

EXECUTIVE SUMMARY

Overview

The challenges of national security demand a separate and strong military justice system.¹ Justice, accountability, fairness, and transparency are the core principles of that system. Any reforms to our military justice system must balance the unique requirements of the military and emerging challenges of national security with the unchanging need to do justice. The Military Justice Review Panel (MJRP) recognizes both the profound impact of the many changes to military law adopted in recent years and the potential risk to national security of seeking to replicate the practices of civilian criminal justice in the Armed Forces.

Military law strengthens the national security of the United States in times of war and in peace. Today, national security demands that military law be effective in hostile and diverse environments. They include regional and global conflicts, focused deployments and mass mobilizations, counterinsurgencies and engagements with near-peer adversaries, and battlefields shaped by autonomous, cyber, biological, and other new weapons. If the rapid pace and extent of change to military law results in too much complexity and rigidity, it will erode the flexibility essential to effectiveness in the wide range of contemporary—and future—conflicts in which the nation will rely on our Armed Forces to compete and win.

This Panel began its work at a time of increased focus on transparency and trust.² Sexual misconduct and interpersonal violence, which undermine both good order and public trust in the military, have been of special concern. Commands that fail to address misconduct and hold perpetrators accountable diminish public trust and military effectiveness. The 2021 Independent Review Commission on Sexual Assault in the Military (IRC) recommendations were intended to restore confidence in the military's response to criminal misconduct,³ and a 2023 amendment adding deterrence and accountability to the purposes of military law in the Manual for Courts-Martial (MCM) Preamble further emphasized the importance of enhancing confidence in military justice.⁴

The swift pace and broad scope of changes to military law since 2016 have left the Department of Defense (DoD) and Military Departments struggling to promulgate Service regulations, train counsel, and track compliance with new rules and authorities. Moreover, insufficient data collection, management, and analysis have prevented a full understanding of the impact of recent changes. Aware of these challenges, this Comprehensive Review identifies discrete issues for improvement, highlights areas requiring additional study, and makes recommendations to ensure that the Services operate a just, efficient system of military justice that strengthens national security while promoting good order and discipline. The MJRP found that recent reforms intended to increase trust and transparency have, in some cases, instead done the opposite. The extent of change and the complexity of the new systems that govern the

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- 1 “The purposes of military law are to promote justice, to deter misconduct, to facilitate appropriate accountability, to assist in maintaining good order and discipline in the armed forces, to promote efficiency and effectiveness in the military establishment, and thereby to strengthen the national security of the United States.” *MANUAL FOR COURTS-MARTIAL, UNITED STATES* (2024 ed.) [2024 MCM], “Nature and purpose of military law, Manual for Courts-Martial,” Part I, Preamble, I-1.
 - 2 H.R. REP. NO. 114-537 (Report of the House of Representatives Committee on Armed Services on H.R. 4909), at 5 (May 4, 2016) (describing the comprehensive reforms in the MJA2016 as “improving transparency” and reflecting a commitment to “making the military justice system just, efficient, and effective”), available at <https://www.congress.gov/114/crpt/hrpt537/CRPT-114hrpt537.pdf>.
 - 3 *HARD TRUTHS AND THE DUTY TO CHANGE: RECOMMENDATIONS FROM THE INDEPENDENT REVIEW COMMISSION ON SEXUAL ASSAULT IN THE MILITARY* 9, 14 (July 2021) [IRC Report], available at <https://media.defense.gov/2021/Jul/02/2002755437/-1/-1/0/IRC-FULL-REPORT-FINAL-1923-7-1-21.PDF/IRC-FULL-REPORT-FINAL-1923-7-1-21.PDF>.
 - 4 2024 MCM, *supra* note 1, at I-1.

investigation, prosecution, and adjudication of reports of sexual assault, sexual harassment, domestic violence, and other “covered” offenses have made coordination and analysis more difficult for commanders and judge advocates alike.⁵ This Report seeks to strike a balance between allowing the new system to fulfill its promise and the imperative to promote and sustain discipline, efficiency, and justice in the U.S. Armed Forces.

Findings and Recommendations

Beginning on October 20, 2022, the MJRP held 14 public meetings and nonpublic sessions to develop projects, adopt business rules, and obtain data from within and beyond DoD. MJRP members met with trial counsel, defense counsel, victims’ counsel, military and civilian judges, the service Judge Advocates General (TJAGs) and the Staff Judge Advocate to the Commandant of the Marine Corps (SJA to CMC), the Sentencing Parameters and Criteria Board (SPCB), and representatives of the new Offices of Special Trial Counsel (OSTCs) at bases and posts across the country. Civilian practitioners and advocacy groups, academics, members of the media and policymakers addressed the Panel. Members also visited military installations to observe courts-martial firsthand and hear from commanders, senior enlisted leaders, court reporters, military judges, chaplains, and others engaged in and affected by military justice.⁶

This Report’s 20 recommendations and 21 findings are organized into four chapters. All findings and recommendations were the consensus opinion of the Panel, and all except for the two that are noted in the summary below were unanimously approved by those members present for the vote.

Chapter 1, “The Structure of the Military Justice System,” assesses the impact—to the greatest extent possible, given the grave limitations of available data—of recent changes affecting the investigation, prosecution, and adjudication of crimes under the Uniform Code of Military Justice (UCMJ), including Article 140a and the creation of a new forum, the Article 16(c)(2)(A) “judge-alone special court-martial.” More accurate data and greater transparency are needed to enhance trust and confidence in the system, and to enable the MJRP to conduct future assessments of the operation of military law. Although one member believes Congress has already required DoD to address this fundamental problem, the MJRP recommends that Congress require, and DoD immediately adopt, new tools to improve data collection and access to court-martial filings and records. This is needed to address both eroding trust among the public and declining clarity among military justice practitioners as to processes, requirements, and resources.

RECOMMENDATION 1: By January 1, 2026, Congress statutorily require DoD to establish a single, uniform, centralized military justice database.⁷

RECOMMENDATION 2: By January 1, 2027, the Secretary of Defense implement a single, uniform, centralized military justice database with full operational capability.

5 Covered offenses are offenses charged under the following UCMJ articles: 117a, Wrongful broadcast or distribution of intimate visual images; 118, Murder; 119, Manslaughter; 119a, Death or injury of an unborn child; 120, Rape and sexual assault; 120a, Mail deposit of obscene material; 120b, Rape and sexual assault of a child; 120c, Other sexual misconduct; 125, Kidnapping; 128b, Domestic violence; 130, Stalking; 132, Retaliation; 134, Child pornography; and 134, Sexual harassment (note: sexual harassment will be a covered offense effective Jan. 2025).

6 Members observed courts-martial at Joint Base McGuire–Dix–Lakehurst, NJ, in November 2022; Fort Moore, GA, in February 2023; and Fort Drum, NY, and Fort Richardson, AK, in April 2023.

7 This Recommendation was not unanimously approved. The one dissenting Member believes that additional congressional action is unnecessary because the law already requires DoD to establish a uniform, centralized military justice database. DoD’s position, however, is that having issued plans for this statutory requirement, it is in compliance with the law even though it has not yet established the required database.

RECOMMENDATION 3: The Secretary of Defense direct collection of the full scope of information required by Article 140a to begin no later than January 1, 2026.

RECOMMENDATION 4: The Secretary of Defense adopt electronic filing and integrated public dockets for use by all the Military Departments and the U.S. Court of Appeals for the Armed Forces no later than January 1, 2026.

RECOMMENDATION 5: By January 1, 2026, Congress statutorily require DoD to provide public access to pretrial, trial, and appellate court-martial records at the time of filing.⁸

RECOMMENDATION 6: The Secretary of Defense direct public access to pretrial, trial, and appellate court-martial records at the time of filing and in accordance with Article 140a, to begin no later than July 1, 2025.

RECOMMENDATION 7: The Secretary of Defense provide personnel and technology to support a single, uniform, centralized military justice database, expanded data collection, and an electronic filing system with public-facing integrated dockets.

RECOMMENDATION 8: In order to assess Article 16(c)(2)(A), “judge-alone special courts-martial,” the Secretary of Defense direct the collection of the following data points:

- The number of Article 16(c)(2)(A) special courts-martials, if any, that involve offenses committed when the accused is deployed or aboard a vessel.
- The number of accused who are administratively separated after conclusion of Article 16(c)(2)(A) special courts-martial.
- The number of Article 16(c)(2)(A) special courts-martial that are conducted after an accused refuses nonjudicial punishment.

Chapter 2, “Pretrial and Trial Processes,” focuses on plea agreements and pre-referral judicial authorities, as the Panel has previously reviewed and made recommendations on preliminary hearings and other pretrial and trial matters. The Panel considered changes to Article 53a that would give more discretion to the military judge to reject a plea agreement, but declined to recommend amending the statute until appellate courts consider the issue and until more sentencing data become available.

Chapter 3, “Punitive Articles,” assesses six covered offenses for which the new Offices of Special Trial Counsel have exclusive referral authority: (1) Article 117a, Wrongful broadcast or distribution of intimate visual images; (2) Article 125, Kidnapping; (3) Article 128b, Domestic violence; (4) Article 130, Stalking; (5) Article 132, Retaliation; and (6) Article 134, Sexual harassment. The MJRP notes with concern, and will continue to analyze all available data regarding, the volume of domestic violence and sexual harassment complaints and the complicated, overlapping statutory and regulatory authorities for these crimes. The Panel recommends clarification of elements, processes, and data collection requirements.

RECOMMENDATION 9: Congress revise Article 117a, Wrongful broadcast or distribution of intimate visual images, to clarify the elements of the crime.

⁸ As was true of Recommendation 1, one dissenting Member believes that additional congressional action is unnecessary because the law already requires DoD to facilitate public access to docket information, filings, and records. Since it has prescribed “uniform standards and criteria” for public access, DoD maintains that it is in compliance with Article 140(a) even though DoD policy limits public access to a subset of cases, and even though that access is provided only post-trial. See *Pro Publica, Inc. v. Butler*, 2024 U.S. Dist. LEXIS 38500, *3-4 (S.D. Cal. Mar. 4, 2024).

Finding 1: Article 117a, Wrongful broadcast or distribution of intimate visual images, is the second most frequently investigated offense among the covered offenses assessed by the MJRP. Despite the number of investigations, few cases have been referred to trial.

Finding 2: Article 117a, Wrongful broadcast or distribution of intimate visual images, is a long and complicated statute that consists of a single sentence with more than 300 words. Prosecution of Article 117a has led to significant appellate litigation over the text and interpretation of the statute.

Finding 3: Article 117a, Wrongful broadcast or distribution of intimate visual images, requires a “reasonably direct and palpable connection to a military mission or military environment.” Because of the military nexus element, offenses against civilian victims cannot be prosecuted unless there is a connection to the military. Nonconsensual broadcast of intimate visual images also cannot be prosecuted under Article 134 due to the doctrine of preemption. Thus, some cases involving broadcast or distribution of intimate visual images by a servicemember, particularly those with a civilian victim, currently cannot be prosecuted within the military justice system.

RECOMMENDATION 10: The Secretary of Defense prescribe and implement uniform standards for collecting and reporting data on Article 125, Kidnapping, from the report of an allegation through final disposition.

Finding 4: Military law enforcement agencies reported a few hundred investigations of kidnapping, but few cases were referred to trial and most resulted in no reported action taken.

Finding 5: A large number of kidnapping investigations appear to have been conducted by military police. The data do not indicate whether military police were the only military law enforcement agency to conduct the investigation, or whether some cases also were investigated by military criminal investigative organizations.

Finding 6: The Army reported a disproportionately higher number of kidnapping investigations than the other Services, raising concerns about inconsistent data collection protocols.

RECOMMENDATION 11: The Secretary of Defense prescribe and implement uniform standards for collecting and reporting data on Article 128b, Domestic violence, from the report of an allegation through final disposition.

Finding 7: Domestic violence is the most frequently investigated offense among the covered offenses assessed by the MJRP. The Army reported a disproportionately higher number of domestic violence investigations than the other Services, raising concerns about inconsistent data collection protocols.

Finding 8: The Army and Air Force report that military police investigated more domestic violence allegations than did military criminal investigative organizations; the Navy and Marine Corps report that domestic violence was primarily investigated by military criminal investigative organizations.

Finding 9: Data deficiencies preclude the MJRP from determining whether Article 128b, Domestic violence, allegations are being appropriately investigated and processed.

RECOMMENDATION 12: The Secretary of Defense prescribe and implement uniform standards for collecting and reporting data on Article 130, Stalking, from the report of an allegation through final disposition, with separate data fields to differentiate between cyberstalking and physical stalking.

Finding 10: The data on Article 130, Stalking, fails to differentiate between cyberstalking and physical stalking.

RECOMMENDATION 13: The Secretary of Defense direct the evaluation of Service regulations and protocols for investigating Article 130, Stalking, to determine whether military criminal investigative organizations or military police are receiving appropriate and necessary training for, or have appointed experts for, investigating cyberstalking.

RECOMMENDATION 14: The Secretary of Defense promulgate policies that distinguish between conduct under Article 132, Retaliation, and reprisal under 10 U.S.C. §1034, the Military Whistleblower Protection Act, and clarify responsibility for investigating allegations under these authorities.

Finding 11: DoD policies addressing retaliation fail to provide clear guidance on the investigation and prosecution of criminal retaliation under Article 132, Retaliation, and reprisal under 10 U.S.C. §1034, the Military Whistleblower Protection Act. Current policies assign responsibility for investigating allegations of retaliation among multiple entities in an unclear and convoluted manner.

RECOMMENDATION 15: The Secretary of Defense prescribe and implement uniform standards for collecting and reporting data on Article 132, Retaliation, from the report of an allegation through final disposition, with separate data fields that identify the type of retaliation and differentiate between administrative and criminal complaints.

Finding 12: The small number of investigations and prosecutions of criminal retaliation is inconsistent with concerns about the prevalence of retaliation reported in workplace climate surveys.

RECOMMENDATION 16: Congress amend the law so that a commander's decision as to whether a formal complaint of sexual harassment is "substantiated" does not prevent the Office of Special Trial Counsel from exercising authority over sexual harassment under Article 134.

RECOMMENDATION 17: DoD establish a uniform definition for a "substantiated" complaint of sexual harassment and require the commander to consider the elements of the Article 134 offense of "sexual harassment" when determining whether the complaint must be forwarded to the relevant Office of Special Trial Counsel or can be appropriately handled by the command.

RECOMMENDATION 18: Congress require, and Secretary of Defense immediately direct, the collection of data on allegations of sexual harassment punishable under Article 134 separately from and in addition to the collection of data on sexual harassment not punishable under Article 134. The data collected for both criminal and noncriminal sexual harassment should be uniform and include formal, informal, anonymous, and confidential reports of sexual harassment involving members of the Armed Forces as follows:

- (1) The number of formal reports.
 - (a) Number of formal substantiated reports.
 - (b) Number of formal unsubstantiated reports.
 - (c) Number of other dispositions for formal reports.
 - (d) Number of cases referred to the Offices of Special Trial Counsel.
- (2) The number of informal reports.
 - (a) Number of informal substantiated reports.
 - (b) Number of informal unsubstantiated reports.
 - (c) Number of other dispositions for informal reports.
- (3) The number of anonymous reports.
 - (a) Number of anonymous substantiated reports.
 - (b) Number of anonymous unsubstantiated reports.
 - (c) Number of other dispositions for anonymous reports.

- (4) The number of confidential reports.
- (5) A synopsis of each substantiated report.
- (6) The action taken in the case of each substantiated report, including the type of disciplinary or administrative sanction imposed, if any, such as—
 - (a) conviction and sentence by court-martial;
 - (b) imposition of nonjudicial punishment under section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice); or
 - (c) administrative separation or other type of administrative action imposed.

RECOMMENDATION 19: The Secretary of Defense direct effective coordination and correlation of the reporting, investigation, case evaluation, and prosecution of Article 128b, Domestic violence; Article 132, Retaliation; and Article 134, Sexual harassment.

Finding 13: The reporting, investigation, and disposition of Article 128b, Domestic violence; Article 132, Retaliation; and Article 134, Sexual harassment, require effective collaboration between many entities: commanders, Offices of Special Trial Counsel (OSTCs), staff judge advocates (SJAs), military criminal investigative organizations (MCIOs), military police, civilian law enforcement authorities, victim support organizations, DoD and Service inspectors general (IGs), sexual assault response coordinators (SARCs), victim advocates (VAs), and Military Equal Opportunity (MEO) and Sexual Harassment/Assault Response and Prevention (SHARP) representatives. The complexity of these cases demands an organized and coordinated response, including a sorting system for processing these cases beginning with an allegation through investigation to final action, so that the appropriate law enforcement agency investigates the alleged crime.

Finding 14: The Services do not collect and maintain uniform, comprehensive data on the reporting and processing of Article 128b, Domestic violence; Article 132, Retaliation; and Article 134, Sexual harassment, offenses in a retrievable data system.

Chapter 4, “Sentencing and Post-Trial Processes,” assesses the many new sentencing practices enacted by the Military Justice Act of 2016 (MJA16) and subsequent legislation, all of which have brought military sentencing processes closer to federal sentencing processes.⁹ The MJRP’s review focused on four key aspects of sentencing: the process through which the sentencing judge receives information on which to adjudge a sentence, the scope and method of permissible victim impact statements, the authorities available to the sentencing judge, and the requirement for the judge to explain the reasons for imposing a particular sentence. The MJRP considered the dissimilarities that persist between federal and military sentencing and found that the distinctive practices remaining in military sentencing are appropriate.

Finding 15: The current adversarial presentencing process in the military is preferable to federal presentencing procedures. In the military system, counsel decide what, if any, evidence in aggravation or extenuation and mitigation to present to the military judge. The reasons to maintain the military presentencing process are as follows:

- There is no existing independent structure within DoD or the Services to conduct a presentencing report;
- Many aspects of the federal presentencing report are inapplicable to Service members; and

9 National Defense Authorization Act for Fiscal Year 2017, Pub. L. No. 114-328 [FY17 NDAA], §§ 5001–5542, 130 Stat. 2000 (2016).

- Trial and defense counsel have an extensive amount of information readily available to present to the military judge.

Finding 16: The current military practice of sentencing after findings of guilt without unreasonable delay is preferable to the federal bifurcated sentencing process. Under Rule for Court Martial (R.C.M.) 906(b)(1), the parties already are authorized to request a continuance between the two phases of trial, which military judges may grant within their discretion upon a showing of reasonable cause.

Finding 17: The current military practice of allowing the parties to decide what information, if any, to present to the military judge at sentencing is preferable to mandating information. The parties are best situated to determine the information they want to offer for the military judge's consideration based on the facts and circumstances of individual cases. Counsel should fully develop the record with information in aggravation, extenuation, and mitigation to ensure that a thorough record is available for correctional institutions and for direct and collateral review authorities, including clemency and parole boards and boards of record corrections.

Finding 18: Applying the Military Rules of Evidence to presentencing evidence (subject to relaxation upon defense request) is appropriate because it enhances the reliability of the information considered by the military judge.

Finding 19: Under the MCM amendments effective 2023, victim impact statements remain limited to financial, social, psychological, or medical impacts relating to, or arising from, the offense of which the accused has been found guilty. The MJRP will continue to assess whether this limitation remains warranted now that sentencing is determined by a military judge instead of a panel.

Finding 20: The current authorized punishments available to the military judge are sufficient.

Finding 21: The current requirement in R.C.M. 1002(a)(2)(B) that directs a military judge to provide a written statement of the factual basis for the sentence only when the sentence adjudged falls outside applicable sentencing parameters is sufficient.

RECOMMENDATION 20: Congress require, and the Secretary of Defense direct, military justice data management systems to collect uniform, comprehensive, case-specific sentencing data. At a minimum, the data should include

- (a) The specific offense under a punitive article for each specification for which there was a conviction.
- (b) Comprehensive sentencing data, including the length of confinement and whether multiple sentences to confinement run concurrently or consecutively.
- (c) The applicable sentencing parameter for each offense.
- (d) Comprehensive demographic information for the accused, including but not limited to date of birth, sex, gender identity, sexual orientation, race, ethnicity, education, religious preference, time in service, rank, and pay grade.
- (e) Comprehensive demographic information for victims, including but not limited to date of birth, sex, gender identity, sexual orientation, race, ethnicity, education, religious preference, and, as applicable, time in service, rank, and pay grade.

Prior Recommendations

The MJRP issued memoranda on four topics before submitting this Comprehensive Review to the congressional Committees on Armed Services:

- On January 19, 2023, the MJRP issued *Restitution as an Authorized Portion of a Court–Martial Sentence*. The Panel declined to endorse the IRC’s recommendation that restitution orders be authorized as part of court-martial sentences. The Panel instead suggested study of other ways to compensate victims for limited out-of-pocket expenses incurred as a direct result of a Service member’s crimes.¹⁰
- On April 19, 2023, the MJRP issued *Judicially Issued Military Protective Orders*. The Panel recommended against authorizing these orders as part of the military justice system, and instead recommended additional education on the processes to obtain protective orders in local jurisdictions and the expansion of victims’ counsel’s representation and assistance through the Expanded Legal Assistance Program.¹¹
- On June 21, 2023, the MJRP issued *Interim Assessment of Preliminary Hearings and Prosecution Standards*, concluding that Article 32 hearings are currently of limited utility to the prosecution, defense, and referral authority. On the related issue of the standard by which a convening authority or special trial counsel should refer a case to trial, the Panel recommended adopting a standard for prosecution consistent with the United States Attorney General’s Justice Manual.¹²
- On December 8, 2023, the MJRP issued *Assessment of Article 32, UCMJ, Preliminary Hearings*, recommending that Congress amend Article 32 with a package of reforms that would (1) allow for a reasonable level of discovery at the preliminary hearing while retaining victim protections, (2) require a certification process for the preliminary hearing officer, and (3) preclude referral if the preliminary hearing officer determines that a charge lacks probable cause, subject to a right of appeal to a military judge and without prejudice to the government referring the charge anew.¹³

The MJRP also declined to endorse or adopt the findings of the Department of Defense Legal Services Agency’s *Review of Recent Amendments to the Uniform Code of Military Justice and Sentencing Data Report* (DLSA Report),¹⁴ which was completed at the direction of the DoD Office of General Counsel before the MJRP was established.¹⁵

The DLSA Report addressed two statutory requirements: (1) an assessment of five years of statutory changes to the UCMJ, and (2) an assessment of fiscal year (FY) 2020 court-martial sentencing data from cases applying offense-based sentencing. For the first requirement, the DLSA staff summarized the 2019 and 2020 military justice reports from the Services. For the second requirement, the DLSA staff collected FY20 sentencing data from general and special courts-martial with offense-based sentencing. The DLSA Report was limited by its reliance on sentencing data based on a single year, which occurred during the COVID pandemic, which dramatically affected courts-martial. The DLSA Report noted that although the FY20 data were informative, multiple years of data should be

10 Available at https://mjrj.osd.mil/sites/default/files/20230119_Restitution_Response_MJRP-GC.pdf.

11 Available at https://mjrj.osd.mil/sites/default/files/20230419_MJRP_Judicially-Issued-Mil-Protective-Orders.pdf.

12 Available at https://mjrj.osd.mil/sites/default/files/20230621_MJRP_Interim-Assessment-Prelim-Hearings-Pros-Standards.pdf; see also U.S. DEP’T. OF JUSTICE, JUSTICE MANUAL, § 9-27.000 (Principles of Federal Prosecution), available at <https://www.justice.gov/jm/justice-manual>.

13 Available at https://mjrj.osd.mil/sites/default/files/20231208_Assessment-Article32_MJRP-GC.pdf.

14 Dep’t of Def. Legal Services Agency, *Review of Recent Amendments to the Uniform Code of Military Justice and Sentencing Data Report* (Dec. 2021) [DLSA Report]; available at [https://mjrj.osd.mil/sites/default/files/Recent%20Amendments%20and%20Sentencing%20Report%20\(December%202021%20Final%20w%20App\).pdf](https://mjrj.osd.mil/sites/default/files/Recent%20Amendments%20and%20Sentencing%20Report%20(December%202021%20Final%20w%20App).pdf).

15 10 U.S.C. § 946(f)(1) and (2) (Art. 146, UCMJ).

collected and analyzed to guide the development of sentencing parameters. It also cautioned that a comprehensive review of sentencing would require a comparison of plea agreement and non-plea agreement cases.¹⁶

The Sentencing Parameters and Criteria Board informed the MJRP that the DLSA Report was of limited use in crafting initial sentencing parameters. While Congress required the SPCB to consider the FY20 data, the SPCB reported that it relied primarily on other sources of information when developing initial sentencing parameters. The SPCB noted that the sentencing parameters will continue to evolve as more information is received and as sentencing practice develops in the field.

Conclusion

These Findings and Recommendations reflect the Panel's assessment of a system of military law in the midst of tremendous change. That system, and this assessment, suffers from data collection, management, and analysis so limited that critical questions about justice, accountability, and fairness remain unanswered. The MJRP recognizes the dedication of those who have implemented recent changes and looks forward to the greater transparency and overall improvements that its Recommendations are intended to create. The impacts that many of the changes adopted over the past decade will have on the rights of Service members, as well as victims, will remain important questions to be addressed in future assessments conducted by the MJRP.

¹⁶ DLSA Report, *supra* note 14, at 20.