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MILITARY PERSONNEL

Progress Made in Implementing Recommendations to Reduce Domestic Violence, but Further Management Action Needed



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Highlights of [GAO-06-540](#), a report to congressional committees

Why GAO Did This Study

Due to concerns about domestic violence in the military and its adverse effect on mission readiness, Congress required the Department of Defense (DOD) to establish a task force to assess the services' response to domestic violence and recommend improvements. The task force issued three reports containing 194 recommendations. The Fiscal Year 2004 National Defense Authorization Act required GAO to review DOD's progress in implementing the recommendations. This report discusses (1) DOD's ability to report on domestic violence incidents and disciplinary actions, (2) the resources DOD has provided to implement the recommendations, and (3) DOD's specific actions to ensure victim confidentiality and the education of commanding officers, senior enlisted personnel, and chaplains. GAO also examined whether DOD has established an oversight framework to monitor implementation.

What GAO Recommends

GAO recommends that DOD take actions to address domestic violence data deficiencies, provide adequate personnel and a strategy for communicating its policy changes, maintain chaplain training data, and establish an oversight framework. DOD agreed with the thrust of our recommendations, with the exception of one that dealt with policy that DOD stated involved privacy concerns.

www.gao.gov/cgi-bin/getrpt?GAO-06-540.

To view the full product, including the scope and methodology, click on the link above. For more information, contact Valerie C. Melvin at (202) 512-6304 or melvinv@gao.gov.

MILITARY PERSONNEL

Progress Made in Implementing Recommendations to Reduce Domestic Violence, but Further Management Action Needed

What GAO Found

DOD's ability to report on domestic violence incidents and disciplinary actions taken by commanders is hampered because the systems that the department uses to collect domestic violence information do not contain complete data. DOD's domestic violence database does not capture data from all law enforcement systems and, therefore, does not provide a complete accounting of reported incidents and actions taken by commanders. Notwithstanding the task force's recommendation to report on the number of domestic violence incidents, DOD and the services have not developed any plans to address the data limitations, which do not allow for visibility over domestic violence incidents. Without complete information on reported incidents of domestic violence and the steps taken by commanders to address these incidents, DOD will not know the size and nature of the problems or be able to assess the effectiveness of its actions.

DOD has provided about \$23 million to implement the recommendations and has made progress in this regard. Specifically, GAO identified 94 recommendations of varying potential importance as completed, 60 as pending further action, and 40 in which no action had been taken because DOD either disagreed with the recommendations or determined that they were not applicable to the department. Nonetheless, DOD faces challenges in completing the pending recommendations in a timely manner because of potential shortages of essential personnel in the office overseeing implementation. In addition, DOD's method of communicating its policy changes resulting from the recommendations has not ensured consistent practices and widespread understanding of the policies among DOD and the services.

While DOD is taking steps toward ensuring confidentiality for victims and to train its personnel on domestic violence issues, additional efforts are needed. To ensure victim confidentiality, DOD issued a policy, effective April 22, 2006, allowing victims to report domestic violence to specified people without notifying command. In addition, DOD issued guidance requiring training and is providing several educational options. However, data regarding which chaplains have completed training are not available because the department and the services do not track this training. Chaplains play a special role in assisting domestic violence victims and, without complete training data, DOD may be unable to determine if chaplains have been provided the needed resources to assist victims.

DOD has not established an oversight framework to monitor compliance with and evaluate implementation of the task force recommendations. While the task force recommended and DOD's draft domestic violence instruction requires monitoring and evaluation of domestic violence efforts, DOD has not established a process to do so. Without an overall management framework, DOD and Congress have limited visibility and oversight to evaluate DOD's implementation efforts and make needed improvements.

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Abbreviations

DOD Department of Defense

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United States Government Accountability Office
Washington, DC 20548

May 24, 2006

The Honorable John Warner
Chairman
The Honorable Carl Levin
Ranking Minority Member
Committee on Armed Services
United States Senate

The Honorable Duncan L. Hunter
Chairman
The Honorable Ike Skeleton
Ranking Minority Member
Committee on Armed Services
House of Representatives

Congress and the Department of Defense (DOD) have expressed concerns about domestic violence in the military and its adverse effect on unit morale and mission readiness. DOD defines domestic violence as “[a]n offense under the United States Code, the Uniform Code of Military Justice, or State law that involves the use, attempted use, or threatened use of force or violence against a person of the opposite sex, or a violation of a lawful order issued for the protection of a person of the opposite sex, who is (a) a current or former spouse; (b) a person with whom the abuser shares a child in common; or (c) a current or former intimate partner with whom the abuser shares or has shared a common domicile.” Further, to separate criminal from noncriminal incidents, DOD’s definition of domestic abuse encompasses (1) domestic violence as defined above, or (2) a pattern of behavior resulting in emotional/psychological abuse, economic control, and/or interference with personal liberty that is directed toward a person of the opposite sex who meets the same criteria as defined for domestic violence.¹ Serious adverse consequences for servicemembers who commit acts of domestic violence can range from nonjudicial punishments that could remove a servicemember from normal duties to criminal sanctions that could result in imprisonment.

¹DOD adopted the definitions for domestic violence and domestic abuse in 2004.

Following a number of reported high-profile domestic violence cases involving soldiers who killed their spouses, Congress required DOD to take several actions to address concerns about domestic violence in the military. Specifically, the National Defense Authorization Act for Fiscal Year 2000 required DOD to, among other things, (1) establish a central database of information on domestic violence incidents reported to a commander, military law enforcement, or officials responsible for clinical treatment or support services and the action(s) taken by the commanding officers when disciplinary measures were required, and to report this information to the administrator of the database annually; and (2) establish a Defense Task Force on Domestic Violence to assess the military's response to domestic violence and make recommendations for improvement.² The task force issued three reports over the next 3 years, which collectively contained almost 200 recommendations. To highlight its concerns, the task force stated in its first report that domestic violence is an offense against the institutional values of the military services of the United States that degrades the overall readiness of our armed forces.

The National Defense Authorization Act for Fiscal Year 2004³ required us to review DOD's progress in implementing the task force recommendations. In accordance with that act and agreements with your offices, this report discusses (1) DOD's ability to report on domestic violence incidents in the military and disciplinary actions taken by commanders to address these incidents, (2) the extent to which DOD has provided resources to the office overseeing the implementation of the task force's recommendations and the extent to which the recommendations have been implemented, and (3) the specific actions that DOD has taken on recommendations to ensure the confidentiality for victims of domestic violence and the education of commanding officers, senior enlisted personnel, and chaplains. The report also discusses the extent to which DOD has established an oversight framework to guide and evaluate its implementation of the recommendations.

To determine DOD's ability to report on domestic violence incidents in the military and command disciplinary actions, we reviewed and analyzed information on and reports from DOD's Defense Incident-Based Reporting System, which contains data on criminal incidents of domestic violence,

² Pub. L. No. 106-65, at 591, 594 (1999).

³ Pub. L. No. 108-136, at 575 (2003).

and the Family Advocacy Program Central Registry.⁴ In addition, we reviewed DOD's three reports to Congress on reported domestic violence incidents in the military, which were issued in November 2001 for fiscal year 2000 data, February 2003 for fiscal year 2001 data, and July 2004 for fiscal year 2002 data. To assess the reliability of the data in DOD's systems, we (1) reviewed existing information about the data and the system that produced them and (2) interviewed agency officials knowledgeable about the data. We concluded that the data from the Defense Incident-Based Reporting System database were not reliable enough to enable DOD to accurately report on the number of domestic violence incidents in the military.

To determine the extent to which DOD (1) provided resources to the office overseeing implementation, (2) implemented the task force recommendations, and (3) established an oversight framework, we interviewed knowledgeable DOD officials, including those in DOD's Family Violence Policy Office and Family Advocacy Program Office, and analyzed relevant documents and data. These documents and data included budget information; DOD's strategic plan for implementing the task force recommendations; DOD's Reports on Implementation of Recommendations of the Defense Task Force on Domestic Violence submitted on August 8, 2005, and February 15, 2006; training materials for chaplains and commanding officers; and related metrics, applicable laws, regulations, policy memoranda, and other documents DOD and the services used to support implementation of the task force's recommendations and evaluation of that implementation.

Additionally, we visited at least 2 military installations for each service in the United States and 5 overseas, for a total of 15 installations. During these visits, we conducted nongeneralizable small group discussions with and obtained supporting documentation from various installation officials, including commanding officers, chaplains, victim advocates, family advocacy program managers, and staff judge advocates. We also conducted focus groups with military police and senior enlisted personnel at these installations. We performed our work in accordance with generally accepted government auditing standards from July 2005 through

⁴ The Family Advocacy Central Registry collects clinical information about the initial allegation of domestic abuse, support and services provided to victims of such abuse, and treatment, such as anger management classes, given to alleged abusers.

March 2006. More details on our scope and methodology are presented in appendix I.

Results in Brief

DOD's ability to report on domestic violence incidents and disciplinary actions taken by commanders is hampered because the systems that the department uses to collect domestic violence information do not contain complete data. Specifically, in an effort to satisfy the requirement in the National Defense Authorization Act for Fiscal Year 2000, DOD, in June 2000, established the central domestic violence database in its Defense Incident-Based Reporting System (which contains criminal incidents). However, our analysis revealed that this database does not contain complete data that would enable DOD to accurately report on the number of domestic violence incidents in the military and the command disciplinary actions that were taken. DOD officials informed us that its domestic violence database of criminal incidents lacks complete data because some of the services' law enforcement systems that feed into it are not yet operational. In addition, we determined that a number of installations were not reporting command disciplinary actions into the law enforcement data systems as required by DOD guidance. In its 2002 report to Congress on reported domestic violence incidents, DOD stated that of the 2,173 Army and Air Force incidents for which sufficient evidence existed to take disciplinary action, 1,027, or 47 percent, had no actions identified. Notwithstanding the task force recommendation and the legislative requirement to report on the number of incidents, DOD has not developed plans to address the data limitations. Without complete data on reported incidents of domestic violence and the steps taken by commanding officers to address these incidents, Congress and DOD will lack the visibility and information needed to understand the magnitude of the domestic violence problem, identify domestic violence trends, and address emerging issues. To ensure that complete data exist and can be reported annually as required, we are recommending that DOD (1) develop a comprehensive management plan to address deficiencies in the domestic violence data captured in its law enforcement systems, and (2) take appropriate steps to ensure that command actions related to domestic violence incidents are entered in the law enforcement systems as required. DOD generally concurred with these recommendations.

DOD has provided funding that has been used to implement many of the task force's recommendations, but personnel shortages and ineffective communication of related policies have hindered the department's efforts. Since fiscal year 2003, DOD has provided the Family Violence Policy Office approximately \$23 million to implement the task force's

recommendations. Among its investments, DOD used the money to fund a contract to provide additional victim advocate and shelter services and training for various DOD professionals. This funding helped the department implement many of the task force recommendations during the past 3 years. Specifically, our analysis of the status of DOD's actions to implement the task force's recommendations showed that 94 had been completed, 60 had pending actions, and 40 had no actions planned because DOD either disagreed with the recommendations or determined they were not applicable to the department. Despite the funding to date and reported progress, personnel shortages and ineffective communication of its policies could hinder DOD's efforts to implement the pending task force recommendations and to improve its response to domestic violence. Although retaining key personnel is a good internal control principle, as of March 2006, DOD had not fully staffed the office overseeing implementation of the task force recommendations. According to officials in the Family Violence Policy Office, without adequate personnel, they will not be able to implement all of the pending recommendations in a timely manner. In addition, DOD's method of communicating its new domestic violence guidance has produced inconsistent practices among DOD and the services. DOD issued 16 interim directive-type memoranda to implement changes in response to the task force recommendations. The department communicated these memoranda to the services via mail to the Service Secretaries offices and e-mail or Web pages. However, some installation officials stated that memoranda and guidance sent by e-mail and Web pages were not reaching their level in a timely manner and had ultimately resulted in them not knowing about and, thus, not consistently following current policies and guidance. For example, in response to a task force recommendation, DOD initially allowed distribution of military protective orders to law enforcement and family advocacy personnel, but reversed this policy due to privacy concerns. This policy change, however, was not effectively communicated, causing many inconsistent practices throughout the installations we visited. Without an overall communication strategy that promotes clear and consistent policy among DOD and the services, there may continue to be inconsistencies in knowledge on DOD's domestic violence guidance. We are recommending that DOD (1) develop a plan to ensure adequate personnel are available to implement the remaining task force recommendations and (2) establish a strategy for communicating its policies, to include clearly articulating its policy regarding the distribution of military protective orders. In commenting on a draft of our report, DOD concurred with the first recommendation. However, due to privacy concerns, DOD partially nonconcurred with an earlier version of the second recommendation, which asked the department to reconsider the task force's recommendation on providing

copies of the military protective orders to law enforcement and family advocacy officials. Since DOD stated that it has considered the issue of providing the protective orders and continues to believe there are privacy concerns, we modified our original recommendation to emphasize the department's need to clearly communicate its policy regarding distribution of military protective orders.

DOD is taking steps, such as issuing policy, to address the task force's specific recommendations to ensure confidentiality for victims and to train its commanding officers, senior enlisted personnel, and chaplains; however, the department's final policy on confidentiality did not take effect until April 2006, and additional efforts are needed to ensure that appropriate training is received. In its efforts to ensure confidentiality, DOD issued its Restricted Reporting Policy for Incidents of Domestic Abuse on January 22, 2006. This policy is to allow victims to report incidents of domestic abuse to health care providers, victim advocates, and other specified people so that victims can benefit from access to medical care or victim advocacy services and support without initiating the investigative process or notifying the victim's or alleged offender's commanding officer. The intent of the policy is to encourage victims to seek help that they might not otherwise receive because they feared for the family's overall financial welfare and that the alleged offender's military career might be jeopardized. However, the policy did not take effect until April 22, 2006. With respect to its training efforts, DOD has issued guidance requiring training for commanding officers, senior enlisted personnel, and chaplains. The military services are providing educational options for commanding officers and senior enlisted personnel such as Web-based training and training events held at the installations. In addition, chaplains, who have a special role in assisting domestic violence victims, are receiving training at their basic officer's course, and periodically through continuing professional military education. However, complete data on which chaplains have received training are not available. Without complete data, DOD can not be assured of the extent to which these personnel have been trained and provided with resources that will assist them in effectively dealing with domestic violence issues. Some Army and Navy chaplains told us that they may notify command about domestic violence cases identified during a privileged communication. According to the Army regulation,⁵ however,

⁵ Army Regulation 165-1, *Religious Activities: Chaplain Activities in the United States Army*, Mar. 25, 2004.

such communications given to chaplains as a formal act of religion or as a matter of conscience are protected and are not to be disclosed without permission of the person making the communication. A breach of this confidence would be contrary to the Army regulation. Without additional guidance and emphasis within chaplain training to clarify this issue, DOD will be unable to ensure that all chaplains are prepared to handle private information provided by victims or offenders, which could deter both victims and offenders from seeking assistance. Accordingly, we are recommending that DOD, in conjunction with the services, (1) develop procedures and metrics to ensure that accurate, consistent, and timely domestic violence training data are collected for chaplains; and (2) develop additional guidance and training materials for chaplains clarifying their privileged communication responsibilities. DOD did not concur with the first recommendation and partially nonconcurred with the second recommendation, both of which were originally directed to the Under Secretary of Defense for Personnel and Readiness and family advocacy program officials. DOD commented that these two recommendations were more appropriately directed to the Military Departments. We agree. We have revised our report to direct the recommendations to the services. However, in our view, these recommendations are also appropriately directed to the Under Secretary of Defense for Personnel and Readiness, who has oversight responsibility and stewardship for domestic violence issues.

While some progress has been made in implementing the task force recommendations, DOD has not established an oversight framework to monitor compliance with the recommendations and evaluate its implementation efforts. DOD's draft domestic violence instruction requires the Military Community and Family Policy office to monitor compliance with and periodically evaluate domestic violence efforts. However, the draft instruction does not communicate how this should be done. Although DOD officials told us that the service headquarters monitor and evaluate the performance of the family advocacy program offices through their accreditation process, they acknowledged that the service accreditation reports are not sent to DOD and that the department has limited visibility into the services' domestic violence efforts. Further, the Family Violence Policy Office has not established a formal process for monitoring and reporting progress of the overall implementation of the task force recommendations. Without an overall management framework and a process for monitoring and reporting on implementation of the recommendations, DOD and Congress have limited visibility and oversight to evaluate implementation efforts and make needed improvements and thus, ensure the success of its efforts. We are recommending that DOD

develop and implement, in conjunction with the services, a DOD-wide oversight framework that includes a results-oriented evaluation plan for assessing the effectiveness of the implemented recommendations, and a process for monitoring and reporting on ongoing implementation efforts. DOD concurred with this recommendation.

DOD's comments and our evaluation of them are discussed in detail in a later section of this report. The full text of the department's written comments is contained in appendix V.

Background

Following a number of high-profile domestic violence cases involving soldiers stationed at Fort Campbell, Kentucky, who killed their wives, Congress, in the National Defense Authorization Act of 2000, required the Secretary of Defense to establish the Defense Task Force on Domestic Violence. The task force was chartered as a 3-year effort to assist the Secretary of Defense in identifying ways to prevent domestic violence in the military, when possible, and in responding more effectively when domestic violence occurs. In March 2000, 24 members were appointed to the task force. These members included 12 senior officials from the four services and 12 senior officials from the civilian sector who were experts in the area of domestic violence.

The act also required the task force to develop a strategic plan for DOD that included recommendations for improving DOD's domestic violence efforts in areas such as victim safety programs, domestic violence training for military commanders, and domestic violence responses at overseas military installations. The task force also assessed and made recommendations regarding the roles and responsibilities that command, chaplain, law enforcement, legal, and medical personnel have with regard to addressing domestic violence incidents. From February 2001 through February 2003, the task force issued three reports containing 194 recommendations for improving DOD's response to domestic violence.

The task force identified four primary themes with regard to the recommendations made in the three reports:

- Community collaboration—addresses coordination and collaboration issues among all military organizations, such as family advocacy and legal offices, in relation to domestic violence, as well as coordination between military and civilian communities.

-
- Education and training—addresses training issues for commanding officers, senior enlisted personnel, Family Advocacy Program staff, and first responders, such as military police.
 - Offender accountability—identifies measures to improve individual offender accountability and program accountability, as well as improve dispositions and case management.
 - Victim safety—addresses issues related to victim safety programs, confidentiality for victims, and other policies to enhance victim safety.

In January 2003, within the Office of the Under Secretary of Defense for Personnel and Readiness, the Military Community and Family Policy Office established the Family Violence Policy Office to coordinate implementation of the task force's recommendations, many of which were aimed at improving DOD's Family Advocacy Program. The Family Advocacy Program, also under the Military Community and Family Policy Office, provides services that contribute to the health of military families, treats victims of domestic violence, and offers rehabilitation and treatment for abusers. The Family Advocacy Program Director works in conjunction with service headquarters managers to oversee the execution of the program within each service.

DOD's Ability to Report on Domestic Violence Incidents and Commander Actions Is Hampered by Incomplete Data

DOD's ability to report domestic violence incidents involving servicemembers and the disciplinary actions taken by commanders is hampered because the data systems that the department uses to collect domestic violence information contain incomplete data. The National Defense Authorization Act of 2000⁶ required DOD to develop a centralized domestic violence database of information on incidents of domestic violence involving members of the Armed Forces. This includes domestic violence incidents reported to a commander, a law enforcement authority of the Armed Forces, or a family advocacy program official. Under the act, the Secretaries of the military departments are required to report this information annually to the administrator of the database. DOD is also required, under Section 591, to report information from the database, along with its responses to each of the three task force reports.⁷ In an effort to satisfy the legislation, DOD established the central domestic

⁶ Pub. L. No. 106-65, at 594 (1999).

⁷ Pub. L. No. 106-65, at 591 (1999).

violence database within its Defense Incident-Based Reporting System.⁸ This database contains domestic violence incidents that are criminal in nature including: infractions of the Uniform Code of Military Justice, state law, or violation of a protection order.

Although DOD established the central domestic violence database in June 2000,⁹ it is not yet fully operational and it does not contain complete information about reported incidents of domestic violence. DOD officials stated that the information contained in the database on the number of incidents is not complete because some of the law enforcement systems used by the services that feed into the central database are not yet operational. These are the Air Force's Office of Special Investigation system, which is expected to be operational by August 2006; the Army's Judge Advocate General Office system, which is still in development; and the Air Force's Judge Advocate General Office system, which is expected to be operational by June 2006. As a result, the central domestic violence database does not contain any information about domestic violence incidents that would be captured in these systems.

The central domestic violence database captures incidents of a criminal nature that were responded to by military law enforcement personnel; but it does not contain information on incidents reported to Family Advocacy personnel such as emotional abuse or domestic violence incidents that occur off the installation. To obtain this information, as required in the act,¹⁰ DOD must supplement data from the Defense Incident-Based Reporting System with data from the Family Advocacy Program Central Registry, which contains clinical data on domestic violence incidents. However, the Central Registry data system previously provided incomplete domestic violence data because until January 2006, the Central Registry only contained reported incidents of abuse involving current spouses. It did not contain domestic violence data as defined by DOD's 2004

⁸ An official in DOD's Law Enforcement Policy and Support Office told us that the Defense Incident-Based Reporting System was designed and constructed to collect and report crime data under a number of statutes, including the Victims Rights and Restitution Act of 1990 and the Brady Handgun Violence Prevention Act of 1994. We were told, however, that because the services are not reporting information needed to make up the total input to the law enforcement database, collection and/or reporting for this are done manually "offline" instead of through the Defense Incident-Based Reporting System.

⁹ *DOD's Manual for Defense Incident-Based Reporting System*, 7730.47M, dated July 25, 2003, discusses requirements for the centralized database on domestic violence.

¹⁰ Pub. L. No. 106-65, at 594 (1999).

definition that involved former spouses and intimate partners with whom the alleged offender shared a child or a common domicile. Therefore, prior to 2006, DOD did not provide complete information on all reported instances of domestic violence.

DOD used information from the two systems in preparing its reports to Congress on the number of incidents of domestic violence in the military and commanders' actions taken in responding to them during fiscal years 2000 through 2002. However, DOD officials who have responsibility for gathering these data acknowledged that the statistics contained in these reports were questionable. Moreover, they informed us that since the last report to Congress on fiscal year 2002 incidents, no attempts had been made to match up the information from the two systems, despite a June 8, 2000, memorandum from the Office of the Under Secretary of Defense for Personnel and Readiness that directed them to do so. Our analysis confirmed that neither system had complete data to enable DOD to accurately determine the extent of reported domestic violence incidents in the military.

Beyond these concerns, our review of information in the Defense Incident-Based Reporting System and supporting service law enforcement systems revealed that a number of installations were not reporting disciplinary actions taken by the commanders as required.¹¹ For example, in the fiscal year 2002 report that DOD released to Congress, DOD reported that of the 2,173 Army and Air Force incidents for which sufficient evidence existed to take disciplinary action, 1,027, or 47 percent had no actions listed. DOD and service instructions require that command disciplinary actions be entered into the law enforcement systems. Moreover, these systems contain a data field to record commanders' actions in responding to domestic violence incidents. However, during our site visits, we found that some commander disciplinary actions were not being entered into the data field and some of the law enforcement officials we interviewed stated that they were unaware that they were required to do so. These officials acknowledged the importance of including this information to provide visibility over what disciplinary actions had been taken and that there was a field available in the system for them to do so. At one installation, we found that hard copies of the commander disciplinary actions were

¹¹ Department of Defense Directive-Type Memorandum, *Establishment of DOD Database on Domestic Violence and Procedures for Submitting Domestic Violence Data*, June 8, 2000.

maintained in a file in the Provost Marshall's office, but this information had not been entered into the law enforcement database.

Officials who oversee the DOD central domestic violence database and the Central Registry data system, as well as Family Violence Policy Office personnel, are aware of the problems with obtaining complete information about domestic violence incidents and commander disciplinary actions. However, officials in the Office of the Under Secretary of Defense for Personnel and Readiness have not developed a plan for correcting the deficiencies and ensuring that (1) the central database on domestic violence in the Defense Incident-Based Reporting System and service law enforcement systems have complete and accurate data and (2) all commander disciplinary actions related to domestic violence incidents are reported into these systems. Without complete data on reported incidents of domestic violence and the steps taken by commanding officers to address these incidents, Congress and DOD will lack the visibility and information needed to understand the magnitude of the domestic violence problem, identify domestic violence trends, and proactively address these issues as they emerge.

Resources Provided and Progress Made, but Challenges Exist to Implementing the Remaining Task Force Recommendations

Over the past 3 years, DOD provided the Family Violence Policy Office about \$23 million, which it has used to make progress toward implementing many of the task force's recommendations. Nonetheless, two challenges—shortages in critical staff and ineffective strategies for communicating new domestic violence policies— threaten progress and limit assurance of consistent application of its new policies.

Resources Provided for Office Overseeing Implementation of Recommendations

From fiscal year 2003 through fiscal year 2005, the Military Community and Family Policy Office provided the Family Violence Policy Office with approximately \$23 million to implement the task force's recommendations. The largest portion, about \$17 million, was for funding a contract to provide victim advocate services and shelter services to victims of domestic violence. Program analysts from the Military Community and Family Policy Office told us that this contract provides on-call services from within the local community, supporting approximately 45 full-time and 40 part-time on-call advocates each month. The Family Violence Policy Office was also provided approximately \$3 million to train various DOD professionals in 2005. The cost of this training included funds for a contractor to perform conference planning,

facilitation, and administrative management support services for these events . Additionally, the Family Violence Policy Office was provided \$400,000 to develop a DOD-wide domestic violence public awareness campaign. Appendix II provides a detailed breakdown of the expenditures of the Family Violence Policy Office in implementing the task force recommendations.

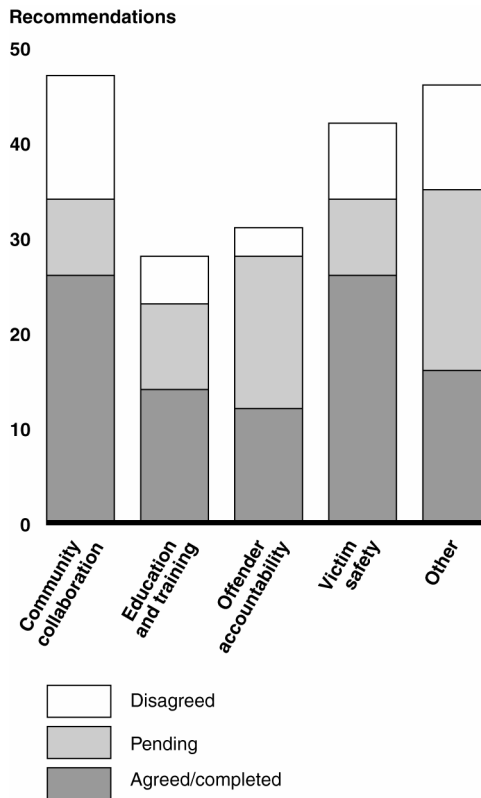
Progress Made in Implementing Domestic Violence Recommendations

Our analysis of DOD's actions in implementing the task force recommendations shows that DOD, as of March 2006, had implemented almost two-thirds of the recommendations they planned to carry out. While this shows progress, the recommendations vary in their relative importance to improving DOD's efforts to address domestic violence; and thus, the implementation of some recommendations may not have as significant an impact on DOD's efforts as will the implementation of others. Notwithstanding this point, of the 194 recommendations made by the task force, we found DOD had completed actions on 94 recommendations, had actions pending on 60 recommendations, and had not taken actions on 40 recommendations because the department either disagreed with the recommendations, the recommendation was not applicable to the department, or DOD felt that the recommended action was already undertaken. We counted recommendations as completed if we found evidence of action taken on the recommendation by DOD. Actions taken included guidance, policy memoranda, training materials, or other supporting documentation DOD issued to implement the task force recommendation. Additionally, we found, for the most part, documentation, focus group discussions, or interviews that showed the service and installation levels were implementing or had efforts to begin implementing DOD's guidance on the completed actions.

Figure 1 shows our analysis of DOD's implementation status of the 194 recommendations. The recommendations are grouped by the four primary task force themes previously discussed in this report; recommendations that did not fit directly into one of these themes were classified as "other." The "other" category contains items such as issues related to overseas installations and program management.¹²

¹² This category also included special interest items such as the domestic violence definition, prevention of domestic violence, severity of abuse, recommended research, and process model.

Figure 1: Defense Task Force on Domestic Violence Recommendations by Themes and Implementation Status



Source: GAO analysis of DOD data.

As figure I shows, DOD has made the most progress in implementing recommendations pertaining to community collaboration and victim safety. DOD officials stated that their original focus was placed on addressing victim safety issues, in particular, because it was critical to ensure victims are protected from further abuse. A listing of all 194 recommendations and our analysis of DOD's status in completing them are included in appendix III.

The Family Violence Policy Office believed that they had completed more recommendations than we identified in our analysis. Specifically, DOD officials provided a department-level status matrix that indicated that they had completed 121 of the 194 task force recommendations. Our numbers differ because DOD identified 27 of the recommendations as complete when we found DOD actually had stated that it did not agree with 26 of the recommendations or took no action because the recommendation was

already being done or did not apply to them, and one recommendation was still pending. For example, the task force recommended that DOD centrally track military protective orders. DOD essentially disagreed with the recommendation, stating that it had determined that it would not be feasible to centrally record and track military protective orders because there were too few such orders to justify creating another database. Nevertheless, DOD categorized this recommendation as complete, while we categorized this recommendation as one with which they disagreed. We have grouped the 26 recommendations and the one pending action with those that were identified as requiring no action and pending, respectively in appendix III, which shows our analysis of DOD's status for the recommendations.

Limited Personnel in Office Overseeing Implementation

Despite its investment to date and reported progress, potential personnel shortages in the DOD office implementing the recommendations could hinder the department's timely implementation of the remaining recommendations. The personnel in this office have an essential role in implementing the domestic violence recommendations, with responsibility for, among other things, (1) drafting, revising, and coordinating DOD policy in response to domestic violence recommendations; (2) drafting training curricula and monitoring implementation of those curricula for family advocacy program staff, health care officials, and law enforcement, among others; and (3) drafting and coordinating public affairs strategies to inform the military community about the revised DOD response to domestic violence in the military.

Officials in the Military Community and Family Policy Office and those in the Family Violence Policy Office told us that, originally in 2003, five positions had been provided for the team implementing the task force recommendations. This included one permanent position for the office supervisor; one term position for a program analyst; and three positions for senior-level officers on detail assignments from the services—one each from the Army, Navy, and Air Force. Position descriptions for military personnel stress that these individuals were to serve as military experts in implementing domestic violence programs. However, officials in the Family Violence Policy Office told us the Navy officer retired in 2004, and the Air Force officer was detailed to another OSD position in 2005. The Navy did not "backfill" or replace its position, stating that the position was needed within their service, and officials in the Family Violence Policy Office stated that OSD had placed the Air Force position within another area of DOD because OSD had a greater need for that position there. Thus,

since 2005, the Family Violence Policy Office has been reduced to three positions.

During our review, officials in the Family Violence Policy Office stated that the officer detailed from the Army is expected to retire in May 2006 and the term position is expected to expire in July 2006. The office had requested and obtained approval from the OSD Military Community and Family Policy Office to fill the Army position and renew the term position, stating that these positions were needed to complete implementation of the remaining recommendations in a timely manner. The officials further noted that the remaining recommendations they will be implementing are more challenging than those already implemented and will require personnel experienced in domestic violence issues. For example, they explained that implementation of the recommendations aimed at revamping the Case Review Committee and the Offender Intervention require more research and analysis with experts within and outside of DOD. Without adequate personnel, the officials estimate that it may take more than 3 years to implement the remaining 60 task force recommendations. However, as of March 2006, officials in the Family Violence Policy Office told us that approval to fill the soon-to-be-vacant positions had not been obtained from the final approval authority at Washington Headquarters Services. Retaining key personnel who can affect the ability of a program to function effectively is a good internal control principle.¹³

Implementation Policies Not Effectively Communicated

DOD also faces a challenge in effectively communicating the policies that it has developed in response to the task force's recommendations. DOD's method of communicating its policy changes has not been effective in ensuring consistent practices or promoting widespread understanding of the new policies among DOD and the services.

As of March 2006, DOD had issued 16 directive-type memoranda as interim guidance to quickly communicate information about changes resulting from implementation of the task force recommendations. (See app. IV for a list of these memoranda). Almost all of the directive-type memoranda set target dates for DOD to issue later guidance implementing the interim policies. In most cases, final guidance such as a directive was expected to

¹³ See GAO, *Standards for Internal Control in the Federal Government*, [GAO/AIMD-00-21.3.1](#) (Washington, D.C.: November 1999).

be issued within 180 days after each memorandum was signed; however, as of March 2006, the final guidance had not been issued and most of the interim guidance is now more than 2 years old. Since the memoranda are interim guidance, they have been communicated to the services and throughout DOD through mail to the Service Secretaries and informally via e-mails and special Web pages¹⁴ rather than being formally posted on the official DOD directives Web site.¹⁵ Under internal control guidance, organizations should consistently apply policies, and sound management practices of leading organizations offer federal agencies a methodology for establishing effective communications to promote consistency.¹⁶ However, some DOD and service officials we met with stated that existing DOD guidance was not always consistent with the directive-type memoranda implementing the task force recommendations and that this inconsistency has sometimes caused confusion at the installation level. In addition, we found that information in the directive-type memoranda was not always communicated to the installations in a timely manner and had resulted in some of the officials not knowing about and, thus not following current policies consistently.

We identified several inconsistencies in implementing the recommendations as a result of DOD's policy changes not being communicated effectively, including the following:

- DOD's Family Advocacy Program Directive 6400.1 has not been updated to reflect DOD's interim guidance that implements the task force recommendations, even though a number of the task force recommendations had called for these changes to be made in this directive. Family Advocacy officials told us they will not update their directive until the Family Violence Policy Office issues a new instruction, incorporating all of the interim guidance issued in the directive-type memoranda. As a result, some DOD and service officials stated that inconsistent guidance from these two offices has been a source of

¹⁴ The special Web pages provide news and information for flag and general officers—i.e., <http://www.commanderspage.com>; while, another—i.e., <http://www.militaryhomefront.dod.mil>—provides servicemembers and their families with information on all quality-of-life issues, including domestic violence.

¹⁵ As of March 30, 2006, DOD had posted Directive Type Memoranda on its official Directives Web site; however, this link only had 3 of the 16 domestic violence directive-type memoranda.

¹⁶ See GAO, *Standards for Internal Control in the Federal Government*, GAO/AIMD-00-21.3.1 (Washington, D.C.: November 1999).

confusion. A prime example is that while DOD's new definition of domestic violence was issued in 2004, staff at some of the installations we visited said that they did not become aware of the definition until late 2005 or January 2006. Consequently, some victims of domestic violence who were covered under the new definition, since 2004, may not have been considered for services.

- The task force also recommended that DOD establish a policy that written copies of military protective orders be forwarded immediately to both law enforcement and family advocacy officials. While DOD initially issued a policy in March 2004 allowing distribution to law enforcement, it reversed this policy in July 2004 due to concerns with the military protective order's use and dissemination. DOD's August 8, 2005, status report on recommendations further stated that the Privacy Act¹⁷ does not allow distribution of the military protective orders to family advocacy and law enforcement. This policy change, however, was not effectively communicated, causing many inconsistent practices throughout the installations we visited. For example, contrary to the July 2004 guidance, DOD's September 2005 domestic violence training materials provided to commanders, judge advocates, and law enforcement personnel contained information on leadership responsibilities, which stated that a copy of each order is to be forwarded to law enforcement and family advocacy. Further, policy information on DOD's Web sites that allowed the orders to be distributed to law enforcement was not changed until we notified DOD officials of the inconsistency. Additionally, we found inconsistent practices between the services. For example, the Army's regulations¹⁸ allowed distribution of the protective orders to family advocacy and law enforcement officials. On the other hand, the Navy did not provide copies to family advocacy. However, a Navy instruction,¹⁹ which predated the DOD July 2004 guidance, allowed distribution to law enforcement. Navy officials stated that their guidance will be revised to reflect DOD requirements not to provide copies to law enforcement, upon release of DOD's Domestic Violence instruction. Finally, our discussions with OSD and service lawyers revealed that they believe providing copies of protective orders to family advocacy and law enforcement officials would not be a violation of the Privacy Act.

¹⁷ The Privacy Act of 1974, Pub. L. No. 93-579 (1974) is the primary act that regulates the federal government's use of personal information. It places limitations on agencies' collection, disclosure, and use of personal information in systems of records.

¹⁸ Army Regulation 608-18 (Sept. 27, 2004).

¹⁹ OPNAVINST 1752.2A (Jul. 17, 1996).

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- The task force recommended that “DOD mandate the military services to provide awareness education to military spouses regarding the transitional compensation program.”²⁰ DOD said that no action was required on this recommendation “[s]ince Congress established the transitional compensation program; the services have routinely educated dependent family members about it.” However, during our installation visits we found inconsistent communication of this information. Discussion groups with victim advocates and interviews with family advocacy officials revealed that a few installations elected not to inform military members or spouses about transitional compensation until a specific victim had a documented, validated domestic violence case in which they would be eligible to receive benefits. The victim advocates stated that this was done to prevent potential abuse of the program. Some of the other installations were quite liberal about providing information on the program. They said they felt providing the information may encourage more people to come forward if they knew help was available.
 - The task force also recommended that DOD develop guidance for commanding officers on how to properly document domestic violence issues in separation papers to help facilitate transitional compensation. The directive-type memorandum issued by DOD to implement this recommendation states that commanding officers should be trained on transitional compensation, but it does not specifically require training them on how to “properly document separation papers.” Some victim advocates at installations we visited said that commanding officers do not always use proper documentation to ensure that victims will receive transitional compensation and that some victims have been denied these funds because of lack of documentation. DOD officials in the Family Violence Policy Office told us that guidance on waiver requirements, as recommended by the task force, is included in a draft instruction from the Military Personnel Policy Directorate on transitional compensation. We found inconsistencies in victim advocates’ knowledge of the waiver associated with transitional compensation requirements because this information had not been effectively communicated to the advocates.

DOD officials in the Family Violence Policy Office, Family Advocacy Program Office, as well as officials in the four services acknowledged that communication could be a problem and may result in inconsistencies.

²⁰ Congress established the transitional compensation program for abused spouses/family members of military personnel as part of the National Defense Authorization Act of Fiscal Year 1994, Pub. L. No. 103-160, at 554 (1993). The law authorizes temporary payments for families in which the servicemember has been discharged administratively or by court-martial for dependent-related abuse.

They also noted that formal instructions take years to draft and coordinate and that mailing the interim guidance to service secretaries, e-mailing it to key points of contacts, and placing the guidance on the Web pages were the best avenues to follow. However, in our view, without an overall communication strategy that provides a clear and consistent understanding of policy among DOD and the services, there may continue to be confusion and inconsistencies among DOD and the services on implementing the task force's recommendations.

Steps Taken to Ensure Confidentiality and Provide Domestic Violence Training, but Additional Efforts Needed

DOD is taking steps to address specific task force recommendations to ensure confidentiality for victims of domestic violence and to train commanding officers, senior enlisted personnel, and chaplains on how to respond to such incidents. In its efforts to ensure confidentiality, DOD has developed a restricted reporting policy that allows victims to report incidents of domestic abuse, which includes domestic violence, to health care and victim advocacy specialists without mandatory disclosure to command or law enforcement officials. However, the policy was not implemented until April 2006. Further, in its efforts to provide additional domestic violence training, DOD issued guidance requiring training for commanding officers, senior enlisted personnel, and chaplains, but tracking and documenting these training efforts have not always occurred.

New Restricted Reporting Policy Not Yet in Force

The task force had a number of recommendations asking DOD to explore options for creating a system of confidential services, privileged communications, and exemptions to mandatory reporting. The goal of these recommendations was to provide victims of domestic violence with access to a credible avenue for receiving support, information, options, and resources to address the violence in their lives. In response to the task force's recommendations, on January 22, 2006, DOD issued its *Restricted Reporting Policy for Incidents of Domestic Abuse* to ensure that domestic violence victims are protected, treated with dignity and respect, and provided with support, advocacy, and care.

Under the new policy, victims can choose either unrestricted reporting or restricted reporting. Unrestricted reporting uses current reporting channels—e.g., chain of command, Family Advocacy Program, or law enforcement—and is for victims of domestic abuse who want to pursue an official investigation of an incident. Restricted reporting allows adult victims of domestic abuse to disclose the abuse to health care providers, victim advocates, or supervisors of victim advocates, and receive medical treatment and victim advocacy services without notifying the alleged

offender's commanding officer or law enforcement. The new policy allows victims to receive relevant information, medical attention, and support while having additional time to make a more informed decision about reporting the incident. The task force found that victims were often reluctant to seek services because they had fears about the potential adverse impact the reported incident may have on the servicemember's career and the family's financial well-being, as well as concerns about their personal safety.

However, the restricted reporting policy did not take effect until April 22, 2006, in order for the services to have time to develop consistent policies and an implementation strategy. Consequently, at the time of our review, it was too soon to assess what effects this policy will have on reported cases of domestic violence. The new policy, nonetheless, was a topic of great concern during our discussions at the 15 installations included in our study. Installation commanders, commanding officers, legal officers, provost marshals or heads of security forces, chaplains, family advocacy program managers, victim advocates, and health care providers all shared their views about the advantages and disadvantages of the restricted reporting policy. Their views varied considerably and ranged from unequivocal support for the policy, to uncertainty because of licensing and ethical concerns, to outright objection.

Those who expressed support for the policy said they did so because they felt the policy promoted victim confidentiality, safety, and support. Some unit commanders, for example, stated that the policy would allow the victims to receive medical care and time to decide if they wanted to press charges. In addition, chaplains at some installations voiced approval for the policy because it opened another avenue for victims to receive assistance without getting others involved.

Conversely, officials who objected to the restricted reporting policy said they did so because they believed the policy would not encourage victims to "officially" report the incident, and thus would send the wrong message to aggressors, as well as diminish the commanding officers' ability to hold offenders accountable. Specifically, legal officers serving as prosecutors and commanding officers at several installations told us that they objected to the policy because, while permitting victims to receive some types of assistance was positive, it allowed aggressors to remain free from disciplinary actions and to be able to continue the pattern of domestic violence. The legal officers also expressed concern about the evidence that would not be captured at the crime scene when domestic violence occurs because the incident was not reported immediately.

One area of concern raised during our installation visits dealt with specific licensing issues and ethical dilemmas. For example, health care providers expressed concerns that the new restricted reporting policy may conflict with state licensing requirements mandating them to report incidents of domestic violence to civilian authorities. They also expressed reservations about the policy in cases where they had to provide medical aid to a severely injured individual who appeared to be untruthful about the source of the injury. While this policy is similar to DOD's Sexual Assault Prevention and Response Program policy, many officials in our discussion groups said that similar reporting may not be appropriate. According to these individuals, the perpetrator of sexual assault does not usually reside with the victim; therefore unreported incidents are less likely to place a victim in a situation for further abuse, unlike domestic violence where a victim would return home to the alleged abuser. Some of the health care providers expressed concerns that they might be placed in a position in which they had to send a battered victim back into a dangerous situation.

During the time of our installation visits—i.e., from October 2005 through February 2006—the restricted reporting policy was issued and addresses some of the concerns and issues from our discussion groups. For example, the policy states that confidentiality will be suspended for specific reasons, such as to prevent or lessen a serious and imminent threat to the health or safety of the victim or another person or when required by state statute. While some of the issues are addressed in the policy, the level of support this policy will provide victims of domestic violence, the potential impact restricted reporting will have on law enforcement investigations, as well as the impact the policy will have on a commander's ability to hold perpetrators accountable, will be determined during implementation.

Additional Efforts Are Needed to Ensure Training Is Received

Beyond confidentiality, the task force made over 10 recommendations that focused on training for commanding officers, senior enlisted personnel, and chaplains to respond to domestic violence issues. To respond to the task force recommendations to train commanding officers and senior enlisted personnel, DOD issued guidance directing the services to require these officials to receive such training. Specifically, the Office of the Under Secretary of Defense for Personnel and Readiness issued a directive-type memorandum titled "*Domestic Abuse Response and Intervention Training for Commanding Officers and Senior Enlisted Personnel*" in February 2004. This memorandum required training on specified topics, such as dynamics of domestic violence, common misconceptions of victim safety, and responses to alleged domestic abuse. The military services are addressing this requirement by providing several educational options,

including Web-based training, training at the professional military education schools, and training at installations led by instructors.

In addressing the task force recommendation to train chaplains, the Office of the Under Secretary of Defense for Personnel and Readiness issued a directive-type memorandum titled “*Domestic Abuse Training for Chaplains*” on January 29, 2004, which required training for chaplains on specified topics. One of the primary topics that chaplains received training on was privileged communication,²¹ because of the special role chaplains play in providing assistance to victims of domestic violence. Chaplains we spoke with said they received this training at their basic officer’s course, periodically through continuing professional military education, and at installations.

While training on domestic violence issues is being provided to commanding officers, senior enlisted personnel, and chaplains, DOD does not have complete data on which chaplains have received training because the Military Community and Family Policy Office did not require tracking or documenting training provided to chaplains. Although internal control guidance states that management should document and track agency initiatives to ascertain if they are achieved and provide follow-up actions, the Family Violence Policy Office and Family Advocacy Office did not develop training metrics. Without accurate training data and documentation, DOD lacks visibility over whether chaplains have been adequately trained and are being provided with resources that will assist them in handling domestic violence issues.

Furthermore, during our discussion groups with chaplains, which included a mix of experienced and junior officers, we found that some chaplains did not fully understand their responsibilities concerning privileged communication. For example, the Army regulation states that such privileged communication is not to be disclosed to third persons other than those to whom disclosure furthers the purpose of the communication, or to those reasonably necessary for the transmission of the communication. The regulation also states that the chaplain and chaplain assistant will not divulge privileged communication without the written consent of the person(s) authorized to claim the privilege. Some

²¹ A communication to a chaplain given as a formal act of religion or as a matter of conscience that is made in confidence and not intended to be disclosed to others is a privileged communication.

Army and Navy chaplains we interviewed stated that they may notify the chain of command about a privileged communication. For example, one chaplain mentioned that there was no Army requirement that chaplains report information discussed during a privileged communication and others stated that the current Army regulation for chaplains speaks to this. The chaplain further stated that some Army chaplains had decided for themselves what they would and would not report and would explain this to people that they counseled. A Navy chaplain also stated that under certain conditions he would notify the commanding officer if an individual admitted being involved in domestic violence, even if the person made the statement as a matter of religious conscience. Other chaplains in our discussion groups told us that a breach of privileged communication could ruin the reputation of chaplains and lead to no one seeking their help.

The task force, in its 2002 report, also had similar findings and recommended that DOD issue guidance clarifying clergy confidentiality. An official at the Chaplain Board told us that, since it takes so long to issue DOD-wide guidance, DOD is not likely to issue additional guidance addressing confidentiality and privileged communication because the services have issued guidance, which is consistent with the Military Rules of Evidence.²² However, when we discussed privileged communication with chaplains, many referred to service guidance, as well as the Military Rules of Evidence; but some were unclear as to what their responsibilities were. Additional guidance and emphasis during chaplain training could facilitate a consistent understanding by chaplains of their responsibilities regarding confidentiality. Without taking action, DOD may be unable to ensure that all chaplains are prepared to handle private information provided by victims or offenders, which could deter both from seeking assistance.

²² The Military Rule of Evidence 503, Communications to Clergy, states that a person has a privilege to refuse to disclose in legal proceedings and to prevent another from disclosing a confidential communication to a clergy or to a clergyman's assistant if such a communication is made either as a formal act of religion or as a matter of conscience.

DOD Has Not Established an Oversight Framework to Monitor Compliance and Evaluate Implementation of Recommendations

DOD has not established an oversight framework to monitor compliance with and evaluate implementation of the task force recommendations on domestic violence. The task force's initial 2001 report recommended that DOD strategically use regional oversight and monitoring visits at both the DOD and service levels to improve the department's oversight of its efforts to address domestic violence. DOD's draft domestic abuse instruction requires the Military Community and Family Policy Office of the Under Secretary of Defense for Personnel and Readiness to monitor compliance with the instruction and periodically evaluate domestic violence efforts. The draft instruction, however, does not communicate how this should be done and the Military Community and Family Policy Office has not established a formal process for doing this.

Officials in the Family Violence Policy Office stated that action on the task force recommendation for oversight is pending and told us they were exploring options for addressing it, such as having the DOD Inspector General perform reviews every 2 or 3 years. These officials and those from the Family Advocacy Program told us that the services' headquarters monitor and evaluate their own installation family advocacy program offices through their accreditation processes.²³ However, they acknowledged that the service accreditation reports are not sent to DOD and that the department has limited visibility into service domestic violence efforts. The Military Community and Family Policy Office is considering asking officials from the Family Advocacy Program Office and the Family Violence Policy Office to go on some of the services' accreditation visits to provide oversight of the implementation efforts. The task force mentioned, however, that to be effective, program evaluation must be ongoing and fully integrated.

Although the DOD Family Advocacy Office has established output metrics that somewhat relate to certain recommendations, DOD has not established results-oriented performance measures that could enable it to evaluate compliance with the recommendations. One example of an established DOD metric is the number of briefings to new unit commanders and senior enlisted personnel on domestic abuse and child abuse. A DOD Family Advocacy Program official stated that this metric is intended to be an output measure related to the Government Performance

²³ Accreditation is a process of education and improvement for service organizations that are committed to achieving quality in management and services. It demonstrates that the service has met accepted standards of operation in the Family Advocacy Program.

and Results Act²⁴ and is only indirectly related to a recommendation in the task force reports. This metric is not a results-oriented performance measure that would capture the results or evaluate the effectiveness of the briefings in increasing these officers' awareness of domestic violence issues. Without an overall management framework for monitoring and reporting on implementation, DOD and Congress will continue to have limited visibility and oversight to evaluate the changes associated with the recommendations and to make improvements. As a result, DOD may be unable to ensure that all of the accepted task force recommendations are implemented to produce the desired improvements in assisting domestic violence victims and holding offenders accountable.

Conclusions

Understanding the size and nature of domestic violence is essential to DOD's ability to improve its response to this important issue. Yet the department currently lacks the information needed to determine reported domestic violence incidents. To date, DOD does not have a database containing complete information on reported incidents and what actions are being taken to discipline those who commit these violent acts. In addition, the lack of sufficient personnel threatens the timely implementation of the pending task force recommendations. Further, the absence of clear and effective communication of the policy changes made in response to the task force recommendations has hindered servicemembers' awareness of their responsibilities in providing assistance to victims and holding offenders accountable. The failure to track the training of the chaplains who respond to domestic violence incidents impairs DOD's visibility over whether chaplains are being provided with the tools to effectively deal with domestic violence and understand their obligations concerning privileged communications. Finally, the absence of an oversight framework limits DOD's ability to assess its efforts to achieve the desired results in improving the prevention of and response to domestic violence. Without further management action to address all of these deficiencies, DOD may be unable to effectively identify and respond to concerns about domestic violence among servicemembers.

²⁴ Pub. L. No. 103-62 (1993).

Recommendations for Executive Action

To enhance implementation of the task force recommendations and improve the effectiveness of domestic violence efforts, we recommend that the Secretary of Defense direct the Under Secretary of Defense for Personnel and Readiness to take the following seven actions:

- Develop, in conjunction with the service secretaries, a comprehensive management plan to address deficiencies in the data captured in DOD's domestic violence database that focuses on ensuring that accurate and complete data exist and that all instances in the Defense Incident-Based Reporting System and Family Advocacy Program Central Registry are matched and reported annually, as required in DOD's Manual 7730.47-M;
- take appropriate steps, in conjunction with the service secretaries, to ensure all commander actions related to domestic violence incidents are entered in law enforcement systems;
- develop a plan to ensure adequate personnel are available to implement pending task force recommendations;
- establish a communication strategy for effectively informing DOD and service officials about new guidance implementing the task force recommendations, to include
 - issuing a revised DOD family advocacy program directive that is consistent with interim guidance for implementing the task force recommendations; and
 - clearly articulating its policy regarding the distribution of military protective orders using a method that will ensure consistent application by all services and DOD;
- develop, in conjunction with the service secretaries, procedures and metrics to ensure that accurate, consistent, and timely domestic violence training data are collected for chaplains;
- develop, in conjunction with the service secretaries, chaplain guidance and training materials that highlight and clarify chaplain responsibilities concerning privileged communication; and
- develop and implement, in conjunction with the services, a DOD-wide oversight framework that includes a results-oriented evaluation plan for the implemented recommendations, and a process for ongoing monitoring of and reporting on implementation.

Agency Comments and Our Evaluation

In written comments on a draft of our report (reprinted in app. V), DOD expressed concern that GAO had attempted to define, differentiate, and prioritize what it considered important task force recommendations and had focused on perceived deficiencies rather than progress. The department further noted that GAO's review had assumed that DOD should implement all recommendations of the task force exactly as written and stated that after each report the department clearly indicated the

recommendations it agreed with, did not agree with, and would study. DOD also stated that it never suggested that it could not or would not modify any of the task force recommendations. DOD noted that GAO had sought to penalize the department for deviating from the narrowest reading of individual recommendations. We disagree. To the contrary, our report is very clear on the progress the department has made in implementing the recommendations. Moreover, the scope and methodology for our study (explained in app. I) clearly details the approach that we used to assess this progress. Further, in mentioning that the recommendations vary in their relative importance to improving DOD's efforts to address domestic violence issues, we simply noted that the implementation of some recommendations may not have as significant an impact on DOD's efforts as will the implementation of others. Additionally, we did not assume that DOD could not modify task force recommendations. As the report states, when counting recommendations as being completed by DOD, we included instances where actions taken to implement the recommendations were different from language that the task force suggested. Specifically, we stated that completed actions were grouped into two categories: (1) actions that DOD took that directly implemented the task force recommendations and (2) completed actions taken that DOD believed met the intent of the recommendation. We also made it clear in our report that there were 40 recommendations that DOD did not take action on because they did not agree with the recommendation, the recommendation was not applicable to DOD, or the recommended action was already being done. In addition, we noted in the report that there were 60 recommendations where DOD had actions pending.

Regarding our recommendations, DOD concurred that the department would take steps to ensure commander actions related to domestic violence are entered into law enforcement databases, develop a plan to ensure adequate personnel are available to implement pending task force recommendations, and establish an oversight framework to monitor progress and implementation of the task force recommendations. DOD stated that it had issued policy requiring documentation of commander actions, conducted training to communicate this policy, and would continue to aggressively communicate this policy to the services. DOD also indicated that it was committed to providing resources to implement the task force recommendations and had requested extensions for current personnel to do so. We believe this approach could satisfy the intent of our recommendation if DOD has a defined plan to provide personnel in the event the requested personnel extensions are not granted. DOD said it is developing an initial oversight process to monitor progress and

implementation and it anticipates completion will be in fiscal year 2007 or 2008. As DOD develops this oversight process, we reiterate the need for it to include results-oriented performance measures that can enable it to evaluate compliance with the recommendations.

DOD partially concurred with our recommendation calling for the Under Secretary of Defense for Personnel and Readiness to develop a comprehensive management plan to address data deficiencies in DOD's domestic violence database. DOD stated that this recommendation is more appropriately directed to the Military Departments, noting that it requires the services to submit data, but that the systems used by the services are insufficient and unfunded. We agree. While we believe the recommendation is appropriately directed to the Under Secretary of Defense for Personnel and Readiness, who has oversight and stewardship for the department's centralized domestic violence database, we have expanded our recommendation to include the services.

DOD partially nonconcurred with our recommendation to establish a communication strategy for informing DOD and service officials about new guidance, to include issuing a revised family advocacy program directive and reconsidering the task force recommendation on providing military protective orders to law enforcement and family advocacy officials and communicating associated policies to the services. Specifically, DOD agreed with the need to issue a revised Family Advocacy Program Directive. However, the department disagreed with the need to reconsider the task force's recommendation to provide military protective orders. DOD stated that it has considered the issue of providing the protective orders to law enforcement and family advocacy officials and continued to believe there are privacy concerns. Given its position, we are no longer recommending that the department reconsider the task force's recommendation in that regard. However, because of inconsistent practices found among the services regarding whether distribution of these orders was allowed to law enforcement and family advocacy personnel, we continue to believe that the department needs to clarify and more effectively communicate its policy on this issue and, therefore, we are revising our recommendation to emphasize this point.

DOD partially nonconcurred with our recommendation to develop, in concert with the Family Advocacy Director and four service family advocacy program managers, guidance and training materials clarifying chaplain responsibilities regarding privileged communications. DOD stated that the family advocacy program managers were not the proponents of chaplains' privileged communications. We agree and have

modified our recommendation to include the services, as well as the Under Secretary of Defense for Personnel and Readiness. DOD also stated that each military department has policy addressing clergy confidentiality and DOD does not contemplate developing such a policy. DOD further stated that it has issued policy requiring this training and noted that DOD and the services will continue to address this issue at relevant training events. Because we, like the task force, found some chaplains did not fully understand their responsibilities concerning privileged communications, we continue to believe that DOD needs to issue a departmentwide policy on privileged communications, and that DOD and the services need to develop training materials that highlight and clarify chaplain responsibilities for these communications.

DOD nonconcurred with our recommendation to develop, in concert with the Family Advocacy Director, four service family advocacy program managers, and the chaplaincy board, procedures and metrics to ensure that accurate, consistent, and timely domestic violence training data are collected for chaplains. DOD stated that the family advocacy program managers were not the proponents of chaplain training and that this recommendation is more appropriately directed to the Military Departments. We agree. While we believe the recommendation is appropriately directed to the Under Secretary of Defense for Personnel and Readiness, who has oversight over domestic abuse matters, we have modified our recommendation to include the services. In addition, DOD further stated that it is inappropriate for the department to engage in routine operator-level activity such as tracking training statistics. However, it is important to note that the Under Secretary of Defense for Personnel and Readiness has established metrics for tracking domestic abuse training for commanding officers and senior enlisted personnel and, in light of this fact, we continue to believe that the Under Secretary of Defense for Personnel and Readiness should also maintain procedures and metrics on domestic abuse training for chaplains, who play a critical role in assisting domestic violence victims.

We are sending copies of this report to the Secretary of Defense and the Under Secretary of Defense for Personnel and Readiness. We will also make copies available to others upon request. In addition, the report will be available at no charge on the GAO Web site at <http://www.gao.gov>.

Should you or your staff have any questions about this report, please contact me at 202-512-6304. Contact points for our Offices of

Congressional Relations and Public Affairs may be found on the last page of this report. Key contributors to this report are listed in appendix VI.

Valerie C. Melvin

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Acting Director, Defense Capabilities and Management

Appendix I: Scope and Methodology

In conducting our review of the Department of Defense’s (DOD) progress in implementing recommendations from the Defense Task Force on Domestic Violence, we contacted officials at the Office of the Under Secretary of Defense for Personnel and Readiness’ Family Violence Policy Office and Family Advocacy Program, Defense Manpower Data Center; Army’s Military Community and Family Support Center; Commander of Naval Installations; Office of the Assistant Secretary of the Air Force for Force Management and Personnel; and Marine Corps Family Advocacy Program Office. We made 15 site visits to installations in the United States, Germany, Japan, and South Korea to collect documentation to assess the status of DOD’s efforts to implement the Defense Task Force on Domestic Violence’s recommendations. We selected locations based on the number of incidents of spouse abuse reported to the Family Advocacy Program office from 2000 through 2004,¹ suggestions from DOD and service officials, and location—i.e., at least two installations per service domestically and at least one per service overseas. At each of these locations, we interviewed key personnel in positions such as installation commanders, provost marshals, commanders, legal officers, victim advocates, family advocacy managers, health care officials, chaplains, military police, and senior enlisted personnel because they were identified by the task force as having specific responsibilities pertaining to victim safety or offender accountability. Table 1 lists all of the installations we visited.

Table 1: Installations Visited During the Review	
Service	Installation
Army	Fort Bragg, North Carolina
	Fort Hood, Texas
	Schofield Barracks, Hawaii
	Yongsan Garrison, South Korea
Navy	Naval Station, Norfolk, Virginia
	Naval Air Station, Jacksonville, Florida
	Naval Station, Pearl Harbor, Hawaii
	Yokosuka Naval Base, Japan
Marine Corps	Marine Corps Air Ground Combat Center, California
	Marine Corps Base, Hawaii

¹ We did not verify these numbers.

Service	Installation
	Camp S. D. Butler, Japan
Air Force	Wright Patterson Air Force Base, Ohio
	Hickam Air Force Base, Hawaii
	Ramstein Air Base, Germany
	Kadena Air Base, Japan

Source: GAO.

To determine DOD's ability to report on domestic violence in the military and the disciplinary actions taken by commanders to address these incidents, we reviewed and analyzed laws, directives, and other DOD and service policies and guidance for reporting domestic violence incidents including DOD's *Manual for Defense Incident-Based Reporting System* 7730.47-M and DOD's *Manual for Child Maltreatment and Domestic Abuse Incident Reporting System* 6400.1-M-1. We also reviewed and analyzed DOD domestic violence data obtained from the Defense Incident-Based Reporting System, Family Advocacy Program Central Registry, and reports to Congress on DOD domestic violence. To assess the reliability of the criminal and clinical data systems, we (1) reviewed existing information about the data and systems that produced them and (2) interviewed agency officials knowledgeable about the data. We also reviewed information on the collection methods used to gather, record, and report the data mentioned above and verified the reliability of the data in the Defense Incident-Based Reporting System and Family Advocacy Program Central Registry. We concluded that the data from both data systems were not complete enough to provide an accurate number of domestic violence incidents or commander actions.

To determine the extent to which DOD has implemented the recommendations of the task force as well as the amount of resources provided to the office responsible for implementing the recommendations, we reviewed Defense Task Force on Domestic Violence reports and spoke with members of the defense task force that made the recommendations to DOD. In addition, we prepared a matrix summarizing the recommendations; obtained DOD's status in implementing the recommendations,² along with supporting documentation and evidence to

² We assessed DOD's progress in implementing the recommendations included in its status matrix submitted on February 15, 2006. DOD continues to complete recommendations and submitted an updated matrix March 21, 2006; however, our time frames precluded us from corroborating this additional information.

corroborate implementation; and we interviewed or conducted focus groups with officials at the selected installations mentioned above to understand the guidance and training received by the officials and assess how they are implementing the recommendations. We also obtained from the installations supporting documentation for many of the implemented recommendations, including copies of memoranda of agreements with civilian law enforcement agencies, training materials, and guidance on military and civilian protection orders. Furthermore, we interviewed officials at the DOD Family Violence Policy Office, the office responsible for implementing the recommendations, and examined budget information to ascertain the funding and resources provided to this office.

To facilitate the data-gathering process for all four questions,³ we developed and pretested our questions and data collection instruments at Fort Mead and Andrews Air Force Base, both located in Maryland. We identified the content of the instruments through a review of the task force report recommendations, service guidance, and other policy manuals. We ultimately used three types of data collection instruments at the 15 installations visited. Specifically:

- Focus group protocols were used to solicit information from two homogeneous groups: military police and senior enlisted personnel. The focus group protocol was used to increase the likelihood that the questions were asked and procedures were conducted in a standardized manner, regardless of which GAO analyst conducted the focus groups during the 15 site visits. For each focus group we required a minimum of 6-10 participants. Participants were assured of anonymity and therefore encouraged to openly share their opinions.
- Advanced questions were sent to six types of officials at the installations we visited: unit commanders, legal officials, Family Advocacy Program managers, victim advocates, chaplains, and health care officials. The questionnaires were sent ahead of our visit and these groups were asked to fill out the questionnaires and return them to us before the interview.

³ We assessed (1) DOD's ability to report on domestic violence incidents in the military and disciplinary actions taken by commanders to address these incidents, (2) the extent to which DOD has provided resources to the office overseeing implementation of the task force's recommendations and the extent to which the recommendations have been implemented, (3) the specific actions that DOD has taken on the recommendations to ensure the confidentiality of victims and the education and accountability of commanding officers and chaplains, and (4) the extent to which DOD has established an oversight framework to monitor compliance with and evaluate implementation of the recommendations.

The purpose of the questionnaires was to obtain specific information such as training and budget information.

- Separate discussion group interview protocols were created for eight types of officials: installation commanders, provost marshals, unit commanders, legal officials, Family Advocacy Program managers, victim advocates, chaplains, and health care officials. When possible, we also interviewed civilian law enforcement officials around the military installation. While some of the questions were the same or very similar for some issues, the content of the discussion group interview protocols was tailored to the type of official interviewed.

To determine the efforts DOD has taken to ensure the confidentiality of victims and the education and accountability of commanding officers and chaplains, we used the methodology for the second question as well as reviewed and analyzed DOD's recently issued confidentiality policy, which provides limited confidentiality for victims. We also conducted discussion groups with commanding officers and chaplains at the installations visited to ascertain the training these officials have received and to address the accountability of these individuals. We reviewed and analyzed domestic violence training materials obtained from installation officials and officials at the service training schools to determine (1) the efforts DOD takes to educate commanding officers and chaplains, (2) whether such training is standardized, and (3) whether the training covers topics recommended by the task force on domestic violence. Additionally, we reviewed accreditation reports for installation Family Advocacy Program programs, where available, and other materials documenting the effectiveness of training programs, such as reports to DOD on training metrics.

To determine the extent to which DOD has developed an overall framework to guide and evaluate implementation, we interviewed officials in the DOD Family Violence Policy Office, which is the office responsible for implementing the defense task force recommendations. We also reviewed and analyzed DOD regulations and guidance and reports submitted to the OSD Family Advocacy Program office to ascertain if DOD has an overall framework to guide and evaluate implementation of the recommendations. The Government Performance and Results Act of 1993⁴

⁴ Pub. L. No. 103-62 (Aug. 3, 1993).

and *Standards for Internal Control in the Federal Government*⁵ provided model criteria for determining the adequacy of the oversight framework.

We conducted our review from July 2005 through March 2006 in accordance with generally accepted government auditing standards.

⁵ See GAO, *Standards for Internal Control in the Federal Government*, GAO/AIMD-0021.3.1 (Washington, D.C.: November 1999).

Appendix II: Resources Provided to Implement Task Force Recommendations

The Military Community and Family Policy Office has managed and provided the Family Violence Policy Office with approximately \$23 million to implement task force recommendations since mid-2003. Table II shows funding and projects for fiscal years 2003 through 2005.

Table 2: Resources and Projects to Implement Task Force Recommendations^a

Projects	Purpose	FY 03	FY 04	FY 05	Total
Marine Corps Web-enabled reporting system	Provide secure Web for the Marine Corps child and spouse abuse reporting system	\$175,000			\$175,000
Air Force Central Registry for Child/Spouse Abuse	Fund a comprehensive development plan for establishing an abuse central registry	250,000			250,000
Marine Corps case management system software	Provide Marines with case management software for managing child/spouse abuse reports	76,000			76,000
Family violence prevention fund	Fund a DOD-wide domestic violence public awareness campaign	400,000			400,000
Family advocacy conference	Fund the evaluation of a 3-day joint service family advocacy training conference for about 600-650 participants	350,000			350,000
Family advocacy demonstration project	Fund initiatives with potential for worldwide application to improve DOD's response to domestic violence	200,000			200,000
Domestic violence/child abuse internet support	Fund marketing to reach military members and their families on the topic of domestic violence	600,000			600,000
Family advocacy training for commanders interactive training	Fund a Web-based interactive domestic violence training for commanding officers and senior enlisted personnel	535,094			535,094
Texas council on family violence	Fund a standardized domestic violence intervention public awareness hotline campaign	429,000			429,000
Child abuse hotline marketing	Fund posters for child abuse and safety hotline	100,000			100,000
Family advocacy command assistance team training	Fund a 5-day joint service family advocacy command assistance training conference for 70 people	81,154			81,154
Family advocacy demonstration project	Fund domestic violence incident reduction projects such as collaboration among military and civilian police		155,000		155,000
Victim advocate training for chaplains (travel costs)	Fund travel		19,000	\$23,100	42,100
Victim training for professionals	Fund a series of conferences for professionals in 2005		2,640,906		2,640,906

**Appendix II: Resources Provided to
Implement Task Force Recommendations**

Projects	Purpose	FY 03	FY 04	FY 05	Total
Victim advocates and shelter	Fund the establishing, administering, and monitoring of installations that participate in the program to provide victim advocates and/or shelter services to victims of domestic violence	4,571,000	7,500,000	4,800,000	16,871,000
Joint domestic violence shelter	Fund the family abuse shelter in Hawaii			396,000	396,000
Travel	Fund travel	75,000	3,500	11,000	89,500
Total funding per fiscal year		\$7,842,248	\$10,318,406	\$5,230,100	\$23,390,754

Source: Department of Defense.

^aProgram analysts in DOD's Military Community and Family Policy Office noted that contract and staff costs were unknown for fiscal year 2003 and staff costs were for a General Schedule 12 and 15 for both fiscal years 2004 and 2005.

Appendix III: 194 Defense Task Force on Domestic Violence Recommendations

Tables 3 through 7 contain the task force recommendations broken out by descriptive categories: Community Collaboration, Education and Training, Offender Accountability, Victim Safety, and Other. Each table groups the recommendations, by our analysis of the Department of Defense's (DOD) actions taken. We split the Completed Actions group into two sections (1) actions that DOD took that directly implemented the task force recommendations and (2) completed actions taken that they believe meet the intent of the recommendation. The No Action Required group consists of recommendations DOD classified as complete, but actually disagreed with and took no action; recommendations DOD shows as having no action required because the recommendation was not applicable to DOD; or those recommendations where DOD indicated that the recommended actions were already being done. The Pending Actions group consists of those recommendations in which DOD, at the time of our review, was still working on or weighing its response. Not all tables contain recommendations that fit under each group identified above.

Table 3: Community Collaboration Recommendations

Completed actions	
Recommendation	Documentation to support that implementation is complete
Make violation of a valid civilian order of protection by a military member an offense under Uniform Code of Military Justice.	Directive-Type Memorandum: <i>Implementation of the Armed Forces Domestic Security Act</i> , November 10, 2003
Use standard Military Protective Order.	Directive-Type Memorandum: <i>Military Protective Orders</i> , March 10, 2004
Require written Military Protective Order.	Directive-Type Memorandum: <i>Military Protective Orders</i> , March 10, 2004
Require initial training for commanding officers with annual refreshers.	Directive-Type Memorandum: <i>Domestic Abuse Response and Intervention Training for Commanding Officers and Senior Enlisted Personnel</i> , February 3, 2004
With Defense Task Force on Domestic Violence, develop standardized curricula.	Directive-Type Memorandum: <i>Domestic Abuse Response and Intervention Training for Commanding Officers and Senior Enlisted Personnel</i> , February 3, 2004
Require initial domestic violence training for Senior enlisted personnel in key billets with annual refreshers.	Directive-Type Memorandum: <i>Domestic Abuse Response and Intervention Training for Commanding Officers and Senior Enlisted Personnel</i> , February 3, 2004
With Defense Task Force on Domestic Violence, develop standardized curricula.	Directive-Type Memorandum: <i>Domestic Abuse Response and Intervention Training for Commanding Officers and Senior Enlisted Personnel</i> , February 3, 2004
Task Force provided DOD with proposed language to send to Congress to amend Section 103, title 18, to make it a crime to violate a civilian order of protection on federal property.	Directive-Type Memorandum: <i>Implementation of the Armed Forces Domestic Security Act</i> , November 10, 2003

**Appendix III: 194 Defense Task Force on
Domestic Violence Recommendations**

Train commanding officers on Military Protective Orders.	Directive-Type Memorandum: <i>Domestic Abuse Response and Intervention Training for Commanding Officers and Senior Enlisted Personnel</i> , February 3, 2004.
Forward law enforcement domestic violence issues to Joint Security Chiefs Counsel.	DOD provided documentation that the Defense Enterprise-Wide Working Group and Joint Security Chiefs Counsel consented to support domestic violence efforts as a result of meetings held with each on March 19 and 24, 2003, respectively.
Create, with Department of Justice, an initiative, including financial incentives, to encourage collaborative agreements between civilian law enforcement/judicial agencies and military installations in the areas of information sharing, training material and opportunities, programs, and other domestic violence resources.	DOD partnered with the Department of Justice and Federal Law Enforcement Training Center to create a train-the-trainer module based on a coordinated community response to domestic violence. In addition to training, DOD and Office of Violence Against Women at the Department of Justice are conducting coordinated community response projects in two communities with large military populations, Jacksonville, FL (Navy) and Clarksville, TN (Army).
Explore use of state-of-the-art training platforms such as Web-based training.	DOD provided documentation that they explored options and are developing Web-based domestic violence training for commanding officers.
Ensure maximum use of treatment/intervention resources in civilian communities overseas when available and appropriate.	DOD responded that the services report increased collaboration and use of host nation resources overseas, where available.
Adopt and widely disseminate the Commanding Officer's Protocol/Guidelines.	Directive-Type Memorandum: <i>Establishing Protocols for Law Enforcement and Command Responses to Domestic Violence Involving Military Members on Active Duty</i> , October 22, 2004
Seek partnerships to develop domestic violence prevention and education programs.	Directive-Type Memorandum: <i>Domestic Abuse Response and Intervention Training for Commanding Officers and Senior Enlisted Personnel</i> , February 3, 2004
Recommendation	Documentation we found to support actions taken that DOD believes met the intent of the recommendation
Amend DODD 6400.1 to require installation/regional commanders to seek Memorandum of Understanding with local communities to address responses to domestic violence.	Directive-Type Memorandum: <i>Establishing Domestic Violence Memoranda of Understanding Between Military and Local Civilian Officials</i> , January 29, 2004
Create an enclosure to DODD 6400.1 that provides examples of Memorandum of Understanding and guidance in negotiating the creation and implementation of such memoranda.	Directive-Type Memorandum: <i>Establishing Domestic Violence Memoranda of Understanding Between Military and Local Civilian Officials</i> , January 29, 2004
Require copy of military protective order to be provided to victim within 24 hours of issuance.	Directive-Type Memorandum: <i>Military Protective Orders</i> , March 10, 2004 provides a copy to the victim but not in 24 hours.
Issue official instructions as follows: Military installation officials should seek to establish relationships which foster collaboration with community based services for victims of domestic violence; local law enforcement departments; local prosecutor's office(s); and local criminal, civil, and domestic violence court(s). The ultimate goal being the improvement of command awareness of domestic violence issues, improvement of the delivery of services to and safety of victims, and increased accountability of offenders.	Directive-Type Memorandum: <i>Establishing Domestic Violence Memoranda of Understanding Between Military and Local Civilian Officials</i> , January 29, 2004
Adopt the standard Military Protective Order on page 32-33 of the Defense Task Force's Second Year Report.	Directive-Type Memorandum: <i>Military Protective Orders</i> , March 10, 2004

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Adopt a policy that commanding officers remove and bar civilian domestic violence offenders from the installation.	Directive-Type Memorandum: <i>Establishing Protocols for Law Enforcement and Command Responses to Domestic Violence Involving Military Members on Active Duty</i> , October 22, 2004
Require notification to gaining commander of pending transfer of service member with open Family Advocacy Program (domestic violence) case to ensure needed services are available at new duty station.	Directive-Type Memorandum: <i>Establishing Protocols for Law Enforcement and Command Responses to Domestic Violence Involving Military Members on Active Duty</i> , October 22, 2004, and Directive-Type Memorandum: <i>Domestic Abuse Response and Intervention Training for Commanding Officers and Senior Enlisted Personnel</i> , February 3, 2004
Request that the Defense Enterprise-Wide Working Group create a sub working group of the Defense Criminal Investigative organizations to address domestic violence issues.	DOD provided documentation that the Defense Enterprise-Wide Working Group and Joint Security Chiefs Counsel consented to support domestic violence efforts as a result of meetings held with each on March 19 and 24, 2003, respectively.
Establish procedures for returning service/family members to continental United States following domestic violence incident depending on severity and availability of services.	Directive-Type Memorandum: <i>Establishing Protocols for Law Enforcement and Command Responses to Domestic Violence Involving Military Members on Active Duty</i> , October 22, 2004. The National Defense Authorization Act for Fiscal Year 2004, Pub. L. No. 108-136, at 571 (2003), Travel and Transportation for Dependents Relocating for Reasons of Personal Safety, stipulates that a spouse victim of domestic violence can request shipment of household goods and/or motor vehicle provided (1) a commander determines the member committed the abuse in question, (2) a safety plan and counseling have been provided to the victim, (3) the safety of the dependent is at risk, and (4) relocation is advisable. The member must consent in writing before transportation will be provided.
Develop a standard state-of-the-art curriculum for all commanding officers and key billeted senior enlisted personnel.	Directive-Type Memorandum: <i>Domestic Abuse Response and Intervention Training for Commanding Officers and Senior Enlisted Personnel</i> , February 3, 2004
Ensure services provide written guidance to training/education commands for domestic violence training.	Directive-Type Memorandum: <i>Domestic Abuse Response and Intervention Training for Commanding Officers and Senior Enlisted Personnel</i> , February 3, 2004. DOD is also developing Web-based training modules for commanding officers.
No action required	
Recommendation	Documentation we found that does not support implementation status as complete but as disagreed and DOD's support for no action required
Establish standard policy of enforcement of warrants/orders on military installations.	DOD stated that enforcement of warrants and orders varies so significantly by location the issue is best handled by local memorandum of understanding instead of standard DOD policy.
Establish and fund a domestic violence response coordinator position at each major installation.	DOD officials disagreed with the recommendation and will not take action. DOD noted that tasks are currently performed by a combination of law enforcement personnel, victim advocates, and Family Advocacy Program staff.
Centrally record and track Military Protective Orders.	DOD essentially disagreed with the recommendation and will not take action. DOD noted that Office of Secretary of Defense determined it would not be feasible to create another database.

**Appendix III: 194 Defense Task Force on
Domestic Violence Recommendations**

Require copies to Family Advocacy Program and installation military police.	DOD essentially disagreed with the recommendation and will not take action. DOD stated in its August 8, 2005, report responding to the task force recommendations that the Privacy Act restricts distribution of military protective orders and that the victim must provide orders to Family Advocacy Program and law enforcement if desired. The Office of Secretary of Defense and service lawyers told us in interviews that this distribution would not necessarily be a violation of the Privacy Act. The July 14, 2004, Directive-Type Memorandum, <i>Clarifying Guidance Concerning the DD Form 2873, Military Protective Order</i> , does not authorize distribution to the Family Advocacy Program or military police.
Provide a list of suggested duties for the Domestic Violence Response Coordinator.	DOD disagreed with the recommendation and will not take action. DOD stated that tasks are currently performed by a combination of law enforcement personnel, victim advocates, and Family Advocacy Program staff.
Recommend the establishing of such positions at installation level.	DOD disagreed with the recommendation and will not take action, but DOD identified it as complete. DOD stated that tasks are currently performed by a combination of law enforcement personnel, victim advocates, and Family Advocacy Program staff.
Reconstitute DOD-level Family Advocacy Committee.	DOD disagreed with the recommendation and will not take action, but identified as complete. DOD stated that other means are currently in place to achieve this.
Require quarterly meetings of DOD-level Family Advocacy Committee.	DOD disagreed with the recommendation and will not take action. DOD stated that other means are currently in place to achieve this.
Require service-level Family Advocacy Committees.	DOD disagreed with the recommendation and will not take action. DOD stated that other means are currently in place to achieve this.
Require installation-level Family Advocacy Committee.	DOD disagreed with the recommendation and will not take action. DOD stated that other means are currently in place to achieve this.
Charter DOD-level Family Advocacy Committee to collaborate among services to improve services, victim safety, and offender accountability.	DOD disagreed with the recommendation and will not take action. DOD stated that other means are currently in place to achieve this.
Select standardized delivery models as specified for training.	DOD essentially disagreed with the recommendation and will not take action. However, they issued Directive-Type Memorandum: <i>Domestic Abuse Response and Intervention Training for Commanding Officers and Senior Enlisted Personnel</i> , February 3, 2004, but this directive does not address a standard delivery model.
Request Congress enacts legislation making it a crime to disobey a civilian order of protection on federal property.	DOD stated that the recommendation was directed toward Congress, but OSD issued Directive-Type Memorandum: <i>Implementation of the Armed Forces Domestic Security Act</i> , November 10, 2003.
Pending actions	
Make domestic violence Memorandum of Understandings with local communities an item of special interest for the DOD and Service Inspector Generals.	
Do not assign overseas service/family members undergoing domestic violence program unless services available in gaining command.	
Do not assign overseas service/family members pending court action for domestic violence offense.	

**Appendix III: 194 Defense Task Force on
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Provide promotion materials that advertise family services that portray total community.

Provide promotional materials in language and population served.

Encourage installation representatives to coordinate with local, diverse organizations.

Encourage input of foreign-born spouses in design of outreach materials on domestic violence.

Evaluate Services "best practices."

Source: GAO analysis of DOD data.

Table 4: Education and Training Recommendations

Completed actions

Recommendation	Documentation we found to support implementation as complete
With Defense Task Force Domestic Violence, develop domestic violence awareness education for all health care staff.	Directive-Type Memorandum: <i>Domestic Abuse Identification and Assessment Training for Health Care Providers</i> , February 6, 2004
Require initial domestic violence training for New Parent Support Program nurses.	Directive-Type Memorandum: <i>Domestic Abuse Identification and Assessment Training for Health Care Providers</i> , February 6, 2004
Recommend that DOD issue a policy memorandum regarding Domestic Violence.	Deputy Secretary of Defense issued Directive-Type Memorandum: <i>Domestic Violence</i> , November 19, 2001
DOD, with Defense Task Force on Domestic Violence, develops domestic violence training for chaplains.	Directive-Type Memorandum: <i>Domestic Abuse Training for Chaplains</i> , January 29, 2004
Highlight senior leadership policy on nontolerance of domestic violence.	Deputy Secretary of Defense issued memorandum on <i>Domestic Violence</i> , November 19, 2001
Implement standardized medical forensic training for health care providers in first responder roles.	Directive-Type Memorandum: <i>Domestic Abuse Identification and Assessment Training for Health Care Providers</i> , February 6, 2004
Explore state-of-the-art training platforms such as Web-based training for forensic medical training.	DOD responded that upon completion of commander Web-based training module, consideration will be given to expanding this platform
Develop standardized domestic violence training curriculum for chaplains using outline provided.	Directive-Type Memorandum: <i>Domestic Abuse Training for Chaplains</i> , January 29, 2004
Recommendation	Documentation we found to support actions taken that DOD believes met the intent of the recommendation
Initiate domestic violence evidence-based training for Staff Judge Advocates.	Directive-Type Memorandum: <i>Domestic Violence Prosecution Training</i> , March 18, 2002
Conduct Lautenberg Awareness Campaign.	Directive-Type Memorandum: <i>Department of Defense Policy for Implementation of Domestic Violence Misdemeanor Amendment to the Gun Control Act for Military Personnel</i> , November 27, 2002
Require annual Lautenberg Awareness Education.	Directive-Type Memorandum: <i>Department of Defense Policy for Implementation of Domestic Violence Misdemeanor Amendment to the Gun Control Act for Military Personnel</i> , November 27, 2002

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Include domestic violence awareness education in basic officer and enlisted schools.	Directive-Type Memorandum: <i>Domestic Abuse Response and Intervention Training for Commanding Officers and Senior Enlisted Personnel</i> , February 3, 2004
Include domestic violence awareness education in all professional military education schools, local training, etc.	Directive-Type Memorandum: <i>Domestic Abuse Response and Intervention Training for Commanding Officers and Senior Enlisted Personnel</i> , February 3, 2004
With Chaplain working group and Defense Task Force on Domestic Violence, develop domestic violence training for Chaplains' Basic Courses and ensure training for those overseas.	Directive-Type Memorandum: <i>Domestic Abuse Training for Chaplains</i> , January 29, 2004
No action required	
Recommendation	Documentation we found that does not support implementation status as complete but as disagreed and DOD's support for no action required
DOD mandate transitional compensation awareness education for spouses.	DOD stated that this is already being done. Since Congress established the transitional compensation program, the services have routinely educated dependent family members about it.
Emphasize the need to reach spouses residing off the installation.	DOD stated that Family Advocacy Program provides outreach to spouses residing off of the installation.
Ensure cultural diversity education for those overseas.	DOD stated that cultural diversity education is provided by local, national, and family center staff.
Request Congress fully fund New Parent Support Program.	DOD stated that it had previously requested and been denied full funding for New Parent Support Program.
The Defense Task Force on Domestic Violence Victim Safety Workgroup continues to investigate the issue of transitional compensation.	DOD noted that the recommendation is for the Defense Task Force on Domestic Violence, not DOD.
Pending actions	
Develop domestic violence instructions for initial training for military police.	
Ensure local military police patrol officers receive domestic violence training.	
Create domestic violence mobile training teams for military police.	
Develop a list of state-of-the-art domestic violence equipment for military police.	
Study adoption of indicator-based screening for domestic violence.	
Provide law enforcement first responders with audio visual equipment.	
Provide training on the use of audio visual equipment.	
Develop policy on clergy confidentiality.	
Develop standard DOD policy on clergy confidentiality.	

Source: GAO analysis of DOD data.

Table 5: Offender Accountability Recommendations

Completed actions	
Recommendation	Documentation we found to support implementation as complete
Investigate every domestic violence incident to determine if a crime was committed.	Directive-Type Memorandum: <i>Establishing Protocols for Law Enforcement and Command Responses to Domestic Violence Involving Military Members on Active Duty</i> , October 22, 2004
Ensure services comply with interim guidance on waivers for domestic violence-related convictions.	Directive-Type Memorandum: <i>Enlistment Waivers for Domestic Violence-Related Convictions</i> , January 22, 2002
Review the Lautenberg waivers.	A 2001 Office of Undersecretary of Defense Personnel and Readiness review of service enlistment waivers found the Services to be in compliance with the interim guidance concerning Lautenberg and enlistment waivers.
Develop guidance for formal and informal fatality reviews.	Directive-Type Memorandum: <i>Domestic Violence and Child Abuse Fatality Reviews</i> , February 12, 2004
Require results and system change recommendations to be completed in a timely manner.	Directive-Type Memorandum: <i>Domestic Violence and Child Abuse Fatality Reviews</i> , February 12, 2004
Evaluate data collection methods.	Evaluation determined Defense Incident-Based Reporting System and Family Advocacy Program Central Registry are not interchangeable and forced substitution would be a mistake.
Establish a law enforcement protocol for domestic violence investigations.	Directive-Type Memorandum: <i>Establishing Protocols for Law Enforcement and Command Responses to Domestic Violence Involving Military Members on Active Duty</i> , October 22, 2004
Incorporate into education programs factors for legal and commanding officers to consider in responding to domestic violence as a crime.	Directive-Type Memorandum: <i>Domestic Abuse Response and Intervention Training for Commanding Officers and Senior Enlisted Personnel</i> , February 3, 2004
Recommendation	Documentation we found to support actions taken that DOD believes met the intent of the recommendation
Develop guidance to capture data required by Section 594, Public Law 106-65.	DODD 7730.47 Defense Incident-Based Reporting System establishes guidance to capture data required by National Defense Authorization Act for Fiscal Year 2000, Pub. L. No. 106-65, at 594 (1999).
Formally evaluate repeat offenders/treatment failures for continued service.	Directive-Type Memorandum: <i>Domestic Abuse Response and Intervention Training for Commanding Officers and Senior Enlisted Personnel</i> , February 3, 2004
Issue final Lautenberg guidance.	Directive-Type Memorandum: <i>Department of Defense Policy for Implementation of Domestic Violence Misdemeanor Amendment to the Gun Control Act for Military Personnel</i> , November 27, 2002
Develop guidelines for commanding officers in domestic violence substantiation determinations.	Directive-Type Memorandum: <i>Establishing Protocols for Law Enforcement and Command Responses to Domestic Violence Involving Military Members on Active Duty</i> , October 22, 2004. DOD later responded that since commanders are required to consult with legal, this is an automatic process because the military attorneys consult the Uniformed Code of Military Justice and the Manual for Courts Martial and this document contains a list of factors to consider when determining whether to substantiate a case.

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No action required

Recommendation	Documentation we found that does not support implementation status as complete but as disagreed and DOD's support for no action required
Study whether Defense Incident-Based Reporting System should replace the Family Advocacy Program central registry.	DOD disagreed with the intent of this recommendation and said the study determined that Defense Incident-Based Reporting System and the Family Advocacy Program central registry are not interchangeable, and forced substitution of one for the other would be a mistake.
Expand Family Advocacy Program database to comply with section 594 requirements if Defense Incident-Based Reporting System is delayed.	DOD disagreed with the need to use the Family Advocacy Program database to meet the requirements of section 594 of Pub. L. No. 106-65 (1999).
Fatality reviews.	DOD stated that the Defense Task Force on Domestic violence made no specific recommendations, but pledged to continue researching issue in conjunction with DOD's goal of implementing domestic violence fatality reviews.

Pending actions

Train law enforcement, legal, and command to collaborate on domestic violence crime determination.
Require comprehensive, effective batterer intervention.
Develop criteria for differing interventions.
Develop criteria for risk/lethality assessments.
Develop criteria for success in offender behavior after intervention.
Require domestic violence program evaluation.
Establish advisory committee to oversee program evaluation.
Establish a protocol for evaluating field-based domestic violence programs.
Use regional oversight and monitoring visits.
With organizations experienced in domestic violence prevention programs, develop an ongoing domestic violence awareness campaign.
Target a program of domestic violence education to grades E1-E4.
With Department of Defense Education Activity incorporate domestic violence awareness into dependent schools.
Incorporate criteria provided by Defense Task Force on Domestic Violence into policy update for domestic violence case management.
Fully implement Defense Incident-Based Reporting System at the earliest possible date.
Seek to improve civil-military cooperation to foster victim safety.
Work with the Department of Justice to implement Military Extraterritorial Jurisdiction Act of 2000 to ensure proper emphasis for domestic violence.

Source: GAO analysis of DOD data.

Table 6: Victim Safety Recommendations

Completed actions

Recommendation	Documentation we found to support implementation as complete
Working with Services and Defense Task Force on Domestic Violence expand the availability of the National Domestic Violence Hotline.	Under Secretary of Defense for Personnel and Readiness issued a policy memorandum: <i>Domestic Violence Awareness Month</i> , October 1, 2004, and Directive-Type Memorandum: <i>Domestic Abuse Victim Advocacy Program</i> , February 17, 2005 highlights the importance and availability of the National Domestic Violence Hotline.
Working with Services and Defense Task Force on Domestic Violence expand the availability of National Domestic Violence Hotline by providing specialized marketing and outreach including 1) ensuring that the hotline information and community domestic violence resources are included in the materials issued by family services, health care, Family Advocacy Program, law enforcement, as well as the relevant policies communicated from the commanding officers. Identifying information necessary to enable the National Domestic Violence Hotline to assist military spouse/partner callers who are victims of domestic violence, to incorporate the provision of appropriate training to the hotline staff.	Training and information has been provided to National Domestic Violence Hotline.
Explore options to create system of confidential services for victims of domestic violence.	Deputy Secretary of Defense issued Directive-Type Memorandum: <i>Restricted Reporting Policy for Incidents of Domestic Abuse</i> , January 22, 2006
Include in installation welcome packets information on domestic violence.	DOD responded that services routinely include domestic violence information, Family Advocacy Program and local community service information, and information on the National Domestic Violence Hotline in installation welcome packets.
Issue specific information on Family Advocacy Program services.	DOD responded that Services routinely include domestic violence information, Family Advocacy Program and local community service information, and information concerning the National Domestic Violence Hotline in installation welcome packets.
Direct Services to advise domestic violence victims of legal resources.	Directive-Type Memorandum: <i>Domestic Abuse Victim Advocate Program</i> , February 17, 2005
Document that information on legal resources was provided.	Directive-Type Memorandum: <i>Domestic Abuse Victim Advocate Program</i> , February 17, 2005
Collaborate with National Domestic Violence Hotline in assessing materials to expand awareness and use of hotline.	DOD provided documentation that they have collaborated and will continue ongoing collaboration with the National Domestic Violence Hotline.
Pursue funding for marketing outreach.	DOD provided documentation that, at the time of our review, there were two domestic violence awareness programs funded and one is specifically with National Domestic Violence Hotline.
Explore hotlines overseas.	DOD responded that Military One Source is accessible at all military locations.
Mandate that each Service provide and emphasize a Victim Advocate Program.	Directive-Type Memorandum: <i>Domestic Abuse Victim Advocate Program</i> , February 17, 2005, based in part on results of feasibility study.

**Appendix III: 194 Defense Task Force on
Domestic Violence Recommendations**

Seek statutory authority for payment of travel expense, shipment of household goods, and, when overseas, privately owned vehicle, for victims when warranted.	Pub. L. No. 108-136, at 571 (2003), provides the statutory authority and stipulations specified in the recommendations, and are reflected in Joint Federal Travel Regulation change number 208, June 1, 2004.
Specify certain minimum stipulations on authority.	Pub. L. No. 108-136, at 571 (2003) provides the statutory authority and stipulations specified in the recommendations, and are reflected in Joint Federal Travel Regulation change number 208, June 1, 2004.
Develop policy for safety plans by the Services.	Directive-Type Memorandum: <i>Domestic Abuse Victim Advocate Program</i> , February 17, 2005
Adopt safety plan provided by the Defense Task Force on Domestic Violence.	Directive-Type Memorandum: <i>Domestic Abuse Victim Advocate Program</i> , February 17, 2005
Ensure availability of victim advocates to aid in safety planning and risk assessments.	DOD and Services have civilian employees and contracts in place to ensure availability of Victim Advocates.
Ensure access to either on- or off-installation sheltering services.	Directive-Type Memorandum: <i>Domestic Abuse Victim Advocate Program</i> , February 17, 2005, and Directive-Type Memorandum: <i>Establishing Protocols for Law Enforcement and Command Responses to Domestic Violence Involving Military Members on Active Duty</i> , October 22, 2004
Ensure dissemination of shelter information.	Directive-Type Memorandum: <i>Domestic Abuse Victim Advocate Program</i> , February 17, 2005, and Directive-Type Memorandum: <i>Establishing Protocols for Law Enforcement and Command Responses to Domestic Violence Involving Military Members on Active Duty</i> , October 22, 2004
Develop policy emphasizing self-determination in safety planning.	Directive-Type Memorandum: <i>Domestic Abuse Victim Advocate Program</i> , February 17, 2005, and Directive-Type Memorandum: <i>Establishing Protocols for Law Enforcement and Command Responses to Domestic Violence Involving Military Members on Active Duty</i> , October 22, 2004
Ensure all continental United States Family Advocacy Program staff know about local shelters.	Directive-Type Memorandum: <i>Domestic Abuse Victim Advocate Program</i> , February 17, 2005, and Directive-Type Memorandum: <i>Establishing Protocols for Law Enforcement and Command Responses to Domestic Violence Involving Military Members on Active Duty</i> , October 22, 2004
Recommendation	Documentation we found to support actions taken that DOD believes met the intent of the recommendation
Develop policy on who should be removed from military housing following a domestic violence incident.	Directive-Type Memorandum: <i>Establishing Protocols for Law Enforcement and Command Responses to Domestic Violence Involving Military Members on Active Duty</i> , October 22, 2004
Issue statement from Secretary of Defense on victim safety.	Office of Secretary of Defense memorandum, <i>Domestic Violence</i> November 19, 2001
Issue specific information on National Domestic Violence Hotline and local community domestic violence services.	DOD response that services routinely include domestic violence information, Family Advocacy Program and local community service information, and information on the National Domestic Violence Hotline in installation welcome packets.
Include specific language provided by Defense Task Force on Domestic Violence on DOD issuance on removal of servicemember victim from housing following a domestic violence incident.	Directive-Type Memorandum: <i>Domestic Abuse Response and Intervention Training for Commanding Officers and Senior Enlisted Personnel</i> , February 3, 2004, and <i>Establishing Protocols for Law Enforcement and Command Responses to Domestic Violence Involving Military Members on Active Duty</i> , October 22, 2004

**Appendix III: 194 Defense Task Force on
Domestic Violence Recommendations**

Develop guidance for commanding officers on transitional compensation pertaining to proper documentation in separation papers.	Directive-Type Memorandum: <i>Domestic Abuse Response and Intervention Training for Commanding Officers and Senior Enlisted Personnel</i> , February 3, 2004
Ensure access to sheltering services within a reasonable distance at overseas locations.	Directive-Type Memorandum: <i>Establishing Protocols for Law Enforcement and Command Responses to Domestic Violence Involving Military Members on Active Duty</i> , October 22, 2004
No action required	
Recommendation	Documentation we found that does not support implementation status as complete but as disagreed and DOD's support for no action required
Adopt risk assessment tool provided by Defense Task Force on Domestic Violence.	DOD did not agree with this recommendation.
Require Services to monitor disposition of separation cases due to domestic violence so that they are properly documented.	According to DOD, Pub. L. No. 108-136, at 572-574 (2003) meets this recommendation. However, we are unaware of any provisions in the public law that direct the services to monitor disposition of separation cases due to domestic violence so that they are properly documented.
Establish policy to provide military sponsored shelter for up to 72 hours with no mandatory reporting.	After studying the issue, DOD decided not to implement a 72-hour policy.
Ensure first-responder law enforcement personnel receive specialized training in identifying primary aggressor.	DOD did not agree with this recommendation.
With Services and Defense Task Force on Domestic Violence, review impact of mandatory reporting on various factors.	Defense Task Force on Domestic Violence review found that mandatory reporting negatively impacts reporting and that there was no need to develop additional criteria to measure effectiveness. Instead, Defense Task Force on Domestic Violence recommended in the third-year report that DOD abandon the policy in favor of nondisclosure.
Develop evaluation criteria to measure effectiveness of mandatory reporting on various factors.	Defense Task Force on Domestic Violence review found that Mandatory Reporting negatively impacts reporting and that there was no need to develop additional criteria to measure effectiveness. Instead, Defense Task Force on Domestic Violence recommended in the third-year report that DOD abandon the policy in favor of nondisclosure.
Recommend legislative changes to require starting transitional compensation 14 days after Uniform Code of Military Justice discharge sentencing or initiation of administrative separation action and authorize transitional compensation payments for 36 months for everyone.	DOD responded that Pub. L. No. 108-136, at 572-574 (2003), reflects Office of Secretary Defense input.
Seek partnership with Department of Justice and Department of Health and Human Services to pilot a program to provide confidential community services to victims who are military spouses/partners.	Defense Task Force on Domestic Violence subsequently decided a pilot program was not needed (page 103 of second-year report).
Pending actions	
Expand guidance to give Service Secretaries authority to grant transitional compensation in cases of extenuating circumstances consistent with the law.	
Direct Services to train legal assistance personnel on Violence Against Women Act, specifically immigration issues arising from domestic violence.	

**Appendix III: 194 Defense Task Force on
Domestic Violence Recommendations**

Direct Services to train legal assistance personnel on transitional compensation.

Ensure appropriate regulations on this issue are changed and consider policy memos from Service Secretaries.

Collaborate with civilian victim agencies potentially impacted by military use.

Initiate public affairs campaign on transitional compensation.

Ensure funding is reviewed for military shelters and meets the needs of the community being served.

Seek all alternative methods of funding for military shelters.

Source: GAO analysis of DOD data.

Table 7: Other Recommendations

Completed actions	
Recommendation	Documentation we found to support implementation as complete
DOD should work with Defense Task Force on Domestic Violence and the Services to develop a new intervention process model.	DOD noted that, in the third-year report, Defense Task Force on Domestic Violence recommended an intervention process model.
Explore all options for hiring and maintaining providers necessary to assess/intervene in domestic violence overseas.	DOD noted that exploration was complete and current recruiting and retention practices were deemed sufficient.
Adopt and widely disseminate nondisclosure policy provided by Defense Task Force on Domestic Violence.	Directive-Type Memorandum: <i>Restricted Reporting Policy for Incidents of Domestic Abuse</i> , January 22, 2005
Address Privacy Act issues.	Deputy Secretary of Defense issued Directive-Type Memorandum: <i>Restricted Reporting Policy for Incidents of Domestic Abuse</i> , January 22, 2006.
Encourage commanding officers to discuss issues relating to domestic violence.	Deputy Secretary of Defense memorandum, November 19, 2001, and Directive-Type Memorandum: <i>Establishing Protocols for Law Enforcement and Command Responses to Domestic Violence Involving Military Members on Active Duty</i> , October 22, 2004
Ensure commanding officers scrutinize domestic violence incidents to determine if Uniform Code of Military Justice was violated.	Directive-Type Memorandum: <i>Establishing Protocols for Law Enforcement and Command Responses to Domestic Violence Involving Military Members on Active Duty</i> , October 22, 2004
Institute an annual DOD fatality review summit.	Pub. L. No. 108-136, at 576 (2003) and Directive-Type Memorandum: <i>Domestic Violence and Child Abuse Fatality Reviews</i> , February 12, 2004
Instruct the Services to establish, train, and maintain on-call headquarters-level fatality review teams.	Pub. L. No. 108-136, at 576 (2003) and Directive-Type Memorandum: <i>Domestic Violence and Child Abuse Fatality Reviews</i> , February 12, 2004
Conduct domestic violence fatality reviews as recommended in prior reports and compose teams as recommended.	Pub. L. No. 108-136, at 576 (2003) and Directive-Type Memorandum: <i>Domestic Violence and Child Abuse Fatality Reviews</i> , February 12, 2004
Working with Services and Defense Task Force on Domestic Violence, create a policy to provide confidentiality to victims of domestic violence.	Directive-Type Memorandum: <i>Restricted Reporting Policy for Incidents of Domestic Abuse</i> , January 22, 2006

**Appendix III: 194 Defense Task Force on
Domestic Violence Recommendations**

Develop policy guidance on victim advocate record-keeping.	Deputy Secretary of Defense issued Directive-Type Memorandum: Restricted Reporting Policy for Incidents of Domestic Abuse, January 22, 2006.
Recommendation	Documentation we found to support actions taken that DOD believes met the intent of recommendation
In the initial report, the Defense Task Force on Domestic Violence developed a definition of domestic violence to be used as a working definition in accomplishing its statutory mission.	Although there was no recommendation for DOD action, DOD did study this issue and subsequently adopted a definition of its own.
Incorporate the definition provided into DOD policy and programs.	DOD opted to craft its own definition of domestic violence which has been utilized in Under Secretary of Defense for Personnel and Readiness policy memoranda.
Adopt and widely disseminate the Victim Advocate Protocol provided by the Defense Task Force on Domestic Violence.	Directive-Type Memorandum: <i>Domestic Abuse Victim Advocate Program</i> , February 17, 2005
Implement a Victim Advocate Program as recommended by the Defense Task Force On Domestic Violence.	Directive-Type Memorandum: <i>Domestic Abuse Victim Advocate Program</i> , February 17, 2005
DOD should adopt and widely disseminate law enforcement protocol provided by the Defense Task Force on Domestic Violence.	Directive-Type Memorandum: <i>Establishing Protocols for Law Enforcement and Command Responses to Domestic Violence Involving Military Members on Active Duty</i> , October 22, 2004
No action required	
Recommendation	Documentation we found that does not support implementation status as complete but as disagreed and DOD's support for no action required
Ensure overseas employment contracts explain eligibility for family advocacy services on a space available/fee-for-service basis.	DOD initially stated that eligibility is tied to medical entitlement. They further noted that Family Advocacy Program services are routinely discussed at the New Family Orientation. See Directive-Type Memorandum: <i>Domestic Abuse Victim Advocate Program</i> , February 17, 2005. In a March 2006 message, DOD stated that after review, the department disagrees with this recommendation.
Ensure foreign language ability and cultural competencies are included in job qualification standards of personnel providing domestic violence services overseas.	DOD stated that their study determined that implementation of the recommendation is not feasible. They further noted that the Civilian Personnel Office does not require language for Family Advocacy Program position. Cultural competence is achieved via newcomer orientation and on-going supervision.
Ensure that Services have ongoing cultural competence training programs for all personnel overseas.	DOD responded that intercultural relations classes are required for new personnel upon their arrival in outside continental United States. Also, family centers offer a variety of classes to familiarize personnel with the local culture.
Establish victim advocate certification program.	DOD disagreed. DOD will continue to offer victim advocate training.
Establish "appeal-type" mechanism for victim advocates.	DOD disagreed. Available mechanisms are sufficient (Service Inspector General, Department of Defense Inspector General, etc.).
Discontinue collecting and reporting severity-level data.	DOD studied this recommendation and disagreed. Collection of data will continue using the revised severity definition.
Instruct installations to include fatality review provisions in the domestic violence Memorandum Of Agreements with civilian jurisdictions.	DOD essentially disagreed with this recommendation stating that the Directive-Type Memorandum addressing memoranda of understandings allows the Services to adapt the sample MOUs to address areas of civil/military cooperation other than those addressed in the memorandum.

**Appendix III: 194 Defense Task Force on
Domestic Violence Recommendations**

Issue 5.B Confidentiality.	DOD responded that there were no recommendations for DOD in this section of the Initial Report.
Follow victim advocate recruiting and retention guidance provided by the Defense Task Force on Domestic Violence.	After studying this recommendation, DOD determined current recruiting and retention guidance addresses this recommendation.
Convene a small, independent group with characteristics similar to Defense Task Force on Domestic Violence to review and report progress of implementation.	Pub. L. No. 108-136, at 575 (2003), directed the Comptroller General review of implementation.
Identify, evaluate, and prioritize all resources for domestic violence programs.	DOD responded that program funds are allocated annually by Congress for Family Advocacy Program, New Parent Support Program, and victim advocates and that the department continually evaluates program funding.
Pending actions	
Recommend that DOD partner with National Institute of Justice and the Centers for Disease Control and Prevention to further articulate research agenda and organize scientific communitywide requests for applications and peer review process of proposals.	
Facilitate and encourage publication in peer reviewed journals for completed military domestic violence research.	
This research agenda should not preclude funding of research into causes, consequences, and interventions of domestic violence in the military through other services' research funding mechanisms.	
Recommend the following research priorities in the following areas:	
(1) Reliable differentiation of different types of abusers and abusive situations.	
(2) What interventions work best for both offenders and victims?	
(3) Clarify how well the military-specific approach to domestic violence is working and where it should be modified.	
(4) Determine actual versus reported prevalence of domestic violence.	
(5) Determine which approaches to domestic violence prevention work and for whom.	
(6) Evaluate knowledge and consistency of key players.	
(7) Determine efficacy of marital-type counseling for low-level domestic violence cases; study men's and women's use of violence; study impact of lack of confidentiality on disclosure and victim safety.	
Adopt and widely disseminate the Offender Intervention Protocol provided by the Defense Task Force on Domestic Violence.	
Establish standard offender intervention curriculum and train intervention staff.	
Develop evaluation standards.	

**Appendix III: 194 Defense Task Force on
Domestic Violence Recommendations**

Direct the services to conduct ongoing evaluations of offender intervention programs.

Collaborate with Department of Justice to support the testing of new models of intervention.

Examine needs of female offenders and develop a protocol and standard intervention curriculum for them.

Replace the case review committee in adult domestic violence cases with a Domestic Violence Assessment and Intervention Team.

Develop DOD Domestic Violence Assessment and Intervention Team form.

Adopt and widely disseminate Domestic Violence Conceptual Model provided by the Defense Task Force on Domestic Violence.

Develop joint Service effort for standardizing DOD Domestic Violence Prevention Program.

Develop policy for handling low-risk cases.

Partner with civilian agencies and ensure joint Service involvement in pursuing the research recommendations.

Ensure services conduct timely risk/lethality assessments to determine appropriate intervention and command response.

Ensure one DOD risk assessment grid.

Ensure services establish a tracking mechanism.

Source: GAO analysis of DOD data.

Appendix IV: DOD's Directive-Type Memoranda and Policy Implementing the Task Force Recommendations

As of March 2006, the Department of Defense (DOD) has issued 16 directive-type memoranda to implement the task force's recommendations. Table 8 lists the memoranda and dates of issuance. DOD also issued 3 other memoranda that were not identified as directive-type memoranda but were related to the task force recommendations. These included the Deputy Secretary of Defense memorandum titled "*Domestic Violence*" dated November 19, 2001; the Assistant Secretary of Defense for Force Management Policy memorandum titled "*Enlistment Waivers for Domestic Violence-Related Convictions*" dated January 22, 2002; and the memorandum titled "*Domestic Violence Prosecution Training*" dated March 18, 2002.¹

Table 8: DOD's Memoranda Implementing Task Force Recommendations

	Directive-type memoranda	Date issued
1	<i>Establishment of DOD Database on Domestic Violence and Procedures for Submitting Domestic Violence Data</i>	06/2000
2	<i>Department of Defense Policy for Implementation of Domestic Violence Misdemeanor Amendment to the Gun Control Act for Military Personnel</i>	11/27/02
3	<i>Department of Defense (DOD) Policy for Implementation of Domestic Violence Misdemeanor Amendment to Gun Control Act for DOD Civilian Personnel</i>	11/27/02
4	<i>Implementation of the Armed Forces Domestic Security Act</i>	11/10/03
5	<i>Domestic Abuse Training for Chaplains</i>	01/29/04
6	<i>Establishing Domestic Violence Memoranda of Understanding Between Military and Local Civilian Officials</i>	01/29/04
7	<i>Domestic Abuse Response and Intervention Training for Commanding Officers and Senior Enlisted Personnel</i>	02/03/04
8	<i>Domestic Abuse Identification and Assessment Training for Health Care Providers</i>	02/06/04
9	<i>Domestic Violence and Child Abuse Fatality Reviews</i>	02/12/04
10	<i>Military Protective Orders</i>	03/10/04
11	<i>Clarifying Guidance Concerning the DD Form 2873, Military Protective Order</i>	07/14/04

¹ Travel guidance was also issued that related to one of the task force's recommendation, titled "MAP 55-03 – *Travel and Transportation for Dependents Relocating For Reasons of Personal Safety*", dated February 24, 2004.

**Appendix IV: DOD's Directive-Type
Memoranda and Policy Implementing the Task
Force Recommendations**

Directive-type memoranda		Date issued
12	<i>Establishing Protocols for Law Enforcement and Command Responses to Domestic Violence Involving Military Members on Active Duty</i>	10/22/04
13	<i>Domestic Abuse Victim Advocate Program</i>	02/17/05
14	<i>Notification of Department of Defense-Related Fatalities Due to Domestic Violence or Child Abuse</i>	03/04/05
15	<i>Duration of Payment for Transitional Compensation for Abused Dependents</i>	06/14/05
16	<i>Restricted Reporting Policy for Incidents of Domestic Violence</i>	01/22/06

Source: GAO analysis of DOD data.

Appendix V: Comments from the Department of Defense



UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

May 3, 2006

PERSONNEL AND
READINESS

Ms. Valerie C. Melvin
Acting Director
Defense Capabilities and Management
U.S. Government Accountability Office (GAO)
441 G Street, N.W.
Washington, DC 20548

Dear Ms. Melvin:

This is the Department of Defense (DoD) response to the GAO draft report, "MILITARY PERSONNEL: Progress Made in Implementing Recommendations to Reduce Domestic Violence, but Further Management Action Needed," dated April 7, 2006 (GAO Code 350723/GAO-06-540)."

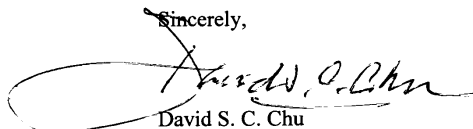
We are pleased that GAO found that DoD has implemented almost two thirds of the Defense Task Force on Domestic Violence (hereafter referred to as the "Task Force") recommendations with which it agreed to implement or study and that documentation, focus group discussions, and interviews showed the Department's policies were being implemented at the Service and installation level.

The Department is concerned, however, that GAO's attempt to define, differentiate, and prioritize what it considers important Task Force recommendations has focused on perceived deficiencies rather than progress. Fundamental in the GAO review is the apparent assumption that DoD should implement all recommendations of the Task Force—and exactly as written. After each of the three annual reports, DoD clearly indicated the recommendations with which it agreed (the vast majority), those with which it nonconcurred, and those we agreed to study. The Department never intended to suggest it could not or would not modify any particular Task Force recommendation during implementation. Yet, GAO seeks to penalize the Department for deviating from the narrowest reading of individual recommendations. The Department must have the flexibility to implement policy that will support and serve its Service members and their families.

The Department has accomplished a great deal in a short time and will continue to implement aggressively Task Force recommendations.

Our responses to specific GAO recommendations are contained in the enclosure.

Sincerely,



David S. C. Chu

Enclosure:
As stated



GAO DRAFT REPORT – DATED APRIL 7, 2006
GAO CODE 350723/GAO-06-540

**“MILITARY PERSONNEL: Progress Made in Implementing Recommendations To Reduce
Domestic Violence, but Further Management Action Needed”**

**DEPARTMENT OF DEFENSE COMMENTS
TO THE RECOMMENDATIONS**

RECOMMENDATION 1: The GAO recommended that the Secretary of Defense direct the Under Secretary of Defense (Personnel and Readiness) (USD(P&R)) to develop a comprehensive management plan to address deficiencies in the data captured in DoD’s domestic violence database that focuses on ensuring that accurate and complete data exists and that all instances in the Defense Incident-Based Reporting System (DIBRS) and Family Advocacy Program Central Registry are matched and reported annually, as required in DoD’s Manual 7730.47-M. (p. 26/GAO Draft Report)

DOD RESPONSE: Partially concur.

This recommendation is more appropriately directed to the Military Departments. The DIBRS database is operational and the USD(P&R) has repeatedly issued memoranda requiring the Military Departments to submit data to DIBRS. The systems used by the Military Departments to populate DIBRS are insufficient and underfunded. The DoD Law Enforcement and Policy Support Directorate will continue to address this issue at regularly scheduled meetings with Service representatives.

RECOMMENDATION 2: The GAO recommended that the Secretary of Defense direct the Under Secretary of Defense (Personnel and Readiness) to take appropriate steps, in conjunction with the service secretaries, to ensure all commander actions related to domestic violence incidents are entered in law enforcement systems. (p. 26/GAO Draft Report)

DOD RESPONSE: Concur.

The Department has made substantial efforts to ensure commanders are aware of their responsibilities for reporting disciplinary actions related to domestic violence. Specifically, the Department issued the directive-type memorandum, "Establishing Protocols for Law Enforcement and Command Responses to Domestic Violence Involving Military Members on Active Duty," in October 2004 requiring commanding officers to document command actions and report such actions through installation law enforcement officials for inclusion in DIBRS. During the past year the Department has conducted six domestic abuse training conferences for commanding officers, judge advocates, and law enforcement personnel specifically addressing these issues and will continue with these trainings. Furthermore, the Department has developed a Web based domestic violence training curriculum for commanding officers in which this issue is addressed. Finally, each Military Service addresses this issue at each domestic violence training they conduct. DoD will continue to aggressively communicate this policy to the Military Departments.

RECOMMENDATION 3: The GAO recommended that the Secretary of Defense direct the Under Secretary of Defense (Personnel and Readiness) to develop a plan to ensure adequate personnel are available to implement pending task force recommendations. (p. 26/GAO Draft Report)

DOD RESPONSE: Concur

DoD remains steadfast in its commitment to provide resources to continue its aggressive pace implementing the Task Force recommendations. The Department has requested extensions of current personnel to complete the mission for which a final determination is expected by July 2006.

RECOMMENDATION 4: The GAO recommended that the Secretary of Defense direct the Under Secretary of Defense (Personnel and Readiness) to establish a communication strategy for effectively informing DoD and service officials about new guidance implementing the task force recommendations, to include:

- issuing a revised DoD family advocacy program directive that is consistent with interim guidance for implementing the task force recommendations; and
- reconsidering the task force's recommendation on providing copies of military protective orders to law enforcement and family advocacy officials and communicating that the associated implementing policy be consistently followed by all services and DoD. (p. 26/GAO Draft Report)

DOD RESPONSE: Partially nonconcur.

DoD concurs with sub-bullet one and the revision of the Directive is underway with an anticipated completion in FY07. DoD does not concur with sub-bullet two. Due to privacy concerns raised about this matter after the policy was originally issued, the policy was re-reviewed and modified accordingly. The Department does not contemplate, at this time, reconsidering this issue.

RECOMMENDATION 5: The GAO recommended that the Secretary of Defense direct the Under Secretary of Defense (Personnel and Readiness) to develop, in concert with the family advocacy director, the four service family advocacy managers, and chaplaincy board procedures and metrics to ensure that accurate, consistent, and timely domestic violence training data are collected for chaplains. (p. 26/GAO Draft Report)

DOD RESPONSE: Nonconcur.

The family advocacy program managers are not the proponents of chaplain training. Furthermore, it is inappropriate for DoD to engage in routine operator level activity such as tracking training statistics. This recommendation is more appropriately directed to the Military Departments who are responsible for tracking such information in their respective Departments.

RECOMMENDATION 6: The GAO recommended that the Secretary of Defense direct the Under Secretary of Defense (Personnel and Readiness) to develop, in concert with the family advocacy director and the four service family advocacy managers, chaplain guidance and

training materials that highlight and clarify chaplain responsibilities concerning privileged communication. (p. 26/GAO Draft Report)

DOD RESPONSE: Partially nonconcur.

The family advocacy program managers are not the proponents of chaplain privileged communication. Furthermore, each Military Department has policy addressing clergy confidentiality which guides chaplain confidentiality in all situations; therefore DoD does not contemplate developing a clergy confidentiality policy. Additionally, the Department issued a directive-type memorandum, "Domestic Abuse Training for Chaplains," in January 2004 requiring the Military Departments to provide specialized training addressing this issue during all chaplain officer basic courses and at periodic continuing professional military education update opportunities. DoD, in collaboration with the Military Departments, will continue addressing this issue at all relevant training events.

RECOMMENDATION 7: The GAO recommended that the Secretary of Defense direct the Under Secretary of Defense (Personnel and Readiness) to develop and implement, in conjunction with the services, a DoD-wide oversight framework that includes a results-oriented evaluation plan for the implemented recommendations, and a process for ongoing monitoring of and reporting on implementation. (p. 26-27 GAO Draft Report)

DOD RESPONSE: Concur.

The Department has issued sixteen directive-type memorandums implementing recommendations made by the Task Force. As these new policies are being trained, a process is being developed for DoD representatives to accompany Service accreditation teams to evaluate the execution of these new policies. This initial oversight process will allow further study and development of a DoD oversight team that monitors progress and implementation. Anticipated completion is FY07-08.

Appendix VI: GAO Contact and Staff Acknowledgments

GAO Contact

Valerie C. Melvin, (202) 512-6304

Acknowledgments

In addition to the person named above, Laura L. Durland, Assistant Director; James R. Bancroft; Renee S. Brown; Robert B. Brown; Carissa D. Bryant; Marion A. Gatling; Nicole Harms; Amanda Miller; J. P. Newton; Jeanett H. Reid; and Sonja S. Ware made key contributions to this report.

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