

Racial Disparity in Military Justice

Findings of Substantial and Persistent Racial Disparities
Within the United States Military Justice System

APPENDIX D



APPENDIX D

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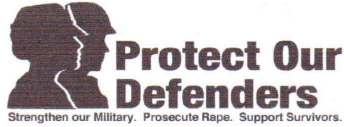
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Protect Our Defenders Requests Under the Freedom of Information Act

FOIA Requests



March 7, 2016

TO:
SAF/AAIL (FOIA)
1000 Air Force Pentagon
Washington, DC 20330-1000

FROM:
Name: Miranda Petersen
Mailing Address: 110 Maryland Ave NE, Suite 505, Washington, D.C. 20002
Email: mpetersen@protectourdefenders.com
Phone: 202-733-5195

To Whom It May Concern,

This is a request under the Freedom of Information Act (FOIA). I am requesting rates per thousand by race and rank of the subject (defendant) for all General Courts-Martial, Special Courts-Martial, Summary Courts-Martial, and Article 15 non-judicial punishment (NJP) for each year over the past 10 years. "Rates per thousand" refers to the number of individuals of a certain race or rank who are court-martialed or face an NJP out of the total number of service members of that race or rank currently serving. This information is typically tracked by the office of the TJAG.

I am willing to pay up to \$200, but I request a fee waiver because disclosure of this information is in the public interest. The data is critical to understanding the impact of the military justice system on minority service members and to inform the ongoing assessment of the military justice system and current reform measures. Protect Our Defenders, the nonprofit organization where I am the Program and Policy Director, is a human rights organization dedicated to ensuring the military justice system protects service members (male and female) who are sexually assaulted while serving. This information is needed for us to better serve this population and educate the public and lawmakers about this issue.

Because of the urgency of this issue to service members and the public, this is an expedited request.

Very respectfully,

A handwritten signature in blue ink, appearing to read "Miranda Petersen".

Miranda Petersen

FOIA Requests



March 7, 2016

TO:
Headquarters, U.S. Marine Corps
FOIA/PA Section (ARSF)
3000 Marine Corps Pentagon
Washington, DC 20350-3000

FROM:
Name: Miranda Petersen
Mailing Address: 110 Maryland Ave NE, Suite 505, Washington, D.C. 20002
Email: mpetersen@protectourdefenders.com
Phone: 202-733-5195

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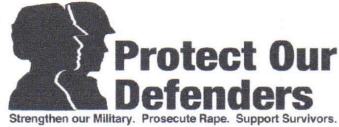
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FOIA Requests



March 7, 2016

TO:
Chief of Naval Operations (DNS-36)
2000 Navy Pentagon
Washington, DC 20350-2000

FROM:
Name: Miranda Petersen
Mailing Address: 110 Maryland Ave NE, Suite 505, Washington, D.C. 20002
Email: mpetersen@protectourdefenders.com
Phone: 202-733-5195

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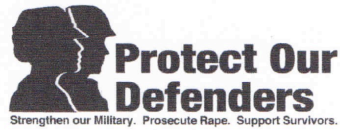
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FOIA Requests



March 7, 2016

TO:
Freedom of Information Act Office Suite 144
7701 Telegraph Road, Room 150
Alexandria, VA 22315-3905

FROM:
Name: Miranda Petersen
Mailing Address: 110 Maryland Ave NE, Suite 505, Washington, D.C. 20002
Email: mpetersen@protectourdefenders.com
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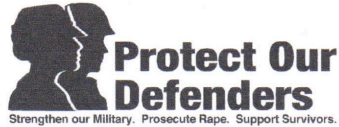
Because of the urgency of this issue to service members and the public, this is an expedited request.

Very respectfully,

A handwritten signature in blue ink, appearing to read "Miranda Petersen", is written over a light blue horizontal line.

Miranda Petersen

FOIA Requests



March 7, 2016

TO:
Commandant (CG-611)
ATTN: FOIA Coordinator
US Coast Guard Stop 7710
2703 Martin Luther King Jr. Ave. SE
Washington, DC 20593-7710

FROM:
Name: Miranda Petersen
Mailing Address: 110 Maryland Ave NE, Suite 505, Washington, D.C. 20002
Email: mpetersen@protectourdefenders.com
Phone: 202-733-5195

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Miranda Petersen

Department of the Air Force FOIA Response

Department of the Air Force FOIA Response



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE LEGAL OPERATIONS AGENCY

April 14, 2016

Colonel Julie J.R. Huygen
Chief, Military Justice Division
Air Force Legal Operations Agency
1500 W Perimeter Rd Ste 1130
JB Andrews MD 20762

Ms. Miranda Petersen
110 Maryland Ave NE Ste 505
Washington DC 20002

Dear Ms. Petersen

This letter responds to your Freedom of Information Act (FOIA) request concerning information on rates per thousand for courts-martial and nonjudicial punishment. Attached you will find the requested information for the years ranging from 2006 through 2015.

If you interpret this response as an adverse action, you may appeal by writing to the Secretary of the Air Force within 60 calendar days from the date of this letter. Address your appeal as follows:

Secretary of the Air Force
Through: SAF/AAL (FOIA)
1000 Air Force Pentagon
Washington DC 20330-1000

If you have any questions or require additional information concerning the request, please contact us at the above address or call (240) 612-4820.

Sincerely

A handwritten signature in black ink, appearing to read "Julie J. Huygen", is written over a light blue horizontal line.

JULIE J.R. HUYGEN, Colonel, USAF

Attachment:
Court-Martial and Nonjudicial Punishment Rates Per Thousand (2006-2015)

USAF RPT Data

<http://www.protectourdefenders.com/wp-content/uploads/2017/05/2.-USAF-RPT-Data.pdf>

Corrected USAF RPT Data¹

<http://protectourdefenders.com/wp-content/uploads/2017/05/3.-USAFRPT-CORRECTED.pdf>

¹ There were discrepancies in the data the Department of the Air Force originally sent, so Protect Our Defenders followed up with the Department of the Air Force regarding these discrepancies. As a result, “Corrected USAF RPT Data” is the corrected version of the original data.

Department of the Marine Corps FOIA Response

Department of the Marine Corps FOIA Response



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3000 MARINE CORPS PENTAGON
WASHINGTON, DC 20350-3000

5720
ARSF-JH
MAY 06 2016

SENT VIA FOIA ONLINE TO: MPETERSEN@PROTECTOURDEFENDERS.COM
MS MIRANDA PETERSEN
110 MARYLAND AVE SUITE 505
WASHINGTON DC 20002

Dear Ms. Petersen:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT (FOIA) REQUEST, FILE
NUMBER DON-USMC-2016-004671

This is our final response to your March 7, 2016, FOIA request for information about the race and rank of Marines who have been taken to courts-martial or non-judicial punishment (NJP) over the past 10 years. We received your request on March 18th and controlled it under file number **DON-USMC-2016-004671**. This also follows up our letter to you of April 13th, in which we invoked the 10-day extension of time permitted by 5 U.S.C. § 552(a)(6)(B)(iii), and our letter of April 29th advising you that we had identified responsive information and determined that it was releasable.

As indicated in our most recent correspondence, we initiated searches of the records maintained by our Manpower & Reserve Affairs Division (M&RA) and the Judge Advocate Division (JAD). Those searches located the data you requested, and we have enclosed a copy of the results. In an effort to assist you, JAD personnel also calculated the 'rates per thousand' statistics that you requested, and those are included on the spreadsheets. Please be advised that the information enclosed does **not** include courts-martial or NJPs that resulted in a finding of 'not guilty'. That data is not tracked in our databases so any such outcomes are not included in the final analysis.

If you consider this to be an adverse determination, you may submit an appeal to the Judge Advocate General (Code 14), 1322 Patterson Avenue SE, Suite 3000, Washington Navy Yard, DC 20374-5066. Your appeal, if any, must be postmarked within 60 calendar days from the date of this letter and should include a copy of your initial request, a copy of this letter, and a statement indicating why you believe your appeal should be granted.

We have categorized you as an "other requester" for the purpose of assessing FOIA processing fees. As such, you are entitled to two hours of search time and 100 pages of duplication free of charge but are responsible for the payment of any fees beyond that. In this instance, the applicable fees did not exceed your free entitlement so there is no charge for processing this request.

Department of the Marine Corps FOIA Response



5720
ARSF-JH
MAY 06 2016

I am the official responsible for this determination. If you have questions concerning this action, please contact Mr. Jason Hadnot of my staff at (703) 614-4008, or via email to hqmcfoia@usmc.mil or fax at (703) 614-6287.

Sincerely,

A handwritten signature in black ink that reads "S. A. Hughes". The signature is written in a cursive style.

S. A. HUGHES
Head, FOIA/PA Section

Enclosures

USMC RPT Data

<http://www.protectourdefenders.com/wp-content/uploads/2017/05/2.-USMC-RPT-Data.pdf>

Corrected USMC RPT Data²

FY06:

<http://www.protectourdefenders.com/wp-content/uploads/2017/05/FY06-FY-06.pdf>

FY07:

<http://www.protectourdefenders.com/wp-content/uploads/2017/05/FY06-FY-07.pdf>

FY08:

<http://www.protectourdefenders.com/wp-content/uploads/2017/05/FY06-FY-08.pdf>

FY09:

<http://www.protectourdefenders.com/wp-content/uploads/2017/05/FY06-FY-09.pdf>

FY10:

<http://www.protectourdefenders.com/wp-content/uploads/2017/05/FY06-FY-10.pdf>

FY11:

<http://www.protectourdefenders.com/wp-content/uploads/2017/05/FY06-FY-11.pdf>

² There were discrepancies in the data the Department of the Marine Corps originally sent, so Protect Our Defenders followed up with the Department of the Marine Corps regarding these discrepancies. As a result, “Corrected USMC RPT Data” is the corrected version of the original data.

FY12:

<http://www.protectourdefenders.com/wp-content/uploads/2017/05/FY06-FY-12.pdf>

FY13:

<http://www.protectourdefenders.com/wp-content/uploads/2017/05/FY06-FY-13.pdf>

FY14:

<http://www.protectourdefenders.com/wp-content/uploads/2017/05/FY06-FY-14.pdf>

FY15:

<http://www.protectourdefenders.com/wp-content/uploads/2017/05/FY06-FY-15.pdf>

Department of the Marine Corps FOIA Response



RANK	(Multiple Items)					
Sum of COUNT	Column Labels					
Row Labels	BLACK	HISPANIC	WHITE	OTHER/UNKNOWN	Grand Total	
2006	19219	22334	120602	18262	180417	
E1	1045	998	9856	2003	13902	
E2	1453	1863	14530	2577	20423	
E3	3107	4962	28228	4665	40962	
E4	2832	4838	21835	3809	33314	
E5	3804	4600	15133	2143	25680	
E6	2594	2381	7997	1049	14021	
E7	1695	1046	4797	580	8118	
E8	945	355	1956	211	3467	
E9	480	142	812	71	1505	
W1	32	23	128	12	195	
W2	124	84	543	54	805	
W3	89	42	374	26	531	
W4	37	20	201	13	271	
W5	10	2	65	4	81	
O1	121	177	2163	180	2641	
O2	122	180	2500	199	3001	
O3	405	384	4181	388	5358	
O4	218	167	2977	184	3546	
O5	77	57	1605	75	1814	
O6	25	11	644	19	699	
O7-O10	4	2	77		83	
2007	19469	22317	128475	16273	186534	
E1	1421	1230	12312	861	15824	
E2	1719	1853	15991	1452	21015	
E3	2744	4401	27723	4059	38927	
E4	3018	4839	24144	4080	36081	
E5	3772	4718	16638	2546	27674	
E6	2521	2382	8010	1109	14022	
E7	1628	1142	4732	576	8078	
E8	936	406	2048	228	3618	
E9	471	143	870	81	1565	
W1	24	26	162	20	232	
W2	119	90	497	52	758	
W3	81	41	392	26	540	
W4	45	22	189	16	272	
W5	11	3	69	4	87	
O1	122	178	2469	240	3009	
O2	113	194	2438	197	2942	
O3	373	394	4428	411	5606	
O4	245	179	3006	209	3639	
O5	79	59	1636	84	1858	
O6	22	14	645	22	703	

Department of the Marine Corps FOIA Response



O7-O10	5	3	76		84
2008	20497	23351	138979	15747	198574
E1	1510	1007	13416	842	16775
E2	2301	2231	18480	1385	24397
E3	3310	4830	31660	3549	43349
E4	2914	4768	24946	3697	36325
E5	3579	4667	17509	2762	28517
E6	2651	2744	8648	1164	15207
E7	1572	1243	4822	597	8234
E8	932	452	2279	265	3928
E9	490	147	881	90	1608
W1	25	28	144	15	212
W2	120	93	530	56	799
W3	71	44	390	33	538
W4	46	25	188	12	271
W5	11	3	74	3	91
O1	115	181	2672	334	3302
O2	125	191	2352	186	2854
O3	334	409	4635	411	5789
O4	275	212	3005	232	3724
O5	88	57	1633	91	1869
O6	22	16	635	23	696
O7-O10	6	3	80		89
2009	20955	24013	142744	15118	202830
E1	1214	787	9456	728	12185
E2	2113	1984	17894	1289	23280
E3	4142	5545	36829	3277	49793
E4	3210	4795	26055	3279	37339
E5	3454	4706	18516	2834	29510
E6	2629	2847	9040	1262	15778
E7	1606	1459	5132	673	8870
E8	894	448	2208	265	3815
E9	454	149	899	89	1591
W1	23	34	189	9	255
W2	117	97	536	63	813
W3	63	51	387	31	532
W4	42	21	192	13	268
W5	16	5	73	2	96
O1	122	176	2667	313	3278
O2	129	190	2558	211	3088
O3	310	402	4788	419	5919
O4	298	234	2995	247	3774
O5	89	66	1628	91	1874
O6	23	15	627	22	687
O7-O10	7	2	75	1	85
2010	20790	24026	142994	14657	202467
E1	1093	1139	8731	713	11676

Department of the Marine Corps FOIA Response



E2	1739	1446	14406	1054	18645
E3	4585	5637	40101	3228	53551
E4	3376	4660	26010	2730	36776
E5	3309	4650	18712	2754	29425
E6	2582	2911	9529	1389	16411
E7	1573	1561	5232	691	9057
E8	877	512	2320	297	4006
E9	438	153	910	90	1591
W1	25	39	154	19	237
W2	96	109	576	62	843
W3	74	59	381	28	542
W4	45	20	210	10	285
W5	17	7	68	7	99
O1	107	165	2297	494	3063
O2	129	210	2985	295	3619
O3	299	422	5022	429	6172
O4	309	245	2994	259	3807
O5	91	64	1648	81	1884
O6	21	14	626	26	687
O7-O10	5	3	82	1	91
2011	20423	25079	141147	14545	201194
E1	1212	1794	9162	696	12864
E2	1788	2654	14473	1446	20361
E3	4027	4528	35445	2866	46866
E4	3533	4602	26752	2526	37413
E5	3314	4666	19397	2676	30053
E6	2528	3049	9905	1437	16919
E7	1543	1643	5333	728	9247
E8	837	563	2326	301	4027
E9	424	159	920	98	1601
W1	27	36	166	29	258
W2	102	123	596	67	888
W3	70	62	380	33	545
W4	38	20	208	16	282
W5	16	9	72	6	103
O1	98	156	2092	440	2786
O2	136	225	3152	328	3841
O3	289	433	5328	466	6516
O4	318	258	3074	271	3921
O5	94	77	1660	90	1921
O6	23	19	628	24	694
O7-O10	6	3	78	1	88
2012	19977	25561	138063	14606	198207
E1	1299	1946	9240	868	13353
E2	1982	2803	14275	1322	20382
E3	3947	5618	35504	3225	48294
E4	3320	3948	25241	2381	34890

Department of the Marine Corps FOIA Response



E5	3143	4363	18523	2470	28499
E6	2377	3010	9547	1409	16343
E7	1519	1673	5183	713	9088
E8	788	596	2250	323	3957
E9	411	164	934	109	1618
W1	24	31	127	19	201
W2	103	125	612	79	919
W3	70	70	399	39	578
W4	38	25	214	17	294
W5	15	6	73	6	100
O1	113	171	1994	233	2511
O2	121	210	2857	469	3657
O3	289	434	5674	514	6911
O4	288	266	3067	289	3910
O5	102	83	1641	98	1924
O6	22	15	629	21	687
O7-O10	6	4	79	2	91
2013	20026	27599	134087	14955	196667
E1	1230	2230	8186	860	12506
E2	2327	3716	15027	1682	22752
E3	4218	6531	33801	3256	47806
E4	3235	4182	24816	2480	34713
E5	3142	4182	18227	2392	27943
E6	2134	2770	8890	1359	15153
E7	1464	1660	4983	708	8815
E8	743	669	2289	329	4030
E9	391	178	966	117	1652
W1	12	30	109	16	167
W2	106	125	588	88	907
W3	69	73	414	40	596
W4	31	29	213	18	291
W5	15	5	70	7	97
O1	100	195	1696	205	2196
O2	117	201	2776	437	3531
O3	288	446	5752	548	7034
O4	261	271	3010	283	3825
O5	109	87	1584	105	1885
O6	29	16	616	24	685
O7-O10	5	3	74	1	83
2014	19386	28549	125770	14525	188230
E1	980	1886	6428	625	9919
E2	2023	3482	11778	1386	18669
E3	4126	6977	30046	3134	44283
E4	3690	5623	26588	2862	38763
E5	3068	3937	17998	2238	27241
E6	1983	2663	8672	1342	14660
E7	1346	1606	4657	697	8306

Department of the Marine Corps FOIA Response



E8	690	688	2203	318	3899
E9	362	185	899	118	1564
W1	27	31	168	29	255
W2	90	123	542	83	838
W3	62	75	429	50	616
W4	37	35	199	18	289
W5	13	5	77	9	104
O1	80	164	1430	206	1880
O2	152	231	2898	328	3609
O3	269	452	5385	653	6759
O4	225	272	3089	289	3875
O5	126	92	1593	114	1925
O6	32	18	618	25	693
O7-O10	5	4	73	1	83
2015	18948	29704	120342	14714	183708
E1	1050	2149	7108	775	11082
E2	2194	3848	12365	1356	19763
E3	4013	7352	27330	3078	41773
E4	3668	6044	24608	2871	37191
E5	3064	3963	17507	2261	26795
E6	1641	2346	7975	1277	13239
E7	1210	1558	4387	722	7877
E8	669	710	2079	322	3780
E9	342	192	874	133	1541
W1	19	37	123	9	188
W2	85	126	570	99	880
W3	65	83	413	55	616
W4	34	30	193	25	282
W5	12	7	78	8	105
O1	113	187	1591	293	2184
O2	155	248	2713	339	3455
O3	239	430	5163	657	6489
O4	206	278	3032	293	3809
O5	129	94	1564	113	1900
O6	34	18	598	27	677
O7-O10	6	4	71	1	82
Grand Total	199690	252533	1333203	153402	1938828

Department of the Navy FOIA Response

Department of the Navy FOIA Response



DEPARTMENT OF THE NAVY
OFFICE OF THE JUDGE ADVOCATE GENERAL
CRIMINAL LAW DIVISION (CODE 20)
1254 CHARLES MORRIS STREET SE SUITE B01
WASHINGTON, DC 20374-5124

IN REPLY REFER TO:
5720
Ser 20/699
JUN 7 2016

Ms. Miranda Petersen
Protect our Defenders
110 Maryland Ave. NE, Suite 505
Washington, DC 20002

Dear Ms. Petersen:

This letter is in response to your Freedom of Information Act request of March 21, 2016, in which you requested information pertaining to the race and rank of personnel who went to court-martial or received non-judicial punishment. Your request was received on April 1, 2016, and assigned JAG file number DON-NAVY-2016-004672.

Your request has been processed in accordance with the Freedom of Information Act (5 U.S.C. § 552), Privacy Act (5 U.S.C. § 552a), Part 701 of Title 32 of the Code of Federal Regulations, the Department of the Navy Freedom of Information Act Program (SECNAVINST 5720.42F), and the Department of the Navy Privacy Act Program (SECNAVINST 5211.5E).

Your request sought "rates per thousand data" for disciplinary actions under the Uniform Code of Military Justice (UCMJ). Please note that neither the Office of the Judge Advocate General nor any other entity within the Navy tracks that information. However, a review of available systems revealed potentially responsive information. Enclosed, please find an unredacted copy of a spreadsheet reflecting all courts-martial race and rank data retrieved from our Case Management System (CMS) from fiscal year 2014 to April 19, 2016. The data covers U.S. Navy and Marine Corps cases, but is limited to those cases handled by a Navy Region Legal Service Office Trial Department. This data also includes any court-martial case that resulted in an alternative disposition. Please note CMS is the only Navy system that captures race data in relationship to disciplinary actions. Also, please be advised that CMS did not track race prior to fiscal year 2014, so data for prior years is not available.

The courts-martial data lists two categories that require explanation. For CMS purposes, race data is retrieved from available sources, including personnel files. The race category "other" is defined in MILPERSMAN, Chapter 19, as a person whose choice of an ethnic group is not listed and who chooses not to be associated with any other ethnic groups. Also, within CMS, the race category "unknown" could reflect the category is unknown within personnel files, as further discussed below, or it could reflect that race data was unknown to the individuals entering the data at the time. Unfortunately, no further delineation is available at this time.

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With regard to race and rank for non-judicial punishment actions, the Navy's tracking of non-judicial punishment actions is contained in our Quarterly Criminal Activity, Disciplinary Infractions and Courts-Martial Report. These reports do not document race; they simply track the number of actions. That data is reported in our annual Code Committee reports, which may be found at: http://www.armfor.uscourts.gov/newcaaf/ann_reports.htm.

Also attached is a spreadsheet reporting race and rank data for the Navy, retrieved by Navy Personnel Command, as May 18, 2016. For official Navy demographics information, the most recent report is available at: <http://www.navy.mil/docs/NavyDemographics-31Mar15-ActiveDutyOnly.pdf>. Within the spreadsheet, you will note two race categories that bear explanation. The spreadsheet provides data for a race category described as "other." For personnel purposes, the category "other" indicates the individual identified more than one race. The spreadsheet also includes a category of individuals who chose not to identify their race, and were therefore not counted in the category totals.

Although the Navy does not maintain "rates per thousand" data, the table below provides information related to dispositions broken down by race. The racial data is as contained within CMS and the disposition numbers are the numbers of UCMJ actions tantamount to a finding of guilty, including the imposition of NJP, and a finding of guilty at summary, special or general courts-martial contained within CMS.

Race	FY14	FY15	FY16	Total Force Data as of May 18, 2016
Asian	17	14	2	17,501
Black	68	64	28	56,337
Caucasian	182	196	85	199,399
Hispanic	34	31	8	Tracked as ethnicity
Native American	3	1	1	8,867
Other	126	141	78	27,712
Unknown	2	9	7	11,158

If you believe that an adequate search was not conducted, you may consider this an adverse determination of your request that may be appealed to the Department of the Navy, Office of the Judge Advocate General (Code 14), 1322 Patterson Avenue SE, Suite 3000, Washington Navy Yard, DC 20374-5066. If you wish to appeal, please include a copy of your original request, a copy of this letter, your supporting rationale on why the appeal should be granted, and any other information you would like considered in adjudicating your appeal. The appeal must be postmarked no later than 60 calendar days from the date on this letter. Both the appeal letter and the envelope should

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bear the notation, "Freedom of Information Act Appeal."

If you have any questions, please do not hesitate to contact Mr. Thomas Gauzer at (202) 685-6965 or via email at foiamiljus@navy.mil.

Sincerely,

A handwritten signature in blue ink that reads "W. A. Record".

W. A. RECORD
CAPT, JAGC, USN
Director

Enclosure

USN Disposed Cases

Summary by Pay Grade and Race:

<http://protectourdefenders.com/wp-content/uploads/2017/05/Summary-Pay-and-Race.pdf>

Disposition Information:

<http://www.protectourdefenders.com/wp-content/uploads/2017/05/2-Disposition-information.pdf>

USN Race and Rank Totals

Officer:

<http://www.protectourdefenders.com/wp-content/uploads/2017/05/3-Officer.pdf>

Enlisted:

<http://www.protectourdefenders.com/wp-content/uploads/2017/05/3-Enlisted.pdf>

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Active Duty Navy Demographics by the Numbers

Data as of 31 March 2015

Enlisted										
Rank	Gender	American Indian / Alaska Native	Asian	Black	Native Hawaiian / Other Pacific Islander	White	Decline to Respond	Multiple Race Codes	Total	Hispanic
E1	Male	118	299	1717	78	4784	316	610	7922	1261
	Female	45	87	751	27	1293	90	217	2510	477
E2	Male	159	452	2280	107	6793	398	977	11166	1812
	Female	68	110	826	33	1755	108	351	3251	638
E3	Male	903	2043	7802	439	24411	1263	5119	41980	6355
	Female	309	560	3287	143	6157	379	1705	12540	2350
E4	Male	1577	1844	6080	514	23522	725	6287	40549	6833
	Female	400	492	2570	152	4930	219	1796	10559	2020
E5	Male	2748	2815	8681	875	29281	830	6345	51575	9871
	Female	497	598	3001	187	4560	219	1468	10530	2353
E6	Male	1699	2770	6705	413	24854	1778	1538	39757	6263
	Female	244	404	1998	84	2681	304	233	5948	1052
E7	Male	490	1403	3147	136	11993	785	447	18401	2363
	Female	53	180	890	18	1056	143	55	2395	368
E8	Male	97	442	927	26	3923	173	101	5689	624
	Female	11	25	148	2	243	20	11	460	59
E9	Male	22	143	360	10	1726	50	28	2339	184
	Female	1	11	50	1	94	5	1	163	23
Warrant Officers										
Rank	Gender	American Indian / Alaska Native	Asian	Black	Native Hawaiian / Other Pacific Islander	White	Decline to Respond	Multiple Race Codes	Total	Hispanic
W2	Male	12	40	104	1	311	23	11	502	63
	Female	0	0	23	1	19	0	1	44	2
W3	Male	9	25	161	5	380	18	15	613	56
	Female	0	0	13	0	14	1	0	28	5
W4	Male	7	25	89	1	251	15	2	390	34
	Female	0	0	15	1	9	0	0	25	1
W5	Male	1	4	7	1	54	2	0	69	4
	Female	0	0	3	0	3	0	0	6	1
Commissioned Officers										
Rank	Gender	American Indian / Alaska Native	Asian	Black	Native Hawaiian / Other Pacific Islander	White	Decline to Respond	Multiple Race Codes	Total	Hispanic
O1	Male	40	252	375	30	4235	166	301	5399	489
	Female	13	85	149	11	957	147	81	1443	163
O2	Male	41	199	250	25	3897	147	221	4780	376
	Female	12	57	124	15	946	59	92	1305	112
O3	Male	144	679	1031	66	12163	534	438	15055	1098
	Female	25	228	389	20	2525	129	152	3468	281
O4	Male	56	405	650	29	7087	331	177	8735	555
	Female	15	96	215	12	1132	74	50	1594	119
O5	Male	27	211	353	18	5003	236	66	5914	374
	Female	4	48	107	5	571	33	18	786	46
O6	Male	9	72	131	7	2460	81	30	2790	109
	Female	2	20	33	0	310	11	5	381	17
O7	Male	0	1	3	0	92	1	3	100	2
	Female	0	1	1	0	6	0	0	8	0
O8	Male	0	4	5	0	51	0	0	60	2
	Female	0	1	0	0	6	0	0	7	1
O9	Male	0	0	1	0	28	0	0	29	0
	Female	0	0	0	0	4	0	0	4	0
O10	Male	0	1	1	0	8	0	0	10	0
	Female	0	0	1	0	0	0	0	1	0

Note: USN Data includes Hispanic as an ethnicity. Members selecting Hispanic are also counted in their chosen racial group.

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DEPARTMENT OF THE ARMY
Office of the Judge Advocate General
Criminal Law Division
2200 Army Pentagon
Washington, D.C. 20310-2200

December 20, 2016

Criminal Law Division

Ms. Miranda Petersen
Protect Our Defenders
110 Maryland Avenue NE, Suite 505
Washington, D.C. 20002

Dear Ms. Petersen:

This letter responds to your FOIA Request seeking rates per thousand data related to Uniform Code of Military Justice actions, FOIA number FA16-1757.

Data relating to rates per thousand by race/ethnic groups for combined general and special courts-martial is enclosed.

This office has no responsive records relating to your request for data concerning rank, trials by summary court-martial or non-judicial punishment.

The determination that there are, in part, no records responsive to your request is made on behalf of Lieutenant General Flora D. Darpino, The Judge Advocate General. Should you view this as an adverse determination, you may appeal this determination within sixty days of this letter to the Secretary of the Army, ATTN: Office of the General Counsel, Room 3C546, 104 Army Pentagon, Washington, D.C. 20310-0104.

Sincerely,

A handwritten signature in black ink that reads "Walter M. Hudson".

Walter M. Hudson
COL, JA
Chief, Criminal Law Division

USA RPT Data

<http://www.protectourdefenders.com/wp-content/uploads/2017/05/USA-RPT-Data.png>

Department of the Coast Guard FOIA Response

Department of the Coast Guard FOIA Response



Commandant
United States Coast Guard

2703 Martin Luther King, Jr. Ave. SE
Washington, DC 20593-7213
Staff Symbol: CG-LMJ
Phone: (202) 372-3734
Fax: (202) 372-8325

5720
FOIA 2016-CGFO-01386
MAY 10 2016

Miranda Petersen
Protect Our Defenders
110 Maryland Ave NE, Suite 505
Washington, D.C. 20002

Dear Ms. Petersen:

This letter is the final response to your March 7, 2016 request under the Freedom of Information Act (FOIA) addressed to the U.S. Coast Guard. You requested copies of rates per thousand by race and rank of the subject (defendant) for all General courts-martial, Special courts-martial, Summary courts-martial, and Article 15 non-judicial punishment for each year over the past ten years. Further your request states this information is typically tracked by the Office of the Judge Advocate General. Your request was received in this office on April 21, 2016.

This is not a Denial. The Coast Guard does not use the measures in your request and does not have records that include rates per thousand by race or rank with regard to any of the fora under the Military Justice system.

While an adequate search was conducted, you have the right to appeal this determination that no records exist within the Coast Guard that would be responsive to your request. Should you wish to do so, you must send your appeal and a copy of this letter, within 60 days of the date of this letter, to:

COMMANDANT (CG-611)
US COAST GUARD
ATTN: FOIA/PA OFFICER
2703 MARTIN LUTHER KING AVE. STOP 7710
WASHINGTON DC 20593-7710

Following the procedures outlined in the DHS FOIA regulations at 6 C.F.R. § 5.9. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

If you need to contact our office concerning this request, please call 202-372-3824 and refer to 2016-CGFO-01386.

Sincerely,

R. L. SARGENT
Captain, U.S. Coast Guard
Chief, Office of Military Justice (CG-LMJ)
Office of the Judge Advocate General