

CAPE RFI Response:

1. Current requirements/authorizations/inventory for JAs by Grade:

COL: 155 on hand; 137 authorized
LTC: 253 on hand; 278 authorized
MAJ: 487 on hand; 614 authorized
CPT: 1105 on hand; 807 authorized

Total uniformed strength: 2000 on hand; 1836 authorized. We are 109% strength.

The Army Judge Advocate General Corps currently has 155 Colonels. Of the 155 Colonels: 95 Colonels would not be eligible to serve as a new disposition authority as they are currently serving as Staff Judge Advocates, military judges, criminal appellate attorneys, or in defense counsel supervisory positions. Of the remaining 57 Colonels, 11 Colonels are in military professional education schools, 10 Colonels work in DoD positions, and the remaining 39 Colonels are assigned to non-criminal law positions. Not all of these Colonels have significant trial experience.

On 1 August 2013, The Judge Advocate General requested authority to conduct a Selective Early Retirement Board (SERB) for a portion of the Active Component Judge Advocate Colonels. The SERB is a necessary step to drawdown to a 490,000 active component Army end strength. The details of the SERB, which will affect retirement eligible officers with at least four years time in grade with dates of rank between 9 December 2006 and 1 April 2010, are pending.

2. Total caseload considered for disposition in a year:

FY12 Total felony unique offenses (violent and non-violent): 31295

FY12 Total felony unique offenders (violent and non-violent): 17393

Qualifying offenses under S. 967 (revised to exclude 92/134):

FY12 Total S. 967 felony unique offenses (violent and non-violent): 11688
(37%)

FY12 Total S. 967 felony unique offenders (violent and non-violent): 8908
(51%)

3. Current inventory of GCM Convening Authorities (GCMCAs): 74 total. 40 with a GCM caseload of 5 cases per year or more.

4. Current requirements/authorizations for GCMCAs: All 4 and 3 star commands are authorized an 0-6 SJA. Generally, division commands (2 star) are also authorized an 0-6 SJA. A 1 star command is authorized an 0-5 SJA.

5. Current caseload of those GCMCAs; chart attached. The average caseload for GCMCAs with 5 or more cases a year is 17 cases a year with a high end of 57.

6. Number of cases that involve non-exempt (as outlined in the legislation) offenses; Of the 704 GCMs in FY12, 536 (76%) involved non-exempt offenses that would go to the new 0-6 disposition authority under S. 967. The Army also prosecuted 489 SPCM in FY12. We do not have readily accessible data on how many of those SPCM would be affected by S. 967.

7. Number of staff judge advocates (SJAs) required to staff the new GCMCAs; We are currently developing an implementation plan, but estimate that we would need approximately 50 offices staffed to provide the appropriate skilled analysis of each allegation. Typically, these offices would require 0-6 disposition authority/0-5 deputy with significant mj experience, 0-4 chief of justice, 2 0-3 Action Officers, two NCO paralegals and one legal administrator.

8. Some information about the costs of setting up this new office. Fifty offices staffed with (1) 06, (1) 05, (1) 04 (2) 03, (2) E5/6 and (1) CW2 with administrative costs and travel expenses.