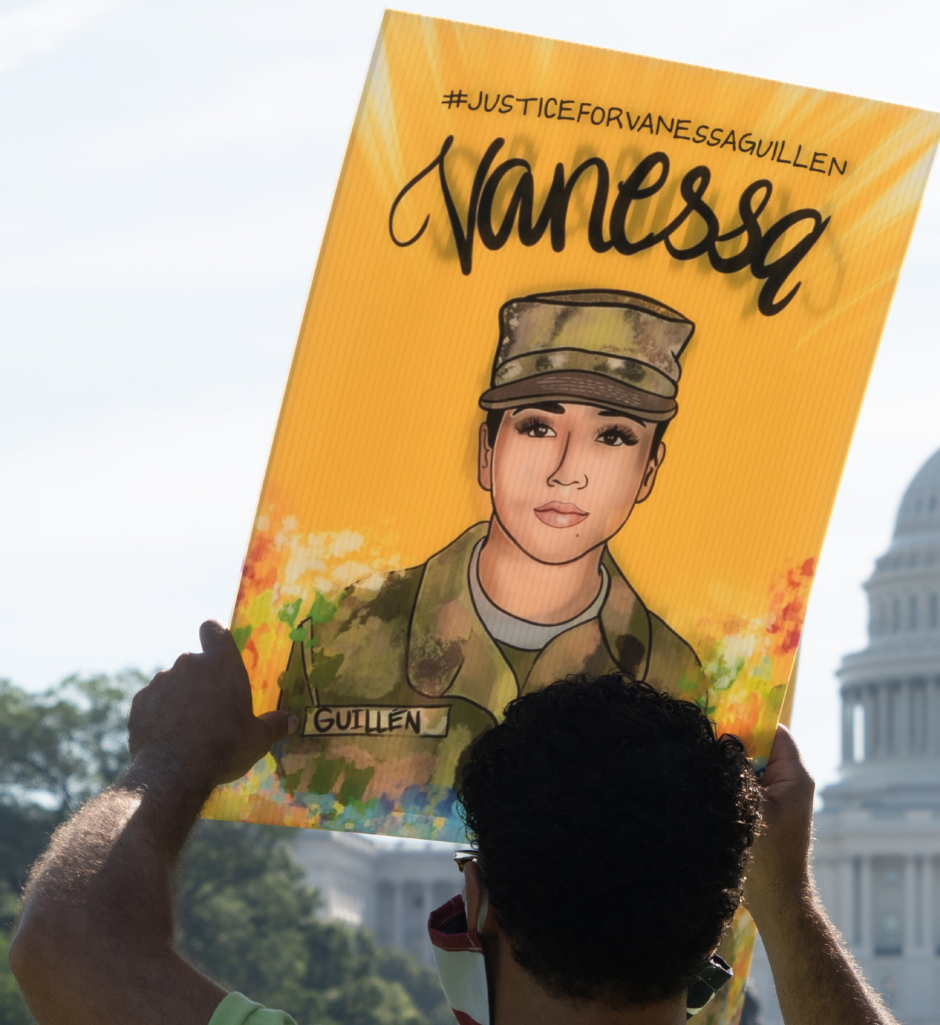




THE MOST TRANSFORMATIVE MILITARY JUSTICE REFORM EVER BECOMES LAW.

and the critical work ahead

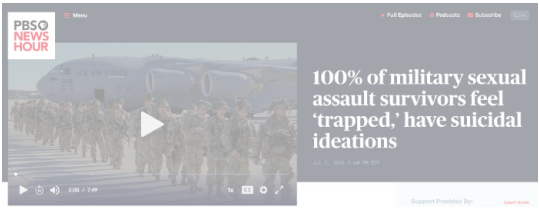




STARS AND STRIPES.

Independent Commission to Examine All Options in Combating Sexual Assaults in the Military

By Caitlin M. Kenney
Source: Stars and Stripes (TNS)
March 3, 2021



The Washington Post

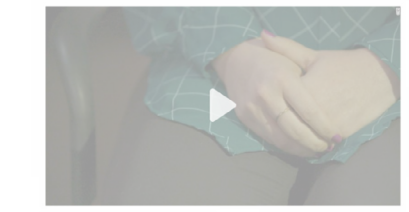
Opinion Lloyd Austin's focus on sexual misconduct in the military offers hope for real change

By the Editorial Board
January 25, 2021, at 4:44pm EST



Lloyd Austin speaks at a Senate confirmation hearing to the defense secretary. (Gregg DeGuire/Photo.com/Getty Images)

Democratic candidates back plan to change how military investigates sexual assault allegations



These military rapists were freed by this technology 07:07

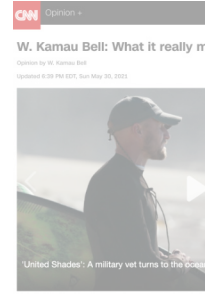


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A new report identifies a continuing culture of masculinity and gender stereotypes within U.S. armed forces that limit women's opportunities and prevent them from effectively performing their duties.



Editor's Note: W. Kamau Bell is a sociopolitical comedian and author from Shabazz of America. "Army Sunday at 2:30 pm, ET/PT. The views expressed are solely his own and do not reflect those of the network or its affiliates." (Photo: AP Photo/Chris Wedel)



People look at a wall of names of fallen soldiers at a memorial service for Vanessa Guillén, a Texas soldier who was killed in 2020. U.S. Army officials say they will begin an independent review of the command climate at Fort Hood, examining culture and structural issues of discrimination, harassment and assault. Following calls for a more thorough investigation into the killing of the soldier from the Texas base. (AP Photo/LM Olin)

Congress close to reforming military justice system following killing of Texas soldier Vanessa Guillén

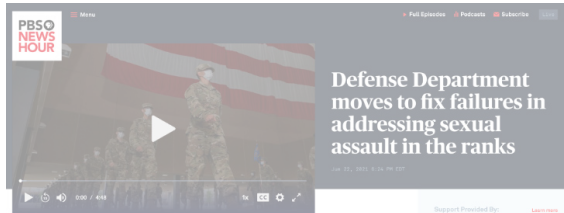
A Majority of Lawmakers Support Overhauling How the Military Handles Serious Crimes. It Still Might Not Happen



From left, Sen. Kirsten Gillibrand, Tom Porter of Iraq and Afghanistan Veterans of America, Sen. Chuck Grassley, Col. Don Christensen, former chief prosecutor for the USAF, Sens. Joni Ernst, R-Iowa, and Mark Kelly conduct a news conference outside the Capitol to discuss the Military Justice Improvement and Increasing Prevention Act, on April 29, 2021. Tom Williams—Gizmodo.com/Getty Images

Military braces for sea change on justice reform

By Rebecca Ottens, Elizabeth G. Philp



The Air Force general was never cleared of nine alleged incidents of unwanted sexual contact.

The military has vowed to curb sexual assault for decades to no avail. Now, Congress is stepping in.



Pentagon briefs on sexual assault and Afghanistan. Photo: U.S. Army. (Photo: U.S. Army/Chris Wedel)

U.S. Military's Male-Dominated Culture Harms More Than



Nearly one in four U.S. servicewomen reports being sexually assaulted in the military. Why has it been so difficult to change the culture?

FRIENDS,

Ten years ago, we founded Protect Our Defenders (POD) to become a voice for thousands of sexual assault survivors who were betrayed by the world's largest employer—the US Military. From the beginning, we have been dedicated to telling these brave survivors' stories and reforming the archaic and abusive military justice system.

For the last decade, we worked tirelessly and incrementally improved the criminal justice process, while also calling out and addressing racial disparity within that system. Our Law Center also provided unprecedented pro bono legal support to hundreds of survivors. And in 2021, POD collaborated with national, regional and local outlets for 48,561 news stories across 86 publications. All on an annual budget of less than \$500,000.

We created survivor-led advocacy campaigns, published groundbreaking reports, and engaged the media and Congress to fight for transformational reform—and **in 2021 we achieved it!** No longer will a victim's boss decide if their rapist will be prosecuted. It was a monumental year!

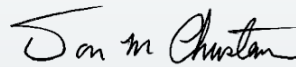
While we have much to celebrate, we still have much to do. Hostile attitudes and entrenched cultures will not change overnight. Military leadership has an unacceptable track record of thwarting reforms. Thankfully, we have earned a reputation of our own for successfully pressing leadership to comply. We will continue to serve as a watchdog to ensure the military faithfully and promptly executes the new law.

You heard the heartbreaking stories of betrayal, discrimination, retaliation, and justice denied and you supported our efforts. For that we are deeply grateful.

In solidarity,



Nancy Parrish, Founder and CEO



Col. Don Christensen, USAF (ret), President





**WE WEAVE
TOGETHER SURVIVOR
STORIES, ADVOCACY
& LEGAL SUPPORT
TO DRIVE REFORM.**

After a ten-year struggle, Protect Our Defenders' tireless work to reform the broken and ineffective military justice system paid off when President Biden signed the 2022 National Defense Authorization Act (NDAA). As the most significant military justice reform in our nation's history, the NDAA will give independent prosecutors — not commanders — prosecutorial authority for 11 serious offenses including rape, sexual assault and murder, and will expand survivor rights.

The road to success has not been easy. POD — alongside Congressional allies, survivors, and advocates — never wavered in our commitment to reforming the abusive military justice system. POD testified numerous times before congressional committees and facilitated dozens of congressional meetings with survivors, providing legislators with first-hand testimony of failed justice and oppressive retaliation. POD's President, Don Christensen personally met with over 60 legislators to share why the military justice system was failing.

From the beginning, POD has worked closely with the two most influential and vocal reform advocates on the Hill, Senator Gillibrand and Rep. Speier. This collaboration, coupled with survivor-driven advocacy, led to President Biden ordering an Independent Review Commission (IRC) to formally review the military justice system. After careful deliberation, the IRC recommended commanders be removed from making prosecution decisions for all special victims' crimes — causing the Pentagon to admit for the first time that prosecutors, not commanders, should determine whether a case is brought to trial. The proposed legislation, which was shaped with the help of POD's Founder, Nancy Parrish and President, Don Christensen in collaboration with IRC members, staff, and White House officials, became law in late 2021.

Through relentless media coverage POD educated legislators and the public about the crisis of military sexual assault. Thousands of articles and broadcasts addressed the issue over the last decade. POD pushed back against Pentagon misinformation efforts, designed to stop reform, by leveraging relationships with academic, business and government leaders, and creating survivor-led advocacy campaigns.

Although the fight for judicial transformation is not yet complete, this is a momentous step toward justice.

PREVIOUS PAGE: CIERA BRIDGES PROUDLY SERVED THE USAF FROM 2009-14. "AFTER I WAS SEXUALLY ASSAULTED, INSTEAD OF TAKING MY CASE TO TRIAL, MY SUPERIORS RETALIATED AGAINST ME. I WAS THE SECOND GENERATION IN MY FAMILY TO SERVE. I REPEATEDLY ASKED FOR HELP. INSTEAD THEY DISCHARGED ME. I'M SPEAKING OUT, AND WE ARE STANDING STRONG AND FIGHTING TOGETHER."

A DECADE OF ACTION

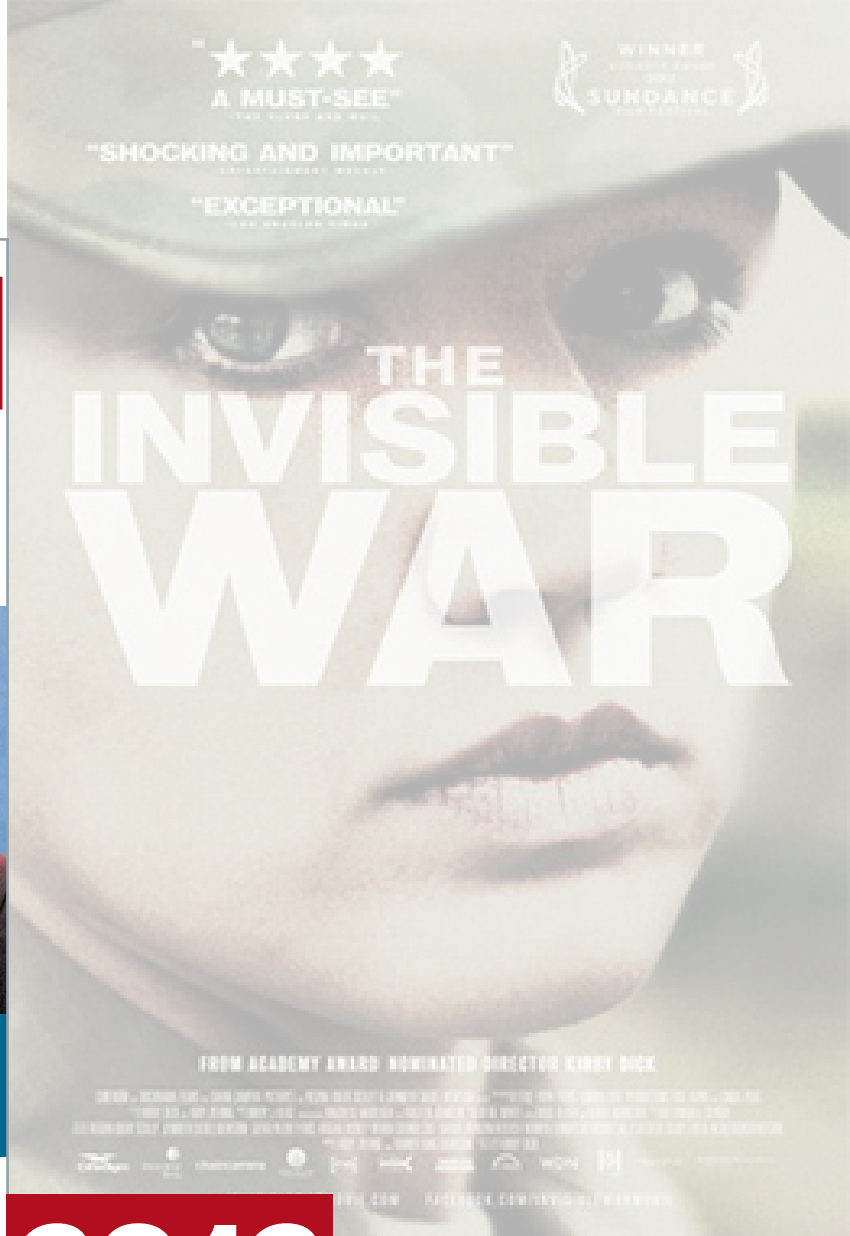
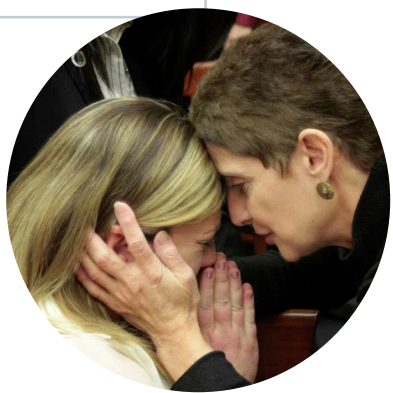


2011

▲ **POD Founder Nancy Parrish, Rep. Jackie Speier, and Survivors Hold National Press Conference to Announce the Creation of Protect Our Defenders.**

Introduction of The STOP Act—
The first comprehensive proposal to end commander control of the military justice system.

Survivor Terri Odom Leads Advocacy Campaign.

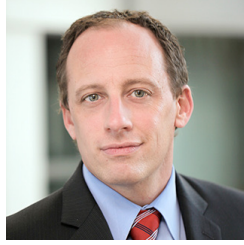


2012

***The Invisible War* Wins the Best Documentary Award at Sundance Film Festival, Bringing Additional Attention to Military Sexual Assault.**

Participants in the film, including Tailhook whistleblower Lt. Paula Coughlin (ret), join POD's leadership team.

◀ **POD Brings Lackland Air Force Sexual Assault Scandal into National Spotlight; Successfully Advocates for First Congressional Hearing on Military Sexual Assault in Decades.** More than 35 Air Force instructors are removed from their Texas posts after evidence surfaces of widespread sex crimes. Five are sentenced to prison.



Attorneys Susan Burke and Ryan Guilds, PBLN founders

POD Creates Pro Bono Legal Network (PBLN) for Survivors. Thousands of veteran, active duty, and civilian survivors have access to free legal support for the first time. The Network proves vital to POD's advocacy work.

▼ **Senator Kirsten Gillibrand (D-NY) Introduces the Military Justice Improvement Act in Collaboration with POD Survivor Community.**

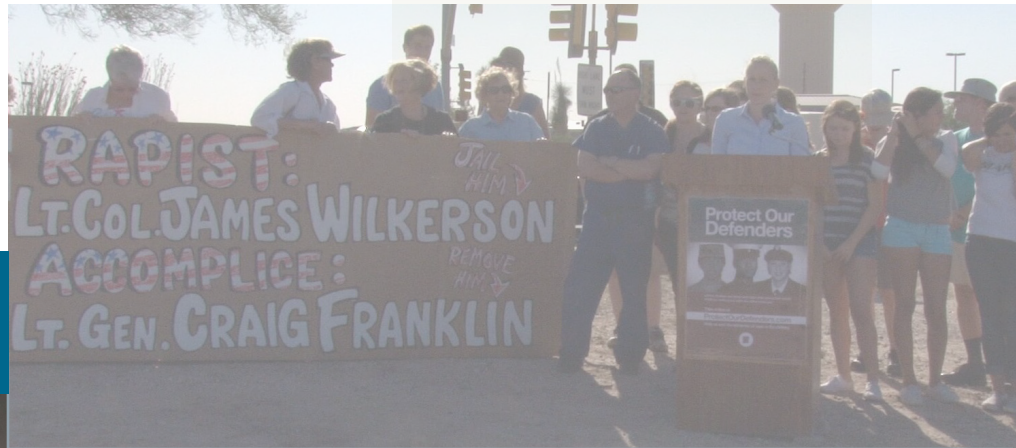
Sponsored by a broad bipartisan coalition, over 50 members strong, the proposed legislation would take prosecution decisions for rape and serious crimes outside the chain of command.



US Air Force Rocked by Aviano Scandal; POD Brings Survivor, Kim Hanks, to US to Privately Meet with Members of Congress; Successfully Advocates for UCMJ reform. After a senior fighter pilot was convicted and sentenced for sexually assaulting Kim, his commander set him free. With POD's help, **Kim comes forward publicly**, and Congress terminates commanders' authority to overturn rape convictions and other serious offenses.



2013



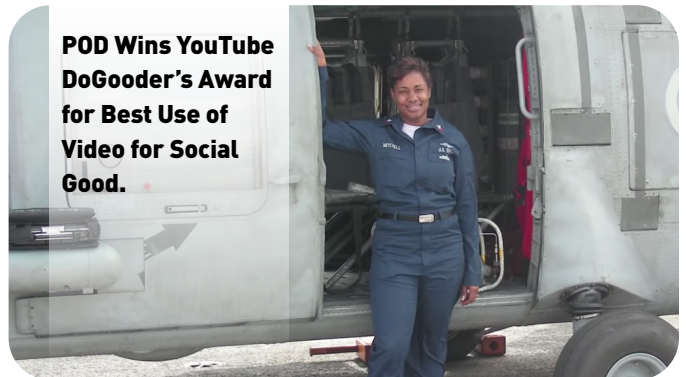
◀ Survivor Stacy Thompson with Senator Boxer



▲ **POD Works with Senator Boxer (D-CA) to Reform the Military's Pre-Trial Hearing Process to Protect Survivors.**

Prior to this reform, military pre-trial hearings were used as a discovery tool by the defense often leading to abusive questioning of victims, who were not entitled to an attorney. Once this reform became law, hearings were refocused on the question of probable cause, enhanced victim protections, and critically gave the victim the option of not testifying.

POD Wins YouTube DoGooder's Award for Best Use of Video for Social Good.



Survivor Darchelle Mitchell ▲

“At first, I truly believed as the Chief Prosecutor of the Air Force I could help fix the broken military justice system from the inside. But after the Aviano [scandal]... this changed. I realized that in order to see substantial change, I would need to leave the Air Force, breaking a military tradition that has been a part of my family for over 150 years.”



Air Force Chief Prosecutor Col. Don Christensen Leaves Military, Joins Protect Our Defenders as President to Fix Broken Military Justice System. Christensen is profiled in a New York Times Magazine cover story detailing his journey from Chief Air Force Prosecutor to reform advocate.

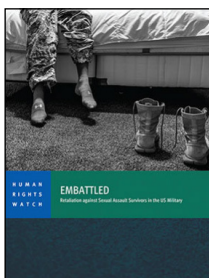


As a Result of POD's Advocacy, Congress Eliminates "Good Military Character" as a Defense Against Rape. Guilt or innocence is now determined by the facts of the case, not the popularity of the accused.



From Survivor to Activist: GQ Magazine Profiles POD Board Member Heath Phillips. In his work as survivor outreach speaker at military bases, Heath represents thousands of male military veteran survivors.

2014



2015



POD Partners with Human Rights Watch to Issue Key Report. *Embattled: Retaliation Against Sexual Assault Survivors in the US Military* details the chilling effect that retribution can cause survivors and offers recommendations for reform.



Survivor and POD Board Member BriGette McCoy Testifies Before Congress. By sharing her story of retaliation with the Senate Armed Services Committee, BriGette inspires lawmakers, building support for reforming the justice system.

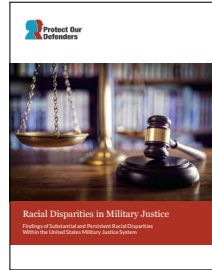
2016



POD Holds the Pentagon Accountable for Misleading Congress. Our report, *Debunked*, along with an independent Associated Press investigation, exposes efforts by the Department of Defense to mislead Congress in order to block fundamental reform.

POD Founder Nancy Parrish Receives Ivan Allen, Jr. Prize for Social Courage. Donates \$100,000 Award to Protect Our Defenders.

POD Issues Landmark *Racial Disparity In Military Justice* Report. Our groundbreaking investigation and subsequent report showed black service members were 50% more likely than white servicemembers to face prosecution in every service branch. The findings became a national news story, accelerating calls for military justice reform and leading to significant new congressional oversight.



Yale Law Clinic Partners with POD On Retaliation Report. POD President Don Christensen and Law Clinic students produce *Prevalence of Retaliation*. Senator Richard Blumenthal and Rep. Jaime Herrera Beutler used its findings to pass legislation improving whistleblower protections.

2017

2018



#MeTooMilitary Movement Takes Off. As public awareness grows, POD, Not In My Marine Corps, and SWAN partner to sponsor a protest in front of the Pentagon and online.



POD Successfully Advocates for Domestic Violence as a Specific UCMJ Offense. This legislation ensures that when a conviction is reported to civilian authorities, criminals will be properly identified, making it less likely that the offender will have access to firearms.



POD Launches One-of-a-Kind Law Center. POD transforms its existing Legal Services Program to become a strategic, high-profile law center providing enhanced pro bono support to survivors nationwide.

CBS Wins Emmy Award for Air Force Abuse Scandal Investigation With POD. Norah O'Donnell accepts the award after a six month investigation. CBS News producer Jennifer Janisch says, "This recognition would not have happened without Protect Our Defenders. So grateful."



USA TODAY
Black troops twice as likely to face discipline
 Analysis points out persistent racial disparities within the U.S. military justice system

AIR FORCE
 From 2006 to 2015, black service members were 71% more likely to face court-martial or general court-martial (GCM) than white service members.

ARMY
 Black troops were 61% more likely to be sentenced to a general court-martial than white troops.

MARINE CORPS
 32% more likely to be sentenced to a general court-martial than white troops.

NAVY
 40% more likely to be sentenced to a general court-martial than white troops.

Blacks — **Whites**

Court-martial/NP rate per 1000
 Court-martial/NP guilty finding rate per 1000
 General or special court-martial rate per 1000

“Black service members face disciplinary action at much higher rates than white service members.”

WASHINGTON Black troops are more likely than their white counterparts to face court-martial or other forms of military justice, according to a study released Wednesday.

Black service members were 71% more likely to face discipline than white troops in an average year, according to an analysis by Protect Our Defenders, an advocacy organization for military justice and victims of sexual assault. The group analyzed through Pentagon data from 2006 to 2015 its report.

USA TODAY received an advance copy of the study.

“Over the past decade, racial disparities have persisted in the military justice system without indication of improvement,” a spokesman for the Pentagon said. “The military services provide differing sets of data in response to the request from Protect Our Defenders, making comparison among the services difficult. For example, the Air Force provided percentages of court-martial and general court-martial punishment from 2006 to 2015, while the Marine Corps supplied guilty findings for court-martial and non-judicial punishment for the same period.”

“The military services provided differing sets of data in response to the request from Protect Our Defenders, making comparison among the services difficult. For example, the Air Force provided percentages of court-martial and general court-martial punishment from 2006 to 2015, while the Marine Corps supplied guilty findings for court-martial and non-judicial punishment for the same period.”

— **STORY CONTINUES ON 1A**

General Accountability Office Issues Report Confirming POD’s 2017 Racial Disparity Report Findings, Sparking Further Reform. Congress mandates that the military track race, ethnicity and gender of servicemembers who are court-martialed. The Secretary of Defense is also required to identify causes of disparity and to “take steps to address causes,” as POD initially recommended in its 2017 report.

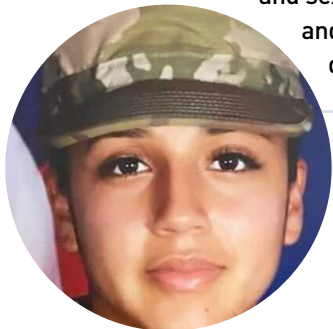
POD Pushes for Medical Malpractice Reform on Behalf of Survivors. Due to a 1950 Supreme Court ruling (“Feres”), military members previously could not make claims against the government for injuries “incident to service” (including those arising from medical malpractice and rape). POD and partners successfully pushed for new legislation, which now allows survivors to claim damages caused by medical malpractice. This is a major first step towards repealing the Feres doctrine and eventually allowing survivors to recover damages.

2019

POD Successfully Advocates for Expansion of Special Victims Counsel Program to Include Domestic Violence Victims. After POD met with members of Congress pressing for this reform, Congress specifically expanded SVC services for this class of victims.



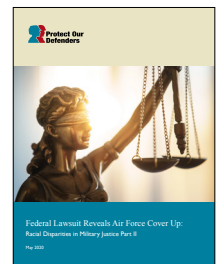
SPC Vanessa Guillén Murdered at Fort Hood After Alleging Sexual Harassment; POD Advocates for Reform in Spanish-Language Press. After a survivor-led national protest movement forms around the hashtag #IAmVanessaGuillen, a military investigation finds Fort Hood leadership allowed a “permissive environment for sexual assault and sexual harassment,” and 14 leaders are disciplined.



2020

With POD’s Help, Air Force Veteran Harmony Allen Wins at the US Supreme Court. POD helps Harmony file the first ever amicus brief from a rape victim before the Supreme Court. The unanimous decision sends Harmony’s convicted rapist back behind bars, after wrongly being freed by an earlier military court ruling.

Congress Holds Hearings and Black Servicemembers and Military Leaders Use Findings to Press for Culture Change. Just two days after the murder of George Floyd, POD releases its second report on racial disparities. Using documents uncovered through a federal lawsuit, the report exposes that the Air Force repeatedly concealed, embellished, and discredited its own efforts and statistics while failing to address persistent racial disparities, especially in the case of Black and Hispanic servicemembers. Colonel Christensen is a key witness at the Congressional hearing conducted due to POD’s report.



POD Issues Second Racial Disparity Report.



POD Secures Support for Military Justice Reform From Joe Biden & 19 Other Presidential Candidates; Leads to Substantive Reform.
POD founder Nancy Parrish asked then-candidate Joe Biden:



“As President will you stand with military sexual assault survivors and support moving the military justice system into the 21st century by empowering experienced military prosecutors to make prosecution decisions for non-military crimes — serious felonies like rape, murder and child abuse?”

Biden responded:

“The answer is yes, yes, yes.”

2021

Due to POD’s survivor-led effort, this marks the first time the topic broke through into a presidential campaign issue. President Biden’s support leads to Pentagon backing the most meaningful reforms to the military justice system in US history.

Congress Passes and President Biden Signs Transformative Military Justice Reforms. As a result of POD’s decade of advocacy, the voices of hundreds of survivors, and unwavering commitment of Senator Gillibrand and Rep. Speier, the most significant military justice reform in US history becomes law. For the first time, independent prosecutors, not commanders will determine whether an offender is prosecuted for 11 serious classes of offenses including rape.



**THE
CRITICAL
WORK AHEAD.**

There is much left to be done to give servicemembers the military justice system they deserve. We must continue to serve as a watchdog to ensure the military faithfully and promptly enacts the recently passed reforms. Military leadership has an unacceptable record of ignoring the law, denying survivors the full benefit of mandated reforms. We have a strong track record of exposing Pentagon malfeasance and forcing military compliance — through advocacy campaigns, congressional testimony, investigations, lawsuits, and survivor community involvement. We exposed coverups to Congress, who then ordered Inspector General and Government Accountability Office investigations and passed legislation to force leadership accountability.

POD's watchdog role is even more vital today. We need to monitor and safeguard every step of the implementation process over the next two years to thwart attempts to kneecap or slow-roll our hard-fought reforms. We must ensure the right lawyers are selected to lead the new system. And we must urge appropriate executive orders to prevent commanders from undermining prosecutions by discharging offenders before trial or refusing to approve the hiring of expert witnesses.

We must continue to work with Congress to finish the job. Unbelievably, commanders still retain the authority to select the members of the jury, allowing top brass to influence selection in favor of acquittal. Like every US jurisdiction, the military should have unanimous verdicts, whether for findings of guilty or not guilty. Currently, a small minority of court members can acquit an accused offender, resulting in an anemic conviction rate for sex crimes.

Despite our having achieved significant sentencing reform, the military system still falls far short of the federal system's benchmark, too often leading to drastically inappropriate lenient sentences.

Monitoring the recently passed transformative military justice reform, working to end command control of the jury selection process, and legislating stronger sentencing guidelines remain critical elements of the work ahead.

PREVIOUS PAGE: HEATH PHILLIPS JOINED THE NAVY FIVE DAYS AFTER HIS 17TH BIRTHDAY. WHEN HIS COMMANDERS WOULD NOT STOP SEXUAL ASSAULTS BY HIS SHIPMATES, HEATH WENT AWOL, THEN ACCEPTED AN OTHER-THAN-HONORABLE DISCHARGE TO END HIS TORTURE. POD HELPED HEATH CHANGE HIS DISCHARGE TO HONORABLE. NOW HE IS SPEAKING OUT TO CHANGE THE WAY MILITARY RAPE IS HANDLED.

COUGHLIN COURAGE AWARD



Nearly thirty years ago when Paula Coughlin spoke out about the Tailhook scandal, few people were willing to publicly talk about the military's sexual assault crisis. Today, POD celebrates a survivor who has displayed a special courage to stand up, share her story, and speak out for reform.

Amy Marsh, an Air Force spouse and mother, was sexually assaulted in December 2018 by a senior enlisted in her husband's chain of command. Despite advocating for herself, the commander declined to charge her assailant.

A short time later, Amy's husband received a Letter of Reprimand and faced career-ending retaliation. Despite the life-altering circumstances they experienced, Amy fought tirelessly to bring attention not just to her case, but to the broken military justice system.

In March 2021, Amy testified before the Senate Armed Services Committee and has since shared her story on numerous platforms. It has been an absolute privilege to get to know her and to present her with this award.

Amy says: "It is an honor to speak on behalf of thousands of survivors of sexual assault and I am humbled to have received this award. It is a reminder to keep my eyes on the mission."

"Paula is an icon when it comes to fighting for justice and meeting her in person gave me the encouragement needed to keep pressing on towards ensuring justice for survivors. Thank you for the opportunity to link arms with Protect Our Defenders and Paula Coughlin. POD stood with me when no one else would. It is vital that their work continues."

This year's POD Justice Award honors Maya Eckstein and the law firm Hunton Andrews Kurth LLP, for the great support they have given to survivors of military sexual assault.

In the past two years Maya and her team of excellent partners, associates, and paralegals have crafted two outstanding amicus briefs on behalf of Protect Our Defenders: a challenge to the Feres Doctrine, and the liberal consideration of those seeking medical retirement as a result of military sexual assault. Without hesitation, Maya and her colleagues have stepped up to the plate to assist in setting legal precedents for survivors. It has been an honor to work with her and her colleagues, and we thank them for their incredible work.



2021 LEGAL SERVICES BY THE NUMBERS

220 CASES were submitted and reviewed through POD's intake process.

OF THOSE

5 CASES

were taken on in-house.

22 LEGAL CASES

were referred to the pro bono legal network including 12 referred to NVLSP, whose numbers are not included in the following breakdown.

70 INDIVIDUALS

were provided casework assistance.

3,597 HOURS OF SERVICE VALUED AT \$2,177,830

2021 FINANCIALS

REVENUE: **\$2,805,670**

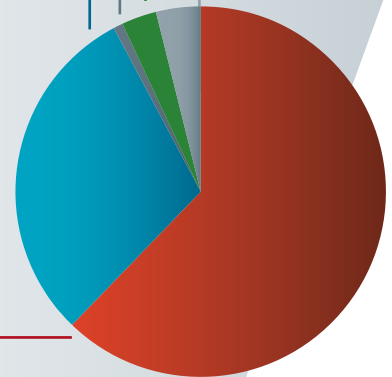
Grants	177,700
Contributions	247,180
In-Kind*	2,177,830
Miscellaneous	2,960

**Contributions and pro bono Legal Services*

EXPENDITURES: **\$448,460**

Administrative	17,950	4%
Fundraising	11,300	3%
General Programs	2,300	1%
Advocacy, Policy Research	131,910	30%
Legal Services Programs	285,000	62%

*Note: chart reflects cash expenditures only
(in-kind not included)*



To view IRS filings please visit www.protectourdefenders.com.



Recognized by GuideStar with Platinum Seal, and the Catalogue for Philanthropy, Washington DC.

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