



The Military Justice Review Panel



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Court of Appeals for the Armed Forces
Continuing Legal Education Program

May 14, 2025





The Military Justice Review Panel



Members

Dr. Elizabeth Hillman, Chair

COL(R) Tara Osborn, Vice-Chair

CAPT(R) Benes Aldana
CAPT(R) Steven Barney
COL(R) Kirsten Brunson
MajGen(R) John Ewers
Col(R) Will Gunn
LTC(R) Bruce Kasold

Maj Gen(R) Robert Kenny
LTC(R) Steven Levin
CAPT(R) James Redford
CAPT(R) Bryan Schroder
Lt Col(R) Jeri Somers



The Military Justice Review Panel



Mission

To provide Congress with independent evaluations of the military justice system and data-driven recommendations that ensure fairness and strengthen national security.



The Military Justice Review Panel



Vision

To serve as the trusted and independent advisor to Congress on the military justice system and how it can best uphold justice and fairness, engender trust, protect the rights of Service members and sustain a disciplined force to strengthen the national security of the United States.



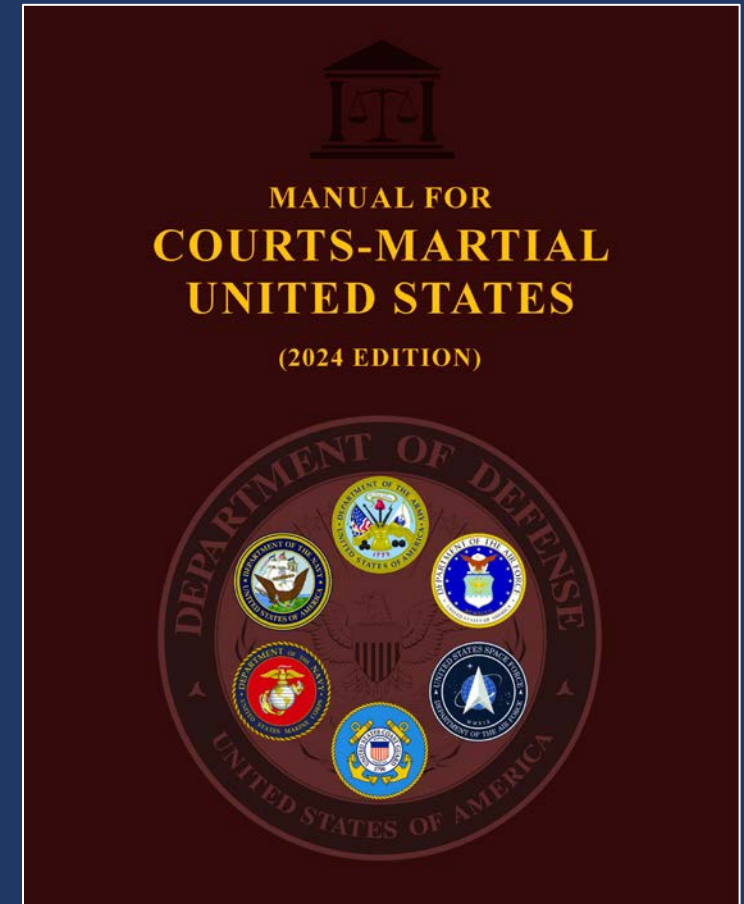
The Military Justice Review Panel



2024 Comprehensive Review of the UCMJ

Methodology

- **MJRP Requests for Information and Data Calls**
- **Interviews with Litigators, Program Managers, and other Stakeholders**
- **Site Visits and Court-Martial Observations**



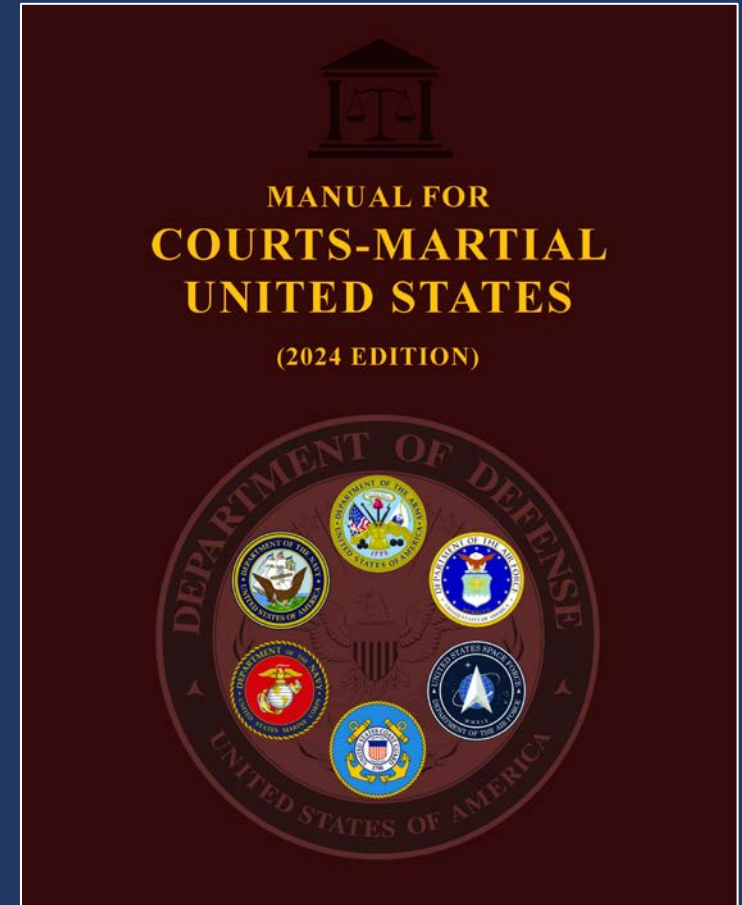


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2024 Comprehensive Review of the UCMJ

- **Structure**
- **Pretrial and Trial Processes**
- **Punitive Articles**
- **Sentencing and Post-Trial Processes**





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2024 Comprehensive Review & Assessment Report

THE MILITARY JUSTICE
REVIEW PANEL

2024 COMPREHENSIVE REVIEW AND
ASSESSMENT OF THE UNIFORM CODE
OF MILITARY JUSTICE



December 2024

20 Recommendations, 21 Findings

- Improve Data Collection and Public Access to Court-Martial Records
- Amend Art 117a, UCMJ “Wrongful broadcast or distribution of intimate visual images”
- Clarify responsibilities for criminal sexual harassment
- Better handling of complaints of domestic violence and retaliation
- **Areas of concern: plea agreements and specified sentences**

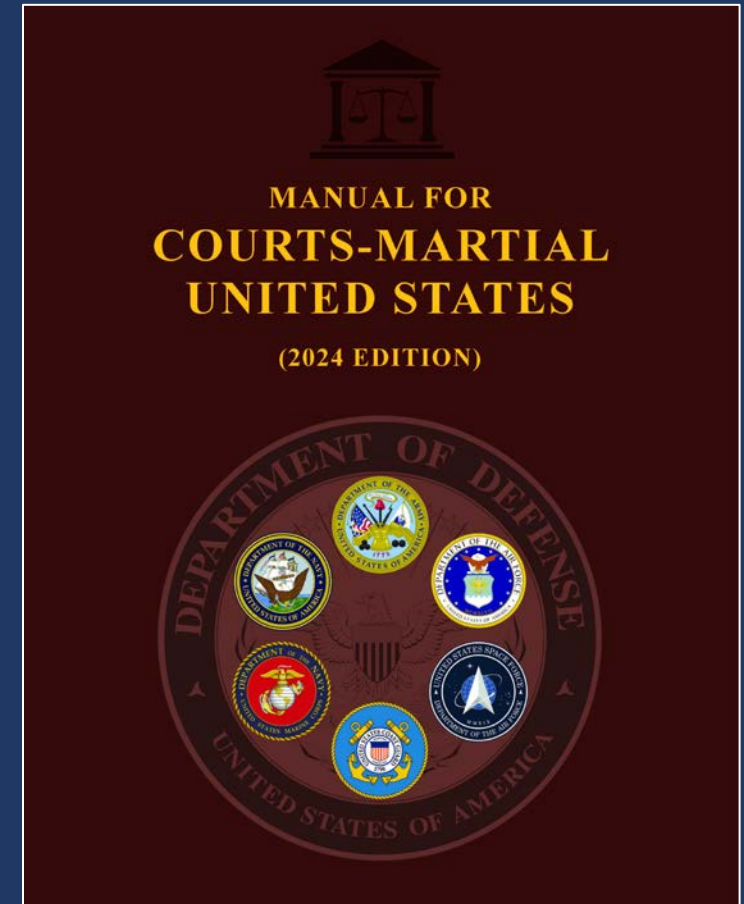


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Special Assessments & Reports

- **Independence of OSTC**
- **Article 32 Preliminary Hearings**
- **Military Protective Orders**
- **Restitution**





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Special Trial Counsel Prosecutorial Independence

THE MILITARY JUSTICE REVIEW PANEL

ENSURING OFFICE OF THE SPECIAL
TRIAL COUNSEL PROSECUTORIAL
INDEPENDENCE



January 2025

Recommendations to Ensure OSTC Independence

- Formalize uniform standards for removal of LSTC to ensure due process
- Amend Article 37 and RCM 104 to ensure the rules prohibiting unlawful command influence account for the new OSTC
- Consider changing the LSTCs' reporting chain



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Assessment of Article 32, UCMJ, Preliminary Hearings

- Issued December 28, 2023
- Recommend Congress amend Article 32 to:
 1. Allow for a reasonable level of discovery while retaining victim protections
 2. Require a certification process for the preliminary hearing officer
 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



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Judicially Issued Military Protective Orders

- Issued April 19, 2023
- Recommend against authorizing judicially issued MPOs as part of the military justice system
- Provide additional education on obtaining protective orders in local jurisdictions
- Explore options for expanding victims' counsel's representation and assistance through the Expanded Legal Assistance Program



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Restitution as an Authorized Portion of a Court-Martial Sentence

- Issued January 19, 2023
- Decline to endorse the recommendation of the 2021 Independent Review Commission on Sexual Assault in the Military (IRC) that restitution orders be authorized as part of court-martial sentences
- Study other ways to compensate victims for limited out-of-pocket expenses incurred as a direct result of a Service member's crimes



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Information & Questions

<https://mjrpd.osd.mil/>



[ABOUT US](#) [MEETINGS](#) [REPORTS](#) [TRANSCRIPTS](#) [REFERENCE MATERIALS](#) [CONTACT](#)

MILITARY JUSTICE REVIEW PANEL

Military Justice Review Panel

Our Mission:

To provide Congress with independent evaluations of the military justice system and data-driven recommendations that ensure fairness and strengthen national security.

Our Vision:

To serve as the trusted and independent advisor to Congress on the military justice system and how it can best uphold justice and fairness, engender trust, protect the rights of service members, and sustain a disciplined force to strengthen the national security of the United States.

About the Panel:

Composed of thirteen military veterans with broad experience in military justice and criminal law, the Military Justice Review Panel (MJRP) is a permanent blue-ribbon panel chartered pursuant to Article 146, Uniform Code of Military Justice (UCMJ). An essential component of the military justice system, the MJRP is the only panel statutorily created by the UCMJ.

The heart of our work is conducting independent assessments of the military justice system. To carry out our statutory duties, Congress has authorized the MJRP to request information from federal agencies, hold hearings, take testimony, and receive evidence.

Our reports, submitted periodically to the Committees on Armed Services of the Senate and the House of Representatives, provide comprehensive findings and recommendations based on our reviews and assessments.

On our website, you'll:

- Learn more about our mission and members;
- Stay informed about our upcoming meetings; and
- Find our reports to Congress about military justice and recent changes to the UCMJ.

MJRP Reports

[MJRP Comprehensive Review and Assessment of the UCMJ](#)

[MJRP Special Report - Ensuring OSTC Prosecutorial Independence](#)