	Not Guilty	W/D
	10	Article 112a – Wrongful Possession	W/D	W/D
	11	Article 112a – Wrongful Use	Guilty	Guilty
V	1	Article 112a – Wrongful Use	Not Referred	W/D
VI	1	Article 120 – Penetrative	Guilty	Guilty
VI	2	Article 134 – Obstructing Justice	W/D	W/D
Add'l I	1	Article 134 – Soliciting Another	Guilty	Guilty
		Article 128 – Assault & Battery		
I	1	Article 120 – Penetrative	Not Referred	W/D
Add'l I	1	Article 107 – False Official	Guilty	Guilty
Add'l II	1–2	Statement	Guilty	Guilty
		Article 134 – Adultery		

DAC-IPAD Adjudication Database:
Fiscal Year 2018 – Penetrative Offense(s) Preferred and Case Ultimately Resolved at Summary Court-Martial

Case	Offense	Spec	*Preferral* Articles	SJA Advice	Terms of PTA
1	I	1	Article 80 – Attempted Rape	GCM	In exchange for guilty plea to new Article 128 – Assault & Battery offense at SCM, the Article 80 – Attempted Rape and Article 120 – Contact offenses previously referred to GCM were withdrawn without prejudice. After findings and sentence at SCM and separation from the Service, the dismissal to ripen into with prejudice.
	II	1	Article 120 – Contact	GCM	
	III	1	Article 128 – Assault & Battery	Dismiss	
2	I	1–3	Article 80 – Attempted Penetrative	GCM	In exchange for guilty plea to Article 120c – Indecent Exposure at SCM, the Article 80 – Attempted Penetrative, Article 120 – Contact and Article 134 offenses previously referred to GCM were withdrawn without prejudice. After findings and sentence at SCM and separation from the Service, the dismissal to ripen into with prejudice.
	II	1–3	Article 120 – Contact	GCM	
	III	1	Article 120c – Indecent exposure	GCM	
	Add'l I	1	Article 134 – Prejudice to Good Order	GCM	

		Referral		
Offense	Spec	Articles	Plea	Findings
I	1	Article 80 – Attempted Rape	Not Referred	W/D
II	1	Article 120 – Contact	Not Referred	W/D
III	1	Article 128 – Assault & Battery	Not Referred	W/D
Add'l I	1	Article 128 – Assault & Battery	Guilty	Guilty
I	1–3	Article 80 – Attempted Penetrative	Not Referred	W/D
II	1–3	Article 120 – Contact	Not Referred	W/D
III	1	Article 120c – Indecent exposure	Guilty	Guilty
Add'l I	1	Article 134 – Prejudice to Good Order	Not Referred	W/D

APPENDIX C. ACRONYMS AND ABBREVIATIONS

CA	convening authority
CONUS	continental United States
DAC-IPAD	Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces
DoD	Department of Defense
DWG	Data Working Group
FY	fiscal year
GCM	general court-martial
JPP	Judicial Proceedings Since Fiscal Year 2012 Amendments Panel
MIDN	midshipman
NDAA	National Defense Authorization Act
NS	not (statistically) significant
OCONUS	outside the continental United States
OLS	ordinary least squares
PTA	pretrial agreement
SA	sexual assault
SCM	summary court-martial
SJA	staff judge advocate
SPCM	special court-martial
UCMJ	Uniform Code of Military Justice
W/D	withdrawn