

Response Systems Panel, Comparative Systems Subcommittee
October 21, 2013 Subcommittee (Telephonic) Meeting Minutes

The Response Systems to Adult Sexual Assault Crimes Panel (RSP) is a federal advisory committee within the Department of Defense (DoD) operating pursuant to the National Defense Authorization Act for Fiscal Year 2013, Section 576(a), the Federal Advisory Committee Act of 1972, the Government in Sunshine Act of 1976, and other appropriate federal regulations. The Comparative Systems Subcommittee (CSS) of the RSP held an administrative planning session on October 21, 2013, via teleconference, beginning at 1030 and concluding at 1128.

Participants:

Professor Elizabeth Hillman, Chair (Panel/Committee member)
The Honorable Barbara S. Jones (Panel/Committee member)
BG(R) Malinda Dunn (Panel/Committee member)
Mr. Harvey Bryant (Panel/Committee member)
Mr. Russ Strand (Committee member)
COL Patricia Ham, RSP Staff Director
Ms. Terri Saunders, RSP Deputy Staff Director
LTC Kelly McGovern, Comparative Systems Branch Chief
Mr. Dillon Fishman, RSP Staff
Ms. Janice Chayt, RSP Staff
Ms. Maria Fried, Designated Federal Officer
Mr. William Sprance, Alternate Designated Federal Officer

Professor Hillman opened the preparatory session by thanking everyone for making time to call in and explaining that the purpose of the telephonic meeting was to review upcoming subcommittee meeting agendas, proposed site visits, and discuss other issues as appropriate. Professor Hillman then turned the discussion over to LTC McGovern to cover the subcommittee's plans for November 2013 through January 2014 for guidance and feedback. LTC McGovern noted that, per instructions from the SECDEF, the CSS will need to explore sentencing guidelines and mandatory minimums which will be the subcommittee's focus in February, and she requested suggestions and points of contact from subcommittee members to cover that topic.

LTC McGovern explained that the next RSP meeting, which addresses victim services, will occur on November 7-8, 2013, in the D.C. area. Clarification was made for the group that some overlap naturally exists between the issues being covered by the Victim Services Subcommittee (VSS) and those for the CSS, but every effort is being made to coordinate for different speakers and eliminate duplication. For example, someone from the Sexual Assault Prevention and Response Office (SAPRO) will present information at both of the upcoming public meetings, but they will address different topics.

The first planned CSS site visit is scheduled for November 13-14, 2013, to the Defense Forensic Science Center of Excellence at Fort Gillem, Georgia, and a nearby civilian crime lab in the Atlanta, Georgia area. Ms. Jan Chayt will be the staff member responsible for coordinating the site visit.

Two CSS site visits will occur during the week of the December 2013, RSP public meeting which is tentatively scheduled to take place at the University of Texas in Austin, Texas. Members of the CSS will visit Fort Hood on December 10, 2013 and Joint Base San Antonio (JBSA) on December 13, 2013. Dillon Fishman will be the staff member responsible for coordinating the site visits and RSP meeting.

Professor Hillman asked the subcommittee members to try to attend at least one of the three site visits scheduled for November and December. Mr. Strand said he will attend all three site visits. Mr. Bryant will be available to go to the December 10, 2013, site visit to Ft. Hood. BG(R) Dunn may be available to go to the December 13, 2013, site visit JBSA. Professor Hillman will not be able to attend the November site visit, but may be available for both of the site visits in December to Texas. Judge Jones will check her schedule.

As the members began to review the agenda for the November 19, 2013, CSS meeting, Professor Hillman asked for guidance from Judge Jones, as the Panel chair, and input from the other members, whether the CSS meetings should be open to the public. The members considered the fact DOD and the military Service representatives have asked if they can attend the subcommittee meetings and that other media or interest groups may criticize that the meetings are not open to the public. The members discussed: possible locations which would be reasonably accessible to the public, the logistics involved, to requirement to submit the Federal Register notice to DoD 21 days in advance of the meeting, to ensure the notice would be approved and submitted within the 14 day requirement for the Federal Registrar, and whether there would be a justifiable distinction between those meetings that are open to the public and others which may not be open to the public, such as those involving victims. The members also discussed that the purpose of the subcommittee is to permit the group to operate more expeditiously, in a streamlined manner, to gather information for the panel, and with the recent government shutdown, subcommittee's work has already been delayed. Based on all of the considerations raised, the suggestion to make the subcommittee meetings open to the public was withdrawn. The subcommittee meetings, however, will be transcribed by a court reporter. The transcripts, materials presented for members' consideration, and meeting minutes will all be made available to the public on the website to ensure transparency.

LTC McGovern resumed covering the agenda items by reviewing the plans for the December RSP public meeting and January CSS meeting, tentatively scheduled for January 14, 2013. LTC McGovern noted that the date may change to ensure all of the RSP subcommittees can meet prior

to the expiration of the current continuing resolution which could affect funding. LTC McGovern also pointed out that there will be one more site visit to Washington at the end of January to visit Joint Base Lewis McCord and a nearby civilian facility, Dawson Place, in Everett, Washington.

LTC McGovern noted that Professor Hillman suggested that there might be value to include discussions with Staff Judge Advocates or legal points of contact in high visibility cases and the Public Affairs Office regarding release of information to the public during cases being investigated and prosecuted by the military.

Judge Jones requested that an expedited transcript be prepared for future meetings. COL Ham noted that the contract allows the company ten days to complete the transcripts. Judge Jones requested that the company be consulted to try to provide the transcripts more quickly if possible.

In sum, the proposed agendas for planned meetings for November 2013 – January 2014 for CSS were reviewed, including suggested presenters and topics. Prof. Hillman advised that she will appoint other members of the CSS to chair meetings that she will be unable to attend. Members of the CSS were asked to provide any guidance, comments, or concerns to facilitate planning meetings and site visits. Prof. Hillman thanked the group for their time and support in this important endeavor.

The CSS meeting ended at approximately 1128.

I hereby certify, to the best of my knowledge, the foregoing minutes are accurate and complete.



Elizabeth Hillman
Chairperson for the Comparative Systems Subcommittee,
Response Systems to Adult Sexual Assault Crimes Panel

