Department of Defense

Report to the President of the United States on Sexual Assault Prevention and Response





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SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

NOV 25 2014

The President Barack Obama
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

In your December 20, 2013, letter you directed that I provide a comprehensive report detailing major improvements since August 2013 in the prevention of and response to sexual assault, including reforms to the military justice system. As demonstrated in the enclosed report, the Department of Defense (DoD) has worked diligently to meet your request and convey our proactive and comprehensive approach to address the problem of sexual assault in the military.

The report details evidence of progress of the Department's sexual assault prevention and response program over the last three years, including reforms to the military justice system. The report also includes important preliminary data demonstrating signs of organizational change and results of current initiatives.

Results from an externally administered DoD survey show an overall decrease in the past-year prevalence of sexual assault from Fiscal Years 2012 to 2014. Furthermore, the significant increase in the number of victim reports of sexual assault over the same time period has greatly expanded our ability to provide support and services to victims and hold offenders appropriately accountable.

While the results and initiatives described in this report demonstrate signs of progress in the fight against sexual assault in our military, I recognize there is more work to do. I have made clear to Department senior leaders that our success depends on a responsive and sustained approach to all issues that affect our Service men and women, particularly sexual assault.

The Department will continue to work closely with White House leaders and Congress to improve our sexual assault prevention and response programs to build upon the solid progress we have made in recent years and our efforts to ultimately eradicate sexual assault from the military. Thank you for your continued leadership on helping not just DoD but all of society to stop this terrible crime.

Respectfully yours,

Enclosure:
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TABLE OF CONTENTS

I. Executive Summary 11

II. Introduction 25

A. Report Purpose and Scope 25

B. DoD's Strategic Approach 26

1. Leadership Engagement 26

2. Organizational Change 27

3. Partnerships/Collaborations 27

C. Scope of the Program 28

1. DoD Definition of Sexual Assault 28

2. Continuum of Harm 29

D. Published SAPR Policy & Strategy 30

1. SAPR Policy 30

2. SAPR Strategy 31

E. Five SAPR Lines of Effort 31

1. Prevention (LOE 1) 31

2. The Response System 32

3. Investigation (LOE 2) 33

4. Accountability (LOE 3) 33

5. Advocacy and Victim Assistance (LOE 4) 33

6. Assessment (LOE 5) 34

F. Oversight and Accountability 34

1. Independent Oversight 34

2. Internal Assessment 36

G. Appendices, Annexes, and Enclosures 36

III. Prevention (LOE 1) 37

A. Introduction 37

B. Defining the Problem 39

C. Defining Prevention 39

D. Key Highlights 41

1. Evolution of DoD Prevention Strategy 41

2. "DoD SAPR Connect" Community of Practice 45

E. Role of the Commander 47
1. Importance of Command Climate 47
2. Commander's Guide to Preventing Sexual Assault 52
F. Training Enhancements 52
G. From Awareness to Action 53
1. Sexual Assault Awareness Month (SAAM) 53
2. Prevention Innovation Award 54
3. Encourage Active Bystander Intervention 55
H. Reducing the Annual Occurrence of Sexual Assault 57
I. Partnerships/Collaborations 58
Identifying Potential Solutions 58
J. Sexual Assault – High Risk Populations 60
K. Conclusion 63
IV. Investigation (LOE 2) 65
A. Introduction 65
B. Key Highlight 66
Special Victim Investigation and Prosecution (SVIP) Capability 66
C. Role of the Commander 68
D. Training Enhancements 69
1. Improving Investigator Training 69
2. Improving Investigative Sufficiency 71
E. Oversight 75
Department of Defense Inspector General 75
F. Partnerships/Collaborations 75
G. Conclusion 76
V. Accountability (LOE 3) 78
A. Introduction 78
B. Key Highlight 78
Special Victims' Counsel/Victims' Legal Counsel (SVC/VLC) 78
C. Fielding a Special Victim Investigation and Prosecution (SVIP) Capability 81
D. Training Enhancements 82

E. Role of the Commander 82
1. Elevation of Initial Disposition Authority 82
2. Improving Victim Confidence in the Military Justice System 83
3. Impacts of UCMJ Reform Proposals 86
4. Handling of Sexual Assault Cases 87
F. Partnerships/Collaborations 87
1. Collaboration with Civilian Organizations 88
2. External Observations of the Military Justice System 88
G. Conclusion 90
VI. Advocacy/Victim Assistance (LOE 4) 91
A. Introduction 91
Establishing a Robust Sexual Assault Response System 92
B. Key Highlights 100
1. DoD Safe Helpline 100
2. Special Victims' Counsel/Victims' Legal Counsel (SVC/VLC) 104
3. DoD Sexual Assault Advocate Certification Program (D-SAACP) 106
C. Role of the Commander 109
Engaging Leaders in Victim Assistance 109
D. Training Enhancements 111
Expanding Training to Gain and Maintain Proficiency 111
E. Partnerships/Collaborations 113
Improving Outcomes for Survivors 113
F. Preventing Retaliation and Ostracism of Victims Making Sexual Assault Reports 114
G. Expanding Existing Policies to Better Meet Victims' Needs 119
H. Conclusion 121
VII. Assessment (LOE 5) 123
A. Introduction 123
B. Key Highlights 123
1. Defense Sexual Assault Incident Database (DSAID) 123
2. Survivor Experience Survey (SES) 125
C. Key Assessment Tools 126

1. Scientific Surveys of the Military Population 126
2. Focus Groups....130
3. Annual Reports 131
D. Conclusion 132
VII. Conclusion & Way Ahead 134

List of Figures

Figure 1 – DoD Continuum of Harm 30
Figure 2 – Influencing Behavior 41
Figure 3 – Social Ecological Model 43
Figure 4 – DoD Social Ecological Model 44
Figure 5 – The four pillars of the SAPR Connect CoP 45
Figure 6 – The Climate Assessment Process 48
Figure 7 – Promoting a Culture of Dignity and Respect 49
Figure 8 – Metric 4: Command Climate Index – Addressing Continuum of Harm by Gender 50
Figure 9 – Metric 4: Command Climate Index – Addressing Continuum of Harm by Rank 51
Figure 10 – The 2014 SAAM poster 54
Figure 11 – Metric 1a: Past Year Prevalence of USC 58
Figure 12 – The White House Task Force *It's On Us* campaign logo 61
Figure 13 – Metric 5: Investigation Length 75
Figure 14 – The DoD IG Seal 75
Figure 15 – Non-Metric 1a: Command Action for Alleged Military Offenders under DoD Legal Authority 87
Figure 16 - Reporting option available to sexual assault victims. 93
Figure 17 – Metric 12: Reports of Sexual Assault, FY 2007 to FY 2014. 96
Figure 18 – An informational poster about SAAM 98
Figure 19 – Metric 8: Percentage of Subjects with Victims Declining to Participate in the Military Justice Process 99
Figure 20 – Safe Helpline Mobile App Screen short - from left to right, main navigation screen, "Learn" screen, "Create a Self Care Plan" screen, and "Exercises" screen 102
Figure 21 – Quarterly, first-time Safe Helpline website visits, FY 2012 to FY 2014. 104
Figure 22 – Metric 7: Victim Experience – Satisfaction with Services Provided by SVCs, SARCs, and VAs/UVAs 105
Figure 23 – Metric 10: Victim Experience – Victim Kept Regularly Informed of the Military Justice Process 106

Figure 24 – Metric 9a: Perceptions of Victim Retaliation- Command Climate Perspective by Gender 116
Figure 25 – Metric 9a: Perceptions of Victim Retaliation- Command Climate Perspective by Rank 116
Figure 26 – Metric 9b: Perceptions of Professional and Social Retaliation – Victim Perspective 117
Figure 27 – Metric 9c: Perceptions of Professional and Social Retaliation – Victim Perspective 118

Appendices:
Appendix A: Provisional Statistical Data on Sexual Assault
Appendix B: Provisional Metrics on Sexual Assault
Appendix C: List of Acronyms

Enclosures:
Enclosure 1: Department of the Army
Enclosure 2: Department of the Navy
Enclosure 3: Department of the Air Force
Enclosure 4: National Guard Bureau
Enclosure 5: United States Coast Guard

Annexes:
Annex 1: 2014 Military Workplace Study (RAND)
Annex 2: 2014 Survivor Experience Survey (DMDC)
Annex 3: 2014 Department of Defense Report of Focus Groups on Sexual Assault Prevention and Response (DMDC)
Annex 4: Analysis of Military Justice Reform (OGC)
Annex 5: 2014 Military Workplace Study – United States Coast Guard (RAND)

DoD's Top Indicators/Agents of Progress: FY 2012 - FY 2014



I. EXECUTIVE SUMMARY



Sexual assault is a significant challenge facing the United States military and the nation. Academia is wrestling with campus sexual assault, professional sports leagues struggle with intimate partner violence, and societies across the globe contend with horrific accounts of sexual violence that appear in daily headlines. For the first time in history, sexual assault has become a part of the national conversation, and a collective awareness and desire for action has emerged. Given its history of leadership on other social problems, the Department of Defense recognizes its vital role in advancing the campaign to prevent this heinous crime.

> *There is no silver bullet to solving this problem. This is going to require a sustained effort over a long period of time and we will not stop until we've seen this scourge eliminated.*
>
> *Barack Obama*
> *President of the United States*
> *May 16, 2014*

To this end, the Department's aim is to reduce, with the ultimate goal to eliminate, the crime of sexual assault in the Armed Forces. The Department of Defense-wide strategic approach to sexual assault is prevention-focused with an unwavering commitment to victim[1] care. By employing a comprehensive prevention and response system, the Department is taking deliberate, meaningful actions to:

- prevent the crime
- empower victims and facilitate recovery when incidents do occur
- sustain its commitment to holding offenders[2] appropriately accountable

With unprecedented leadership engagement, the Department has worked diligently to define the scope of the problem and take appropriate steps to field solutions that will foster lasting organizational change. As illustrated throughout this report, the Department has made notable progress in several areas. While these accomplishments are encouraging, the mission is far from complete, as leadership and Service members alike acknowledge the need for continued growth, persistence, and innovation in eradicating sexual assault from the ranks.

Purpose and Scope

In December 2013, the President of the United States directed the Secretary of Defense to provide a report on the Department of Defense's progress in addressing the issue of sexual assault, to include a review of the military justice system, by December 2014. In response, this report encompasses the key programmatic initiatives and policy

[1] Although many advocates prefer to use the term "survivor" to describe an individual who has been sexually assaulted, the term "victim" is also widely used. This document uses the terms interchangeably and always with respect for those who have been subjected to these crimes.
[2] Use of the term "offender" or "perpetrator" in this report is not intended to convey presumptions on guilt or innocence.

enhancements undertaken by the Department in Fiscal Years 2012 through 2014, with accompanying rationale, as well as synopses and evidence of progress. Also included are reports covering the same three-year timeline contributed by the Departments of the Army, Navy, and Air Force, the National Guard Bureau, and the United States Coast Guard, as well as a review of the Uniform Code of Military Justice by the Office of the General Counsel of the Department of Defense.

The report also contains preliminary results from the new Survivor Experience Survey and the recent focus group effort on sexual assault prevention and response in the military, both fielded by the Defense Manpower Data Center;[3] provisional results of the RAND Corporation's Military Workplace Study;[4] and provisional statistical data on the Department's Fiscal Year 2014 reports of sexual assault.[5] Metrics and non-metrics[6] developed by the Department - as requested by the White House - are also provided for the assessment of strengths and opportunities for improvement in the Department's sexual assault prevention and response program. The data cover elements of prevention, the investigative and legal processes, and victim confidence in - and satisfaction with - the response system.

Organizational Change – Within and Beyond

The Department of Defense is unique in comparison to many other organizations or social groups, as it has an existing leadership structure, empowered by law to promote good order and discipline. In seeking ways to eliminate sexual assault, the Department is leveraging its existing culture of honor, dignity, and respect to drive organizational changes that empower every Service member to take action against disrespectful and dangerous behaviors. All who wish to serve must understand the Department of Defense has no place for those who do not live up to military core values.

> *We know that lasting change begins by changing the behaviors that lead to sexual assault.*
>
> *General Martin E. Dempsey*
> *Chairman of the Joint Chiefs of Staff*
> *June 4, 2013*

While the Department has been acutely focused on addressing sexual assault internally, senior leaders, Service members, and even veterans have recently taken a public stand on sexual assault - and related issues of sexual harassment and intimate partner violence - in multiple venues external to the Department. In the past couple of months alone, the Secretary of Defense reviewed the relationship the Department has with a professional sports league over

[3] The *2014 Survivor Experience Survey Overview Report* and the *2014 Department of Defense Report of Focus Groups on Sexual Assault Prevention and Response* are available at Annexes 2 & 3, respectively.
[4] The *2014 RAND Military Workplace Study* report is available at Annex 1.
[5] See Appendix A: Provisional Statistical Data on Sexual Assault.
[6] "Non-metrics" are items that address the military justice process. There will be no effort to direct these aspects or outcomes, as doing so may constitute unlawful command influence on military justice. However, given the substantive interest in the military justice system and how it functions, these items will be used to describe or illustrate certain aspects of the system.

concerns regarding its handling of domestic violence,[7] a famous entertainer's performance was cancelled at a military installation due to his inaccurate and insensitive commentary on rape,[8] and a group of 60 veterans apologized via public letter to a female pilot from the United Arab Emirates when an inappropriate, sexist joke was made about her on an American news channel.[9] These are just a few examples of the change in attitudes and behaviors the Department seeks to inspire in its personnel as it advances a broader national and international discussion on dignity and respect for all.

Evidence of Progress – Top Ten Indicators and Agents of Change

In the past three years, the Department of Defense Sexual Assault Prevention and Response Program has undergone significant renewal and growth, impacting its strategy, policies, and programs. It has also invested profoundly in the development of its leaders and key "first responder personnel."[10] While the long-term target of eliminating sexual assault remains fixed on the horizon, the Department presents the following list of promising indicators and/or agents of positive change from Fiscal Years 2012-2014.



The Department of Defense is exhibiting unprecedented leadership engagement in its commitment to eradicate sexual assault in the ranks.

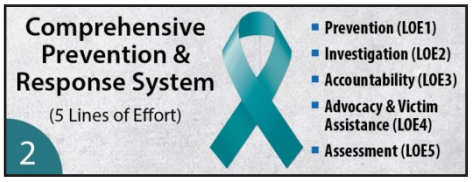
> *We must ensure that every Service member understands that sexist behaviors, sexual harassment, and sexual assault are not tolerated, condoned, or ignored.*
>
> *Chuck Hagel*
> *United States Secretary of Defense*
> *May 1, 2014*

Secretary of Defense Chuck Hagel has built on former Secretary of Defense Leon Panetta's momentum on the issue, directing 28 sexual assault prevention and response initiatives during his tenure thus far. The result is a **total of 41 Secretary of Defense-directed initiatives over the past three fiscal years (2012-2014)**. The efforts include promoting and upholding a healthy command climate, enhancing training of key personnel involved in sexual assault prevention and response

[7] Starr, Barbara, "Defense Secretary Hagel asking for information about military ties to NFL," *CNN*, Sept. 19, 2014, http://www.cnn.com/2014/09/19/politics/hagel-and-nfl/.
[8] Dries, Kate, "Cee-Lo Green Pulled From Military Base Performance," *Jezebel*, Sept. 5, 2014, http://jezebel.com/cee-lo-green-pulled-from-military-base-performance-1630961014.
[9] Macias, Amanda, "US Veterans Send Fox News An Open Letter About 'Boobs On The Ground' Joke," *Business Insider*, Sept. 27, 2014, http://www.businessinsider.in/us-veterans-send-fox-news-an-open-letter-about-boobs-on-the-ground-joke/articleshow/43657166.cms.
[10] The term "first responder personnel" refers to Sexual Assault Response Coordinators, Sexual Assault Prevention and Response Victim Advocates, Special Victims' Counsel/Victims' Legal Counsel, medical and mental health personnel, law enforcement, military criminal investigators, legal personnel, chaplains, and more.

efforts, revising policy and strategy regarding victim rights and care, and improving criminal investigative capabilities and the military justice process.

While sexual assault prevention and response policy has been in place for some time, the Secretary's leadership is the catalyst behind the lasting and substantive organizational changes deployed since 2011. Through professional assessment tools and training, **commanders and leaders across the Department are empowered to promote an environment intolerant of the disparaging behaviors that may bring about sexual assault**. The championing of the program has had noticeable effects, as is evidenced in the latest climate survey and focus group feedback indicating Service members feel leadership is firmly committed to the issue.[11] Military leaders demand Service members understand and embody overarching military core values, and demonstrate the social courage needed to act on the issue as well. As a result, peer-to-peer mentoring, where every Service member plays a role in preventing sexual assault and is empowered to intervene when necessary, is now a growing practice across the Force.



The Department's strategic approach to sexual assault is at the organizational level, the centerpiece of which is the ***Department of Defense Sexual Assault Prevention and Response Strategic Plan***, revised[12] and published in May 2013. The strategy provides a proactive and multi-disciplinary approach to achieve Department-wide unity of effort and purpose on sexual assault prevention and response across **five Lines of Effort**, as follows:

- Prevention – focused elements at multiple levels to prevent the crime
- Investigation – competent investigations to yield timely and accurate results
- Accountability – offenders held appropriately accountable
- Advocacy/Victim Assistance – first-class victim services and care provided
- Assessment – qualitative and quantitative measures to inform programs/policies

The aforementioned comprehensive sexual assault prevention and response system is aligned across the Military Services and the National Guard Bureau in their respective strategies and programs. This provides a coordinated approach to sustain progress and implement requisite organizational change, leveraging the Department's enduring culture of dignity and respect. The Assessment component is the watermark behind the other Lines of Effort, as it allows for continuous evaluation and feedback to inform improvements to ongoing programs, as well as identify areas for improvement.

[11] See *Defense Equal Opportunity Climate Survey (*Feb. to Sept. 2014 results); *2014 Department of Defense Report of Focus Groups on Sexual Assault Prevention and Response,* available at Annex 3.
[12] The *Department of Defense Sexual Assault Prevention and Response Strategic Plan* was originally published in 2009.

The five Lines of Effort sections in this report detail the recent programmatic and policy initiatives implemented, to include rationale for action, synopses of progress thus far, and evidence of that progress in each area. Each Line of Effort section also addresses the following common topics:

By establishing the right command climate, ensuring leadership support, and empowering Service members to safely intervene, the Department of Defense will be the last place an offender wants to be.

Major General Jeffrey J. Snow
Director
Department of Defense Sexual Assault Prevention and Response Office
May 1, 2014

- Role of the commander in supporting the respective Line of Effort
- Specialized and enhanced training and certification of key personnel
- Partnerships and collaborations with government and civilian experts
- Prevalent myths and clarifying facts related to the particular Line of Effort



Recent survey data suggest the percentage of Active Duty women who experienced unwanted sexual contact in the past year **declined from 6.1 percent in 2012 to 4.3 percent in 2014.**[13] For Active Duty men, the rate of unwanted sexual contact stayed about the same, moving **from 1.2 percent in 2013 to 0.9 percent in 2014**. Although the prevalence rates of sexual assault in the Department are showing a downward trend, even one sexual assault in the Armed Forces is one too many. The Department's goal is to intensify its prevention work to continue this progress in forthcoming years.

Another positive trend is the recent substantive increase in reporting by victims of military sexual assault. While underreporting continues to be a problem, the number of victims in Fiscal Years 2013 and 2014 who came forward to make reports significantly increased. **Fiscal Year 2013 featured a 50 percent increase in sexual assault reporting from 2012**, **and 2014 reporting maintained that gain and increased by another 8 percent. Whereas only one in 10 victims was reporting just two years ago, that rate has increased to one in four.** Given that the past-year prevalence (occurrence) of sexual assault decreased from Fiscal Year 2012 to Fiscal Year 2014, the importance of this upward trend in reporting cannot be overstated. Increased reporting signals not only **growing trust of command and confidence in the response system**, but serves as the gateway to provide more victims with support and to hold a greater number of offenders appropriately accountable.

[13] Statistics cited are based on the Workplace and Gender Relations Survey administered by Defense Manpower Data Center in 2012 and the RAND Corporation's fielding of the prior form 2012 Workplace and Gender Relations Survey in 2014, for comparative reasons (for more information, see page 57).

Increased Conversion Rate

Victims have the option to make either a Restricted or Unrestricted Report. The former provides the victim with limited disclosure of an incident to specified parties, and allows victims to access medical, mental health, and advocacy services while avoiding initiating the investigative or legal process. Unrestricted Reports, on the other hand, immediately trigger an independent investigation conducted outside the chain of command. Survivors who make a Restricted Report may convert their report to an Unrestricted Report at any time and participate in the military justice process. **In Fiscal Year 2014, 19 percent of Restricted Reports received converted to Unrestricted Reports, more than in any prior year**. An additional 47 Restricted Reports initially made in Fiscal Year 2013 and preceding years also converted to Unrestricted Reports during Fiscal Year 2014. Since 2006, conversion rates have typically averaged at 15 percent.



The Department has consistently and steadily augmented the depth and breadth of its approach to the prevention of sexual assault. In 2014, the Department revised its prevention strategy with the assistance of the Military Services and the National Guard. The *2014-2016 Department of Defense Sexual Assault Prevention Strategy* provides a **unified plan and purpose across the Department at all levels, and identifies commanders as the center of gravity for promoting prevention and safety.**

> *I am impressed by the scope and focus of DoD's strategy for addressing this important public health problem. Building a strategy based on what works in prevention holds great promise for achieving positive change.*
>
> *Dr. James A. Mercy*
> *Acting Director, Division of Violence Prevention*
> *Centers for Disease Control and Prevention*
> *on the 2014-2016 DoD Prevention Strategy,*
> *October 2014*

Based on the social-ecological model for prevention,[14] the new strategy provides a roadmap for the delivery of consistent and effective prevention strategies and initiatives through empirically-based promising practices. The social-ecological model considers the complex interplay between individual, relationship, community, and societal factors, and allows the Department to address those factors that put people at risk for experiencing or perpetrating violence. While there is no single "silver bullet" solution, as the President

[14] '"The Social-Ecological Model: A Framework for Prevention," *Injury Prevention & Control: Division of Violence Prevention*, Centers for Disease Control, http://www.cdc.gov/violenceprevention/overview/social-ecologicalmodel.html.

recognized, this innovative prevention strategy allows for new promising practices to be incorporated, assessed, and adapted accordingly.



Victim participation and engagement throughout the military justice process are key to maintaining good order and discipline within the Total Force, as well as holding offenders appropriately accountable. However, participating in criminal proceedings can be exceedingly difficult for survivors, given that recalling memories about a sexual assault can sometimes be as traumatic as the crime itself. As a means to provide advice and advocacy, as well as empower victims to participate in the justice system, the Department created the groundbreaking Special Victims' Counsel/Victims' Legal Counsel Program.

Witnesses who had been assigned Special Victims' Counsel told the Panel that their Special Victims' Counsel were critical to their ability to understand the process and participate effectively as witnesses against the accused.

Report of the Response Systems to Adult Sexual Assault Panel

These **military judge advocates provide independent, personalized legal advice and representation to victims of sexual assault**, **protecting their rights and empowering them to successfully navigate the military justice system**. These specialized attorneys are assigned to victims and act independently of the prosecutor. The Department's highly-regarded Special Victims' Counsel/Victims' Legal Counsel Program provides survivors with a dependable resource that is specially trained to represent their legal interests – a service with overwhelmingly positive survivor reviews.[15]



The Survivor Experience Survey, fielded by the Defense Manpower Data Center, is the **first standardized and voluntary survey of sexual assault survivors conducted across all Department of Defense components** (Active Duty, Reserve, and National Guard). This ongoing survey affords survivors an opportunity to provide direct and confidential feedback on their experiences throughout the reporting process. Topics addressed include: awareness of sexual assault resources and reporting options; use of and satisfaction with key first responder personnel; use of and satisfaction with sexual assault-related medical and mental health services; and leadership responses to sexual assault reports. Survey results offer essential insights into how the Department can

[15] See Annexes 2 and 3.

build on existing successes and address any remaining gaps and concerns to ensure every victim is treated with respect and sensitivity.[16]

While the number of respondents to this first effort was modest (just over 150), a large majority of these survivors favorably rated the services they received from first-responder personnel. **Ninety percent of survivors who used the services from Sexual Assault Response Coordinators and Special Victims' Counsel/Victims' Legal Counsel were satisfied or very satisfied with the assistance they received.**

Further, survivors indicated that maintaining privacy, having a "voice" in the process, safety, support in managing duty responsibilities, and mental health/counseling services are their most important concerns. However, too many of these respondents indicated they perceived social and/or professional retaliation as a result of making a report. Even so, **nearly three quarters of all respondents indicated they would recommend others report their sexual assault.** To this end, combatting social and professional retaliation after reporting a sexual assault will remain a focus area for the Department, along with other potential barriers to reporting. A Phase II version of the Survivor Experience Survey, including questions on the investigative and legal processes, is under development.



The Department implemented several training enhancements, advanced certification requirements for first responders, and newly developed training expectations for Service members that impact every Line of Effort in the comprehensive sexual assault prevention and response system. This deliberate professionalization of key sexual assault prevention and response personnel seeks to **develop and sustain a cadre of individuals armed with skills and a level of preparedness that meets or surpasses what is available in the civilian sector**.

The following are the major training and certification advancements recently put into effect across the Armed Forces:

- ***Trauma-informed Interviewing Techniques*:** Investigators assigned to Military Criminal Investigative Organizations[17] from all Services/National Guard Bureau undergo training that provides agents with the knowledge and skills to better understand the fundamentals of neuroscience, trauma, and effective victim

[16] The full report for the *2014 Survivor Experience Survey* is included at Annex 2, and is based on preliminary findings from Quarter 4 of Fiscal Year 2014.
[17] Army Criminal Investigation Command agents and Naval Criminal Investigative Service agents learn a technique called the Forensic Experiential Trauma Interview. Air Force Office of Special Investigation agents learn a technique called Cognitive Interviewing.

interviewing. These innovative interview techniques help agents work with victims to obtain more information about crimes, potentially leading to improved offender accountability. **Since 2009, nearly 2,000 special agents and prosecutors have completed courses in advanced sexual assault investigations in the Department.**

- ***Professional Certification of Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates:*** As the personnel who interact most frequently with sexual assault victims, Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates offer a specialized skill set and expertise to assist victims and advocate on their behalf. Further, they advise commanders and assist with sexual assault prevention and awareness training. The Department's Sexual Assault Advocate Certification Program ensures that regardless of a victim's location, he or she will have access to the same high-level standard of support. This professional certification signals to survivors that Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates have the requisite level of knowledge and training to assist victims in their recovery. **Since the program was launched in Fiscal Year 2012, over 22,000 Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates have been certified** in a process administered by the National Organization for Victim Assistance**.**

> *The special agent was great. He treated me with sensitivity, kept me informed about the steps the investigation would take and with witness interviews and then provided me a wrap-up.*
>
> *Survivor regarding a Military Criminal Investigative Organizations agent*

- ***Advanced Training Course for Certified Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates:*** The Department's Sexual Assault Prevention and Response Office and the Military Services/National Guard collaborated with the Department of Justice's Office of Justice Programs, Office for Victims of Crimes during 2013 to develop an advanced training course for Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates. The online course, Advanced Military Sexual Assault Advocate Training, provides advanced sexual assault victim advocacy skills training by leveraging gaming technology in an interactive, online environment designed specifically for a military audience.

- ***Standardized Core Competencies and Learning Objectives:*** The Department worked collaboratively to develop a set of core competencies and learning objectives to assure consistency and effectiveness in training at all command levels. Sexual Assault Prevention and Response content has been integrated into military training, as follows:

- All levels of Professional Military Education
- Pre-Command and Senior Enlisted Leader Training
- Accession Training (within 14 days of entry on active duty)
- Initial Military Training
- Sexual Assault Prevention and Response Annual Training
- Sexual Assault Prevention and Response Pre-/Post-Deployment Training



The Department continues to collaborate and communicate with a variety of entities to discuss strategies and share best and promising practices to inform and enhance its programs. These efforts include reaching out to reputable government and civilian experts, as well as responding to requests in order to share knowledge and offer experience-based guidance. Leveraging partnerships and collaborations across these sectors provides significant advantages and allows the Department to remain at the cutting edge of the latest research and initiatives regarding sexual assault prevention.

By the same token, organizations across the country and internationally are looking to the United States military as a model to inform their own Sexual Assault Prevention and Response programs. Various universities and military allies have replicated the Department's policies and programmatic approach.

The DoD has done an incredible amount of work in a short amount of time in combatting sexual assault and violence against women. We have never seen that kind of change in a civilian community and I just wish more people would recognize that fact.

Joanne Archambault
Executive Director of End Violence Against Women
January 17, 2012

Noteworthy interagency, international, and cross-sector collaborations include:

Government Agencies/Organizations

- Centers for Disease Control and Prevention
- Department of Justice, Office for Victims of Crime
- Department of Justice, Federal Bureau of Investigation Victim Services
- Department of Veterans Affairs
- Department of State
- The Peace Corps**
- United States Coast Guard**

Advocacy Organizations

- Rape, Abuse and Incest National Network
- National Organization for Victim Assistance
- National Sexual Violence Resource Center

Academia

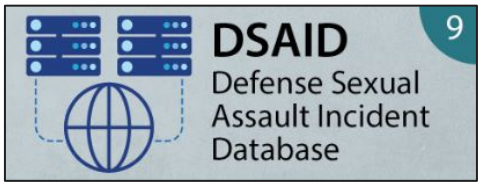
- Universities and colleges**
- Subject Matter Experts in various disciplines

Foreign militaries

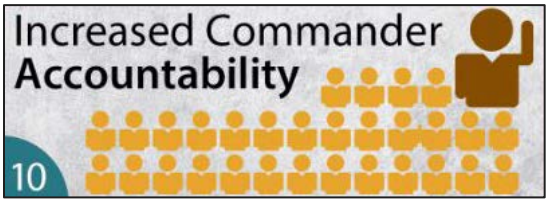
- Canada, Australia, United Kingdom, and Norway**

Indicates organizations that have consulted with the Department of Defense to inform their respective programs or approach

The Department also works closely with Congress to improve its programs and policies. **The last three National Defense Authorization Acts included 53 sections of law, containing more than 100 requirements related to sexual assault in the military – many of which were built on or in parallel with existing Secretary of Defense initiatives**. **The National Defense Authorization Act for Fiscal Year 2014 alone provided the most sweeping changes to military law since 1968.** Additionally, the Department was invited to serve in an advisory role on the White House Task Force to Protect Students from Sexual Assault. Many of the recommendations made by the Task Force, including professional advocacy, confidential reporting, bystander intervention training, and surveying for prevalence, have been proven components of the Department's Sexual Assault Prevention and Response policy for many years.



The Department created the Defense Sexual Assault Incident Database, a secure, web-based tool designed for reporting and case management of sexual assaults committed by or against Service members.[18] The database captures case information entered by Military Service and National Guard Sexual Assault Response Coordinators about both Restricted and Unrestricted sexual assault reports, enhances a Sexual Assault Response Coordinator's ability to provide comprehensive and standardized victim case management, enables authorized legal officers to enter and validate case disposition data, supports Service Sexual Assault Prevention and Response program management, provides improved oversight of how sexual assault cases are managed, and enables the Department to meet Congressional reporting requirements. Since October 2013, all Military Services and the National Guard are utilizing this innovative product.



Military commanders are responsible for establishing a command climate that promotes honor, discipline, respect, and integrity, all of which are core values of the United States military and fundamental components of the

[18] Available at: http://responsesystemspanel.whs.mil/Public/docs/Reports/00_Final/00_Report_Final_20140627.pdf.

Department's effort to reduce – with the intent to eliminate – sexual assault in its ranks. The Department strives to provide military commanders with the resources they need to address this critical issue, and hold them accountable for failure to do so.

At every level of Department leadership, beginning with the Secretary of Defense and the Joint Chiefs of Staff, the message has been clearly established that sexual assault and harassment will not be tolerated, and the United States military is no place for individuals who find such behavior acceptable. Commanders are expected to embrace this philosophy, and do their part in disseminating this message to future leaders for whom they are responsible. To assist commanders at every level to promote and uphold a healthy, respectful command climate and give reports of sexual assault the high-level attention and seriousness they deserve, the Department has implemented a climate assessment process. This process represents a fundamental shift in how the Department drives organizational change. The climate assessments involve three primary activities:

- ***The Defense Equal Opportunity Management Institute Organizational Climate Survey:*** This important assessment tool for commanders provides feedback from unit members to enhance a leader's knowledge about specific trends and behaviors within his or her unit, and provides an avenue for them to confidentially communicate concerns. Commanders leverage results to drive unit change, employing Service member feedback to address inappropriate actions, as necessary.

- ***Senior Leader Involvement:*** Results from the climate survey are automatically shared with the unit commander's immediate supervisor. Unit commanders are responsible for using survey results and additional information gathering activities to address any challenges facing the unit.

- ***Officer Evaluation Reports***: Senior leaders rate unit commanders on their actions to address unit climate. By incorporating commanders' response into their performance reviews, commanders are accountable for promoting a climate of dignity and respect. Given that sexual assault is less likely when sexist behavior and sexual harassment are less prevalent in a unit, the climate assessment process has the promise to produce substantive organizational change within the Department.

In addition, starting in June 2012, the Secretary of Defense directed that initial decisions about the dispositions of penetrating sexual assault cases be made by senior military officers who were at least in the grade of colonel or Navy captain and hold special court-martial convening authority. This action allowed seasoned commanders – typically without any personal knowledge of the victim or subject in the impacted subordinate units – to appropriately review how to best address the evidence and subsequent command action in these matters.

Metrics Overview

This report includes provisional results for 12 metrics and six non-metrics that were developed in collaboration with the White House for the purpose of analyzing specific aspects of the Department's Sexual Assault Prevention and Response program (available in their entirety in Appendix B). Encouragingly, the Department clearly demonstrates indicators of progress in the areas of:

- Prevalence
- Reporting
- Bystander Intervention
- Command Climate
- Victim Support
- Perception of Leadership's Efforts

However, the Department was unable to identify clear progress in the area of perceived victim retaliation. Despite significant efforts by the Department, military victims continue to perceive social and/or professional retaliation. Retaliation, in any form, is unacceptable in the Department of Defense. Addressing this issue will be a top priority moving forward for Sexual Assault Prevention and Response programs across the Military Services.

Military Justice System Review

The following are key findings from the review of the military justice system conducted by the Office of the General Counsel of the Department of Defense, as directed by the President of the United States for inclusion in this report:

- The military justice system has undergone massive change over the past three fiscal years, resulting in the most sweeping revisions since 1968
- As a result, the system is better able to investigate and try sexual assault cases in a fair and just manner, while better protecting victims' privacy interests
- The military justice system can be further improved, and additional reforms will be implemented
- The Department agrees with the conclusion of the Response Systems Panel[19] that future reforms should **not** include transferring prosecutorial discretion from commanders to judge advocates - a move that would likely not only degrade mission readiness, but also diminish commanders' effectiveness in the fight against sexual assault in the military

[19] The Response Systems to Adult Sexual Assault Crimes (Response Systems Panel) was established under Section 576 of the National Defense Authorization Act for Fiscal Year 2013, as amended by National Defense Authorization Act for Fiscal Year 2014, to perform an independent assessment of the systems used to investigate, prosecute, and adjudicate crimes involving adult sexual assault and related offenses.

Conclusion and Way Ahead

Senior leaders across the Department of Defense have provided unprecedented leadership engagement on sexual assault prevention and response, employing a proactive communication posture with clear and consistent messaging. Through reaching out to victims for feedback, collaborating with external partners and experts, working with Congressional and White House leaders, and professionalizing key personnel through advanced training and certifications, the Department continues to seek inventive and effectual approaches to inform and augment its strategic and comprehensive sexual assault prevention and response system.

The crime of sexual assault is a detriment to the welfare of men and women in uniform and is antithetic to core military values of trust, dignity, and respect. Combatting this crime requires sustained effort and resolve, coupled with a multidisciplinary approach across the five Lines of Effort. With an increased focus on prevention and steadfast commitment to excellence in support and care for victims, the Department has demonstrated significant progress in its mission to eradicate sexual assault from the Armed Forces. However, additional research and evaluation are necessary in order to refine and optimize existing approaches, as well as build on successes, positive trends, and insightful feedback to discover opportunities for improvement.

> *The Department needs to be a national leader in preventing and responding to sexual assault. We are committed to lead the daughters and sons of the American people with the values of our honorable profession and to ensure they serve in an environment that is free from sexual assault and protects the dignity and respect of every Service member.*
>
> *Chuck Hagel*
> *United States Secretary of Defense*
> *May 6, 2013*

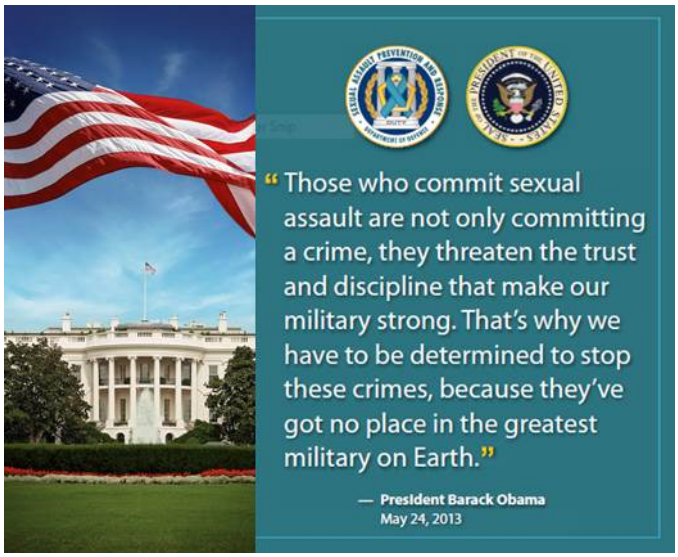
Beyond 2014, the Department will remain focused on its concerted efforts to sustain and enhance ongoing and new programs and initiatives, and identify and close gaps in requisite areas. As the many sectors of society contend with similar challenges, the Department will continue to advance the national conversation on eradicating sexual assault, and remain at the forefront of this moral imperative.

II. INTRODUCTION

DoD-wide Sexual Assault Prevention and Response Mission Statement

The Department of Defense prevents and responds to the crime of sexual assault in order to enable military readiness and reduce -- with a goal to eliminate -- sexual assault from the military.

A. Report Purpose and Scope



In December 2013, the President of the United States directed the Secretary of Defense to provide a report on the Department of Defense's (DoD's) progress in addressing the issue of sexual assault by December 2014. This report encompasses the key programmatic initiatives and policy enhancements undertaken by the Department from October 2011 through September 2014 – essentially Fiscal Years (FY) 2012 through 2014. Additionally, it details DoD's strategic and multidisciplinary approach to eliminating sexual assault and includes Service summaries contributed by the Departments of the Navy, Army, and Air Force, as well as summaries from the National Guard Bureau (NGB) and the United States Coast Guard (USCG). An analysis of recent Uniform Code of Military Justice (UCMJ) reform by the Office of the General Counsel (OGC) of the DoD is also provided, as directed.

This report answers that direction, and also details the most recent assessment methods utilized by the Department, including the Survivor Experience Survey (SES) and the 2014 focus group effort on sexual assault prevention and response in the military, both fielded by the Defense Manpower Data Center (DMDC). Also included are provisional results of the 2014 RAND Corporation's Military Workplace Study and of the Department's FY 2014 reports of sexual assault as per the Defense Sexual Assault Incident Database (DSAID). The report organizes and communicates the Department's progress using the five lines of effort (LOEs) from the DoD Sexual Assault Prevention and Response (SAPR) Strategic Plan, revised[20] and published in May 2013. The LOEs are Prevention, Investigation, Accountability, Advocacy/Victim Assistance, and Assessment. Metrics and non-metrics, developed by the Department as requested

[20] The *DoD SAPR Strategic Plan* was originally published in 2009.

by the White House, are also provided to help evaluate the Department's SAPR program, and cover elements of prevention, the investigative and legal processes, and victim confidence in - and satisfaction with - the response system.

B. DoD's Strategic Approach

This report details DoD's proactive and multidisciplinary approach across the five LOEs to achieve unity of effort and purpose across the Department in reducing, with the goal of eliminating, sexual assault. The approach engages leaders at all levels and requires a personal commitment from every Service member to uphold military core values. The key to promoting the organizational changes needed to eliminate sexual assault is active leadership engagement with a commitment to DoD's enduring culture of mutual dignity and respect.

Over the past three years, Secretaries of Defense Chuck Hagel and Leon Panetta directed a total of 41 SAPR initiatives. Beginning with a December 2011 order giving victims the ability to request a transfer away from the accused, and continuing with multiple directive memos intended to enhance various aspects of the SAPR program, both Secretaries advanced necessary and significant changes to the Department's approach to prevention and response. The efforts have included promoting a healthy command climate, enhancing training across all LOEs, revising SAPR policies and strategy regarding victim rights and care, and improving accountability measures for investigations and the military justice process. While SAPR policy has been in place for some time, the Secretaries' leadership is the catalyst behind the lasting and substantive organizational changes deployed since 2011.

Sexual Assault Prevention and Response Designated as Chairman's #1 High Interest Training Issue for the Joint Force

On October 10, 2013, Gen. Martin Dempsey, Chairman of the Joint Chiefs of Staff, released the FY 2014 - 2017 Chairman's Joint Training Guidance. At the top of the list for high-interest training issues (HITIs) is SAPR.

The HITIs represent operational focus areas consistent with the priorities established in defense strategic guidance, the Chairman's Strategic Direction to the Joint Force, and the Capstone Concept for Joint Operations, and constitute an integral part of joint training programs. "*The Services, Combat Support Agencies, and Combatant Commands should advocate a robust Sexual Assault Prevention and Response program and provide individual education and training to prevent and appropriately respond to incidents of sexual assault.*" (Chairman of the Joint Chiefs of Staff Notice 3500.01 October 10, 2013)

1. Leadership Engagement

Strong and informed leadership at every level is essential to the effective prevention of and response to sexual assault. While some mistakenly infer that commander involvement impedes progress against sexual assault, no problem in the military has

ever been solved without the strength of the women and men in command making the right decisions and leading change. Leaders are expected to be more involved in the solution, not less involved. Research shows that sexual assault is more likely in environments where offensive behavior, unwanted sexual attention, and sexual harassment occur. Therefore, the Department's approach places a high level of responsibility on commanders and leaders to be proactive in identifying and correcting these behaviors. Command demands that Service members understand and embody overarching military core values, and embrace their responsibility to demonstrate the social courage needed to lead on the issue as well.



Commanders' behaviors, priorities, counsel, and actions set the expectations and tone for the entire unit. Therefore, the commander's role in sexual assault prevention and response is interwoven throughout DoD's SAPR strategy, and is essential to effecting organizational change.

2. Organizational Change

Sexual assault is a broad societal problem, one not just found in the military. While efforts to combat sexual assault can be found in pockets across society and the globe, DoD is unique in comparison to many other organizations or social groups, as it has an existing leadership structure, empowered by law to promote organizational good order and discipline. In seeking ways to eliminate sexual assault, the DoD leverages its existing culture of honor, dignity, and respect to effect organizational changes that empower every Service member to take action against disrespectful and dangerous behaviors. All who wish to serve must understand that DoD has no place for those who do not live up to military core values.

3. Partnerships/Collaborations

The Department continues to collaborate with a variety of entities to develop strategies and share best and promising practices. DoD's efforts include both reaching out to organizations, as well as responding to requests to share knowledge and offer experience-based guidance.

Noteworthy interagency, international, and cross-sector collaborations include:

a. Government Agencies

- Centers for Disease Control and Prevention (CDC)
- Department of Justice (DOJ), Office for Victims of Crime (OVC)

- o DOJ, Federal Bureau of Investigation (FBI) Victim Services
- o Department of Veterans Affairs (DVA)
- o Department of State
- o The Peace Corps**
- o USCG**

b. Advocacy Organizations

- o Rape, Abuse and Incest National Network (RAINN)
- o National Organization for Victim Assistance (NOVA)
- o National Sexual Violence Resource Center

c. Academia

- o Universities and colleges**
- o Subject Matter Experts in various disciplines

d. Foreign militaries

- o Canada, Australia, United Kingdom, and Norway**

Indicates organizations that have consulted with the DoD to inform their respective programs or approach

The Department also works closely with Congress to improve its SAPR program. The last three National Defense Authorization Acts (NDAAs) included 53 sections of law, containing more than 100 requirements - many of which built on Secretary of Defense initiatives. Last year's NDAA alone resulted in the most sweeping revisions to military justice since 1968.

DoD was also invited to serve in an advisory role on the White House Task Force to Protect Students from Sexual Assault. Many of the recommendations made by the Task Force, including professional advocacy, confidential reporting, bystander intervention training, and surveying for prevalence, have been proven components of the Department's SAPR policy for many years.

C. Scope of the Program

1. DoD Definition of Sexual Assault

In the Department, the term "sexual assault" does not refer to one specific crime; rather, it encompasses a range of sex crimes between adults that represent a broad spectrum of offenses from rape to forcible sodomy to abusive sexual contact, as well as attempts to commit these offenses. Consequently, the definition of sexual assault in the military is broader than the crime of rape.

In its current form, DoD SAPR policy[21] defines sexual assault as follows:

> *Intentional sexual contact characterized by use of force, threats, intimidation, or abuse of authority or when the victim does not or cannot consent. The term includes a broad category of sexual offenses consisting of the following specific*

[21] DoDD 6495.01, *Sexual Assault Prevention and Response Program.*

UCMJ offenses: rape, sexual assault, aggravated sexual contact, abusive sexual contact, forcible sodomy (forced oral or anal sex), or attempts to commit these acts.

Consent is defined as:

Words or overt acts indicating a freely given agreement to the sexual conduct at issue by a competent person. An expression of lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance or submission resulting from the accused's use of force, threat of force, or placing another person in fear does not constitute consent. A current or previous dating relationship or the manner of dress of the person involved with the accused in the sexual conduct at issue shall not constitute consent. There is no consent where the person is sleeping or incapacitated, such as due to age, alcohol or drugs, or mental incapacity.

2. Continuum of Harm

The Continuum of Harm represents the environment and potential for harm where people live, work, and spend their lives. As illustrated in Figure 1, on the left side of the continuum is a healthy environment. As one moves to the right, behaviors and misconduct that detract from a healthy environment increase in severity, and range from such problems as sexism, objectification, and sexual harassment, to inappropriate touching and sexual violence. At the bottom of the continuum are capabilities that DoD has in place to prevent, correct, and respond to harmful behaviors. While all of these problems can coexist in a given environment, this figure graphically represents the pattern of escalation some use to dehumanize or objectify others, and the very serious consequences that can result.

While considered in the Continuum of Harm addressed by Department prevention efforts, other non-contact misconduct, such as indecent exposure and stalking, does not fall under the SAPR program as chartered in 2005. However, the Military Criminal Investigative Organizations (MCIOs)[22] investigate these and other sex crimes as appropriate. Incidents of sexual harassment are also not in this report because they fall under the purview of the Office of the Secretary of Defense Office of Diversity Management and Equal Opportunity (ODMEO). Lastly, sexual abuse of children and spouses are not contained in this report because they fall under the purview of the DoD Family Advocacy Program (FAP). DoD Sexual Assault Prevention and Response Office (SAPRO) continues to work closely with these DoD agencies and others in order to share lessons learned and develop complementary and reinforcing approaches to create and maintain climates of dignity and respect for all our personnel.

[22] MCIOs include the Army Criminal Investigations Division, NCIS, and the AFOSI.

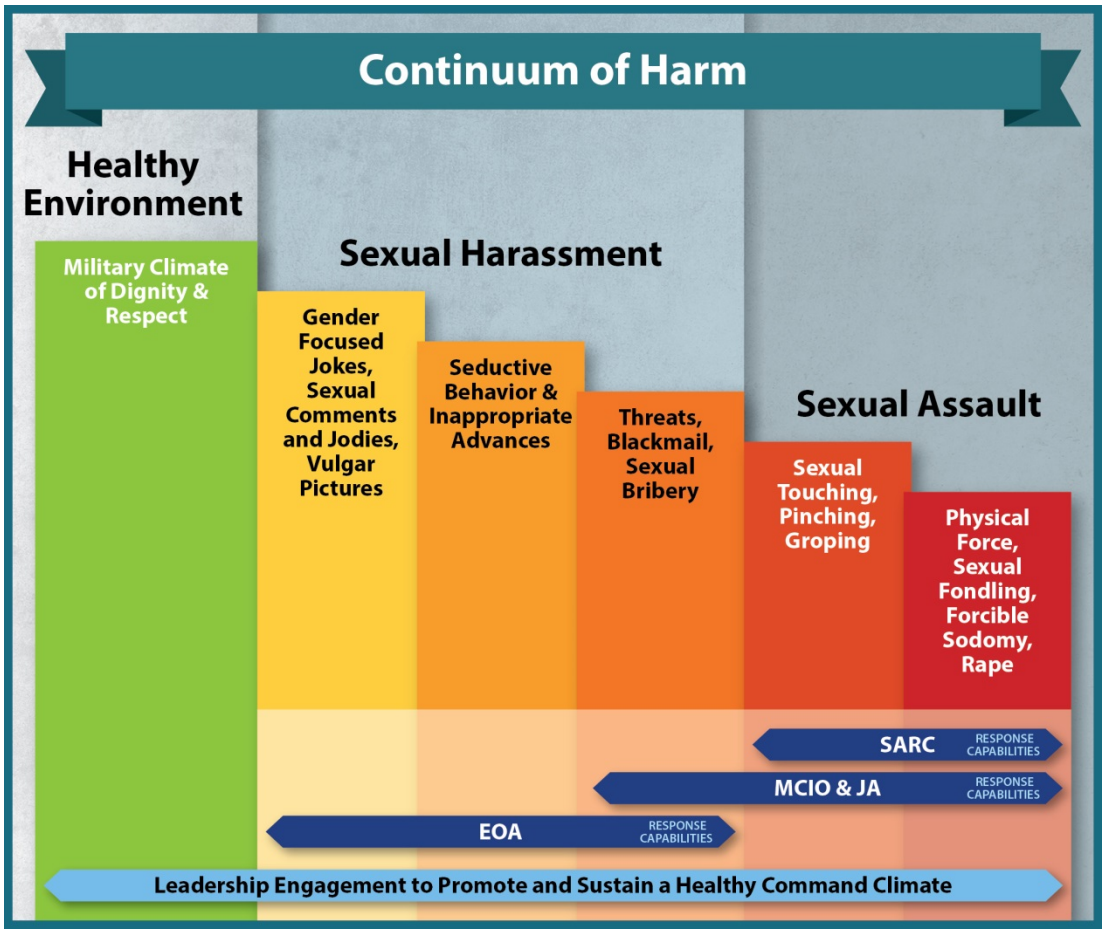


Figure 1 – DoD Continuum of Harm

D. Published SAPR Policy & Strategy

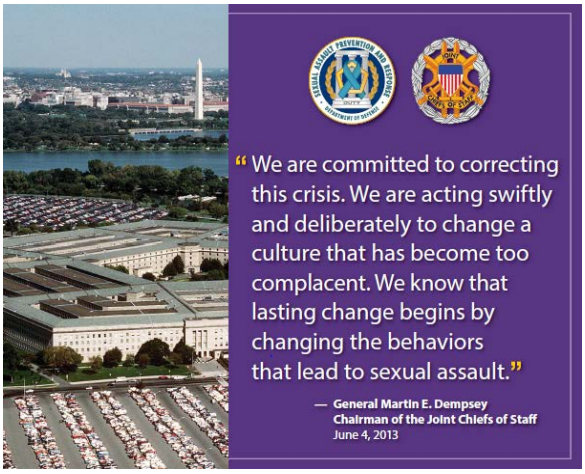
1. SAPR Policy

DoD SAPR Program policy is found in DoD Directive (DoDD) 6495.01 and DoD Instruction (DoDI) 6495.02. In FY 2013, the Department reissued both documents with a range of new policies, training requirements, and safety measures.[23] These changes reflect feedback from survivors and advocacy groups, as well as the Military Services, NGB, military investigators, DoD OGC, and DoD Health Affairs. The updated policy documents also incorporate recommendations from the GAO, the DoD Inspector General (IG), and the Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS), as well as legislative requirements from the NDAA for FY 2009, FY 2011, FY 2012, and FY 2013. Other interim guidance addressing Sexual Assault Incident Response Oversight Reports (SAIRO), the Department's Special Victim Investigation and Prosecution (SVIP) capability, and the DoD Sexual Assault Advocate Certification

[23] DoDD 6495.01, "SAPR Program," Incorporating Change 1 was published on April 30, 2013.

Program (D-SAACP) has been published and will be incorporated into future revisions to DoD policy documents.[24]

2. SAPR Strategy



The *DoD SAPR Strategic Plan* represents the Department's holistic approach, applicable to all stakeholders and clarifying Department priorities, objectives, and initiatives with regard to prevention and response to victims. In FY 2013, DoD SAPRO and the Military Services and NGB revised the *DoD SAPR Strategic Plan* to align with and operationalize the key tasks defined in the *Joint Chiefs of Staff's (JCS) Strategic Direction to the Force*.[25] The 2013 update was the first since 2009, the year the plan was originally published. In a May 2013 memo, the Secretary of Defense directed the Military Services to align their respective programs and strategies with the *DoD SAPR Strategic Plan*, which has since occurred. Hereafter, DoD will review and update the *DoD SAPR Strategic Plan* as necessary each year via an annual review process, in collaboration with the Military Services and NGB.

E. Five SAPR Lines of Effort

DoD SAPRO organizes and reports Department progress in the SAPR program using the five LOEs from the *DoD SAPR Strategic Plan*. The plan presents a multidisciplinary approach with initiatives and objectives to achieve unity of effort and purpose across the Department.

The five LOE sections in this report describe the initiatives taken and evidence of progress in each area, and also address the following common topics:

- Role of the commander, specific to the LOE
- Specialized and enhanced training
- Partnerships and collaborations
- Prevalent myths and clarifying facts

1. Prevention (LOE 1)

No one should ever have to experience this crime. Prevention is the only means by which to stop sexual violence. Each Service is working to effectively embed key prevention strategies that empower leaders to affect the knowledge, skills, and attitudes of Service members, while shaping the environment in which all live and work. The

[24] All policies referenced are available on http://www.sapr.mil.
[25] JCS's Strategic Direction to the Joint Force was issued in May 2012.

objective of the LOE is to deliver consistent and effective prevention methods and programs that reduce, with a goal to eliminate, the occurrence of sexual assault. The desired end state is a culture wherein all elements of the military community work together to preclude the opportunity for sexual assault.

During FY 2014, the Department took steps to implement the *2014-2016 DoD Sexual Assault Prevention Strategy.*[26] Prevention is more than training and education of individuals. A successful prevention strategy addresses the entire continuum of harm, shapes the environment, and includes a wide range of integrated elements targeting accountability, community involvement, communication, deterrence, incentives, and harm reduction at every level of military society.

2. The Response System

The Department's response system is designed to empower victims and facilitate recovery. Moreover, this comprehensive support system refers every Unrestricted Report[27] of sexual assault to an MCIO for a thorough investigation, holds offenders appropriately accountable, and supports victims throughout the process.
The "Response" component of DoD's SAPR system incorporates the following three LOEs that demonstrate the Department's uncompromised commitment to victim support:[28]

- Investigation (LOE 2)
- Accountability (LOE 3)
- Advocacy and Victim Assistance (LOE 4)

The DoD response system provides multiple reporting channels both inside and outside the chain of command and prioritizes victims' preferences in how they choose to heal. Several policy reforms are a direct result of victim feedback: opportunity for expedited transfers away from accused offenders, providing the option for Special Victims' Counsel (SVC), treating every case as a medical emergency, combatting professional and peer retaliation, encouraging more reporting from male victims, and ensuring the availability of anonymous, worldwide, 24/7 crisis support through the DoD Safe Helpline.

Since 2011, DoD has published updated policies and incorporated extensive recommendations from oversight organizations on sexual assault prevention and response, many of which advance victims' rights and offer a greater variety of medical,

[26] SAPRO developed and executed a sexual assault prevention campaign to identify evidence-based prevention practices and lessons learned, in order to update the *2008 Department of Defense Sexual Assault Prevention Strategy*.
[27] Military victims of sexual assault have two reporting options: Restricted and Unrestricted. Restricted Reporting provides the victim with the option of limiting disclosure of the incident to specified parties. Unrestricted Reporting provides the victim the opportunity to participate in the military justice process. For more information regarding reporting options, please see Advocacy and Victim Assistance (LOE 4) in this report.
[28] While the DoD Strategic Plan addresses the Investigation and Accountability LOE, these activities fall outside the oversight of the SAPR Program. Oversight of the criminal investigative process falls under the purview of the DoD IG, and legal processes involved in Accountability are the responsibility of the Judge Advocates General (JAGs) of the Military Departments.

psychological, and legal assistance than any other institution or jurisdiction in the United States.

In the past three years, DoD made significant advances in identifying, developing and implementing best practices to support victims of sexual assault. The most successful and ground-breaking initiatives with regard to the response component are the launching of DoD Safe Helpline, the fielding of the Special Victims Investigation and Prosecution (SVIP) capability, and the creation of a SVC program.

3. Investigation (LOE 2)

The objective of the Investigation LOE is to achieve high competence in the investigation of sexual assault. The end state is where investigative resources yield timely and accurate results.

The Department continues to develop expert investigative capabilities that enable professional, responsive, and accurate investigations, independent from the chain of command. DoD investigative resources employ scientifically-informed techniques that optimize the recovery of physical and testimonial evidence while mitigating the potential for re-traumatizing a victim.

4. Accountability (LOE 3)

Achieving high competence in holding offenders appropriately accountable is the objective of the Accountability LOE, while the end state is where perpetrators are held appropriately accountable. The legal counsel and representation provided though the SVC program are intended to give sexual assault victims confidence that they will be treated fairly should they choose to engage the criminal justice process.

Over the past three years, the military justice process has been modified to inspire greater participation by victims, to include requiring more senior commander involvement in initial disposition decisions about the most serious sexual assault cases, protecting victim communications with victim advocates (VAs), and creating a more highly skilled set of response professionals. Through these efforts and others, the Department is sending a clear message that the military is no place for individuals who coerce, degrade, and humiliate others through sexual assault.

5. Advocacy and Victim Assistance (LOE 4)

The objective of the Advocacy/Victim Assistance LOE is to deliver consistent and effective victim support, response, and reporting options. The end state is to provide high quality services and support, to instill confidence and trust, strengthen resilience, and inspire victims to report. Throughout FY 2012-2014, the Department implemented numerous advocacy and victim assistance programs, initiatives, and policy enhancements.

A record number of victims in FY 2013 and FY 2014 came forward to make reports.[29] Given that the Department's estimate of past-year prevalence (occurrence) of sexual assault decreased from FY 2012 to FY 2014, the Department views this increased reporting behavior as an indicator of growing confidence in the DoD response system. DoD SAPR policies are designed to help victims exercise their rights, as well as provide them with a professional response, effective treatment, legal support, and a voice in the military justice process.

6. Assessment (LOE 5)

Assessment entails continuous evaluation of SAPR initiatives and programs to promote achievement of intended outcomes. The objective of the fifth LOE is to effectively standardize, measure, analyze, and assess program progress. The end state is where the Department incorporates responsive, meaningful, and accurate systems of measurement and evaluation into every aspect of the SAPR program. Each year, the Department integrates data from sexual assault reports, scientifically conducted surveys, and other forms of research to provide a fully transparent view of DoD SAPR program progress.

F. Oversight and Accountability

To support this effort, the Under Secretary of Defense (USD) for Personnel and Readiness (P&R) and the Director of DoD SAPRO provide weekly updates to the Secretary of Defense and other senior Department leaders on the progress of new and ongoing SAPR initiatives, development of new policy, and implementation of legislation. The Secretary uses these regularly scheduled meetings to consider recommendations from senior leadership and to hold Department leaders accountable to further enhance SAPR policies and programs.

1. Independent Oversight

The Department makes transparent its advances and setbacks as it works to eliminate sexual assault from the military. Outside evaluation and reporting on Department progress is important to achieving stakeholder trust. Evaluative reviews by various organizations are described below:

a. The Response Systems to Adult Sexual Assault Crimes Panel (June 2014)

Section 576 of the NDAA for FY 2013, as amended by the NDAA for FY 2014, directed the Secretary of Defense to establish the Response Systems to Adult Sexual Assault Crimes Panel – or RSP – "to conduct an independent review and assessment of the systems used to investigate, prosecute, and adjudicate crimes involving adult sexual assault and related offenses under Section 920 of Title 10, United States Code (Article 120 of the UCMJ), for the purpose of developing recommendations regarding how to improve the effectiveness of such systems." The RSP released its report, including 132

[29] These reports include members of the military who reported being sexually assaulted by a civilian as well as survivors who reported being sexually assaulted prior to entering the military.

recommendations for the DoD, on June 27, 2014. The Department is currently identifying an appropriate action for each of the recommendations.[30]

b. Defense Task Force on Sexual Assault in the Military Services (December 2009)

As the result of a year-long review of all sexual assault policies and programs among the Services and DoD, this report recognized the significant progress made in responding to sexual assault since the establishment of the SAPR Program in 2005. Recommendations covered the spectrum from strategic proposals to specific actions that would continue improvement of prevention, victim response, and accountability within DoD.[31] Of the 91 recommendations, DoD has implemented 88. The other three are ongoing actions.

c. Defense Task Force for Care for Victims of Sexual Assault (April 2004)

This Task Force conducted a 90-day review of all sexual assault policies and programs in the Services and DoD. Throughout the review, the Task Force sought to understand the culture, command structures, and resource limitations involved with improving in-theater care of sexual assault victims. The findings provided a high-level, comprehensive assessment of the strengths, weaknesses, and gaps in DoD and Service policies regarding care for sexual assault victims in 2004. This Task Force report was the first of three Task Forces on sexual assault prevention and response, and encouraged a Department-wide approach, culminating in ground-breaking new policy and establishment of DoD SAPRO in 2005.

d. DoD Inspector General (IG)

The DoD IG conducts audits and provides reports on topics of special interest. The DoD IG provides independent, relevant, and timely oversight of the DoD that supports the warfighter; promotes accountability, integrity and efficiency; advises the Secretary of Defense and Congress; and informs the public. With regard to SAPR, the DoD IG oversees the policies of the MCIOs that investigate sexual assault in the military. Since 2011, the DoD IG has published four reports that addressed and recommended improvements to DoD investigation, records retention, and sex offender registration policies.

e. Government Accountability Office (GAO)

GAO's mission is to support Congress in meeting its constitutional responsibilities and to help improve the performance and ensure the accountability of the federal government for the benefit of the American people. Since 2008, GAO has published the findings and recommendations of six engagements regarding DoD SAPR policies, programs, and functions. The most recent engagement report, published September 9, 2014, assessed action taken to prevent sexual assault during initial military training. As of this report, DoD has implemented 25 of 31 recommendations from the six engagements and is working to implement the remaining six. Additionally, there are two ongoing GAO assessments: an assessment of the policy and program as it pertains to

[30] Available at: http://responsesystemspanel.whs.mil/Public/docs/Reports/00_Final/00_Report_Final_20140627.pdf.
[31] Available at: http://www.sapr.mil/public/docs/research/DTFSAMS-Rept_Dec09.pdf.

male victims of sexual assault, and a review of DoD's efforts to prevent sexual assault. Results are expected in early 2015.

2. *Internal Assessment*

DoD SAPRO is the oversight body responsible for continually assessing the Department's SAPR strategy. SAPRO utilizes both qualitative and quantitative data collection and analysis methods, including surveys, focus groups, and annual reports in order to evaluate the effectiveness of the Department's overall SAPR programs. While SAPRO serves as the overarching authority responsible for this assessment, the Army, Navy, Air Force, and Marine Corps also perform their own internal assessments.

G. Appendices, Annexes, and Enclosures

Accompanying this report are several attachments submitted by the Military Departments, the NGB, the USCG, OGC, DMDC, and other government agencies or contractors that complement the Department's submission. These attachments include:

- provisional statistical data on FY 2014 reports of sexual assault
- background and trending of metrics and non-metrics
- a review of the UCMJ provided by OGC
- in-depth reports from the DMDC on findings from the SES and the Focus Groups on Sexual Assault Prevention and Response (FGSAPR) in the Military
- report from the RAND Corporation on the 2014 Military Workplace Study
- an analysis of Service-specific SAPR initiatives provided by each of the Military Departments and NGB, as well as the USCG

III. PREVENTION (LOE 1)

Objective: Deliver consistent and effective prevention methods and programs.
End state: Cultural imperatives of mutual respect and trust, professional values, and team commitment are reinforced to create an environment where sexual assault is not tolerated, condoned, or ignored.

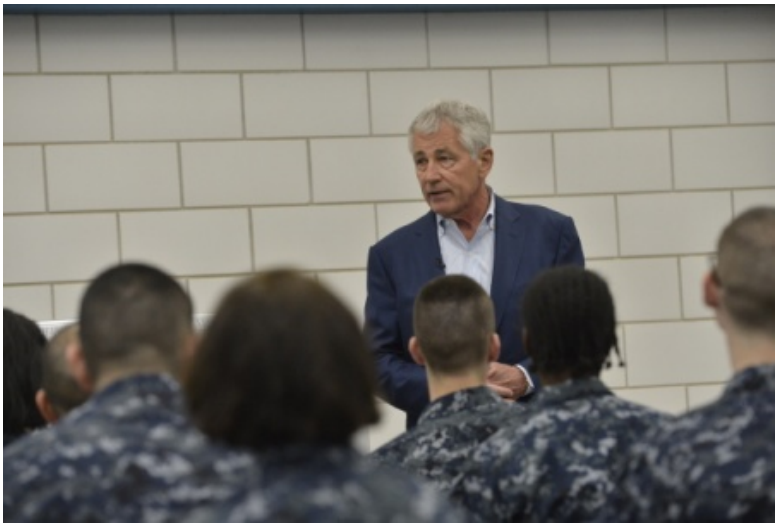
A. Introduction

Prevention is the key LOE, as it is the only one that precedes an incident of sexual assault. Prevention has neither a beginning nor an end. To sustain any reduction in the annual occurrence of the crimes that constitute sexual assault under military law, prevention work must be continuous and pervasive. Accordingly, the DoD has focused significant efforts on a proactive, comprehensive and multidisciplinary approach to preventing the crime of sexual assault.

We must ensure that every Service member understands that sexist behaviors, sexual harassment, and sexual assault are not tolerated, condoned, or ignored.

Chuck Hagel
United States Secretary of Defense

Demonstrating progress in prevention is inherently challenging. By definition, effective prevention makes something much less likely to occur. Given the challenges associated with measuring the underreported problem of sexual assault, few institutions have taken on the challenge of regularly demonstrating their progress in preventing the crime. The Department has been documenting its progress since its first annual report to Congress in 2004. However, in the past three years, there has been considerable progress made to further advance dignity and respect as an inherent part of military culture.



Secretary of Defense Chuck Hagel speaks with U.S. Navy recruits during a Recruit SAPR training class while visiting Naval Station Great Lakes, Ill., May 6, 2014.

DoD's prevention mission is to disrupt a perpetrator's offense cycle by targeting the attitudes and behaviors that precede an offense. While deterrence plays an important and necessary role in this mission, it is not sufficient to stop all offenders – especially since research shows

that perpetrators believe forcing sex can be acceptable and even justifiable[32]. Instead, the Department has taken a much broader view of prevention, leveraging its culture and core values to embed prevention initiatives at every level of military society. To this end, DoD prevention programs **do not** rely solely on training and education of individuals. Prevention encompasses a variety of new and ongoing initiatives that are regularly assessed and modified to advance a climate of dignity and respect throughout the Department. These organizational changes, promoted by DoD leadership at all levels, are intended to make DoD inhospitable to offenders. Key among the initiatives driving organizational change is the annual climate assessment process required of every unit commander.

Because law enforcement and leadership cannot be present in every situation, the Department promotes a personal commitment from each individual Service member to be a steadfast participant in creating an appropriate culture for upholding standards of behavior and military core values. Prevention is most effective when there is a sense of collective ownership across an organization in combatting sexual assault. In the past year, there is substantive evidence that Soldiers, Sailors, Airmen, and Marines have embraced a personal commitment to helping eradicate sexual assault within the ranks and intervening before offenses can take place.

Key elements of an effective prevention program include policies that shape the environment to encourage the best outcomes, tailored education and awareness, leadership involvement, and empowerment of people to take direct action, as well as a wide range of integrated elements addressing accountability, community involvement, communication, deterrence, and incentives for participation. Ultimately, effective prevention is dependent upon substantial leadership engagement at all levels to promote a professional command climate based on dignity and respect for all.



Sailors and Marines participate in a 5K run in support of Sexual Assault Awareness Month 2014 on the flight deck of the aircraft carrier USS Harry S. Truman.

[32] Abbey, A., Zawackia, T., Bucka, P., Clintona, P., McAuslanc, P. (2003) Sexual Assault and Alcohol Consumption: What Do We Know About Their Relationship and What Types of Research Are Still Needed? *Aggression and Violent Behavior, 9,* 271-303.

B. Defining the Problem

Rationale: Defining the problem in the military provides important insights into how to best prevent sexual assault.

Synopsis of Progress: Although the Department has made great strides in sexual assault prevention and response in recent years, research suggests that sexual assault remains a significant problem in the Armed Forces. As in the civilian sector and contrary to common perception, most sexual assaults are perpetrated by someone known to the victim. While some sexual assaults can be perpetrated by strangers in attacks that leave the victim visibly injured, most crimes occur between people who know each other, often involving alcohol, and limited to few, if any, visible injuries.

> *By establishing the right command climate, ensuring leadership support, and empowering Service members to safely intervene, the Department of Defense will be the last place an offender wants to be.*
>
> *Major General Jeffrey J. Snow*
> *Director, DoD SAPRO*

This "non-stranger" fact pattern has a number of significant implications for prevention efforts, particularly given that most people mistakenly believe the "stranger" fact pattern often depicted in popular culture to be the predominate form of the crime. Past Workplace and Gender Relations Surveys of Active Duty Members (WGRA) show that sexual harassment and stalking may be related to incidents of sexual assaults; over half of women and nearly half of men surveyed who reported having been sexually assaulted also experienced some form of sexual harassment and/or stalking by the alleged offender, prior to, or after the unwanted sexual contact (USC) incident. As in the civilian sector, a significant percentage of sexual assaults in the military go unreported each year, meaning that official reports of sexual assault to DoD authorities are vastly outnumbered by the numbers of incidents believed to occur each year, as estimated by representative, scientific surveys of the military population.

Evidence of Progress: The preceding information is explained in greater detail in the *2014-2016 DoD Prevention Strategy* signed by the Secretary of Defense on May 1, 2014.[33] In addition, DoD regularly updates its understanding of the problem of sexual assault through new and existing data sources and publishes this information in its Annual Report to Congress.[34]

C. Defining Prevention

Rationale: Defining prevention allows for the subsequent identification and organization of strategies.

[33] Available at: http://www.sapr.mil/public/docs/reports/SecDef_Memo_and_DoD_SAPR_Prevention_Strategy_2014-2016.pdf
[34] Annual Reports to Congress are available at: http://www.sapr.mil/index.php/annual-reports

Synopsis of Progress: The DoD looked to the CDC for assistance in better defining prevention as it applies to sexual violence.[35] The CDC identifies three levels of prevention based on when the prevention efforts occur:

Primary Prevention: Approaches that take place before sexual violence has occurred to prevent initial perpetration.

Secondary Prevention: Immediate responses after sexual violence has occurred to address the early identification of victims and the short-term consequences of violence.



Major General Jeffrey J. Snow, SAPRO Director, discusses new initiatives designed to continue efforts to eliminate sexual assault in the military, directs implementation of the updated sexual assault prevention strategy, and releases the annual report on sexual assault in the military for FY 2013.

Tertiary Prevention: Long-term responses after sexual violence has occurred to address the lasting consequences of violence and sex offender treatment interventions.

Evidence of Progress: The DoD placed **Primary Prevention** at the core of its focus in developing prevention-related tasks and initiatives. Primary Prevention is a systematic process that promotes healthy environments and behaviors and reduces the likelihood or frequency of sexual violence/assault before it occurs.[36] It improves understanding of the underlying conditions in society that perpetuate sexual assault, which in turn enhances the ability to change those conditions. The preceding information is provided in greater detail in the 2014-2016 DoD Prevention Strategy signed by the Secretary of Defense on May 1, 2014.

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[35] "*Sexual violence is any sexual act that is perpetrated against someone's will, and encompasses a range of offenses, including a completed nonconsensual sex act (i.e., rape), an attempted nonconsensual sex act, abusive sexual contact (i.e., unwanted touching), and non-contact sexual abuse (e.g., threatened sexual violence, exhibitionism, verbal sexual harassment).*" http://www.cdc.gov/violenceprevention/sexualviolence/definitions.html, accessed Sept. 18, 2014.

[36] Davis, R., Fujie Parks, L., & Cohen, L. (2006). *Sexual Violence and the Spectrum of Prevention: Towards a community solution*. Enola, PA: National Sexual Violence Resource Center, Prevention Institute.

D. Key Highlights

1. **Evolution of DoD Prevention Strategy**
2. ***SAPR Connect* Community of Practice**

1. Evolution of DoD Prevention Strategy

Rationale: As unique subsets of U.S. society, the U.S. Armed Forces have cultures all their own. Effective **Primary Prevention** of sexual assault requires "population-based and/or environmental and system-level strategies, policies, and actions" that work to "modify and/or eliminate the events, conditions, situations or exposure to influences (risk factors) that result in the initiation of sexual assault."[37] Further, Primary Prevention includes "universal interventions directed at the general population as well as selected interventions aimed at those who may be at increased risk for sexual violence perpetration."[38]

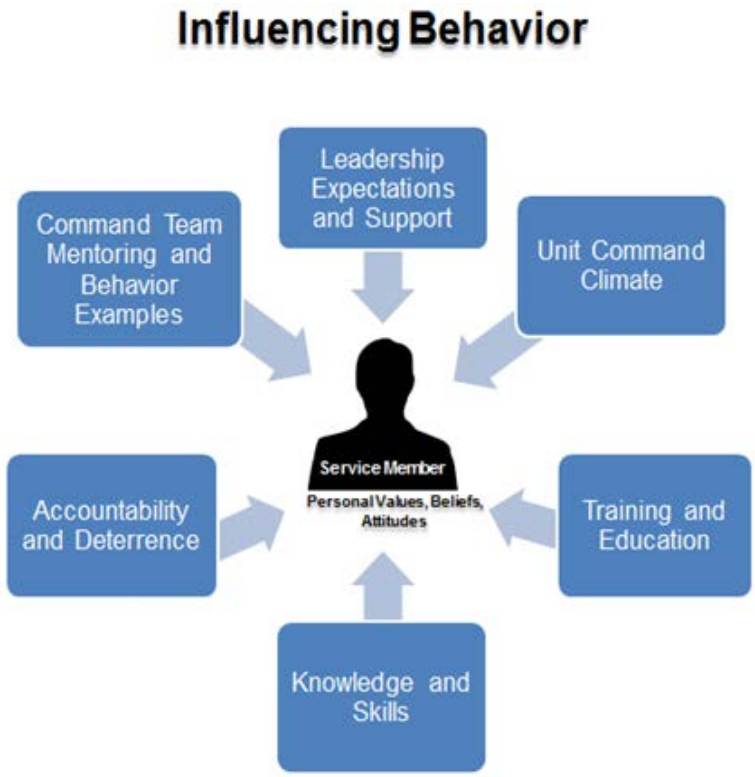


Figure 2 – Influencing Behavior

[37] *2014-2016 DoD Prevention Strategy*, p. 2.
[38] CDC (2004). *Sexual violence prevention: beginning the dialogue*. Atlanta, GA: CDC in DeGue, Sarah, Valle, Linda Anne, Holt, Milissa K., Massetti, Greta M., Matjasko, Jennifer L, and Tharp, Andra Teten, "A Systematic Review of Primary Prevention Strategies for Sexual Violence Perpetration," *Aggression and Violent Behavior*, 19 (2004) 346-362.

Changing well-established **social** norms requires an overhaul of entrenched knowledge, attitudes, beliefs, and behaviors that support sexual assault. The influence of these factors beyond the individual can be so powerful that, as the Institute of Medicine concluded in its study on health promotion, "It is unreasonable to expect that people will change their behavior easily when so many forces in the social, cultural and physical environment conspire against such change."[39] Hence, the Department seeks to promote behaviors that define and support gender equity, healthy relationships, and conflict resolution (including safe and effective bystander intervention), with the goal of surpassing these barriers to change.

Synopsis of Progress: A key Prevention LOE task included in the *2013 DoD SAPR Strategy* was to review and update the 2008 DoD Sexual Assault Prevention Strategy. The 2008 Strategy established a rationale for greater prevention initiatives and identified a variety of means by which to promote prevention. However, it did not identify a means by which to promote unity of effort.

As previously noted, DoD embarked on a four-phased plan to revise the 2008 strategy that included multiple visits to existing programs, a vast exploration of academic literature, and consultations with several renowned subject matter experts from advocacy groups, government agencies, and educational institutions known for their innovative programs and research. Utilizing the consolidated results of the research and observations, SAPRO published the revised ***2014-2016 DoD Sexual Assault Prevention Strategy*** (see pages 43-44 for more detail).



Sailors and Marines gather on the flight deck of the multipurpose amphibious assault ship USS Bataan (LHD 5) to form a teal ribbon in support of SAAM, April 2013.

[39] The Institute of Medicine (IOM) Report, "The Future of the Public's Health in the 21st Century," (IOM, 2003, p. 4).

The 2014-2016 DoD Sexual Assault Prevention Strategy

The objectives of the 2014-2016 Prevention Strategy are to achieve unity of effort and purpose across all of DoD in the execution of sexual assault prevention, to develop objective criteria for measuring progress, and to publish tasks that operationalize the Prevention LOE. The strategy's vision is to ensure a military environment where every Service member lives and operates in a climate of mutual respect, free from sexual violence; where individuals are motivated and empowered to intervene against inappropriate behaviors; where effective sexual assault prevention practices are institutionalized across the DoD; and where the Department serves as a national leader in preventing sexual assault. Finally, the mission calls for the DoD to execute proactive and comprehensive sexual assault prevention programs in order to enable military readiness and reduce −with a goal to eliminate− sexual assault from the military.

The updated strategy further enhances and augments existing efforts in the Prevention LOE by formalizing many of the successful ongoing initiatives, and standardizing practices and programs across the Department. The shift in emphasis is to a more complete, approach that includes the many spheres of influence in the "social ecological model (SEM)."[40] (Figure 3) The SEM is a framework for behavioral change and intervention at various levels or spheres of influence and is utilized by numerous organizations. For example, the CDC uses the framework to understand different influences on a person's values, attitudes, and behaviors and their relationship to one another. In addition, public health and safety organizations around the world employ this model to combat cancer, HIV, tobacco abuse, youth violence, and many other health-related issues.

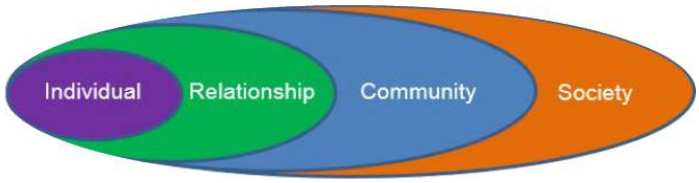


Figure 3 – Social Ecological Model

The SEM model describes how each level of society has its own collection of risk factors and protective factors[41] that must be considered when trying to achieve the prevention of sexual violence, as there are multiple levels of interconnected influences across society:

- Individual-level influences involve biological factors, personal history, and individual characteristics that increase or decrease the likelihood an individual will become a victim or perpetrator of violence.
- Interpersonal relationship-level influences are factors that involve the interactions of peers, intimate partners, and family members.
- Community-level influences are factors at play in community and social environments and include an individual's experiences and relationships with schools, workplaces, and neighborhoods.
- Societal-level influences are larger, macro-level risk and protective factors that influence sexual violence such as gender inequality, religious or cultural belief systems, societal norms, and economic or social policies that create or sustain gaps and tensions between groups of people.
- To better understand the military environment in which sexual assaults occur, DoD leveraged the SEM to establish its own framework for understanding risk and protective factors, their influences, and their relationship to one another. In the *2014-2016 DoD Sexual Assault Prevention Strategy*, the SEM was adapted to address the prevention of sexual assault in the military (Figure 4), and advocates prevention initiatives and intervention

[40] Bronfenbrenner, U. (1977). Toward an experimental ecology of human development. *American Psychologist*, 32(7), 513.
[41] Risk factors increase the likelihood sexual violence will occur and protective factors decrease the likelihood sexual violence will occur, or buffer someone from becoming a victim or perpetrator of sexual violence.

across the spectrum of influence. The Department added an additional sphere – leaders – because they are the center of gravity in any prevention program. Leaders set the tone in word and deed, and their involvement is critical. Recognizing the essential role of leadership, DoD included leaders as a distinct sphere of influence to highlight the necessity that commanders and their staffs develop and execute tactics that target this "center of gravity" for prevention efforts. In the DoD SEM, the levels are as follows:

- Individual – Each person plays a role (beliefs, attitudes, and values)
- Relationships – Family, friends, peers, coworkers
- Leaders at all levels
- DoD/Services/Units ("the military community")
- Society – Laws, policies and cultural norms

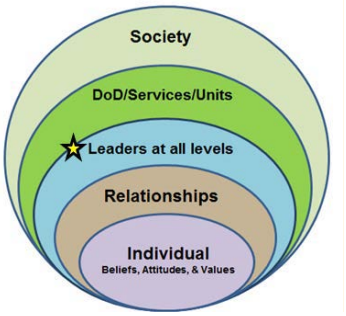


Figure 4 – DoD Social Ecological Model

The new strategy provides a roadmap for the delivery of consistent and effective prevention strategies and initiatives to address all the spheres of influence in the SEM. In order to address all the spheres of influence and reach the Strategy's desired end states, prevention programs in the DoD shifted toward the integration of a variety of practices using an multidisciplinary, comprehensive approach. This paradigm shift in theoretical application was based on established research indicating single-faceted (e.g., training only or deterrence only) efforts have not shown long-term effectiveness in reducing sexual assault.

The DoD researched promising practices and identified the following ten elements to include in all military sexual assault prevention programs:

- Leadership Involvement at all Levels ("center of gravity")
- Peer to Peer Mentorship (informal leaders)
- Personal Accountability
- Organizational Support (resources)
- Community Involvement
- Deterrence
- Communication
- Incentives to Promote Prevention
- Harm Reduction (aka Risk Avoidance/Risk Reduction)
- Education and Training

Leaders at all levels are the "center of gravity" for the prevention of sexual assault, as they are responsible for the climate of their unit and the welfare of their subordinates. Peer to peer mentorship promotes healthy relationships between peers, partners, family, and friends. Personal accountability for behavior enhances the unit climate of trust and safety. Organizational support involves the institutionalization of resources to support sexual assault prevention programs, to include manpower, budget, policies, and beyond. Community involvement extends the unit climate to the local community with the involvement of advocacy groups, healthcare services providers, family and social support service providers, and researchers, university faculty, epidemiologists, and subject matter experts grounded in scientific data. Specific actions ranging from deterrence of negative behaviors, targeted communication endorsing appropriate values, attitudes, and behaviors, incentives to promote prevention and harm/risk reduction tactics have shown to reduce the risks of sexual assault and help promote a healthy command climate. Lastly, education and training curricula that incorporates adult learning principles and is evidence-based, adapted to the environment, and responsive to the gender, culture, beliefs, and diverse needs of the targeted audiences improves knowledge, imparts skills, and influences attitudes and behaviors that support the concepts underlying the aforementioned ten prevention elements.

2. "DoD SAPR Connect" Community of Practice

Disseminating best and promising practices

Rationale: Given the size and global reach of the DoD, a means to connect personnel working the SAPR program worldwide is imperative. A military Community of Practice (CoP) focused on primary prevention of sexual assault provides a means to learn, share knowledge, and collaborate.

Synopsis of Progress: In FY 2014, the DoD developed a CoP to allow the Department to leverage and advance research, as well as share promising practices and lessons learned with external experts, federal partners, Military Services, advocacy organizations, and educational institutions for prevention of sexual assault. *DoD SAPR Connect* is the overarching name for the Department's collaboration and information-sharing CoP. Comprised of four "pillars" (Figure 5), *SAPR Connect* includes interfaces that range from virtual to face-to-face to webinars to a community toolkit.

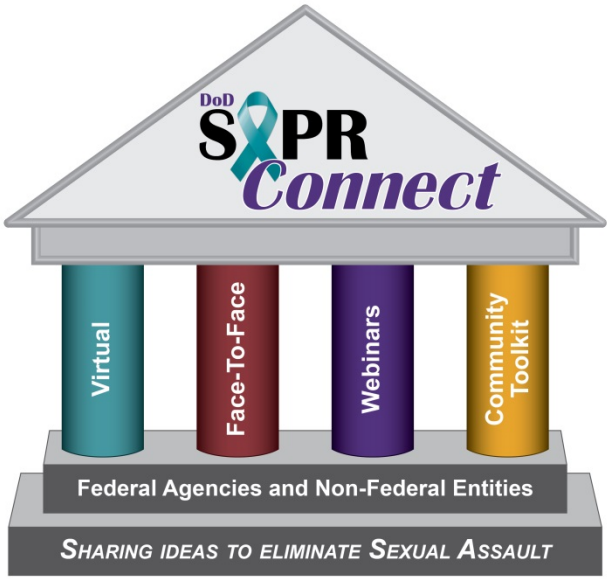


Figure 5 – The four pillars of the SAPR Connect CoP

- **Virtual**. The centerpiece of the DoD's virtual efforts is the presence of SAPR Connect on **milSuite.** This secured, collaborative environment features a variety of channels, including video sharing and a portion called "milBook," a social media venue where members can post and share ideas. DoD also has a virtual presence with **SAPR.mil**, the website for DoD SAPRO, and with **Defense Connect Online,** the DoD's means for holding on-line trainings and discussion forums.

- **Face-To-Face**. In-person meetings provide an opportunity to bring the Service SAPR Program Managers (PMs) together to collaborate on DoD prevention efforts. Established in 2013, the **DoD Sexual Assault Prevention Roundtable** has served as a forum to communicate and share information across the Services on prevention-related issues. For example, this forum was used to introduce the initial concepts behind the updated *2014-2016 Prevention Strategy*. **DoD SAPRO site visits** allow the Department to learn of new research and promising practices in use around the country. For example, in August 2014, SAPRO and the Service SAPR leads traveled to Atlanta to meet with CDC experts on research and practices that could further inform DoD prevention efforts.

- **Webinars.** Held once a quarter (Q), webinars build awareness within DoD of new programs as well as share insights on experiences with ongoing efforts. Depending on the topic, DoD webinar participants can hear from internal DoD experts, other federal agencies or non-federal entities. To encourage participation from Sexual Assault Response Coordinators (SARCs), participants can earn Continuing Education Units (CEU) from webinar attendance to apply toward their D-SAACP maintenance requirements.

- **Community Toolkit.** These resources support prevention efforts, such as SAPR-related policy and strategy documents, core competencies and learning objectives for SAPR Training, and prevention-related posters, public service announcements, videos and media materials. Another tool, currently in draft, is the *Commander's Guide to Preventing Sexual Assault in the Military,* a resource manual for commanders and those implementing sexual assault prevention programs. The *Commander's Guide* will be a concise reference for unit leaders desiring assistance in implementing the core elements of the 2014-2016 Prevention Strategy.

Evidence of Progress: In May 2014, the Secretary of Defense directed the development of a military CoP.[42] SAPRO developed the CoP in the months following and officially launched the *SAPR Connect* page on milSuite.mil in October 2014. *SAPR Connect* has membership from all four Services and the National Guard, including many personnel from overseas locations. As of October 2014, SAPRO has hosted five prevention webinars with 1,030 participants and awarded 1,000 CEUs. Topics thus far have covered Peer Education and Peer Mentors; a SAPR Program Highlight on prevention practices from the U.S. Army 704th Military Intelligence Brigade in Fort Meade, Maryland; Sexual Assault Offenders and Harm Reduction; the SEM supporting the DoD Sexual Assault Prevention Strategy; and the SAPR Connect CoP.

Any big problem in society that is resolved has to begin at the top. Every leader in the military is focused on [sexual assault], so it is important that our people in the military institution know that the Secretary of Defense is very focused on stopping sexual assault in the military.

Chuck Hagel
U.S. Secretary of Defense
during his visit to the Safe Helpline at RAINN
April 21, 2014

[42] Memorandum from the Secretary of Defense, "Develop a Collaborative Forum for Sexual Assault Prevention Methods," May 1, 2014.

E. Role of the Commander

1. Importance of Command Climate

Commanders Leading Long-Term Organizational Change

Rationale: Military-specific research highlights the relationship of a hostile work environment to incidents of sexual assault.[43] Chief among these findings is that there is a strong positive correlation between the level of sexual harassment in a military unit and the sexual assault of personnel within that unit. Further, sexually demeaning, offensive and/or humiliating behaviors that are sometimes minimized and labeled as hazing or horseplay have been central features in past cases of male-on-male sexual assault.

Leaders play a central role in the DoD strategy towards the prevention of sexual assault, as they provide a critical prevention capability in the Armed Forces unlike other sectors of US society that must capitalize on coalitions and networks to influence attitudes, beliefs, and behaviors of individuals and groups. As the "center of gravity" in the unit, military commanders are instrumental in setting the tone and climate. This approach places a high level of responsibility on commanders to set an example of appropriate behavior, to be proactive in identifying and rooting out inappropriate behaviors, and to mentor and educate unit members through targeted messaging on sexual assault prevention.

Synopsis of Progress: To assist commanders, the Department has armed them with information, tools, and tactics to prevent sexual assault and other forms of misconduct in their units. From specialized leadership training to command climate surveys, commanders are equipped with information, tools, and resources to combat sexual assault and other problems that impact unit climate. To help commanders better understand the factors at play within their units and within each command, the Secretary of Defense and Congress both directed the use of a command climate assessment process (see Figure 6), required annually or within 120 days of a change in unit command.

At the heart of the climate assessment is a unit survey developed by the Defense Equal Opportunity Management Institute (DEOMI).[44] The DEOCS assists commanders in identifying a wide variety of potentially damaging attitudes and behaviors within their respective units.

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[43] Harned, M., Ormerod, Al, Palmieri, P., Collinsworth, L., and Reed, M. (2002). Sexual Assault and Other Types of Sexual Harassment by Workplace Personnel: A Comparison of Antecedents and Consequences. *Journal of Occupational Health Psychology*, 7, 174-188.

[44] The Office of Diversity Management and Equal Opportunity (ODMEO) provides staff supervision of DEOMI.

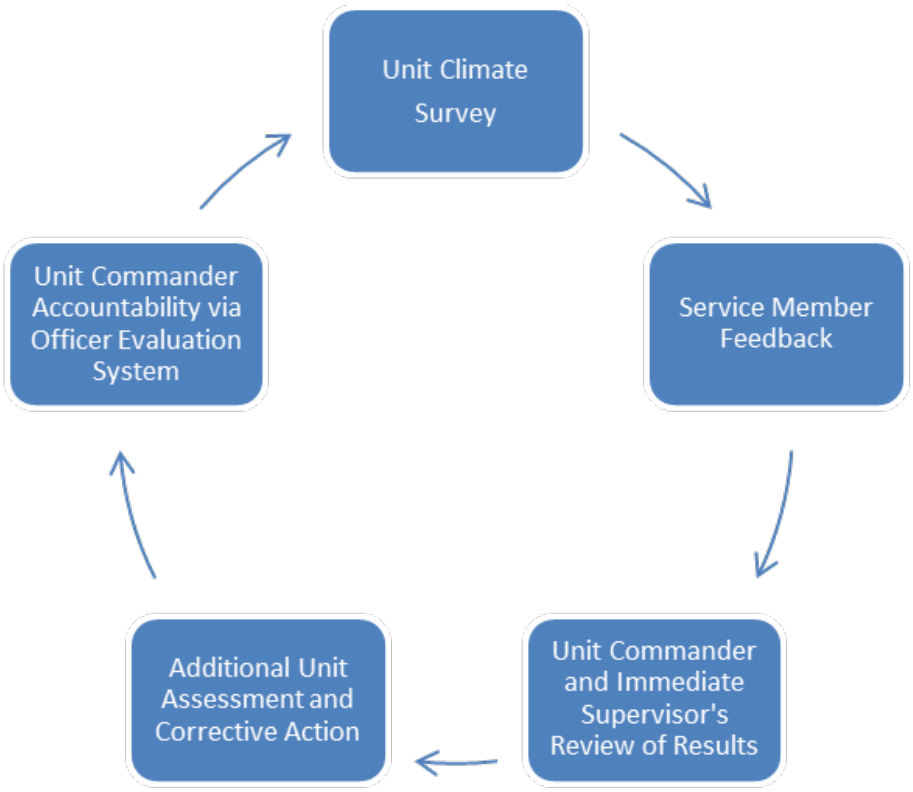


Figure 6 – The Climate Assessment Process

The DEOCS[45] is an important assessment tool for commanders, as the feedback obtained from unit members enhances a leader's knowledge about specific trends and behaviors within his or her unit and provides an avenue for unit members to confidentially communicate concerns. Responses to the survey are then used to spur additional information gathering and corrective action by unit leadership, as appropriate.

Last year, Secretary Hagel directed the results of the DEOCS be provided to both the unit commander and the next level commander in the chain of command. This added layer of oversight provides another level of commander accountability as a part of a broader system of checks and balances.

The Secretary further directed each of the Military Services to require commanders' yearly evaluations to include an assessment of their ability to promote climates of dignity and respect.[46] As a result, the Department has implemented measures that motivate commanders to promote and sustain healthy command climates.

[45] For more information on the DEOCS, please see the Assessment (LOE 5) section.
[46] Memorandum from the Secretary of Defense, Enhancing Commander Accountability (Elevate Command Climate Surveys) May 6, 2013.

As Figure 7 shows, the vast majority of Service members have never - and would never - commit a sexual assault.

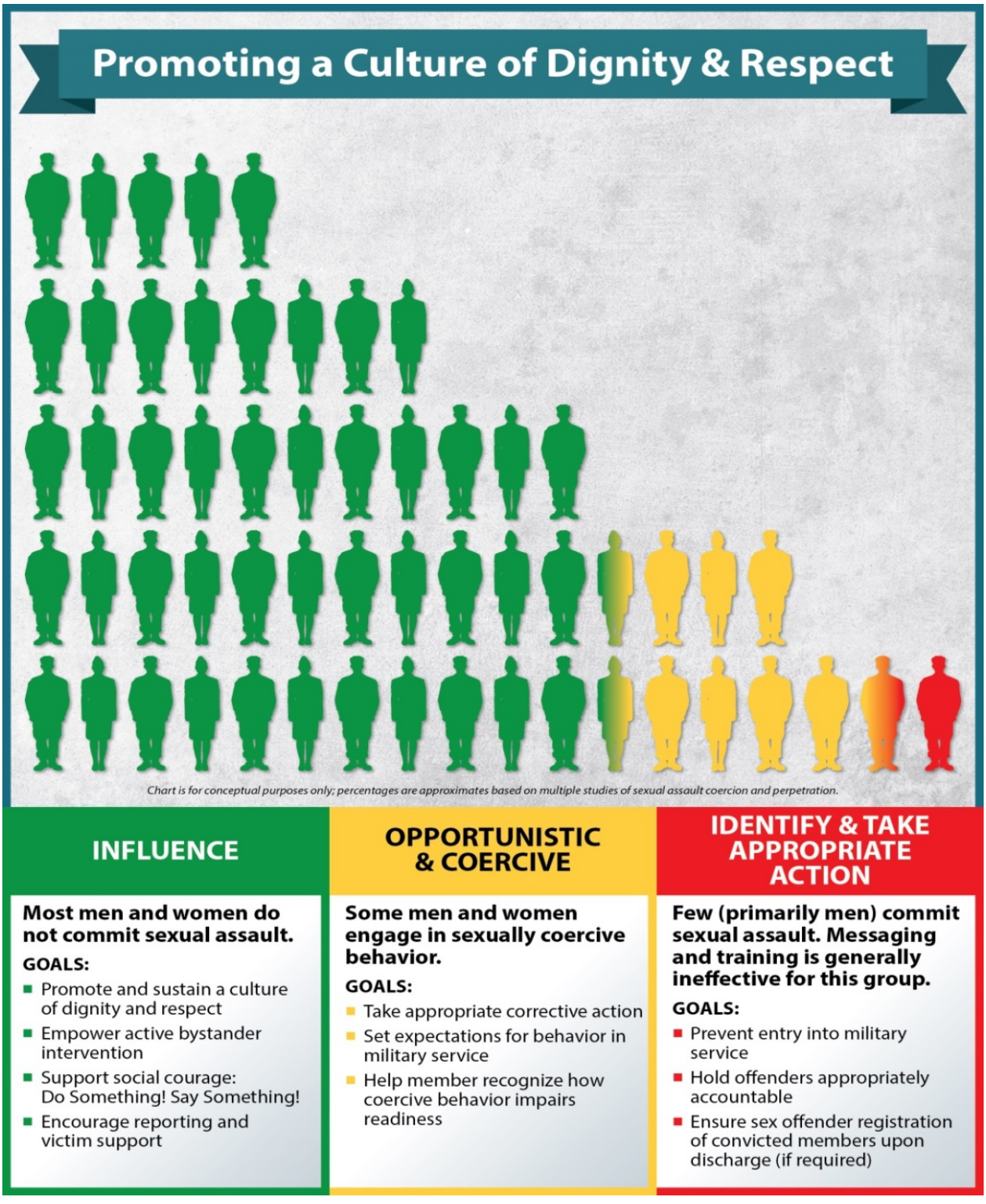


Figure 7 – Promoting a Culture of Dignity and Respect

Evidence of Progress:

- Metric Data: One of the metrics the Department developed uses a DoD-wide roll-up of three questions from the DEOCS that specifically address how Service members perceive unit command climate with regard to sexual assault prevention and response.[47] The roll-up rates respondent assessments on a four-point scale. As this was a new metric developed for the Report to the President, data is available from February to September of 2014.

  - Key Findings:

    - Overall, Service members perceived a favorable command climate with regard to SAPR, consistently rating their command climate, on average, 3.3 to 3.4 on a 4 point scale. While these data may appear similar month after month, they represent the average responses from 100,000 to 200,000 different respondents each month. This suggests that many Service members across the Force have a favorable rating of their respective commands. However, the DEOCS is a convenience sample and not necessarily representative of the entire Force.

    - Women perceived a slightly less favorable climate than men (Figure 8).

    - Junior enlisted and Noncommissioned Officers (NCOs) perceived a slightly less favorable climate than Service members of all other ranks (Figure 9).

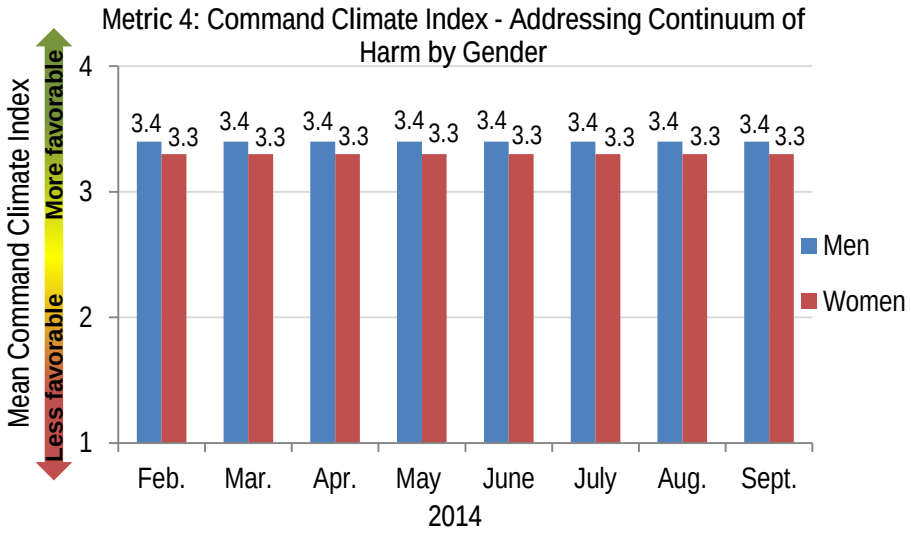


Figure 8 – Metric 4: Command Climate Index – Addressing Continuum of Harm by Gender

[47] Additional information about this metric and the methodology it employs is available at Appendix B.

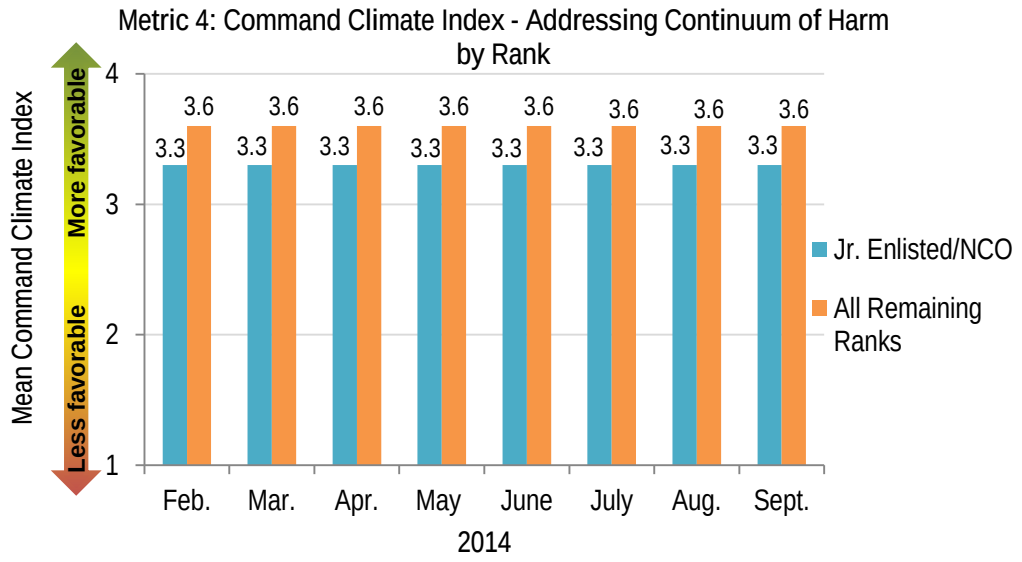


Figure 9 – Metric 4: Command Climate Index – Addressing Continuum of Harm by Rank

- Focus Group Feedback: In the Focus Groups fielded by DMDC,[48] the researchers asked participants about command climate. Focus group participants indicated their unit and senior leadership encouraged an environment of dignity and respect, and informed unit personnel that sexual assault and sexual harassment have no place in the military.

  Some individual Service member quotes include:

  - *"I think along the same lines of a culture of dignity and respect, it kind of encompasses all of that. It's not just sexual assaults or anything, it's just general respect of people." (O2-O3 Female)*
  - *"It's not tolerated. No matter what pay grade you're at, it's not tolerated." (E7-E9 Mixed Group)*
  - *"We actually had our leadership read off what everyone in the past month had been sent home for, and that really opens up what you see and what's going on. So it makes it more real." (E1-E4 Male)*

  Focus group participants also indicated all pay grade levels within the military contribute to creating respectful environments:

  - *"I think it does start up top, because in order for it to get pushed to the junior level, it had to come from somewhere else, because most of us didn't come in here with all these new ideas about how we are going to change the United States military." (E1-E4 Male)*

[48] Additional information about the DMDC Focus Groups and the methodology employed is available in the DMDC FGSAPR report, which is Annex 3.

- *"Can I say it works both ways? I feel like top down sets direction of a culture, of a desired culture change. If you set a policy and you have people who are enforcing that policy… and it sets an expectation. And then you have people underneath [who] are policing each other to make sure that they respect them." (E1-E4 Male)*

- *"It's got to be collaborative. I think the top has got to change their old ways of thinking, and then the new people have to know what is not acceptable and they have to meet in the middle." (E3-E4 Female)*

2. Commander's Guide to Preventing Sexual Assault

To assist commanders with addressing sexual assault in their respective organizations, DoD is developing a *Commander's Guide to Preventing Sexual Assault in the Military.* It is designed to be a concise reference to assist installation and tactical commanders, unit leaders, DoD civilian supervisors, and SARCs. The guide is also intended to be a reference for help in selecting and implementing prevention practices that could be used at any installation or command, with some adaptation.

F. Training Enhancements

Rationale: A number of training enhancements were directed over the past three years, required by either the Secretary of Defense or Congress via NDAA provisions. The Military Services and DoD SAPRO were directed to work collaboratively to develop a set of core competencies and learning objectives to assure consistency and effectiveness in training at all command levels.

Synopsis of Progress: Significant enhancements for SAPR-related training have been implemented across the Department, including for military personnel, first responders, those involved in the investigative or legal aspects, and those who work in a victim support capacity. While much of the training upgrades focus on specific populations on the response side, prevention-related training has advanced profoundly to incorporate a much more comprehensive and effective approach that impacts individuals on many levels to reinforce the Department's commitment to preventing sexual assault. More specifically, the implementation effort occurred throughout FY 2014 as a coordinated effort among the Services, the NGB, and the entire DoD community, underscoring the continued resolve of the Department to prevent sexual assault.



Commander, U.S. Naval Forces Central Command, U.S. 5th Fleet, Combined Maritime Forces, Vice Adm. John Miller gives opening remarks during a SAPR stand-down at Naval Support Activity Bahrain.

Evidence of Progress: The Department standardized SAPR training across the Services in 2013. Core competencies and learning objectives were identified, defined, and implemented so that all Service members receive the same level of training. Below is a list of the many SAPR training upgrades and augmentations implemented across the Force:

- Incorporation of specific SAPR monitoring, measures, and education into normal command training, readiness, and safety forums (e.g., quarterly training guidance, unit status reports, safety briefings)

- Expansion of SAPR Training to include Recruit Sustainment Programs, Student Flight Programs, and National Guard prior to arrival at Basic Training

- Enhancement and integration of SAPR training into:

  - All levels of Professional Military Education (PME)
  - Pre-Command and Senior Enlisted Leader Training
  - Accession Training (within 14 days of going on active duty)
  - Initial Military Training
  - SAPR Annual Training
  - SAPR Pre- and Post-Deployment Training

- Focus Group Feedback: In the Focus Groups fielded by DMDC,[49] focus group trainees indicated they first received sexual assault prevention and response training in boot camp or basic training.

  - *"Boot camp… every day." (E1-E4 Male)*

  - *"[At Basic Training, received training] at least weekly. And I don't think a week went by that there wasn't something on it."* (E1-E4 Male)

G. From Awareness to Action

1. Sexual Assault Awareness Month (SAAM)

Rationale: As a national event, SAAM offers a unique opportunity to call attention to the problem of sexual assault and encourage Service members to take an active role in prevention. Recognized annually throughout the month of April, SAAM offers a chance to build on existing momentum to fight the crime of sexual assault and to promote a culture of dignity and respect within the military community. While the DoD's prevention mission continues year-round, SAAM serves as a conduit for continued awareness as

[49] Additional information about the DMDC Focus Groups and the methodology employed is available in the *DMDC FGSAPR* report, which is Annex 3.

well as a re-emphasis of the seriousness of the crime and the importance of everyone's respective part in combatting and eradicating it from the ranks.



Figure 10 – The 2014 SAAM poster

Synopsis of Progress: The Department has observed SAAM every April since 2005. Throughout the years, DoD SAPRO has designed SAAM materials to support installation and unit sexual assault prevention efforts during the month. The Department also uses SAAM to promote the multi-disciplinary approach to prevention and victim advocacy, specifically services to help victims, implemented by DoD in recent years, including the DoD Safe Helpline, the SVC, and professional and credentialed SARCs and SAPR VAs, among others. For April 2015, the Department will be incorporating prevention into the month's name, terming it Sexual Assault Awareness and Prevention Month (SAAPM). The 2015 theme is, "**Eliminate Sexual Assault. Know Your Part. Do Your Part.**" This focus highlights the fact that everyone in the military has a role in prevention, no matter one's rank, position, or otherwise.

Evidence of Progress:

- Recent Activity: In April 2014, the Department employed the theme "Live Our Values: Step Up to Stop Sexual Assault." Major General Jeffrey J. Snow, Director, SAPRO, visited troops at Fort Belvoir, Virginia to kick off SAAM and encouraged social courage to combat sexual assault. "We all have a critical role in preventing and responding to sexual assault," said Major General Snow. "To be successful, leaders need to lead on this issue and every [Service member] needs to personally demonstrate the kind of social courage it takes to Step Up and Stop Sexual Assault." Major General Snow and Secretary of Defense Chuck Hagel also visited the DoD Safe Helpline to commemorate SAAM and the third-anniversary of the confidential and anonymous hotline for victims.

- Survey Results: In the *2012 Workplace and Gender Relations Survey of the Active Duty*, 67 percent of women and 74 percent of men indicated they were aware of their installation's SAAM programs. These results also indicate an increase in awareness since the prior survey in 2010. This suggests that SAAM activities are continuing to register with a growing majority of Service members.

2. Prevention Innovation Award

Rationale: Efforts to encourage widespread participation in prevention can take many forms. Awards programs are a useful means to promote such participation, especially from those Service members whose duties do not usually include SAPR.

Synopsis of Progress: In July 2014, SAPRO announced the launch of the **Sexual Assault Prevention Innovation Award** to annually recognize a group or individual (military or civilian) from each military component who contributed or developed an innovative idea, concept, methodology, or approach to positively impact sexual assault prevention efforts either on an installation, in a deployed environment, or in a reserve component. This award recognizes individuals or groups whose work has been particularly noteworthy and demonstrates outstanding service in support of Service members. Awardees are recognized each year in October to coincide with numerous crime-prevention awareness efforts underway across the country. A total of six awards were presented to individuals or groups from the Military components.



Service members and civilians pose for a group photo before the start of a 5K Run/Walk in support of SAAM at Kandahar Airfield in Kandahar province, Afghanistan, April 1, 2013.

Evidence of Progress: In October 2014, Major General Snow honored the 2014 recipients.[50] "The 2014 Prevention Innovation awardees deserve recognition for the mark they have made in their military environment by making a personal commitment to eliminate sexual assault," General Snow said. "Earlier this year, Secretary Hagel provided a roadmap for the delivery of consistent and effective prevention strategies, and SAPR personnel are leading the way with innovative ways to incorporate core values and shape the environment in which Service members live and work."

3. Encourage Active Bystander Intervention

Rationale: **Active Bystander Intervention** is a "philosophy and strategy for prevention of various types of violence, including bullying, sexual harassment, sexual assault, and intimate partner violence."[51] The approach is based on evidence that "people make decisions and continue behaviors based on…the cultural conditioning and norms [learned] through subtle reactions from others" and the resultant expectations of social interaction.[52] Bystander intervention is unique in that it:

- ***Discourages victim blaming***
- ***Offers the chance to change social norms***

[50] Available at: http://www.defense.gov/news/newsarticle.aspx?id=123423.
[51] Referenced on October 20, 2014, and available at: http://wiki.preventconnect.org/Bystander+Intervention.
[52] Ibid.

- ***Shifts responsibility to both men and women*** [53]



Staff Sgt. Camesha Rives, 319th Force Support Squadron, decided to become a SAPR VA while stationed Ghedi Air Base, Italy. Her philosophy on sexual assault prevention is it all comes down to being vigilant.

Synopsis of Progress: The Department has advocated the use of Active Bystander Intervention techniques to prevent sexual assault since the 2008 Prevention Strategy. DoD SAPRO and the Services have created a wide variety of programs and materials that encourage military members to safely intervene when they see situations at risk for sexual assault.

Evidence of Progress: A number of findings indicate that Service members are willing and capable of safely intervening when presented with situations they believe to be at risk for sexual assault.

- Key Survey Findings: The Department developed a question for the DEOCS that assessed Service member experience with Bystander Intervention. On the survey, respondents were asked if in the past 12 months, they had observed a situation they believed to be at risk for sexual assault. If they observed a high risk situation, they were then asked what action they took.
    - Bystander intervention is high (87%) among Service members who observed a situation at risk for sexual assault
    - About 4 percent of monthly respondents indicate seeing a situation at risk
- Focus Groups: In the Focus Groups fielded by DMDC, the researchers asked participants their willingness to intervene in situations that appeared to be at risk for sexual assault. Many focus group participants indicated that they would step in to prevent potential sexual assaults in a social situation (e.g., a bar) if they saw a "red flag"; others indicated that stepping in would depend on the person and the situation. An additional finding was that focus group participants indicated the willingness to step in regardless of how they are perceived. In professional situations, focus group participants indicated they would also step in if they witnessed inappropriate workplace behaviors. Overall, it was evident that the vast majority of Service members participating in the focus group effort were willing to engage in bystander intervention, regardless of whether in a social or professional situation, without concern of how they would be perceived for doing

[53] Ibid.

so. This reflects the commitment of fellow Service members to uphold a climate of dignity and respect. Some quotes include:

- *"If the person looks uncomfortable, you can come up and say, 'hey, are you ready to go?'" (E1-E4 Male)*
- *"Most of us would. If we see a fellow Service member [who] does not want the attention he or she is receiving, most of us would step in and help." (E1-E4 Male)*
- *"Any situation that is unfit and wrong… it's your job to step up and do something about it." (E1-E4 Female)*
- *"I will say one thing, the uniform protects the uniform. They take care of their own." (E3-E4 Female)*

H. Reducing the Annual Occurrence of Sexual Assault

Rationale: Regularly measuring the past-year prevalence (occurrence) of sexual assault is an important means of assessing the extent of the problem in a population. Changes in prevalence over time are also important to follow, as such change may provide some indication of the impact of prevention work. However, given the complex nature of the problem and the many challenges associated with measuring the crime, it is difficult to identify with certainty the exact contribution of prevention programming to changes in sexual assault prevalence.

Synopsis of Progress: The Department has been using the WGRA since 2006 to follow the past year prevalence of USC, the survey term for the crimes that constitute sexual assault in military law. For Active Duty women, the FY 2014 USC rate is statistically lower than the USC rate found in FY 2012 (4.3 percent versus 6.1 percent, respectively). For Active Duty men, the FY 2014 USC rate is statistically the same as the USC rate found in FY 2012 (0.9 percent versus 1.2 percent, respectively) (Figure 11).

Note: Past-year prevalence estimates in this report are primarily drawn from the measure of USC administered in the FY 2012 Workplace and Gender Relations Survey of the Active Duty and as part of the FY 2014 RAND Military Workplace Study (RMWS). Also in FY 2014, RAND developed and administered a past-year prevalence estimate of sexual assault that found statistically similar prevalence rates. However, there are some differences between USC and RAND's sexual assault measure. These differences are explained in greater detail in RAND's initial findings (see Annex 1). RAND will be conducting additional analysis this winter and provide greater detail about the similarities and differences of these two measures in DoD's Annual Report to Congress on SAPR, to be released in April 2015.

Evidence of Progress:

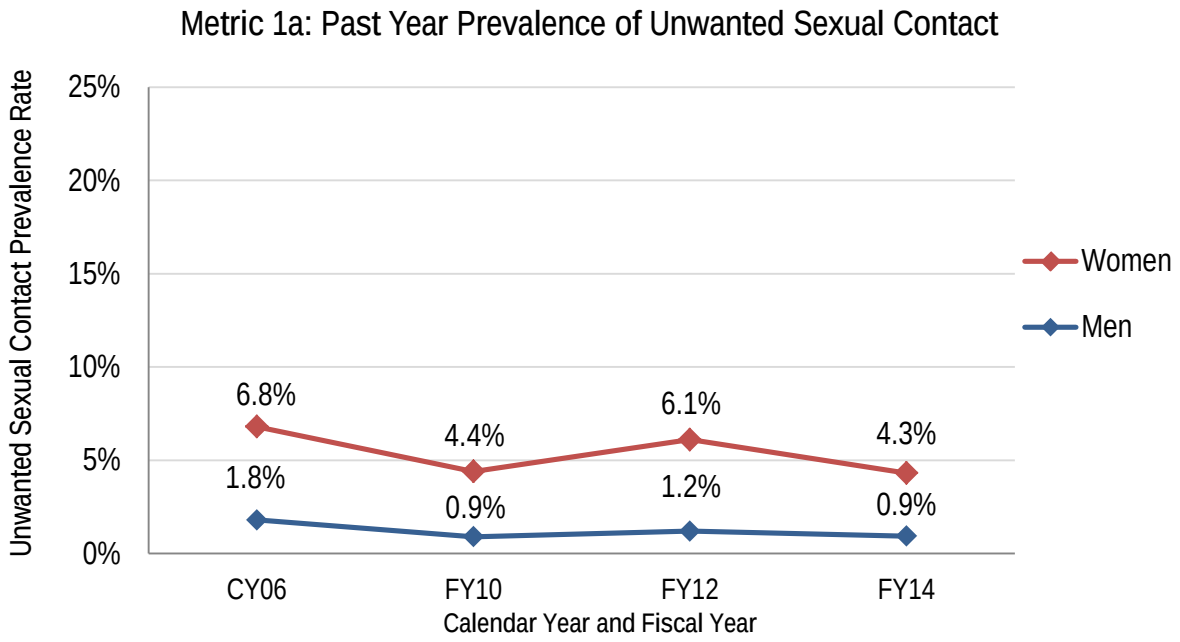


Figure 11 – Metric 1a: Past Year Prevalence of USC

I. Partnerships/Collaborations[54]

Identifying Potential Solutions

Rationale: Sexual assault is a societal challenge that affects more than just the U.S. military. Leveraging partnerships and collaborations across various sectors of society provides significant advantages and allows the Department to remain at the cutting edge of the latest research and initiatives regarding sexual assault prevention.

Synopsis of Progress: DoD proactively solicited information, identified best and promising practices, consulted subject matter experts, and conducted research on this topic to inform its programs and strategies. In the past year alone, the SAPRO Prevention Team held more than 45 sessions with subject matter experts to identify

I am impressed by the scope and focus of DoD's strategy for addressing this important public health problem. Building a strategy based on what works in prevention holds great promise for achieving positive change.

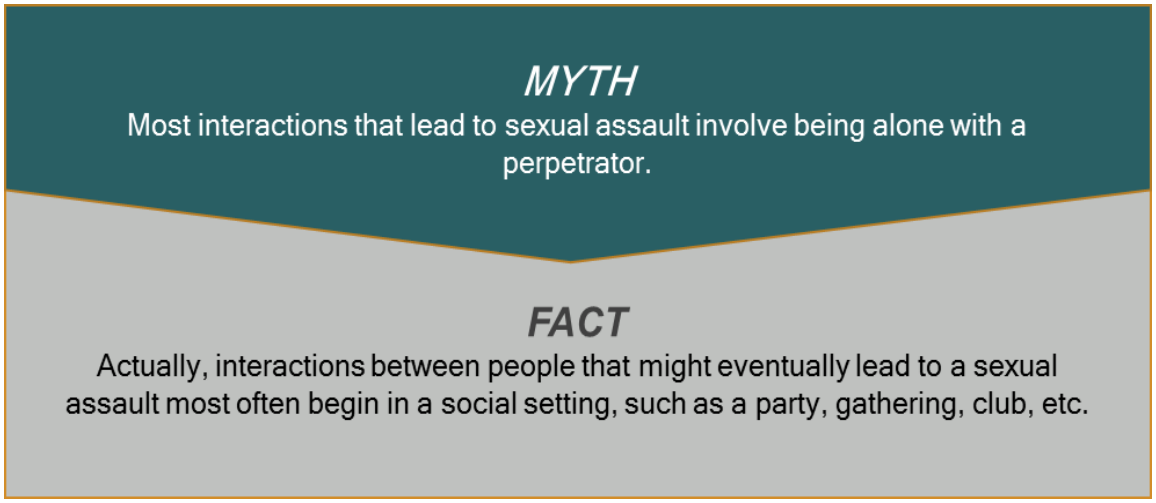
Dr. James Mercy
Acting Director, Division of Violence Prevention
Centers for Disease Control and Prevention
on the 2014-2016 DoD Prevention Strategy

[54] Any reference to any non-federal entity is not intended to be an endorsement of that entity by DoD.

proven and successful prevention practices. Subject matter experts included representatives from sexual assault prevention, victim advocacy, and training organizations; large public universities (e.g., Pennsylvania State University, University of Michigan, the University of Maryland); government agencies (e.g., FBI, CDC, the Peace Corps, United States Institute of Peace); and subject matter experts who have experience working in the DoD environment. In addition, various experts across the board have endorsed the prevention approach DoD has developed, to include the revised Prevention Strategy.

The individual Services and the NGB have also reached out to engage with other government and civilian experts to inform their Service-specific programs, and identified best/promising practices to share at the DoD Sexual Assault Prevention Roundtable. Further, DoD SAPR professionals participated at numerous events, exchanged information on panels at conferences, and served as consultants on review boards and task forces focused on sexual assault. Most recently, DoD SAPRO was asked to participate in a consulting role on the White House's Task Force to Protect Students from Sexual Assault. Over a nine-month period, DoD SAPRO representatives attended meetings and provided recommendations based on DoD best practices to inform the Task Force.

Evidence of Progress: Much of the contributions by prevention experts were incorporated into the *2014-2016 Prevention Strategy* signed by the Secretary of Defense on May 1, 2014.[55] In addition, DoD SAPR program components, climate survey questions, and bystander intervention materials were leveraged by the White House Task Force in "Not Alone: The First Report of the White House Task Force to Protect Students from Sexual Assault," that was released in April of 2014.[56]



[55] Available at: www.sapr.mil/public/docs/reports/SecDef_Memo_and_DoD_SAPR_Prevention_Strategy_2014-2016.pdf.
[56] Available at: https://www.notalone.gov/assets/report.pdf.

J. Sexual Assault – High Risk Populations

Of particular concern to the Department is the demographic age range of 17-24; the majority of victims and many perpetrators are within this age group. Of the 3,337 Unrestricted Reports of sexual assault in the DoD in FY 2013, 65 percent of the victims and 41 percent of the alleged perpetrators were between the ages of 16 and 24.[57]

While CDC found the rates of sexual assault for military women are no different than rates of sexual assault for women in the civilian sector, it also determined that younger age tended to be a demographic factor that increased risk for sexual assault.[58] U.S. universities and colleges are institutions that also have many people in the 17 to 24 age bracket. They also find themselves grappling with the problem of sexual assault: *The Campus Sexual Assault Study*, prepared for the National Institute of Justice in 2007, found that 19 percent of women reported "experiencing completed or attempted sexual assault since entering college."

The undergraduates attending the Department's three Service academies – the U.S. Military Academy (USMA), the U.S. Naval Academy (USNA), and the U.S. Air Force Academy (USAFA) – also tend to be within this high-risk demographic for sexual assault.

Over the past several years, the Department has placed considerable energy and emphasis on the MSAs SAPR programs. A critical aspect of these ongoing efforts is encouraging cadets and midshipmen to embrace a culture of dignity and respect and instilling in these future leaders the social courage to challenge those who do not. Examples of initiatives the Department has launched to address sexual assault at the MSAs include:

- Enhancing strategic planning to align MSA SAPR strategic plan with Department and Service SAPR plans
- Enhancing program effectiveness by involving cadets and midshipmen in command climate surveys and other assessment tools
- Advancing and sustaining appropriate culture by innovating and implementing solutions that address concerns of social retaliation among peers, employ direct engagement with leaders of cadet/midshipmen organizations, and providing cadet and midshipmen influencers with the skills to strengthen their ongoing mentorship programs

[57] Provisional data indicates similar trending for FY 2014.
[58] See the National Intimate Partner and Sexual Violence Survey at: http://www.sapr.mil/public/docs/research/2010_National_Intimate_Partner_and_Sexual_Violence_Survey-Technical_Report.pdf.

- Enhancing comprehension by developing sexual harassment and assault learning objectives for MSA curricula

- Enhancing alcohol training for cadets and midshipmen

In January 2014, the President and Vice President established the "White House Task Force to Protect Students from Sexual Assault" in order to develop strategies and recommendations to help prevent campus sexual assault. DoD participated in an advisory role on the Task Force, which featured subject matter experts from the Department of Education, the DOJ, and the White House. In April 2014, the Task Force presented its report, "Not Alone: The First Report of the White House Task Force to Protect Students from Sexual Assault."

In October 2014, the White House Task Force launched a new public awareness and education campaign known as, *It's on Us.* The *It's on Us* campaign is aimed at encouraging college students and all members of campus communities to be more engaged with campus sexual assault prevention efforts. The Task Force advocates that college students and all members of the campus community have access to confidential reporting, professional victim advocacy, climate surveys, and prevention initiatives featuring bystander intervention. These recommendations are all included in current policy at the MSAs and throughout the entire Department. Further, all three MSA superintendents attended the launch event at the White House on September 19, 2014.



Figure 12 – The White House Task Force *It's On Us* campaign logo

The MSAs have committed to participate in the *It's on Us* campaign to augment their existing prevention programs:

USMA will:

- Use the campaign and Sexual Harassment/Assault Response and Prevention (SHARP) Summit outcomes to drive the way ahead for the entire U.S. Corps of Cadets, led by cadet leadership and the Cadets Against Sexual Harassment and Assault (CASH/A) Executive Committee

- Promote the campaign in a variety of cadet-focused social events and incorporate *It's on Us* into monthly training for the 4,400 cadets at USMA

- Integrate the tenets of *It's on Us* as key features of the USMA strategic plan and character development strategy

- Incorporate *It's On Us* into *The Pointer View* (the command information paper) on a quarterly basis and promote it on West Point social media pages

USNA will:

- Introduce *It's On Us* to the 4,500-member Brigade of Midshipmen at a Brigade-wide event, as part of an ongoing series of initiatives and events in support of sexual assault prevention

- Integrate *It's On Us* into Midshipmen peer education sessions, facilitated by Midshipmen GUIDEs (Guidance, Understanding, Information, Direction, and Education) to promote the campaign at the Company level (groups of about 150 Midshipmen)

- Modify the USNA website and use social media to promote the campaign to the Brigade of Midshipmen, faculty, and staff

- Create a Midshipmen-led video to promote the campaign, as part of an ongoing sexual assault prevention video series

- Promote *It's On Us* at academy football games to further reach the Brigade, Alumni, and the supporting community

USAFA will:

- Strategically engage senior leaders in the Superintendent's Council to advance *It's On Us* throughout USAFA organizations

- Operationally integrate messaging into character and academic curriculum via the Dean of Faculty's Making Excellence Inclusive Committee, the Respect for Human Dignity Outcome Team, and the Commandant of Cadet's Center for Character and Leadership Development

- Tactically ensure *It's On Us* is woven into the fabric of all ongoing educational and training initiatives by:

    - Launching the campaign in coordination with the cadet leadership and PEERs (Personal Ethics and Education Representatives - cadets selected to address culture, climate, and inclusivity concerns)

    - Marketing promotional materials from the campaign website and providing each cadet with a hard copy of the *It's On Us* Pledge

    - Using the base paper and social media to promote campaign materials including the *It's On Us* logo, educational content, and daily tweets

    - Integrating *It's On Us* into ongoing cadet Active Bystander Intervention training

- Highlighting the campaign during Basic Training, January Anti-Stalking Awareness Month, and April SAAM

K. Conclusion

Prevention Initiatives – Progress at a Glance

	Action	Status
Defining the problem	Complete	●
Defining prevention	Complete	●
Develop a DoD-specific strategy	Complete	●
Implement strategy and solutions	In Progress	⇨
Promote and sustain organizational prevention initiatives	In Progress	●
Encourage Active Bystander Intervention	In Progress	●
Reduce the annual occurrence of sexual assault	In Progress	⇨
Identify potential solutions	Complete	●

● Clear evidence of progress ⇨ Indications of progress ✖ Progress not evident

This deliberate DoD-wide approach to prevention reinforces a climate where sexual assault is seen as unacceptable not just because it is illegal, but because it is counter to core military values. The Department has consistently and steadily augmented the depth and breadth of its approach to the prevention of sexual assault. This conceptual evolution of sexual assault prevention has advanced from essentially a two-dimensional training and awareness campaign to a three-dimensional, adaptable systems approach, synchronized and institutionalized across the Armed Forces, and encompassing multiple elements beyond training. While there is no single "silver bullet" solution, as the President recognized, this innovative prevention strategy allows for new promising practices to be incorporated, assessed, and adapted accordingly.

> *There is no silver bullet to solving this problem. This is going to require a sustained effort over a long period of time.*
>
> *Barack Obama*
> *President of the United States*
> *May 16, 2013*

Prevention is an ongoing effort that must be continued and reinforced across the Total Force, from accession to the last day in uniform. The Department intensified its focus on Primary Prevention to ensure a more comprehensive and strategic approach in its commitment to eliminate sexual assault from its ranks. With a revised Prevention Strategy and the establishment of a collaborative CoP, DoD has demonstrated its commitment to upholding the cultural imperatives of mutual respect and trust, professional values, and team commitment that promote an environment where sexual assault is not tolerated, condoned, or ignored.

Sustained prevention initiatives, along with committed leadership engagement and the acceptance of an ethos of dignity throughout the Department, will help to reduce - with the goal of eliminating - sexual assault in the military. Augmentations and enhancements to the Prevention effort serve to increase the likelihood of a more informed military that is intolerant of offensive behavior and a hostile command climate. That said, if and when an incident of sexual assault occurs, the DoD has established a comprehensive Response System that (1) serves to ensure every Unrestricted Report of sexual assault is referred for investigation, (2) holds offenders appropriately accountable, and (3) supports victims who file either Unrestricted or Restricted Reports throughout the process with first-class care provided by fully-trained response personnel.

The Response System component of SAPR incorporates the three LOEs below that demonstrate the DoD's uncompromised commitment to victim support:

- Investigation (LOE 2)
- Accountability (LOE 3)
- Victim Assistance and Advocacy (LOE 4)

The following three sections will expand on each LOE under the Response System, providing detailed information on the enhancements to the DoD's capabilities to provide victims with the privacy they desire, the sensitivity they deserve, and the professional response this crime demands.

IV. INVESTIGATION (LOE 2)

Objective: Achieve high competence in the investigation of sexual assault.
End state: Investigative resources yield timely and accurate results.

A. Introduction

When a victim files an Unrestricted Report, or a third party reports an allegation of a sexual assault, the matter is referred to the Services' MCIO[59] for a professional and independent investigation. Regardless of the severity of an allegation, MCIOs hold primary responsibility for the investigation of all sexual assault allegations under the jurisdiction of the UCMJ.

> *The DoD has done an incredible amount of work in a short amount of time combatting sexual assault and violence against women. We have never seen that kind of change in a civilian community and I just wish more people would recognize that fact.*
>
> *Joanne Archambault*
> *Executive Director of End Violence Against Women*

Upon receipt of a criminal allegation, an MCIO has three goals in conducting an investigation:

- Identify what crimes have been committed
- Identify who has been victimized
- Identify who may be held appropriately accountable for the crime

Per DoD policy, all reports of sexual assault must be referred to the MCIOs for investigation. DoD policy also prohibits commanders from investigating or evaluating the validity of a sexual assault report themselves. Those commanders who receive information about a sexual assault and fail to provide such information to an MCIO may be subject to disciplinary action.

The Department employs expert investigative capabilities that enable professional, responsive, and accurate investigations independent of the chain of command – MCIOs are not under the command of the leadership of the installation to which they are assigned. In addition, once an investigation has been initiated, only the Secretary of the Military Department involved may close an investigation. In recent years, MCIOs have sought out and applied scientifically-informed investigative techniques that optimize the recovery of physical and testimonial evidence while mitigating the potential for re-traumatizing a victim.

[59] Army Criminal Investigations Division (CID), NCIS, and AFOSI.

This section highlights examples of DoD's significant progress over the past three years with regard to achieving high competence in the investigation of sexual assault and ensuring investigative resources yield timely and complete investigations.

B. Key Highlight

Special Victim Investigation and Prosecution (SVIP) Capability

Rationale: Available research suggests there is a benefit[60] to having a distinct, recognizable group of specially trained investigators, prosecutors, and legal support personnel who collaborate on a regular basis to work sexual assault cases. Given the commonality of criminal behaviors and special investigative techniques required to resolve allegations of child abuse, domestic violence, and sexual assault offenses,[61] the Department believes there is substantive benefit to fielding a cadre of experienced professionals that understand the special sensitivities involved in these forms of interpersonal violence.

Synopsis of Progress: As part of the Leadership, Education, Accountability and Discipline (LEAD) Act of 2012 on Sexual Assault Prevention, the Secretary of Defense proposed legislation to Congress that would establish an SVIP capability. This proposal was ultimately incorporated in the NDAA for FY 2013, Section 573, which required the Secretary of Defense to submit a report to the Armed Services Committees of the House of Representatives and the Senate describing the plans and timelines for establishing such a capability in each Military Department.

At the request of Undersecretary of Defense (Personnel & Readiness) (USD(P&R)), SAPRO facilitated a working group to develop plans for the implementation of a Department-wide SVIP capability. This working group included representatives from each Military Department, the MCIOs, the NGB, the DoD OGC, and other components within the USD(P&R), including Health Affairs, Reserve Affairs, the Office of Legal Policy, and FAP. The DoD IG also sent a representative to the working group meetings as a consultant to advise on criminal investigative policy matters.

The Department's SVIP plan was established using the following key principles:

- SVIP will be a capability, not a specific person, unit or team, to provide each of the Military Services flexibility in implementation
- SVIP capability will be standardized and consistent throughout the Department

[60] Greeson, M. and Campbell, R. (2013) Sexual Assault Response Teams (SARTs): An Empirical Review of Their Effectiveness and Challenges to Successful Implementation. *Trauma Violence and Abuse*, *14*, 83-95.
[61] Sex crimes against children and spouses are not contained in this report because they fall under the purview of DoD FAP.

- SVIP will be available globally where our DoD members serve and where incidents are investigated and prosecuted, as appropriate

In the case of adult sexual assault, the SVIP process is activated when an Unrestricted Report of a qualifying offense is made to law enforcement personnel. Restricted (confidential) Reports of adult sexual assault or domestic violence do not trigger the SVIP, since the commander and law enforcement are not contacted. Although Victim Witness Assistance Program (VWAP) personnel are part of the SVIP capability, SARCs and VAs are not. However, SARCs and SAPR VAs must be notified of every incident of sexual assault involving Service members. When notified, the SARC or a SAPR VA responds and offers the victim access to a Sexual Assault Forensic Exam (SAFE), advocacy services, as well as facilitates victim access to healthcare (medical and mental health), legal services and victims' counsel, if eligible.

SVIP Team Members
MCIO Investigators
Judge Advocates
Victim Witness Assistance Program Personnel
Paralegal Support Personnel

Personnel who comprise the SVIP capability include MCIO investigators, judge advocates (JA), VWAP personnel, and paralegal support personnel, all of whom receive specialized training according to their role. Each Military Service ensures the personnel selected for SVIP cases receive the requisite specialized training on victims' rights, issues unique to sexual assault, and best practices for navigating victims through the military justice system.

To facilitate the continuity of care and advocacy, SVIP personnel collaborate with SAPR Program personnel, including SARCs, SAPR VAs and victims' counsel when assigned. SVIP legal and investigative representatives participate in monthly sexual assault Case Management Group (CMG) meetings to review individual cases. Further, the specialized training developed for building and sustaining an SVIP program contains a specific focus on the impact of sexual assault trauma on victims, to include its effect on memory and counterintuitive behaviors.

Evidence of Progress: The report required by the NDAA for FY 2013 was provided to Congress on December 12, 2013.[62] The DoD IG developed policy and procedures for the MCIO SVIP capability in DTM 14-002, *The Establishment of SVC within the MCIOs,* which was published on February 11, 2014.[63]

[62] Available at: http://www.sapr.mil/public/docs/reports/DoD_SpecialVictimsCapabilities_Report_20131213.pdf
[63] Available at: http://www.dtic.mil/whs/directives/corres/pdf/DTM-14-002.pdf. Note: Special Victim Capability has since been re-named the Special Victim Investigation and Prosecution (SVIP) capability so as not to be confused with the Special Victims' Counsel (SVC) program, which provides attorneys to represent the interests of victims of sexual assault in the military justice process.

The SVIP program is a key enhancement in the Response System as it demonstrates a multidisciplinary, coordinated approach to victim support and offender accountability. This capability adds tremendous value to a system where people are more prepared and sensitive to perform their role which, in turn, can lead to increased victim confidence and satisfaction.

C. Role of the Commander

Rationale: Although commanders are essential to the Department's overall SAPR strategy, DoD policy requires the criminal investigative process to be independent of the chain of command. In other words, commanders may not investigate sexual assaults; that is the job of independent MCIOs.

Synopsis of Progress: A commanding officer who receives a report of a sexual assault involving a Service member in his or her chain of command must immediately report it to the assigned MCIO. A commander of a victim or offender may not ignore a complaint or attempt to evaluate its authenticity by conducting his or her own investigation into the matter. These "Commander Directed Investigations" into sexual assault allegations are specifically prohibited by DoD policy.

However, during the course of an investigation, a commander has a duty to ensure both the victim and the offender are connected with the appropriate services. Guidance for commanders is published in DoDI 6495.02, SAPR Program Procedures[64] and available in the DoD SAPR Policy Toolkit.[65] In support of everyone's safety, commanders may issue military protective orders, which are binding on military members. Commanders are also required to meet monthly with the installation's CMG. The CMG, which is chaired by the installation commander or the deputy commander, meets on a monthly basis to review individual cases of Unrestricted Reports of sexual assault, facilitate monthly victim updates, direct system coordination, accountability, and victim access to quality services.

Throughout the course of the investigation, the commander is required to consult with the victim, and ensure the victim is connected with the appropriate support resources. Commanders also have a responsibility to provide victims with monthly updates on the progress of their cases. Commanders also have a similar responsibility to ensure the accused's rights are preserved and to provide for the accused's well-being.

Evidence of Progress: The DoD SES asked respondents about support they received from their commander or unit director. Of the 64 percent of respondents that made an Unrestricted Report and spoke to their unit commander/director about the sexual assault:

[64] Available at: http://www.dtic.mil/whs/directives/corres/pdf/649502p.pdf.
[65] Available at: http://www.sapr.mil/public/docs/miscellaneous/toolkit/COMMANDER_CHECKLIST.pdf.

- More than two-thirds agreed the unit commander/director supported them (82%), took steps to address their privacy and confidentiality (80%), treated them professionally (79%), listened to them without judgment (78%), and thoroughly answered their questions (70%)

- About three-quarters (73%) indicated that overall they were satisfied with the unit commander/director's response to the sexual assault

D. Training Enhancements

1. Improving Investigator Training

Rationale: Trained investigators, empowered with the latest research on the impact of trauma on memory and recall, are likely to improve the victim's experience with the military justice system. In addition, highly trained investigators are more likely to benefit from an improved understanding of common offender behaviors and how such behaviors can help them identify important physical and testimonial evidence.

Synopsis of Progress: Each of the Military Services has taken steps to refine the training and resources of criminal investigators supporting sexual assault response since the Department launched the SAPR program in 2005. Each year, thousands of investigators participate in specialized training on how to best engage sexual assault victims. In order to determine whether MCIO Sexual Assault Investigation Training was adequately supporting the Department, the DoD IG conducted a review of the MCIO's sexual assault investigation training.[66]

Findings revealed that each MCIO received the required initial baseline and periodic refresher training. However, between MCIOs, the training hours devoted to initial baseline training tasks varied, and none measured the effectiveness of refresher training. Additionally, the MCIOs were found to be providing advanced Sexual Assault Investigation Training to assigned criminal investigative personnel who may conduct sexual assault investigations. As a result of the review, the DoD IG recommended the MCIOs form a working group to review (1) initial baseline sexual assault investigation training programs to establish common criteria and minimum requirements, (2) periodic refresher sexual assault investigation training programs to establish common criteria and minimum requirements for measuring effectiveness, and (3) advanced sexual assault investigation training programs to further capitalize on efforts to leverage training resources and expertise. These recommendations have been implemented.

Evidence of Progress: The MCIOs are now providing improved sexual assault investigator training in support of their fielding of the SVIP capability. All three MCIOs deliver substantive sexual assault investigation training, among other training focus areas, as part of their foundational investigator courses including advanced training for investigating special victim offenses. All MCIO basic investigator course attendees take

[66] Available at: http://www.dodig.mil/pubs/documents/DODIG-2013-043.pdf.

several written examinations on areas of instruction and must demonstrate a minimum level of mastery in order to graduate. While many of the skills necessary for the investigation of special victim cases are the same as those needed for other criminal investigations - preserving crime scenes, collecting evidence, testifying at trial - SVIP offenses require additional proficiencies, advanced training and techniques, and heightened sensitivity to victims' needs. MCIO investigators assigned to their Service's SVIP capability are specifically trained to respond to and investigate all SVIP covered offenses.

The selection of MCIO investigators for the SVIP capability is contingent on their completion of specialized training. At a minimum, DTM 14-002 requires this training to cover the following competencies:

- Legal jurisdiction for conducting criminal investigations
- Elements of proof for SVIP covered offenses
- Crime scene management
- Deoxyribonucleic Acid (DNA) collection requirements
- Identifying, obtaining, preserving, and transporting forensic evidence
- Rights of crime victims and available victim and witness assistance, support, and counseling services available
- Sensitivities associated with child abuse victims, including but not limited to interviewing techniques, SAFE kits, risk factors, and protective orders
- Sensitivities associated with victims of sexual assault, including but not limited to interviewing techniques, impact of trauma, SAFE kits and medical treatment, counseling, victim support, establishing victim trust and transparency, impact of alcohol and drugs, and protective orders[67]

After individual investigative agents have completed all the required training, they are certified by their respective MCIO to conduct investigations meeting the SVIP criteria.

Additional evidence of progress can be found in the fact that all three MCIOs now train their agents to use **trauma-informed interviewing techniques**. At the U.S. Army Military Police School (USAMPS), Criminal Investigation Command (CID) agents and Naval Criminal Investigative Service (NCIS) agents learn a technique called the Forensic Experiential Trauma Interview (FETI). This new interview technique draws on established practices of child forensic interview protocols, critical incident stress

[67] Available at: http://www.dtic.mil/whs/directives/corres/pdf/DTM-14-002.pdf.

management, and motivational interviewing techniques to help agents work with victims to obtain more information about crimes, potentially leading to improved offender accountability. The principles of the training provide agents with the knowledge and skills to better understand fundamentals of neuroscience, trauma, and effective victim interviewing. Since 2009, more than 1,397 special agents and prosecutors from Army and Navy have taken FETI training as part of the Special Victims Unit Investigations Course.

Also, at the Federal Law Enforcement Training Center (FLETC), Air Force Office of Special Investigations (AFOSI) agents learn a technique called Cognitive Interviewing (CI), which has a long and established research history based on laboratory-tested principles of memory retrieval, knowledge representation, and communication. AFOSI has been using CI to enhance victim recall since the mid-1990s as an alternative to forensic hypnosis. CI instruction and practice has been a part of AFOSI's Advanced Sexual Assault Investigations course since 2013. AFOSI is also working with one of the founding CI researchers to further update and improve training techniques and its application to sexual assault investigations.

MYTH

If a victim has really been sexually assaulted, he or she should be able to recall the event in great detail.

FACT

Recent research shows that while victims can and do store details about sexual assault in their memories, trauma often interferes with the encoding and recall of those memories. As a result, victims' recall about an incident may appear disorganized or incomplete, which is incorrectly interpreted as being deceitful. Use of alcohol at the time of the incident increases memory problems. Special interviewing techniques, currently being taught to military criminal investigators and attorneys, have been shown to help victims improve their recall of traumatic events.

2. *Improving Investigative Sufficiency*

Rationale: It is the Department's intent to achieve high competence in criminal investigation. Ultimately, these efforts are intended to produce better quality criminal investigations that encourage greater victim participation.

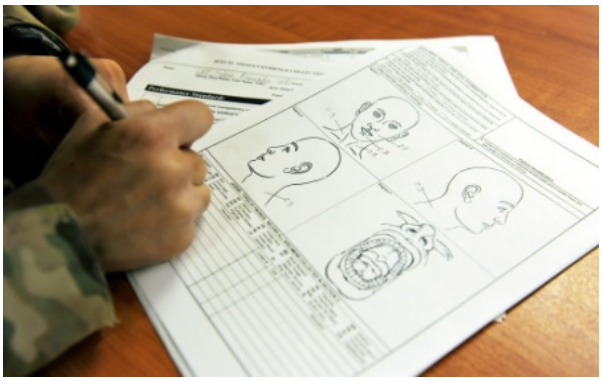
Synopsis of Progress: Over the past three years, DoD has implemented a variety of initiatives to improve the investigative process. Directives by the Secretary of Defense, NDAA legislation, policy upgrades, and strategic tasks have resulted in substantive investigative enhancements.

Evidence of Progress:

Independent Investigations for Sexual Assault Cases. DoD IG policy, published in January of 2013, requires MCIOs to investigate all Unrestricted Reports of sexual assault under the jurisdiction of military law, regardless of the severity of the allegation.[68]

Special Victim Investigation and Prosecution (SVIP) Capability. As detailed above, policy for the SVIP capability was published in January 2014.[69] The SVIP capability improves investigative sufficiency by requiring a collaborative approach from the initial investigative response. The assigned MCIO investigator must be knowledgeable of SVIP priorities, working collaboratively with specially-trained personnel consisting of JAs, VWAP personnel, and administrative paralegal personnel.

Sexual Assault Forensic Exam (SAFE). The Department utilizes pre assembled SAFE kits that include tools to ensure the physical examination process and the collection, handling, analysis, testing, and safekeeping of any bodily specimens and evidence meet the requirements necessary for use as evidence in criminal proceedings. Within the last few years, the Department has revised all aspects of the SAFE to include the contents of the kits, the exam's availability in Military Treatment Facilities (MTFs), and local agency agreements for military installations without a resident MTF capability. In addition to revising the SAFE Kit, the Department also revised the DD Form 2911, DoD SAFE Report,[70] and DoD SAFE Kit instructions for both the victim exam[71] and the suspect exam[72] to be in line with 2013 DOJ standards.[73]



A Service member annotates the evidence of assault following an examination of a simulated victim during SAFE training.

Document Retention. As directed by the Secretary of Defense and legislated by Congress, DoD implemented a policy to expand retention of investigative documentation. Current law requires investigative documentation to be held for 50 years for Unrestricted Reports of sexual assault. Previously, documentation retention times varied between Services. While the primary reason for expanding retention time was to provide a means for victims to obtain information about a sexual assault they reported, it may also improve the Department's ability to investigate "cold" cases should new evidence later become available. On July 11, 2014, the DoD IG concluded a

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[68] Available at: http://www.dtic.mil/whs/directives/corres/pdf/550518p.pdf.
[69] Available at: http://www.dtic.mil/whs/directives/corres/pdf/DTM-14-002.pdf.
[70] Available at: http://www.sapr.mil/public/docs/miscellaneous/toolkit/dd_form_2911.pdf.
[71] Available at: http://www.sapr.mil/public/docs/miscellaneous/toolkit/DD_Form_2911-Victim_Instructions.pdf.
[72] Available at: http://www.sapr.mil/public/docs/miscellaneous/toolkit/DD_Form_2911-Suspect_Instructions.pdf.
[73] Available at: https://www.ncjrs.gov/pdffiles1/ovw/241903.pdf.

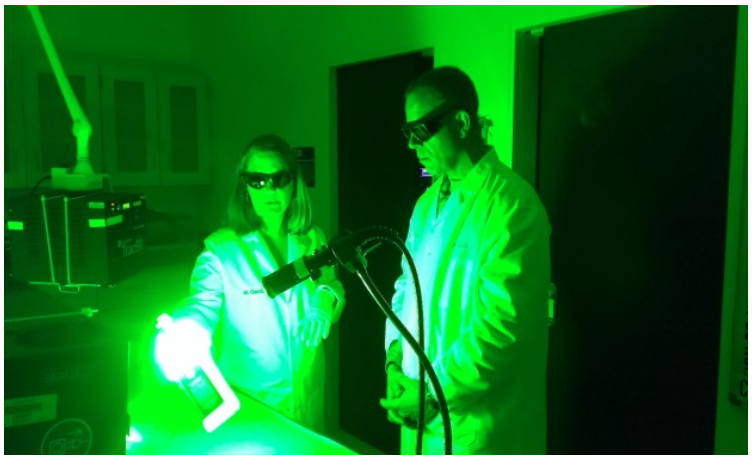
review of the MCIO's progress in implementing DoD policy on records retention and access to evidence and found the Services to be compliant.[74]

Evaluation of MCIO Adult Sexual Assault Investigation Policies. On September 16, 2014, the DoD IG concluded an evaluation of the MCIOs' adult sexual assault investigation policies.[75] The purpose of the DoD IG evaluation was to determine whether MCIO policies aligned with DoD and Military Service requirements, with Council of Inspectors General on Integrity and Efficiency (CIGIE) Quality Standards for Investigations (QSIs), and with accepted law enforcement investigative techniques.

The DoD IG found that the MCIOs' adult sexual assault investigation policies and procedures support each agency's needs for a thorough sexual assault investigation. The MCIOs have incorporated DoD and Service adult sexual assault investigative requirements into their policies. Although not mandated by DoD, the MCIOs have also incorporated, directly or indirectly, the pertinent CIGIE QSIs relating to conducting criminal investigations, including sexual assault, and those that facilitate a detailed and well-written report of the investigation. The MCIOs' policies address almost all pertinent International Association of Chiefs of Police (IACP) recommended investigative actions.

The DoD IG also observed policy areas to be considered for improvement related to the use of forensic science agents and addressing victim collateral misconduct during investigations. The DoD IG further recommended the MCIOs evaluate the IACP actions not currently aligned in their policies for their relevance and applicability and consider incorporating them or enhancing those only partially addressed.

DNA Collection Requirements for Criminal Investigations. The Department is required to provide DNA samples from service members upon apprehension (the military equivalent of "arrest") and submit them to the United States Army Criminal Investigation Laboratory (USACIL). USACIL is a fully accredited facility that provides forensic laboratory services to the MCIOs, other DoD investigative agencies, and other Federal law enforcement agencies. USACIL subsequently submits these DNA samples to the Combined DNA Index System (CODIS), a database managed by the FBI that is responsible for exchanging information and comparing forensic DNA evidence from violent crime investigations.



Major General Jeffrey J. Snow, SAPRO Director, visits the USACIL lab, Forest Park, Ga., May 2014.

[74] Available at: http://www.dodig.mil/pubs/documents/DODIG-2014-082.pdf.
[75] Available at: http://www.dodig.mil/pubs/documents/DODIG-2014-108.pdf.

The DoD IG found the MCIOs had an overall 92 percent compliance rate in submitting required DNA samples to USACIL during the period of June 1, 2010, through October 31, 2012. As a result of the review, the DoD IG recommended the Secretaries of the Military Departments and the Commandant of the USCG take action in accordance with DoDI 5505.14, *DNA Collection Requirements for Criminal Investigations*,[76] to improve their compliance rates for DNA sample submission.

Evaluation of DoD Compliance with the Sex Offender Registration and Notification Act (SORNA). On August 29, 2014, the DoD IG concluded an evaluation[77] of the Department's compliance with the Sex Offender Registration and Notification Act (SORNA), established by Title I of the "Adam Walsh Child Protection and Safety Act of 2006" (Public Law (P.L.) 109-248). It also evaluated whether the Department effectively accounted for registered sex offenders with access to DoD facilities. The DoD IG found the Department was compliant with SORNA registration requirements. However, DoD IG recommended a number of actions to improve reporting, accountability, and monitoring of registered sex offenders within the Department. Overall USD(P&R) and the Secretaries of the Military Departments agreed with the recommendations and are currently in the process of creating and updating related policy.

Review of Investigative Sufficiency of Sexual Assault Investigations. On July 9, 2013, the DoD IG concluded an evaluation of the MCIOs' sexual assault investigations completed in 2010 to determine whether they completed investigations as required by DoD, Military Service, and MCIO guidance.[78] The evaluation focused on whether the MCIOs investigated sexual assaults as required by guiding policies and procedures. The DoD IG found most MCIO investigations (89 percent) met or exceeded the investigative standards. The DoD IG has now agreed to review the MCIOs' sexual assault investigation on a recurring basis. The review currently underway is looking at MCIO sexual assault investigations completed in 2013.

Investigation Length. In support of this report, the Department developed a metric to track the average and median length of a sexual assault investigation, measured from the day the MCIO opens the criminal investigation until the day it provides its final report of investigation to command for legal review (Figure 13). The Department found that in FY 2014 criminal investigations took an average of about four and a half months to complete, up from an average of four months in FY 2013. A shorter investigation is not necessarily a better investigation. Investigation length is dependent upon a number of factors, including the complexity of the crime, the number and location of witnesses to be interviewed, the amount and kinds of evidence to be processed, and the number of agents available to conduct an investigation.

[76] Available at: http://www.dtic.mil/whs/directives/corres/pdf/550514p.pdf.
[77] Available at: http://www.dodig.mil/pubs/documents/DODIG-2014-103.pdf.
[78] Available at: http://www.dodig.mil/pubs/documents/DODIG-2013-091.pdf.

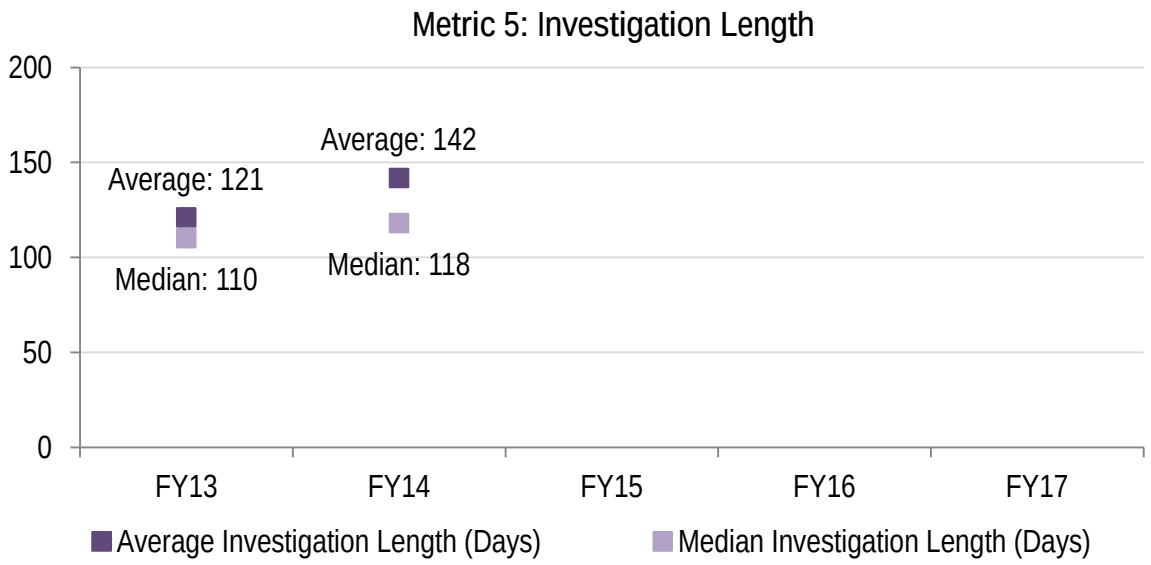


Figure 13 – Metric 5: Investigation Length

E. Oversight

Department of Defense Inspector General

The DoD IG provides independent, relevant, and timely oversight of the DoD in support of the warfighter and promotes accountability, integrity, and efficiency. It also advises the Secretary of Defense and Congress while keeping the public informed.

Figure 14 – The DoD IG Seal

The DoD IG is committed to continually improving the quality of the Department's sexual assault and other violent crime investigations. The DoD IG provides oversight for the Department's programs and operations related to the investigation of violent crime (including unattended death, sexual assault, serious aggravated assault, and robbery).

A cadre of highly trained and experienced criminal investigators assesses effectiveness and efficiency, compliance with policies and procedures, and the need for new or revised policies applicable to the Department's investigative response to violent crime.

F. Partnerships/Collaborations

Collaboration with internal and external agencies and experts is key to ensuring the Department is aware of and taking advantage of new research and promising investigative practices in use elsewhere. While criminal investigations do not fall under the oversight of the DoD SAPR Program, SAPRO works with the Comptroller to reprogram funds to other DoD organizations to support investigative efforts.

The following key partnerships enhance and inform the Department's Investigation LOE:

- ***US Army Military Police School (USAMPS)*:** The Department reprogrammed funds to support additional capacity for USAMPS to provide advanced sexual assault training to criminal investigators and prosecutors from across the DoD and the USCG.

- ***Defense Forensic Science Center (DFSC):*** DFSC provides full-service forensic support (traditional, expeditionary, and reach-back) to DoD entities worldwide, and oversees the U.S. Army Criminal Investigations Laboratory (USACIL). DoD SAPRO works with DFSC to ensure that Service SAPR programs are fully informed of the laboratory's capabilities and programs that support sexual assault. DoD SAPRO also collaborated with USACIL scientists to update the DoD SAFE Kit.

G. Conclusion

Investigation Initiatives – Progress at a Glance

	Action	Status
Field an SVIP Capability in Each Service	Complete	●
Keep victims informed of their case progress	In Progress	⇨
Enhance investigative training	In Progress	●
Improve investigative sufficiency	In Progress	●
Conduct timely investigations	In Progress	⇨

● Clear evidence of progress ⇨ Indications of progress ✖ Progress not evident

In the continued effort to hold offenders appropriately accountable, the Department incorporated best and promising practices that were adopted and/or adapted as a result of collaborations with external organizations.

Over the past two years, the Department has substantially enhanced its investigative capabilities. At the direction of the Secretary of Defense, the Department created one of the most important resources related to the Investigation LOE: the SVIP capability. This multidisciplinary approach has fundamentally reshaped and improved the Department's ability to properly investigate allegations of sexual assault, domestic violence, and child abuse. Drawing from the latest research from both government agencies and civilian organizations, the MCIOs have also implemented scientifically-informed investigative techniques that optimize the recovery of physical and testimonial evidence. All three MCIOs now teach and employ trauma-informed interviewing techniques to mitigate the potential for re-traumatizing the victim.

While in other sections this report details the significant role of the commander in addressing sexual assault, it is important to note that DoD policy explicitly forbids commanders from directing or influencing the criminal investigative process. This policy, in addition to the other initiatives previously detailed, represents the Department's unrelenting commitment to the identification and apprehension of sexual assault offenders. The next LOE, Accountability, will demonstrate the steps the Department has taken to hold offenders appropriately accountable.

V. ACCOUNTABILITY (LOE 3)

Objective: Achieve high competence in holding offenders appropriately accountable.
End state: Perpetrators are held appropriately accountable.

A. Introduction

Over the past three years, the DoD and Congress have launched several initiatives to ensure offenders are held appropriately accountable for sexual assault, to include increased penalties for convicted offenders, elevating initial disposition authority, mandating administrative separation processing of any member convicted of a sexual assault, and creating an overall better response system for victims. Through these efforts and others, the Department has sent a clear message that the military has no place for sexual assault.

> *A command where the victims will be taken care of and the report will be taken seriously is what we call a non-permissive climate. Offenders in that climate know things are going to be difficult. They're going to be held appropriately accountable.*
>
> *Major General Gary Patton, former SAPRO Director*

Accordingly, the Department has taken significant and comprehensive steps to address victim safety and confidence when participating in the military justice system. The Department has also been actively engaged to identify areas of improvement and implement enhancements throughout the legal process to reassure victims they will be treated with dignity and respect as they navigate the military justice process. As a result, more victims are stepping forward to report their assaults than ever before, suggesting increased confidence in newly established Department initiatives aimed at the justice system.

B. Key Highlight

Special Victims' Counsel/Victims' Legal Counsel (SVC/VLC)

Rationale: Victim participation and engagement throughout the military justice process is key to holding offenders appropriately accountable. However, sexual assault victims are often reluctant to report and engage the system. As a means to provide advice and advocacy, as well as empower victims to participate in the justice system, the Department created the groundbreaking SVC/Victims' Legal Counsel program (VLC).[79] SVCs are Military Service JAs who provide independent legal advice and representation to victims of sexual assault and other serious criminal offenses, protecting their rights and empowering them to successfully navigate the military justice system in order to bring perpetrators to justice.

[79] The Air Force and Army use the term Special Victims' Counsel, while the Navy and Marine Corps use VLC. In the interest of clarity, the DoD section will refer to the SVC/VLC as simply "SVC."

These specialized attorneys are assigned to victims to represent the rights of the victim and act independent of the prosecutor.

Synopsis of Progress: Launched as a pilot program by the Air Force in January 2013, the SVC initiative provided Airmen, and other eligible individuals who reported they were a victim of sexual assault, the opportunity to be assigned a military attorney for legal and emotional support - at the Air Force's expense and at no cost to the victim. The SVC's role was to advise victims on the investigative and military justice processes, protect the rights afforded to these victims, and empower them to participate in the military justice process. The pilot program was a tremendous success, and resulted in the Air Force being recognized by the DOJ with the Federal Service Award, which honors individuals and organizations for their direct service to victims of federal, tribal, and military crime.[80]



U.S. Air Force Special Victims' Counsel Program receives the 2014 Federal Service Award.

Due to the overwhelmingly positive feedback from victims involved in the pilot program, the Secretary of Defense directed the Secretaries of the Military Departments in August 2013 to establish a Special Victims' Advocacy Program in each of their Departments.

> *Witnesses who had been assigned special victim counsel told the Panel that their special victim counsel were critical to their ability to understand the process and participate effectively as witnesses against their accuser.*
>
> *Report of the Response Systems to Adult Sexual Assault Crimes Panel*
> *June 2014*

Each of the remaining Services established initial operating capability to provide similar legal services to victims by November 1, 2013, and all Service programs were fully operational with their respective programs by January 1, 2014. Independently, the USCG Judge Advocate General (JAG) established an SVC program for the USCG on July 12, 2013. Section 1716 of the NDAA for FY 2014, enacted on December 26, 2013, required SVC programs across the Department, ensuring the requisite funding and resourcing to sustain the capability. Victims of sexual assault are now assigned an SVC within 48 hours (when practicable) of the SVC program office receiving a request.

[80] DoJ website https://ovcncvrw.ncjrs.gov/Awards/AwardGallery/gallerysearch.html

Evidence of Progress. The SVC program continues to receive support from the victims it was created to serve, as well as endorsements from Service members who hear about the new program.

- DoD SES:[81] The 2014 SES asked respondents a variety of questions about their experiences and satisfaction with SVCs.
  - Of the 68% of respondents who used a SVC:
    - A large majority (93%-97%) agreed the SVC treated them professionally (97%), listened to them without judgment (96%), supported them (96%), and thoroughly answered their questions (93%)
    - The majority (90%) indicated they were satisfied with the services provided by the SVC

Survivor regarding SVC: "My SVC told me he would protect my rights and DID. He kept me informed, was very capable and really great."

- SAPR Focus Groups: Focus group participants indicated SVCs might be a helpful resource for sexual assault survivors:
  - *"Because they have somebody to talk to and understand and help them through it legally and emotionally. Somebody that's on their side regardless." (E1-E4 Female)*
  - *"I think it will help people from feeling lost because there's someone there that can answer those questions legally. The emotional support is a great thing, but if you decide to prosecute, you're going to have so many questions, you're going to have so much there that is unanswered and how stressful that could be. And just to have someone there dedicated to answering those questions, tell you where this could go or could not go is a great resource." (E3-E4 Male)*
- In an assessment of the SVC program, the Response Systems to Adult Sexual Assault Crimes Panel (RSP), an independent federal advisory committee mandated by Congress, found the SVC program to go "far beyond any currently found in civilian jurisdictions, state or federal."[82] In interviews with military survivors of sexual assault, the RSP found that "witnesses who had been assigned an SVC told the Panel that their SVC were critical to their ability to understand the process and participate effectively as witnesses against their accuser."[83] When comparing the military's full range of systems and procedures

[81] The complete methodology and analysis of responses for the DoD SES are attached as Annex 2 to this report.
[82] RSP pg. 7; Available at: http://responsesystemspanel.whs.mil/Public/docs/Reports/00_Final/00_Report_Final_20140627.pdf
[83] RSP pg. 27; Available at: http://responsesystemspanel.whs.mil/Public/docs/Reports/00_Final/00_Report_Final_20140627.pdf.

to support and protect sexual assault victims to civilian systems, the RSP found that the "military uses best practices in its support of victims and that these systems compare favorably with the civilian systems."[84]

The SVC program has also received accolades from subject matter experts in the field, as they recognize the important role the SVC plays in offender accountability. It has promoted respect and dignity for sexual assault victims while also facilitating their meaningful participation in the military justice system. SVCs have an incredible impact on the lives of the victims they work with.

After a lengthy investigation process and trial where my client had to take the stand and talk about this incredibly personal and invasive thing that happened to her…her husband approached me. He told me how much having me there meant to his wife. That she felt she had a voice in the system and the court listened to her, that she had someone to call with questions, that someone was in her corner. He thanked me, then took a step back and saluted me, not because customs and courtesies required it, but as a sign of gratitude. It was an incredibly moving moment and it was then that I realized this program isn't about outcomes, it is about people – victims' rights are not about ensuring a conviction, they are about promoting respect, dignity, and meaningful participation in the justice system.

Captain Sarabeth Moore, SVC assigned to Fairchild Air Force Base, Wash.[l]

As the Department continues to take steps to address sexual assault in the military, the SVC program exists as compelling evidence that Department initiatives are having meaningful results. While the SVC program has existed for less than a year, the positive impact it has had on survivors has been highly encouraging. Nonetheless, the Department recognizes the SVC program is still evolving. In order to better address the needs of victims, the Department must build on the program's initial success and ensure every SVC is properly trained with sufficient legal experience.

C. Fielding a Special Victim Investigation and Prosecution (SVIP) Capability

Rationale: As noted in the preceding section, the Department believes there is substantive benefit to fielding a cadre of experienced professionals who understand the special sensitivities involved in interpersonal violence.

Synopsis of Progress: The preceding Investigation LOE section described the development of the SVIP between the years 2012 and 2014. Special training

[84] Ibid.

requirements also apply to judge advocates, VWAP personnel, and paralegals working in the SVIP capability.

Evidence of Progress: The report required by the NDAA for FY 2013 was provided to Congress on December 12, 2013.[85] The Office of Legal Policy developed policy and procedures for SVIP legal personnel in DTM 14-003, *DoD Implementation of SVC Prosecution and Legal Support,* which was published on February 12, 2014.[86]

D. Training Enhancements

The DoD has dedicated significant resources to provide legal personnel involved in the military justice system with training to enhance their ability to work with victims of sexual assault, understand impact of trauma on memory, and to practice courtroom skills often used in support of sexual assault cases. Enhanced SAPR training for attorneys, paralegals, and victim-witness assistance personnel incorporates these important elements along with the traditional SAPR-related training components, thus ensuring a more prepared and skilled cadre of legal professionals.

E. Role of the Commander

Under the Accountability LOE, the role of the commander is to hold all offenders appropriately accountable and uphold the integrity of the military justice system.

1. Elevation of Initial Disposition Authority

Lower level unit commanders do not have authority to decide what, if any, disciplinary action should be taken in the most serious sexual assault crimes. The senior commanders who do have such authority will often have no personal knowledge of either the accused or the victim.

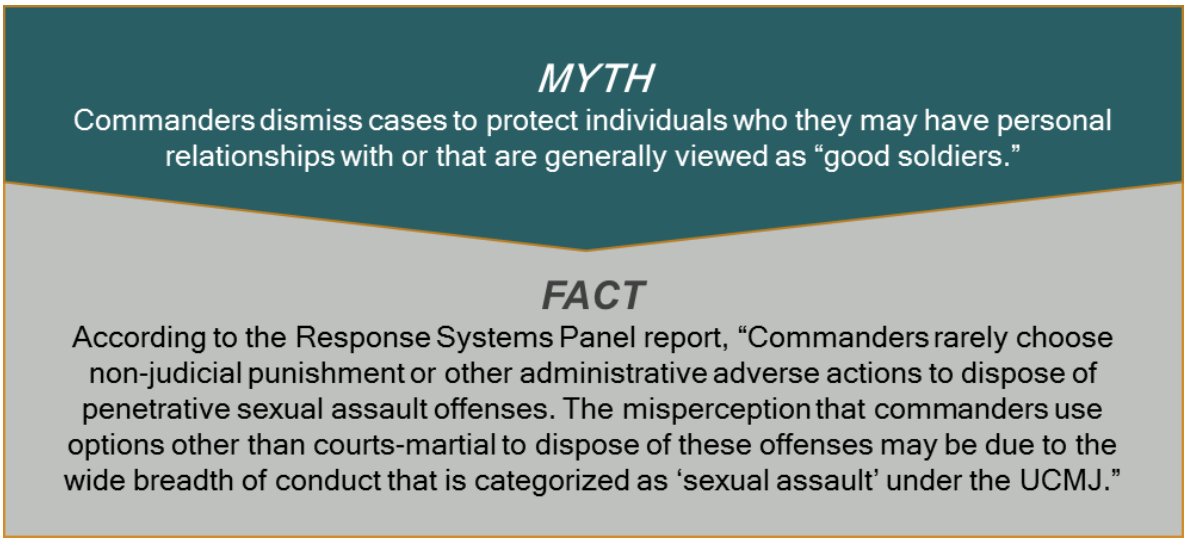
Rationale: In 2012, to strengthen the role of the commander, as well as to provide additional checks in balances, the Secretary of Defense directed that initial disposition authority for the most serious sexual assault cases be given only to commanders in the grade of O-6 or higher, who possess at least Special Court-Martial convening authority.

Synopsis of Progress. Upon completion of a criminal investigation, the MCIO conducting the investigation provides a report documenting its evidentiary findings to the subject's military commander and the servicing staff JA for review and legal action, as appropriate. However, for the crimes of rape, sexual assault, nonconsensual sodomy, and attempts to commit these crimes, a convening authority who is at least a special court-martial convening authority and in the grade of O-6 or higher retains initial

[85] Available at: http://www.sapr.mil/public/docs/reports/DoD_SpecialVictimsCapabilities_Report_20131213.pdf.
[86] Available at: http://www.dtic.mil/whs/directives/corres/pdf/DTM-14-003.pdf.

disposition authority. This means that lower level unit commanders do not have authority to decide what, if any, disciplinary action should be taken in the most serious sexual assault crimes. The senior commanders who do have such authority will often have no personal knowledge of either the accused or the victim.[87] This policy allows more seasoned officers to make the initial decision regarding case disposition, and ensures sexual assault cases receive the high-level attention they deserve.

Evidence of Progress. On April 20, 2012, the Secretary of Defense signed a memorandum putting this policy into effect beginning on June 28, 2012.[88] The policy put forth in the memo was subsequently incorporated into the March 28, 2013 re-issuance of DoDI 6495.02, *SAPR Program Procedures*.[89]



2. *Improving Victim Confidence in the Military Justice System*

Rationale: Victims of crime play a central role in the military justice system. As such the Department has a responsibility to demonstrate that, when a victim makes a report of sexual assault, the matter will be taken seriously, investigated appropriately, and adjudicated based on the available evidence.

Synopsis of Progress: At the direction of the Secretary of Defense, the Department has been actively engaged in a series of initiatives to build victim confidence in the military justice system, improve reporting of sexual assault, and provide for opportunities for victims to take a more active role in the justice process. Congress has also legislated its own changes to the military justice system with provisions in the NDAAs for FYs 2012, 2013, and 2014.

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[87] RSP page 126; Available at: http://responsesystemspanel.whs.mil/Public/docs/Reports/00_Final/00_Report_Final_20140627.pdf.
[88] Available at: http://www.dod.gov/dodgc/images/withhold_authority.pdf.
[89] See page 42 of the Instruction at: http://www.sapr.mil/public/docs/instructions/DoDI_649502_20140212.pdf.

Evidence of Progress: In addition to the previously described SVC Program and the withholding of initial disposition authority for sexual assault crimes, there have been a number of initiatives enacted to further improve victim confidence in the military justice system. For example, in the NDAA for FY 2014 there were 16 separate military justice provisions, reflecting the most sweeping change to the UCMJ since 1968. New military justice initiatives enacted since 2012 include:

- **Assessing Response Systems:** The RSP delivered a report on June 27, 2014,[90] and made a total of 132 recommendations in the areas of victim services; victim rights; the role of the commander in the military justice process; and the investigation, prosecution and adjudication of sexual assault. The Department is currently reviewing the 132 recommendations to determine an appropriate action for each one.

- **Ensuring Victims' Rights:** The Secretary directed[91] the Services to develop a method, in coordination with the Joint Service Committee (JSC) on Military Justice, to incorporate the rights afforded to victims through the Crime Victims' Rights Act into military justice practice, to the extent appropriate. Congress provided assistance on this initiative in Section 1701 of the NDAA for FY 2014, by amending the UCMJ to include crime victims' rights. The Department is on track to recommend to the President the appropriate changes to the Manual for Courts-Martial by late December 2014. Additionally, victims will have the right to have trial counsel or victim counsel present when being interviewed by the defense (Section 1704), and the right to submit post-trial matters for consideration by the convening authority (Section 1706).

- **Enhancing Pretrial Investigations**: The Secretary of Defense directed[92] the Secretaries of the Military Departments to require that judge advocates serve as investigating officers for all Article 32 hearings on sexual assault offense charges. On December 3, 2013, the Secretaries of the Military Departments reported they had enacted policy to comply with this directive. Section 1702 of the NDAA for FY 2014 further limited the scope of the Article 32 hearing, and retitled it as a "preliminary hearing." This change takes effect for offenses committed on or after December 26, 2014. Section 1702 also limited a convening authority's discretion to disapprove findings, and to disapprove, commute, or suspend, in whole or in part, the sentence adjudged in a court-martial. The investigating officer, whenever practicable, will be a JA and equal or greater in rank to the other counsel involved in the case. All victims (military and civilian) will have the right to decline to testify.

[90] Available at: http://responsesystemspanel.whs.mil/Public/docs/Reports/00_Final/00_Report_Final_20140627.pdf.
[91] See SECDEF Memorandum at: http://www.sapr.mil/public/docs/news/SECDEF_Memo_SAPR_Initiatives_20130814.pdf.
[92] See SECDEF Memorandum at: http://www.sapr.mil/public/docs/news/SECDEF_Memo_SAPR_Initiatives_20130814.pdf.

- **Additional military justice provisions legislated by the FY 2014 National Defense Authorization Act include:**

  - Section 1703 – Added sexual assault to the list of offenses with no statute of limitations (rape was already an offense without a statute of limitations).

  - Section 1705 – Required that only a general court-martial be used for certain sex offenses, and mandated a dishonorable discharge or dismissal if convicted of those sex offenses.

  - Section 1708 – Eliminated the accused's character and military service as factors to be considered by the commander when making a case disposition decision under the UCMJ.

  - Section 1744 - Required the Service Secretaries to review sex offense cases in which a Staff Judge Advocate (SJA) recommended referral to court-martial, but the convening authority elected not to do so. Even in cases in which the SJA and convening authority agree the case should not be referred to court-marital, the next higher convening authority must also review the case.

  - Section 1745 - Requires personnel records be annotated if a Service member was convicted by a court-martial, received non-judicial punishment, or adverse administrative action for a sex-related offense. Whenever the Service member transfers into a new unit, the new commander must then review this information.

- **SES Information**: Of the 64% of respondents who made an Unrestricted Report and spoke to their unit commander/director in response to the sexual assault:

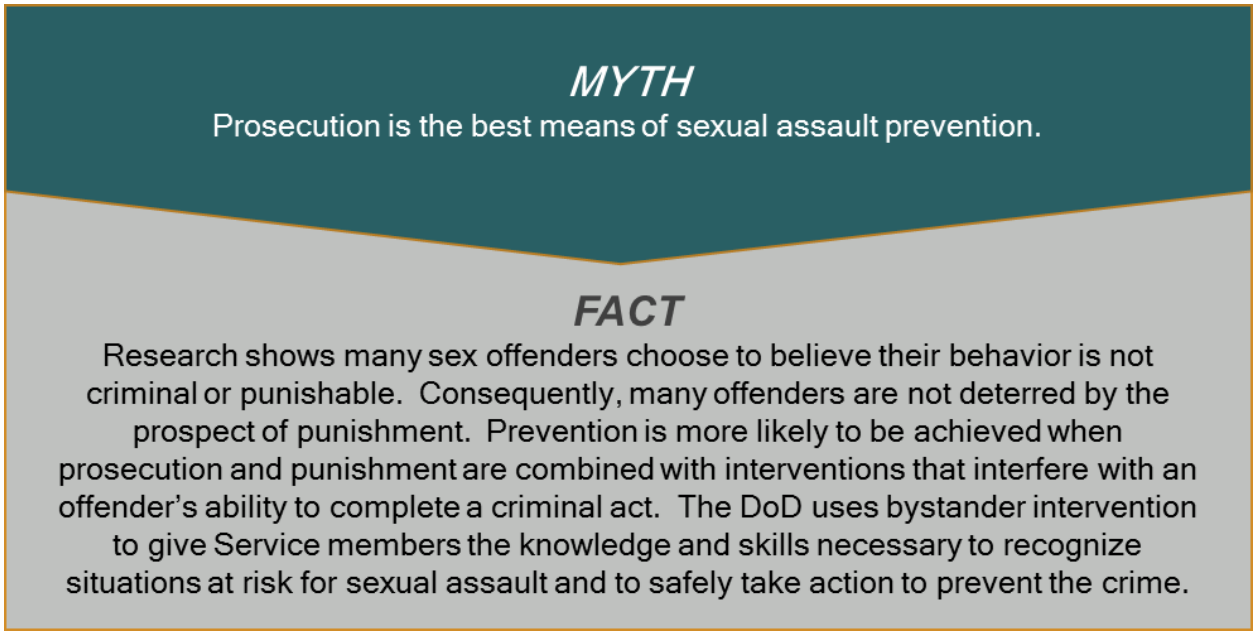
  - More than two thirds *agreed* the unit commander/director *supported them* (82%), *took steps to address their privacy and confidentiality* (80%), *treated them professionally* (79%), *listened to them without judgment* (78%), and *thoroughly answered their questions* (70%)

  - About three-quarters (73%) indicated that overall they were *satisfied* with the unit commander/director's response to the sexual assault

- **SAPR Focus Group Information**: Focus group participants indicated there has been a positive shift in DoD's handling of sexual assault and harassment:

  - "Across the board, we get inspections, Equal Opportunity (EO) officers who've been put into place that help us understand SARC training, where, in the past, that didn't happen." (*E7-E9 Mixed Group)*

- "Our last leader said, 'anything like this happens, it's going up to the General/Admiral level.' I see all over the media, they're afraid things are just getting swept under the rug in-house with commanding officers. But that's kind of the policy now is it goes up, it's going to be above him so he doesn't make that decision." (*E5-E6 Male)*



3. Impacts of UCMJ Reform Proposals

The commander's authority to refer charges to court-martial is an essential component of holding offenders appropriately accountable. However, recent legislative proposals have called for a reduction in the Commander's ability to prosecute these crimes. In analyzing such proposals, the RSP found that:

> ***Congress should not further limit the authority of convening authorities under the UCMJ to refer charges for sexual assault crimes to trial by court-martial beyond the recent amendments to the UCMJ and DoD policy. After reviewing the practices of Allied militaries and available civilian statistics, and hearing from many witnesses, the Panel determined the evidence does not support a conclusion that removing convening authority from senior commanders will reduce the incidence of sexual assault, increase reporting of sexual assaults, or improve the quality of investigations and prosecutions of sexual assault cases in the Armed Forces.***[93]

[93] RSP page 6-7; Available at: http://responsesystemspanel.whs.mil/Public/docs/Reports/00_Final/00_Report_Final_20140627.pdf.

While many of the initiatives launched by the Department still need time to be completely integrated into the SAPR strategy and also must be thoroughly evaluated, preliminary evidence is proving that properly trained commanders are ensuring offenders are held appropriately accountable.

4. *Handling of Sexual Assault Cases*

Since FY 2009, the number of sexual assault cases where courts-martial charges were preferred increased by 81 percent, from 21 percent of cases in 2009 to 38 percent of cases in FY 2014 (Figure 15). Also, the proportion of cases where command action was not possible decreased from 43 percent to 27 percent over the same period. While more time is needed to identify the specific initiatives that have led to these positive trends, they reflect a concerted effort by the Department to ensure that all levels of leadership have the resources, training, and capabilities needed to better address and respond to sexual assault allegations.

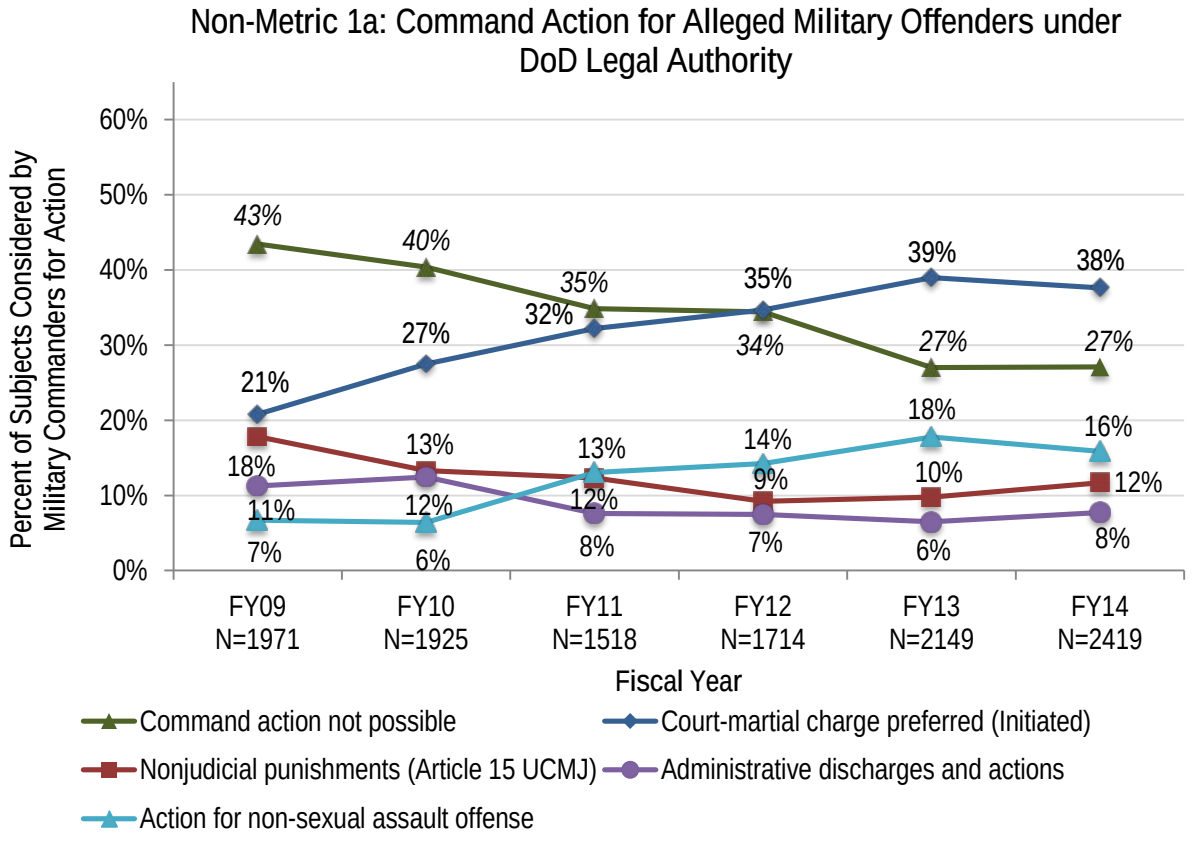


Figure 15 – Non-Metric 1a: Command Action for Alleged Military Offenders under DoD Legal Authority

F. Partnerships/Collaborations

The vast majority of the men and women serving in the Armed Forces have never committed a crime, and even fewer have ever committed a crime as serious as sexual assault. For individuals who do commit or attempt to commit sexual assault, the Department has worked aggressively to provide commanders with the resources they

need to hold them appropriately accountable, and has worked closely with civilian organizations and other government agencies to improve offender accountability, as appropriate.

1. Collaboration with Civilian Organizations

The Department's responsibility for holding offenders appropriately accountable does not end after disposition. Instead, the Department has made several efforts to ensure that sexual offenders do not have the opportunity to repeat their offense. These efforts include:

- Publicizing the punishments for misconduct or criminal offenses
- Processing for administrative separation any member convicted of a sexual assault but not adjudged a punitive discharge as part of their sentence
- Revision of the list of UCMJ offenses for which sex offender notification is required
- Managing sex offender registration and notification upon discharge from DoD confinement facilities

For offenders held in a military correctional facility who are required to register as a sex offender, the Department provides written notice five days prior to their release to the chief law enforcement officer of the State, territory, or local jurisdiction in which the prisoner will reside, as well as to the State or local agency responsible for the receipt or maintenance of a sex offender registration in that area. The Department also notifies the United States Marshals Service Sex Offender Targeting Center.

2. External Observations of the Military Justice System

While the DoD has taken a significant interest in measuring the effectiveness of its strategy for preventing and responding to instances of sexual assault, the Department has also worked with independent entities in order to validate its approach.

a. Response Systems to Adult Sexual Assault Crimes Panel (RSP)

One of the RSP's primary responsibilities was to compare civilian and military rates of sexual assault cases. During its review, the RSP found that in some civilian jurisdictions, responding police officers or detectives can determine an allegation is "unfounded," that is, false or baseless, and close a case before a prosecutor ever receives it. In such instances, the case closed as "unfounded" is not accounted for in civilian prosecution rates. In contrast, the Services track every reported sexual assault from report through disposition, including reports to authorized officials who are not affiliated with law enforcement agencies. Further, the RSP stated that "because the military collects much more detailed data on every reported sexual assault than civilian

jurisdictions, attempting to compare military and civilian prosecution rates for sexual assaults is difficult at best, and misleading at worst."[94]

b. Academic Analysis

Another outside observer to speak favorably regarding the Department's efforts is Associate Dean for Academic Affairs at the George Washington University Law School, and retired judge advocate colonel in the Army, Dr. Lisa M. Schenck. When comparing the military and civilian justice systems in an analysis of the Department's SAPR program, Dr. Schenck writes:

> ***Using inflammatory language and misleading statistics some attack the prosecution and conviction rates in the Military Services without realizing that other prosecution entities such as the Department of Justice, the Department of Education, and the three largest states by population do not use survey data to calculate such results. When the same criteria are used for calculation of prosecution and conviction rates, the military justice system's rates are comparable to major civilian prosecution entities for the same types of offenses.***[95]

Dr. Schenck also discusses the importance of having commanders retain the responsibility of convening authority in sexual assault cases. Specifically, Dr. Schenck argues that those who call for removing the convening authority's power to punish military personnel who commit sexual assault do not "consider what the Supreme Court recognized forty years ago – 'the military has… by necessity, developed laws and traditions of its own during its long history.'" Further, Dr. Schenck summarizes the issue by saying, "Critics should understand that the focus should not be on prosecution rates when the facts involving the particular offense at issue are unknown."[96]

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[94] RSP page 4; Available at: http://responsesystemspanel.whs.mil/Public/docs/Reports/00_Final/00_Report_Final_20140627.pdf.
[95] Available at: http://moritzlaw.osu.edu/students/groups/osjcl/files/2014/06/7.-Schenck2.pdf.
[96] Ibid.

G. Conclusion

Accountability Initiatives – Progress at a Glance

	Action	Status
Field an SVC/VLC Program	Complete	●
Field an SVIP Capability in Each Service	Complete	●
Withhold Initial Disposition Authority for the Most Serious Sexual Assault Cases to Senior Commanders	Complete	●
Improve Victim Confidence the Military Justice System	In Progress	⇨

● Clear evidence of progress ⇨ Indications of progress ✖ Progress not evident

Holding offenders appropriately accountable promotes unit cohesion, trust, and values that define the U.S. military. The Department's policy to elevate initial disposition authority enables disciplinary decisions to be made by more experienced commanders. This helps to ensure that cases are adjudicated based on relevant evidence, and not on any previous "good standing" or personal relationships. Furthermore, having these cases remain within the chain of command allows the Department's leaders to retain responsibility and accountability for addressing this critical issue.

The Department also recognizes the vital role survivors play in maintaining good order and discipline within the force. However, participating in criminal proceedings can be exceedingly difficult for survivors, given that recalling memories about a sexual assault can sometimes be as traumatic as the crime itself. For this reason, the Department has taken several steps to afford victims with a network of professionals for support and protection. The Department's groundbreaking SVC program provides survivors with a dependable resource that is specially trained to represent their legal interests – a service with overwhelmingly positive survivor reviews.

The highest levels of leadership within the Department, from the Secretary of Defense to the Joint Chiefs, are working to promote a command climate free from sexual assault. Commanders at all levels have the responsibility to propagate that climate and encourage every member of the military to embrace their role in promoting safety. The Department's success is largely measured by its ability to hold offenders appropriately accountable, but just as important is the Department's ability to provide quality care for the survivors of this heinous crime. The next LOE, Advocacy and Victim Assistance, will describe the various resources that the Department provides to survivors.

VI. ADVOCACY/VICTIM ASSISTANCE (LOE 4)

Objective: Deliver consistent and effective victim support, response and reporting options.
End state: DoD provides high quality services and support to instill confidence and trust, strengthen resilience, and inspire victims to report.

A. Introduction

Until sexual assault is eliminated from our ranks, DoD is dedicated to supporting and empowering victims of sexual assault to heal, restore their lives, and participate as desired in the military justice process. Given that many sexual assaults in the military occur between fellow Service members, professionals throughout DoD work diligently with survivors to overcome the violation of trust and destruction of confidence brought about by the crime. The full spectrum of available support and care gives victims options about how they choose to heal – physically, emotionally, and professionally.

> *The victims are not only human beings; they're fellow Soldiers, Sailors, Airmen, and Marines. We cannot let them down.*
>
> *Chuck Hagel*
> *U.S. Secretary of Defense*

While the number of sexual assault reports to DoD remains outnumbered by the number of incidents estimated to occur annually, a record number of victims in FY 2013 and FY 2014 came forward to make reports. Given that the past-year prevalence (occurrence) of sexual assault decreased from FY 2012 to FY 2014, the Department views this increased reporting behavior as an indicator of growing confidence in the DoD response system. DoD SAPR policies are designed to help victims exercise their rights, as well as provide them with a professional response, effective treatment, legal support, and a voice in the military justice process.

The Department's programs and initiatives are setting new expectations about what should be the national standard for victim services and assistance. DoD requires that medical care and SAPR services be gender-responsive, culturally competent, and recovery-oriented. Particularly noteworthy program enhancements over the past three years include:

- The establishment and expansion of the Safe Helpline, which provides 24/7 anonymous support to the DoD community worldwide
- The establishment of the SVC and incorporation of victims' rights into military law
- The professional certification of all DoD SARCs and SAPR VAs

These initiatives were not only designed to help victims become more confident in the response system, they were developed to be responsive to victim feedback. Unprecedented leadership support of the SAPR program over the past three years has made clear the expectation that each victim of sexual assault is to be treated with respect, dignity, and sensitivity.

Establishing a Robust Sexual Assault Response System

Rationale: The Department established the initial response system in 2005 with the creation of the SAPR Program. The DoD has since modified the system several times to remain responsive to victim needs and feedback, to comply with legislated changes, and to verify that the system works as it was designed. Civilian research indicates that victims who report their sexual assault are more likely to engage in care and services. Consequently, making victims confident that the response system will work for them is an important aspect of the Department's approach: a system serves no one if its users are reluctant to engage it. According to survivors, the primary barrier to reporting a sexual assault is the concern of having their privacy compromised. A victim's confidence that his or her privacy will be respected begins with hearing from leadership at all levels that those who report a sexual assault will be taken seriously and treated with dignity.[97] Using victim feedback and expert advice, the Department works continuously to formulate policies and initiatives that protect victim privacy, provide a variety of reporting methods, address safety, and make support resources readily available.

Use of Terms "victim" and "survivor"

Although many advocates prefer to use the term "survivor" to describe an individual who has been sexually assaulted, the term "victim" is also widely used. This document uses the terms interchangeably and always with respect for those who have been subjected to these crimes.

Synopsis of Progress: In response to expert recommendations in the 2004 Care for Victims of Sexual Assault Task Force, DoD instituted a policy in 2005 that offered a confidential reporting option for military victims who wanted to maintain their privacy and still seek help and services following an assault. As a result, military victims of sexual assault have two reporting options: Restricted and Unrestricted (see Figure 16).

Providing reporting options was a significant step towards empowering victims to make decisions about their own recovery process, as well as the ability to pursue justice according to their individual preference and comfort level.

[97] More information in the Role of the Commander section on page 107.



Figure 16 - Reporting option available to sexual assault victims.

Restricted Reporting. This option allows victims of sexual assault to report the crime to specified individuals who can connect the victim with medical care, victim advocacy, counseling, and legal advice without notifying command or law enforcement officials of the victim's identity. SARCs, SAPR VAs, and healthcare personnel can receive a Restricted Report. Additionally, victims' communications with SARCs, SAPR

VAs, mental health counselors, chaplains, and SVC are also privileged under military law. For purposes of public safety and command responsibility, the SARC/SAPR VA notifies the senior installation commander that an assault has occurred and provides details about the incident while preserving the identity of the victim. This gives the command an opportunity to adjust policies and procedures to improve public safety.

Restricted Reporting provides victims with personal space, time, and increased control over the release and management of their personal information. It empowers them to seek relevant information and support to make informed decisions about whether to participate in a criminal investigation. Even if the victim chooses not to pursue an official investigation, this additional reporting avenue gives commanders a clearer picture of sexual assault allegations within their command.



Further, it enhances commanders' ability to address the safety, well-being, and mission readiness of all unit members. If a victim decides to pursue an investigation, he or she always has the option to convert from a Restricted to Unrestricted Report. For this purpose, a victim may also elect to undergo a SAFE for documentation and collection of evidence of the crime. If the victim hasn't converted a report from Restricted to Unrestricted within a year, the SARC contacts the victim and notifies him or her that the SAFE materials will be kept for an additional four years. The victim also has the ability to convert the report at any time.

Unrestricted Reporting. This option is the traditional approach to crime reporting. An Unrestricted Report allows the victim to obtain all available care and support, as well as immediately participate in the military justice process. Unrestriced Reports also initiate mandatory investigations. Medical care, victim advocacy, counseling, and legal advice can be accessed, but the victim also participates in an official investigation of the allegation and any military justice action that may follow.

An Unrestricted Report can be made with any of the following:

- SARC
- SAPR VA
- Health care personnel
- Chain of command
- Law enforcement

Upon notification of a Restricted or Unrestriced Report of a sexual assault allegation, the SARC will immediately assign a SAPR VA. At the victim's discretion or request, he or she may undergo a SAFE. If an Unrestricted Report is filed, DoD policy requires that commanders brief victims monthly on the status of the case throughout the course of the investigation. In addition, commanders are required to keep details regarding the incident limited to only those personnel who have a legitimate need to know.

Evidence of Progress:

- Reporting Data (Figure 17).[98] Reporting data is drawn from DSAID. It reflects information about reports of sexual assault received in FY 2014. Data for FY 2013 and preceding years is drawn from the DoD's Annual Reports to Congress.
    - Reports of Sexual Assault over Time. The Department put policies in place in 2005 to encourage greater reporting of sexual assault. However, it wasn't until recently, with the unprecedented leadership attention to the crime that the number of sexual assault reports increased substantially. Starting in FY 2013 and continuing through FY 2014, the Department has seen an unprecedented increase in the level of sexual assault reporting. The total number of reports received in FY 2013 (5,518) and FY 2014 (5,983) are over 50% greater than the number of reports received in FY 2012 (3,604). Given the underreported nature of sexual assault, the Department believes this increase in reporting is likely due to greater victim confidence in the response system. Some may be concerned that the increase in reporting may be due to an overall increase in crime. While this is possible, it is unlikely. In fact, the estimated past-year prevalence (occurrence) of USC[99] decreased for women and stayed about the same for men between FY 2012 and FY 2014. Using a new measure of sexual assault that more precisely aligns with the language in the UCMJ, the RMWS confirmed that overall past-year prevalence rates of sexual assault decreased for women and stayed about the same for men between FY 2012 and FY 2014.

[98] Additional information about sexual assault reporting can be seen in both the Statistical Data section of this report, as well as the Metrics Section, which are Appendix C and B, respectively.
[99] USC is the Workplace and Gender Relations Survey term for a range of sexual crimes - that include sexual assault - in SAPR policy.

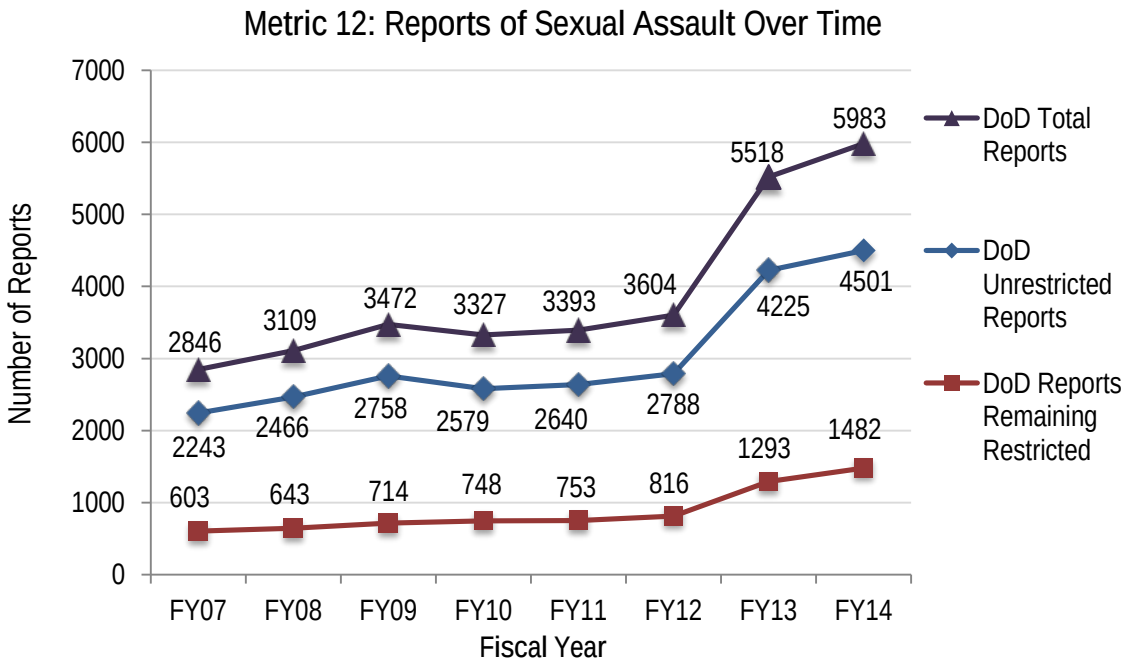


Figure 17 – Metric 12: Reports of Sexual Assault, FY 2007 to FY 2014.

- Reports for Matters Occurring Before Military Service. Each year, the Department receives several hundred reports from military members about an incident they experienced before entering service. Similar to FY 2013, about 9% of the reports received by SARCs and SAPR VAs in FY 2014 were for pre-service incidents. In years FY 2012 and prior, a very small proportion of reports were in this category. Reports from these survivors indicate they felt sufficiently confident in the response system to help them with something from their past.

- Conversions from Restricted to Unrestricted Reports. Survivors who make a Restricted Report may convert their report to an Unrestricted Report at any time and may participate in the military justice process. This year, a record 19% of Restricted Reports received in FY 2014 converted. An additional 47 Restricted Reports initially made in FY 2013 and prior years also converted to Unrestricted Reports during FY 2014. On average, victims took about 34 days to convert their reports.

- SES. Respondents (just over 150) were asked to provide information on their awareness of SAPR resources prior to his/her report of sexual assault. The

majority of respondents were aware of the resources DoD SAPRO offers sexual assault survivors.[100]

- More than three-quarters of respondents indicated that prior to the assault, they were aware of SARCs (82%), chaplain services to survivors of sexual assault (78%), Uniform Victim Advocates (UVAs)/VAs (78%), and mental health counseling/care for survivors of sexual assault (77%)
- Approximately half of respondents indicated that prior to the assault, they were aware of SAFEs (62%), the DoD Safe Helpline (54%), and their installation 24-hour helpline (49%)
- About one-third of respondents indicated that prior to the assault, they were aware of the local civilian 24-hour helpline (33%) and SVC or VLC (29%)[101]
- The vast majority of respondents (99%) indicated they interacted with a SARC and/or a UVA/VA (SARC 95% and UVA/VA 82%) as a result of the sexual assault
- More than two-thirds of respondents indicated, as a result of the assault, they spoke to a mental health provider (71%)
- Approximately half of respondents (49%) indicated they interacted with a medical provider. Of the 24% of respondents who received medical care at a military medical treatment facility: A large majority agreed the provider maintained their confidentiality (94%), explained the steps in the exam to them (90%), supported them (89%), treated them professionally (89%), did not rush them to make decisions (86%), thoroughly answered their questions (85%), performed exams appropriate for the reason for their visit (84%), and listened to them without judgment (80%).
- Less than one-third of respondents (31%) indicated they interacted with a chaplain as a result of the assault
- For those respondents who made an Unrestricted Report, about two-thirds indicated, as a result of the assault, they spoke to their immediate supervisor (66%), their senior enlisted advisor (65%), or their unit commander/director (64%)
- One of the ways the Department measures progress is whether respondents who report a sexual assault would recommend others report as well. Nearly three quarters of all respondents (73%) indicated, based on their overall experience of reporting, that yes they would recommend others report their

[100] As survey eligibility was based on the timeframe of the report, not the timeframe of the assault, some sexual assault resources may not have been available to a survivor at the time of his/her sexual assault. Data presented excludes those who indicated a resource did not exist at the time of the assault.

[101] This new resource provides legal counsel for a military survivor of sexual assault and was established across DoD in FY 2014.

sexual assault, whereas 14% of respondents indicated no and 13% were unsure if they would recommend others report their sexual assault.

- DoD Focus Groups. Some focus group participants indicated that survivors might choose to make an Unrestricted Report because they believe their report would be handled appropriately and the perpetrator would be held accountable.

  - *"I think especially with all the awareness, people are more confident that their reports are going to be taken seriously. If you go report something, it's going to be taken seriously and seen through the end and thoroughly investigated."* (O2-O3 Male)

  - *"I think the more everyone talks about it the easier it is for people to get help."* (E3-E4 Female)

  - *"It's not some hush-hush topic anymore and I believe that a lot of the commanders are moving in a positive way with actually protecting the individual instead of making them feel as if they're like a troublemaker or they put unnecessary action or unnecessary paperwork or attention towards the unit."* (E3-E4 Female)

- DEOCS Analysis. While there is no item that specifically addresses victim confidence on the DEOCS, respondents are asked to rate on a four-point scale their unit leadership's support for the SAPR program, their leadership's encouragement for victims to report a sexual assault, and their leadership's efforts to create an environment where victims feel comfortable reporting.

  For analysis purposes, ratings for these three items are combined into a four-point scale index. On average across the Department in FY 2014, service members consistently rated their leadership's support for sexual assault quite favorably.

  Men (3.6 on a 4.0 scale) tended to rate their leadership higher than women (3.4 on a 4.0 scale). Junior enlisted members and NCOs (3.5 on a 4.0 scale) tended to rate their leadership lower than did the more senior ranks (3.7 on a 4.0 scale).

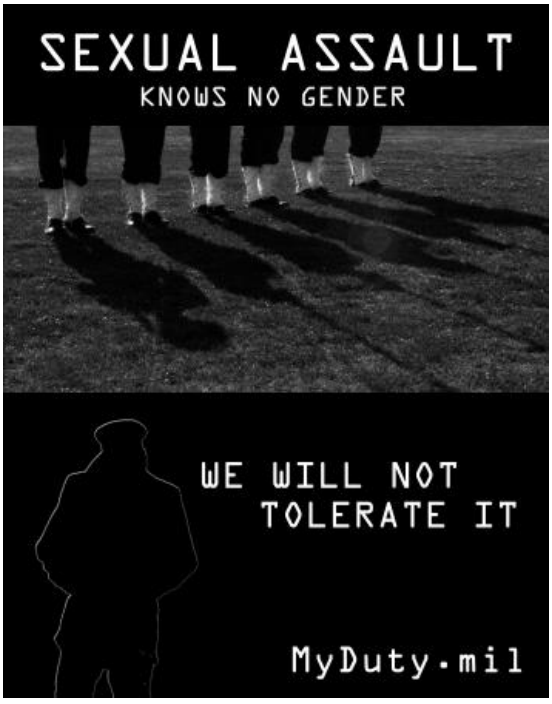


Figure 18 – An informational poster about SAAM.

MYTH

Most of the victims of sexual assault in the military are women.

FACT

Just as in the civilian sector, estimated rates of sexual assault in the military are higher for women than men. However, because the military is approximately 85 percent male, population estimates of male victims often equal or outnumber population estimates of female victims. As a result, the Department does not view sexual assault as a gender-based issue, but rather as a readiness issue that can impact anyone. The Department works to correct cultural misperceptions of victim weakness or character flaw as the "cause" for sexual assault by emphasizing offender culpability. Reports of sexual assault from male victims are invaluable to developing this fact-based counter narrative.

Underreporting of sexual assaults affects the Department's ability to provide services to the victim, as well as hinders the ability to take action against an alleged offender. Each year the Department publishes its annual report that assesses the number of reported sexual assaults and the number of subjects with victims who decline to participate in the justice process (Figure 19).

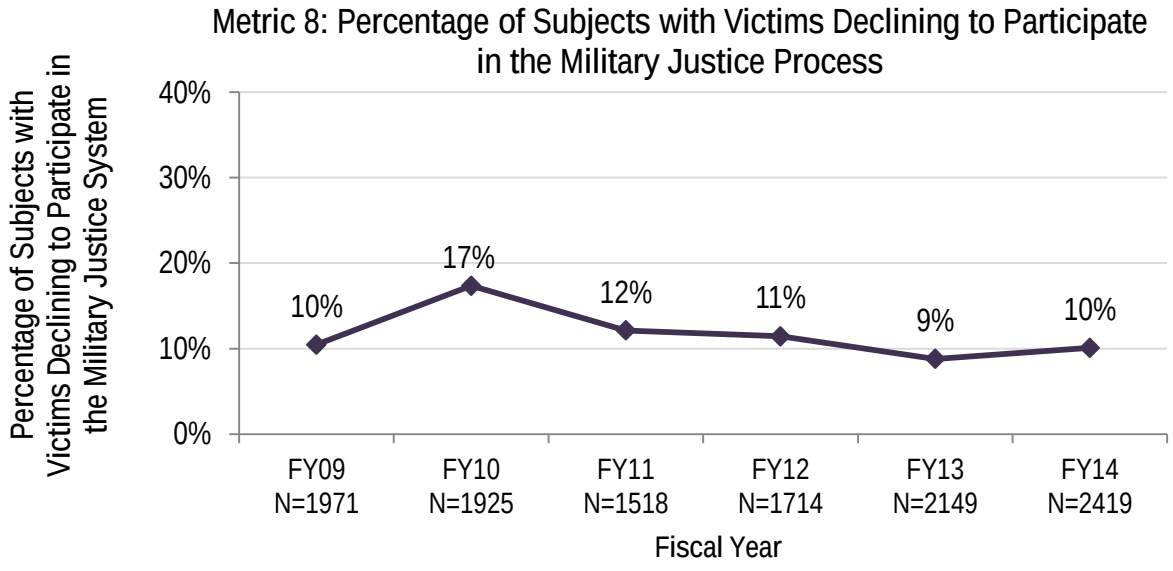


Figure 19 – Metric 8: Percentage of Subjects with Victims Declining to Participate in the Military Justice Process

B. Key Highlights

1. **DoD Safe Helpline**
2. **Special Victims' Counsel/Victims' Legal Counsel (SVC/VLC)**
3. **DoD Sexual Assault Advocate Certification Program (D-SAACP)**

Of the many initiatives and programs instituted over the past three years in support of victims, three are noteworthy for their innovation and victim-centric premise:

- **World-wide, 24/7 Victim Support (DoD Safe Helpline, Safe Helproom and Self-Care Mobile App)**. This support network is available 24/7 to victims and survivors of sexual assault via a website, online helpline, chatroom, telephone helpline and mobile app.

- Personalized and specialized legal support known as the **Special Victims' Counsel (or Victims' Legal Counsel)**. In this innovative program, lawyers play more than an advisory role. In addition to providing legal advice, they also represent victims through a confidential attorney-client relationship throughout the investigation and prosecution process.

- Professionalization and certification of victim first responders. In close collaboration with National Advocate Credentialing Program (NACP), DoD created a credentialing program for SARCs and VAs known as **D-SAACP**.

1. DoD Safe Helpline

Creating a Crisis Support Capability

Rationale: Some victims of sexual assault - especially male victims - find it easier to first confide in an anonymous person rather than a loved one. A crisis support line allows a survivor to speak to someone who is impartial and trained to listen and help. In addition, an online presence allows help-seekers to learn about available support and services without having to directly engage anyone.

Synopsis of Progress: In April 2011, the Department launched the **DoD Safe Helpline** as part of its commitment to deliver consistent and effective victim support and response. As a support service for members of the DoD community affected by sexual assault, the Safe Helpline provides live, one-on-one crisis intervention and information to the worldwide DoD community. Safe Helpline offers confidential, anonymous, secure help via five distinct services (website, online helpline, chatroom, telephone helpline, and mobile app), which are available worldwide — providing victims with the help they

need anytime, anywhere. DoD Safe Helpline is operated through a DoD contract by the non-profit organization RAINN.[102]

Safe Helpline takes a victim-centered, trauma-informed approach to all aspects of its service provision. Services provided include a broad range of support to the user, whether it is immediately following an assault or years after. The DoD Safe Helpline staff members receive highly specialized training on topics including crisis intervention, the neurobiology of trauma, working with survivors in the military and meeting the unique needs of male survivors.

> *I was feeling very down and depressed tonight but after talking with your staff I'm feeling a thousand times better… I honestly believe your staff just helped save my life.*
>
> *Safe Helpline user*

Many men find talking to staff first makes it easier to tell friends and family later. Additionally, the Safe Helpline website provides a list of Frequently Asked Questions (FAQs) designed to answer issues specific to male victims of sexual assault. To provide appropriate referrals to all survivors, Safe Helpline maintains a robust referral database. The database includes information for each Service's SARCs, military police, legal personnel (e.g., JAG and SVC), medical and mental health providers, and chaplains. It also contains referral information for civilian affiliate sexual assault service providers and DVA resources. The database has also been enhanced for those planning a transition out of military service, providing VA, DoD, Department of Labor (DOL), and civilian resources for counseling, benefits, housing, transitions and employment.



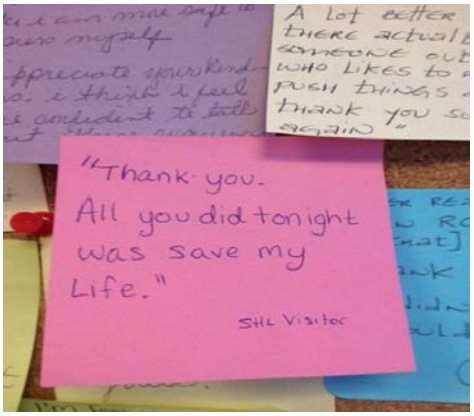
RAINN Director Scott Berkowitz, gives Secretary of Defense Hagel a tour of the Safe Helpline facility, April 2014.

Safe Helpline is built on an innovative communications infrastructure that integrates security and anonymity at every level of operation. Several features have been built in to provide this unique support. Before using online Safe Helpline services, users are provided an easy-to-read statement of the privacy policy and terms of service. Users are required to "Accept" this statement before entering the site. Relevant information on privacy and technology safety are layered throughout online sessions, ensuring users take the necessary steps to

[102] Safe Helpline can be accessed at: www.safehelpline.org and by mobile at m.safehelpline.org for mobile devices. RAINN is the nation's largest anti-sexual violence organization. In 2006, RAINN launched the nation's first secure web-based support service, the National Sexual Assault Online Hotline. Their Hotline provides users with live, one-on-one help online through an instant-messaging type format. The Justice Department named the Online Hotline as a model for using technology to help victims. Since 1994, RAINN's hotlines have helped over two million people affected by sexual violence.

protect communications, as desired.

In 2012, Safe Helpline expanded its capabilities by fielding the Safe Helpline Mobile Application (app), designed specifically for military sexual assault survivors. Available to adult Service members of the DoD community, including transitioning Service members (TSMs),[103] the app enables mobile device users to access critical resources and manage the short and long-term effects of sexual assault. The new app offers four key features:



Safe Helpline employees save quotes from phone calls to post on their quote board and share with one another.

- *Find Support* - Users connect with live sexual assault professionals via phone or anonymous online chat from their mobile devices. Users can also navigate transition-related resources for Service members leaving the military (e.g., disability assistance, medical benefits, housing help, and employment assistance), or search for resources near their base or installation.

- *Learn* - Users learn key concepts in sexual assault prevention and recovery. Users can learn what to do in the event of a sexual assault, the common mental health effects of sexual assault, and risk reduction tips.

- *Plan* – Users receive assistance in creating and implementing a recovery plan. Users are provided with a means to assess their current symptoms and can create self-care plans. Based on responses, the user is provided with a customized self-care plan with a list of suggested resources and exercises.

- *Exercises* – Users are led through breathing, stretching, and visualization techniques that can reduce anxiety, stress, depression, and symptoms of post-traumatic stress.

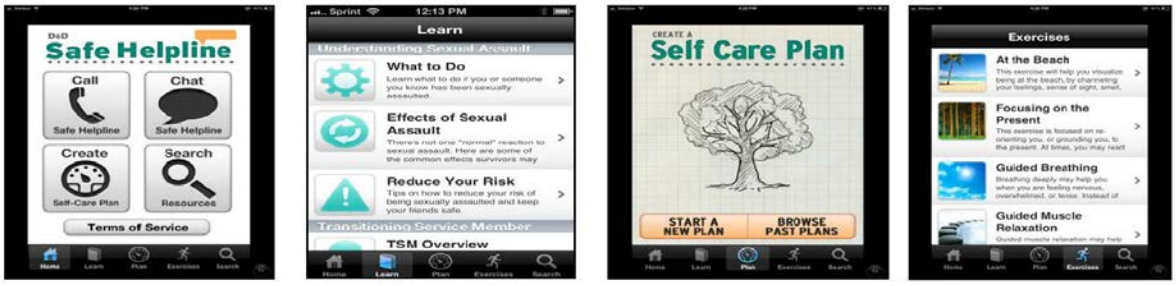


Figure 20 – Safe Helpline Mobile App Screen short - from left to right, main navigation screen, "Learn" screen, "Create a Self Care Plan" screen, and "Exercises" screen

[103] A TSM is defined by the DOL as an individual in active duty status (including separation leave) who registers for employment services and is within 24 months of retirement or 12 months to separation.

In 2013, DoD added a groundbreaking online victim support resource to Safe Helpline called the Safe HelpRoom. This chatroom allows military sexual assault survivors to connect with one another in a moderated and secure online environment. Moderators are trained to facilitate the interactions in the Safe HelpRoom, as well as to ensure participants receive the information and/or help they seek. The benefits of accessing peer support include survivors feeling less lonely, isolated, or judged. Speaking with peers can lead to improved coping skills, a greater sense of adjustment, and reduced stress. Survivors report that they appreciate receiving practical advice and information about treatment options from peers. Also, an online forum overcomes barriers to assistance that some victims face because it is free, anonymous, and available anywhere there is an internet connection.



Evidence of Progress: Since its creation in April 2011, Safe Helpline has worked closely with Services and SARCs to increase visibility on bases and installations. Several indicators point to increased visibility and use of Safe Helpline.

- **New Website Visitors.** The Safe Helpline website uses Google Analytics to measure usage. This data indicates the safehelpline.org website had a 45% increase in new website visitors from FY 2013 – FY 2014 (Figure 21), and a 251% increase from FY 2012 to FY 2014. Analyses of statistical findings indicate that Safe Helpline's leveraging of technology and its online presence makes it particularly responsive and accessible for users. Increased visibility is essential so that victims can access help and get information when and where they need it. Website visitors may directly search the Safe Helpline database of SARCs and other first responders in order to find referral and contact information. The number of searches increased by 264% from FY 2012 to FY 2013, and by 214% from FY 2013 to FY 2014. Across all three FYs, there were a total of 45,446 database searches. This increase indicates the service is a reliable source of valuable information, and the DoD is meeting a critical need.

- **Increased Online and Telephone Helpline Usage.** From FY 2013 to FY 2014, the total number of Safe Helpline phone user contacts increased by 70.5%, and the total number of online user contacts increased by 31%. In FY 2014, 5,990 phone users and 2,636 online users contacted Safe Helpline. The most frequently discussed topics for both male and female users were reporting options, emotional and social consequences of the assault, and mental health services. In FY 2014, nearly half of users who discussed a sexual assault event also discussed



The 2013 President's Innovation Award given to the DoD Safe Helpline App.

some barriers to reporting. The most frequently discussed barriers included not wanting anyone to know, feeling uncomfortable making a report, and fear of retaliation.

- **Award for Safe Helpline Mobile App.** The Safe Helpline Mobile App received the 2013 American Telemedicine Association's Presidential Innovation Award for best use of technology.

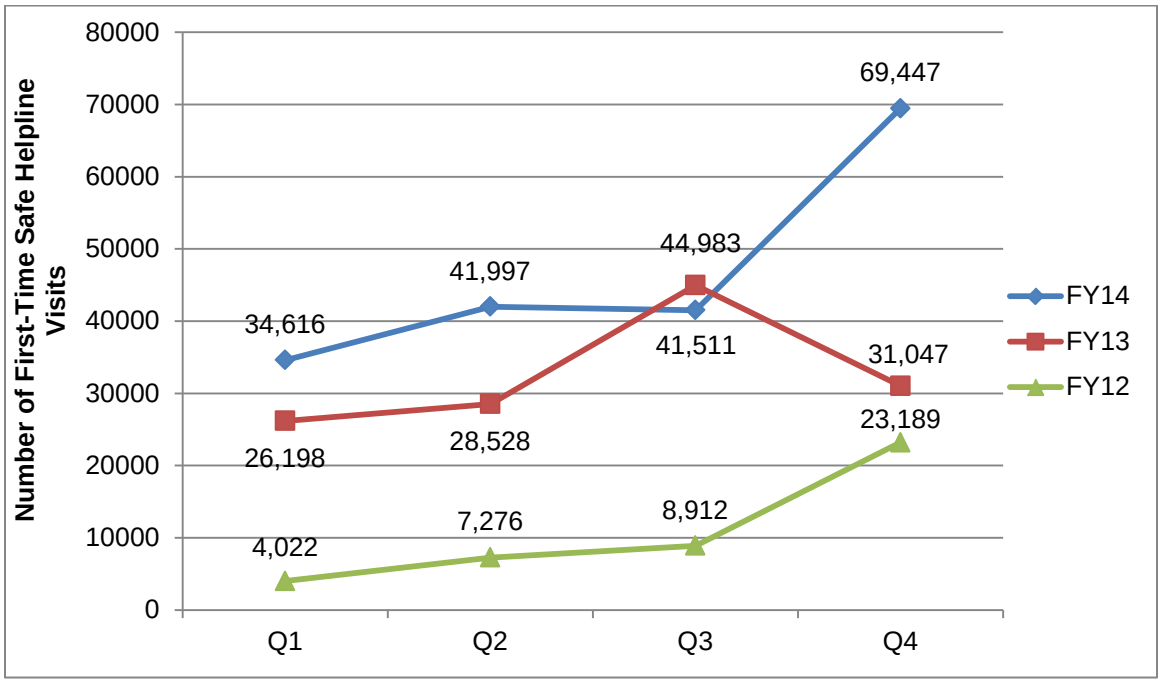


Figure 21 – Quarterly, first-time Safe Helpline website visits, FY 2012 to FY 2014.

Note: Safe Helpline may be accessed worldwide by anyone. The number of quarterly website visits does not have any correspondence or relationship to the number of victimizations in a given quarter. Fluctuations in visit numbers varies with Safe Helpline publicity, with most visits coming after a national advertisement or public service announcement airing.

2. *Special Victims' Counsel/Victims' Legal Counsel (SVC/VLC)*

As a fundamental change in protecting the rights of the victim throughout the legal process, the SVC program trains military lawyers to represent sexual assault victims through the full spectrum of legal issues they may face, including the investigation and military justice processes. There are currently more than 185 SVCs providing support to victims across the Services.

As mentioned previously in the Accountability LOE, the SVC program was launched as an Air Force pilot program in January 2013. It was quickly instituted by the other Services by January 2014. As a direct support mechanism for victims, the SVC is

> *The men and women who volunteered to serve this great nation deserve the very best and the focus of our program is to give that level of care to our Airmen.*
>
> *Lieutenant General Richard C. Harding*
> *former Judge Advocate General of the Air Force*

the first of its kind to provide Service members and their family members who are victims of sexual assault their own attorney, free of charge.

The Air Force JAG and his staff created the SVC with input from civilian advisors, in particular Meg Garvin, the Executive Director of the National Crime Victim Law Institute.

"The SVC program is a tremendous step forward. The system is difficult enough to navigate for professionals; asking survivors to navigate it in the midst of trauma is simply nonsensical. And yet we know that being heard, securing privacy and reclaiming agency are each critical to recovery from an assault. So, if survivor's rights are to have meaning and the system is to be just, providing rights to victims and providing attorneys to protect those rights are critical first steps," says Garvin.

Survivors who completed the SES reported the extent to which they were satisfied with the services provided by their SARC, VA, UVA and Special Victim's Counsel/Victim's Legal Counsel (SVC). As illustrated in Figure 22, the vast majority of survivors expressed satisfaction with the services provided by their SARCs, VAs/UVAs, and SVCs.

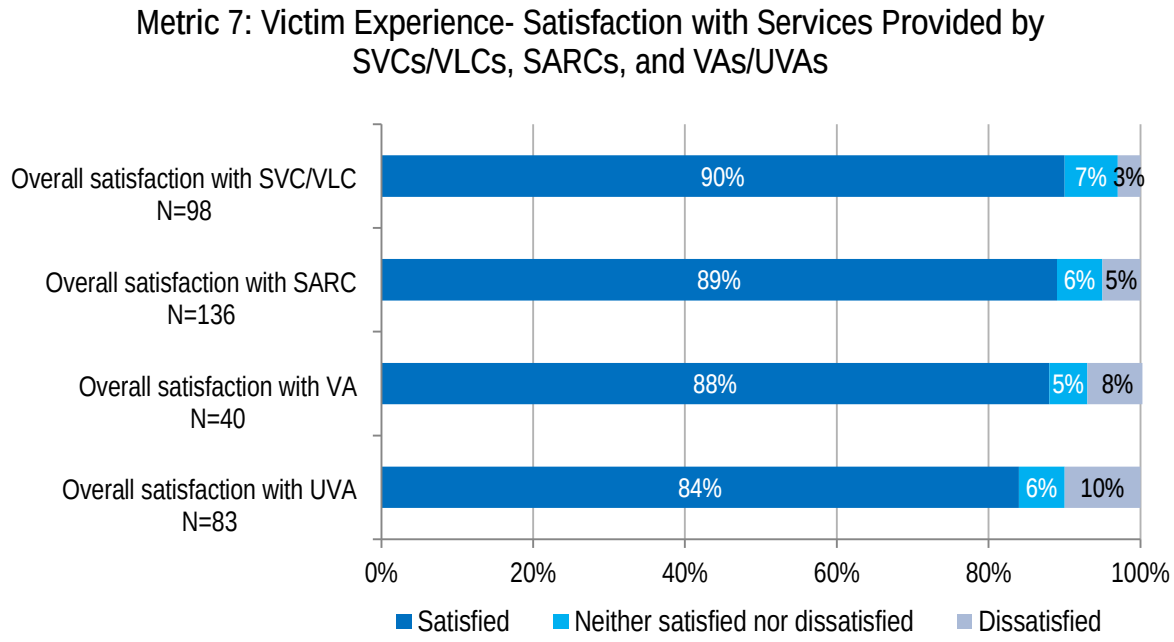


Figure 22 – Metric 7: Victim Experience – Satisfaction with Services Provided by SVCs, SARCs, and VAs/UVAs

a. Survivor Satisfaction with Reporting, Investigation and Prosecution Process

As a primary objective for the Department, survivor satisfaction is paramount. The Department continuously monitors feedback provided by victims and survivors.[104] Based on survivor feedback, the Department takes appropriate action to remedy gaps in

[104] Feedback is captured through climate surveys, the SES, SARC/VA anecdotal feedback, bi-annual Survivor Meeting with the SAPRO director and the Workplace and Gender Relations Survey.

the process. If a systemic issue is identified, action is initiated to generate policy or enhance existing policy. As displayed in Figure 23, 69% of victims who completed the SES reported that they were, to a large or moderate extent, kept informed of their case's progress.

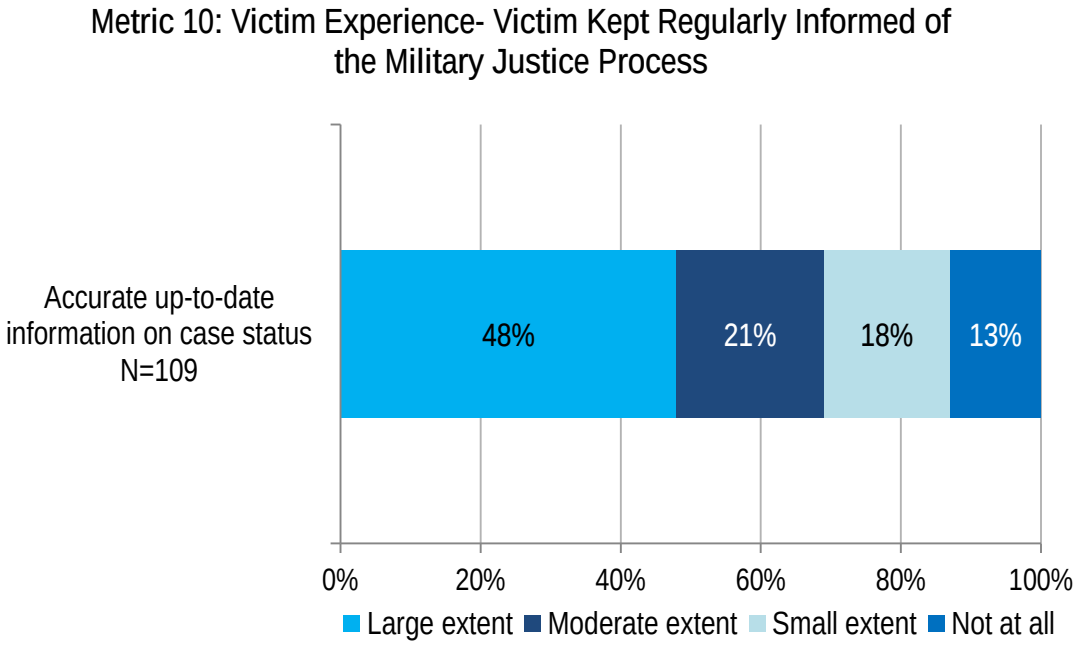


Figure 23 – Metric 10: Victim Experience – Victim Kept Regularly Informed of the Military Justice Process

3. DoD Sexual Assault Advocate Certification Program (D-SAACP)

Professionalizing Sexual Assault Victim Advocates

Rationale: Critical to successful advocacy and victim assistance are trained and knowledgeable professionals who are known and available to Service members and whose services and programs inspire victim reporting. Since 2005, each person covered under DoD SAPR policy who reports a sexual assault is offered the assistance of a SARC and SAPR VA. SARCs and SAPR VAs address victims' safety needs, explain the reporting options, describe the services available, and assist with accessing resources as well as navigating the military criminal justice process. SARCs and SAPR VAs offer a specialized skill set and expertise to prepare victims for the road ahead and will advocate on behalf of a victim at every step along the way. Further, SARCs and SAPR VAs advise commanders and assist with sexual assault prevention and awareness training. SAPR professional certification signals to survivors that SARCs and SAPR VAs have the requisite level of knowledge and training to assist them in their recovery.

Synopsis of Progress: Starting in FY 2011, the Department[105] contracted with NOVA, which collaborated with the NACP[106] to develop a formalized certification process to

[105] In accordance with section 584 of the NDAA for FY 2012

standardize the expectations and capabilities of SARCs and SAPR VAs across the Services. The Department incorporated industry best practices while working with NACP to address the unique needs of military victims. D-SAACP ensures that regardless of a victim's location, he or she will have access to the same high-level standard of support. This program consists of three prongs: a credentialing infrastructure for SARCs and SAPR VAs; a research-based Competencies Framework; and the evaluation and oversight of SARC and SAPR VA training. D-SAACP professionalization addresses several areas, including:

- *Improving the quality of response to sexual assault victims*. Certification communicates to Service members and external stakeholders that the Department has a victim response approach consistent with national victim advocacy standards.

- *Recognizing how SARCs and SAPR VAs contribute to unit readiness by creating a climate of trust and mutual respect*. Certified SARCs and SAPR VAs address victim recovery needs and often assist commanders with restoring a healthy climate, thereby mitigating sexual assault's negative effects on a unit.

- *Communicating to military leadership that victim advocacy is a specialized skill set*. By involving them in the selection of SARCs and SAPR VAs, commanders better understand the role and importance of the sexual assault advocacy function, and they gain confidence in the capabilities of their SARCs and SAPR VAs.

- *Demonstrating to Service members that victim advocacy leads to professional development*. Maintaining a certification requires SARCs and SAPR VAs to engage in continuing education and development that enhances teamwork and interpersonal skills, which in turn can increase their readiness to participate in a broader range of missions.

Evidence of Progress:

- **Certifications Completed.** Since the program was launched in FY 2012, over 22,000 SARCs and SAPR VAs have been

To date, over 22,000 DoD SARCs and SAPR VAs have been D-SAACP certified.

[106] NACP is a voluntary, national credentialing body for victim rights advocates and providers of crime victim services. Subject-matter experts from national and state victim assistance organizations in the NOVA extensive network, built on 40 years of work in the field of advocacy, bring specialized knowledge and years of hands-on victim service experience to the credentialing body in order to best meet the needs of the field. NOVA administers the D-SAACP through a contract with DoD. NOVA is the oldest and largest national organization of its kind in the world. Established in 1975, NOVA's mission is to champion dignity and compassion for those harmed by crime and crisis. NOVA was central and catalytic to the launch of the NACP in 2003 and is the secretariat for this allied professional credential today. NOVA coordinates a network of best-practice subject-matter expertise on crime victimization and trauma mitigation training. This coordination includes identifying certification standards and requirements. NOVA also facilitates the processing, review and approval of national advocate credentialing applications for NACP.

certified through the D-SAACP process. This program raises the bar of sexual assault victim advocacy and exceeds industry standards in its requirements, which results in high quality victim assistance and increases victims' confidence in their access to professional SARCs and SAPR VAs. The SARCs and SAPR VAs play a vital role in supporting a victim from reporting through recovery, and proper training and professionalization of their role improves the quality of victim support and response.

- **SES.** Respondents who indicated they spoke to/interacted with a SARC or a UVA/VA as a result of the sexual assault were asked about their satisfaction with these resources.

  - Experiences with the SARC. The majority of respondents agreed their SARC treated them professionally (96%), thoroughly answered their questions (95%), supported them and listened to them without judgment (both 94%), did not rush them to make decisions (91%), and advocated on their behalf when needed (89%).

  - Experiences with the SAPR VA. Of the 27% of respondents who interacted with a SAPR VA, the majority of respondents agreed their VA treated them professionally and supported them (both 92%); listened to them without judgment, thoroughly answered their questions, and advocated on their behalf when needed (all 90%); and did not rush them to make decisions (87%).

  - Experiences with the Unit VA (UVA). Of the 58% of respondents who interacted with a UVA, the majority of respondents agreed their UVA treated them professionally (93%), supported them and listened to them without judgment (both 92%), did not rush them to make decisions (88%), thoroughly answered their questions (86%), and advocated on their behalf when needed (84%).

  - Extent of Assistance Provided by the SARC or UVA/VA. Of the 99% of respondents who used a SARC or a UVA/VA, more than half indicated, to a large extent, that the SARC or UVA/VA assisted them with referral to other services (62%), managing other services and concerns related to sexual assault (61%), keeping them informed throughout the process (59%), follow-up services or case status (58%), and dealing with mental health services (56%). Between 15%-20% indicated they were assisted to a moderate extent, between 9%-14% indicated they were assisted to a small extent, and between 10%-13% indicated they were not at all assisted.

  - Satisfaction with Services Provided by SARC and UVA/VAs. Overall, the large majority of survivors (between 84%-89%) were satisfied with the services they received from their SARC, UVA, and VA and would likely recommend other survivors meet with these individuals after experiencing a sexual assault.

- Of the 95% of respondents who interacted with a SARC, 89% indicated that overall they were satisfied with the services provided by the SARC, and 91% indicated they would be likely to recommend another survivor meet with one
- Of the 27% of respondents who interacted with a VA, 88% indicated that overall they were satisfied with the services provided by the VA
- Of the 58% of respondents who interacted with a UVA, 84% indicated that overall they were satisfied with the services provided by the UVA
- Of the 82% of respondents who interacted with a UVA or a VA, 83% indicated they would be likely to recommend another survivor meet with one

C. Role of the Commander

Engaging Leaders in Victim Assistance

Rationale: Commanders' behaviors, priorities, counsel, and initiatives set expectations and tone for the entire unit. Commanders are responsible for ensuring all Service members under their command are fully informed of the reporting avenues and resources available to victims of sexual assault. In order to effectively promote and engage in the SAPR program, commanders require preparatory training and clearly defined roles.

Synopsis of Progress: Since 2005, DoD policy has identified a number of command responsibilities to ensure the SAPR Program functions as designed. As the SAPR Program has expanded during the ensuing years, so have the commander's responsibilities. However, victim feedback gathered by DoD SAPRO indicated military commanders differed significantly in the level of knowledge and understanding of their programmatic responsibilities. In FY 2012, the Secretary of Defense directed that DoD SAPRO conduct an assessment of the Services' pre-command SAPR training programs for officers and senior enlisted members selected for command or leadership positions. The assessment found the quantity and

Survivor Summits with the SAPRO Director

Since 2010, SAPRO's Director has invited survivors of sexual assault to participate in small-group discussions about their experiences, known as Survivor Summits. In one-on-one conversations, the director hears first-hand experiences about the challenges and successes experienced by sexual assault survivors.

The meetings are a priority of SAPRO's Director and have become a semiannual event. Participation in the meetings is completely voluntary; the personal information of attendees is not shared. Military Services send a survivor representative to D.C. to engage in one-on-one discussion about how the process can be improved and what roadblocks can be cleared for victims.

quality of training varied greatly among the Services. Given these findings, the Secretary directed the Services to work collaboratively with DoD SAPRO to develop common criteria and learning objectives during FY 2013 for pre-command SAPR courses. In FY 2014, DoD SAPRO reviewed the revised pre-command courses and will be reporting its findings to the Secretary in early FY 2015.

Because commanders are responsible for good order and discipline within their units, victim assistance is an inherent part of their leadership responsibilities. Continued and expanded leadership involvement in the SAPR Program sends a clear, two-part message: Sexual assault has no place in the US Armed Forces; however, should it occur, command encourages victims to select one of the reporting options and get the help they need.

Evidence of Progress: Some of the ways that DoD policy requires commanders to directly support victim assistance include:

- Select SARCs/SAPR VAs. Commanders are responsible for identifying and selecting mature, responsible, and trustworthy personnel to serve as unit SARCs and SAPR VAs. The Department created the D-SAACP Commander's Guide[107] to explain SARC and SAPR VA roles and duties, demonstrate the value of their specialized skill sets, and guide careful selection of personnel.

- Evaluate requests for expedited transfer of a victim and/or the accused. The Department implemented policy across the Services to provide commanders with balanced options to eliminate victims' continued contact with their accused offenders through expedited transfers. A commander is able to administratively reassign or transfer Service members who have been victims of sexual assault or who are accused of committing a sexual offense based on a credible report.[108]

- Initiate the SAIRO Report. On September 30, 2014, the Department issued DTM 14-007 – SAIRO Report. The SAIRO Report provides general officer or flag officer (GO/FO) level commanders with oversight within eight calendar days over the local response to an Unrestricted Report. It is triggered by the filing of a DD Form 2910 (by a SARC) or an independent investigation (initiated by NCIS) of a sexual assault. The report details steps taken to address victim care, safety, and other matters. The report was developed as a means to increase visibility of incidents to senior leaders and enhance system accountability.

- Issue Military Protective Orders. Should the accused pose a threat to the victim, the commander may issue a protective order requiring the accused to stay away from the victim.

[107] Available at: http://sapr.mil/public/docs/d-saacp/D-SAACP_Commanders_Guide_20140514.pdf
[108] Section 582 of NDAA for FY 2012; Section 1712 and 1713 of the NDAA for FY 2014

- Attend CMG Meetings. Commanders with victims or subjects involved in Unrestricted Reports of sexual assault must meet monthly with the installation commander and representatives from helping agencies, criminal investigators, and judge advocates to discuss progress in the case. Commanders must then provide victims with monthly updates in their cases.

D. Training Enhancements

Expanding Training to Gain and Maintain Proficiency

Rationale: New and evolving policies require the acquisition of new skill sets and bases of knowledge. In addition, first responders and service providers need initial and refresher training to keep their skills at a high level of proficiency.

Synopsis of Progress: The Department sets training requirements in policy. The Military Services determine how to implement and train on those requirements. In addition, the Department can develop and provide no cost proficiency training for SAPR personnel.

Evidence of Progress:

- **Sexual Assault Healthcare Provider Training.** In 2013, the Department issued policy requiring the Surgeons General of the Military Departments to use the DOJ's *A National Protocol for Sexual Assault Medical Forensic Examinations* as the standards for forensic examination of victims of sexual assault.[109] The Surgeons General must also implement processes that provide sexual assault patients with priority treatment as emergency cases in military treatment facilities. Periodic training and education on the standards for healthcare personnel on safeguarding a victim's Restricted Report are also being established.

- **Advanced Training Course for Certified SARCs and SAPR VAs.** DoD SAPRO and the Military Services collaborated with the DOJ Office of Justice Programs (OJP), OVC during 2013 to develop an advanced training course for SARCs and SAPR VAs. The 20-hour online course, Advanced Military Sexual Assault Advocate Training (AMSAAT), provides advanced sexual assault victim advocacy skills training by leveraging gaming technology to produce an interactive, online environment designed specifically for a military audience. This training is housed at OVC. Course participation authorization is limited to D-SAACP-certified SARCs and SAPR VAs as the course is intended to expand upon skills learned during initial training. The AMSAAT curriculum is based on OVC Training and Technical Assistance Center (TTAC) learning development best practices and DoD policy, and incorporates key elements of the DoD's SARC and SAPR VA Training Competencies Framework (see "Improved Victim Services: Developed Standardized Core Competencies and Learning Objectives

[109] DOJ (2004). A National Protocol for Sexual Assault Medical Forensic Examinations. Washington, DC: DOJ.

Specifically for SARCs and SAPR VAs," below). Specifically, course participants learn how to:

- Better comprehend a survivor's perspective
- Understand the intricacies in his/her role as an advocate for victims of sexual assault in a military setting
- Provide crisis management support in complex or particularly sensitive cases
- Fully understand the ethical implications of an advocacy role
- Train other Service members for sexual assault awareness

The course provides an advanced training option for SARCs and SAPR VAs that counts toward the DoD certification requirement for continuing education credits.

- **Standardized Core Competencies and Learning Objectives Specifically for SARCs and SAPR VAs.** DoD SAPRO, in conjunction with the Military Services, developed standardized core competencies and learning objectives specifically for SARCs and SAPR VAs in 2013. Each core competency is based upon mandates from DoDI 6495.02 and incorporates the D-SAACP framework. DoDI 6495.02 requires that SAPR training leverage adult learning theory, which includes interaction and group participation.[110] DoDI 6495.02 also requires SAPR VA training be scenario-based, interactive, and provide for instructor-critiqued role play wherein a trainee SAPR VA offers crisis intervention to a sexual assault victim.[111] The SARC and SAPR VA core competencies include:

  - Apply the SAPR program to aid victims of sexual assault
  - Demonstrate awareness of the impact of sexual assault on victims
  - Respond to victim reports and manage crises effectively
  - Coordinate services and advocate for victims
  - Conduct prevention activities
  - Communicate effectively
  - Facilitate education and training
  - Uphold ethical standards
  - Manage the SAPR program at the installation level

  Learning objectives are defined for each of the above core competencies. Considerations and recommendations applying adult learning theory concepts and learning strategies are also included for each of the nine core competencies. The core competencies and learning objectives fulfill the requirements outlined in the guidance issued by the Acting USD(P&R) in September 2013 directing the Military Departments to implement standardized core competencies and learning objectives in courses conducted in FY 2014. The core competencies and

[110] DoDI 6495.02, Enclosure 10, 2.a.(2), "SAPR Program Procedures," Incorporating Change 1, February 12, 2014. Available at http://www.sapr.mil/index.php/dod-policy/directives-and-instructions.
[111] DoDI 6495.02, Enclosure 10, 7.b.(2), "SAPR Program Procedures," Incorporating Change 1, February 12, 2014. Available at http://www.sapr.mil/index.php/dod-policy/directives-and-instructions.

learning objectives also meet the NDAA for FY 2012 requirements (sections 584 and 585) that the Military Departments provide consistent SAPR training to all members of the Armed Forces and DoD civilian employees.[112]

E. Partnerships/Collaborations

Improving Outcomes for Survivors

Rationale: In order to provide victims with comprehensive care, DoD researches and collaborates with external organizations, government agencies, civilian advocacy organizations, and renowned experts in the field of sexual assault and trauma to incorporate best practices and improve response capabilities.

Synopsis of Progress: Since the 2004 Care for Victims of Sexual Assault Task Force, the Department has actively employed collaboration with other federal agencies and organizations as a means to enhance policies and programs.

Evidence of Progress:

- **DOJ's OVC.** The "Strengthening Military-Civilian Community Partnership to Respond to Sexual Assault Training Program" is a two-day interactive and collaborative training program sponsored by the DOJ's OVC that encourages civilian rape crises centers to establish partnerships with local military installations in order to more effectively respond to the needs of sexual assault victims in the military. The course development was a collaborative effort between the DOJ/OJP/OVC, the Pennsylvania Coalition Against Rape (PCAR), the Military Services, and DoD SAPRO. The training was initially developed by PCAR with grant funding by OVC and has been expanded over the last three years by OVC. In FY13, OVC TTAC revised and updated the training materials, conducted a train-the-trainers event in Washington, DC to develop a cadre of 50 local VAs to present the training program in communities across the United States, and conducted three initial regional trainings in areas

> *This groundbreaking partnership between the Office for Victims of Crime and the Department of Defense Sexual Assault Prevention and Response Office makes state-of-the-art training available to sexual assault response coordinators and victim advocates who serve victims on military installations.*
>
> *Joye E. Frost*
> *Director, DoJ's Office for Victims of Crime*

[112] The complete reference of core competencies and learning objectives for SARCs and SAPR VAs can be found at http://www.sapr.mil/public/docs/prevention/SAPR_SARC-VA_20130808.pdf.

near military installations (San Diego, CA; Columbia, SC; and Salemburg, NC). With the knowledge gained through this training process, civilian VAs will be able to serve as knowledgeable resources for military victims who choose to seek services off the military installations throughout the United States. Training participants gain information and skills related to:

- On-installation resources, including the SARC, the military's point of contact for coordinating care
- Military culture and the unique needs of military victims
- Steps towards successful collaborations, including the importance of writing Memoranda of Understanding (MOU) between their community-based program and local military installations to define roles, formalize agreements, and ensure the longevity and continuity of such agreements

- **DVA.** The DoD signed an agreement with the DVA to establish procedures to telephonically transfer sexual assault victims at risk for self-harm from the Safe Helpline to the Veterans Affairs Suicide Prevention Hotline. DoD and DVA also work to provide for a thorough and coordinated transfer process for survivors transitioning from active military service to the VA's Veterans Service Coordinators. A critical component of an effective transfer is accurate and complete sexual assault documentation sharing and victim access. The SARCs are also responsible for reminding victims of sexual assault resources available to them during separation.[113]

- **CDC.** As previously noted in the Prevention LOE, the CDC played a central role in helping the DoD develop the 2014-2016 Prevention Strategy. In addition, the CDC and the DoD are jointly developing the 2016 National Intimate Partner and Sexual Violence Survey, to better understand risk and protective factors for sexual assault posed by military service or affiliation.

- **The Uniformed Services University of Health Sciences, Center for Deployment Psychology (CDP).** DoD SAPRO instructs deploying mental health providers at bi-monthly courses held by the CDP on how to work with the SAPR program in deployed environments.

F. Preventing Retaliation and Ostracism of Victims Making Sexual Assault Reports

Rationale: Victims who are considering filing an Unrestricted Report of sexual assault often look to the experiences of other survivors as an indicator of how they will be treated. In order to encourage continued reporting and engagement with the response

[113] DoDI 6495.02

system, victims must be confident that they will be treated with respect and not blamed or retaliated against as a result of reporting a sexual assault.

Synopsis of Progress: In FY 2014, each Service implemented new regulations against retaliation and ostracism associated with reporting crime.[114] Retaliation includes taking or threatening to take an adverse personnel action or withholding or threatening to withhold a favorable personnel action, with respect to a member of the Armed Forces because the member made a protected communication (e.g., filed a report of sexual assault). Additionally, retaliation includes social ostracism and such acts of maltreatment committed by peers of the victim or by other persons because the member made a protected communication. Violation of Service regulations could result in criminal prosecution under the UCMJ under *Article 92 - Failure to Obey Orders or Regulation*. In addition, victims can avail themselves of the following resources to report retaliation or ostracism:

- Report to their commander, facilitated by SARC or SVC
- Request an Expedited Transfer
- Request a Safety Transfer, if they fear violence
- Request a Military Protective Order
- File a Military Equal Opportunity (MEO) Complaint
- Report to a SARC at a different installation, facilitated by DoD Safe Helpline
- Report to a commander outside their Chain of Command
- Report to the DoD IG, invoking whistle-blower protection

Evidence of Progress:

DEOCS Results. Respondents were asked to rate their unit climate on a four-point scale with regard to whether unit members would label a person making a sexual assault report a troublemaker, the alleged offender(s) or their associates would retaliate against the person making the report, or if the career of the person making the report would suffer. These items are combined into a four-point index for analysis, with 1 being less favorable and 4 being most favorable. Overall, DEOCS respondents had favorable impressions of their command climates, in that they did not perceive these indicators of retaliation to be very likely in their units. On average, men (3.5 on a 4.0 scale) rated their command climates more favorably than women (3.4 out of 4) (Figure 24), and junior enlisted members and NCOs (3.4 out of 4) rated their climates less favorably than all other more senior ranks (3.7 out of 4) (Figure 25). While these ratings are rather favorable, they may not be fully representative of the entire force as the monthly DEOCS results are drawn from the convenience sample of respondents taking the survey each month. In addition, these results likely reflect the perceptions of the majority of Service members who have not experienced a sexual assault. As indicated

[114] ALNAV 030/14, "Subj: Retaliation Against Members of the Armed Forces Reporting a Criminal Offense"; Air Force Guidance Memorandum to AFI 36-2909, Professional and Unprofessional Relationships; Army Directive 2014-20 (Prohibition of Retaliation Against Soldiers for Reporting a Criminal Offense).

by the results of the RMWS and the SES that follow, a significant portion of victims perceived some kind of social and/or professional retaliation associated with reporting.

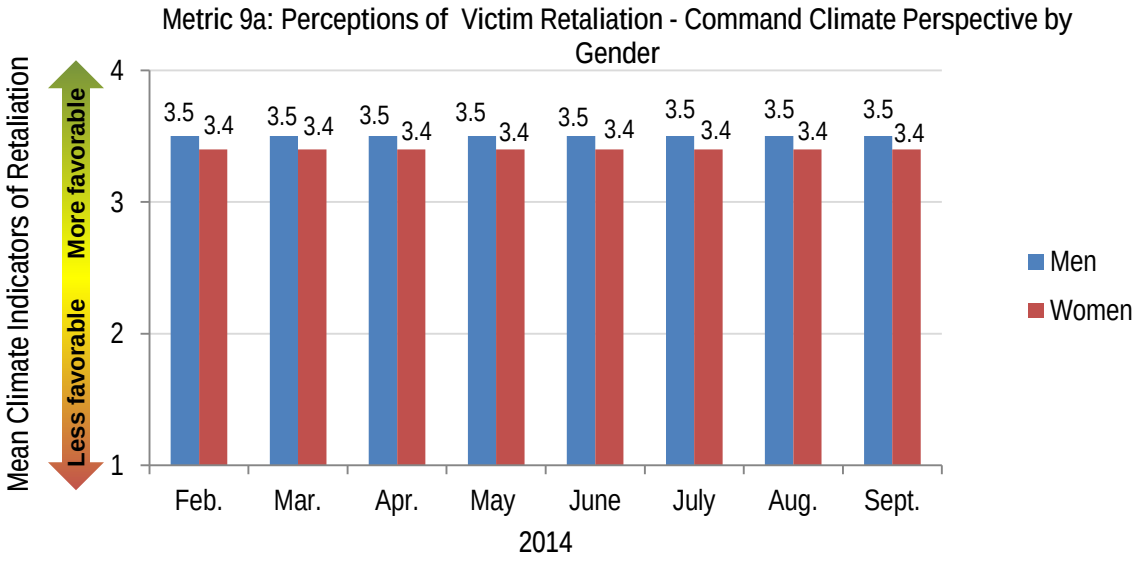


Figure 24 – Metric 9a: Perceptions of Victim Retaliation - Command Climate Perspective by Gender

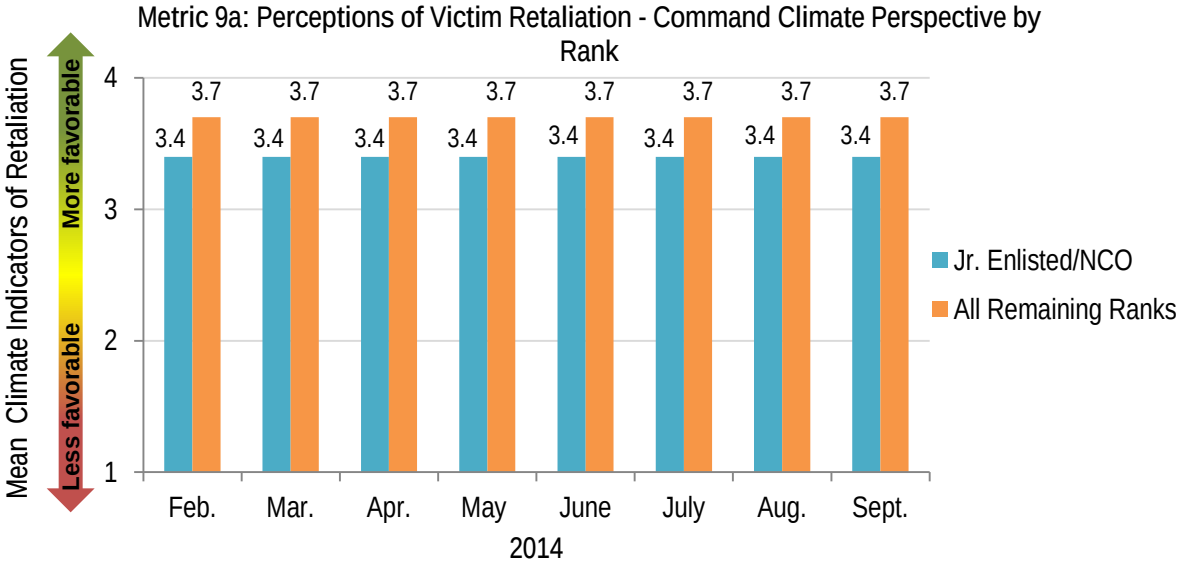


Figure 25 – Metric 9a: Perceptions of Victim Retaliation - Command Climate Perspective by Rank

- DoD Surveys of Active Duty Personnel. In FY 2012, the Workplace and Gender Relations survey found that of the women who experienced USC and reported it

to a military authority, 62% indicated they perceived some form of retaliation as a result of reporting the situation.[115] Specifically:

- 31% perceived social retaliation only
- 26% perceived a combination of professional retaliation, social retaliation, administrative action, and/or punishments
- 3% perceived professional retaliation only
- 2% perceived administrative action only
- 38% did not perceive any retaliation

- In FY 2014, the RMWS found that of women who experienced a sexual assault and reported it to a military authority, 62% indicated they perceived some form of retaliation as a result of reporting the situation (Figure 26). Specifically[116]:

  - 53% perceived social retaliation
  - 32% perceived professional retaliation
  - 35% perceived administrative action
  - 11% perceived a punishment for infraction
  - 38% did not perceive any retaliation

The Department is extremely concerned about the persistent high rate of perceived retaliation endorsed by these survey respondents. Because the survey is confidential and the identities of the respondents are not known to the Department, there is no way to determine if the behavior being perceived by respondents is in fact directly related to the reporting of a sexual assault or for some other reason not known to the respondent. Nevertheless, these results indicate that even though the Department has taken specific action to assess and address this problem, more must be done to prevent retaliation.

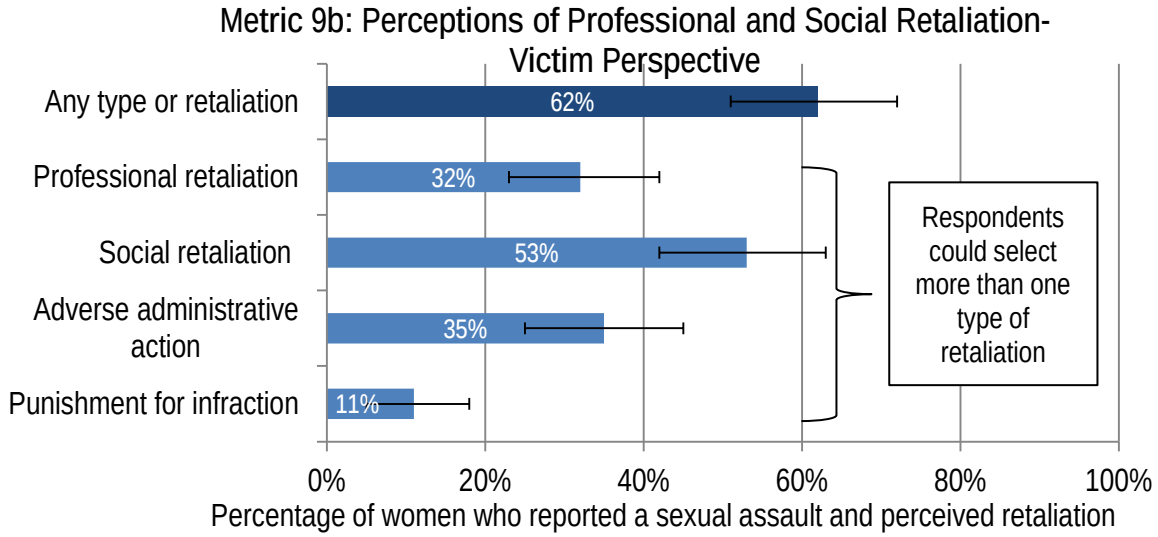


Figure 26 – Metric 9b: Perceptions of Professional and Social Retaliation – Victim Perspective

[115] Data were not reportable for men.
[116] Respondents to the RMWS study could perceive more than one type of retaliation.

- **SES.** The Department continues to express concern over the potential for retaliation against survivors who make reports of sexual assault, the Department fielded several questions on this topic in the SES. Respondents were asked about their experiences with two types of retaliation: social retaliation (e.g. ignored by coworkers, blamed for situation) and professional retaliation[117] (e.g., loss of privileges, transferred to less favorable job) (Figure 27).[118]

  - Of the 80% of respondents who made an Unrestricted Report, 59% indicated they *perceived social retaliation* and 40% indicated they *perceived professional retaliation* since they reported their sexual assault[119]

  - However, despite a large portion of survivors perceiving either social or professional retaliation, nearly three quarters of all respondents (73%) indicated, based on their overall experience of reporting, that *yes*, they would recommend others report their sexual assault, whereas 14% of respondents indicated *no* and 13% were *unsure* if they would recommend others report their sexual assault

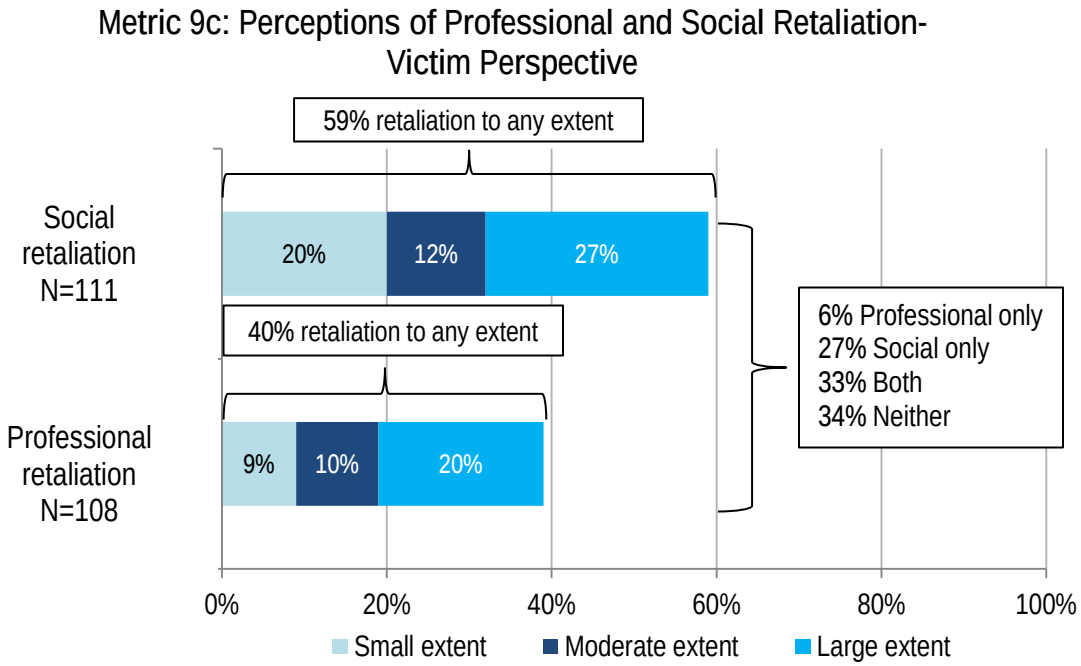


Figure 27 – Metric 9c: Perceptions of Professional and Social Retaliation – Victim Perspective

[117] This measure captures behaviors aligned with professional retaliation and is of concern to the Department policy office. This may not directly align with the legal definition of "retaliation." In addition, this measure does not allow for identification of who perpetrated the retaliation (e.g., commander, immediate supervisor, etc.). Additional information will be collected in 2015 to better understand the experiences of survivors who experience social and/or professional retaliation.

[118] Results from DMDC's 2012 WGRA indicated some respondents did not want to report their sexual assault because they were afraid of possible social and/or professional retaliation.

[119] Due to rounding to the nearest point, some percentages in Figure 27 may not add up to 100%.

While the results of the SES cannot be generalized to all victims of sexual assault, there is considerable consistency between these results and the findings from the RMWS, noted previously. These findings are further evidence that despite significant effort from the Department, social and professional retaliation remain an area of concern for survivors. As this appears to be an aspect of the SAPR program that has not improved over the past few years, the Department will take specific action to address this problem more fully in FY 2015.

G. Expanding Existing Policies to Better Meet Victims' Needs

Rationale: Victim assistance policy must evolve to remain relevant to survivors.

- **Synopsis of Progress:** Since 2005, DoD has expanded existing policies with the goal of providing comprehensive care and wraparound support for victims. While many of the policy enhancements were based on feedback from victims, other additions were made at the direction of DoD leadership and Congress. One means by which SAPRO obtains feedback is through Survivor Summits with the SAPRO Director (previously mentioned in the " Role of the Commander" section).



Evidence of Progress:

- Extended Records Retention Period. With the reissuance of the DoDI 6495.02 in FY 2013, the Department implemented policy for the extended retention of DD Form 2910, *Victim Reporting Preference Statement*, and DD Form 2911, *DoD SAFE Report*, when requested by a victim making a Restricted Report.[120] However, Congress expanded this requirement in the FY 2014 NDAA, by mandating the retention of these forms for 50 years in all Restricted Reports, regardless of whether it is requested by the victim. The Department's SAPR policy is currently being updated to reflect this requirement.[121]

- Updated Security Clearance Guidance Supporting Victims of Sexual Assault. In 2013, the Director of National Intelligence issued new guidance to support victims of sexual assault who hold or wish to hold a government security clearance. Question 21 on Standard Form 86, "Questionnaire for National

[120] DoDI 6495.02, Paragraph 4.p.(2), "SAPR Program Procedures," Incorporating Change 1, February 12, 2014. Available at http://www.sapr.mil/index.php/dod-policy/directives-and-instructions.
[121] Section 586 of the NDAA for FY 2012, Section 577 of the NDAA for FY 2013, and Section 1723 of the NDAA for FY 2014.

Security Positions," asks whether the applicant has in the last seven years consulted a health care professional regarding an emotional or mental health condition or if they were similarly hospitalized. The following language was added to Question 21.2: *"Please respond to this question with the following additional instruction: Victims of sexual assault who have consulted with a health care professional regarding an emotional or mental health condition during this period strictly in relation to the sexual assault are instructed to answer No."* The added exemption came after a comprehensive review, in consultation with the members of Congress, DoD, other Federal agencies, and victim advocacy groups. Prior to this guidance, some victims may have been reluctant to seek mental health counseling for fear they may have had to disclose the counseling on their security clearance application.

- Sensitive Position Screening. In September 2013, the Services conducted a Sexual Assault Stand-down[122] to review the credentials and qualifications of current-serving recruiters, SARCs, and SAPR VAs. The Services completed that review, with some Services expanding the review beyond the required categories of personnel and the specified criteria. As a measure to ensure appropriate personnel are assigned to sensitive positions, Secretary Hagel issued a directive in April 2014 to establish rigorous screening standards for personnel in sensitive positions. Proposed recommendations for future standards for SARC and SAPR VA screening and selection were approved by Secretary Hagel in June 2014 and policy changes are underway. Secretary Hagel determined a position is "sensitive" if it puts one in close proximity to a vulnerable person, e.g. a trainee or sexual assault victim.

- Involuntary Separation**.** In 2013, the Department updated instructions for enlisted and officer separations that allow a victim, who made a report of sexual assault and is subsequently recommended for involuntary separation, to request GO/FO review of the circumstances of and grounds for the involuntary separation. This affords victims with a thorough explanation for why they are being removed from military service, a matter of particular importance for victims who believe their involuntary separation was initiated in retaliation for making a report of sexual assault.

[122] A "stand-down" is a day that minimal mission operations are maintained but the primary focus of the day is defined and prioritized by leadership.

H. Conclusion

Advocacy & Victim Assistance Initiatives – Progress at a Glance

	Action	Status
Establish a robust response system	Complete	●
Create a crisis support capability	Complete	●
Field a SVC/VLC Program	Complete	⇨
Professionalize Sexual Assault VAs	Complete	●
Engage Commanders in Victim Assistance	In Progress	⇨
Expand existing policies to better meet victim needs	In Progress	●
Expand training to gain and maintain proficiency	In Progress	●
Leverage partnerships and collaboration to improve survivor outcomes	In Progress	●
Prevent retaliation and ostracism of victims making reports	In Progress	✖

● Clear evidence of progress ⇨ Indications of progress ✖ Progress not evident

While there is more work to be done, the Department has made significant and lasting progress in expanding the services for survivors of sexual assault. This has been done through a significantly strengthened commitment to provide assistance wherever and whenever the victim may need it, most notably through the DoD Safe Helpline, the SVC program, and the professionalization of SARCs and SAPR VAs. The Department works diligently to expand the types of resources available to survivors, and has greatly enhanced the training for healthcare providers, SARCs, chaplains, and other support personnel who work directly with victims of sexual assault. Commanders are being held accountable for improvements to command climates that further victim trust and confidence.

Additionally, the Department is actively coordinating victim assistance efforts with other federal agencies and civilian organizations to expand and improve available support options. The Department has collaborated closely with the DOJ's OVC to provide advanced SAPR training for SARCs and SAPR VAs, and with the NACP to develop a standardized certification process to further professionalize SAPR program personnel. These collaborations exist not just to create consistency for the Department's victim assistance efforts, but to better provide services for survivors of sexual assault across the world.

The Department is focused on providing the resources and flexibility needed to ensure every survivor of sexual assault has access to the services they require. Each survivor has different needs, expectations, and distinctive and deeply personal methods of recovery. To address survivors' individual needs, the Department has developed a wide range of services and resources. Understanding the effectiveness of these

services and identifying shortfalls is a critical aspect of the Department's strategy, and is covered in more detail under the next LOE: Assessment.

VII. Assessment (LOE 5)

Objective: Effectively standardize, measure, analyze and assess program progress.
End state: DoD incorporates responsive, meaningful, and accurate systems of measurement and evaluation into every aspect of SAPR.

A. Introduction

The objective of the Assessment LOE is to incorporate responsive, meaningful, and accurate systems of measurement and evaluation into every aspect of the Department's SAPR program. This includes effectively standardizing, measuring, analyzing, and assessing program progress. DoD SAPRO is the single point of responsibility for policy and oversight of the SAPR program within the Department. DoD SAPRO employs both qualitative and quantitative data collection and analysis methods, including scientific research, data analysis, focus groups, and on-site assessments to evaluate the Department's SAPR program and monitor its effectiveness.

> *Sexual assault in the ranks is going to make – and has made – the military less effective than it can be. It is dangerous to our national security and it strikes at the heart and core of who we are.*
>
> *Barack Obama*
> *President of the United States*
> *May 16, 2014*

Just as SAPRO serves as the overarching authority on assessment across the Department, each Service also performs its own set of internal assessments and inspections. SAPRO also supports outside assessments of the SAPR program by other agencies, such as the GAO, the US Commission on Civil Rights, and the DoD IG. Over the past several years, the Department has made several efforts to streamline the assessment process, culminating in two significant initiatives: a revolutionary new data management system, DSAID, and the first standardized survivor experience survey ever conducted by the Department.

B. Key Highlights

1. **The Defense Sexual Assault Incident Database (DSAID)**
2. **Survivor Experience Survey (SES)**

1. Defense Sexual Assault Incident Database (DSAID)

The NDAA for FY 2009 directed the DoD to develop a centralized, case-level database for the collection and maintenance of information regarding sexual assaults involving a member of the Armed Forces.

DSAID
DEFENSE SEXUAL ASSAULT INCIDENT DATABASE
Case Management | Business Management | Reporting

In accordance with this directive, the Department created DSAID, a secure, web-based database designed for reporting and case management of sexual assaults committed by or against Service members.[123] DSAID captures case information input by Military Service and NGB SARCs about both restricted (without Personal Identifying Information (PII)) and unrestricted sexual assault reports, enhances a SARC's ability to provide comprehensive and standardized victim case management, enables properly trained legal officers to input and validate case disposition data, supports Service SAPR program management, provides improved oversight of how sexual assault cases are managed, and enables the Department to meet Congressional reporting requirements.

While MCIO databases remain the systems of record for Unrestricted Reports, the MCIO systems "push" information into DSAID via a secure interface to ensure data standardization across the Department. DSAID may only be accessed by D-SAACP certified SARCs, Service legal officers, and PMs. DSAID's internal architecture prevents anyone but Service SARCs and PMs from seeing active sexual assault cases.

a. Recent DSAID Enhancements

When DSAID achieved initial operating capability in FY 2012, the first users were the Air Force and the NGB. DSAID became fully operational in FY 2013 and added Navy and Marine Corps SARCs. In FY 2014, Army SARCs were brought into the system. The Department will integrate USCG SARCs into DSAID in FY 2015.

Other enhancements to DSAID since FY 2013 include:

- Expanding expedited transfer functionality to capture more information and allow for the tracking of multiple transfers
- Modifying functionality for SARCs to upload a scanned image of a DD Form 2910, *Victim Reporting Preference Statement,* for Unrestricted Reports, enhancing availability of documentation to assist survivors in obtaining a record copy of the form
- Implementing a reporting functionality for Service SAPR PMs to generate quarterly and annual Service reports, MSA reports, and customized data queries
- Implementing a web-based, self-guided training solution for SARCs and SAPR PMs consisting of simulations demonstrating DSAID's capabilities

Given the great interest in case outcome information, the Department created a centralized case disposition module to streamline the capturing and reporting of case outcomes across the Military Services. Implemented by the Department in FY 2014, this enhancement enables Service legal officers to validate subject case dispositions entered by SARCs, track subject case outcomes, and record subject punishment information as applicable. The Department aggregates and analyzes this data to

[123] Available at: http://responsesystemspanel.whs.mil/Public/docs/Reports/00_Final/00_Report_Final_20140627.pdf.

support Department metric and non-metric information, and inform SAPR policy. This module also assists in the reporting of the several thousand case synopses appended to the Department's Annual Report to Congress each year, as required by legislation.

The Department has certified DSAID for compliance with all security requirements and is accredited for operation by the Designated Approval Authority Representative. SAPRO continues to enhance DSAID according to internal and external requirements, while collaborating with the system developer and the Military Services throughout the full system development lifecycle.

b. Future Plans for DSAID

While DSAID is not designed to be a criminal intelligence database or a threat detection system, the data captured by DSAID and the system's capabilities can be used for trend analysis and other informational purposes. In furtherance of this additional functionality, the Department has designed an enhanced reporting capability and a means for the secure storage and retrieval of DD Form 2910 and 2911 in Restricted Reports for deployment in FY 2015.

2. Survivor Experience Survey (SES)

While the Department has worked diligently to improve its sexual assault support and services, until recently it had no standardized means for obtaining feedback from survivors using those resources. In creating the SES, the Department worked hard to ensure survivors were able to provide anonymous assessments of their experience with the Department's SAPR resources. In developing this first survivor survey, the DoD worked jointly with the DoD IG and the Service SAPR programs, two of which had previously piloted victim survey efforts in their Services. Survivors of sexual assault are asked to provide feedback on their experiences with SAPR victim assistance personnel, the military health system, service providers, and other areas of support. The SES is designed to be an on-going, voluntary, anonymous survey that will be deployed to survivors in two phases.

a. Phase I: The Survivor Experience Survey (SES)

The first phase of the SES was facilitated by SARC invitations to survivors 30-150 days after filing either a restricted or Unrestricted Report. Only results from SES Phase I are included in this report. SES Phase I is designed to assess the needs of survivors in the first few months after reporting, their satisfaction with services received, and their evaluation of the interactions they had with responders (e.g., SARCs, VAs, medical personnel). SES Phase I is also designed to capture perceptions of command climate, confidence in the response system in general, and how their needs could be better met.

b. Phase II: The Military Justice Experience Survey (MJES)

Currently under development for fielding in FY 2015, the MJES will invite survivors making Unrestricted Reports to provide feedback about their experience with the military justice process after their case has reached final disposition. This will allow the Department to hear about survivor experiences with the investigative process, court proceedings, if applicable, and other items not addressed in the SES.

C. Key Assessment Tools

1. Scientific Surveys of the Military Population

Conducting and reviewing sexual assault-related research is a crucial part of the assessment LOE. The following surveys conducted by the Department and other Government Agencies helps identify factors pertaining to sexual assault and can also serve as the data source and foundation for future sexual assault program enhancements.

a. The Workplace and Gender Relations Surveys (WGRS)

DMDC is responsible for conducting two Department-wide Workplace and Gender Relations Surveys (WGRS) to gather data related to military sexual assault: the WGRA and the Workplace and Gender Relations Survey of Reserve Component Members (WGRR). For both the WGRA and the WGRR, DMDC subscribes to survey methodology best practices promoted by the American Association for Public Opinion Research, and the techniques used by DMDC are those commonly used by other organizations that conduct surveys, such as the Census Bureau, the Bureau of Labor Statistics, and Gallup.[124] As mandated by Congress, the WGRA and WGRR are each conducted biennially, with the WGRA occurring in even years and the WGRR in odd years.[125]

The WGRS process is used by the Department to collect useful public health information in order to evaluate readiness, assess the health of the force, identify patterns and trends in behavior, understand barriers to reporting and factors related to retaliation, direct prevention and response efforts to sexual assault and sexual harassment, and assess victim satisfaction. The 2012 WGRA[126] consisted of 94 questions on all facets of job satisfaction and gender relations, including a number of questions regarding unwanted gender-related behaviors, gender discriminatory behaviors, and USC.[127] In order to calculate the estimated past-year prevalence rate for sexual assault, USC was defined in the WGRA as intentional sexual contact that was against a person's will or which occurred when the person did not or could not consent, and includes completed or attempted sexual intercourse, sodomy (oral or anal sex), penetration by an object, and the unwanted touching of genitalia and other sexually-related areas of the body.

The WGRA was originally designed in the 1990's as a public health survey to research attitudes and perceptions about gender-related issues, estimate the level of sexual harassment and USC, and identify areas where improvements are needed by surveying a random population of Active Duty personnel. Since 2006, the Department has

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[124] Available at: http://www.sapr.mil/public/docs/research/WGRA_Survey_Fact_Sheet.pdf.

[125] Pursuant to the requirement in section 570 of the FY 2013 NDAA, the WGRA and WGRR will be conducted alternatively every two years beginning in FY 2014.

[126] Available at: http://www.sapr.mil/public/docs/research/2012_workplace_and_gender_relations_survey_of_active_duty_members-survey_note_and_briefing.pdf.

[127] Note: The RAND Corporation administered part, but not all, of the WGRA survey questions in 2014. See Annex 1.

incorporated questions and calculated survey data about USC, using such questions to estimate past-year prevalence rates of USC, unwanted gender related behaviors (i.e., sexual harassment and sexist behavior), and gender discriminatory behaviors and sex discrimination. Knowing these trends, the survey results provide the DoD with insight into the overall readiness and health of the force.

Given the significant interest in the results of the 2012 WGRA, the leadership of the Senate Armed Services Committee requested that Secretary Hagel externalize the 2014 WGRS for an outside review. Consequently, the Department contracted with the RAND Corporation to conduct an independent assessment, and if necessary, update of the Department's survey methodology and to administer the 2014 WGRS.

b. The RAND Corporation Military Workplace Study (RMWS)

In early 2014, DoD asked the RAND National Defense Research Institute to conduct an independent assessment of sexual assault, sexual harassment, and gender discrimination in the military. The RMWS invited close to 560,000 service members to participate in a survey fielded in August and September of 2014.

RAND created and simultaneously administered two versions of the survey. One version employed DMDC's prior form questions about sexual assault (USC) and sexual harassment, allowing for some level of comparison with previous years' survey data. The other version used a newly developed measure to estimate past year prevalence of sexual assault and sexual harassment.

These newer items were designed to closely track with the legal language describing the crimes that constitute sexual assault in the UCMJ for Article 120 and Article 80 crimes. The survey measures of sexual harassment and gender discrimination, which together are referred to as sex-based equal employment opportunity (EEO) violations, use criteria drawn directly from the UCMJ and federal civil rights law.

Specifically, the RMWS measures:

- Sexual assault, which captures three mutually exclusive categories: penetrative, non-penetrative, and attempted penetrative crimes
- Sex-based EEO violations, which consist of:
    - Sexually hostile work environment—a workplace characterized by pervasive, unwelcome sexual advances, verbal or physical conduct that offends service members
    - Sexual quid pro quo—incidents in which someone misuses their power or influence within the military to attempt to coerce sexual behavior in exchange for a workplace benefit

- Gender discrimination—incidents in which service members are subject to mistreatment on the basis of their gender that affects their employment conditions

Recognizing that DoD is also interested in trends in sexual assault, sexual harassment, and gender discrimination, RAND fielded a portion of the 2014 surveys using the same measures as previous DoD surveys on this topic. RAND's top-line results for both measures are included as Annex 1 to this report. These results are likely to generate many questions about the details regarding the sexual assaults and EEO violations estimated to have occurred in FY 2014, as well as about differences in estimates produced by the prior form and the new questionnaire. The RAND team will continue to analyze these and other topics in the winter of 2014–2015. Reports summarizing the findings from these analyses will be released in late spring 2015.

c. The Service Academy Gender Relations Survey (SAGR)

The Service Academy Gender Relations Survey (SAGR) is conducted by DMDC every two years, as required by Section 532 the NDAA for FY 2007, and is administered at all three of the Military Service Academies. The survey is completely voluntary, anonymous, and covers topics such as the estimated past-year prevalence of USC and sexual harassment, reporting and training, and the characteristics of unwanted sexual and gender-related behaviors. Given the large number of surveys administered to cadets and midshipmen each year, Congress agreed to help the Department minimize cadet and midshipman survey fatigue by alternating surveys with focus groups, every other year.

During the survey years, DMDC uses scientific, state of the art statistical techniques to draw conclusions from random, representative samples of the MSA student populations. A cornerstone of DMDC's methodology is the use of complex sampling and weighting procedures to ensure accuracy of estimations to the full student population at each MSA. The use of scientific sampling and weighting methods to construct population estimates are the same methods used by all federal statistical agencies (e.g., the Census Bureau, Bureau of Labor Statistics), private survey organizations (e.g., RAND, WESTAT, and RTI), and well-known polling organizations (e.g., Gallup, Pew, and Roper).[128]

d. DEOMI Organizational Climate Survey (DEOCS)

The DEOCS provides commanders with a unique opportunity to receive feedback from their unit on a wide variety of topics, including the unit's perceptions of command support of the SAPR program. The DEOCS is a confidential, command-requested organization development survey focusing on issues of EO and organizational effectiveness (OE).[129] The questionnaire focuses on four primary areas: MEO, Civilian EEO, OE, Perceptions of Discrimination/Sexual Harassment, and SAPR. A team of analysts, located at DEOMI, receives the raw DEOCS data from service members on a

[128] Available at: http://www.sapr.mil/public/docs/research/2013_SAGR_Focus_Group_Report.pdf.
[129] Available at: https://www.deocs.net/DocDownloads/FrequentlyAskedQuestionsJuly2014.pdf.

continuous basis, with approximately 300,000 individual survey responses obtained from about 2,000 units per month. The results from the survey are provided to the requesting Commander and the Commander's supervisor.

In FY 2013, DoD SAPRO worked with the Services and DEOMI to field SAPR climate questions on the DEOCS. The most recent version of the DEOCS, known as DEOCS 4.0 and launched in January 2014, contains seven measures assessing SAPR climate:

- Perceptions of Safety refers to members' feelings of safety from being sexually assaulted where they currently live and perform their work/duties
- Chain of Command Support refers *to* members' perceptions of the extent to which command behaviors are targeted towards preventing sexual assault and creating an environment where members feel comfortable reporting a sexual assault
- Publicity of SAPR Information refers to the extent to which members perceive that SAPR-related information and resources are publicly displayed and openly communicated
- Unit Reporting Climate refers to the extent to which members perceive that the chain of command would take appropriate actions to address an Unrestricted Report of sexual assault and the extent to which social and professional retaliation would occur if a sexual assault were reported
- Perceived Barriers to Reporting Sexual Assault refers to the type and frequency of barriers to reporting sexual assault that individuals perceive within their unit/organization
- Unit Prevention Climate refers to individuals' intentions to act if they were to observe a situation that may lead to a sexual assault
- Restricted Reporting Knowledge measures individuals' knowledge of the Restricted Reporting option

The DEOCS has been available to commanders for several years as a tool to help assess their unit climate. However, prior to FY 2013, there was no standardized approach to the administration of the DEOCS across Services. In addition, not all Services used the DEOCS. However, this changed in FY 2013 when the Secretary of Defense directed military commanders to conduct an annual climate assessment of their units, or within 120 days of assuming command. Congress codified this requirement in Section 572 of the NDAA for FY 2013. Results from the DEOCS play a primary role in assisting commanders with the assessment process. Additionally, in an effort to enhance commander accountability and improve insight into command climate, the Secretary of Defense further directed that the results of the surveys be provided to the next level up in the chain of command within 30 days of receipt of results. While the

requirement to conduct the survey is not optional, taking the survey is voluntary for military and civilian personnel.

The Department is using consolidated DEOCS results from across the Services to determine assessment methodologies of SAPR program effectiveness. The DEOCS generates significant data that are helpful at the unit level. However, while significant, the sum total of DEOCS results from across the Services is not representative of the entire military population, and therefore, the Department is cautious about generalizing DEOCS results to the total force. Nonetheless, the DEOCS and climate assessments have become integral to a continuous feedback process the Department has instituted to drive organizational change. Additionally, SAPRO and DEOMI have collaborated to include SAPR-related resources in DEOMI's Commanders Toolkit[130] to address survey-identified shortcomings and provide strategies for improvements.

2. Focus Groups

Focus Groups are integral to the assessment of the Department's overall SAPR program. They provide important qualitative feedback that enhances the understanding of quantitative trends seen in surveys. The DoD leverages focus groups to better capture how Service members in the field perceive policies and programs.

a. Bi-Annual Military Service Academy (MSA) Focus Groups

Similar to DMDC's survey methodology that follows accepted industry practices, DMDC's focus group methodology employs a standard qualitative research approach to collect subjective details from participants on a limited number of topics. The methodology used in the most recent MSA focus groups, conducted in 2013, follows the same principles used in the previous three focus group cycles. The methodology for the 2013 focus groups was replicated for each session at each Academy. Although the results cannot be generalized to the population of the MSAs, they provide insights into issues and ideas for further consideration.[131]

b. 2014 Department of Defense Report of Focus Groups on Sexual Assault Prevention and Response (2014 FGSAPR)

The goal of this focus group effort was to engage military members across the Department in small group discussions on issues related to sexual assault to inform this report to the President. These discussions were designed to capture sentiments regarding how recent changes in sexual assault policies and programs have impacted military members and their workplace environments, as well as address the military's climate of sexual assault response and prevention. Participants in the study were not asked to talk about personal experiences of sexual assault, but rather to share their insights and perspective on these important issues. This is the only formal qualitative assessment of this population across the entire Department, including Active Duty and Reserve component members.

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[130] DEOMI's Commander's Toolkit available at: http://www.deomi.org/CommDirectorInfo/index.cfm.
[131] Available at: http://www.sapr.mil/public/docs/research/2013_SAGR_Focus_Group_Report.pdf.

DMDC's focus group methodology employs a standard qualitative research approach to collect subjective details from participants on a limited number of topics. The methodology for the 2014 FGSAPR was consistent across locations. Although the results cannot be generalized to the population of military members, they provide insights into issues and ideas for further consideration. Participation in the 2014 FGSAPR was voluntary and participants were selected at random at each installation. Additional information about the FGSAPR methodology is included in DMDC's report, which is Annex 3 to this report.

3. Annual Reports

Part of SAPRO's responsibility in assessing the Department's SAPR program is to publish reports that present information on recent progress, initiatives, and summaries of SAPR efforts. While this document marks the first time the Department has provided a report directly to the President, the Department annually publishes two reports in order to inform Congress, stakeholders, the public, and the men and women in uniform about progress in sexual assault prevention and response.

Since 2004, the Department has consolidated sexual assault statistical data and programmatic information from the Military Services in the ***Annual Report on Sexual Assault in the Military***. Since 2009, at the recommendation of the GAO, the Department has used the Annual Report as its means to conduct oversight of Service policies and programs. Consequently, the data provided in the Annual Report serve as the foundation and catalyst for future progress in sexual assault prevention, training, and victim care. The Annual Report is also fundamental to measuring the accountability goals of the Department, as they require detailed information from each of the Military Services regarding their respective SAPR efforts.

The Department provides the Annual Report to Congress each year, as mandated by section 577 of the NDAA for FY 2005, as amended by section1602 of the NDAA for FY 2011. While Congress has established a number of reporting requirements that address statistical data about reports of sexual assault by and against Service members and the outcomes of those cases, the Department also requires the Services to report on their activities and policy enhancements made during the year. The Department also chooses to include the results of the latest research to provide a fuller picture of progress in sexual assault prevention and response. The Department reports on the FY cycle (October 1 – September 30) and is required to provide the report to Congress no later than April 30 each year. The FY 2014 Annual Report will be provided to Congress in April 2015.[132]

a. Assessment of Sexual Harassment and Violence at the U.S. Military Service Academies

Section 532 of the NDAA for FY 2007 requires an assessment by academic program year on the effectiveness of the policies, training, and procedures at USMA, USNA, and USAFA with respect to sexual harassment and violence involving Academy personnel.

[132] Published Annual Reports are available at: http://www.sapr.mil/index.php/annual-reports.

This annual report provides data on reported sexual assaults involving cadets and/or midshipmen, as well as policies, procedures, and processes implemented in response to sexual harassment and violence during the academic program year. The Department has published an MSA report each of the past eight years.[133]

D. Conclusion

Assessment Initiatives – Progress at a Glance

	Action	Status
Develop and administer a DoD-wide survey for sexual assault survivors	Complete	●
Align all Military Service sexual assault data into one common database	Complete	●
Validate & improve survey methodology and analysis of yearly sexual assault data	In Progress	⇨
Expand sexual assault questions on DEOCS to capture installation-level feedback	Complete	●

● Clear evidence of progress ⇨ Indications of progress ✖ Progress not evident

The continual assessment of the Department's SAPR program is essential to identifying effective programs and initiatives as well as areas that need improvement. Through surveys, focus groups, and other qualitative and quantitative methods of assessment, the Department collects important data that are used to enhance the SAPR program at all levels.

For the very first time, this assessment includes data from the DoD SES, which offered military survivors of sexual assault the opportunity to provide their perspective and opinions on how well the Department responded. The Department's investment in DSAID, the centralized database that collects and stores case information and outcomes, enables the Services and SAPRO to capture data and provide enhanced case management in a standardized way.

The Department is also committed to increasing transparency through its Assessment LOE. By annually publishing details of the Department's SAPR efforts, along with statistics on the number of cases of sexual assault, the Department wants to clearly convey that reducing sexual assault – with the goal to eliminate it – is a priority for the Department. As new programs, initiatives, and policies are implemented, the

[133] Published Assessments are available at: http://www.sapr.mil/index.php/annual-reports. Note: Cadets from the Reserve Officer Training Corps (ROTC) are dispersed throughout colleges and universities around the United States. Until they enter active duty, ROTC cadets and midshipmen do not fall under the SAPR program. However, each of the Services has included SAPR as part of its ROTC training curricula.

Department will maintain and expand its assessment functions in an effort to better evaluate the SAPR program and ultimately refine its effectiveness.

VIII. CONCLUSION & WAY AHEAD



The Department's goal is to reduce, and ultimately eliminate, sexual assault from the Armed Forces. The crime is a detriment to the welfare of men and women in uniform and is antithetic to military values. Because there is no single "silver bullet" solution, combatting it requires sustained persistence and innovation, coupled with a multidisciplinary approach across the DoD SAPR five LOEs.

DoD is committed to the prevention of sexual assault and has worked diligently to define the scope of the problem and take appropriate steps to field solutions that will affect lasting organizational change. As illustrated over the past three years in the implementation of more than 100 SAPR NDAA requirements; the ongoing implementation of 41 SAPR initiatives directed by the current and prior Secretaries of Defense; and the enduring measurement and evaluation of SAPR reforms in meeting intended outcomes, the Department has demonstrated significant progress in its unequivocal commitment to eradicating sexual assault.

While these accomplishments are notable, the DoD's work is not complete, as leadership and Service members alike realize there's still much to be done. To this end, the Department remains focused on sustaining a climate in which sexual assault is seen as unacceptable not just because it is a crime, but because it is counter to the Department's core values.

Through innovative practices and emphasis on primary prevention the Department continues its commitment to excellence in response to and care for survivors. The Department is resolved to increasing satisfaction and confidence in the system and lessening the stigma associated with reporting. In addition, DoD is dedicated to maintaining the advancements employed regarding timely, thorough, and efficient investigative and legal processes in its aim to hold offenders appropriately accountable.

Senior leaders have provided unprecedented leadership engagement on sexual assault prevention and response, employing a proactive communication posture with clear and consistent messaging. Through approaching survivors for feedback, collaborating with external partners and experts, working with Congressional and White House leaders, and sharing best and promising practices throughout the Services, DoD continues to seek inventive and inspiring methods to inform and augment the DoD SAPR program. This approach has allowed DoD to put the problem of sexual assault into sharp focus. Unfortunately, that same level of clarity in prescribing lasting solutions has evaded all who have sought it out to date.

Nonetheless, the Department is advancing the national conversation on sexual assault prevention. Additional research and evaluation are necessary in order to refine and optimize existing approaches, as well as discover opportunities for improvement. Ultimately, DoD will uphold an environment intolerant of sexual assault, where all members are leaders who take prompt action to correct behaviors counter to the core

military values of trust, dignity, and respect. Beyond 2014, the Department will continue its concerted endeavor to sustain and enhance ongoing and new SAPR efforts, and to identify and close gaps.



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DoD SAPRO could not have accomplished this mission without the leadership, vision, and valuable experience of countless individuals who have a great passion to eliminate sexual assault from the DoD and care for its victims.

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Provisional Statistical Data on Sexual Assault

Fiscal Year 2014

TABLE OF CONTENTS

BACKGROUND ON DOD SEXUAL ASSAULT DATA 1
What It Captures 1
Reports of Sexual Assault 1
Subject Dispositions 2
Who It Describes 4
When It Happened 4
How It Is Gathered 5
Defense Sexual Assault Incident Database 5
RAND's Military Workplace Survey (RMWS) 6
Survivor Experience Survey (SES) 6
Command Climate Survey (DEOCS) 7
Why It Is Collected 7
PROVISIONAL OVERVIEW OF REPORTS OF SEXUAL ASSAULT MADE IN FY 2014 8
FY 2014 UNRESTRICTED REPORTS OF SEXUAL ASSAULT 14
Crimes Alleged in Unrestricted Reports 14
Investigations of Unrestricted Reports 15
Sexual Assault Subject Dispositions in FY 2014 16
Military Subjects Considered for Disciplinary Action 18
Military Justice 21
Courts-Martial for a Sexual Assault Offense 21
Nonjudicial Punishment 24
Administrative Discharges and Adverse Administrative Actions 25
Probable Cause Only for a Non-Sexual Assault Offense 26
Subjects Outside DoD Legal Authority 28
Provisional Demographics of Victims and Subjects in Completed Investigations 30
Sexual Assaults Perpetrated by Foreign Nationals against Service Members 32
Demographics of Unrestricted Reports in CAIs 32
Demographics of Restricted Reports in CAIs 33
FY 2014 RESTRICTED REPORTS OF SEXUAL ASSAULT 33
Demographics of Restricted Reports of Sexual Assault 34
FY 2014 SERVICE REFERRAL INFORMATION 35
FY 2014 EXPEDITED TRANSFERS 36

LIST OF EXHIBITS

Exhibit 1: Reports of Sexual Assault and Investigations Completed in FY 2014 8
Exhibit 2: Total Reports of Sexual Assault Made to the Department — Unrestricted Reports and Restricted Reports, FY 2007 – FY 2014 10
Exhibit 3: Comparison of Victim-Driven Accounting to Case-Driven Accounting of Unrestricted Reports, CY 2004 – FY 2014 10
Exhibit 4: Service Member Victims in DoD Sexual Assault Reports for Incidents that Occurred in Military Service, CY 2004 – FY 2014 11
Exhibit 5: Estimated Number of Service Members Experiencing Unwanted Sexual Contact Based on Past-Year Prevalence Rates versus Number of Service Member Victims in Reports of Sexual Assault for Incidents Occurring During Military Service, CY 2004 – FY 2014 12
Exhibit 6: Victim Reporting Rates of Sexual Assault by Military Service, FY 2007 – FY 2014 13
Exhibit 7: Offenses Originally Alleged in Unrestricted Reports of Sexual Assault, FY 2014 15
Exhibit 8: FY 2014 Subjects Outside DoD Legal Authority 16
Exhibit 9: Dispositions of Subjects Under DoD Legal Authority, FY 2014 19
Exhibit 10: Percentage of Military Subjects with Misconduct Substantiated, Command Action Precluded, and Command Action Declined, FY 2009 – FY 2014 20
Exhibit 11: Breakdown of Disciplinary Actions Taken Against Subjects for Sexual Assault Offenses, FY 2007 – FY 2014 21
Exhibit 12: Dispositions of Subjects Against Whom Sexual Assault Court-Martial Charges were Preferred, FY 2014 23
Exhibit 13: Dispositions of Subjects Receiving Nonjudicial Punishment, FY 2014 25
Exhibit 14: Dispositions of Subjects for Whom There was Only Probable Cause for Non-Sexual Assault Offenses, FY 2014 27
Exhibit 15: Subjects Investigated for Sexual Assault by the Department Who Were Outside Its Legal Authority, FY 2009 – FY 2014 28
Exhibit 16: Subjects with Unfounded Allegations in Completed DoD Investigations of Sexual Assault, FY 2009 – FY 2014 29
Exhibit 17: Total Reports of Sexual Assault in CAIs: Unrestricted Reports and Restricted Reports, FY 2008 – FY 2014 31
Exhibit 18: Reports of Sexual Assault in CAIs: Comparison of Victim-Driven and Case-Driven Accounting of Unrestricted Reports, FY 2007 – FY 2014 32
Exhibit 19: Total Number of Reports that Were Initially Made as Restricted, the Remaining Number of Restricted Reports, and the Number of Reports that Converted, FY 2007 – FY 2014 34
Exhibit 20: Average Number of Service Referrals per Service Member Victim of Sexual Assault, FY 2007 – FY 2014 35
Exhibit 21: SAFEs Reported by the Military Services involving Service Member Victims, FY 2007 – FY 2014 36

LIST OF TABLES

Table 1: Sample Sizes for DEOCS Respondents 7
Table 2: Sexual Assault Offenses Punishable by the Uniform Code of Military Justice (UCMJ) 14
Table 3: Military Subject Dispositions in FY 2014 18
Table 4: Demographics of Victims in Completed Investigations 30
Table 5: Demographics of Subjects in Completed Investigations 31
Table 6: Demographics of Victims in Restricted Reports 34
Table 7: Expedited Transfers and Denials, FY 2012 – FY 2014 36

PROVISIONAL STATISTICAL DATA ON SEXUAL ASSAULT

BACKGROUND ON DOD SEXUAL ASSAULT DATA

What It Captures

Reports of Sexual Assault

- The Department uses the term "sexual assault" to refer to a range of crimes, including rape, sexual assault, nonconsensual sodomy, aggravated sexual contact, abusive sexual contact, and attempts to commit these offenses, as defined by the UCMJ. When a report is listed under a crime category in this section, it means the crime was the most serious of the infractions alleged by the victim or investigated by investigators. It does not necessarily reflect the final findings of the investigators or the crime(s) addressed by court-martial charges or some other form of disciplinary action against a subject.
- Pursuant to reporting requirements levied by Congress, DoD sexual assault data capture the Unrestricted and Restricted Reports of sexual assault made to the Department during a Fiscal Year (FY) that involves a military subject and/or a military victim.
- In the context of the DoD statistics that follow, an Unrestricted Report of sexual assault is an allegation by one victim against one or more suspects (referred to in the Department as "subjects of investigation" or "subjects") that will be referred for investigation to a Military Criminal Investigation Organization (MCIO; called CID, NCIS, or AFOSI for Army, Navy/Marine Corps, and Air Force, respectively). The number of Unrestricted Reports is based on data entered into the Defense Sexual Assault Incident Database (DSAID) by Sexual Assault Response Coordinators (SARCs). These data are supported by additional information about the incident "pushed" into DSAID from MCIO information systems.
- Data on Restricted Reports are limited, because these are reports of sexual assault made to specified parties within the Department (e.g., SARC, SAPR VA, or healthcare provider) that allow the report to remain confidential, while also enabling the victim to seek care and services. Given the victim's desire for confidentiality, these reports are not investigated and victims are not required to provide many details about these sexual assaults. As a result, the SARC only records very limited data about the victim and the offense in DSAID. Subject identities are not requested or maintained by the Department for Restricted Reports entered into DSAID.
- The Department's sexual assault reporting statistics include data about sexual contact crimes by adults against adults, as defined in Articles 120 and 125 of the UCMJ and Article 80, and attempts to commit these offenses. These data do not include sexual assaults between spouses or intimate partners that fall under the purview of DoD Family Advocacy Program (FAP), nor do these data include sexual harassment which falls under the purview of EO. While most victims and subjects in the following data are aged 18 or older, DoD statistics also capture some victims and subjects aged 16 and 17. Service members who are approved for early enlistment prior to age 18 are included in this category. Since the age of

consent under the UCMJ is 16 years, military and civilian victims aged 16 and older are included if they do not fall under FAP's purview.

- The number of sexual assaults reported to DoD authorities in a given fiscal year *does not* necessarily reflect the number of sexual assaults that occurred in that fiscal year.
  - Civilian research indicates victims only report a small fraction of sexual assaults to law enforcement. For example, of the 1.1 million U.S. civilian women estimated to have experienced nonconsensual vaginal, oral, or anal penetration in 2005, only about 173,800 (16 percent) said they reported the matter to police. For the estimated 301,000 U.S. civilian college-aged women who experienced nonconsensual vaginal, oral, or anal penetration, only about 34,615 (11.5 percent) indicated they reported it to the police.[1] The definition of sexual assault used in this college sample refers to penetrating crimes only. Consequently, it captures fewer crimes than DoD's definition of sexual assault, which encompasses both penetrating and contact (non-penetrating) sexual offenses as well as attempts to commit these offenses.
  - This civilian reporting behavior is mirrored in the U.S. Armed Forces. Over the past eight years, the Department estimates that fewer than 15 percent of military sexual assault victims report the matter to a military authority. However, in FY 2014 the Department estimates that over 20 percent of Service members made a report of sexual assault for an incident that occurred during military service.

Subject Dispositions

Once the investigation of an Unrestricted Report is complete, Congress requires the Military Services to provide the outcome of the allegations against each subject named in an investigation. These are called "subject dispositions."

- The Department holds those Service members who have committed sexual assault appropriately accountable based on the available evidence.
  - Legal authority for the Department is limited to Service members who are subject to the UCMJ and, therefore, its military justice jurisdiction. Except in rare circumstances, a civilian is not subject to the UCMJ for the purpose of court-martial jurisdiction or other military justice discipline. In FY 2014, there were no such civilians tried by a court-martial for allegedly perpetrating sexual assault.
- Each year, the Department lacks jurisdiction over several hundred subjects in its investigations. These are the civilians, foreign nationals, and unidentified subjects who are reported to have sexually assaulted Service members.
- Local civilian authorities in the United States and our host nations overseas hold primary responsibility for prosecuting U.S. civilians and foreign nationals, respectively, for allegedly perpetrating sexual assault against Service members.

[1] Kilpatrick, D., Resnick, H., Ruggiero, K., Conoscenti, L., & McCauley, J. (2007). *Drug-Facilitated, Incapacitated, and Forcible Rape: A National Study.* Washington, DC: DOJ. Publication No.: NCJ 219181. Available at http://www.ncjrs.gov/pdffiles1/nij/grants/219181.pdf.

- In a number of cases each year, a civilian authority or host nation will assert its legal authority over a Service member. This typically occurs when Service members are accused of sexually assaulting a civilian or foreign national, or when a Service member sexually assaults another Service member in a location where the state holds primary jurisdiction.
- A civilian authority, such as a state, county, or municipality, may prosecute Service members anytime they commit an offense within its jurisdiction. In some cases, the civilian authority may agree to let the military exercise its UCMJ jurisdiction over its members. Service member prosecutions by civilian authorities are made on a case-by-case and jurisdiction-by-jurisdiction basis.
- A host nation's ability to prosecute a Service member is subject to the Status of Forces Agreement (SOFA) between the United States and the foreign government. SOFAs vary from country to country.
- Upon completion of a criminal investigation, the MCIO agent conducting the investigation provides a report documenting its evidentiary findings to the subject's military commander and the servicing staff judge advocate for review and legal action, as appropriate. However, for crimes of rape, sexual assault, nonconsensual sodomy, and attempts to commit these crimes, a senior military officer who is at least a special court-martial convening authority and in the grade of O-6 (Colonel or Navy Captain) or higher retains initial disposition authority.
  - The special court-martial convening authority is responsible for determining what initial disposition action is appropriate, to include whether further action is warranted and, if so, whether the matter should be resolved by court-martial, nonjudicial punishment, administrative discharge, or other adverse administrative action. The special court-martial convening authority's initial disposition decision is based upon his or her review of the matters transmitted, any independent review, and consultation with a judge advocate. Subordinate unit commanders may provide their own recommendations regarding initial disposition to the convening authority.
    - Commanders at all levels of responsibility do not make disposition decisions in isolation. Military attorneys assist commanders in identifying the charges that can be made, the appropriate means of addressing such charges, and the punishments that can be administered if supported by the evidence.
    - There are many cases each year when disciplinary action is not possible due to legal issues or evidentiary problems with a case. For instance, when the investigation fails to show sufficient evidence of an offense to prosecute or when the victim declines to participate in the justice process, a commander may be precluded from taking disciplinary action against a subject.
    - In the data that follow, when more than one disposition action is involved (e.g., when nonjudicial punishment is followed by an administrative discharge), the subject disposition is only reported once per subject. Dispositions are reported for the most serious disciplinary

action taken, which in descending order is: preferral of court-martial charges, nonjudicial punishment, administrative discharge, and other adverse administrative action.

Who It Describes

- Unrestricted and Restricted Reports capture sexual assaults committed by and against Service members. However, there are instances in which people outside of the U.S. Armed Forces commit sexual assault against a Service member or can be sexually assaulted by a Service member. Information describing these victims and subjects is also included in the following statistics.
- Prior to FY 2014, an Unrestricted Report of sexual assault included one or more victims, one or more subjects, and one or more crimes. With the advent of the Defense Sexual Assault Incident Database (DSAID)[2], the Department has greater visibility over victim reporting. **Therefore, starting in the current fiscal year, one Unrestricted Report includes only *one* victim, but could still include multiple subjects**.
- Restricted Reports, by policy, have always involved one victim per reported incident.
  - No Personally Identifying Information (PII) is entered into DSAID or maintained for alleged subjects.
  - Subsequent to a change in DoD policy in 2012, military dependents (aged 18 and over) may make Restricted Reports of sexual assault. By law, the official statistics provided to Congress are limited to those reports of sexual assault that involve Service members as either a victim or a subject. Consequently, Restricted Reports by adult military dependents alleged to involve a Service member (other than spouse or intimate partner) as the offender are now included in the Department's annual statistics. Restricted Reports by adult military dependents that did not involve a Service member are recorded, but not included in statistical analyses or reporting demographics.
- Available demographic information on victims and subjects in Unrestricted Reports is only drawn from *completed investigations,* and from victim information in Restricted Reports, as recorded in DSAID.

When It Happened

- Information about the sexual assault reports made in FY 2014 is drawn from reports received by DoD between October 1, 2013 and September 30, 2014. However, additional time trend information is included for the years noted. The quantity and types of information captured by the Department has grown over the years.
- The data that follow are a snapshot in time. In other words, the following information describes the status of sexual assault reports, investigations, and subject dispositions on September 30, 2014 (the last day of FY 2014).

[2] Additional information on DSAID's data collection and reporting process is described below in the "How It Is Gathered" section (p.5).

  - Many investigations extend across FYs. For example, it often takes several months to investigate a report of sexual assault. As a result, those investigations that were opened toward the end of the FY typically carry over into the next FY.
  - Subject dispositions can also extend across FYs. As a result, a substantial portion of dispositions are "pending" or not yet reported at the end of the year. The Department tracks these pending dispositions and requires the Military Services to report on them in subsequent years' reports.
  - Under the Department's SAPR policy, there is no time limit as to when someone can report a sexual assault to a SARC or an MCIO. Consequently, in any given year, the Department may not only receive reports about incidents that occurred during the current year, but also incidents that occurred in previous years.
- Reports made for sexual assaults that occurred prior to a Service member's enlistment or commissioning are also received by the Department. When a report of this nature occurs, the Department provides care and services to the victim, but may not be able to punish the offender if he or she is not subject to military law. Department authorities may assist the victim in contacting the appropriate civilian or foreign law enforcement agency.
- The definition of "sexual assault" in the UCMJ has changed several times over the last several years:
  - For incidents that occurred prior to the changes made to the UCMJ on October 1, 2007, the term "sexual assault" referred to the crimes of rape, nonconsensual sodomy, indecent assault, and attempts to commit these acts.
  - For incidents that occurred between October 1, 2007 and June 27, 2012, the term "sexual assault" referred to the crimes of rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, nonconsensual sodomy, and attempts to commit these acts.
  - For incidents that occur on or after June 28, 2012, the term "sexual assault" refers to the crimes of rape, sexual assault, aggravated sexual contact, abusive sexual contact, nonconsensual sodomy, and attempts to commit these acts.

How It Is Gathered

Defense Sexual Assault Incident Database

- In years prior to FY 2014, the Department's sexual assault data were drawn from incident information collected by SARCs and official investigations conducted by MCIO agents. DoD SAPRO aggregated data provided by the Services in order to perform subsequent DoD-level analyses.
- As of FY 2014, the Defense Sexual Assault Incident Database (DSAID) collects and reports information for DoD and the Services. For each report of sexual assault, SARCs are now required to use DSAID to enter information about the victim and incident. Additionally, DSAID interfaces with MCIO information systems, which "push" additional information about subjects and offense specific information into DSAID. MCIO information systems retain the system of record

for all Unrestricted Reports they investigate. Service-appointed legal officers enter and validate subject case disposition information into DSAID.

- The transition to DSAID alters the way in which sexual assault data are reported in two key ways:
  - Unrestricted Reports were previously recorded as the number of sexual assault *cases*, as organized by the MCIOs. Thus, one case did not necessarily correspond to one victim report. Starting in FY 2014, DSAID accounts for each individual report of sexual assault, such that each report corresponds to one victim. As mentioned previously, Restricted Reports, by policy, have always involved one victim per reported incident.
  - In past FYs, Service affiliation of subjects and victims referred to the Service to which they belonged. Beginning in FY 2014, using DSAID, affiliation of subjects and victims refers to the Service affiliation of SARCs handling the case. This shift will provide valuable insight into the resources each Service expends to respond to reports of sexual assault. However, as in past years, when discussing subject dispositions, affiliation is based on the subjects' Service.
- As in prior FYs, the USD (P&R) submitted data calls to the Military Departments to collect the required statistical and case synopsis data. DoD SAPRO aggregates and analyzes these data.

RAND's Military Workplace Survey (RMWS)

- Prior to 2014, the Department assessed the prevalence of unwanted sexual contact through the Workplace and Gender Relations Survey of Active Duty Members (WGRA) and Reserve Component Members (WGRR), administered by the Defense Manpower Data Center (DMDC).
- In 2014, the Department agreed to a request from the leadership of the Senate Armed Services Committee to arrange for an independent assessment of sexual assault prevalence in the DoD. In accordance with this request, the RAND Corporation (RAND) was contracted to administer the Military Workplace Study (RMWS), which will serve as the 2014 WGRA.
- RAND created and administered two versions of the survey. One version of the survey employed DMDC's prior measure of unwanted sexual contact to estimate the past-year prevalence of sexual assault in the DoD, allowing for trend analysis with previous years' data (WGRA form administered by RAND). The other survey version (RMWS form) employed a newly developed measure of sexual assault that was designed to more closely match offense language and definitions in the Uniform Code of Military Justice (UCMJ).
- See Annex 1 for a full description of the survey methods

Survivor Experience Survey (SES)

- The Survivor Experience Survey (SES) was developed at the direction of the Secretary of Defense. The first of its kind in the United States, the goal of the 2014 SES was to learn about the overall reporting experiences from all current uniformed military members, 18 years of age or older, who made a Restricted or Unrestricted Report for any form of sexual assault, and made their report at least

30 days prior to survey completion, but after 1 October 2013. Survey items were constructed to be Service-specific so as to match the experience of the survivor.
- The SES is a voluntary, anonymous, web-based survey. SARCs invited survivors that met recruitment requirements to take the survey. If survivors chose to participate, they answered questions about their sexual assault reporting experiences and satisfaction with sexual assault prevention and response services.
- See Annex 2 for a full description of the survey methods.

Command Climate Survey (DEOCS)

In FY 2012 and FY 2013, DoD SAPRO worked with the Defense Equal Opportunity Management Institute (DEOMI) and Service representatives to develop questions to help assess SAPR climate for unit commanders. In January of FY 2014, as the old survey was phased out, a new version of the DEOCS survey went into the field with newly developed SAPR questions. Due to this gradual roll-out method, sample sizes in January were too small to pass the reportable threshold. Therefore, figures for FY 2014 span from February to September 2014.

A total of 596,593 respondents completed the SAPR questions on the DEOCS from the beginning of data collection (February 2014) through the end of the period analyzed (September 2014).

Table 1: Sample Sizes for DEOCS Respondents

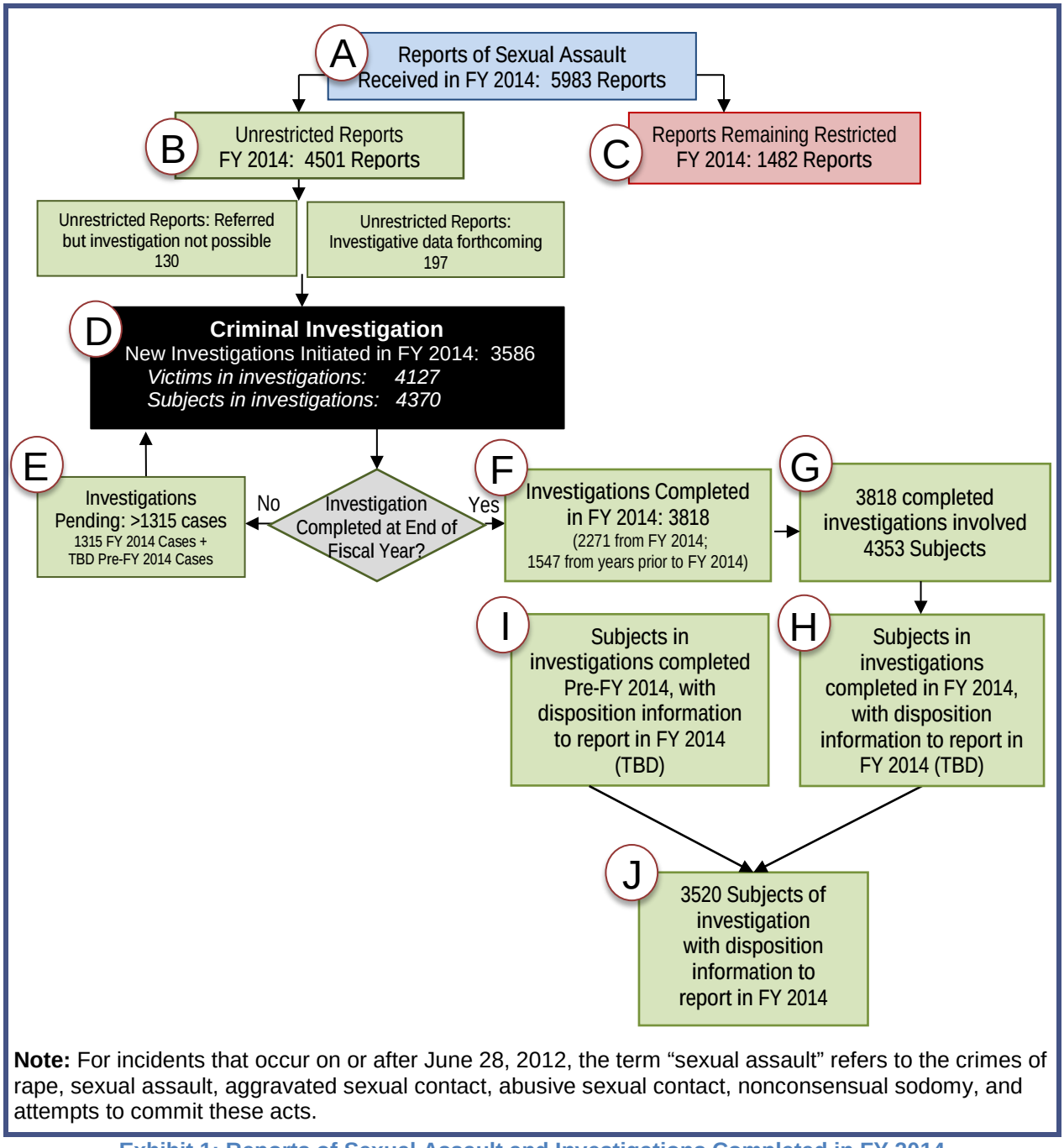
February-September 2014	
Sample size (N)	596,593
Males	507,575
Females	89,018
Junior Enlisted	112,232
NCO	321,960
Remaining Ranks (E7-E9, W1-W5, O1 & Above)	162,401

Why It Is Collected

- Congress requires data about the number of sexual assault reports and the outcome of the allegations made against each subject.
- The Department also collects these data to inform SAPR policy, program development, and oversight.

PROVISIONAL OVERVIEW OF REPORTS OF SEXUAL ASSAULT MADE IN FY 2014

This section closely follows the flow chart shown in Exhibit 1. Points on the flow chart are labeled with a letter that corresponds to the information in the text that follows.



Note: For incidents that occur on or after June 28, 2012, the term "sexual assault" refers to the crimes of rape, sexual assault, aggravated sexual contact, abusive sexual contact, nonconsensual sodomy, and attempts to commit these acts.

Exhibit 1: Reports of Sexual Assault and Investigations Completed in FY 2014

How many sexual assault reports were made in FY 2014?
5,983 Reports (4,501 Unrestricted Reports + 1,482 Reports Remaining Restricted)

In FY 2014, the Military Services received a total of 5,983 reports of sexual assault involving Service members as either victims or subjects (Exhibit 1, Point A, and Exhibit 2), which represents an 8 percent increase from the reports made in FY 2013. Although many of these reports may be about incidents that occurred in FY 2014, some incidents may have occurred in prior years. Of the 5,983 reports, 513 (or approximately 9 percent) were made for incidents that occurred before the victim entered into military service.

- The Military Services received 4,501 Unrestricted Reports involving Service members as either victims or subjects (Exhibit 1**,** Point B and Exhibit 2), a 7 percent increase from FY 2013. Of the 4,501 Unrestricted Reports, 125 (3 percent) were made for incidents that occurred before the victim entered military service.
- The Military Services initially received 1,824 Restricted Reports involving Service members as either victims or subjects, a 22 percent increase from FY 2013. Three hundred and forty-two (342; 19 percent) of the initial Restricted Reports later converted to Unrestricted Reports. These 342 converted Restricted Reports are now counted with the Unrestricted Reports. There were 1,482 reports remaining restricted at the end of FY 2014 (Exhibit 1, Point C and Exhibit 2). Of the 1,482 reports remaining Restricted, 388 (26 percent) were made for incidents that occurred before the victim entered military service. Per the victim's request, the reports remaining restricted were confidential and were not investigated. The identities of the subjects were not officially recorded with Restricted Reports.
- As stated above, the accounting method for Unrestricted Reporting changed for the first time this year with the advent of DSAID. Therefore, each Unrestricted Report corresponds to one victim. The Department has always reported the number of victims in Unrestricted Reports, but until the advent of DSAID, it had no way of independently collecting this information without the MCIOs' assistance. DSAID now provides the Department with data directly entered by the SARC. Exhibit 2 presents the revised number of Unrestricted Reports from FY 2007 to FY 2014. Exhibit 3 compares the past method of capturing Unrestricted Reports (case-driven accounting) to the DSAID method (victim-driven accounting).

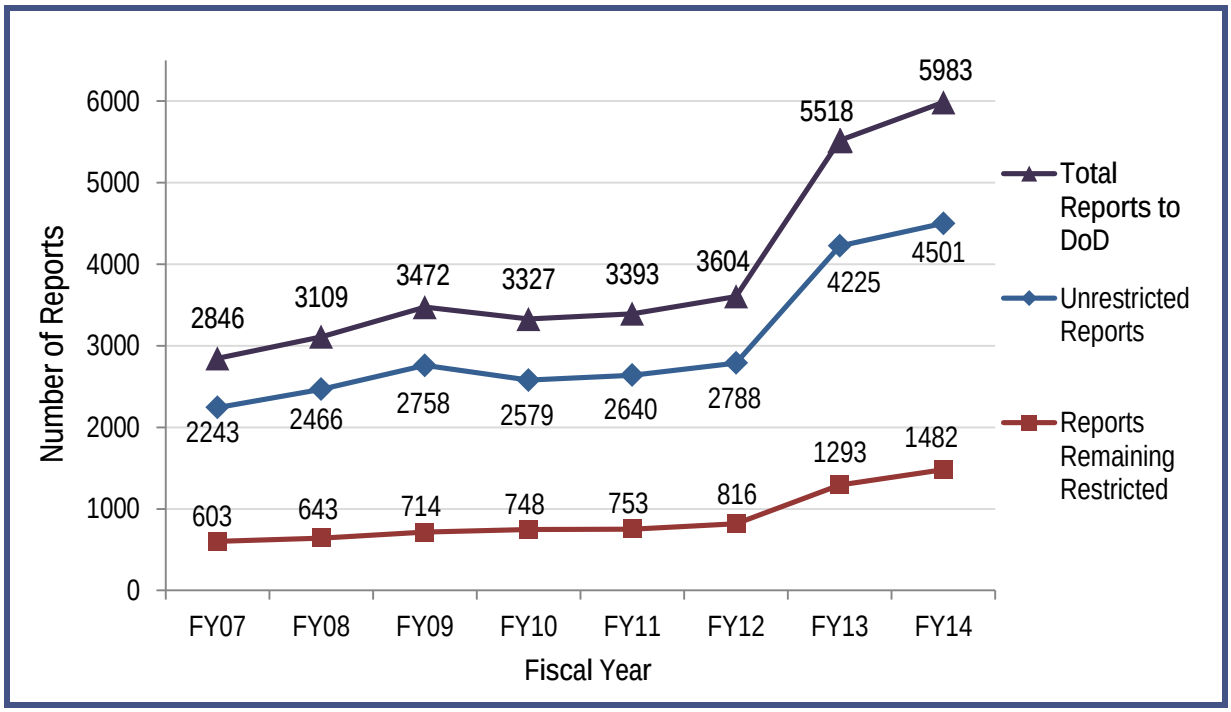


Exhibit 2: Total Reports of Sexual Assault Made to the Department — Unrestricted Reports and Restricted Reports, FY 2007 – FY 2014

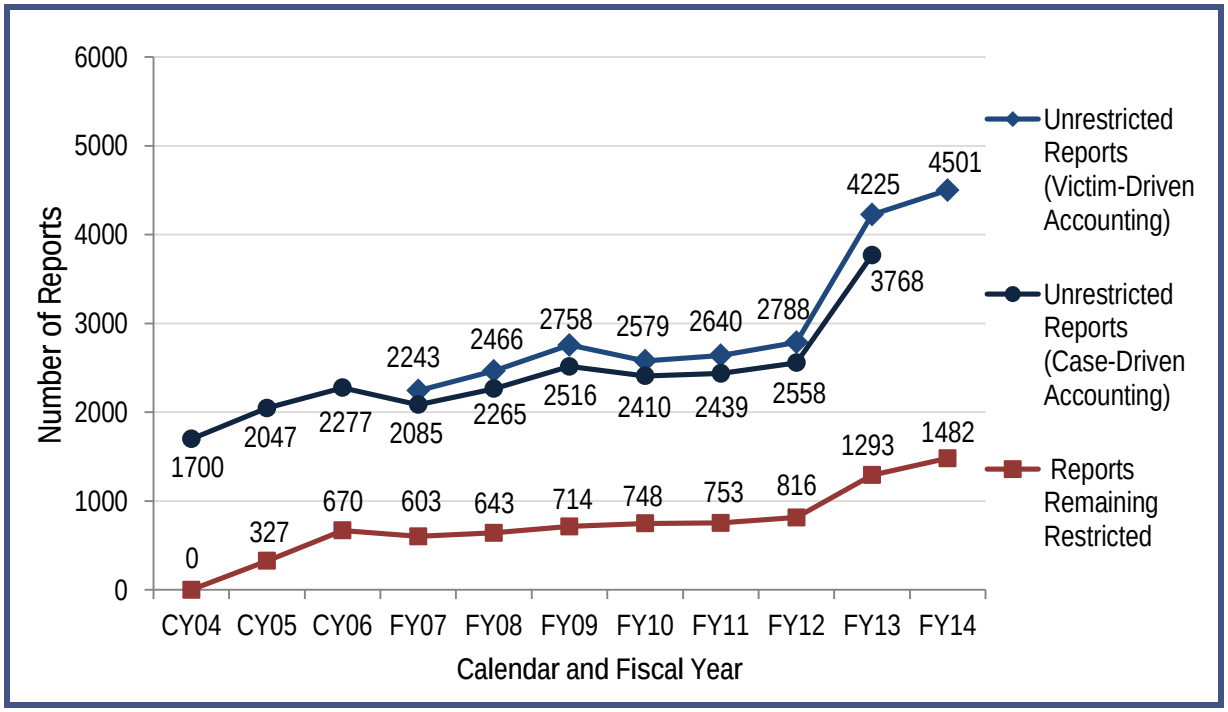


Exhibit 3: Comparison of Victim-Driven Accounting to Case-Driven Accounting of Unrestricted Reports, CY 2004 – FY 2014

Of the 5,983 victims, how many were Service members?
5,121 Service member victims.

Who were the other victims?
The remaining 862 victims were U.S. civilians, foreign nationals, and others who were not on active duty with the U.S. Armed Forces.

Of the 5,983 reports received by the Department, with each report representing one victim, there were a total of 5,121 Service member victims of sexual assault. In FY 2014, 3,357 Service members made an Unrestricted Report and 321 Service members initially made a Restricted Report, but later converted to an Unrestricted Report, for a total of 3,678 Unrestricted Reports by Service members. One thousand four hundred and forty-three (1,443) Service members made and maintained Restricted Reports. Research shows that reporting the crime is the primary link to getting most victims medical treatment and other forms of assistance.[3] The Department's SAPR policy encourages increased reporting of sexual assault, works to improve response capabilities for victims, and works with and encourages victims to willingly participate in the military justice process. This year, there was an 8 percent increase in reporting of sexual assault involving military members as victims and/or subjects over FY 2013. Based on prior, past-year prevalence rates of sexual assault and other factors, the Department attributes this increase in reporting to more victims coming forward to report a crime, and not due to an overall increase in crime.[4] In fact, FY 2014 results of the RAND Military Workplace Study indicate that past-year prevalence of sexual assault decreased for women and stayed about the same for men, as compared with FY 2012 rates. Exhibit 4 demonstrates the increase in the number of Service member victims making reports of sexual assault from Calendar Year (CY) 2004 to FY 2014. The reports were for incidents occurring while in military service.

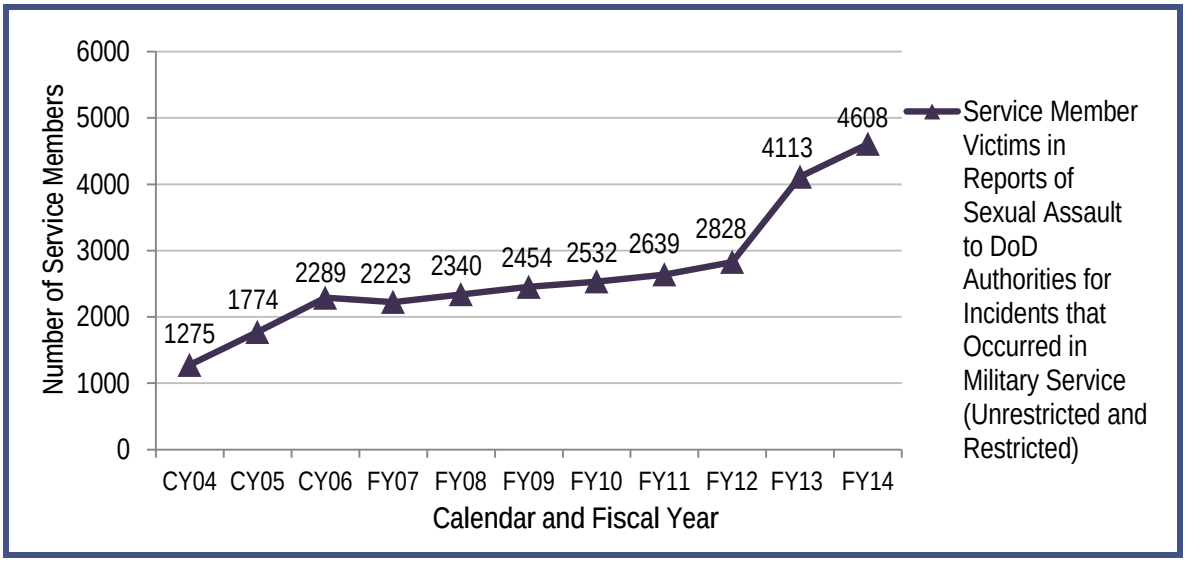
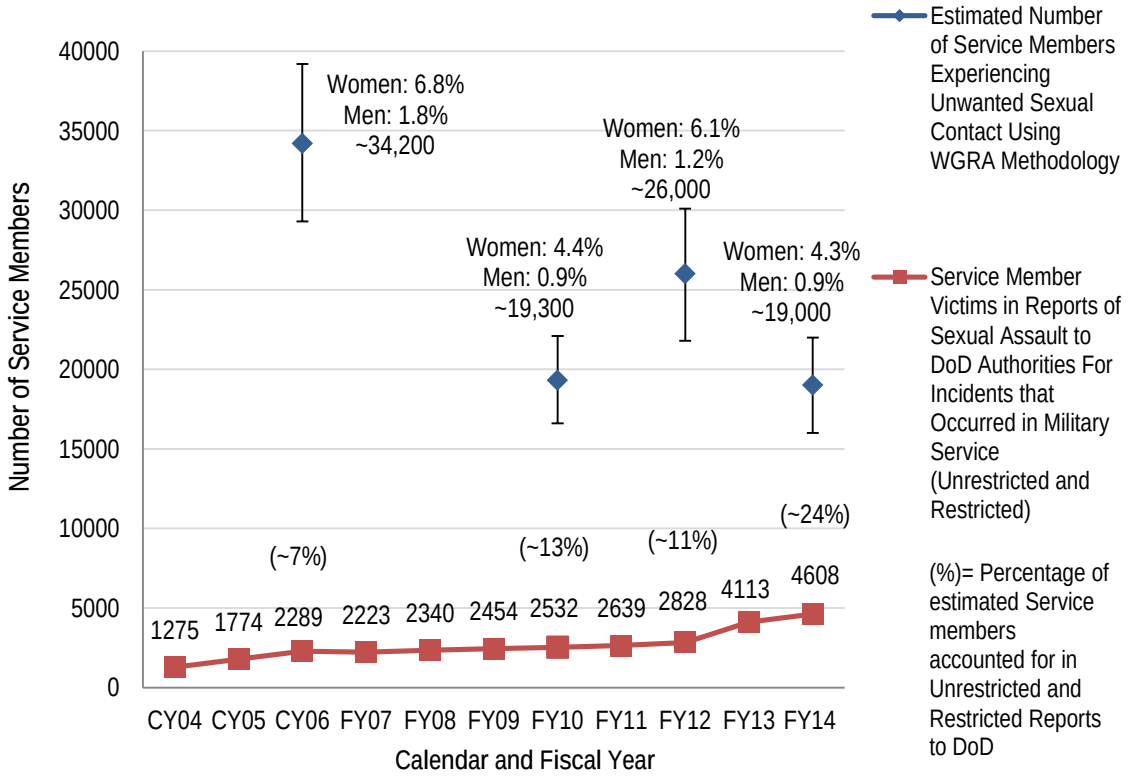


Exhibit 4: Service Member Victims in DoD Sexual Assault Reports for Incidents that Occurred in Military Service, CY 2004 – FY 2014

[3] DOJ (2002). *Rape and Sexual Assault: Reporting to Police and Medical Attention, 1992–2000*. Washington, DC: Rennison, Callie Marie.
[4] Since FY 2007, there has been an overall upward trend in reporting behavior.



Notes:

1. This graph depicts the estimated number of Service members who experienced USC in the past year (based on the past-year prevalence rates from the WGRA form administered by RAND), versus the number of Service member victims in actual reports of sexual assault made to the DoD in the years indicated. Note that although 5,121 Service member victims made sexual assault reports in FY 2014, 513 of them made a report for events that occurred prior to their entry into military service. This leaves 4,608 making a report for an incident that occurred during military service.
2. The 2,289 Service member victims in Unrestricted and Restricted Reports of sexual assault to DoD authorities in CY 2006 accounted for approximately 7 percent of the estimated number of Service members who may have experienced unwanted sexual contact (~34,200) that year, as calculated using data from the 2006 WGRA.
3. The 2,532 Service member victims in Unrestricted and Restricted Reports of sexual assault to DoD authorities in FY 2010 accounted for approximately 13 percent of the estimated number of Service members who may have experienced unwanted sexual contact (~19,300) that year, as calculated using data from the 2010 WGRA.
4. The 2,828 Service member victims in Unrestricted and Restricted Reports of sexual assault to DoD authorities in FY 2012 accounted for approximately 11 percent of the estimated number of Service members who may have experienced unwanted sexual contact (~26,000) that year, as calculated using data from the 2012 WGRA.
5. The 4,608 Service member victims in Unrestricted and Restricted Reports of sexual assault to DoD authorities in FY 2014 accounted for approximately 24 percent of the estimated number of Service members who may have experienced unwanted sexual contact (~19,000) that year, as calculated using data from the WGRA form, administered by RAND for the first time.

Exhibit 5: Estimated Number of Service Members Experiencing Unwanted Sexual Contact Based on Past-Year Prevalence Rates versus Number of Service Member Victims in Reports of Sexual Assault for Incidents Occurring During Military Service, CY 2004 – FY 2014

Exhibit 5 demonstrates the difference between the estimated numbers of Service members who indicate experiencing unwanted sexual contact (USC), based on the WGRA form administered by RAND. The "gap" in reporting narrowed this year, given the increase in reports of sexual assault. The Department assesses the increase in reports as unlikely to have resulted from increased crime, given historical and current prevalence rates and other factors.

The Department expects that the "gap" between the survey-estimated number of Service members experiencing USC and the number of Service members accounted for in actual sexual assault reports can be reduced in two ways:

- Over time, prevention initiatives are expected to reduce past-year prevalence rates of USC, as measured by the prevalence surveys like the RAND Military Workplace Study (RMWS) or WGRA. As rates decrease, the estimated number of Service members who experience USC in a given year should also decrease.
- Over time, initiatives that encourage victims to report and improve the military justice system are expected to increase the number of Service members who choose to make an Unrestricted or Restricted Report.

Although reports to DoD authorities are unlikely to account for all USC estimated to occur in a given year, it is the Department's intent to narrow the gap between prevalence and reporting in order to reduce the underreporting of sexual assault in the military community.

Exhibit 6 shows the rates of victim reporting by Military Service during the past eight FYs. Victim reporting rates are calculated using the number of Service member victims in Unrestricted and Restricted Reports and active duty Military Service end strength for each year on record with DMDC.

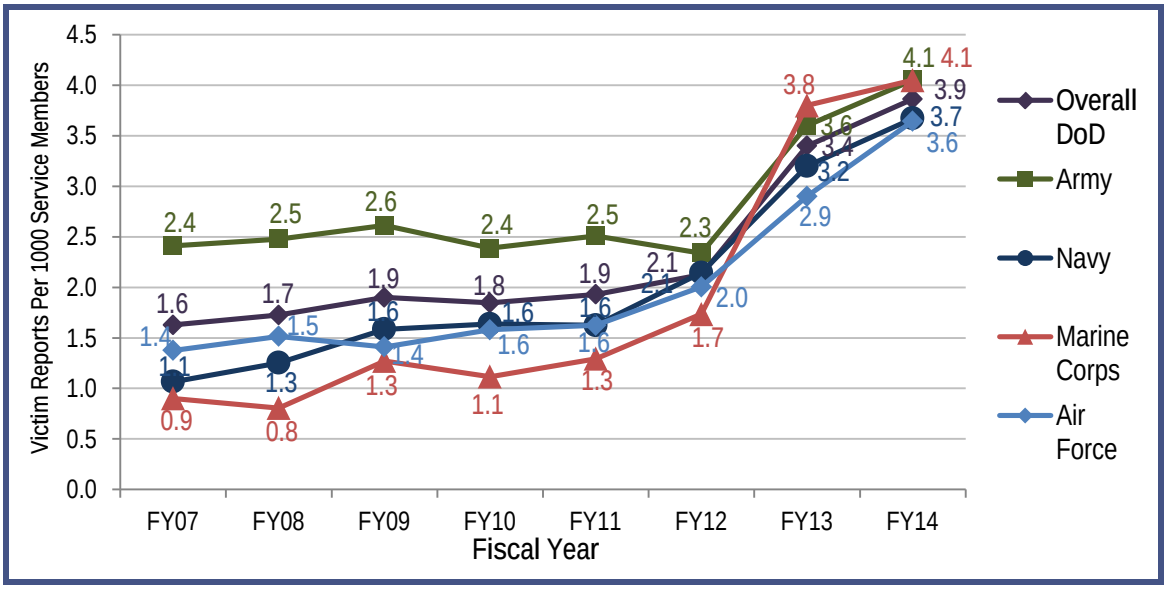


Exhibit 6: Victim Reporting Rates of Sexual Assault by Military Service, FY 2007 – FY 2014

FY 2014 Unrestricted Reports of Sexual Assault

Data from Unrestricted Reports are collected and reported to the Department by SARCs and MCIOs. In FY 2014, there were 4,501 Unrestricted Reports of sexual assault involving Service members as either the subject or victim of a sexual assault (Exhibit 1, Point B); 3,678 (82 percent) of the 4,501 Unrestricted Reports involved Service members as victims. Each year, the majority of sexual assault reports received by MCIOs involve the victimization of Service members by other Service members.

Why show a reporting rate?
A reporting rate allows for the comparison of reports across groups of different sizes. Reporting rates also allow for year after year comparisons, even when the total number of people in a group has changed.

Crimes Alleged in Unrestricted Reports

The DoD SAPR program uses the term "sexual assault" to refer to the range of crimes in military law that constitute contact sexual offenses between adults. Since 2004, there have been three versions of Article 120, Uniform Code of Military Justice (UCMJ), which defines some of those crimes. Table 2 depicts how the UCMJ's characterization of "sexual assault" has been revised over time.[5]

Table 2: Sexual Assault Offenses Punishable by the Uniform Code of Military Justice (UCMJ)

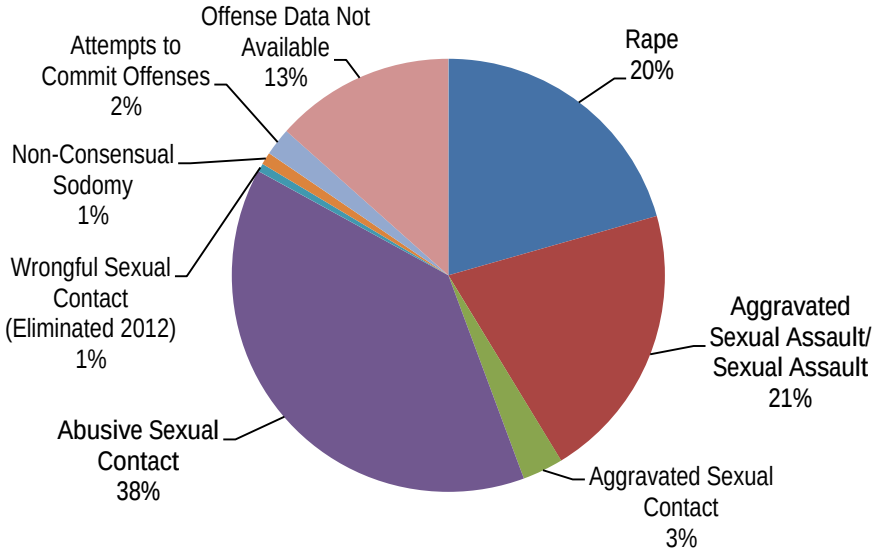
Sexual Assault Offenses	Prior to FY 2008	FY 2008 to June 27, 2012	June 28, 2012 to Present
Rape (Article 120)	✓	✓	✓
Sexual Assault (Article 120)	N/A	N/A	✓
Aggravated Sexual Assault (Article 120)	N/A	✓	N/A
Aggravated Sexual Contact (Article 120)	N/A	✓	✓
Abusive Sexual Contact (Article 120)	N/A	✓	✓
Wrongful Sexual Contact (Article 120)	N/A	✓	N/A
Nonconsensual Sodomy (Article 125)	✓	✓	✓
Indecent Assault (Article 134)	✓	N/A	N/A
Attempts to commit (Article 80)	✓	✓	✓

In the 4,501 Unrestricted Reports made to the Department in FY 2014, the majority of offenses alleged were in three categories: rape; aggravated sexual assault/sexual assault; and abusive sexual contact. MCIOs categorize Unrestricted Reports by the most serious offense *alleged* in the report, which may not ultimately be the same offense for which evidence supports a misconduct charge,

What crimes are alleged in most reports?
Most Unrestricted Reports of sexual assault involve three crimes: rape, aggravated sexual assault/sexual assault, and abusive sexual contact.

[5] Since June 28, 2012, misconduct addressed by the offense "Aggravated Sexual Assault" is captured by the offense "Sexual Assault". Likewise, misconduct previously addressed by "Wrongful Sexual Contact" is now captured by the offense "Abusive Sexual Contact."

if any. Exhibit 7 shows the proportions of offenses as originally alleged in Unrestricted Reports in FY 2014.



Note: Percentages listed do not sum to 100% due to rounding of percentages to the nearest whole point.

Exhibit 7: Offenses Originally Alleged in Unrestricted Reports of Sexual Assault, FY 2014

Investigations of Unrestricted Reports

According to DoD policy, all Unrestricted Reports must be referred for investigation by an MCIO. However, reports received for incidents prior to military service usually cannot be investigated by MCIOs when the alleged offender is not subject to military law. In FY 2014, MCIOs initiated 3,586 sexual assault investigations (Exhibit 1, Point D). The length of an investigation depends on a number of factors, including:

- The offense alleged;
- The location and availability of the victim, subject, and witnesses;
- The amount and kind of physical evidence gathered during the investigation; and
- The length of time required for crime laboratory analysis of evidence.

Depending on these and other factors, investigation length may range from a few months to over a year. For example, the average length of a sexual assault investigation in FY 2014 was 4.7 months. Consequently, sexual assault investigations and their outcomes can span multiple reporting periods. Of the 3,818 sexual assault investigations completed during FY 2014 (Exhibit 1, Point F), 2,271 were opened in FY 2014 and 1,547 were opened in years prior to FY 2014.

- The outcomes of 1,315 ongoing sexual assault investigations that were opened in FY 2014 but not completed by September 30, 2014, along with the outcomes of pre-FY 2014 investigations that were not completed by the end of FY 2014, will be documented in future reports (Exhibit 1, Point E).

MCIOs reported that 49 of the 4,353 subjects in investigations completed in FY 2014 had a previous investigation for a sexual assault allegation.

Sexual Assault Subject Dispositions in FY 2014

Congress requires the Department to report on the dispositions (outcomes) of the sexual assault allegations made against Service members. At the end of FY 2014, there were 3,520 subjects with disposition information to report (Exhibit 1, Point J).

The goals of a criminal investigation are to identify which crimes have been committed, who has been victimized, and who may be held accountable for the crime. The Department seeks to hold those Service members who have committed sexual assault appropriately accountable based on the available evidence. However, in order to comply with Congressional and White House reporting requirements, the Department's sexual assault data represent a twelve-month snapshot in time. Consequently, at the end of FY 2014, some subject dispositions were still in progress and will be reported in forthcoming years' reports.

The 3,520 subjects from DoD investigations for whom dispositions were reported in FY 2014 included Service members, U.S. civilians, foreign nationals, and subjects that could not be identified (Exhibit 1 and Exhibit 8, Point J).

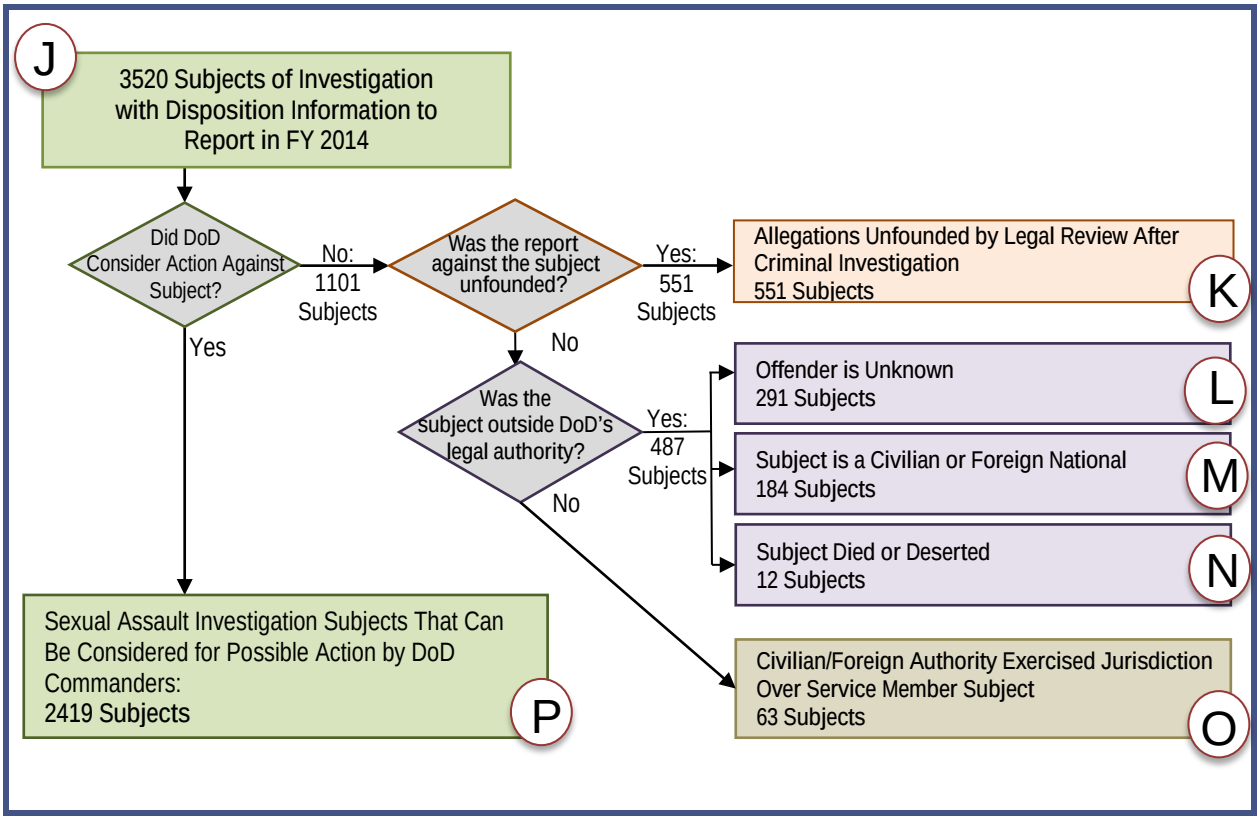


Exhibit 8: FY 2014 Subjects Outside DoD Legal Authority

Can the Department take action against everyone it investigates?
No. In FY 2014, the Department could not take action against 1,101 subjects because they were outside the Department's legal authority, a civilian/foreign authority exercised jurisdiction over a Service member subject, or the allegations of sexual assault against them were unfounded.

A key difference between the civilian and military legal systems is that in the civilian system, a prosecuting attorney may review the evidence and, if appropriate, file charges against all identified suspects within the attorney's area of legal authority. **However, for the vast majority of cases in the military justice system, commanders are limited to taking legal or disciplinary action against only those Service members who are subject to the UCMJ.** Each year, the Department lacks jurisdiction over several hundred subjects in its sexual assault reports/investigations. In FY 2014, the Department could not consider taking action against 1,101 subjects because the allegations of sexual assault against them were unfounded, because the subjects were outside of the Department's legal authority (for example, they could not be identified, they were civilian or foreign nationals or they had died or deserted), or because the subjects were Service members being prosecuted by a civilian/foreign authority.

When at the end of a criminal investigation a legal review of the available evidence indicates the individual accused of sexual assault did not commit the offense, the offense did not occur, or the offense was improperly reported as a sexual assault, the allegations against the subject are considered to be unfounded. As a result, no action is taken against the accused.

- Allegations against 551 subjects were deemed unfounded (false or baseless) by a legal review after criminal investigation in FY 2014 (Exhibit 8**,** Point K).

The Department's legal authority extends only to those persons subject to the UCMJ. As a result, 487 subjects of DoD investigations fell outside its authority for disciplinary action:

- There were 291 subjects who remained unidentified despite a criminal investigation (Exhibit 8**,** Point L).
- The Department could not take action against 184 civilians or foreign nationals because they were not subject to military law (Exhibit 8**,** Point M).
- Twelve subjects died or deserted before disciplinary action could be taken against them (Exhibit 8, Point N).

While a Service member is always under the legal authority of the Department, sometimes a civilian authority or foreign government will exercise its legal authority over a Service member who is suspected of committing a crime within its jurisdiction. This year, a civilian or foreign authority addressed the alleged misconduct of 63 Service member subjects (Exhibit 8**,** Point O).

Military Subjects Considered for Disciplinary Action

In FY 2014, 2,419 subjects investigated for sexual assault were Service members under the authority of the Department (Exhibit 9, Point P, and Table 3). However, legal factors sometimes prevent disciplinary action from being taken against some subjects. For example, commanders were unable to take disciplinary action against 600 of these military subjects because there was insufficient evidence of an offense to prosecute, the victim declined to participate in the military justice process, or the statute of limitations had expired (Exhibit 9, Point U and Table 3).

What percentage of Service member subjects who received disciplinary action for sexual assault had court-martial charges preferred against them in FY 2014?
66%
In FY 2007, only 30% of subjects receiving disciplinary action had court-martial charges preferred against them.

Table 3: Military Subject Dispositions in FY 2014

Subject Disposition Category	Military Subject Dispositions Reported in FY14
Military Subjects in Sexual Assault Cases Reviewed for Possible Disciplinary Action	2,419
Evidence Supported Commander Action	1,764
Sexual Assault Offense Action	1,380
Court-Martial Charge Preferred (Initiated)	*910*
Nonjudicial Punishment (Article 15, UCMJ)	*283*
Administrative Discharge	*85*
Other Adverse Administrative Action	*102*
Evidence Only Supported Action on a Non-sexual Assault Offense	384
Court-Martial Charge Preferred (Initiated)	*41*
Nonjudicial Punishment (Article 15, UCMJ)	*235*
Administrative Discharge	*23*
Other Adverse Administrative Action	*85*
Unfounded by Command/Legal Review	55
Commander Action Precluded	600
Victim Died	*0*
Victim Declined to Participate in the Military Justice Action	*244*
Insufficient Evidence to Prosecute	*345*
Statute of Limitations Expired	*11*

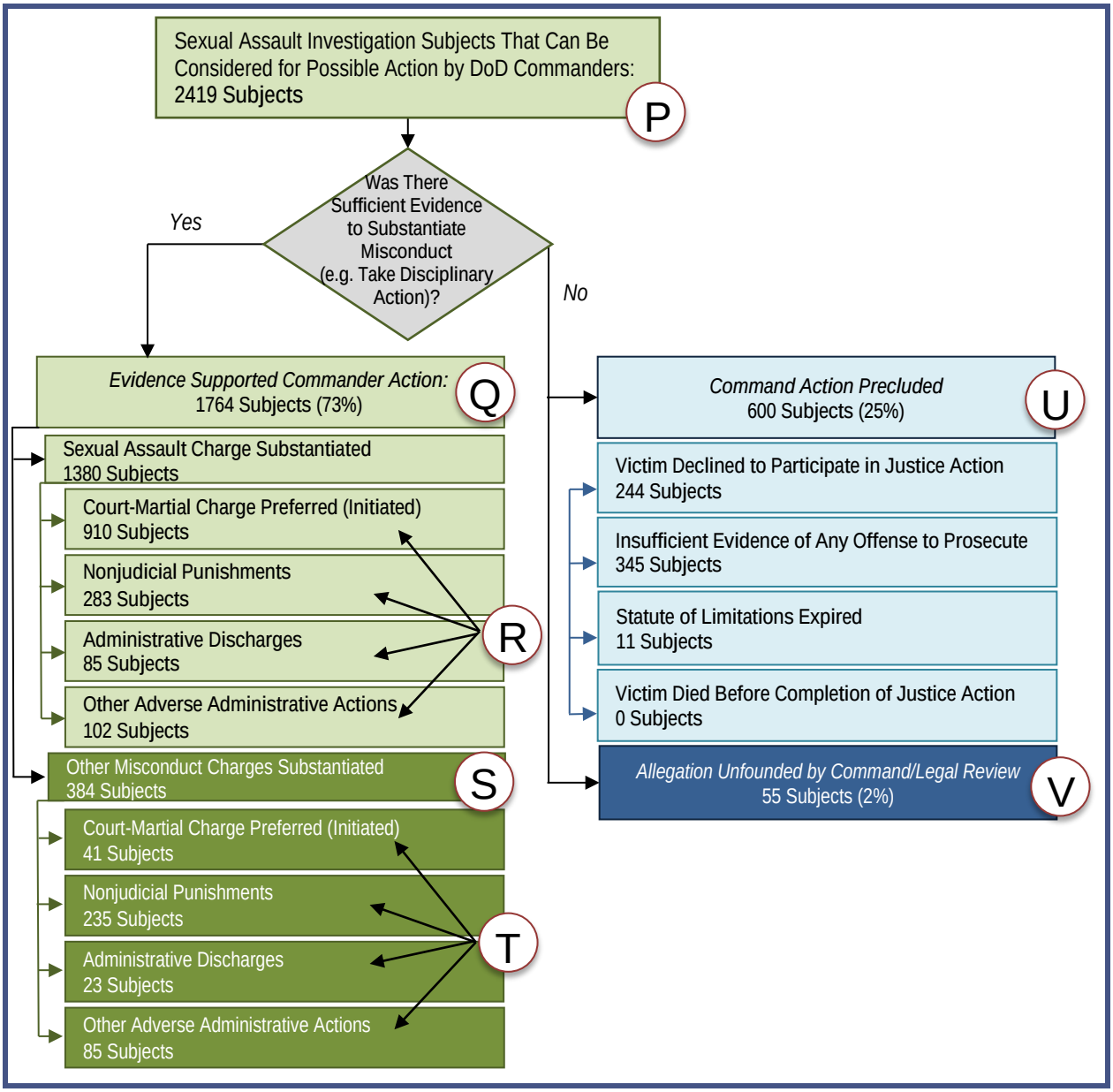


Exhibit 9: Dispositions of Subjects Under DoD Legal Authority, FY 2014

In addition, commanders declined to take action against 55 military subjects because, after a review of the facts of the case with a military attorney, they determined the allegations against those subjects were false or baseless (unfounded; Exhibit 9, Point V and Table 3). Since FY 2009, the percentage of Service member subjects for whom command action was precluded or declined has decreased. Exhibit 10 illustrates that DoD authorities were able to hold a larger percentage of Service member subjects appropriately accountable in FY 2014 than in FY 2009.

For 1,764 military subjects, commanders had sufficient evidence and the legal authority to support some form of disciplinary action for a sexual assault offense or other misconduct (Exhibit 9, Point Q and Table 3). When a subject receives more than one

disposition, only the most serious disciplinary action is reported (in descending order: preferral of court-martial charges, nonjudicial punishment, administrative discharge, and other adverse administrative action).

The following represents the command actions taken for the 1,380 subjects for whom it was determined a sexual assault offense warranted discipline: 66 percent (910 subjects) had courts-martial charges preferred (initiated) against them, 21 percent (283 subjects) were entered into proceedings for nonjudicial punishment under Article 15 of the UCMJ, and 14 percent (187 subjects) received a discharge or another adverse administrative action (Exhibit 9, Point R and Table 3).

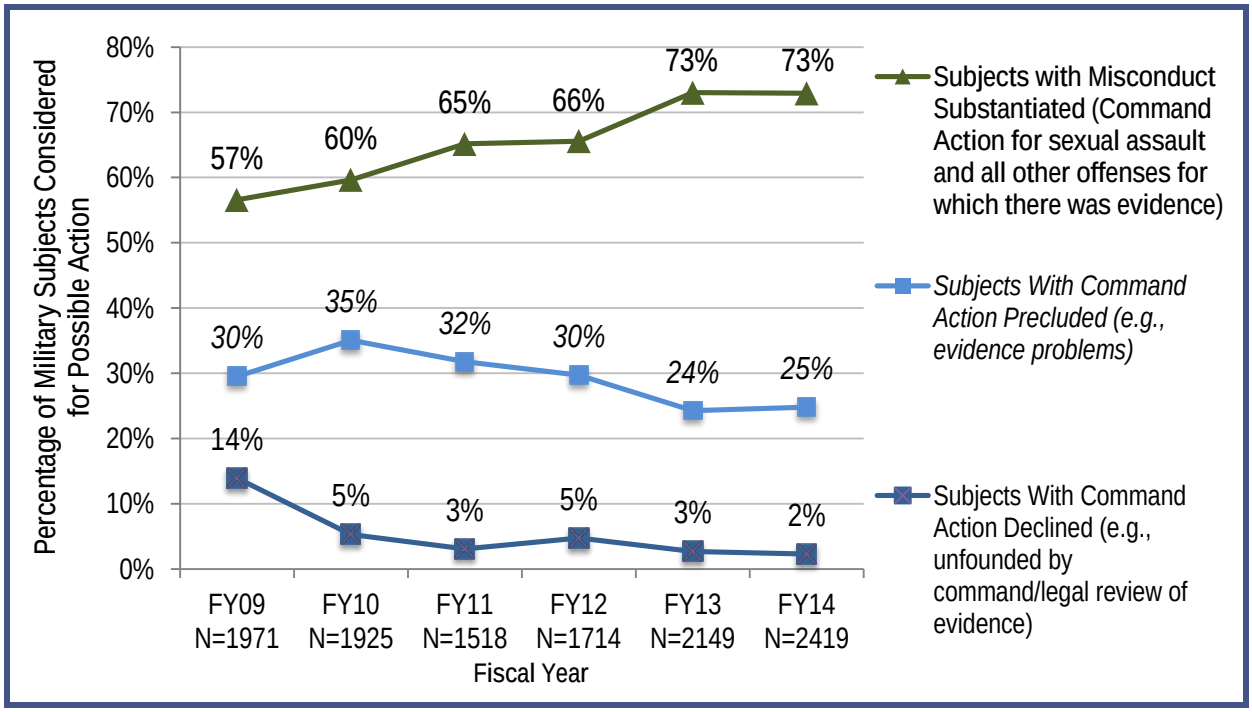
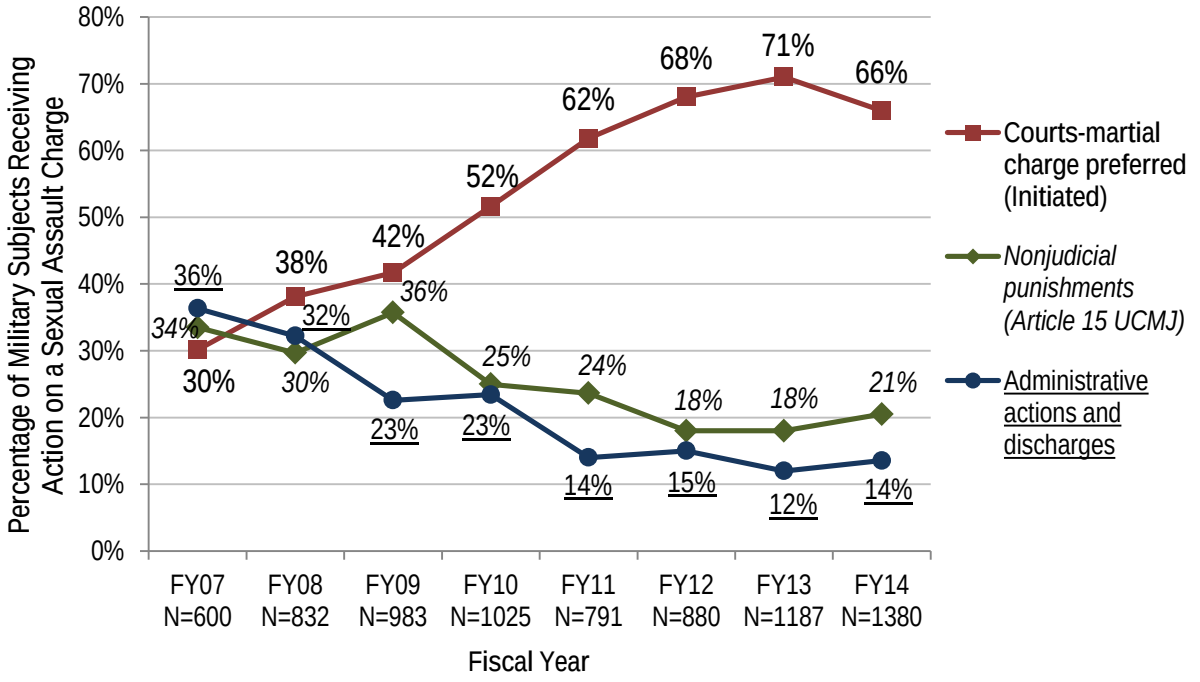


Exhibit 10: Percentage of Military Subjects with Misconduct Substantiated, Command Action Precluded, and Command Action Declined, FY 2009 – FY 2014

For 384 subjects, evidence supported command action for other misconduct discovered during the sexual assault investigation (such as making a false official statement, adultery, underage drinking, or other crimes under the UCMJ), but not a sexual assault charge (Exhibit 9, Point S and Table 3). Of these 384 military subjects for whom probable cause existed only for a non-sexual assault offense: 11 percent (41 subjects) had court-martial charges preferred against them, 61 percent (235 subjects) were entered into proceedings for nonjudicial punishment, and 28 percent (108 subjects) received some form of adverse administrative action or discharge (Exhibit 9**,** Point T and Table 3).

Military Justice

The following information describes what happens once a military subject's commander finds that there is sufficient evidence to take disciplinary action. Exhibit 11 shows that, from FY 2007 to FY 2014, commanders' preferral of court-martial charges against military subjects for sexual assault offenses increased from 30 percent of subjects in FY 2007 to 66 percent of subjects in FY 2014. During the same period, nonjudicial punishment, other adverse administrative actions, and administrative discharges decreased substantially.



Notes:

1. Percentages are of subjects found to warrant disciplinary action for a sexual assault offense only. Other misconduct (false official statement, adultery, etc.) is not shown.
2. Percentages listed for some years exceed 100% due to rounding of percentages to the nearest whole point.

Exhibit 11: Breakdown of Disciplinary Actions Taken Against Subjects for Sexual Assault Offenses, FY 2007 – FY 2014

Courts-Martial for a Sexual Assault Offense

As noted previously, of the 1,380 military subjects against whom disciplinary action was initiated for a sexual assault offense, 910 had court-martial charges preferred against them (Exhibit 9, Point R and Table 3). Exhibit 12 illustrates what happened to these subjects after their commanders preferred court-martial charges. The dispositions and the sentences imposed by courts-martial are for those subjects with at least one sexual

What percentage of Service member subjects charged and tried for sexual assault offenses were convicted in FY 2014, and what kind of punishment did they receive?
72% of Service members tried for a sexual assault offense were convicted of at least one charge at trial. Most subjects received four kinds of punishment: **Confinement, a Fine or Forfeiture of Pay, Reduction in Rank, and a Punitive Discharge or Dismissal.**

assault charge adjudicated in FY 2014. Of the 910 subjects who had court-martial charges preferred against them for at least one sexual assault charge in FY 2014, 735 subjects' court-martial outcomes were completed by the end of the FY:

- Court-martial charges against 149 subjects were dismissed. However, commanders used evidence gathered during the sexual assault investigations to take nonjudicial punishment against 41 of the 149 subjects (nonjudicial punishment was initiated but dismissed for six of these subjects, leaving 35 subjects with a nonjudicial punishment imposed). The punishment may have been for any kind of misconduct for which there was evidence. The 35 subjects who received nonjudicial punishment were adjudged five categories of punishment: reductions in rank, fines or forfeitures of pay, restriction, extra duty, and reprimand.
- Ninety subjects were granted a resignation or discharge instead of court-martial.
- Of the 496 subjects whose cases proceeded to trial: 359 subjects (72 percent) were convicted on any charge at court-martial. Most convicted Service members received at least four kinds of punishment: confinement, reduction in rank, fines or forfeitures, and a discharge (enlisted) or dismissal (officers) from service.
- Initial data indicate that sex offender registration was required for at least 175 military members convicted for a qualifying offense at court-martial.
- One hundred and thirty-seven subjects (28 percent) were acquitted of all charges.

Resignations and discharges in lieu of court-martial are granted by the Department in certain circumstances and may only occur after court-martial charges have been preferred against the accused. For such an action to occur, the accused must initiate the process. Resignation or discharge in lieu of court-martial requests include a statement of understanding of the offense(s) charged and the consequences of administrative separation, an acknowledgement that any separation could possibly have a negative characterization, and an acknowledgement that the accused is guilty of an offense for which a punitive discharge is authorized or a summary of the evidence supporting the guilt of the accused. These statements are not admissible in court-martial should the request ultimately be disapproved. Discharges of enlisted personnel in lieu of court-martial are usually approved at the Special Court-Martial Convening Authority level. Resignations of officers in lieu of court-martial are approved by the Secretary of the Military Department.

In FY 2014, 75 of 85 enlisted members who received a discharge in lieu of court-marital were separated Under Other Than Honorable Conditions (UOTHC), the lowest characterization of discharge possible administratively (information was not available for the other ten subjects). The UOTHC discharge characterization is recorded on the Service member's DD Form 214, Record of Military Service, and significantly limits separation and post-service benefits from the Department and DVA. Military Service policies, codified in the FY 2013 NDAA, direct that those Service members who are convicted of a sexual assault, but who do not receive a punitive discharge at court-martial, should be processed for administrative discharge. This year, the Service documented that 47 convicted subjects that did not receive a punitive discharge or dismissal will be processed for administrative separation from military service.

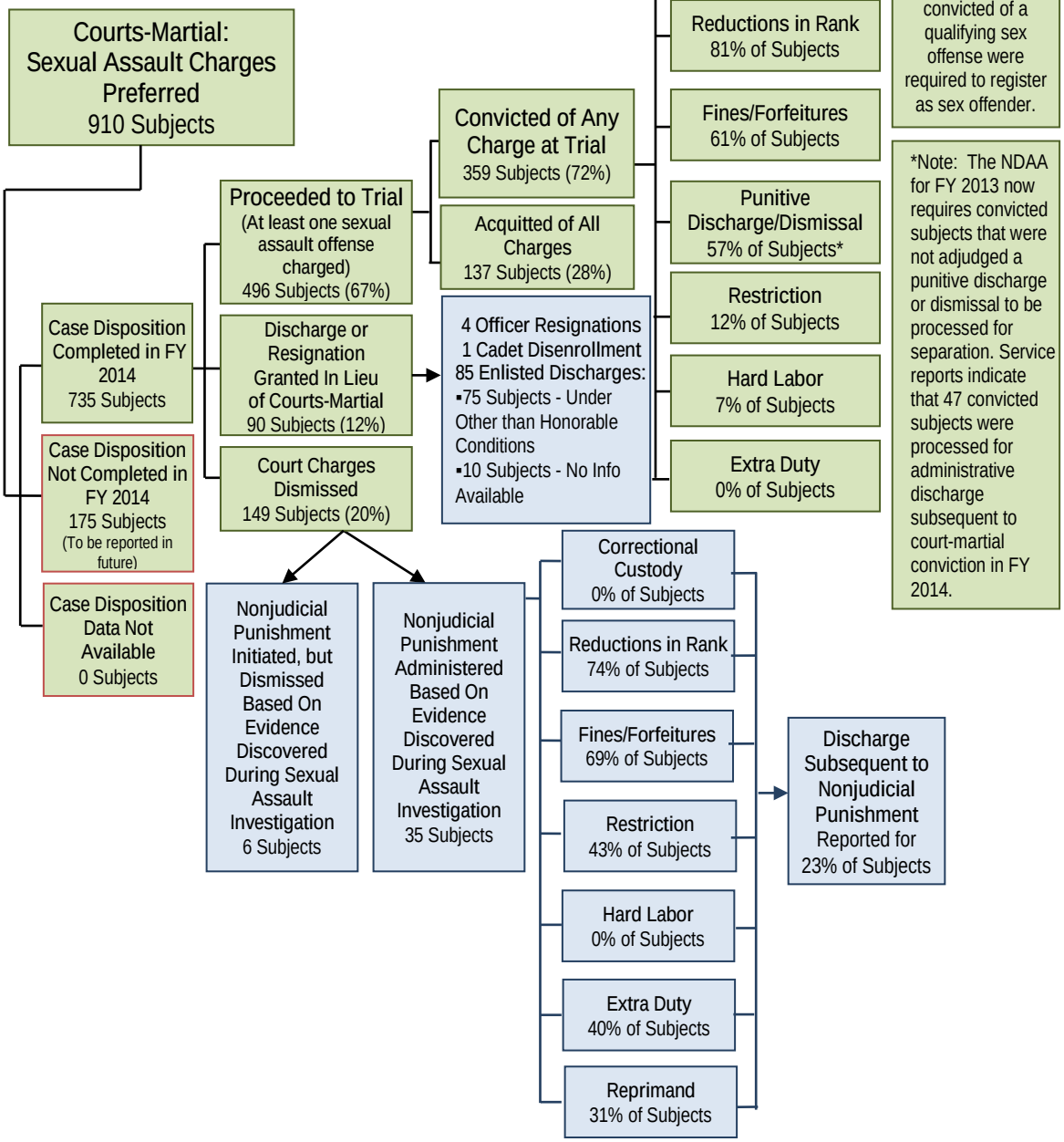


Exhibit 12: Dispositions of Subjects Against Whom Sexual Assault Court-Martial Charges were Preferred, FY 2014

Notes:

1. Percentages listed for some categories do not sum to 100% due to rounding of percentages to the nearest whole point.
2. The Military Services reported that 910 subjects of sexual assault investigations had court-martial charges preferred against them for a sexual assault offense.
3. Of the 910 subjects who had court-martial charges preferred against them, 175 subjects were still pending court action at the end of FY 2014.
4. Of the 735 subjects whose courts-martial were completed and reported in FY 2014, 496 subjects proceeded to trial, 90 subjects were granted a discharge or resignation in lieu of court-martial, and 149 subjects had court-martial charges dismissed.

Exhibit 12 notes, continued:

5. In cases in which a discharge or resignation in lieu of court-martial is requested and approved, the characterization of the discharge is UOTHC, unless a higher characterization is justified (see also the discussion of administrative discharge characterizations in the "Administrative Discharges and Adverse Administrative Actions" section of the report). Of the 149 subjects with dismissed charges, commanders imposed nonjudicial punishment on 35 subjects. Most of these 35 subjects received two kinds of punishment: a reduction in rank and a fine or forfeiture of pay.
6. Of the 496 subjects whose cases proceeded to trial, 359 (72%) were convicted of at least one charge. Conviction by courts-martial may result in a combination of punishments. Consequently, convicted Service members could be adjudged one or more of the punishments listed. However, in most cases, they received at least four kinds of punishment: confinement, a reduction in rank, a fine or forfeiture of pay, and a punitive discharge (bad conduct discharge, dishonorable discharge, or dismissal (officers). The NDAA for FY 2013 now requires mandatory administrative separation processing for all Service members convicted of a sexual assault offense.

Nonjudicial Punishment

Nonjudicial punishment is administered in accordance with Article 15 of the UCMJ and empowers commanding officers to impose penalties on Service members when there is sufficient evidence of a minor offense under the UCMJ. Nonjudicial punishment allows commanders to address some types of sexual assault and other misconduct by Service members that may not warrant prosecution in a military or civilian court. With nonjudicial punishment a commander can take a variety of corrective actions, including demotions, fines/forfeitures, and restrictions on liberty. Nonjudicial punishment may support a rationale for discharging military subjects with a less than an honorable discharge. The Service member may demand trial by court-martial instead of accepting nonjudicial punishment by the commander.

Do military commanders use nonjudicial punishment as their primary means of discipline for sexual assault crimes?
No
Only 21% of subjects who received disciplinary action for a sexual assault crime received nonjudicial punishment in FY 2014. Most subjects (66%) had court-martial charges preferred against them.

Of the 1,380 military subjects who received disciplinary action on a sexual assault offense, 283 received nonjudicial punishment (Exhibit 9**,** Point R and Table 3).

Exhibit 13 displays the outcomes of nonjudicial punishment actions taken against subjects on a sexual assault charge in FY 2014. Of the 258 subjects whose nonjudicial punishments were completed in FY 2014, 90 percent of subjects were found guilty by the commander and received punishment. Nearly all of the administered nonjudicial punishments were for a contact (non-penetrating) sex offense. Most subjects who received nonjudicial punishment received at least three kinds of punishment: reduction in rank, a fine or forfeiture of pay, and extra duty. Available Military Service data indicated that for 59 subjects (25 percent of those administered nonjudicial punishment) the nonjudicial punishment served as grounds for a subsequent administrative discharge. Characterizations of these discharges were as follows:

Honorable Discharge	7 Subjects
General Discharge	24 Subjects
Under Other Than Honorable	20 Subjects
Uncharacterized	8 Subjects
Total	**59 Subjects**

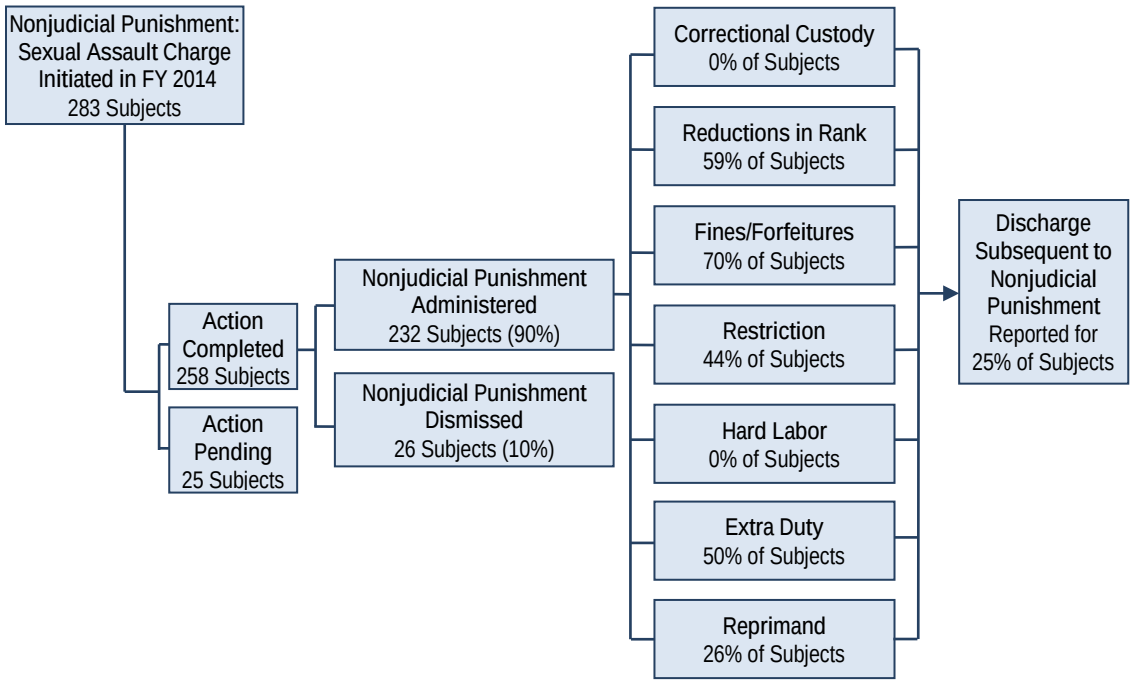


Exhibit 13: Dispositions of Subjects Receiving Nonjudicial Punishment, FY 2014

Notes:

1. The Military Services reported that 283 subjects of sexual assault investigations disposed in FY 2014 were considered for nonjudicial punishment.
2. Of the 283 subjects considered for nonjudicial punishment, 25 subjects were still pending action at the end of FY 2014.
3. Of the 258 subjects whose nonjudicial punishments were completed in FY 2014, 232 subjects (90%) were found guilty by the commander and issued punishment. The remaining 26 subjects (10%) were found not guilty.
4. Nonjudicial punishment may result in a combination of penalties. Consequently, Service members found guilty can be administered one or more kinds of punishments. However, for most of the cases, convicted Service members received at least three kinds of punishment: a reduction in rank, fines/forfeitures, and extra duty.
5. For 59 subjects (25% of those punished), the nonjudicial punishment contributed to the rationale supporting an administrative discharge.

Administrative Discharges and Adverse Administrative Actions

A legal review of evidence sometimes indicates that the court-martial process or nonjudicial punishments are not appropriate means to address allegations of misconduct against the accused. However, military commanders have other means at their disposal to hold offenders appropriately accountable. Administrative discharges may be used to address an individual's misconduct, lack of discipline, or poor suitability for continued service. There are three characterizations of administrative discharges: Honorable, General, and Under Other Than Honorable (UOTHC). General and UOTHC discharges may limit those discharged from receiving full entitlements and benefits from both the DoD and DVA. Commanders processed 85 subjects in sexual assault investigations for administrative discharge in FY 2014 (Exhibit 9, Point R and Table 3). Twelve members have faced an administrative discharge board and are pending

characterizations or were retained. Characterizations of the completed discharges were as follows:

Honorable Discharge	3 Subjects
General Discharge	22 Subjects
Under Other Than Honorable	39 Subjects
Uncharacterized	9 Subjects
Total	**73 Subjects**

In FY 2014, commanders took adverse administrative actions against 102 subjects investigated for a sexual assault offense (Exhibit 9, Point R and Table 3). Adverse administrative actions are typically used when available evidence does not support more serious disciplinary action. Adverse administrative actions can have a serious impact on one's military career, have no equivalent form of punishment in the civilian sector, and may consist of Letters of Reprimand, Letters of Admonishment, and Letters of Counseling. These actions may also include but are not limited to denial of re-enlistment, the cancellation of a promotion, and the cancellation of new or special duty orders. Cadets and midshipmen are subject to an administrative disciplinary system at Military Service Academies. These systems address misconduct that can ultimately be grounds for disenrollment from the Academy and, when appropriate, a requirement to reimburse the government for the cost of education.

Probable Cause Only for a Non-Sexual Assault Offense

The sexual assault investigations conducted by MCIOs sometimes do not find sufficient evidence to support disciplinary action against the subject on a sexual assault charge, but may uncover other forms of chargeable misconduct. When this occurs, the Department seeks to hold those Service members who have committed other misconduct appropriately accountable based on the available evidence. In FY 2014, commanders took action against 384 subjects who were originally investigated for sexual assault allegations, but for whom evidence only supported action on non-sexual assault misconduct, such as making a false official statement, adultery, assault, or other crimes (Exhibit 9; Exhibit 14, Point S; and Table 3).

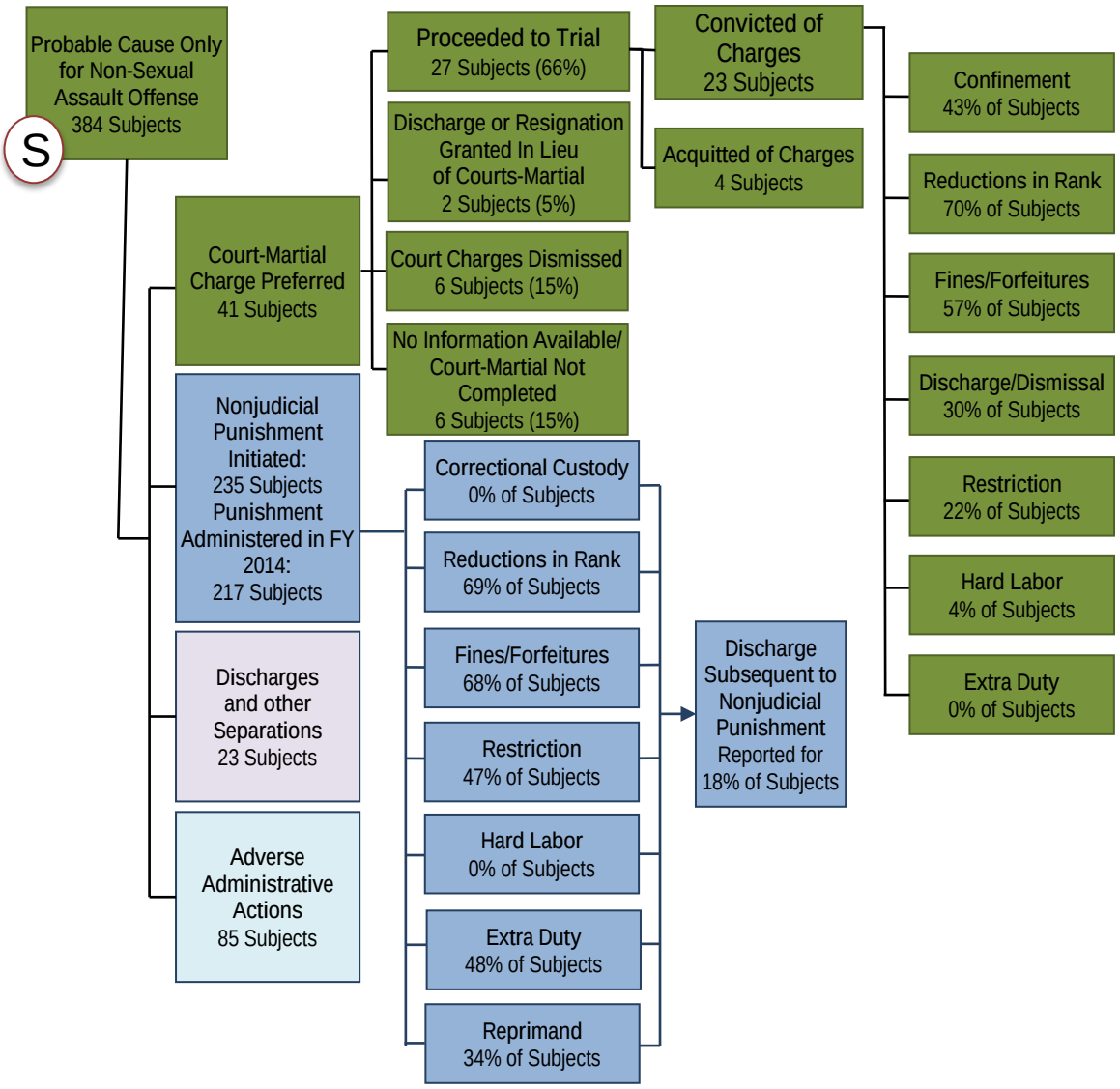


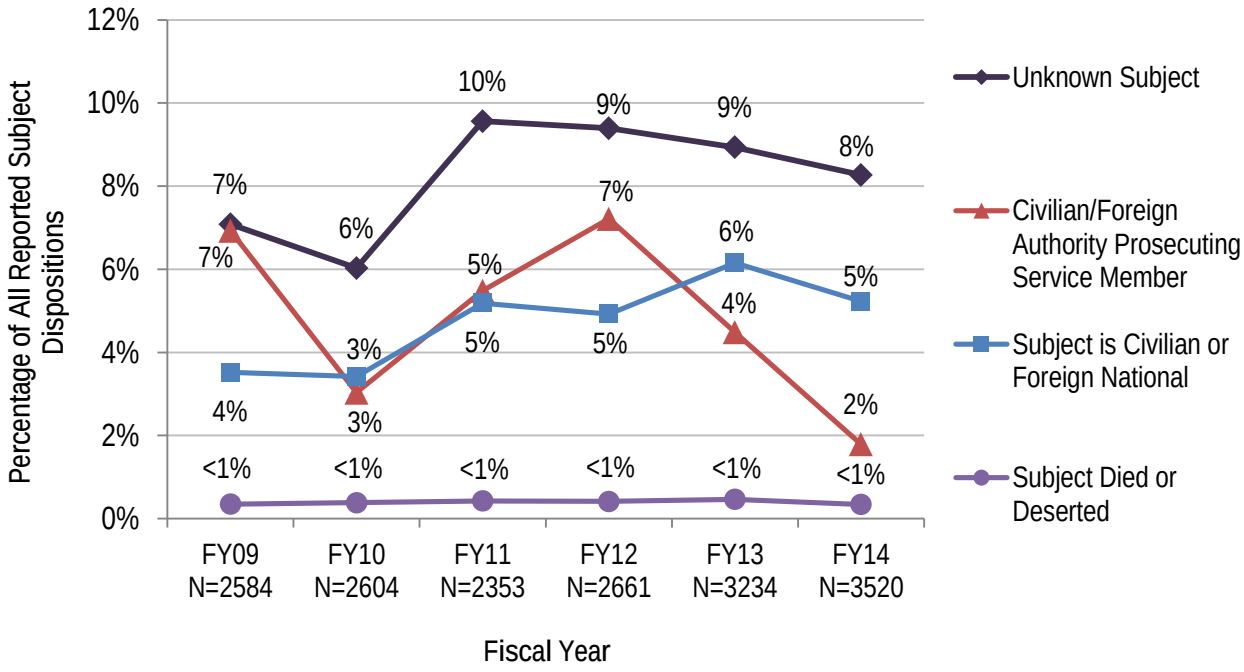
Exhibit 14: Dispositions of Subjects for Whom There was Only Probable Cause for Non-Sexual Assault Offenses, FY 2014

Notes:

1. The Military Services reported that investigations of 384 subjects only disclosed evidence of misconduct not considered to be a sexual assault offense under the UCMJ.
2. Of the 384 subjects, 41 subjects had court-martial charges preferred against them, 235 subjects were entered into nonjudicial punishment proceedings, 23 subjects received a discharge or separation, and 85 subjects received adverse administrative action.
3. Of the 27 subjects whose cases proceeded to courts-martial, 23 subjects were convicted of the charges against them. Most convicted Service members were adjudged a reduction in rank and a fine or forfeiture of pay.
4. Of the 235 subjects considered for nonjudicial punishment, 217 were ultimately found guilty. Most subjects received two kinds of punishment: a reduction in rank and fines/forfeitures.
5. Some categories do not sum to 100% due to rounding to the nearest whole percentage.

Subjects Outside DoD Legal Authority

As previously discussed, each year the Department does not have jurisdiction over several hundred subjects in its sexual assault investigations. When the subject of an investigation is a U.S. civilian, a foreign national, or an unidentified subject, they fall outside the Department's legal authority to take any action. Civilian authorities in the United States and the governments of our host nations have primary responsibility for prosecuting U.S. civilians and foreign nationals, respectively, who are accused of perpetrating sexual assault against Service members. In a small percentage of cases each year, a state or host nation will assert its legal authority over a Service member to address alleged misconduct. This typically occurs when a Service member is accused of sexually assaulting a civilian or foreign national at a location where the civilian or foreign authorities possess jurisdiction.



Notes:

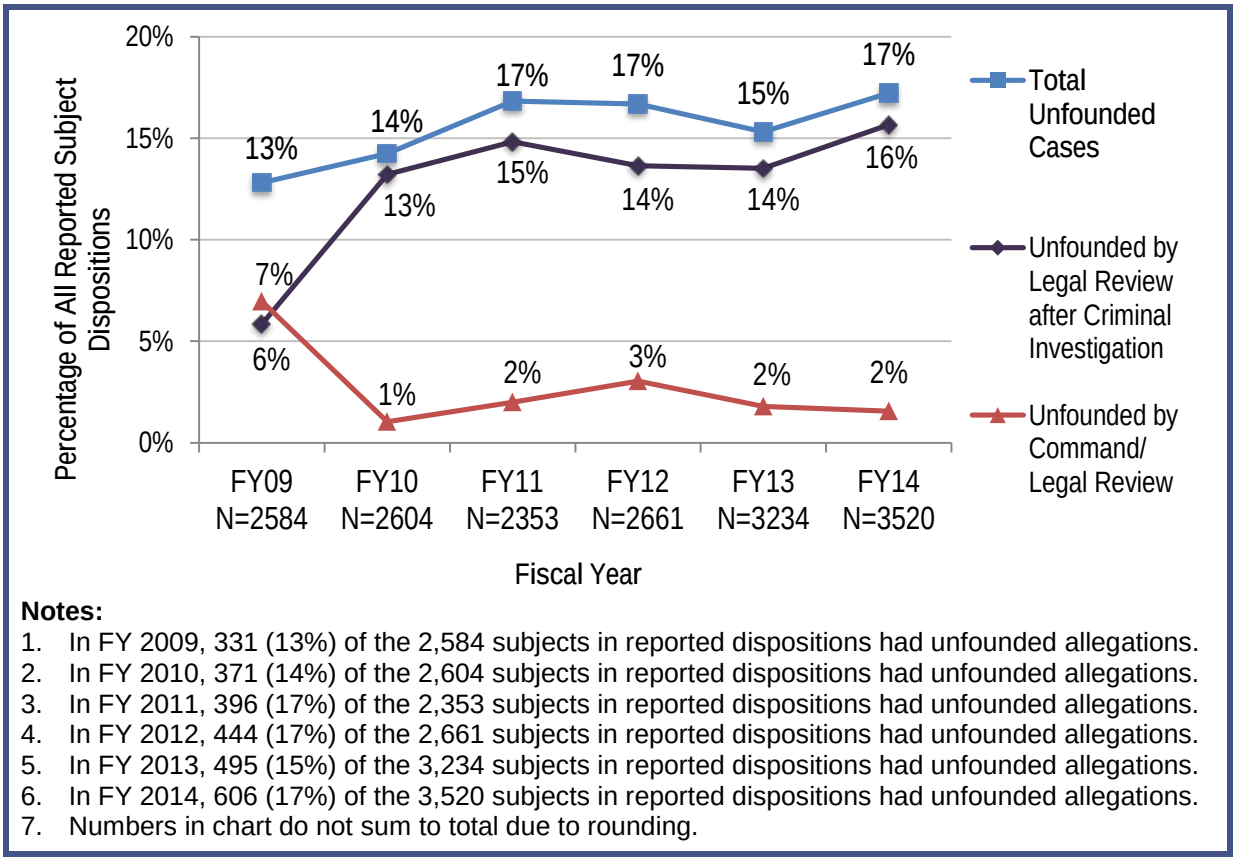
1. In FY 2009, 462 (18%) of the 2,584 subjects in completed dispositions were outside DoD legal authority or were Service member subjects prosecuted by a civilian or foreign authority.
2. In FY 2010, 335 (13%) of the 2,604 subjects in completed dispositions were outside DoD legal authority or were Service member subjects prosecuted by a civilian or foreign authority.
3. In FY 2011, 486 (21%) of the 2,353 subjects in completed dispositions were outside DoD legal authority or were Service member subjects prosecuted by a civilian or foreign authority.
4. In FY 2012, 584 (22%) of the 2,661 subjects in completed dispositions were outside DoD legal authority or were Service member subjects prosecuted by a civilian or foreign authority.
5. In FY 2013, 648 (20%) of the 3,234 subjects in completed dispositions were outside DoD legal authority or were Service member subjects prosecuted by a civilian or foreign authority.
6. In FY 2014, 550 (16%) of the 3,520 subjects in completed dispositions were outside DoD legal authority or were Service member subjects prosecuted by a civilian or foreign authority.

Exhibit 15: Subjects Investigated for Sexual Assault by the Department Who Were Outside Its Legal Authority, FY 2009 – FY 2014

While Service members are always under the legal authority of the Department, a civilian or foreign authority may choose to exercise its authority over a Service member anytime he or she is suspected of committing an offense within its jurisdiction. Sometimes civilian and foreign authorities agree to let the Department prosecute the Service member. However, such decisions are made on a case-by-case and jurisdiction-by-jurisdiction basis. A host nation's ability to prosecute a Service member is subject to the SOFA between the United States and the foreign government. SOFAs vary from country to country. From FY 2009 to FY 2014, the percentage of subjects investigated by the Department for sexual assault found to be outside the Department's legal authority or under the authority of another jurisdiction varied between 13 percent and 22 percent, as depicted in Exhibit 15.

Unfounded Allegations of Sexual Assault

The goals of a criminal investigation are to determine who has been victimized, what offenses have been committed, and who may be held appropriately accountable. When the allegations in an Unrestricted Report are investigated, one possible outcome is that the evidence discovered by the investigation demonstrates that the accused person did not commit the offense. Another possible outcome is that evidence shows that a crime did not occur. When either of these situations occurs, the allegations are determined to be unfounded, meaning false or baseless (Exhibit 8, Point K, and Exhibit 9, Point V).



Notes:

1. In FY 2009, 331 (13%) of the 2,584 subjects in reported dispositions had unfounded allegations.
2. In FY 2010, 371 (14%) of the 2,604 subjects in reported dispositions had unfounded allegations.
3. In FY 2011, 396 (17%) of the 2,353 subjects in reported dispositions had unfounded allegations.
4. In FY 2012, 444 (17%) of the 2,661 subjects in reported dispositions had unfounded allegations.
5. In FY 2013, 495 (15%) of the 3,234 subjects in reported dispositions had unfounded allegations.
6. In FY 2014, 606 (17%) of the 3,520 subjects in reported dispositions had unfounded allegations.
7. Numbers in chart do not sum to total due to rounding.

Exhibit 16: Subjects with Unfounded Allegations in Completed DoD Investigations of Sexual Assault, FY 2009 – FY 2014

Allegations may be unfounded either by the legal review at the end of a criminal investigation or by the disposition authority and legal officers when determining whether disciplinary action is warranted. Exhibit 16 shows that although there has been some variation in who has determined whether allegations were unfounded, the overall percentage of subjects with unfounded allegations has remained about the same since FY 2009.

Provisional Demographics of Victims and Subjects in Completed Investigations

The following initial demographic information was gathered from the 3,818 investigations of sexual assault initiated and completed in FY 2014. These investigations involved 4,189 victims and 4,353 subjects.

Victims

Table 4 illustrates that the vast majority of victims in investigations tend to be female, under the age of 25, and of junior enlisted grades.

Table 4: Demographics of Victims in Completed Investigations

Victim Gender	Count	Share
Male	718	17%
Female	3,121	75%
Data Not Available	350	8%
Total	4,189	100%

Victim Age	Count	Share
0-15	15	<1%
16-19	783	19%
20-24	1,715	41%
25-34	705	17%
35-49	170	4%
50 and older	17	<1%
Data Not Available	784	19%
Total	4,189	100%

Victim Grade or Status	Count	Share
E1-E4	2,611	62%
E5-E9	467	11%
WO1-WO5	2	<1%
O1-O3	121	3%
O4-O10	23	1%
Cadet/Midshipman/Prep	27	1%
US Civilian	542	13%
Foreign National/Foreign Military	20	<1%
Data Not Available	376	9%
Total	4,189	100%

Subjects

Table 5 shows that the vast majority of subjects of investigations tend to be male, under the age of 35, and of junior enlisted grades, respectively.

Table 5: Demographics of Subjects in Completed Investigations

Subject Gender	Count	Share
Male	3,563	82%
Female	175	4%
Unknown or Data Not Available	615	14%
Total	4,353	100%

Subject Age	Count	Share
16-19	314	7%
20-24	1,412	32%
25-34	1,228	28%
35-49	542	12%
50 and older	48	1%
Unknown or Data Not Available	809	19%
Total	4,353	100%

Subject Grade or Status	Count	Share
E1-E4	1,847	42%
E5-E9	1,200	28%
WO1-WO5	29	1%
O1-O3	147	3%
O4-O10	72	2%
Cadet/Midshipman/Prep	6	<1%
US Civilian	150	3%
Foreign National/Foreign Military	44	1%
Unknown or Data Not Available	858	20%
Total	4,353	100%

FY 2014 Reports of Sexual Assault In Combat Areas of Interest

Arduous conditions in combat areas of interest (CAI) make sexual assault response and data collection very difficult. However, SARCs, SAPR VAs, and other SAPR personnel are in place in all of these areas. SAPR personnel are diligent in getting requested services and treatment to victims. The data reported below are included in the total number of Unrestricted and Restricted Reports described in previous sections.

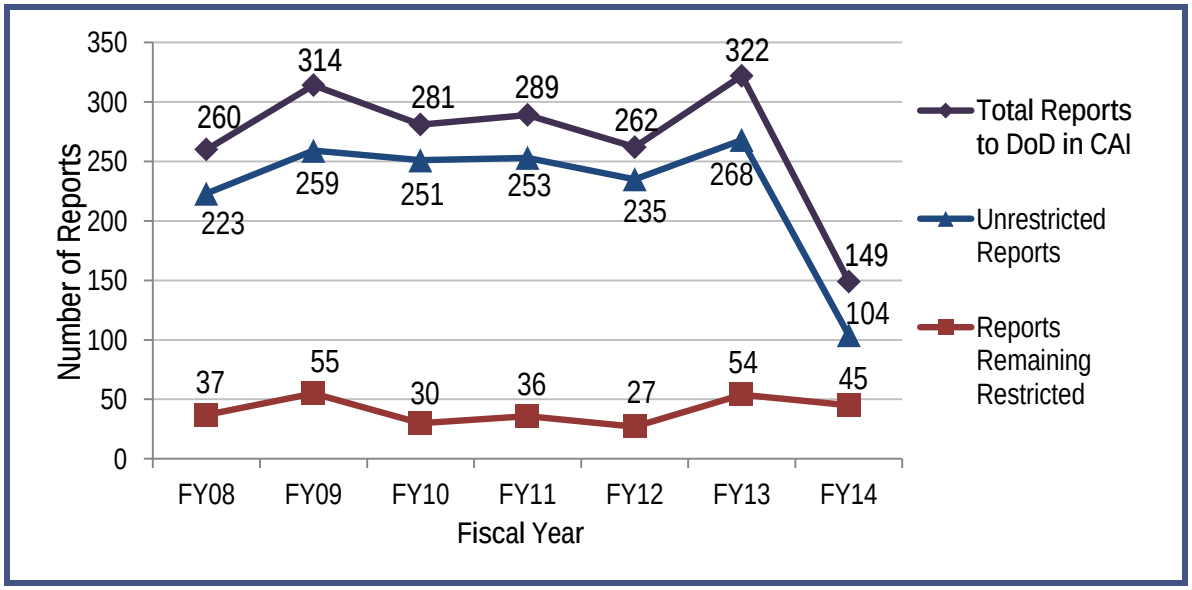


Exhibit 17: Total Reports of Sexual Assault in CAIs: Unrestricted Reports and Restricted Reports, FY 2008 – FY 2014

In FY 2014, there were 149 reports of sexual assault in CAIs. This number reflects a 54 percent decrease in overall reporting in CAIs from FY 2013. This is mostly likely a reflection of the decreased number of Service members deployed to these countries in FY 2014. Exhibit 17 illustrates the history of Unrestricted and Restricted Reporting in CAIs since FY 2008. As stated earlier, starting in FY 2014, DSAID accounts for each individual report of sexual assault, such that each report corresponds to one victim. In Exhibit 17, the number of Unrestricted Reports, for all fiscal years, corresponds to the number of victims. Exhibit 18 compares the number of Unrestricted Reports using the case-driven accounting method and the victim-driven accounting method.

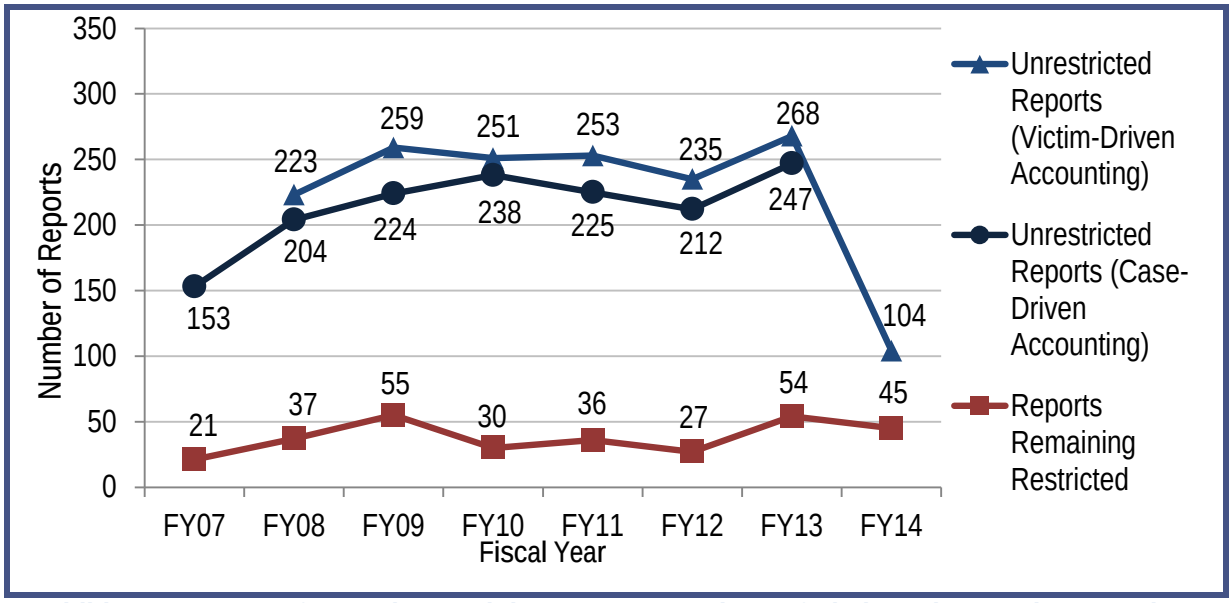


Exhibit 18: Reports of Sexual Assault in CAIs: Comparison of Victim-Driven and Case-Driven Accounting of Unrestricted Reports, FY 2007 – FY 2014

Sexual Assaults Perpetrated by Foreign Nationals against Service Members

The Military Services reported that 44 foreign national subjects, in investigations completed in FY 2014, were suspected to have committed sexual assaults against Service members.

Demographics of Unrestricted Reports in CAIs

Demographic information about the Unrestricted Reports made in CAIs was drawn from the investigations closed during FY 2014. These 72 investigations involved 76 victims and 89 subjects.

Victims

The demographics of victims in CAIs who made Unrestricted Reports mirror the demographics of victims in all Unrestricted Reports made to the Department, in that they are mostly female Service members (78 percent), of a junior enlisted grade (86 percent). However, victims in CAIs who made Unrestricted Reports tended to be slightly older (87 percent were under the age of 35) than victims making Unrestricted Reports in general.

Subjects

The demographics of subjects in Unrestricted Reports made in CAIs are similar to the demographics of subjects in all Unrestricted Reports made to the Department, in that they are mostly male Service members (70 percent), under the age of 35 (51 percent), and in an enlisted grade (47 percent).

Demographics of Restricted Reports in CAIs

The 45 victims who made Restricted Reports of sexual assault in CAIs mirror the demographics of victims in all Restricted Reports made to the Department, in that they were mostly female Service members (84 percent). However, victims making Restricted Reports in CAIs tended to be a little older (71 percent were under the age of 35) and of higher rank (44 percent were E1 to E4; 42 percent were E5 to E9) than victims making Restricted Reports in general.

FY 2014 Restricted Reports of Sexual Assault

How many Restricted Reports convert to Unrestricted Reports each year?
On average, about 15% of victims convert their Restricted Reports to Unrestricted Reports. However, in FY 2014 about 19% of victims converted from a Restricted to an Unrestricted Report.

Because Restricted Reports are confidential, covered communications as defined in Department policy, SAPR personnel only collect limited data about the victim and the allegation being made. As with Unrestricted Reports, Restricted Reports can be made for incidents that occurred in prior reporting periods and incidents that occurred prior to military service.
In FY 2014, there were 1,824 initial Restricted Reports of sexual assault. Of the 1,824 reports, 342 (19 percent) converted to Unrestricted Reports. At the close of FY 2014, 1,482 reports remained Restricted.[6]

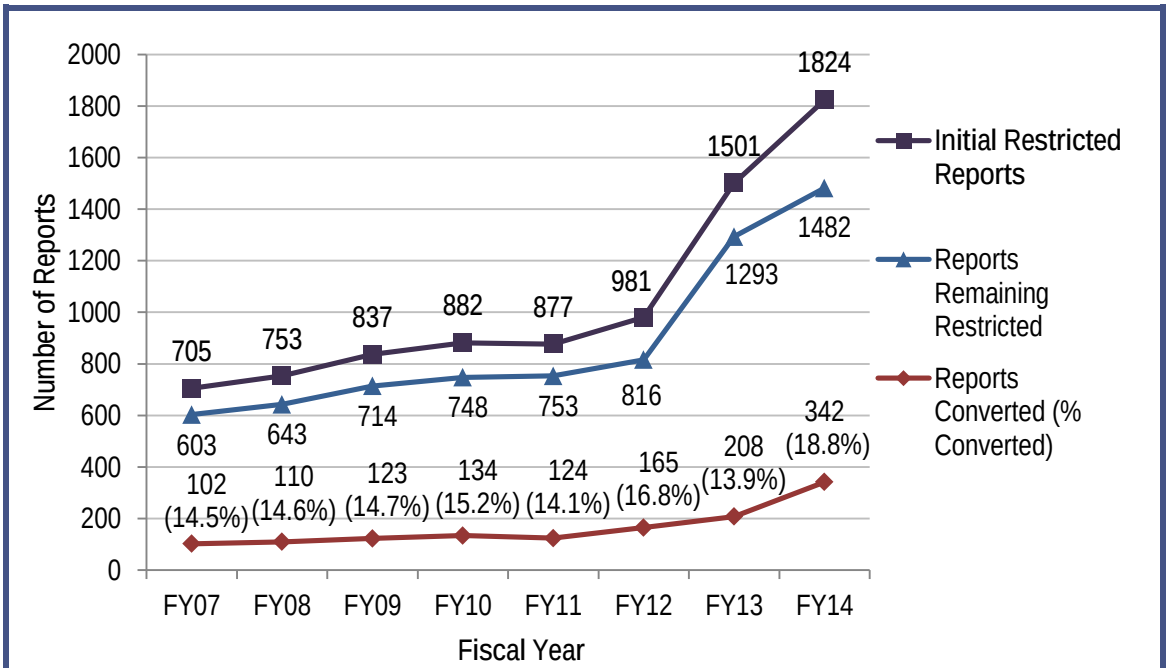
This year, 388 Service Members made a Restricted Report for an incident that occurred prior to entering military service, representing approximately six percent of the 5,983 reports of sexual assault.

Of these 388 Service members:

- 244 members indicated that the incident occurred prior to age 18,
- 121 members indicated that the incident occurred after age 18, and
- 23 members declined to specify one of the two categories listed above.

Over time, the percentage of victims who convert their Restricted Reports to Unrestricted Reports has remained relatively stable at about 15 percent. In FY 2014, the conversion rate increased to 18.8 percent. Exhibit 19 shows the Restricted Reports and conversion rates for the past eight FYs.

[6] The 342 Restricted reports that converted to Unrestricted Reports are included in the total 4,501 Unrestricted Reports cited earlier.



Note: The percentages in parentheses are the percentage of cases that converted during that time period from a Restricted Report to an Unrestricted Report.

Exhibit 19: Total Number of Reports that Were Initially Made as Restricted, the Remaining Number of Restricted Reports, and the Number of Reports that Converted, FY 2007 – FY 2014

Demographics of Restricted Reports of Sexual Assault

Table 6 shows that victims who made a Restricted Report were primarily female, under the age of 25, and of a junior enlisted grade.

Table 6: Demographics of Victims in Restricted Reports

Victim Gender	Count	Share
Male	249	17%
Female	1,227	83%
Data Not Available	6	<1%
Total	1,482	100%

Victim Age	Count	Share
0-15	194	13%
16-19	337	23%
20-24	584	39%
25-34	256	17%
35-49	55	4%
50 and older	1	<1%
Data Not Available	55	4%
Total	1,482	100%

Victim Grade or Status	Count	Share
E1-E4	1,067	72%
E5-E9	265	18%
WO1-WO5	1	<1%
O1-O3	79	5%
O4-O10	12	1%
Cadet/Midshipman/Prep	19	1%
Non-Service Member	32	2%
Data Not Available	7	<1%
Total	1,482	100%

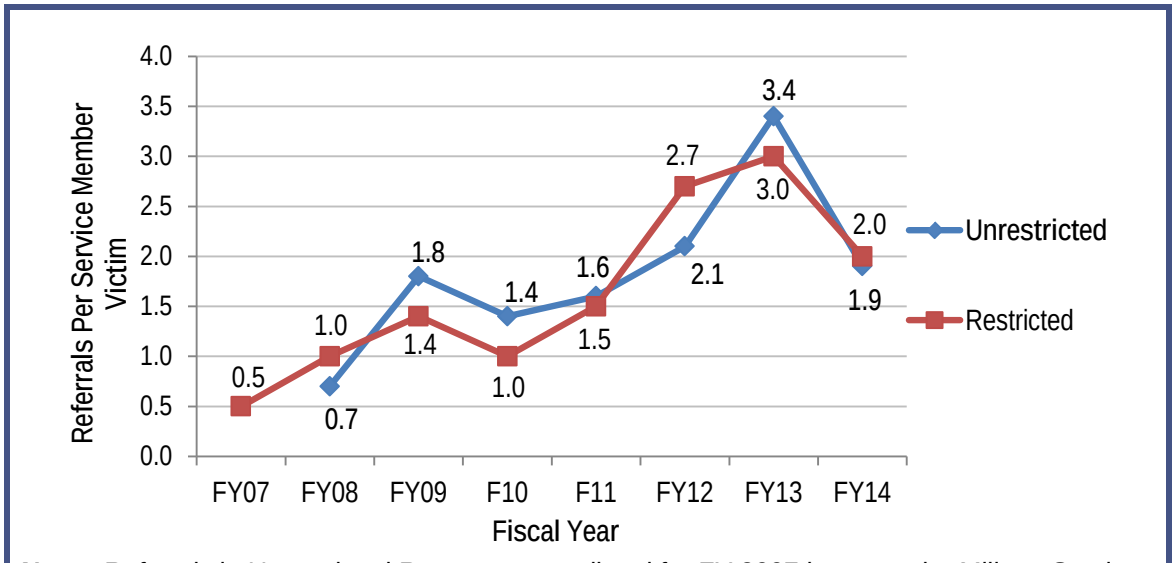
FY 2014 Service Referral Information

SARCs and SAPR VAs are responsible for ensuring victims have access to medical treatment, counseling, legal advice, and other support services. Referrals for these services are made to both military and civilian resources. A referral for service can happen at any time while the victim is receiving assistance from a SARC or SAPR VA and may happen several times throughout the military justice process. This year, SARCs and SAPR VAs made an average of 1.9 service referrals per Service member victim making an Unrestricted Report. For Service member victims making Restricted Reports, SARCs and SAPR VAs made an average of two service referrals per Service member victim.

Exhibit 20 shows the average number of referrals per Service member victim in sexual assault reports from FY 2007 to FY 2014.

The Military Services varied in the average number of referrals per victim:

- The Army provided an average of 1.2 referrals per Service member victim making an Unrestricted Report and 1.7 referrals per Service member victim making a Restricted Report.
- The Navy provided an average of 2.9 referrals per Service member victim making an Unrestricted Report and 2.8 referrals per Service member victim making a Restricted Report.
- The Marine Corps provided an average of 3.4 referrals per Service member victim making an Unrestricted Report and 2.3 referrals per Service member victim making a Restricted Report.
- The Air Force provided an average of 1.4 referrals per Service member victim making an Unrestricted Report and 1.5 referrals per victim making a Restricted Report.



Note: Referrals in Unrestricted Reports are not listed for FY 2007 because the Military Services were not directed to collect these data until FY 2008.

Exhibit 20: Average Number of Service Referrals per Service Member Victim of Sexual Assault, FY 2007 – FY 2014

The Military Services reported that there were a total of 562 Sexual Assault Forensic Examinations (SAFEs) conducted for Service member victims during FY 2014. Exhibit 21 depicts the reported number of SAFEs conducted for military victims of sexual assault from FY 2007 to FY 2014. The decision to undergo a SAFE always belongs to the victim.

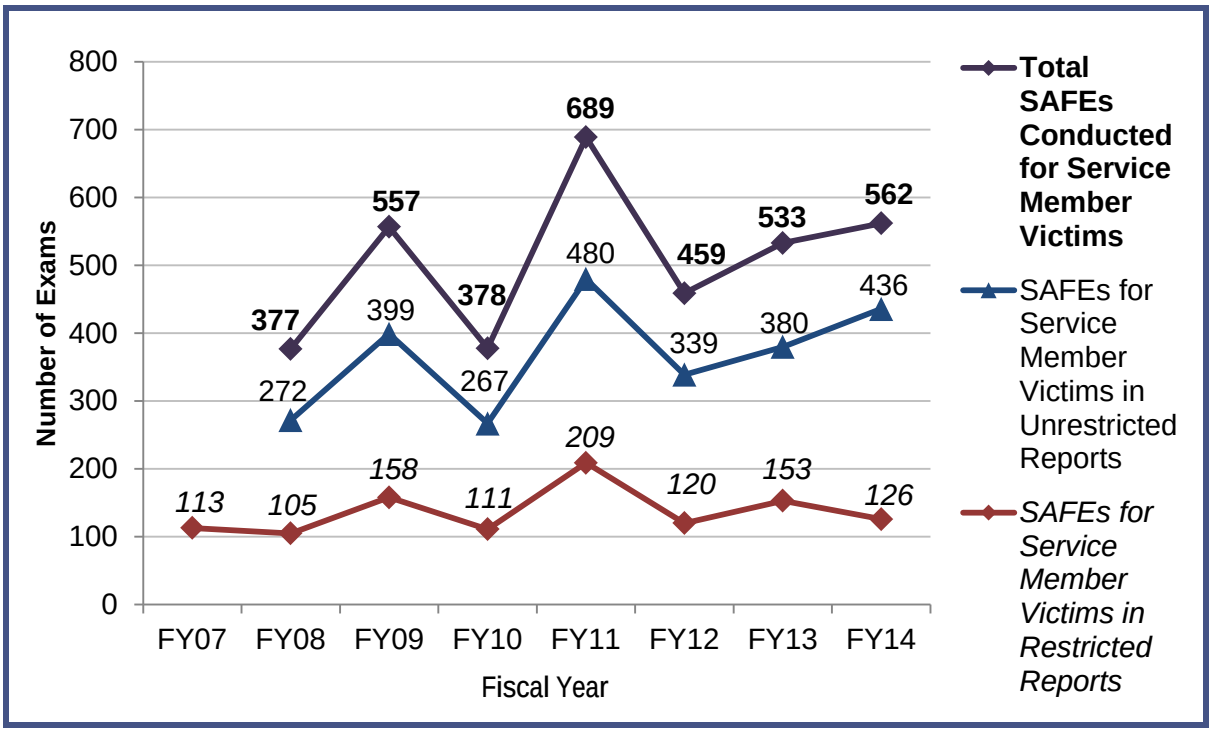


Exhibit 21: SAFEs Reported by the Military Services involving Service Member Victims, FY 2007 – FY 2014

FY 2014 Expedited Transfers

Since FY 2012, the Department has allowed victims of sexual assault to request an expedited transfer from their assigned units (Table 7). This may take the form of a move to another duty location on the same installation, or it may involve moving to a new installation entirely. Requests for transfers are made to the unit commander, who has 72 hours to act on the request. Should the request be declined, the victim may appeal the decision to the first GO/FO in his/her commander's chain of command. The GO/FO then has 72 hours to review the request and provide a response back to the victim. The following table shows the number of expedited transfers and denials since FY 2012.

Table 7: Expedited Transfers and Denials, FY 2012 – FY 2014

Transfer Type	FY 2012	FY 2013	FY 2014
Number of victims requesting a change in Unit/Duty Assignment (Cross-Installation Transfers)	57	99	39
Number Denied	2	3	0
Number of victims requesting a change in Installation (Permanent Change of Station)	161	480	529
Number Denied	0	11	19
Total Approved	**216**	**565**	**549**

Provisional Metrics on Sexual Assault Fiscal Year 2014

TABLE OF CONTENTS

METRICS 1
Metric 1: Past-Year Prevalence of Unwanted Sexual Contact 1
Metric 2: Prevalence versus Reporting 4
Metric 3: Bystander Intervention Experience in the Past-Year 7
Metric 4: Command Climate Index – Addressing Continuum of Harm 10
Metric 5: Investigation Length 12
Metric 6: All Fulltime Certified SARC and VA personnel Currently Able to Provide Victim Support 13
Metric 7: Victim Experience – Satisfaction with Services Provided by SARCs, VAs/UVAs, and SVCs/VLCs 14
Metric 8: Percentage of Subjects with Victims Declining to Participate in the Military Justice Process 15
Metric 9: Perceptions of Retaliation 15
A. Command Climate Perspective 16
B. The RAND Military Workplace Study – WGRA Responses 18
C. Victim Perspective: Survivor Experience Survey (SES) 18
Metric 10: Victim Experience – Victim Kept Regularly Informed of the Military Justice Process 20
Metric 11: Perceptions of Leadership Support for SAPR 21
Metric 12: Reports of Sexual Assault over Time 23
NON-METRICS 24
Non-Metric 1: Command Action – Case Dispositions 24
Non-Metric 2: Court-Martial Outcomes 27
Non-Metric 3: Time Interval from Report of Sexual Assault to Court Outcome 28
Non-Metric 4: Time Interval from Report of Sexual Assault to Nonjudicial Punishment Outcome 29
Non-Metric 5: Time Interval from Report of Investigation to Judge Advocate Recommendation 30
Non-Metric 6: DoD Action in Sexual Assault Cases Declined or Not Fully Addressed by Civilian or Foreign Justice Systems 30

LIST OF FIGURES

Figure A- Metric 1a: Past-Year Prevalence of Unwanted Sexual Contact, CY 2006 and FY 2010 – FY 2014 2
Figure B- Metric 1b: FY 2014 Estimated Rates of Past-Year Sexual Assault, as Indicated by the RAND Military Workplace Study (RMWS) "Sexual Assault" Measure and the Workplace Gender Relations Survey (WGRA) "Unwanted Sexual Contact" Measure 3
Figure C- Metric 1c: FY 2014 Estimated Number of Service Members Experiencing Sexual Assault in the Past-Year, as Indicated by the RAND Military Workplace Study (RMWS) "Sexual Assault" Measure and the Workplace Gender Relations Survey (WGRA) "Unwanted Sexual Contact" Measure 4
Figure D- Metric 2: Sexual Assault Reports versus Prevalence 6
Figure E- Metric 3a and 3b: Bystander Intervention in the Past 12 Months, 2014 7
Figure F- Metric 3a: Bystander Intervention- Observed a High Risk Situation by Gender and Rank 8
Figure G- Metric 3b: Bystander Intervention- Action Taken Among Respondents Who Observed a High Risk Situation by Gender and Rank 9
Figure H- Metric 4: Command Climate Index- Addressing Continuum of Harm by Gender and Rank 11
Figure I- Metric 5: Investigation Length 12
Figure J- Metric 6: All Fulltime Certified SARC and VA Personnel Currently Able to Provide Victim Support 13
Figure K- Metric 7: Victim Experience- Satisfaction with Services Provided by SVCs/VLCs, SARCs, and VAs/UVAs 14
Figure L- Metric 8: Subjects with Victims Declining to Participate in the Military Justice Process 15
Figure M- Metric 9a: Service Members Perceptions of Victim Retaliation – Command Climate Perspective 17
Figure N- Metric 9b: Perceived Retaliation – Victim Perspective 18
Figure O- Metric 9c: Perceived Retaliation – Victim Perspective 19
Figure P- Metric 10: Victim Experience – Victim Kept Regularly Informed of the Military Justice Process 21
Figure Q- Metric 11: Service Members' Perceptions of Leadership Support for SAPR 22
Figure R- Metric 12: Reports of Sexual Assault Over Time 23
Figure S- Non-Metric 1a: Command Action for Alleged Military Offenders under DoD Legal Authority 25
Figure T- Non-Metric 1b: Command Action for Alleged Military Offenders under DoD Legal Authority by Penetrating and Sexual Contact Crimes 26
Figure U- Non-Metric 2: Sexual Assault Court-Martial Outcomes by Penetrating and Sexual Contact Crimes 27

Figure V- Non-Metric 3: Time Interval from Report to Court Outcome 28
Figure W- Non-Metric 4: Time Interval from Report to Nonjudicial Punishment Outcome29
Figure X- Non-Metric 5: Time Interval from Report of Investigation to Judge Advocate Recommendation 30

PROVISIONAL METRICS ON SEXUAL ASSAULT

At the request of the White House, the Department of Defense developed the following metrics and "non-metrics" to help evaluate DoD progress in sexual assault prevention and response. As part of the development process, the Department canvassed sexual assault programs throughout the nation to identify potential points of analysis.

Unfortunately, DoD could find no widely accepted, population-based metrics to serve as a reference. Consequently, the Department developed the following twelve metrics and six "non-metrics" in a collaborative process involving DoD SAPR program experts and researchers. The term "metric" is used to describe some quantifiable part of a system's function. Inherent in performance metrics is the concept that there may be a positive or negative valence associated with such measurements. In addition, adjustments in inputs to a process may also allow an entity to influence a metric in a desired direction. For example, it is the stated intent of the Department to encourage greater reporting of sexual assault. Consequently, increases in the number of sexual assault reports may be an indicator that such a policy may be having the desired effect.

The Department chose to coin the term "non-metric" to describe aspects or outputs of the military justice system that should not be "influenced," or be considered as having a positive or negative valence in that doing so may be considered inappropriate or unlawful under military law. Metric and non-metric points of analysis are illustrated and explained in Figure A through Figure X.

METRICS

Metric 1: Past-Year Prevalence of Unwanted Sexual Contact

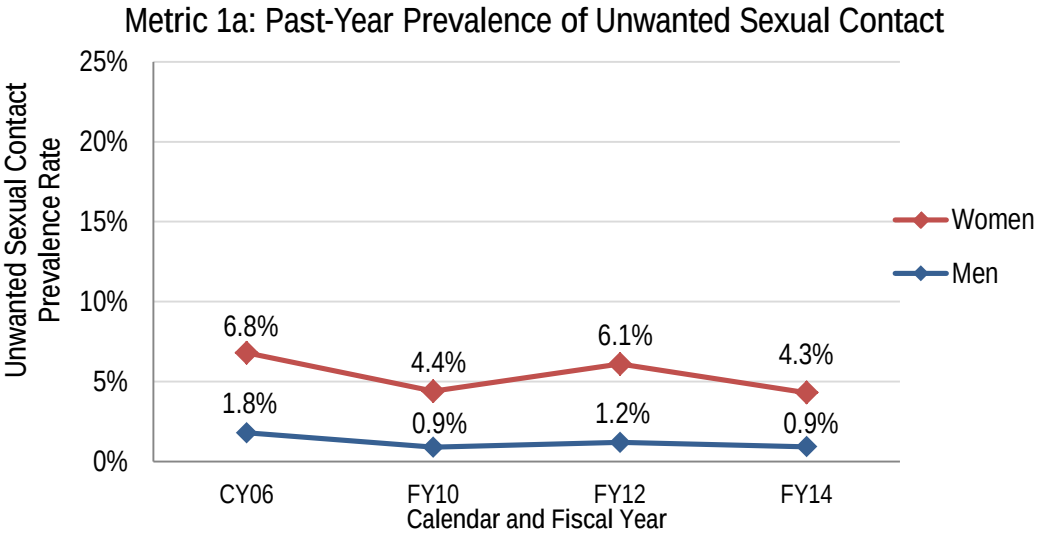
The Department uses the Workplace and Gender Relations Survey of Active Duty Members (WGRA) to estimate the prevalence, or occurrence, of sexual assault in the active duty over a year's time. This survey process is normally conducted by the Defense Manpower Data Center and required as part of the quadrennial cycle of human relations surveys outlined in Title 10 U.S. Code Section 481. In the National Defense Authorization Act for Fiscal Year (FY) 2012, Congress directed the Department to survey the active duty every two years, which allows the Department to more frequently estimate the prevalence of sexual assault. Thus, past-year prevalence estimates are available for Calendar Year (CY) 2006, FY 2010, FY 2012, and FY 2014.

Since 2002, the Defense Manpower Data Center (DMDC) has conducted the Workplace and Gender Relations Surveys. However, in 2013, the leadership of the Senate Armed Services Committee requested that the Department arrange for an independent survey to estimate sexual assault prevalence. In accordance with this request, the RAND Corporation (RAND) was contracted to administer the Military Workplace Study (RMWS) which will serve as the 2014 WGRA. RAND created and simultaneously administered two versions of the survey:

1) One version employed DMDC's prior form questions about sexual assault (unwanted sexual contact) and sexual harassment, drawn from the FY 2012

Workplace and Gender Relations Survey of Active Duty Members, allowing for some level of comparison with previous years' survey data (WGRA form administered by RAND). Past-year prevalence estimates in this report are primarily drawn from this WGRA measure as part of the FY 2014 RAND Military Workplace Study.

2) RAND also developed and administered a new measure to estimate past-year prevalence of sexual assault and sexual harassment (RMWS form) that found statistically similar prevalence rates as the WGRA form. The newer items on the RMWS form were designed to closely track with the legal language describing the crimes that constitute sexual assault in the Uniform Code of Military Justice (UCMJ) and the legal definition of sexual harassment in federal law. The differences between the WGRA and the RMWS forms are explained in greater detail in RAND's initial findings, attached to this report (Annex 1). RAND will be conducting additional analysis this winter and will provide greater detail about the similarities and differences of these two measures with DoD's Annual Report to Congress, to be released in April 2015.



Description: Past-year prevalence of unwanted sexual contact as measured by the WGRA form.
Frequency: Reported to the SAPR Joint Executive Council (JCS Tank) on a biannual basis.
Source: Gender Relations Survey of Active Duty Members (2006); Workplace and Gender Relations Survey of Active Duty Members (WGRA, 2010/2012); WGRA form, RAND Military Workplace Study (RMWS, 2014).
Implication: Estimates the occurrence of unwanted sexual contact of active duty members in a one-year period.

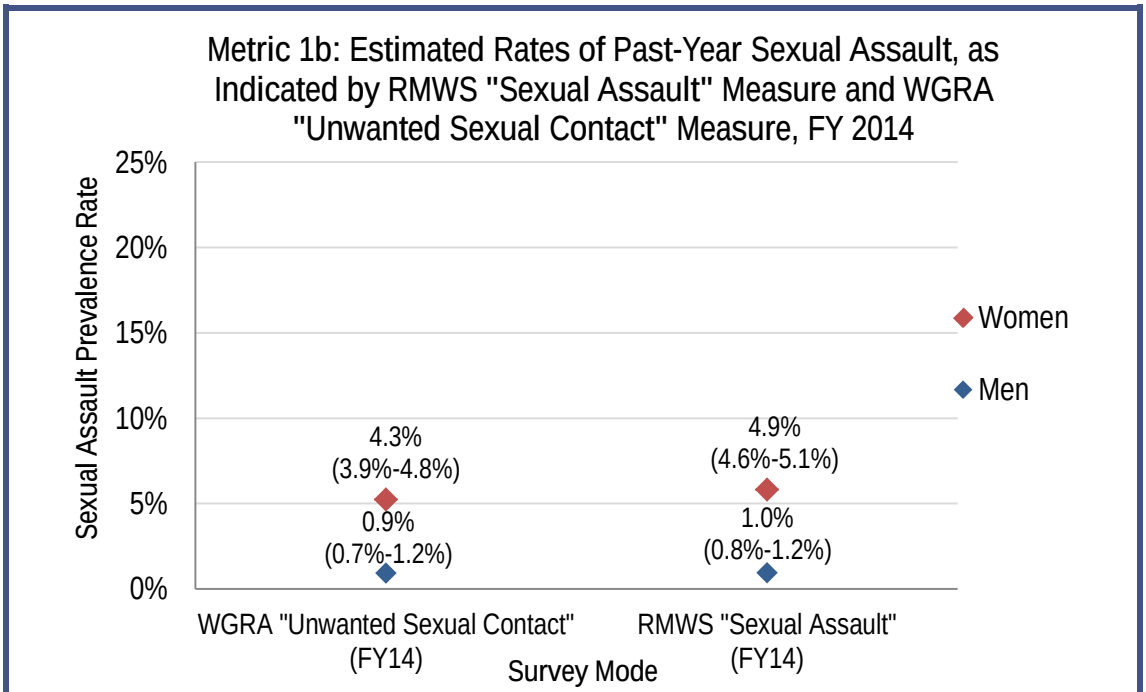
Figure A- Metric 1a: Past-Year Prevalence of Unwanted Sexual Contact, CY 2006 and FY 2010 – FY 2014

Metric 1a (Figure A) illustrates the past-year rates of unwanted sexual contact among active duty women and men for CY 2006, FY 2010, FY 2012, and FY 2014 using similar survey questions across time. Unwanted sexual contact (USC) is the DMDC survey term for the range of contact sexual crimes between adults, prohibited by military law, ranging from rape to abusive sexual contact (Figure A). USC involves intentional sexual

contact that occurred against a person's will or that occurred when a person did not or could not consent.

In FY 2014, RAND's Military Workplace Study, using the WGRA methodology, revealed that 4.3 percent of active duty women and 0.9 percent of active duty men experienced an incident of USC in the past 12 months prior to survey completion. For active duty women, the FY 2014 USC rate is statistically lower than the USC rate found in FY 2012 (4.3 percent versus 6.1 percent, respectively). For active duty men, the FY 2014 USC rate is statistically the same as the USC rate found in FY 2012 (0.9 percent versus 1.2 percent, respectively).

The decreased prevalence of USC for women suggests that, overall, active duty personnel experienced less crime in FY 2014 than they did in FY 2012. Nonetheless, sexual assault remains a persistent problem that requires continued DoD attention.

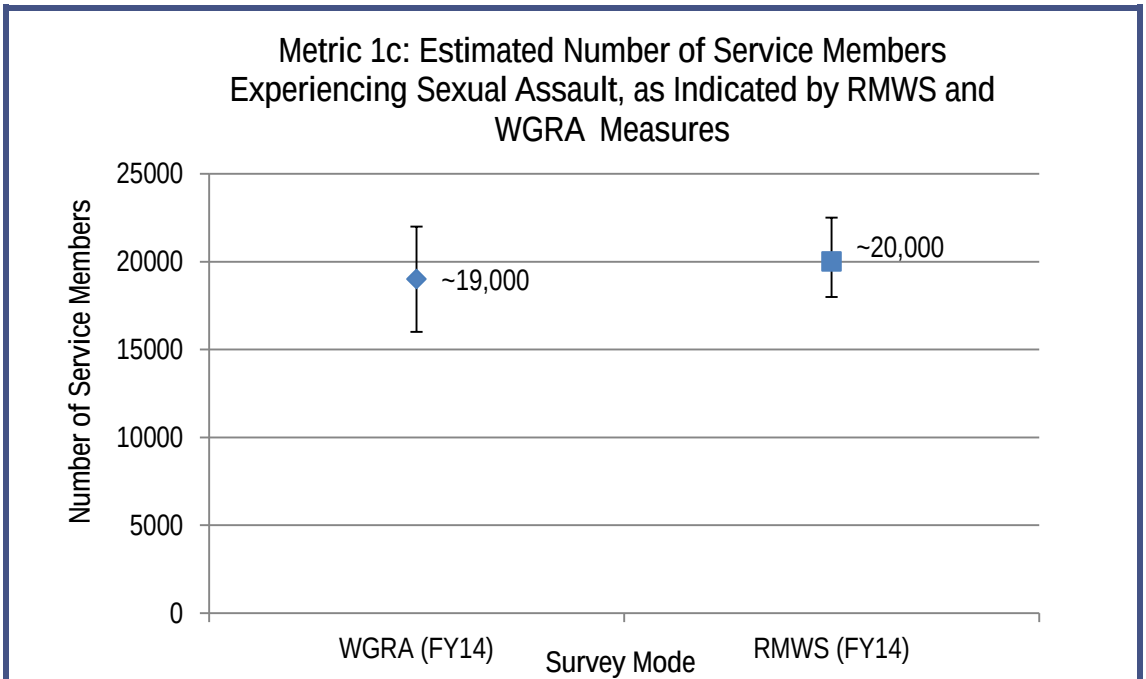


Description: Past-year prevalence of sexual assault as measured by the WGRA and RMWS forms.
Frequency: Reported to the SAPR Joint Executive Council (JCS Tank) on a biannual basis.
Source: RAND Military Workplace Study (RMWS; 2014).
Implication: Estimates the occurrence of sexual assault of active duty members in a one-year period.
Note: The 95% confidence interval for each estimate is indicated in parentheses.

Figure B- Metric 1b: FY 2014 Estimated Rates of Past-Year Sexual Assault, as Indicated by the RAND Military Workplace Study (RMWS) "Sexual Assault" Measure and the Workplace Gender Relations Survey (WGRA) "Unwanted Sexual Contact" Measure

Metric 1b (Figure B) displays the 2014 rates of unwanted sexual contact as determined by the WGRA measure, designed by DMDC, and the new measure of sexual assault developed by RAND (RMWS). For active duty men and women, the rates of sexual assault as estimated by the two methods are about the same. However, the methodological differences employed by the RMWS appear to provide a "crime rate" that more closely aligns with legal terminology in the UCMJ. Nonetheless, these results

are provisional and subject to additional analysis that will be made available with the FY 2014 Annual Report to Congress, due in April 2015.



Description: Estimated number of Service members experiencing sexual assault, as measured by the WGRA and RMWS forms.
Frequency: Reported to the SAPR Joint Executive Council (JCS Tank) on a biannual basis.
Source: RAND Military Workplace Study (RMWS; 2014).
Implication: Estimates the occurrence of sexual assault of active duty members in a one-year period.
Note: Error bars represent the 95% confidence interval for each estimate.

Figure C- Metric 1c: FY 2014 Estimated Number of Service Members Experiencing Sexual Assault in the Past-Year, as Indicated by the RAND Military Workplace Study (RMWS) "Sexual Assault" Measure and the Workplace Gender Relations Survey (WGRA) "Unwanted Sexual Contact" Measure

Metric 1c (Figure C) displays the 2014 estimated number of Service members experiencing unwanted sexual contact as determined by the WGRA measure designed by DMDC and the RMWS measure of sexual assault developed by RAND. As with Metric 1b, the number of active duty men and women who have experienced sexual assault in the past-year as estimated by the two methods is about the same.

Metric 2: Prevalence versus Reporting

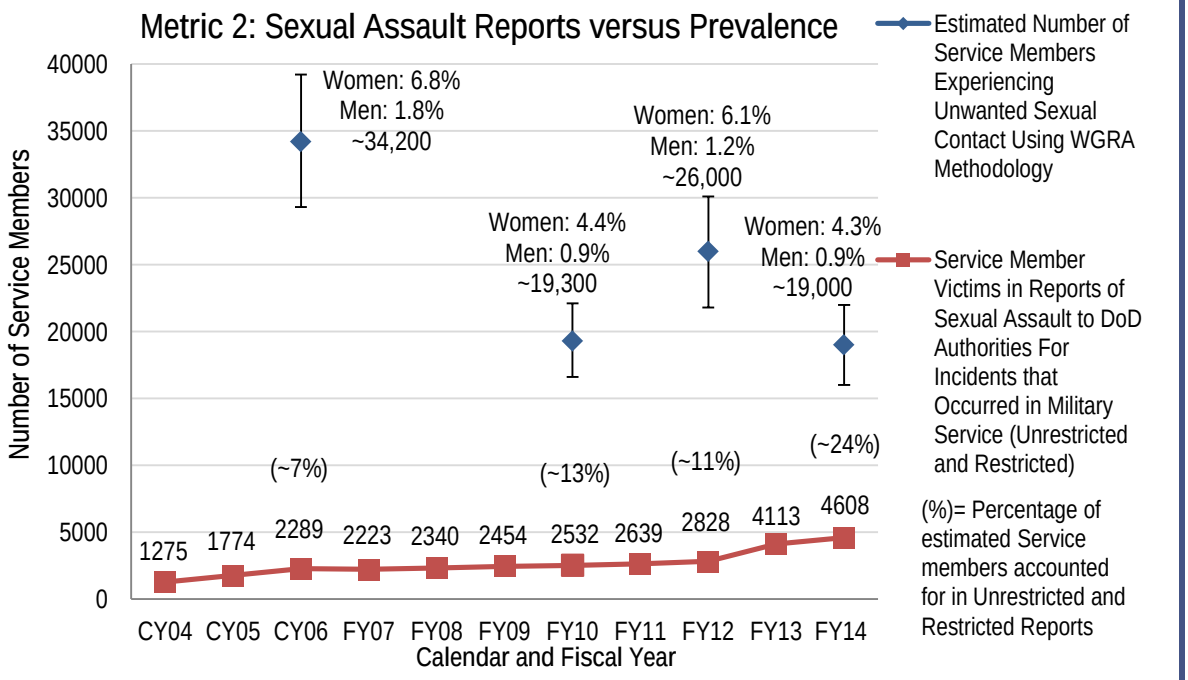
Underreporting occurs when crime reports to law enforcement fall far below scientific estimates of how often a crime may actually occur. Nationally, sexual assault is one of the most underreported crimes, with estimates indicating that between 65 and 84

percent of rapes and sexual assaults go unreported to police.[7] Underreporting also occurs within the Department of Defense. Underreporting of sexual assault interferes with the Department's ability to provide victims with needed care and prevents the Department from holding offenders appropriately accountable. Much remains to be done to improve reporting as DoD estimates indicate that most military victims who experience USC do not make a sexual assault report. In order to better understand the extent to which sexual assault goes unreported, Metric 2 compares the estimated number of Service members who may have experienced USC, as calculated with data from the WGRA form (administered by RAND), with the number of Service member victims in sexual assault reports for incidents occurring during military Service.

Each year, the Department receives reports of sexual assault from both military and civilian victims. The Department responds to all reports of sexual assault; however, a focus on Service member victim reports of sexual assault for an incident during military Service allows for direct comparison with WGRA prevalence estimates. The difference between reports and the estimated number of military victims is illustrated in Figure D. Although reports to DoD authorities are unlikely to capture all USC estimated to occur in a given year, it is the Department's goal to increase Service member victim confidence in reporting sexual assault. The increase in reporting, combined with efforts to reduce the overall occurrence of the crime through prevention efforts, is expected to narrow the "gap" between prevalence and reporting.

As Figure D shows, 4,608 Service member victims in Unrestricted and Restricted Reports of sexual assault made to DoD authorities in FY 2014 accounted for approximately 24 percent of the estimated number of Service members who may have experienced unwanted sexual contact that year (19,000 ± 3,000). This represents a decrease in underreporting (e.g., the gap between reports received and the survey-estimated number of victims) since 2012, when 2,828 Service member victims in reports to DoD authorities accounted for about 11 percent of the 2012 USC prevalence estimate (~26,000).

[7] National Research Council. (2014). Estimating the Incidence of Rape and Sexual Assault. Panel on Measuring Rape and Sexual Assault in Bureau of Justice Statistics Household Surveys, C. Kruttschnitt, W.D. Kalsbeek, and C.C. House, Editors. Committee on National Statistics, Division of Behavioral and Social Sciences and Education. Washington, DC: The National Academies Press.



Description: Estimates the percentage of Service member incidents captured in reports of sexual assault (Restricted and Unrestricted Reports).
Frequency: Reported to the SAPR Joint Executive Council (JCS Tank) on a biannual basis.
Sources: Service reports of sexual assault (FY04 - FY13) and Defense Sexual Assault Incident Database (DSAID, FY14); Gender Relations Survey of Active Duty Members (2006); Workplace and Gender Relations Survey of Active Duty Members (WGRA, 2010/2012); WGRA form, RAND Military Workplace Study (RMWS, 2014).
Implication: Capturing a greater proportion of sexual assault incidents in reports to DoD improves visibility over the extent of the problem. It is the Department's goal to decrease the prevalence of sexual assault through prevention, while encouraging a greater number of victims to make a Restricted or Unrestricted Report. Increased reporting allows a greater number of victims to obtain needed assistance, and gives the Department an opportunity to hold offenders appropriately accountable.
Note: Error bars represent the 95% confidence interval for each estimate.

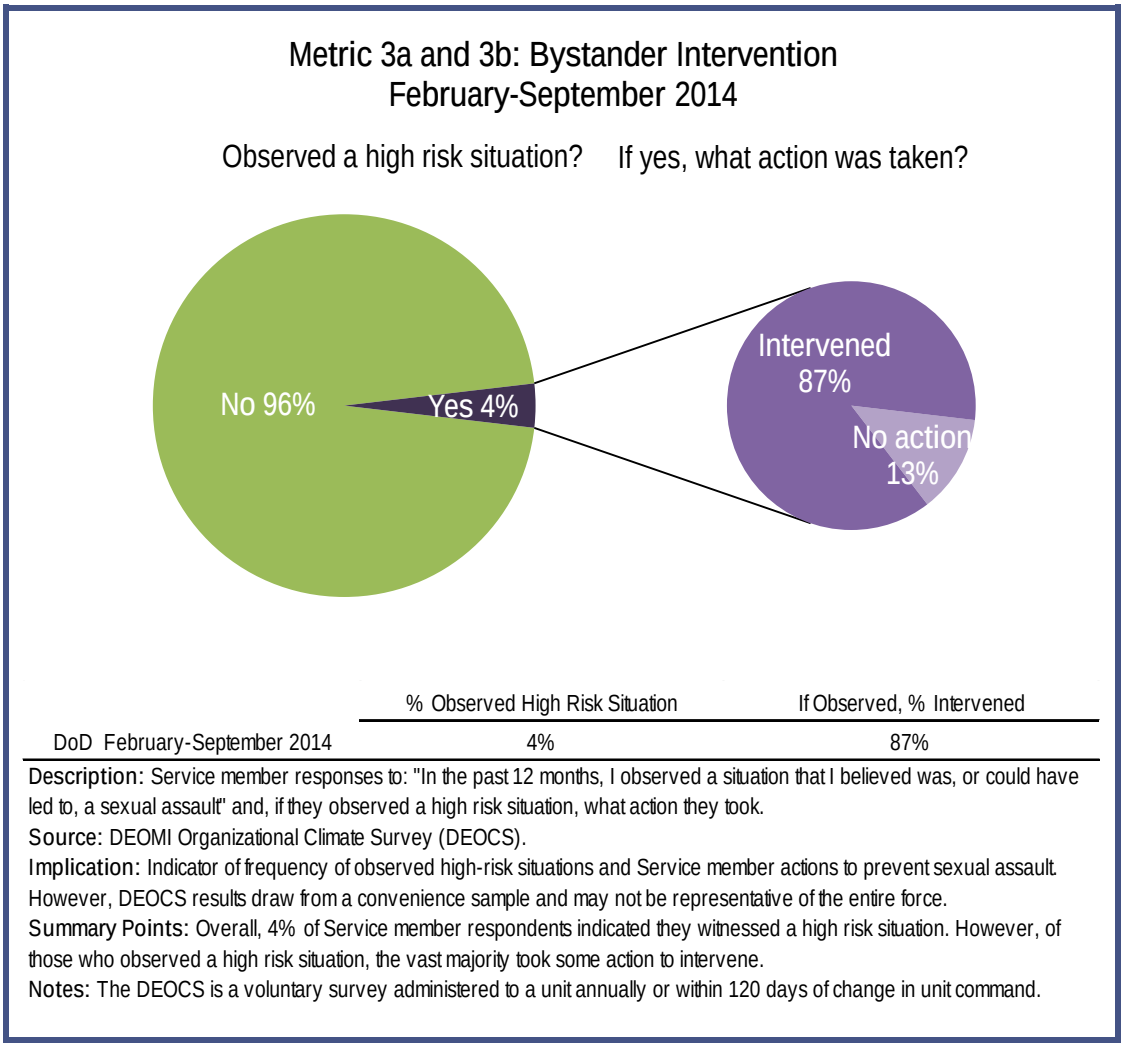
Figure D- Metric 2: Sexual Assault Reports versus Prevalence

The Department expects that the "gap" between the survey-estimated number of Service members experiencing USC and the number of Service members accounted for sexual assault reports to DoD authorities can be reduced in two ways:

- Over time, initiatives to build victims' confidence in the system are expected to increase the number of Service members who choose to make an Unrestricted or Restricted Report.
- Over time, the effects of the many prevention initiatives implemented across the Department are expected to reduce past-year prevalence rates of USC, as measured by the WGRA.

Metric 3: Bystander Intervention Experience in the Past-Year

The DEOCS Command Climate Survey[8] included two items to assess respondents' bystander intervention experiences in the past 12 months. The first item asked whether participants *observed* a situation they believed could have led to a sexual assault within the past 12 months.



	% Observed High Risk Situation	If Observed, % Intervened
DoD February-September 2014	4%	87%

Description: Service member responses to: "In the past 12 months, I observed a situation that I believed was, or could have led to, a sexual assault" and, if they observed a high risk situation, what action they took.
Source: DEOMI Organizational Climate Survey (DEOCS).
Implication: Indicator of frequency of observed high-risk situations and Service member actions to prevent sexual assault. However, DEOCS results draw from a convenience sample and may not be representative of the entire force.
Summary Points: Overall, 4% of Service member respondents indicated they witnessed a high risk situation. However, of those who observed a high risk situation, the vast majority took some action to intervene.
Notes: The DEOCS is a voluntary survey administered to a unit annually or within 120 days of change in unit command.

Figure E- Metric 3a and 3b: Bystander Intervention in the Past 12 Months, 2014

If respondents answered "yes" to this question, they were prompted to answer a second question to identify the response that most closely resembled their actions. The two items are listed below: In the past 12 months, I observed a situation that I believe was, or could have led to, a sexual assault:

- Yes
- No

[8] Additional information about the DEOCS Command Climate Survey can be found above in the "How It Is Gathered" section of this report (p. 5).

In response to this situation (Select the one response that most closely resembles your actions):

- I stepped in and separated the people involved in the situation.
- I asked the person who appeared to be at risk if they needed help.
- I confronted the person who appeared to be causing the situation.
- I created a distraction to cause one or more of the people to disengage from the situation.
- I asked others to step in as a group and diffuse the situation.
- I told someone in a position of authority about the situation.
- I considered intervening in the situation, but I could not safely take any action.
- I decided to not take action.

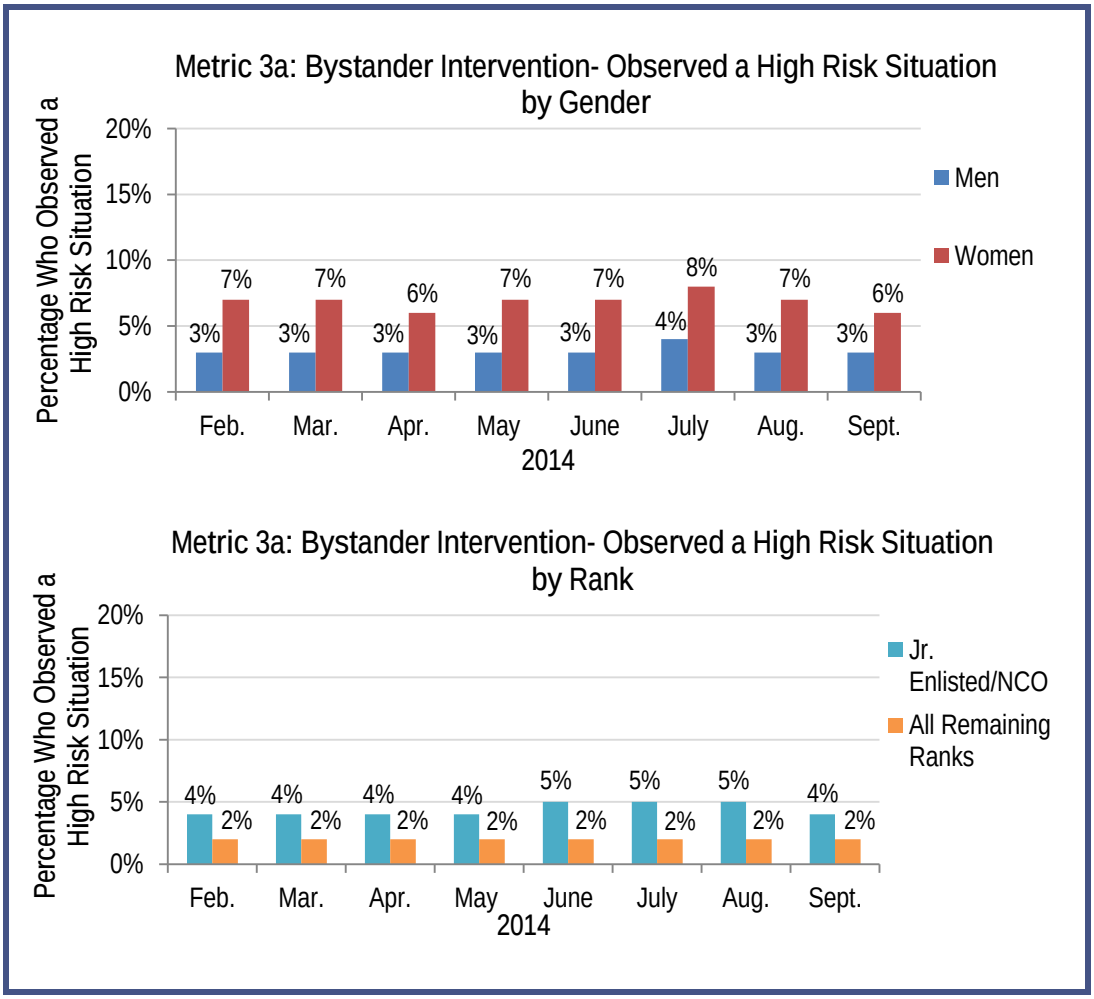


Figure F- Metric 3a: Bystander Intervention- Observed a High Risk Situation by Gender and Rank

Of the respondents who completed the DEOCS in FY 2014, about 4 percent indicated they observed a situation they believed was, or could have led to, a sexual assault (i.e., a high risk situation). However, of those who observed a high risk situation, the vast majority took some action to intervene (Figure E). In order to better understand

differences in responding by certain demographic groups, the Department conducted subsequent comparisons as follows:

- Male compared to female respondents
- Junior enlisted (E1 to E3)/non-commissioned officer (E4 to E6) respondents compared to senior enlisted member (E7 to E9)/warrant officer (W1 to W5)/officer (O1 and above) respondents.

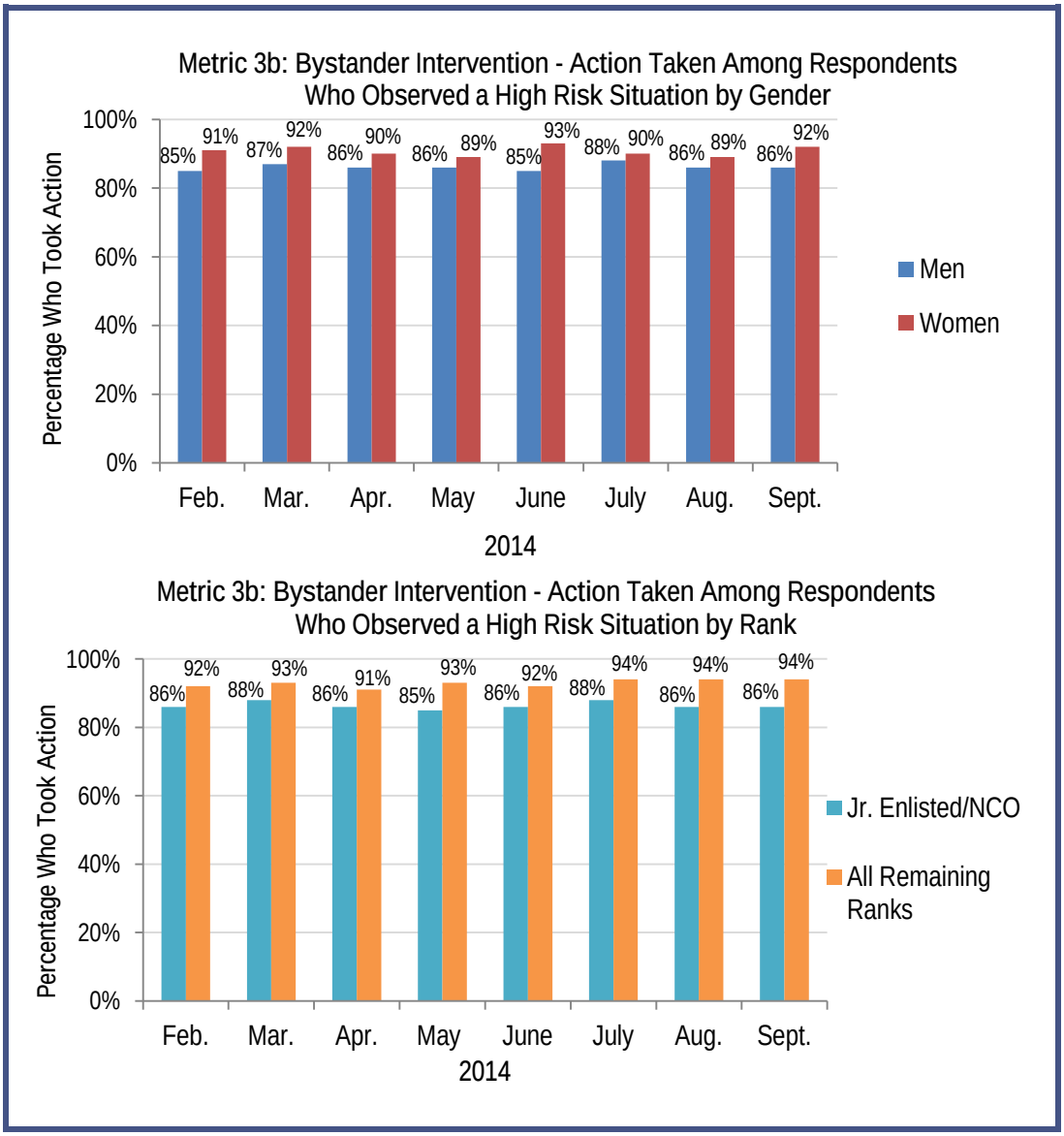


Figure G- Metric 3b: Bystander Intervention- Action Taken Among Respondents Who Observed a High Risk Situation by Gender and Rank

Compared to men, women were more likely to observe a high risk situation and more likely to intervene (Figure F and Figure G). Officers and senior enlisted Service members were less likely to observe a high risk situation, but more likely to intervene

(Figure F and Figure G) when compared to junior enlisted members and non-commissioned officers.

Metric 4: Command Climate Index – Addressing Continuum of Harm

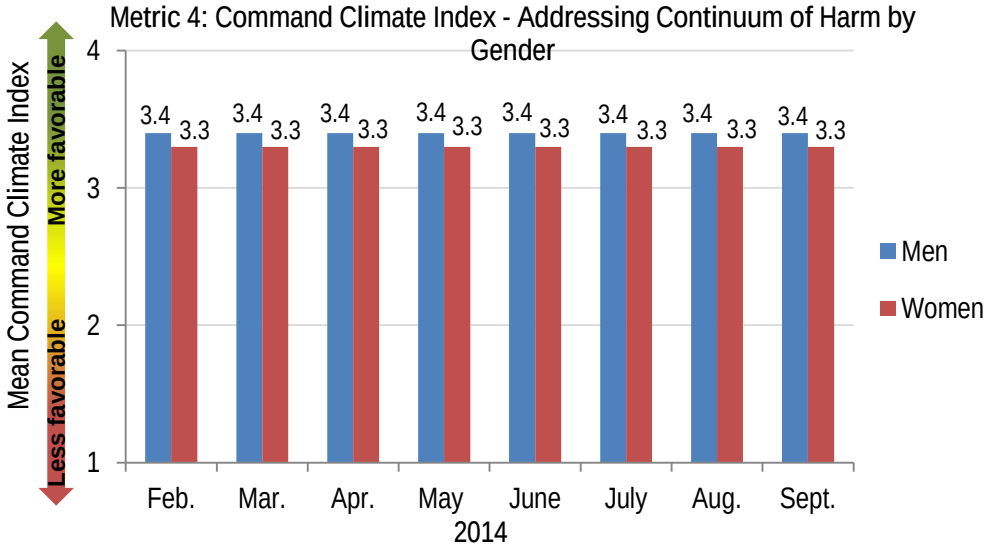
Respondents who completed the DEOCS Command Climate Survey answered three questions about their perceptions of the extent to which their leadership promotes a climate based on mutual respect and trust. These items, listed below, use a four-point scale, ranging from, "Not at All" to "Great Extent", and are coded such that a high score indicates a more favorable climate.

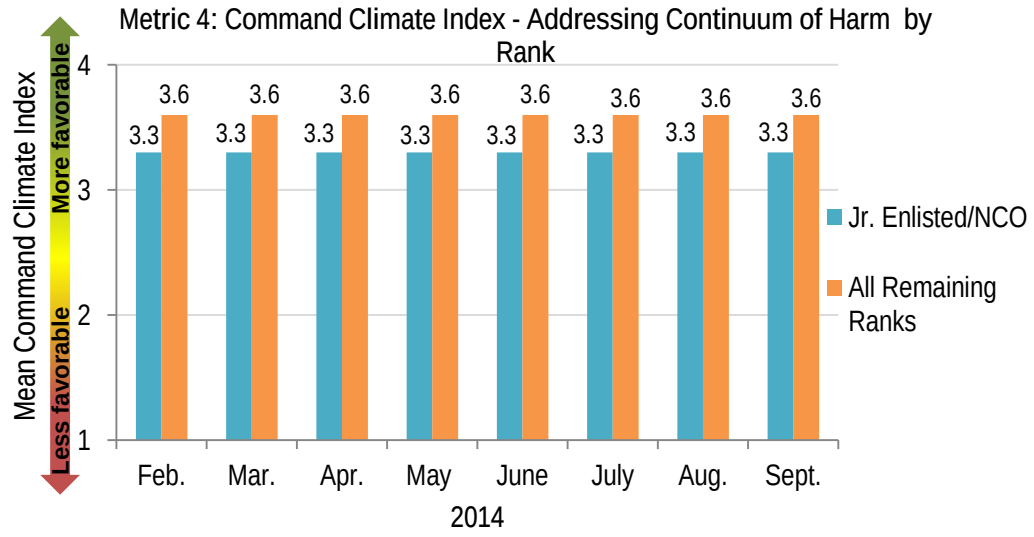
To what extend does your chain of command:

1. Promote a unit climate based on "respect and trust."
2. Refrain from sexist comments and behaviors.
3. Actively discourage sexist comments and behaviors.

The responses to these three items were then combined into an index, still using a 4 point scale. The data displayed represent the average monthly responses from the demographic groups. Overall, DEOCS respondents indicated a very favorable command climate. Perceptions of command climate are less favorable among junior enlisted members and non-commissioned officers (3.3 out of 4.0; E1-E3 and E4-E6, respectively), compared to senior enlisted Service members and officers (3.6 out of 4.0; E7-E9, W1-W5, and O1 and above, respectively). Moreover, perceptions of command climate are slightly less favorable among women than among men (Figure H).

While between 100,000 and 200,000 personnel take the DEOCS each month, the respondents may not be completely representative of the force as a whole. The consistency indicated in monthly results is notable, given that each month represents a different group of respondents. It is important to note that this is the first year that the DEOCS results have been used in this way, and the data have not been fully analyzed to determine scientific reliability and validity, representativeness, and sensitivity to changes in the military population. The DEOCS remains a valuable tool to assess climate on the unit level. However, the inferences that can be made in combining the data of many units for a DoD-wide or Service-wide picture of climate are subject to limitations. The Department will be reviewing its metric methodology in the forthcoming year to identify strengths and areas for improvement.





	Men	Women	Jr. Enlisted/NCO	All Remaining Ranks
DoD February-September 2014	3.4	3.3	3.3	3.6

Description: Mean Service member perceptions of the extent to which their command: (1) Promotes a climate based on "mutual respect and trust", (2) Refrains from sexist comments and behaviors, and (3) Actively discourages sexist comments and behaviors. Higher scores indicate more favorable perceptions.

Source: DEOMI Organizational Climate Survey (DEOCS).

Implication: Service member rating of command climate in this area that addresses the continuum of harm. However, DEOCS results draw from a convenience sample and may not be representative of the entire force.

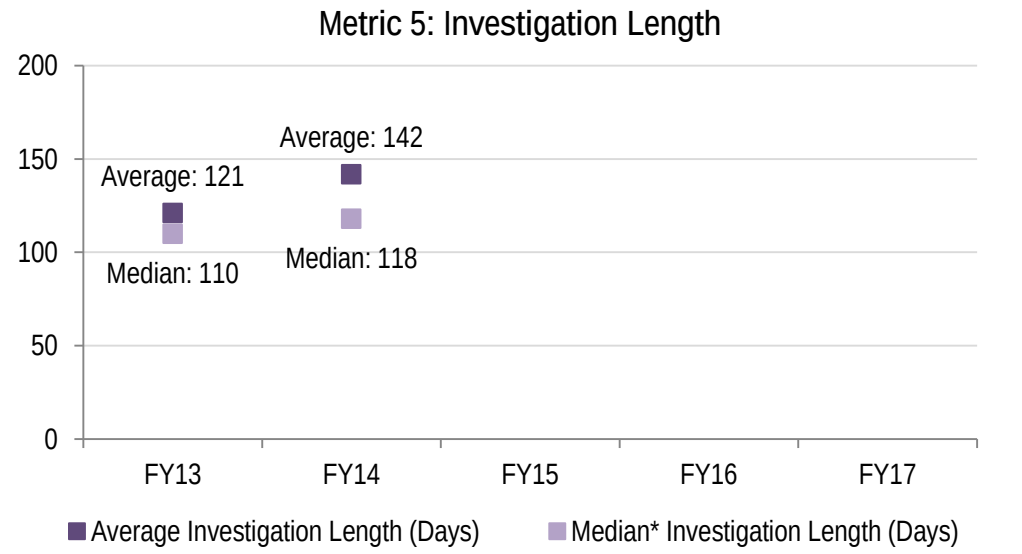
Summary Points: Overall, Service members perceived a favorable command climate. Men perceived a slightly more favorable climate compared to women. Junior enlisted Service members and NCOs reported a less positive command climate compared to all other ranks.

Notes: The DEOCS is a voluntary survey administered to military units annually or within 120 days of change in unit command. Rankings are categorized as follows: Junior enlisted includes E1-E3, NCO includes E4-E6, and all remaining ranks includes E7-E9, W1-W-5, and O1 and above.

Figure H- Metric 4: Command Climate Index- Addressing Continuum of Harm by Gender and Rank

Metric 5: Investigation Length

As illustrated in Figure I, it took an average of 142 days, or 4.7 months, to complete a sexual assault investigation in FY 2014, up slightly from the 121 day average investigation length in FY 2013. The Department began tracking investigation length in FY 2013; therefore, data from previous fiscal years are not available. It is important to note that the length of an investigation does not necessarily reflect an investigation's quality. The time it takes to conduct an investigation depends on a variety of factors, including the complexity of the allegation, the number and location of potential witnesses involved, and the laboratory analysis required for the evidence. Thus, the factors that impact investigation length vary on a case by case basis. Knowledge of the average length of a sexual assault investigation will help inform victims about the investigative process and allow the Department to assess its resources and investigative capabilities moving forward.



Investigations Information	DoD FY13	DoD FY14
Completed Investigations	2013	4641
Average Investigation Length (Days)	121	142
Median* Investigation Length (Days)	110	118

Description: Baseline average and median investigation lengths of sexual assault investigations for each Military Criminal Investigative Organization (MCIO). Length measured from date of victim report to date that all investigative activity is completed.

Source: MCIOs (CID, NCIS, and AFOSI).

Implication: Provides a means to address expectations about investigation length. Investigation length is not a measure of a thorough and professional investigation and may vary greatly depending on the complexity of the allegation and evidence. Shorter investigations are not necessarily better investigations.

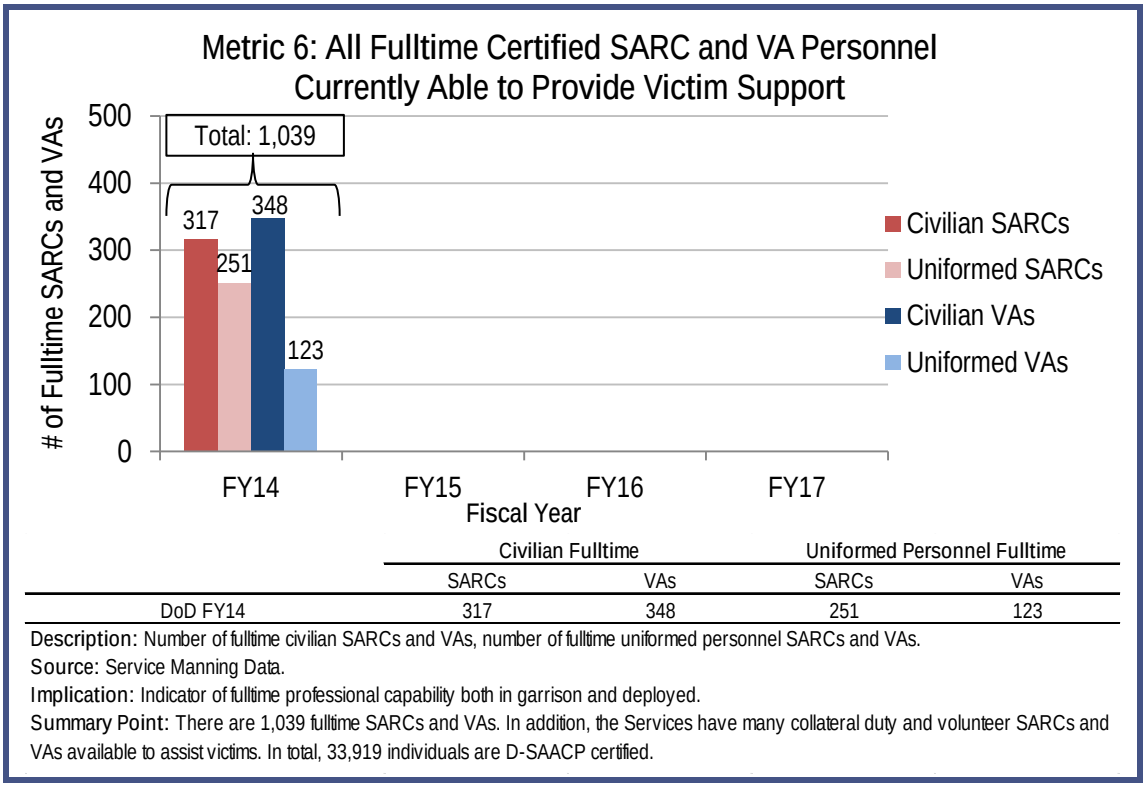
Summary Points: On average, a criminal investigation in the DoD takes 4.7 months

*Note: The median is a "midpoint" for a set of numbers; it is the value for which half are above and half are below. Unlike an average, the median is less influenced by outliers in a set of numbers.

Figure I- Metric 5: Investigation Length

Metric 6: All Fulltime Certified SARC and VA personnel Currently Able to Provide Victim Support

As illustrated in Figure J, there are 1,039 fulltime civilian and Service member SARCs and VAs working to provide victim support. In addition to fulltime SARCs and VAs, the Services also employ collateral duty Service member SARCs and VAs to provide support to victims on a part-time basis.



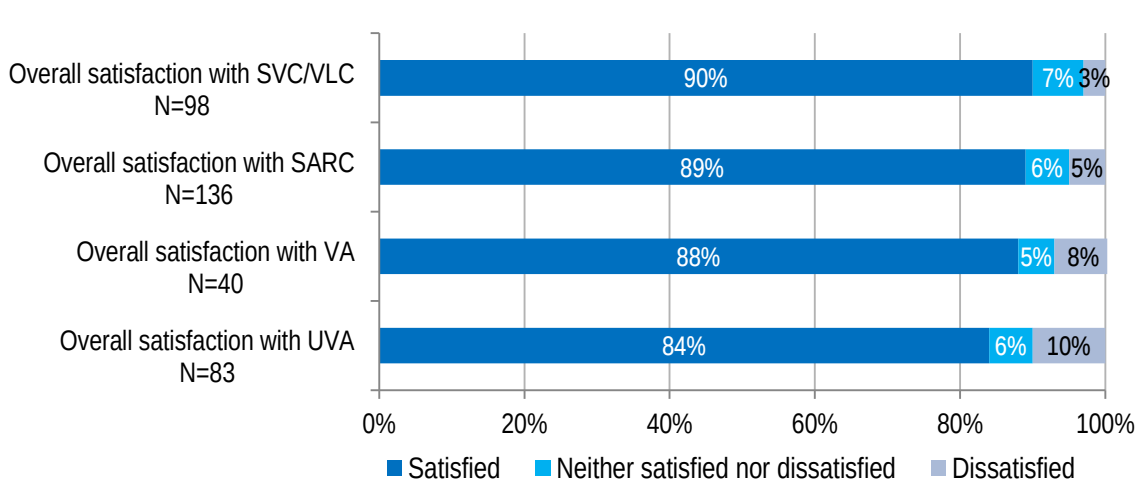
	Civilian Fulltime		Uniformed Personnel Fulltime	
	SARCs	VAs	SARCs	VAs
DoD FY14	317	348	251	123

Description: Number of fulltime civilian SARCs and VAs, number of fulltime uniformed personnel SARCs and VAs.
Source: Service Manning Data.
Implication: Indicator of fulltime professional capability both in garrison and deployed.
Summary Point: There are 1,039 fulltime SARCs and VAs. In addition, the Services have many collateral duty and volunteer SARCs and VAs available to assist victims. In total, 33,919 individuals are D-SAACP certified.

Figure J- Metric 6: All Fulltime Certified SARC and VA Personnel Currently Able to Provide Victim Support

Metric 7: Victim Experience – Satisfaction with Services Provided by SARCs, VAs/UVAs, and SVCs/VLCs

Survivors who completed the Survivor Experience Survey (SES) reported the extent to which they were satisfied with the services provided by their SARC, VA, UVA and Special Victim's Counsel/Victim's Legal Counsel (SVC/VLC). As illustrated in Figure K, the vast majority of survivors expressed satisfaction with the services provided by their SARCs, VAs/UVAs, and SVCs/VLCs. The SES is the first Department-wide effort to assess victims' experiences with the DoD response system. The Department will continue to administer the Survivor Experience Survey on an ongoing basis to assess survivors' needs and experiences in an effort to improve victim services. See Annex 2 for additional information about the SES.

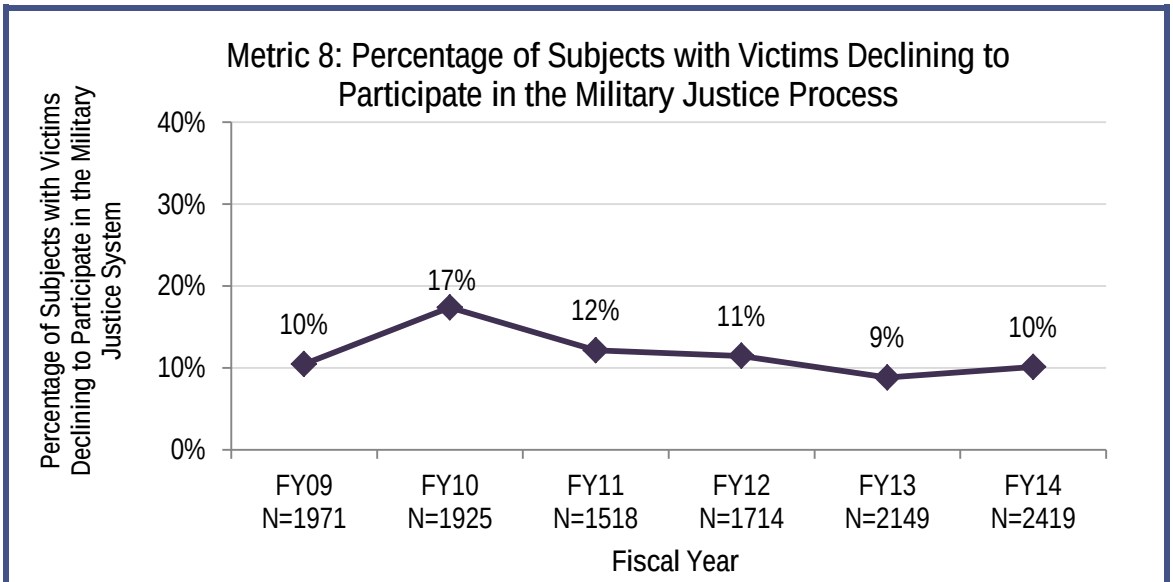


Description: Victim opinion of the quality/value of support provided by the SVC/VLC, SARC, and VA/UVA, if assigned.
Source: Survivor Experience Survey (SES), Phase 1.
Implication: Indicates the degree to which SARCs, VAs/UVAs, and SVCs are valued by victims.
Summary Points: The vast majority of victims were satisfied with their SVCs/VLCs, SARCs, VAs/UVAs.
Note: Because of the small number of respondents contributing toward many of these estimates, we caution against comparing across groups.

Figure K- Metric 7: Victim Experience- Satisfaction with Services Provided by SVCs/VLCs, SARCs, and VAs/UVAs

Metric 8: Percentage of Subjects with Victims Declining to Participate in the Military Justice Process

The Services reported that DoD commanders, in conjunction with their legal advisors, reviewed and made case disposition decisions for 2,419 subjects in FY 2014. However, the evidence did not support taking disciplinary action against everyone accused of a sexual assault crime. For example, disciplinary action is precluded (not possible) when victims decline to participate in the military justice process. In FY 2014, 10 percent of accused subjects whose cases were presented to command for consideration of action did not receive disciplinary action because their victims declined to participate in the justice process. As illustrated in Figure L, the percentage of subjects with victims declining to participate remained steady from FY 2009 to FY 2014, with the exception of a small increase in FY 2010. Although the majority of victims participate in the justice process, the Department continues to seek avenues for greater and sustained victim involvement in the justice system. Recent initiatives, such as the Special Victims' Counsel/Advocacy Program, are expected to encourage greater victim participation and engagement with the military justice process.



Description: The percentage of subjects that cannot be held appropriately accountable because the victim declined to participate in the military justice process.
Frequency: Reported to the SAPR Joint Executive Council (JCS Tank) on an annual basis.
Source: Past source = Service reporting, Current source = Defense Sexual Assault Incident Database (DSAID).
Implication: Provides indication if the Department's changes in the military justice process are having an impact on victim involvement.

Figure L- Metric 8: Subjects with Victims Declining to Participate in the Military Justice Process

Metric 9: Perceptions of Retaliation

It is the goal of the Department to have climate of confidence where victims feel free to report sexual assault, without any concern of retaliation or negative repercussions for doing so. It should be noted that for the following data, the Department did not conduct any follow-up or verification of the perceptions reported. As a result, someone who indicates that they perceived retaliation may not actually know why people are behaving

in a particular way towards him or her. It could be because the victim made a report of sexual assault or because of some other reason unknown to the victim.

Given the challenges associated with interpreting this data, the Department sought to sample a number of domains to get as full a picture of this phenomenon as possible:

A. Command Climate Perspective
B. The RAND Military Workplace Study
C. The Survivor Experience Survey

A. Command Climate Perspective

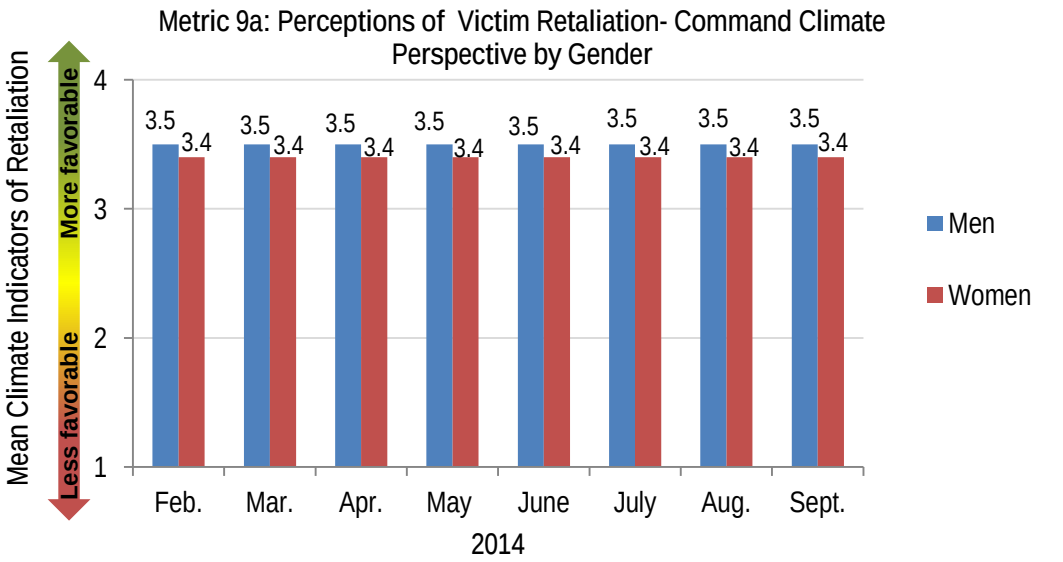
The DEOCS survey included six items to assess command climate indicators that victims may be retaliated against for reporting. The items used a four-point scale ranging from "Not at all likely to "Very likely." The responses to the items listed below were reverse coded such that a high score indicates a more favorable climate and combined into a four-point index:

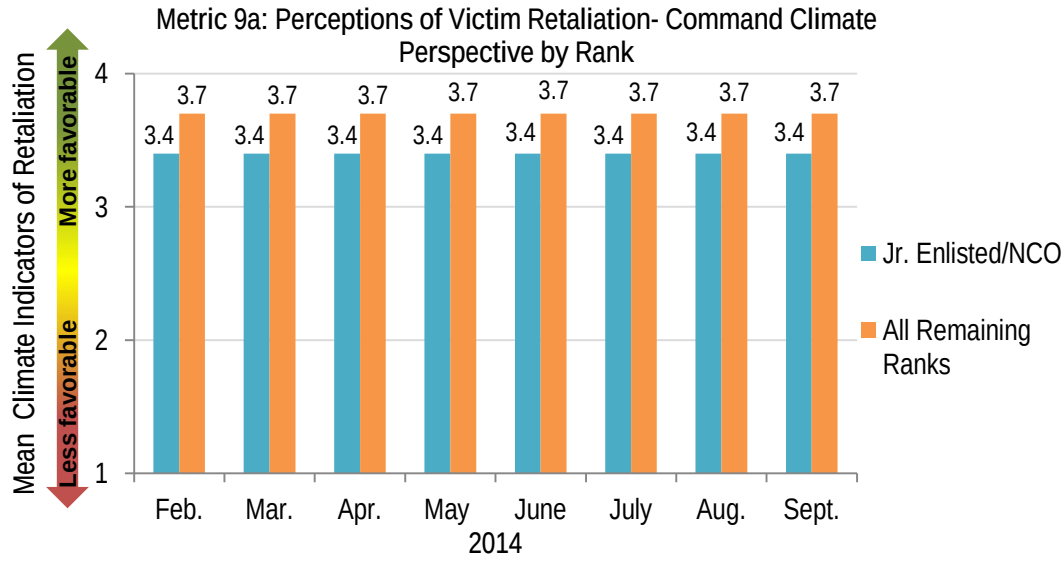
If someone were to report a sexual assault to your current chain of command, how likely is it that:

1. Unit members would label the person making the report a troublemaker.
2. Unit members would support the person making the report.
3. The alleged offender(s) or their associates would retaliate against the person making the report.
4. The chain of command would take steps to protect the safety of the person making the report.
5. The chain of command would support the person making the report.
6. The chain of command would take corrective action to address factors that may have led to the sexual assault.

Overall, Service members who completed the DEOCS perceived that the potential for retaliation from their command and unit members to be unlikely (i.e. they perceived a favorable climate). However, men (3.5 out of 4.0) perceived a slightly more favorable climate with a lower likelihood of retaliation compared to women (3.4 out of 4.0; Figure M). Moreover, senior enlisted Service members and officers (E7-E9, W1-W5, and O1 and above, respectively; 3.7 out of 4.0) perceived a more favorable climate and that retaliation was less likely to occur compared to junior enlisted Service members and non-commissioned officers (E1-E3 and E4-E6, respectively; 3.4 out of 4.0). While between 100,000 and 200,000 personnel take the DEOCS each month, the respondents may not be completely representative of the force as a whole. The consistency indicated in monthly results is notable, given that each month represents a different group of respondents.[9]

[9] As stated earlier, this is the first year that the DEOCS results have been used in this way, and the data have not been fully analyzed to determine scientific reliability and validity, representativeness, and sensitivity to changes in the military population. The DEOCS remains a valuable tool to assess climate on the unit level. However, the inferences that can be made in combining the data of many units for a DoD-wide or Service-wide picture of climate are subject to limitations. The Department will be reviewing its metric methodology in the forthcoming year to identify strengths and areas for improvement.





	Men	Women	Jr. Enlisted/NCO	All Remaining Ranks
DoD February-September 2014	3.5	3.4	3.4	3.7

Description: Mean command climate indicators that victims may be retaliated against for reporting. Higher scores indicate a more favorable command climate.

Source: DEOMI Organizational Climate Survey (DEOCS).

Implication: Provides an indication of Service member perceptions of whether individuals who report a sexual assault would experience some kind of retaliation for doing so. However, DEOCS results draw from a convenience sample and may not be representative of the entire force.

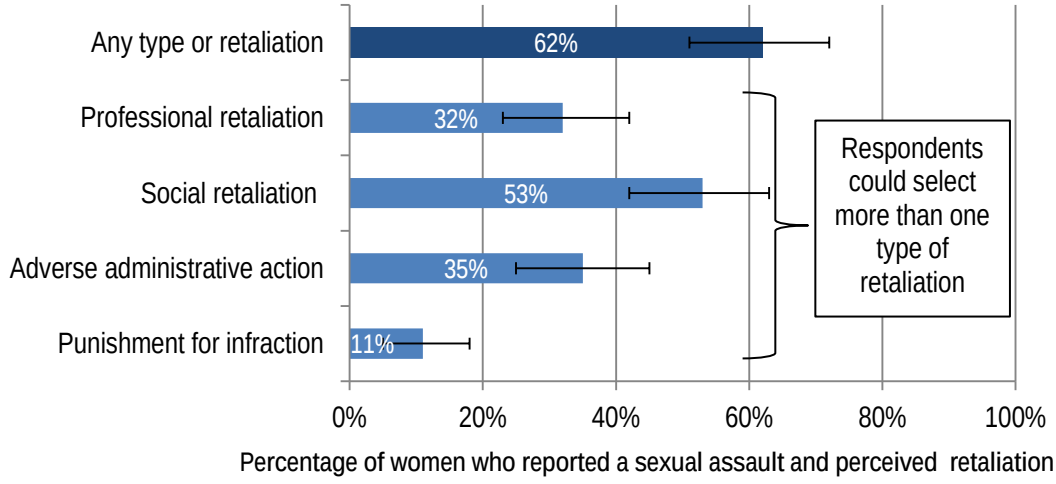
Summary Points: Command climate indicators suggested that, overall, surveyed Service members did not believe that retaliation was likely to occur. Compared to men, women reported that retaliation was slightly more likely to occur. Compared to all other ranks, Junior enlisted Service members and NCOs reported that retaliation was more likely to occur.

Notes: The DEOCS is a voluntary survey administered to military units annually or within 120 days of change in unit command. Rankings are categorized as follows: Junior enlisted includes E1-E3, NCO includes E4-E6, and all remaining ranks includes E7-E9, W1-W5, and O1 and above.

Figure M- Metric 9a: Service Members Perceptions of Victim Retaliation – Command Climate Perspective

B. The RAND Military Workplace Study – WGRA Responses

Of the 4.3 percent of women who indicated experiencing Unwanted Sexual Contact in the year preceding the survey, and who reported the matter to a military authority or organization, 62 percent perceived some form of retaliation, administrative action, and/or punishment. Specifically, the types of retaliation experienced are shown below in Figure N:

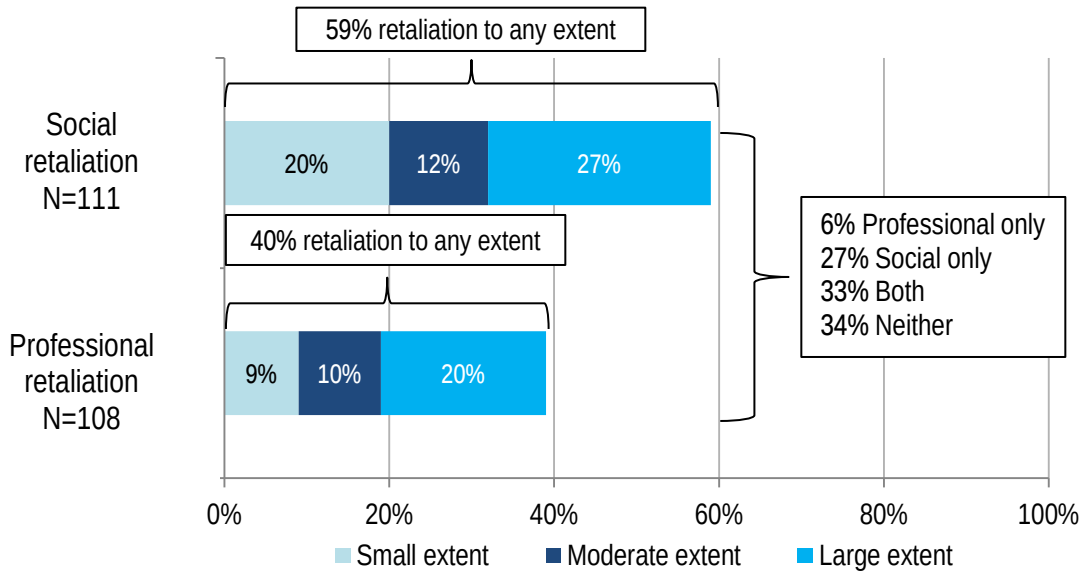


Description: Victims indicating that they perceived personal, professional, and/or social retaliation after reporting a sexual assault.
Source: Past source = Workplace Gender Relations Survey of Active Duty Members (WGRA), Current source = RAND Military Workplace Study (RMWS).
Implication: Indicates the perceptions of those respondents who indicated experiencing unwanted sexual contact and reported the incident to a DoD authority. Most respondents (53%) indicated experiencing social retaliation.
Summary Points: In FY 2014, 62% of women who experienced unwanted sexual contact and reported it, also perceived some form of personal, professional or social retaliation. Due to small sample size, the percentage for men was not reportable.
Notes: Types of perceived retaliation do not sum to 62%, because respondents could select more than one type of retaliation. These estimates were created using the WGRA form survey, WGRA-type weights, with item missing among item eligible respondents coded as "no."

Figure N- Metric 9b: Perceived Retaliation – Victim Perspective

C. Victim Perspective: Survivor Experience Survey (SES)

In the SES, a similar pattern was observed, with 59 percent of respondents perceiving social retaliation and 40 percent perceiving professional retaliation (Figure O). The SES involves a convenience sample of victims who responded to a SARC's invitation to take the survey. Nonetheless, the results on this item were within the margins of error associated with the similar item from the WGRA form, administered by RAND (Figure N), giving a good indication that the respondents to the SES had similar experiences as those respondents in the more representative RMWS.



Description: Victims indicating on the survey that they perceived social ostracization and/or professional retaliation as a result of reporting of sexual assault.
Source: Survivor Experience Survey (SES), Phase I.
Implication: Provides an indication of the experience of victims who report a sexual assault.
Summary Points: Overall, a substantial proportion of victims perceived some kind of retaliation. However, a higher percentage of victims reported social ostracization than professional retaliation.
Notes: Social retaliation includes being ignored by coworkers, blamed for the situation, made to feel responsible for changes in the unit. Professional retaliation includes loss of privileges, denied promotion/training, transferred to less favorable job, unwanted increased supervision. Percentages listed for professional retaliation do not add to100% due to rounding of percentages to the nearest whole point.

Figure O- Metric 9c: Perceived Retaliation – Victim Perspective

That there is retaliation perceived of any kind is concerning, however additional information from the SES gives a greater understanding of the overall impact of those experiences on the individual. Respondents were asked to rate their level of agreement with a number of items that described their experience with their unit commander/director. Of the 64 percent of respondents who made an Unrestricted Report and spoke to their unit commander/director in response to the sexual assault, more than two-thirds agreed the unit commander/director *supported them* (82 percent), *took steps to address their privacy and confidentiality* (80 percent), *treated them professionally* (79 percent), *listened to them without judgment* (78 percent), and *thoroughly answered their questions* (70 percent). Across these items, less than one-fifth (between 14 and 18 percent) of respondents indicated they disagreed with those statements. Of the 64 percent of respondents who made an Unrestricted Report and spoke to their unit commander/director in response to the sexual assault, almost three-quarters (73 percent) indicated that overall they were satisfied with the unit commander/director's response to the report of sexual assault, whereas 16 percent indicated they were dissatisfied.

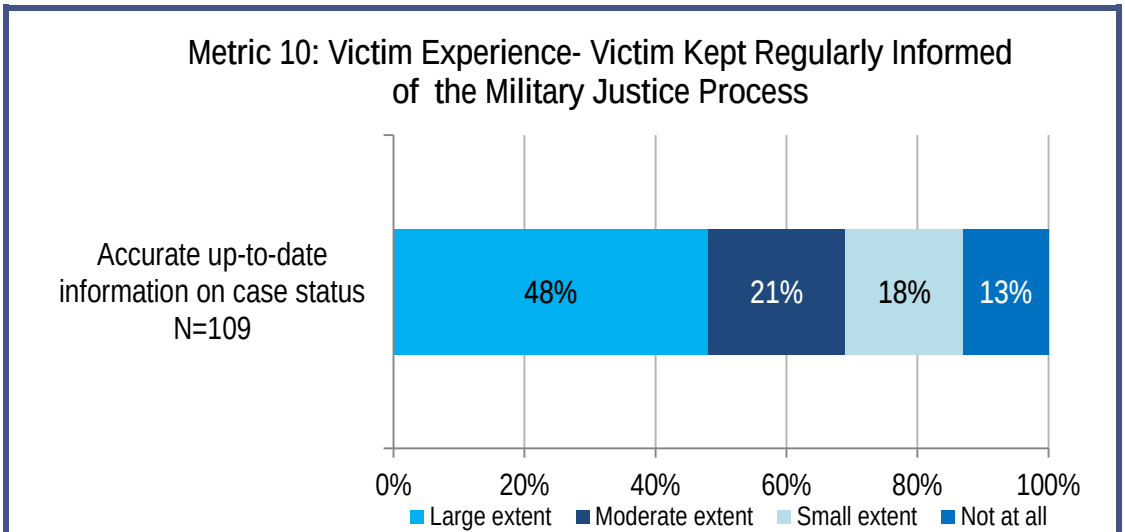
Respondents to the SES were less satisfied with other members of their chain of command. Of the 81 percent of respondents who made an Unrestricted Report and spoke to another member in their chain of command in response to the sexual assault, about two-thirds (61 percent) indicated that overall they were satisfied with the other member's response to the report of sexual assault. More than one quarter (29 percent) indicated they were dissatisfied with the other member's response to the sexual assault. Based on this, respondents to the SES appeared to have a better experience working with their commander than they did with others in their chain. This finding, while limited to the SES, may have broader applicability to DoD training initiatives, in that over the past two years DoD has worked to improve pre-command training for officers and senior enlisted members. This finding suggests that expanded leadership training on the SAPR program for other members of the chain of command may be warranted.

Finally, one last finding from the SES provides additional insight. Given the potential impact of one survivor's experience on the future decisions of others survivors to report, one of the ways the Department measures progress is whether respondents who report a sexual assault would recommend others report as well. In the *2014 SES*, nearly three quarters of respondents (73 percent) indicated, based on their overall experience of reporting, that *yes*, they would recommend others report their sexual assault, whereas 14 percent of respondents indicated *no* and 13 percent were *unsure* if they would recommend others report their sexual assault.

See Annex 2 for a full description of the methodology and results of the SES.

Metric 10: Victim Experience – Victim Kept Regularly Informed of the Military Justice Process

As displayed in Figure P, 69 percent of victims who completed the SES reported that they were, to a large or moderate extent, kept informed of their case's progress. DoD policy requires that victims be kept informed of the legal proceedings against the accused perpetrator of their sexual assault. Commanders hold primary responsibility for informing victims on a monthly basis about the progress on their cases.



Description: Survey respondents, who made an Unrestricted Report, indicated the extent to which they were regularly informed of updates as their case progressed through the response process.
Source: Survivor Experience Survey (SES), Phase I.
Implication: Indication of whether victims are kept regularly informed of their case's progress, as required by DoD policy.
Summary Points: Results suggest that the majority of victims were kept updated on their case.

Figure P- Metric 10: Victim Experience – Victim Kept Regularly Informed of the Military Justice Process

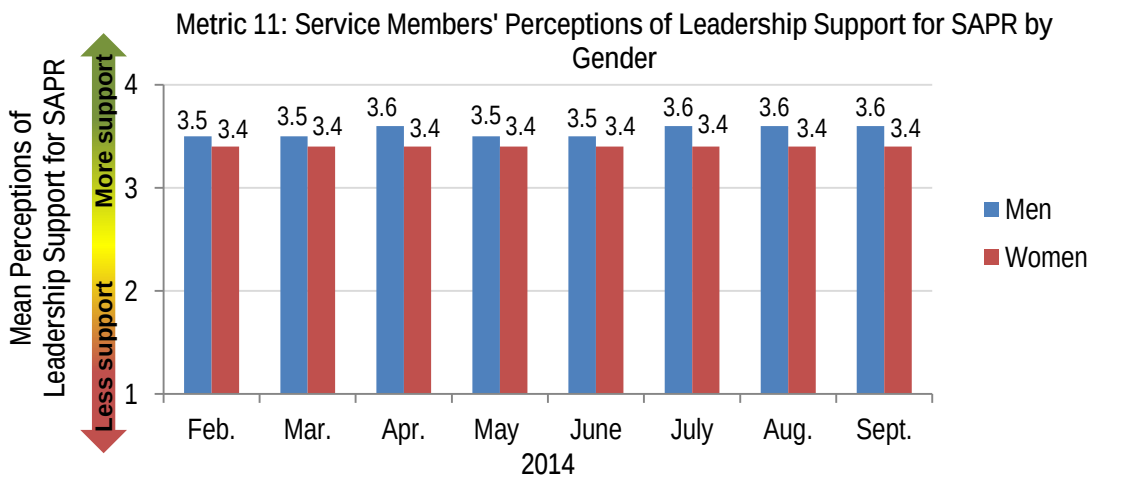
Metric 11: Perceptions of Leadership Support for SAPR

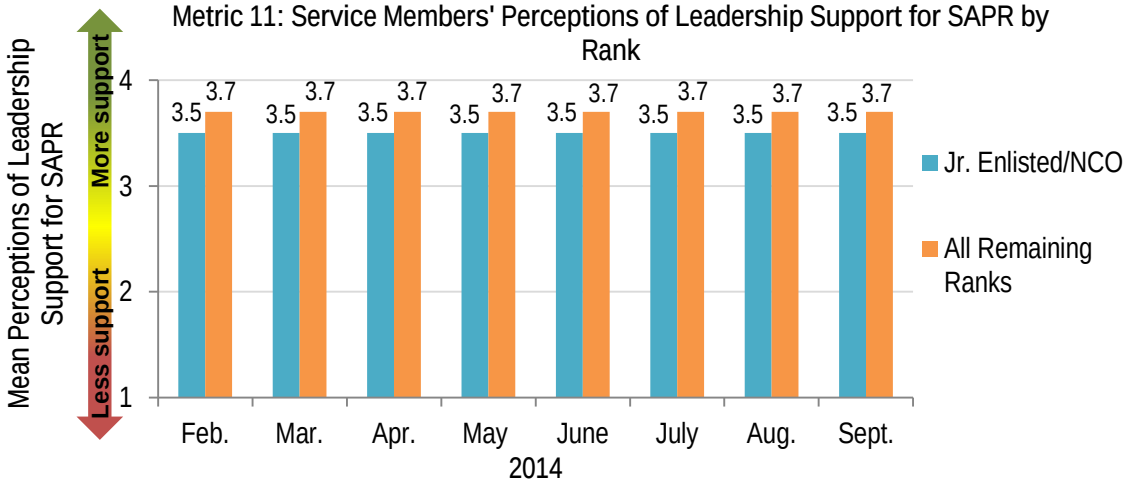
The DEOCS command climate survey included two questions on leadership support for sexual assault prevention and response. The items listed below used a four-point scale ranging from "Not at All" to "Great Extent." The responses to the following items were coded such that a high score indicates higher perceived support:

To what extent does your chain of command:

1. Encourage victims to report sexual assault.
2. Create an environment where victims feel comfortable reporting sexual assault.

The responses to these items were combined into an index and averaged across all military respondents to the DECOS each month. Overall, Service members who completed the DEOCS reported that their command supported sexual assault reporting by victims. While an overall encouraging trend was observed in DEOCS results, there is much work to be done to address observed differences in perceptions of command support for SAPR by gender and rank. Consistent with the pattern of results for previous DEOCS supported metrics, men (3.6 out of 4.0) perceived greater command support for victim reporting compared to women (3.4 out of 4.0; Figure Q). Additionally, senior enlisted Service members and officers (E7-E9, W1-W5, and O1 and above, respectively) perceived greater command support for SAPR (3.7 out of 4.0) compared to junior enlisted members and non-commissioned officers (E1-E3 and E4-E6, respectively; 3.5 out of 4.0).





	Men	Women	Jr. Enlisted/NCO	All Remaining Ranks
DoD February-September 2014	3.6	3.4	3.5	3.7

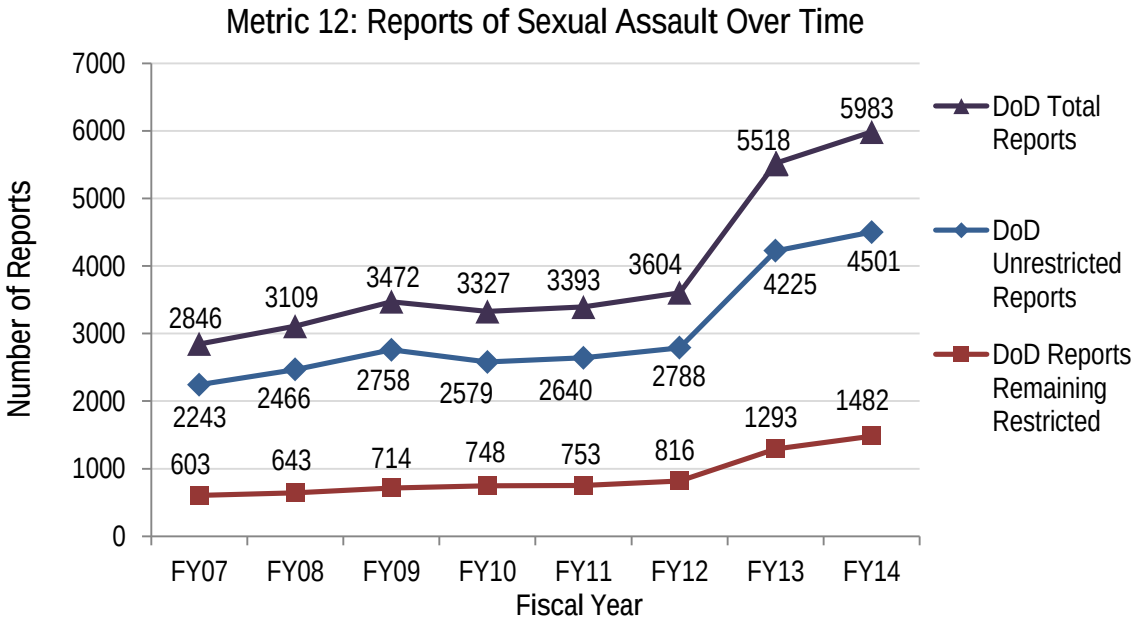
Description: Mean Service member perceptions of command and leadership support for SAPR program, victim reporting, and victim support. Higher scores indicate more favorable perceptions.
Source: DEOMI Organizational Climate Survey (DEOCS).
Implication: Service member rating of command climate in this area. However, DEOCS results draw from a convenience sample and may not be representative of the entire force.
Summary Points: Overall, Service members perceived their command and leadership to be supportive of SAPR. Women perceived lower levels of leadership support for SAPR compared to men. Junior enlisted Service members and NCOs perceived lower levels of leadership support for SAPR compared to all other ranks.
Notes: The DEOCS is a voluntary survey administered to military units annually or within 120 days of change in unit command. Rankings are categorized as follows: Junior enlisted includes E1-E3, NCO includes E4-E6, and all remaining ranks includes E7-E9, W1-W5, and O1 and above.

Figure Q- Metric 11: Service Members' Perceptions of Leadership Support for SAPR

Metric 12: Reports of Sexual Assault over Time

Reports of sexual assault are imperative for the Department to track for several reasons. The number of sexual assault reports received each year indicates:

- The number of victims who were sufficiently confident in the response system to make a report,
- The number of victims who gained access to DoD support and services, and
- The number of victims who may be willing to participate in the military justice system to hold offenders appropriately accountable.



Reports of Sexual Assault	Total (±)		=	Unrestricted (±)		+	Restricted (±)		% of Reports Restricted
DoD FY14	5983	(+8%)	=	4501	(+7%)	+	1482	(+15%)	25%
DoD FY13	5518		=	4225		+	1293		23%

Description: Year to year trend of restricted and unrestricted reports received by the Department. Both restricted and unrestricted reports represent one victim per report.
Frequency: Reported to the SAPR Joint Executive Council (JCS Tank) on a quarterly basis.
Source: FY07 to FY13 = Service Reporting, FY14 Source = Defense Sexual Assault Incident Database (DSAID).
Implication: A change in reports of sexual assault may reflect a change in victim confidence in DoD response systems. The continuing growth of Restricted Reporting may be a sign that victims view this option as a valuable and trustworthy means to access support while maintaining confidentiality.
Summary: Reports of sexual assault increased by 8% from FY13 to FY14.

Figure R- Metric 12: Reports of Sexual Assault Over Time

In FY 2014, the Military Services received a total of 5,983 reports of sexual assault involving Service members as either victims or subjects, which represents an 8 percent increase from the 5,518 reports made in FY 2013 (Figure R). It should be noted that while these reports were received in FY 2014, some reported incidents may have occurred in prior years. Of the 5,983 reports, 513 (or approximately 9 percent) were

made by Service members for incidents that occurred prior to their entering military service. [10]

- The Military Services received 4,501 Unrestricted Reports involving Service members as either victims or subjects, a seven percent increase over FY 2013.
- The Military Services initially received 1,824 Restricted Reports involving Service members as either victims or subjects. Of the 1,824 initial Restricted Reports, 342 (19 percent) reports later converted to Unrestricted Reports. These converted Restricted Reports are now counted with the Unrestricted Reports. There were 1,482 reports remaining restricted, a 15 percent increase over FY 2014.

The increase in reporting from FY 2013 to FY 2014 is more modest than the increase in reporting from FY 2012 to FY 2013. This is not surprising given that the increase in FY 2013 was an unprecedented 50 percent. In FY 2014, Service members sustained the high level of reporting seen in FY 2013.

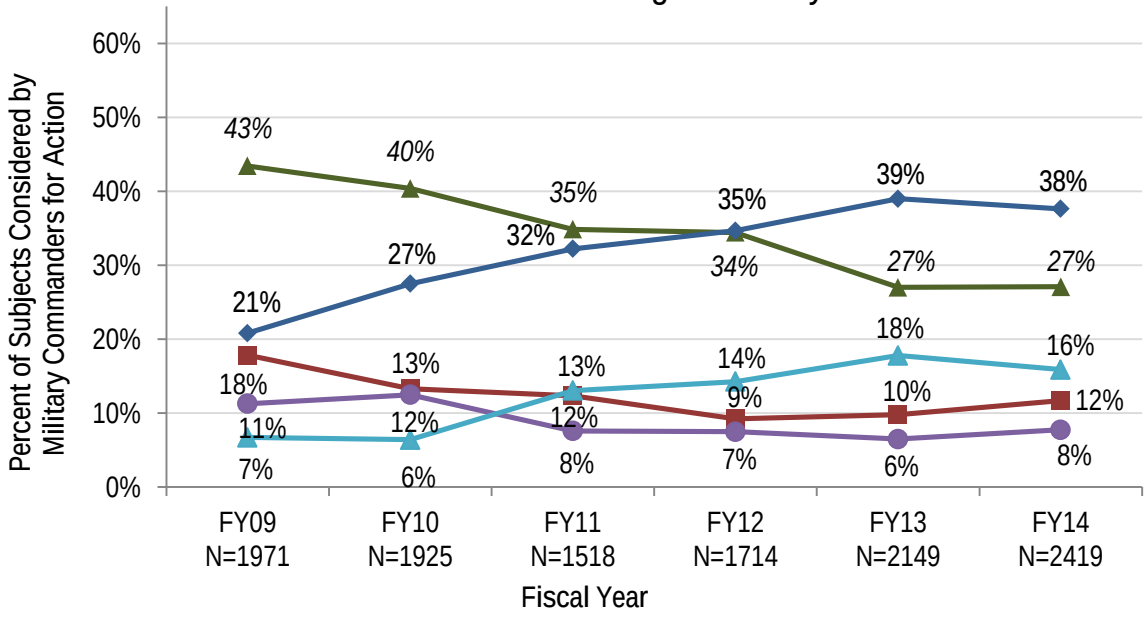
NON-METRICS

Non-Metric 1: Command Action – Case Dispositions

The following information is for those subjects' cases whose investigations were complete and case disposition results were reported in FY 2014. In FY 2014, 2,419 subjects investigated for sexual assault were Service members who were primarily under the legal authority of the Department. However, as with the civilian justice system, evidentiary issues may have prevented disciplinary action from being taken against some subjects. In addition, commanders declined to take action on some subjects after a legal review of the matter indicated that the allegations against the accused were unfounded, meaning they were determined to be false or baseless. Taken together, command action was not possible in 27 percent of the cases considered for action by military commanders (Figure S) in FY 2014.

For the remaining 73 percent of cases considered for command action, commanders had sufficient evidence and legal authority to support some form of disciplinary action for a sexual assault offense or other misconduct. Figure S displays command action taken from FY 2009 to FY 2014 and Figure T displays command action in FY 2014 for penetrating versus sexual contact crimes. Since FY 2007, the percentage of subjects preferred for court-martial has steadily risen and the percentage of subjects for whom command action was not possible has steadily declined. During the same period, commanders' use of nonjudicial punishment, other adverse administrative actions, and administrative discharges has decreased.

[10] Prior to FY 2014, an Unrestricted Report of sexual assault may have included one or more victims and one or more subjects. The Department relied upon the Military Criminal Investigative Organizations to provide the number of unrestricted reports each year, and the subsequent number of victims and subjects associated with those reports. In FY 2014, the Department moved to the Defense Sexual Assault Incident Database (DSAID) as the primary source of reporting statistics.



Disposition of Alleged Offenders	DoD FY14	(% of N)
C-M Charge Preferral for Sexual Assault Offense	910	38%
NJP for Sexual Assault Offense	283	12%
Admin D/C & Actions for Sexual Assault Offense	187	8%
Action for Non-Sexual Assault Offense	384	16%
*Command Action Not Possible**	*655*	*27%*

Description: Year to year trends summarizing the actions Commanders have taken against alleged military offenders under the jurisdiction of military law.

Frequency: These data will be reported to the SAPR Joint Executive Council (JCS Tank) on an annual basis.

Source: Past Source: Service Reports and Offices of the Judge Advocates General (OTJAGs); Current Source: DSAID and OTJAGs.

Figure S- Non-Metric 1a: Command Action for Alleged Military Offenders under DoD Legal Authority

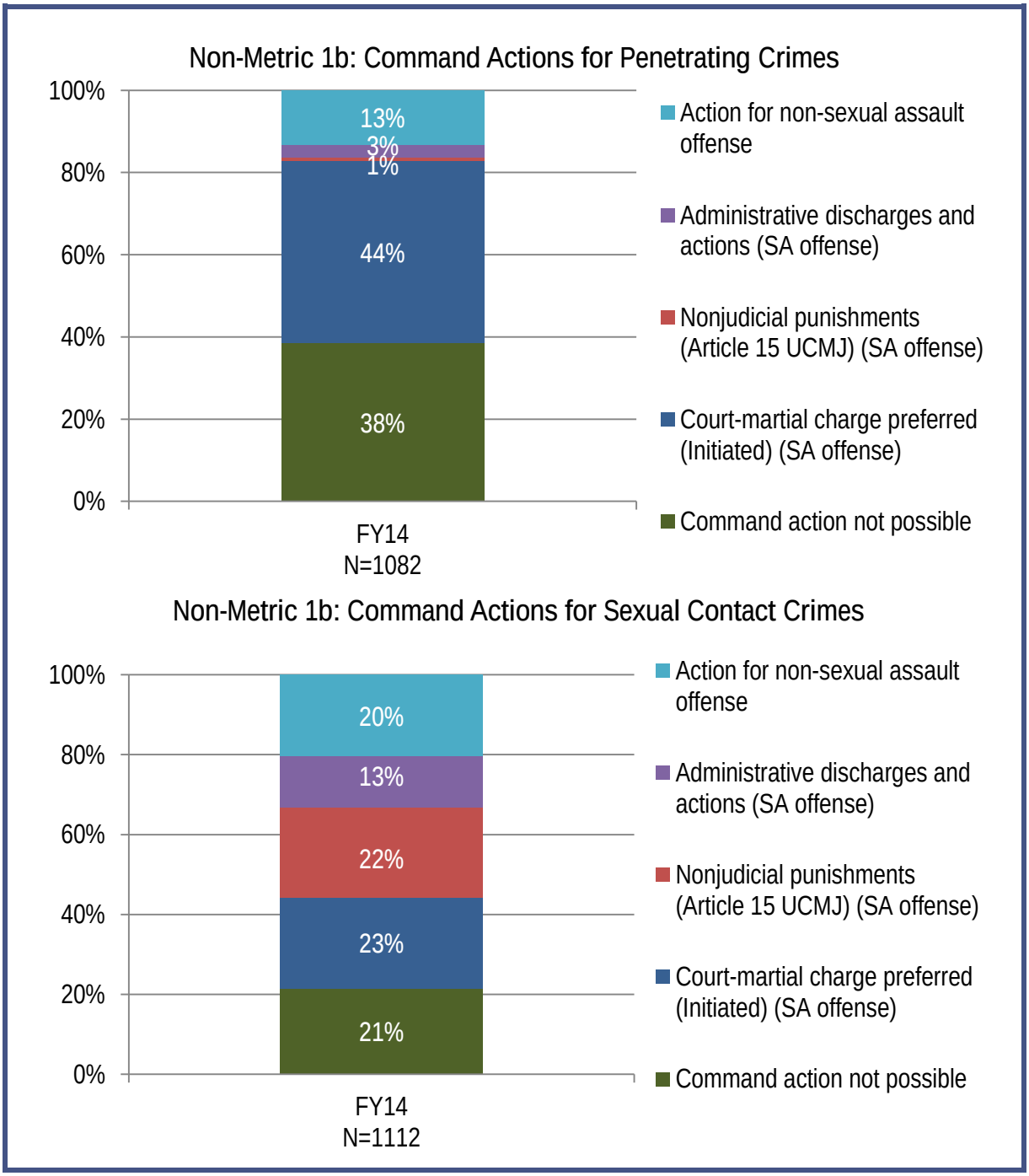
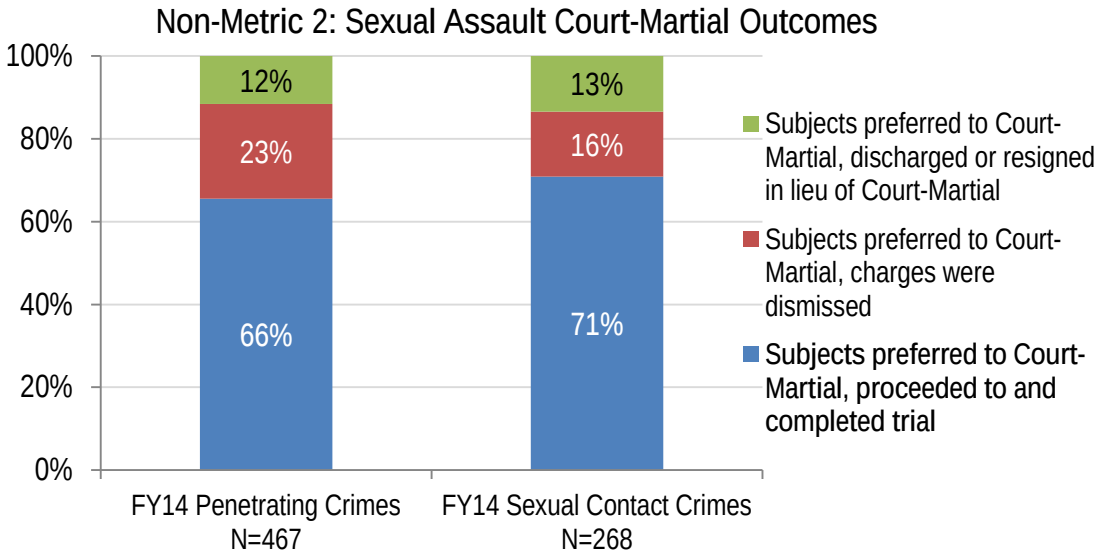


Figure T- Non-Metric 1b: Command Action for Alleged Military Offenders under DoD Legal Authority by Penetrating and Sexual Contact Crimes

Non-Metric 2: Court-Martial Outcomes

Figure U illustrates subject outcomes in the court-martial process, displayed by type of crime (penetrating versus sexual contact). Not all cases preferred to court-martial proceed to trial. In certain circumstances, the Department grants a resignation or discharge in lieu of court-martial (RILO/DILO). Furthermore, Article 32 (pre-trial) hearings can result in a recommendation for dismissal of charges. However, commanders can use evidence gathered during sexual assault investigations and evidence heard in an Article 32 hearing to impose a nonjudicial punishment against subjects for whom court-martial charges were dismissed or not recommended based on the evidence available. As seen in Figure U, the majority of cases preferred to court-martial, for both penetrating and sexual contact offenses, proceeded to trial. However, the percentage of penetrating crime cases dismissed was higher than the percentage of sexual contact crime cases dismissed.



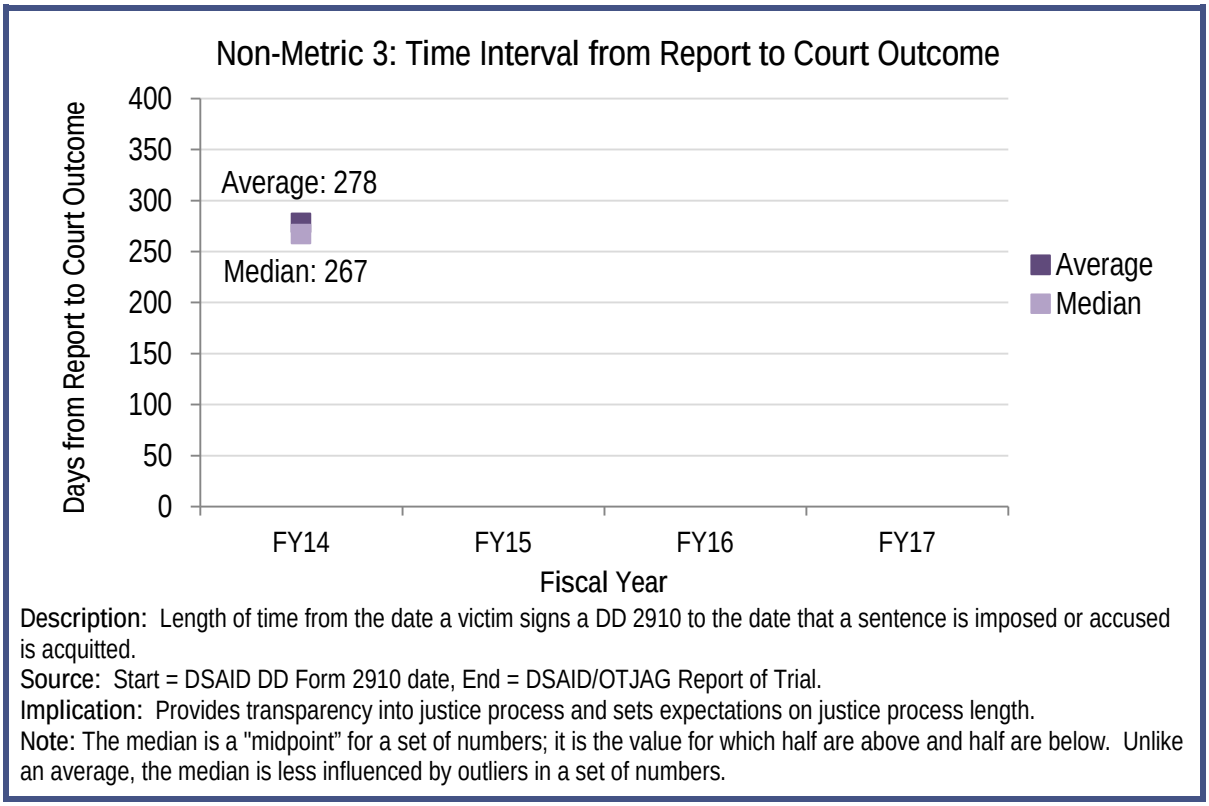
Sexual Assault Offenses		DoD Penetrating FY14		DoD Sexual Contact FY14	
C-M Charge Preferrals				910	
C-M Actions Completed in FY14		467		268	
	Cases Dismissed	107	23%	42	16%
	RILO/DILO Cases	54	12%	36	13%
	Proceeded To Trial	306	66%	190	71%
	Acquitted	108	35%	29	15%
	Convicted	198	65%	161	85%

Description: Year to year trend in outcomes (i.e., Proceeded to Trial; Discharge In Lieu of Court-Martial; Dismissed) of court-martial proceedings involving sexual assault charges.
Source: Past Source = Service Reports and TJAGs, Current Source = DSAID and TJAGs.
Implication: Pertains to holding alleged offenders appropriately accountable.

Figure U- Non-Metric 2: Sexual Assault Court-Martial Outcomes by Penetrating and Sexual Contact Crimes

Non-Metric 3: Time Interval from Report of Sexual Assault to Court Outcome

As illustrated in Figure V, the mean and median length of time from the date a victim reported a sexual assault to the date that court-martial proceedings concluded, was 278 days (9.1 months) and 267 days (8.8 months), respectively. This is the first year that the Department has collected this data. There are a variety of factors, such as the complexity of the allegation, the need for laboratory analysis of the evidence, the quantity and type of legal proceedings, availability of counsel and judges, and other factors that likely impact the interval of time between a report of sexual assault and the conclusion of a court-martial. That notwithstanding, knowledge of the average amount of time between a report and the end of a court-martial is useful because it improves the transparency of the military justice process and will inform victims about what to expect.

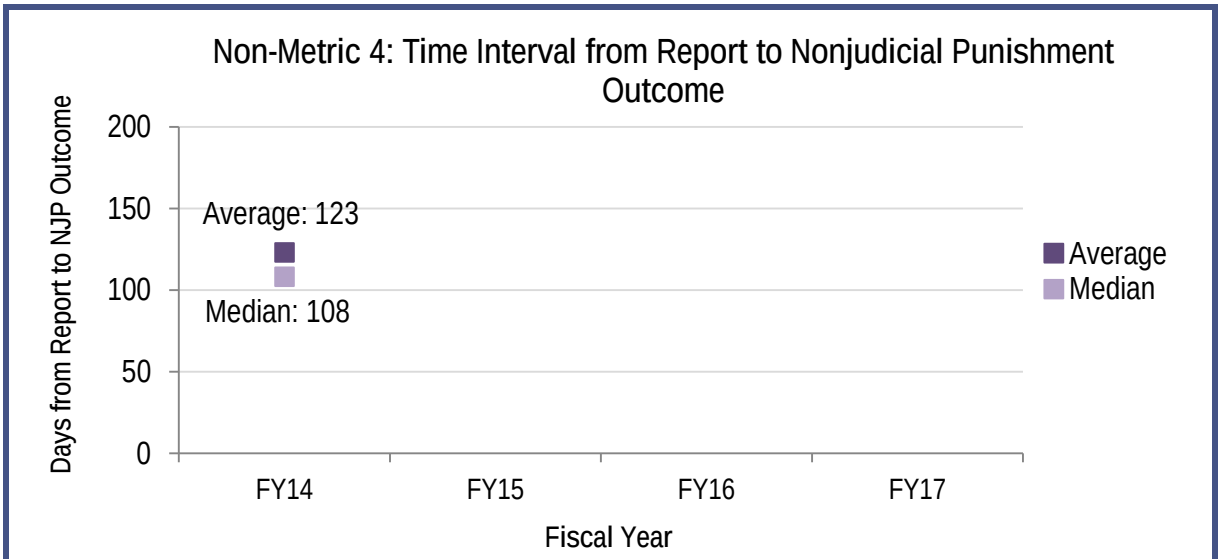


Description: Length of time from the date a victim signs a DD 2910 to the date that a sentence is imposed or accused is acquitted.
Source: Start = DSAID DD Form 2910 date, End = DSAID/OTJAG Report of Trial.
Implication: Provides transparency into justice process and sets expectations on justice process length.
Note: The median is a "midpoint" for a set of numbers; it is the value for which half are above and half are below. Unlike an average, the median is less influenced by outliers in a set of numbers.

Figure V- Non-Metric 3: Time Interval from Report to Court Outcome

Non-Metric 4: Time Interval from Report of Sexual Assault to Nonjudicial Punishment Outcome

The mean and median length of time from the date a victim reported a sexual assault to the date that nonjudicial punishment proceedings concluded was 123 days (4 months) and 108 days (3.5 months), respectively (Figure W). This is the first year that the Department collected this data. Similar to non-metric 3, there are a variety of factors that influence the interval of time between a report of sexual assault and the conclusion of a nonjudicial punishment. However, knowledge of the average amount of time between a report and the end of nonjudicial punishment proceedings improves the transparency of the nonjudicial punishment process and will help to set appropriate expectations.

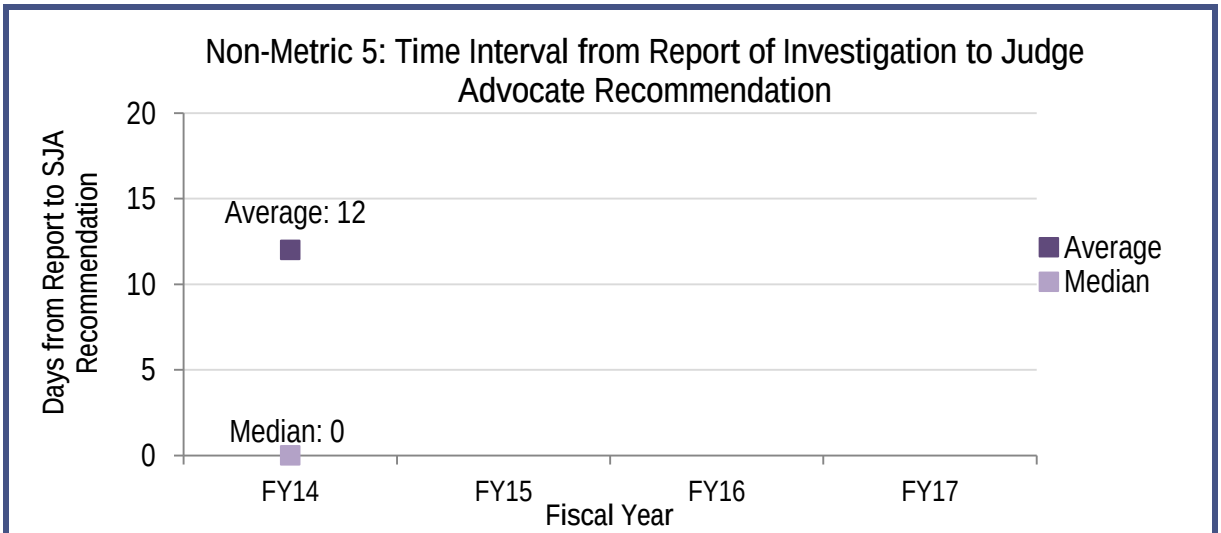


Description: Length of time from the date a victim signs a DD 2910 to the date that NJP process is concluded (e.g. punishment awarded or NJP not rendered).
Source: Start = DSAID DD Form 2910 date, End = DSAID/OTJAG NJP Form or Command Action Form.
Implication: Provides transparency into justice process and sets expectations on justice process length.
Note: The median is a "midpoint" for a set of numbers; it is the value for which half are above and half are below. Unlike an average, the median is less influenced by outliers in a set of numbers.

Figure W- Non-Metric 4: Time Interval from Report to Nonjudicial Punishment Outcome

Non-Metric 5: Time Interval from Report of Investigation to Judge Advocate Recommendation

As illustrated in Figure X, the mean and median length of time from the date a report of investigation was provided to command, until the date a judge advocate made a disposition recommendation to the commander of the accused, was 12 days and 0 days, respectively. A zero value indicates that the legal recommendation was made before the closure of the investigation. As for non-metrics 3 and 4, there is no expected or set time for this to occur. For cases where the legal recommendation for prosecution or non-prosecution was made before the investigation was closed, this was most likely due to the substantive involvement of judge advocates in the investigative process, as intended in the Departments Special Victim Investigation and Prosecution capability.



Description: Length of time from the date an ROI is handed out to the date JAG provides a prosecution/non-prosecution recommendation. A zero value indicates that the legal recommendation was made before the closure of the investigation.
Source: Service military justice data.
Implication: Shows responsiveness of legal support to command and may be an indicator of legal officer resourcing.
Note: The median is a "midpoint" for a set of numbers; it is the value for which half are above and half are below. Unlike an average, the median is less influenced by outliers in a set of numbers.

Figure X- Non-Metric 5: Time Interval from Report of Investigation to Judge Advocate Recommendation

Non-Metric 6: DoD Action in Sexual Assault Cases Declined or Not Fully Addressed by Civilian or Foreign Justice Systems

Each of the Services were directed by the Joint Chiefs to collect five to ten cases where the military justice system was better able to address the misconduct alleged than the involved civilian or foreign justice system. This is not to say that the military justice system is superior to other justice systems, but rather it has the flexibility and capability to address certain types of misconduct that other systems cannot. For full descriptions of these selected cases, please refer to the Army, Navy, and Air Force Reports (Enclosures 1-3).

Appendix C:
List of Acronyms

Appendix C: List of Acronyms

AFOSI	Air Force Office of Special Investigations
AMSAAT	Advanced Military Sexual Assault Advocate Training
App	Application
CASH/A	Cadets Against Sexual Harassment and Assault
CDC	Centers for Disease Control and Prevention
CDP	Center for Deployment Psychology
CEU	Continuing Education Units
CI	Cognitive Interviewing
CID	U.S. Army Criminal Investigation Command
CIGIE	Council of Inspectors General on Integrity and Efficiency
CMG	Case Management Group
CODIS	Combined DNA Index System
CoP	Community of Practice
DD	Department of Defense (Form)
DEOCS	DEOMI Organizational Climate Survey
DEOMI	Defense Equal Opportunity Management Institute
DFSC	Defense Forensic Science Center
DMDC	Defense Manpower Data Center
DNA	Deoxyribonucleic Acid
DoD	Department of Defense
DoDD	DoD Directive
DoDI	DoD Instruction

DOJ	Department of Justice
DOL	Department of Labor
D-SAACP	DoD Sexual Assault Advocate Certification Program
DSAID	Defense Sexual Assault Incident Database
DTF-SAMS	Defense Task Force on Sexual Assault in the Military Services
DTM	Directive-Type Memorandum
DVA	Department of Veterans Affairs
EEO	Equal Employment Opportunity
EO	Equal Opportunity
FAP	Family Advocacy Program
FAQ	Frequently Asked Question
FBI	Federal Bureau of Investigation
FETI	Forensic Experiential Trauma Interview
FGSAPR	Focus Groups on Sexual Assault Prevention and Response
FLETC	Federal Law Enforcement Training Center
FY	Fiscal Year
GAO	Government Accountability Office
GO/FO	General Officer/Flag Officer
IACP	International Association of Chiefs of Police
IG	Inspector General
JA	Judge Advocate
JAG	Judge Advocate General
JCS	Joint Chiefs of Staff

LEAD	Leadership, Education, Accountability, and Discipline
LOE	Line of Effort
MCIO	Military Criminal Investigative Organization
MEO	Military Equal Opportunity
MJES	Military Justice Experience Survey
MOU	Memoranda of Understanding
MSA	Military Service Academy
MTF	Military Treatment Facility
NACP	National Advocate Credentialing Program
NCIS	Naval Criminal Investigative Service
NCO	Noncommissioned Officer
NDAA	National Defense Authorization Act
NGB	National Guard Bureau
NOVA	National Organization for Victim Assistance
ODMEO	Office of Diversity Management and Equal Opportunity
OE	Organizational Effectiveness
OGC	Office of General Counsel
OJP	Office of Justice Programs
OVC	Office for Victims of Crime
PCAR	Pennsylvania Coalition Against Rape
PII	Personal Identifying Information
PM	Program Manager
PME	Professional Military Education

P.L.	Public Law
Q	Quarter
QSI	Quality Standards for Investigations
RAINN	Rape, Abuse and Incest National Network
RMWS	RAND Military Workplace Study
ROTC	Reserve Officer Training Corps
RSP	Response Systems to Adult Sexual Assault Crimes Panel
SAAM	Sexual Assault Awareness Month
SAAPM	Sexual Assault Awareness and Prevention Month
SAFE	Sexual Assault Forensic Examination
SAGR	Service Academy Gender Relations Survey
SAIRO	Sexual Assault Incident Response Oversight
SAPR	Sexual Assault Prevention and Response
SAPRO	Sexual Assault Prevention and Response Office
SARC	Sexual Assault Response Coordinator
SEM	Social Ecological Model
SES	Survivor Experience Survey
SHARP	Sexual Harassment/Assault Response and Prevention
SJA	Staff Judge Advocate
SORNA	Sex Offender Registration and Notification Act
SVC	Special Victims' Counsel
SVIP	Special Victims Investigation and Prosecution
TSM	Transitioning Service Member

TTAC	Training and Technical Assistance Center
UCMJ	Uniform Code of Military Justice
USACIL	U.S. Army Criminal Investigation Laboratory
USAFA	U.S. Air Force Academy
USAMPS	U.S. Army Military Police School
USC	Unwanted Sexual Contact
USCG	U.S. Coast Guard
USD(P&R)	Under Secretary of Defense for Personnel and Readiness
USMA	U.S. Military Academy
USNA	U.S. Naval Academy
UVA	Uniform Victim Advocate
VA	Victim Advocate
VLC	Victims' Legal Counsel
VWAP	Victim Witness Assistance Program
WGRA	Workplace and Gender Relations Survey of Active Duty Members
WGRR	Workplace and Gender Relations Survey of Reserve Component Members
WGRS	Workplace and Gender Relations Surveys


DEPARTMENT OF THE ARMY
THIS WE'LL DEFEND
1775
UNITED STATES OF AMERICA

SECRETARY OF THE ARMY
WASHINGTON

11-05-14 09:43 OUT

INFO MEMO

FOR: SECRETARY OF DEFENSE

FROM: John M. McHugh, Secretary of the Army

SUBJECT: Progress Report to the President of the United States

- Attached is the Army's input to the Department of Defense (DoD) Sexual Assault Prevention and Response Progress Report to the President of the United States.
- The report is prepared in accordance with the Under Secretary of Defense for Personnel and Readiness memo dated JUN 26 2014, SUBJECT: Combined Data Call for the DoD Sexual Assault Prevention and Response Progress Report to the President of the United States and the FY14 Annual Report on Sexual Assault in the Military.
- The report discusses Army progress along the five lines of effort established by the Joint Chiefs of Staff and detailed in the DoD Sexual Assault Prevention and Response Strategy. The lines of effort are: Prevention, Investigation, Accountability, Advocacy and Assessment. Highlights of Army progress include:
    - Enhanced individual and unit level Sexual Harassment/Assault Response and Prevention (SHARP) training using realistic, interactive techniques that better depict sexual assault prevention topics such as gender relations and bystander intervention.
    - Accomplishments of the Special Victims Capability and Special Victims Counsel initiatives that provide best-in-class investigation and prosecution of sexual assault cases and support to victims.
    - Required assessment of leaders' commitment to preventing and responding to sexual assault and increased command climate assessments with specific focus on sexual assault.
    - Enhanced and expanded training for Sexual Assault Response Coordinators and Victim Advocates through a seven week curriculum at the newly established SHARP Academy, co-located at one of the Army's premier leader development training centers.
    - Commitment of resources to provide full-time personnel at every brigade level unit and each Army installation.

COORDINATION: None
Attachments: As stated

Prepared By: Dr. Christine T. Altendorf, 703-695-5568

ARMY

Sexual Assault Prevention and Response
Progress Report to the
President of the United States

LOYALTY DUTY RESPECT SELFLESS SERVICE HONOR INTEGRITY PERSONAL COURAGE

U.S.ARMY

I. A.M. STRONG℠

INTERVENE ★ ACT ★ MOTIVATE

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TABLE OF CONTENTS

Part 1 - U.S. Army Sexual Assault Prevention and Response Progress Report to the President of the United States

Executive Summary 1

1. Line of Effort (LOE) 1 - Prevention 5

2. Line of Effort (LOE) 2 - Investigation 10

3. Line of Effort (LOE) 3 - Accountability 13

4. Line of Effort (LOE) 4 - Advocacy/Victim Assistance 20

5. Line of Effort (LOE) 5 - Assessment 28

Part 2 - U.S. Army Statistical Report Data Call: Reported Sexual Assaults for the Period October 1, 2013 through September 30, 2014

1. Analytic Discussion 38

2. Unrestricted Reporting 40

3. Restricted Reporting 45

4. Service Referrals for Victims of Sexual Assault 46

5. Additional Items 47

Appendix A: Vignettes of Civilian Declination Cases 48

Appendix B: Glossary of Acronyms 52

Part 1 - U.S. Army Sexual Assault Prevention and Response Progress Report to the President

Executive Summary

In December 2013, President Obama directed the Secretary of Defense and the Chairman of the Joint Chiefs of Staff to provide a comprehensive report that would detail the military's progress in preventing and responding to incidents of sexual assault. In preparation for the omnibus report of the Department of Defense (DoD), Secretary Hagel and Chairman Dempsey tasked each Military Service to provide a report outlining all of the Service-level programs implemented since Fiscal Year 2012, a period in which all of the Services have taken aggressive steps in this area. In the Army, these many efforts have been part of an overarching program that combines initiatives related to the prevention of and response to sexual assault and sexual harassment. This program is called "Sexual Harassment and Assault Response and Prevention" (SHARP), and it is publicized throughout the Army as the "I. A.M. STRONG" campaign, which stands for *Intervene, Act,* and *Motivate*. This report details the initiatives, programs, and policies that constitute the Army's SHARP program, while also demonstrating the significant progress the Army has made in preventing and responding to the crime of sexual assault.

Since its inception in 2009, the Army's SHARP program has focused its efforts on five specific priorities or Lines of Effort:

1. Prevention of sexual assault
2. Competent and sensitive investigations of sexual assault
3. Accountability for the perpetrators of sexual assault
4. Assistance to, and advocacy for, the victims of sexual assault
5. Effective assessment of SHARP programs

These five Lines of Effort mirror those found in the DoD Sexual Assault Prevention and Response Strategic Plan and are formally expressed in the Army's 2014 SHARP Campaign Plan. The Secretary of the Army has signed nine directives to implement policies to address these Lines of Effort. The Secretary of the Army and the Chief of Staff have also hosted annual leader summits to communicate the Lines of Effort and to emphasize the importance of sexual assault prevention and response; all Commanding Generals and Command Sergeant Majors are required to attend these events. The Chief of Staff has repeatedly reminded Army leaders that "combating sexual harassment and sexual assault is our primary mission."

In addressing the first Line of Effort – prevention – the Army has, over the last three years, continually revised the policies, training, and engagement strategies that address sexual assault. SHARP training is now required for all Soldiers and has been fully integrated into Future Soldier Training for new recruits, Initial Entry Training for new Soldiers, and at each level of Professional Military Education for officers and non-commissioned officers. In 2014, the Army completed a multi-year process to revise all Professional Military Education courses to update and improve their corresponding SHARP training. In addition, since 2011, unit-level SHARP training is required annually

and, since 2014, is now complemented by a highly-regarded, interactive presentation designed to educate Soldiers about the importance of active bystander intervention. In 2013, the Secretary of the Army also mandated suitability checks for more than 20,000 drill sergeants, recruiters, victim advocates, sexual assault response coordinators, and other "positions of trust" to ensure that only the best-qualified and most suitable individuals serve in these important positions.

Over the last three years, the Army has worked on the second Line of Effort – competent and sensitive investigations of sexual assault – by increasing the timeliness and thoroughness of sexual assault investigations. U.S. Army Criminal Investigation Division has joined with prosecutors, victim witness liaisons, victim advocates, and other sexual assault responders to form Special Victim Capability teams at more than seventy Army installations. These teams are trained in the unique aspects of investigating and prosecuting sexual assault cases, including the need to ensure that victims are referred to the appropriate agencies for comprehensive care. In further support of the Army's emphasis on this priority, the U.S. Army Military Police School, which has been recognized by DoD as a "Best Practice" in sexual assault investigative training, has substantially revised its curriculum to emphasize the best practices in sexual assault investigations while greatly increasing the number of agents certified as satisfying Special Victim Capability requirements. Since 2011, the U.S. Army Military Police School has also developed a number of innovative investigative techniques, including the Forensic Experiential Trauma Interview, which was designed to increase victim cooperation with the accountability process and thereby enhance prosecutions. Finally, to expedite sexual assault cases, the Army has increased its number of DNA analysts by more than 400% since 2011.

The cornerstone of the Army's accountability effort, the third Line of Effort, is the Special Victim Prosecutor (SVP). The Special Victim Prosecutors are selected for their courtroom expertise and also for their sensitivity to the victims of sexual assault. Special Victim Prosecutors complete a specially-designed, intensive training course, and oversee or assist in the prosecution of every sexual assault case in the Army. Since 2009, the Army has seen an increase of more than 100% in the proportion of sexual assault cases that result in prosecutions and convictions. At the same time, the Army has also observed a substantial decrease – from 44% to 12% – in the portion of founded cases in which command action is not possible (for example, because the victim will not participate in the prosecution, there is insufficient admissible evidence to proceed, or the statute of limitations has expired). Equally notable for this Line of Effort, the Army began a program of providing victims with Special Victims' Counsel -in 2013. The Special Victims' Counsel represents the victim throughout the investigation and accountability process, with the primary duty to zealously represent the express interests of the victim, even if those interests do not align with those of the government. The Army has now trained nearly 200 Special Victims' Counsel, who together have represented more than 1,200 victims.

The Army remains dedicated to victim care and response, the fourth Line of Effort. In 2014, the Chief of Staff of the Army directed the development of a centralized SHARP Academy to expand the knowledge and skills of sexual assault response coordinators, victim advocates and program managers. To date, the SHARP Academy has hosted three courses, training more than 150 personnel on their responsibilities within the

program and validating a comprehensive curriculum that includes enhanced human relations, interpersonal communication and leadership training. The Army also ensures that victims of sexual assault receive quality medical care. Since 2012, the U.S. Army Medical Command has trained more than 100 Sexual Assault Medical Forensic Examiners annually. Reconstituted and improved in 2014, a Sexual Assault Medical Management Office in every Military Treatment Facility optimizes coordination of sexual assault cases and consists of a medical director, a Sexual Assault Care Coordinator, a Sexual Assault Clinical Provider, the Sexual Assault Behavioral Health provider and all Sexual Assault Medical Forensic Examiners. Since 2014, U.S. Army Medical Command also provides at least one Sexual Assault Nurse Examiner at every Military Treatment Facility with a 24/7 emergency room.

The objective of the fifth and final Line of Effort is to measure, analyze, and assess the effectiveness of the Army's SHARP programs. Over the last three years, the Army has actively collected multiple types of data, ranging from leader-led focus groups to Soldier surveys, about the efficacy of SHARP training. In 2013, the Army added research and analysis experts to the SHARP Program Office to assist in expanding and focusing SHARP assessments. In addition, the Army now provides data from the Defense Sexual Assault Incident Database on a monthly basis to commands and installations, enhancing Sexual Assault Response Coordinators' ability to provide comprehensive victim case management, and helping commanders to more thoroughly assess the effectiveness of their response efforts.

The Army firmly believes its sexual assault prevention and response programs demonstrate the progress rightfully demanded by the President. In fact, signs of real and lasting progress are emerging. One indicator of this is the dramatic increase in formal reports of sexual assault since the second half Fiscal Year 2013. At the time, the 3rd and 4th Quarters of FY13 were the two highest reporting quarters of sexual assault since the Army began tracking such data in 2004. FY14 has seen more officially reported cases than any previous year. The Army believes this increase in the number of reports of sexual assault reflects increased awareness and reporting, and, consistent with the findings of the RAND study, does not result from an increase in the number of sexual assault incidents. The unprecedented priority placed on sexual assault prevention and response by Army leaders since 2012 appears to have resulted in increasing victim confidence in the system. Data from the most recent Defense Equal Opportunity Management Institute Organizational Climate Survey seem to support this belief, as 90% of the 367,000 Soldiers surveyed indicated they favorably view their units' reporting climate and chain of command support for victims. Regardless, sexual assault remains an under-reported crime and the Army must continue to improve reporting climates.

Although positive indicators are a credit to committed Army leadership and the sustained resourcing of prevention, training, and response efforts, the Army recognizes that there is more work to be done. The Army will continue to work to improve processes to prevent sexual assaults and, when a sexual assault does occur, take strong steps to address the crime and to be compassionate in caring for the victim. Recent high-profile cases demonstrate the Army's commitment to strong and compassionate response to sexual assault. While these cases are very troubling, in each of them the Army investigated the alleged misconduct, provided support to victims

and took appropriate action to hold all individuals accountable. Guiding the Army's efforts going forward is the comprehensive Army SHARP Program Campaign Plan, which provides structure and focus for the Army's efforts to achieve cultural change and thereby reduce, with the goal to eliminate, sexual assault and sexual harassment. The following sections of this report provide a review, by Line of Effort, of the Army's progress over the past three years.

Comprehensive Overview by LOE

1. Line of Effort (LOE) 1—Prevention

- **Populations Affected: All**
- **Training enhancements**
- **Process/procedural upgrades and efficiencies**
- **Best practices/innovations specific to your Service**
- **Positive trends (qualitative & quantitative)**

Prevention is a leadership mission, supported greatly by training and education. Leaders must establish a positive command climate that supports Soldier safety, emphasizes Army Values and encourages candor and trust throughout their organizations. Soldiers must be trained to recognize the signs of distress and misconduct and then trust in their leaders to take appropriate action when they bring concerns forward. Successful prevention of sexual harassment and sexual assault requires that all Soldiers and leaders understand expected standards of conduct; hold each other accountable for violations of those standards; and work together to build a unit climate of dignity, respect and sensitivity to others.

Training Enhancements

The Army first introduced SAPR (now SHARP) training in 2006 by requiring annual unit training and subsequently embedding it in all levels of PME from IET to the Army War College. The Army continues to improve and refine its SHARP training, which now complies with the Core Competencies and Learning Objectives developed by the DoD Sexual Assault Prevention and Response Office (SAPRO), in collaboration with the Services.

Professional Military Education (PME)

Revised SHARP training was implemented in early 2011 into the Basic Combat Training (BCT) portion of IET. Soldiers now receive a one-hour introductory course on SHARP policy and resources during their first two weeks of BCT and are introduced to the "Sex Rules" messaging targeted for new recruits ("Sex Rules - Follow Them"). This set of ten "Sex Rules" break down the elements of sexual harassment and sexual assault and define them in simple, relatable terms. By linking each rule to an Army Value, the scenario-based training helps establish the social behavior expected of all Soldiers.

Later in BCT, two additional hours of SHARP training help Soldiers learn about their responsibilities to take action using several interactive vignettes during the very well-received production of "Sex Signals." This 90-minute, live, two-person, audience interactive program contains skits dealing with topics ranging from dating and consent, to rape and other topics such as body language, alcohol use and intervention.

Additionally, Drill Sergeants and Army Recruiters attend specialized SHARP training tailored for their unique roles dealing with new Soldiers and potential Soldiers. Drill Sergeants use a pocket guide titled "Sex Rules - Teach Them", provided to them during training.

The U.S. Army Cadet Command (USACC), in coordination with the Army SHARP Program Office, assessed and revised all Basic Officer Leader Course-Accessions

(BOLC-A) SHARP training for cadets in Reserve Officer Training Corps (ROTC). As of September 2012, BOLC-A training consists of leader-facilitated training supplemented by web-based training. The facilitated training focuses on the Army SHARP Program, survivor testimonials, prevention methods (bystander intervention, establishing personal boundaries, etc.) and victim support services. The web-based self-study training provides integrated and gender-separated training models designed in a peer-to-peer influence model. BOLC-A training also incorporates “Sex Rules” and “Sex Signals” and defines the Army's sexual assault policy as it relates to the Army Values, Warrior Ethos and Soldier's Creed. Using realistic situations, the training also focuses on reporting, prevention, victim's rights and resources for survivors.

Within the first week of arrival at the United States Military Academy (USMA), new cadets are taught the basic tenets of sexual harassment and sexual assault prevention. They are verbally quizzed by their chain of command and receive two additional one-hour sessions on SHARP during their six-week basic training, using the BOLC-A curriculum. In FY13, a comprehensive curriculum was introduced at USMA that infused lessons on sexual harassment and sexual assault topics into core academic coursework across the 47-month cadet experience.

SHARP training for new Lieutenants is taught in BOLC-B and focuses on interpreting the Army's SHARP Program prevention strategy and applying sexual harassment response techniques to prevent potential sexual assaults. SHARP training in BOLC-B incorporates "Sex Signals" and tailored “Sex Rules” training and includes a pocket guide with scenarios where the officer is able to apply leader decision-making in response to different sexual harassment and sexual assault situations.

During FY12, the Army developed new training for senior leaders at the Battalion and Brigade Pre-Command Course (PCC), the Sergeants Major Academy and the Army War College. The Army also continued to refine SHARP training for each intermediate level of PME (Officer, Warrant Officer and NCO), to ensure Soldiers and leaders have the knowledge and skills necessary for their duties and responsibilities. The focus for the training is to enable leaders to identify prevention measures and create an organizational climate that prevents sexual harassment and sexual assault. SHARP training was implemented into the Warrior Leader Course for Junior NCOs, the Company Commander/First Sergeants Course and the Intermediate Level Education course for Majors. The Army also requires Brigade SARCs to conduct SHARP training for all Company Commanders and First Sergeants within 30 days of assuming their position.

In 2013, the Army continued its work to place SHARP lessons in the remaining NCO PME curriculum: Advanced Leader Course for Staff Sergeants (E6), the Senior Leader Course for Sergeants First Class (E7), the Sergeants Major Academy and Drill Sergeant School. The Recruiter School and Advanced Individual Training Platoon Sergeant Courses also implemented new SHARP training in 2013. The focus for these two functional courses is to identify the roles and responsibilities of both groups, to be able to recognize behaviors associated with sexual harassment and sexual assault and to prevent these behaviors from taking place. The training is tailored for their unique roles working with potential new recruits and new Soldiers.

Further development and revisions to the SHARP PME training continued in 2013

with Officer and Warrant Officer Courses. Training in the Captains Career Course focused on Company Commanders' roles and responsibilities and their ability to foster a climate of prevention. The Officer Candidate School introduced training focusing on the new leader responsibilities that support the Army's SHARP Program, including a description of the sexual harassment and sexual assault prevention strategy. The Warrant Officer Basic Course, Warrant Officer Staff Course, Warrant Officer Advanced Course and the Warrant Officer Senior Staff College also implemented revised SHARP training.

While revisions and refinements will continue, the full integration of SHARP core competencies and learning objectives into all echelons of Army PME is complete. In addition, based on an assessment of Army Pre-Command and Senior Enlisted SHARP training, the Army expanded mandatory First Responder training from Brigade and Battalion level to the Company level.

Unit Training

A major overhaul of operational SHARP training began in 2011 with a revision to the annual Unit Refresher Training (URT) for Active Duty and Reserve Component Soldiers, Army Civilians and Contractors deploying in support of military operations. The URT consists of two parts, a facilitated training portion and an online self-study portion. Part one includes a Chief of Staff introductory video and two other videos that demonstrate behavior consistent with the Army's SHARP Program. The training describes the impact of sexual harassment and sexual assault on the Army, examines strategies to prevent sexual harassment and sexual assault, identifies support resources and explains reporting options, procedures and the importance of reporting.

Part two of the URT employs another video, "Team Bound", to demonstrate strategies for intervention and allow users to practice making decisions and taking actions in a safe, virtual environment. The training defines sexual harassment and sexual assault and describes the consequences of incorrect decisions. "Team Bound" is an interactive, multiple scenario video in which Soldiers, in a self-study mode, become the lead character and must make choices in realistic situations dealing with sexual harassment and sexual assault.

To improve prevention of sexual assault and harassment, the Army established a new training program to augment URT and focused on bystander intervention. Implemented in FY14, "Got Your Back" is a dynamic, 90-minute facilitated interactive lecture created by Catharsis Productions, the creator of "Sex Signals". To date, the Army conducted more than 2,000 separate training events with very positive feedback. "Got Your Back" is conducted Army-wide for audiences of up to 350 personnel. One male and one female who are specially trained in the subjects of sexual harassment and sexual assault prevention and response conduct the training. Key training goals of "Got Your Back" include:

- Language Exercise
  - Make connections between objectifying language, violent crime and bystander intervention.
  - Make connections between objectification, dehumanization and consent.
  - Understand the continuum of harm, making connections between sexual

harassment and sexist language demonstrating how those behaviors permit an inappropriate and unacceptable climate.

- Cycle of Non-Stranger Rape
  - Examine the perpetrator's modus operandi.
  - Understand how to identify a potential perpetrator in order to set in motion bystander intervention learning.
  - Explore the points in the cycle of non-stranger rape that a bystander can be activated to intervene in a way that is safest for all parties.
- Bystander Intervention Discussion and Activities
  - Recognize personal and societal barriers to intervention and how to overcome them.
  - Use scenarios to build participants skills in intervening.
  - Participants leave armed with resources, practical intervention tools and the confidence to intervene in risky sexual situations.

Process/Procedural Upgrades

Policy Updates. The Headquarters, Department of the Army (HQDA) SHARP Program Office is currently staffing a revision of Army Regulation (AR) 600-20, Army Command Policy, Chapter 7 (The SHARP Program). This represents the first major revision of SHARP policy since the Secretary combined SAPR and POSH in 2009. Publication is planned for 2015. The HQDA SHARP Program will also publish a stand-alone SHARP regulation and a Department of the Army Pamphlet (DA PAM) that establishes the parameters of how to run an organizational SHARP Program in the Army.

Company Commander's SHARP Guidebook. Published in September 2013, the target audience is Company Commanders in their role as front-line leaders. The guidebook is a leader's tool that provides quick reference and is geared toward portability and ease of use. It consolidates current Army, DoD policy and directives as they pertain to company-level program compliance, training, victim care and response. It is an authoritative document that can be revised with greater flexibility than a published Army Regulation.

Best Practices/Innovations

Future Soldier Training. The Army developed a SHARP distributed-learning program that the U.S. Army Recruiting Command (USAREC) implemented in 2013 for future Soldiers. This is a web-based training tool for potential and new recruits that is used in Recruiting Stations. Topics for the training include:

- The definition of sexual assault
- The effects/risks of alcohol use
- How to recognize sexual aggression
- Escape tactics during physically threatening situations
- The nature of consent and the differences between consensual sex and

rape/sexual assault

- How to intervene in potentially dangerous situations
- What to do if a sexual assault occurs
- How Army Values relate to the issue of sexual assault and sexual harassment.

In addition, the Military Entrance Processing Centers and Reception Battalions provide SHARP Program information and awareness materials (touch cards, brochures, posters, etc.).

Emergent Leader Immersive Training Environment (ELITE) Training. The Army recently worked with the University of Southern California (USC) Institute for Creative Technologies (ICT) in developing individual, interactive counseling tools to improve small unit leader counseling skills. Specific SHARP scenarios take junior leaders through counseling events, such how to handle a sexual harassment complaint or an allegation of sexual assault. Soldiers receive a grade as well as a comparison on how they rate against their peers. USMA incorporated ELITE into one of its leadership courses and the Warrior Leader Course, for junior NCOs, may soon add ELITE to its curriculum. This "gaming" approach is an innovative learning model that seems to appeal to the current demographic of junior leaders. The next iteration of ELITE will address training for company grade officers and NCOs.

***Risk Reduction*.** To assist leaders in building and maintaining resilience within our Soldiers, in 2013 the Army developed "Strong Choices," a standardized four-hour substance abuse prevention training package. In addition, the Confidential Alcohol Treatment and Education Pilot Program (CATEP) is expanding Army-wide. CATEP allows Soldiers to confidentially refer themselves for treatment without command notification if they meet eligibility requirements. Finally, the Army is conducting a campaign to develop openness about behavioral health and remove barriers that might prevent Soldiers from seeking help.

Positive Trends

As noted throughout this discussion of LOE 1 (Prevention), the Army implemented significant improvements to sexual assault prevention training and education. Feedback across the Army is very complementary of interactive training that provides Soldier and leaders meaningful practical experience with respect to their roles and responsibilities to prevent sexual assault.

I've done a lot of bystander training and conducted psychotherapy for survivors and perpetrators. The presentation delivered today was by far the best I've ever witnessed.

- Comment from a Psychologist for the Medical Evaluation Board about "Got Your Back"

In addition to instances of sexual assault, perceptions measured through command climate and other surveys are key components in evaluating progress in LOE 1 (Prevention). Results of the 2014 Military Workplace Study and the FY14 Defense Equal Opportunity Management Institute Organizational Climate Survey indicate positive trends with a decrease in the prevalence of sexual assault and improved chain of command support for victims. The Army's ongoing data collection efforts regarding command climate and the prevalence of sexual assault is addressed in LOE 5 (Assessment).

2. LOE 2—Investigation

- **Populations Affected: MCIOs, other first responders**
- **Training enhancements**
- **Process/procedural upgrades and efficiencies**
- **Best practices/innovations specific to your Service**
- **Positive trends (qualitative & quantitative)**

The Army has approximately 700 criminal investigators (military and civilian) assigned to the U.S. Army Criminal Investigation Command (commonly known as CID) who investigate/supervise sexual assault and other criminal investigations. These criminal investigators (CID agents) receive extensive initial, refresher and specialty training developed by the U.S. Army Military Police School (USAMPS) at Fort Leonard Wood, Missouri. The Army has established a set of baseline standards that CID agents must meet before they can be selected for advanced training in sexual assault investigations. Upon completion of the advanced sexual assault training, the agents are certified as meeting the Special Victim Capability requirements and awarded an Additional Skill Identifier (ASI) to their Military Occupational Specialty (MOS). This ASI helps track the number of agents trained in this specialty and assists in the assignment process to ensure that at least one Special Victim Capability agent is at each CID office throughout the world, to include deployed environments. Currently, approximately half of the CID field agent force have received the advanced training in sexual assault investigations.

Training Enhancements

USAMPS is credited by DoD with establishing the "gold standard" in sexual assault investigation training. The first training course was conducted in September 2009 and has been updated and improved every year since. The training is an intense two-week curriculum of common criteria and core competences in trauma, memory recall, alcohol facilitated sexual assault, same sex sexual assaults, marital sexual assaults, child and domestic violence, false report myths, false recantations and enhanced interview techniques.

The USAMPS Special Victim Unit Investigative Course (SVUIC) teaches investigators from all three Services (Army, Navy and Air Force) and the Coast Guard, as well as prosecutors from those same departments and the National Guard. The common training for prosecutors and investigators helps the integration and common operating picture needed for successful Special Victim Capability teams. Outside experts (such as Dr. David Lisak and Dr. James Hopper, nationally renowned psychiatrists focused on sexual assaults; Dr. Barbara Craig, a nationally renowned child abuse expert; and Dr. Kim Lonsway, a renowned victim advocate expert from Ending Violence Against Women International) provide instruction at the SVUIC.

In December 2013, the entire SVUIC curriculum was reviewed and modified by a committee of CID, Navy Criminal Investigative Service (NCIS), DoD SAPRO, Coast Guard Investigative Service and Air Force Judge Advocate General (JAG) representatives. The committee updated various aspects of the training to emphasize the latest best practices in sexual assault investigations, and expanded several blocks of existing training to provide more information and expertise in child abuse and

domestic violence. At this time, all the measures indicate that the SVUIC has been effective in improving the Army's investigative response to sexual assault allegations. The effectiveness of this training is evident in the low number of sexual assault investigations found to be deficient during DoD Inspector General (DoDIG) inspections and the reduced number of complaints being received from victims about investigator misconduct or shortcomings.

Process/procedural upgrades and efficiencies

From 2011 to August 2014, CID issued six changes to investigative policy to increase the thoroughness and timeliness of sexual assault investigations. In that same time frame, CID issued 11 operational memorandums to field units highlighting investigative issues that field agents needed to pay more attention to in order ensure a thorough investigation.

CID issued the Sexual Assault Investigation Handbook in April 2013. This resource provided investigators with a pamphlet that highlights and reminds agents of important issues regarding sexual assault investigations such as crime scene processing, interviews and alcohol facilitated incidents. Updated in March 2014, the Sexual Assault Investigative Handbook (CID Pamphlet 195-12) reflects the most current best practices employed in investigations.

Timely and thorough investigation of sexual assaults is a matter of special interest during CID Inspector General (IG) inspections and case reviews at field units. Supervisors at all levels from battalion to command headquarters review all sexual assault investigations to ensure they are accurate and thorough. Furthermore, the DoDIG conducts periodic reviews of sexual assault investigations to ensure they are completed to standard. All deficiencies, shortcomings or better business practices identified by any of the inspections are incorporated into the annual refresher training of investigators to improve the conduct of investigations.

The SVUIC training (with investigators and prosecutors attending) emphasizes the need for early and frequent coordination between investigators and prosecutors to ensure all evidence is collected or considered to meet the elements of proof for a crime. At some installations, SVP are co-located with investigators which results in enhanced coordination of efforts. At other Army installations, newly established SHARP-RCs combine victim advocacy, SVC, SVP, SAI and medical assistance at one location. This co-location eases the burden on victims to find the right help and ensures all members of the Army sexual assault response network are within close proximity to provide timely and integrated support to victims.

Best Practices

CID agents at all field locations have joined with Special Victim Prosecutors (SVP), Victim-Witness Liaison (VWL) officers, victim advocates and other sexual assault responders to form a Special Victim Capability team at more than 70 Army installations worldwide. As noted, some installations began establishing SHARP-RCs in FY13 to facilitate team integration and make it easier for victims to report and obtain support at these "one-stop" sites. A detailed discussion of the SHARP-RC initiative is included in the LOE 4 (Advocacy) section of this report.

One of the most innovative aspects of the Army's sexual assault investigation training is the Forensic Experiential Trauma Interview (FETI) technique, developed at USAMPS. This technique allows investigators to obtain information about the assault, and the offender, while minimizing the traumatic effects on the victim. Investigators are also instructed on the dangers of re-victimization and how to avoid this problem. Also, if a victim recants an allegation, agents are trained to cautiously and compassionately investigate the recantation to ensure the victim has not recanted merely to opt out of an investigation. The FETI technique has shown to drastically reduce victim recantations, increase victim cooperation and participation, enhance rapport with the victim and support prosecution efforts.

Since 2013, CID has used a forensic tool (Cellbrite) that allows agents at all locations to analyze and download emails, texts and phone numbers from suspects' and victims' cell phones, providing valuable evidence in sexual assault investigations. By training agents to be Digital Forensic Examiners, CID is reducing the time it takes for forensic examinations of electronic media (computers, cell phones, etc.), thus shortening the investigation time of sexual assault allegations. Instead of sending digital media to the U.S. Army Criminal Investigation Laboratory (USACIL) for examination, the media is now handled at the local level, allowing for quicker analysis.

USACIL itself is at the forefront of sexual assault evidence analysis. Since 2010, USACIL increased its DNA analyst staff from nine to 41 personnel, specifically to support sexual assault casework. USACIL's aggressive laboratory modernization program significantly enhances the ability to test smaller samples and reduce processing times. USACIL also helped design the current DoD Sexual Assault Evidence Collection Kit (SAECK), which enables long term storage at room temperature, facilitates consistent collections and reduces the requirement for gender specific kits. In FY14, USACIL introduced a "Back in 30" campaign with a goal to achieve an average case turn-around time of 30 days or less. Business process changes already resulted in a 55% reduction in backlog and cut the quarterly median turn-around time from 65 days (in FY13) to 51 days as of the end of the 3rd Quarter, FY14.

Positive Trends

USAMPS continues to refine the SVUIC training, incorporating new methods and proven practices to ensure the course remains on the cutting edge of technological advances and evolving investigative practices. CID continues to send its agents to the SVUIC with a goal to have all agents trained. Additionally, the Army is developing further advanced training in crime scene processing, child abuse and domestic violence that agents can attend to improve their skills. Those going to these advanced courses receive another ASI that highlights their expertise in all areas within the Special Victim Capability system.

The continued enhanced training and emphasis on timely and thorough investigations resulted in the overall improvement of sexual assault investigations. The number of IG complaints regarding investigations remained about the same from 2011 through 2013 (five, six and five, respectively, which is approximately 0.25% of all investigations). As of this report, there have been no IG complaints in 2014.

The number of significant investigative deficiencies found in CID sexual assault investigations in the last DoDIG inspection, begun in 2012 and completed in July 2013, was 6.6%, the lowest of any of the Services. DoDIG also found that 93% of CID's investigations had no deficiencies. Although the DoDIG's current inspection of investigations is still on-going, initial feedback indicates that CID's significant deficiency rate will be even lower this year.

Additionally, the number of judicial and non-judicial actions taken against offenders has significantly increased since 2011 (see LOE 3 - Accountability). The Army attributes this improvement, in part, to training and coordination of investigators and prosecutors through the Army's Special Victim Capability.

3. LOE 3—Accountability

- **Populations Affected: OTJAGs, Special Victims Prosecutors, Special Victims Counsel, Commanders, other first responders**
- **Training enhancements**
- **Process/procedural upgrades and efficiencies**
- **Best practices/innovations specific to your Service**
- **Positive trends (qualitative & quantitative)**

Over the past three fiscal years, the Army achieved substantial, meaningful progress in the prosecution and defense of sexual assault allegations. The Army established SVP, SAI and SVC programs; transformed critical elements of the disposition and adjudication processes; and implemented the new military criminal sexual assault statute. Together, these initiatives helped create the most victim-friendly, progressive military justice system, grounded in due process.

Accountability is a key element of the Army's efforts to transform its culture. To that end, the Army provides a cadre of professionals trained in the unique aspects of sexual assault crimes. This capability, embedded at every level of command, provide Special Victim personnel who play an integral role in educating the commanders they advise, the victims and first responders they interact with and the Soldiers they train.

Positive Trends

Increasing Prosecution Rates

Since the inception of its unique SVP program in 2009, the Army has increased its proficiency in trying special victims courts-martial (Figure 1-1), while maintaining conviction rates between 60 and 70%. During the same period, the number of criminal convictions and punitive discharges for all sexual assault and serious family violence offenses has more than doubled.

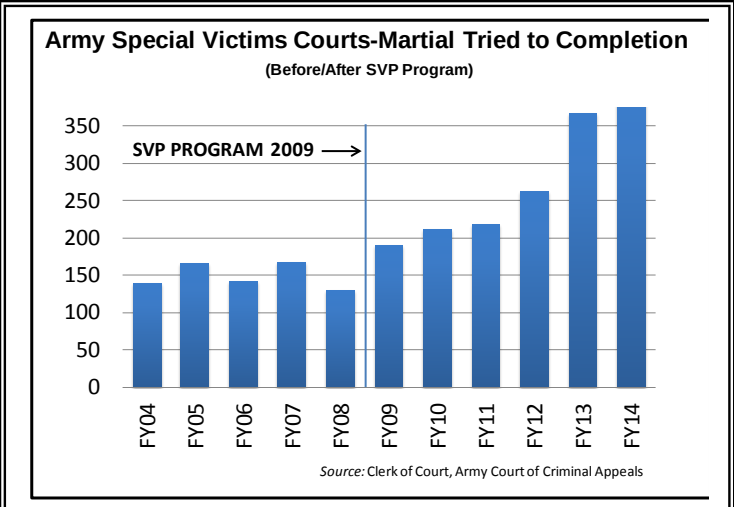


Figure 1-1: Army Special Victims Courts-Martial

Prosecution rates in the Army reflect an active judicial system, in which the commander's commitment to good order and discipline means that they pursue cases that serve the interests of victims and of our communities.

Comparative Prosecution Rates based on Annual Report Data

Beginning in FY12, the Army began calculating comparative prosecution rates based on data from the Annual Report to Congress on Sexual Assault in the Army. The data, when properly broken down by offense, demonstrates that prosecution rates for the Army remained consistently higher than civilian jurisdictions, as illustrated in Figure 1-2. An examination of the FY13 data supports this conclusion and clarifies the calculations. Penetrative offenses in which the Army had jurisdiction over the offender, and a final disposition was made, in FY13 show commanders prosecuted rape at a rate of 64% and sexual assault (sleeping or incapacitated victim) at a rate of 53%. These figures are much higher than the prosecution rates of civilian authorities that exercised jurisdiction over Soldiers. For the offense of rape, of the 50 cases in which civilian authorities charged a Soldier offender, the civilian authorities had a 14% prosecution rate, compared to the Army's 64%. Civilian authorities dismissed the charges in 28 cases, prosecuted lesser non-sexual assault charges in three cases, prosecuted the sexual assault charges in only five cases and had 14 cases still pending review.

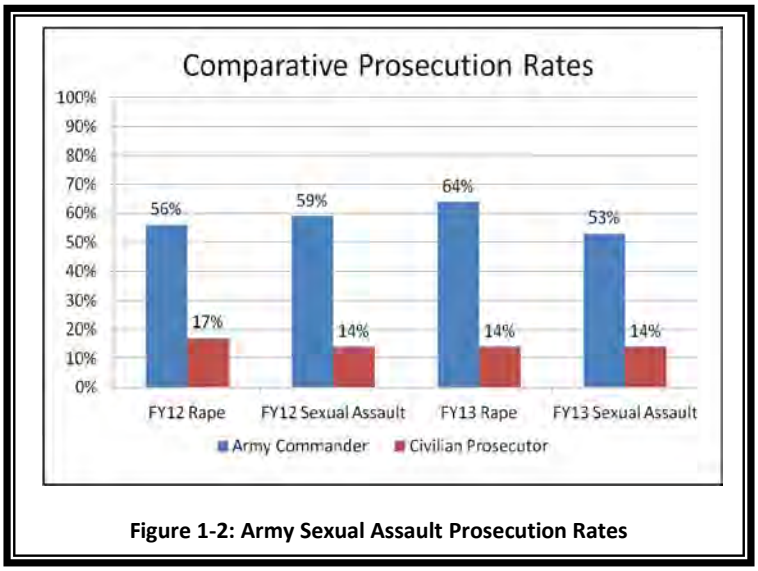


Figure 1-2: Army Sexual Assault Prosecution Rates

For the offense of sexual assault (sleeping or intoxicated victim), of the 25 cases in which civilian authorities charged a Soldier offender, the civilian authorities dismissed the charges in ten cases, prosecuted lesser non-sexual assault charges in eight cases, prosecuted the sexual assault charges in three cases and had four cases still pending. This resulted in a 14% prosecution rate by civilian authorities compared to the Army's 59% prosecution rate. An initial analysis of FY14 data indicates that the trends remain unchanged.

On the other end of the spectrum of sexual assault offenses (unwanted but non-penetrative touches or contact), Figure 1-3 indicates that in 90% of the founded allegations of wrongful sexual contact (370/411) in FY13, Army commanders took disciplinary action against the offender (an initial analysis of FY14 data indicates that the trends remain unchanged). The FY13 actions ranged from:

- Courts-martial, 29% (120/411)
- Administrative separation, 9% (38/411)
- Non-judicial punishment, 32% (131/411)

- Other adverse administrative action, 13% (55/411)
- Punishment for a non-sexual assault offense, 7% (26/411) in cases with evidentiary issues
- No action taken, 10% (41/411), either because there was insufficient admissible evidence to take action or the victim declined to cooperate with the investigation.

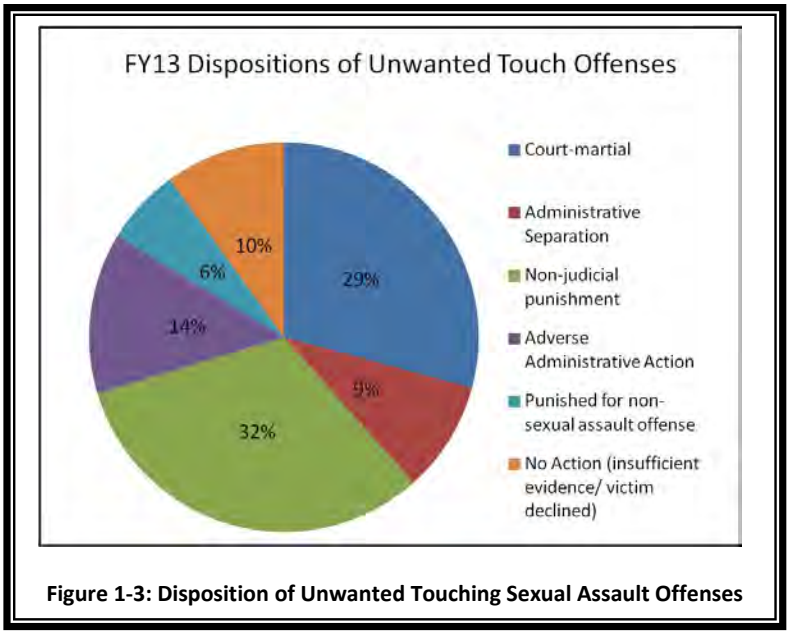


Figure 1-3: Disposition of Unwanted Touching Sexual Assault Offenses

While civilian jurisdictions rarely criminalize, investigate or prosecute these offenses, the disciplinary tools available in the military justice system allow commanders to address the entire spectrum of crime. The data also indicate that Army commanders are effectively addressing the less serious behaviors that could be precursors to more serious offenses. The message to Soldiers from their commanders is that the Army does not tolerate this type of conduct.

Civilian Declination Cases

Anecdotal data collected by the Army corroborates the assessment of cases in which civilian authorities declined to either investigate or prosecute an allegation of sexual assault that Army commanders subsequently prosecuted. The Army noted more than 50 instances of civilian declination in the past fiscal year alone. In 2013, the Army provided summaries of 79 civilian declination cases from 2012-13 to Congress. Each of these compelling individual stories of justice, including ten vignettes in Appendix A, represent victims given their day in court by Army commanders.

Best Practices

Special Victim Prosecutors (SVP) and Sexual Assault Investigators (SAI)

The cornerstone of the Army's accountability efforts is the SVP and SAI Program. In 2009, recognizing the need for improved training and resources for the prosecution of sexual assault and family violence crimes, the Army initiated the SVP in the Judge Advocate General's Corps (JAGC) and the SAI within CID. The SVPs are hand-selected by senior leaders at the HQDA level for their expertise in the courtroom and their ability to work with victims. Prior to assuming their duties, SVPs complete a specially-designed, intensive training program that includes the career prosecutor course offered by the National Association of District Attorneys and an on-the-job training opportunity with a Special Victim Unit in a prosecutor's office in a major metropolitan civilian community. SAIs, civilians with significant prior experience in investigating these crimes, are similarly selected and trained. These independent

professionals investigate all allegations of sexual assault. Commanders must forward all allegations of sexual assault to trained criminal investigators and do not have authority to conduct investigations or make any preliminary inquiries into the circumstances of the crime. Together, these investigators and prosecutors work only special victim cases, developing an expertise that is unprecedented. SVPs consult and advise on the disposition and prosecution of every sexual assault allegation in the Army, with their role dependent upon the complexity of the case and the experience of the assigned prosecutors.

> *"I can never tell you what this prosecutor has done for my daughter...we consider him a part of our family. He has given my daughter so much but most of all he showed her that the Army does the right thing".*
>
> ***- Mother of sexual assault victim***

The SVP program proved so effective and popular that the Army now has 23 regionally-placed SVPs working hand-in-hand with 25 SAIs. Over the past two fiscal years, the teams now include full-time dedicated support from specially selected and trained NCO paralegals and civilian victim witness liaisons. These teams enable Army SVPs to conduct offender-focused prosecutions with an emphasis on caring for the victim throughout the process. This effort not only produces great outcomes in the courtroom, but, more importantly, it also garners the gratitude of victims and their families.

Civilian Experts

In 2009, the Army was the first Service to integrate civilian highly qualified experts into the prosecution, defense and training of judge advocates. The Army hired seven civilian attorneys with extensive experience in the prosecution, defense and adjudication of sexual assault and family violence crimes:

- Three civilian experts assist the Trial Counsel Assistance Program (prosecutors)
- Two assist the Defense Counsel Assistance Program
- One develops curriculum and teaches at The Judge Advocate General's Legal Center and School (TJAGLCS)
- One expert oversees advocacy training and assessment efforts Army-wide

These experts provide training and direct assistance to prosecutors and defense counsel on pending cases. Originally intended as single term employees, the Army recognized the on-going value of expertise developed outside our judicial system and has recently converted these positions to renewable four-year term government employees.

Special Victims Counsel

The Army implemented the SVC program in FY14. This program is unique to the military justice system and is unequalled in the civilian community. At no cost to the victim, the Army provides a specially trained attorney to every Soldier or dependent family member victim of sexual assault. The SVC represents the victim throughout the investigation and accountability process, with the primary duty to zealously represent the express interests of the victim, even if those interests do not align with the government's interests. Each SVC attends a one-week training course prior to certification. The SVC Program Manager developed follow-on training for experienced SVC personnel and a course focused on representing child victims. The Army SVC

Program Manager holds monthly training through Defense Connect Online (DCO). The Judge Advocate General published policy governing the program and the Program Manager published an SVC Handbook, with the second edition scheduled for release in November 2014.

> *"It is a program that has made a huge difference to me. I felt incredibly supported……. The best description that can be made is that a court martial is like a chess game. The defense and the prosecution are the people making the moves and the victims are just chess pieces that don't know the overall plan. The SVC was able to support me while the prosecution and defense were moving their chess pieces".*
>
> ***-Army Sexual Assault Victim***

The Army's SVC program is a complete success for victims and Commanders. Since implemented in the Fall of 2013, the Army SVC Program trained 70-75 Active Army judge advocates, 70 Army Reserve judge advocates and 47 National Guard judge advocates. The SVC Program has taken on 1,296 client victims, conducted 7,224 consultations, attended 1,627interviews or pre-trial meetings with clients, appeared in courts-martial and conducted 278 post trial counseling sessions. Results from the Survivor Experience Survey (SES) indicated 89% of participating Army victims reported satisfaction with the services of their SVC.

Training Enhancements

Commanders receive extensive training on their legal responsibilities throughout their career, beginning with Uniform Code of Military Justice (UCMJ) training in ROTC and USMA prior to commissioning. Once commissioned, officers assume duties with increasing levels of responsibility and authority with respect to administering the UCMJ. Judge advocates play a critical role in the legal training for commanders, including responsibilities for sexual assault offenses.

At the local level, judge advocates instruct at Pre-Command and Company Commander/First Sergeant Courses. Officers entrusted with the disposition of sexual assaults (Colonels with Special Court Martial Convening Authority), are required to attend Senior Officer Legal Orientation (SOLO) courses taught at TJAGLCS. General Officers (GO), who serve as convening authorities, receive one-on-one instruction at TJAGLCS, again with a focus on sexual assault. Beginning in 2013, TJAGLCS offered a new course for Nominative Command Sergeants Major. In addition to these specialized legal courses, JAG officers teach a block of instruction during the Pre-Command Course at Fort Leavenworth for officers selected for Battalion and Brigade Commands and their senior enlisted advisors.

Recognizing the need for a more integrated and synchronized training program, the JAGC completed a substantial overhaul of available courses. The primary training components of the JAGC are the Trial Counsel Assistance Program (TCAP) and the Defense Counsel Assistance Program (DCAP) and TJAGLCS. These activities coordinate quarterly to synchronize and prioritize training needs covered by a budget of more than $3 million. Judge advocates attend required training at the TJAGLCS throughout their career and can attend more than 21 elective courses with a sexual assault focus. In addition, JAG officers attend courses offered by civilian organizations, including the National District Attorney's Association and the National Center for Missing and Exploited Children. TCAP and DCAP also conduct regional outreach training courses at installations, tailored to the needs of each jurisdiction. These programs allow

time for direct case assistance and evaluation. As TCAP and DCAP identify emerging issues across the Army, the civilian experts and senior litigators from TCAP and DCAP develop new short courses to offer counsel Army-wide.

In FY13, the Army Trial Judiciary added a four-day sexual assault training course to the professional education requirements for sitting trial judges. For the past four fiscal years, all incoming Staff Judge Advocates (senior legal advisors to commanders) attend annual training with sexual assault components and a best practices course for military justice.

Attendance at courses is managed both at the local level by supervising Staff Judge Advocates (SJA) and at the HQDA level to ensure that necessary skills sets and experience levels are developed across the installations. The Military Justice ASI centrally tracks advocacy training and experience for Army JAGs. The ASI program establishes four levels of recognized military justice proficiency, from Basic to Master, based on requirements of completed training and experience in terms of total cases or time in a military justice assignment. ASI levels support JAG assignments and consistent levels of proficiency across installations.

Process and Procedural Upgrades

The Army transformed critical elements of the military justice system during the past three fiscal years through improved policy and practices. Changes implemented by the Army include:

- Continued evolution of Article 120 into one of most progressive, expansive and offender-focused sexual assault statutes in the country
- Elevation of initial disposition authority for sexual assault offenses; elevated review of decisions not to refer allegations to court-martial
- Revision of the scope and procedural rules for Article 32 preliminary hearings
- Enhanced protections for victims during preliminary hearings, including application of “rape shield” evidentiary rules and the victim advocate privilege
- Revision of the Rules for Court-Martial governing disposition of offenses
- Revision of procedures to allow victims and their counsel to be heard throughout the pre and post-trial process
- Addition of mandatory minimum sentences for sexual assault
- Procedures for identifying and separating Soldiers convicted of sexual offenses
- Codifying the criminal nature of retaliatory acts taken against Soldiers who report a sexual assault or intervene to stop one
- Adopting a policy to publish all courts-martial results in a public forum to provide maximum transparency to our community

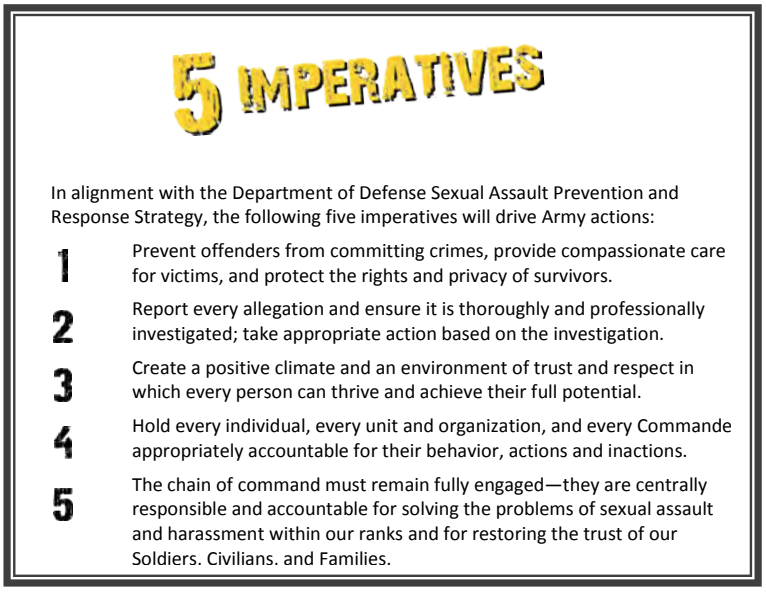
Additionally, the Army worked steadily to improve digital tools for practitioners and policy makers. The centerpiece of the Army’s efforts to improve and standardize the adjudication process across the spectrum of possible dispositions is Military Justice Online (MJO). MJO provides users at the installation level the ability to generate charging documents and other military justice actions based on prototypes drafted by

subject matter experts. MJO also serves as a case management tool, providing users with the ability to track case timelines, and as a reporting source to identify trends.

For policymakers, the Army developed databases for the trial judiciary and for the SVPs that allow analysis of trends in charging, processing times, findings, sentencing, and post-trial procedures. These databases, along with information from the Defense Sexual Assault Incident Database (DSAID), provide critical information to inform the Army's efforts for the future.

Leader Accountability

In addition to holding offenders accountable, the Army initiated several measures to enhance leader and chain of command accountability with respect to sexual assault and sexual harassment prevention and response. The Chief of Staff set the tone for leader accountability when, in June 2013, he issued five imperatives and told senior Army leaders that, "combating sexual harassment and sexual assault is our primary mission." These imperatives require leaders to establish positive command climates where incidents of sexual assault are rare, but when they do occur, victims are treated with dignity and respect while offenders are held appropriately accountable. Specific measures implemented to reinforce leader accountability include:


5 IMPERATIVES

In alignment with the Department of Defense Sexual Assault Prevention and Response Strategy, the following five imperatives will drive Army actions:

1. Prevent offenders from committing crimes, provide compassionate care for victims, and protect the rights and privacy of survivors.
2. Report every allegation and ensure it is thoroughly and professionally investigated; take appropriate action based on the investigation.
3. Create a positive climate and an environment of trust and respect in which every person can thrive and achieve their full potential.
4. Hold every individual, every unit and organization, and every Commande appropriately accountable for their behavior, actions and inactions.
5. The chain of command must remain fully engaged—they are centrally responsible and accountable for solving the problems of sexual assault and harassment within our ranks and for restoring the trust of our Soldiers. Civilians. and Families.

- Army Directive 2013-20, Assessing Officers and Noncommissioned Officers on Fostering Climates of Dignity and Respect and on Adhering to the Sexual Harassment/Assault Response and Prevention Program (http://www.apd.army.mil/pdffiles/ad2013_20.pdf). This directive, signed by the Secretary on September 27, 2013, enhances the Evaluation Reporting System to assess how officers and NCOs meet their commitments to eliminate sexual harassment and assault and to foster climates of dignity and respect in their units. The Directive also requires raters to document any substantiated finding that the officer or NCO committed an act of sexual harassment or sexual assault, failed to report an incident of sexual harassment or assault, failed to respond to a reported incident or retaliated against a person for reporting an incident.
- Army Directive 2013-29, Army Command Climate Assessments. (http://www.apd.army.mil/pdffiles/ad2013_29.pdf). This directive, signed December 23, 2013, requires all Active Army company commanders to conduct a Command Climate Assessment within 30 days of assuming command. All Active Army commanders above the company level must conduct an assessment within 120

days of assuming command. Commanders must then complete surveys after six, 12, and 24 months for company level, and 12 and 24 months for echelons above company. Commanders brief the results and analysis of their command climate surveys to the next higher commander and complete an action plan for addressing concerns.

- An Army Pilot Program for using a 360-degree assessment for brigade and battalion-level commanders. Based on positive feedback, the Army approved including the use of a leader-directed 360-degree assessment as an additional tool for raters to assess their rated officers. This assessment occurs at the six and 18 month points in the rated officer's command. Results are used to create and monitor the officers Individual Leader Development Plan.
- A "Risk Reduction Dashboard", provided to all commanders and their raters. This dashboard provides a statistical analysis of unit data across a wide-spectrum of issues: suicide, assault, domestic violence, drug use, etc. The Army is currently updating to provide commanders with sexual assault and harassment data.

The Army continues to take positive action toward the identification, accountability and management of sex offenders. These actions include:

- Revising AR 420-1 (Army Facilities Management) in August 2012, providing Garrison Commanders the authority to revoke authorization to reside in housing for sex offender misconduct or when the best interests of the Army for reasons relating to health, safety, morale, or welfare on the installation are concerned.
- Issuing Army Directive 2013-06, Providing Specified Law Enforcement Information to Commanders of Newly Assigned Soldiers (http://www.apd.army.mil/pdffiles/ad2013_06.pdf). Signed by the Secretary on February 14, 2013, this directive provides brigade level commanders with criminal history reports on newly assigned Soldiers, improving the ability to identify convicted sex offenders.
- Issuing Army Directive 2013-21, Initiating Separation Proceedings and Prohibiting Overseas Assignment for Soldiers Convicted of Sex Offenses (http://www.apd.army.mil/pdffiles/ad2013_21.pdf). Although the Army previously required any Soldier convicted of a qualifying sex offense be processed for separation, the Secretary enhanced that requirement on November 7, 2013 by requiring for any Soldier who is retained as a part of the administrative separation process, Commanders must initiate Secretarial plenary separation authority. While the Army has had sex offender assignment restrictions since 2005, this directive further prohibits assignment or deployment outside the United States (or its territories) any Soldier convicted of a sex offense.

4. LOE 4—Advocacy/Victim Assistance

- **Populations Affected: Survivors/victims, SARCs, VAs, UVAs, medical personnel, other responders**
- **Training enhancements**
- **Process/procedural upgrades and efficiencies**
- **Improvements to victim/survivor services and resources available**
- **Indicators of victim satisfaction and confidence in the system**

- **Best practices/innovations specific to your Service**
- **Positive trends (qualitative & quantitative)**

It is the Army's goal to eliminate sexual assault; but when incidents do occur, the Army treats victims with dignity, respect and professionalism. As noted in the discussions of LOE 2 (Investigation) and LOE 3 (Accountability), the Army's cadre of SAI, SVP and SVC help ensure that sexual assault victims receive the highest quality of professional and compassionate services during the military justice process. Likewise, other responders such as SARCs, VAs and healthcare personnel play essential roles in the care and advocacy that victims of sexual assault deserve.

The Army made a determined effort during the past few years to ensure those entrusted to provide advocacy and healthcare to sexual assault victims are the best qualified and the best trained. These efforts include increased and improved training as well as more intense scrutiny and screening of personnel to fill these sensitive and trusted roles.

Training Enhancements

SARCs and VAs

In August 2010, the Army conducted the first 80-Hour SHARP Certification Course at Fort Hood, Texas using a contracted Mobile Training Team (MTT). This course teaches SARCs and VAs how to perform their duties with respect to sexual harassment and sexual assault prevention and response. During FY11, FY12 and FY13, SHARP MTTs trained more than 15,000 SHARP personnel at locations Army-wide. In April 2012, the National Organization of Victim Assistance (NOVA) credentialed the two-week SHARP Certification Course, allowing the Army to meet the FY12 NDAA requirement that SARCs and VAs be credentialed prior to assisting sexual assault victims. The Army updated this course in 2013, adding more practical exercises. This improvement gave students realistic scenarios to simulate interacting with sexual assault victims. Additionally, SAIs and SVPs began participating in the SHARP Certification Courses at the larger Army installations. This helped demonstrate to SARCs and VAs the value of teamwork and collaboration with these critical response groups.

On July 31, 2013, the Chief of Staff held the first in a series of meetings with groups of SARCs and sexual assault victims to discuss improvements to the SHARP Program. One clear theme was that SARCs and VAs needed more training. On August 2, 2013, the Army G-1 directed the SHARP Program Office to develop a more professional training program for SARCs and VAs. He suggested SHARP look at training conducted by the Defense Equal Opportunity Management Institute (DEOMI), the Army Management Staff College (AMSC) and the Inspector General School. The results of this effort led to the development of an eight-week SHARP Trainer Pilot Course, attended by newly hired DA Civilian SHARP Trainers and interim Military SHARP Trainers. After the completion of the course, these trainers returned to their units to teach the SHARP 80-hour Certification Course to collateral duty SARCs and VAs.

The SHARP Trainer Pilot Course, conducted January 27 – March 21, 2014, was based on the existing 80-hour Course and extended by six weeks to provide additional instruction from adjunct professors and subject matter experts (SME) from around the Army. The adjunct professors and SMEs represented several Army organizations,

including: TJAGLCS, Legislative Liaison, OPMG/CID, Office of the Chief of Chaplains (OCCH), AMSC, Army Training Support Center, USAMPS and the U.S. Army Medical Command (MEDCOM). The topics of instruction include:

- Intra-Personal Series - facilitated by the Army Management Staff College, this training uses Myers-Briggs Type Indicators to look at Self-Awareness, Group Development, Socialization, Conflict Management, Motivation Theory and Individual Diversity.
- Describe the Dynamics of "Victimology" - facilitated by Mr. Russell Strand from USAMPS. This training addresses difficulties associated with identifying potential sex offenders.
- Describe the Foundation for a Culture of Prevention - facilitated by the Army Management Staff School. The block of instruction looks at ways to change the culture to prevent sexual harassment and sexual assault.
- Describe the Investigative and Legal Process - facilitated byTJAGLCS. This block of instruction addresses what a victim/survivor will experience when they make their way through the legal process when pursuing legal charges against and alleged offender.
- Foundation Instructor Facilitator Course (FIFC) and the Small Group Instructor Course - facilitated by the Army Training Support Center. This training certifies individuals as instructors so they can teach Army subjects.

During the execution of the SHARP Trainer Pilot Course, work began on developing a course for the full-time Brigade Level SARC/VA Course. It was determined this would be a seven-week course. In conjunction with the development of the SARC/VA course, work went into expanding the SHARP Trainer Course to twelve weeks.

On June 2 and June 6, 2014 the Army rolled out the pilot for a seven-week Brigade SARC/VA Baseline Certification Course and the expanded pilot for a twelve-week SHARP Trainer Course. The curriculum for both courses was based off the eight-week SHARP Trainer Pilot Course. The one-week instructor portion that was in the original eight-week pilot course was removed from the SARC/VA course. The Baseline Certification Course better prepares students to assist victims of both sexual harassment and sexual assault. The curriculum incorporates more practical exercises and facilitated instruction to help the students be become better advocates to victims and advisors to their commanders.

The twelve-week SHARP Trainer Course consists of the seven-week Brigade SARC/VA Baseline Certification Course, the two-week FIFC course and the three-week SHARP Trainer Certification. The course is designed to better prepare the SHARP Trainer to conduct the 80-Hour SHARP Certification training for battalion (and below) collateral duty SARCs/VAs. By the end of FY14 the newly designed courses graduated five classes for a total of 148 students: 54 SHARP Trainers, 62 VAs and 32 SARCs.

On October 1, 2014, the Army gave TRADOC responsibility for the newly established SHARP Academy which will conduct the SARC/VA Baseline Certification and SHARP Trainer Courses. The Secretary's decision to permanently locate the SHARP Academy at Fort Leavenworth reinforces the principle that leader involvement at the commander level is the best driver of culture change. At Fort Leavenworth, the

SHARP Academy is co-located among leaders attending the Command and General Staff College, the Battalion and Brigade Commander and Command Sergeant Major Pre-Command Courses. The Center for Army Leadership and the Mission Command Center of Excellence, both located at Fort Leavenworth, will serve as outstanding resources for the SHARP Academy.

SARC/VA Recertification Training

In July 2014, the Army implemented a 24-Hour SARC/VA Recertification Course (online) for those individuals who need continuing education credits to meet the two year recertification requirements as outlined by the DoD Sexual Assault Advocate Certification Program (D-SAACP).

Sexual Assault Medical Forensic Examiners (SAMFE)

MEDCOM trains more than 100 Sexual Assault Medical Forensic Examiners (SAMFE) annually (FY12: 188; FY13: 129; FY14: 141) to support deployment missions and the congressionally mandated Military Treatment Facility (MTF) emergency room (ER) requirements. MEDCOM SAMFE training meets and exceeds the Department of Justice (DoJ) National Training Standards. During FY14 SAMFE training was revised. The new program has three phases instead of two. This change was made based on the SAMFE Leading Standard guidelines. Phase one and two consist of 80 hours of classroom training (40 hours of didactic and 40 hours of skills practicum to include live models). Phase three consists of supervised sexual assault patient examinations, observation of legal proceedings, testifying experience and sexual assault review board observation. A mentor guides each students' performance during phase three of the SAMFE training.

The MEDCOM SHARP Program Office currently coordinates and manages the SAMFE training. A review and analysis initiated during FY13, realigned and integrated SAMFE training into the Army Training Requirements and Resources System (ATRRS). Institutionalizing SAMFE into ATRRS standardizes the training under the AMEDD Center and School and provides critical support for training requirements, resource data, training management and program evaluation.

Process/Procedural Upgrades and Efficiencies

Professionalizing SHARP Personnel

The FY12 NDAA mandated a full-time SARC and a full-time VA at every brigade or equivalent sized unit. To initially meet this requirement, the Army used existing military manpower to fill these full-time SARC and VA positions. In order to institutionalize these efforts, the Army held a series of General Officer Steering Committee (GOSC) meetings from December 2011 to February 2012. As a result of decisions made by the GOSC, the Army authorized and resourced more than 800 military and civilian full-time SARC and VA positions and thousands of collateral positions at battalions and below. The Army primarily utilizes military personnel to fill SARC positions, and civilian personnel to fill VA positions.

The Army allocated SHARP Program funding for FY14-18 and the Vice Chief of Staff directed hiring to begin in FY13 using unencumbered bill-payer positions. Some Army

commands hired personnel in FY13, but the impacts of sequestration affected other commands' ability to hire, despite the Army fully funding civilian pay for FY13. As of this report, the Army has hired 307 of the 442 authorized full-time civilian SARCs and VAs. The Army uses both full-time and collateral duty military personnel to cover the civilian vacancies.

In June 2014, the Army expanded its personnel structure for the SHARP Program to include Program Managers at Army installations and echelons above brigade level. Additionally, all battalion-level units have one collateral duty military SARC and one collateral duty military VA. All company-level organizations also have one collateral SHARP Advisor to support the commander with program compliance and training.

The Army recognizes that selecting and retaining suitable personnel in sensitive positions is critical to achieving SHARP goals. Based on an FY13 internal assessment of our screening process, the Army established broader and more stringent criteria and background checks for personnel serving as SARCs, VAs, Recruiters, Drill Sergeants and Advanced Individual Training (AIT) Platoon Sergeants. The revised processes and procedures ensure commanders actively select personnel who are best suited for their roles and responsibilities.

Indicators of Victim Satisfaction and Confidence

There is a lack of definitive information regarding the level of victim satisfaction with SHARP services following a sexual assault. This is primarily due to the fact that, until recently, service providers were discouraged from seeking out victims and soliciting feedback. Beginning in FY13, the Chief of Staff initiated a SHARP Advisory Panel which included sexual assault victims. Victim feedback during these sessions highlighted areas needing improvement in the SHARP Program, including more training for SARCs and VAs.

DoD also conducted a Survivor Experience Survey (SES), which provides some useful feedback from victims (who reported a sexual assault after October 1, 2013) regarding advocacy/assistance, the military health system, the military justice process and other areas of support. Although there were a low number of respondents to the SES, preliminary results from Army victims suggest satisfaction with the services they receive. In fact, 98% of the participating Army victims were "satisfied" or "very satisfied" with the services provided by the SARCs and they were "likely" or "very likely" to "recommend SARCs to other survivors."

Improvements to Victim/Survivor Services and Resources Available

Sexual Assault Medical Forensic Examiner (SAMFE)

The FY14 NDAA requires that every MTF with 24/7 emergency room (ER) capability shall have at least one Sexual Assault Nurse Examiner (SANE) on staff. MEDCOM has 20 MTFs with a 24/7 ER capability, each of which meet the requirement of the NDAA. MEDCOM began implementing this SANE requirement in March, 2014, which resulted in an increase in MEDCOM's MTF on-staff capability from 13 trained SANEs (65%) in FY12 and FY13 to 20 SANEs (100%) in FY14.

MEDCOM's goal is to be a nationally recognized leader in providing patient-centered

responses to victims of sexual violence. Accordingly, MEDCOM led a national conversation on a SAMFE Leading Standard with the Department of Justice (DoJ), International Association of Forensic Nurses, USACIL and DoD. Once finalized, the SAMFE Leading Standard's guidelines will be incorporated into MEDCOM Regulation 40-36 (Medical Facility Management of Sexual Assault).

MEDCOM policy requires a Sexual Assault Medical Management Office (SAMMO) in every MTF to ensure a consistent patient centered experience for victims of sexual violence. The goal of this realignment is meant to instill confidence in the program and preserve the restricted reporting option for all eligible victims. The SAMMO optimizes communication and coordination of cases and consists of a medical director, the Sexual Assault Care Coordinator (SACC), the Sexual Assault Clinical Provider (SACP), the Sexual Assault Behavioral Health (SABH) provider and all SAMFEs.

Standardizing SAMFE services across the Army optimizes access, quality of care and patient safety, and supports combat casualty care and readiness of a deployable medical force. Moreover, standardizing the program and introducing enhancements at policy-level, classroom, and MTF-level reduces clinical variance, thereby encouraging trust and confidence in the medical response for patients of sexual assault.

Expedited Transfers for Victims of Sexual Assault

On October 3, 2011, the Secretary signed Army Directive 2011-19, Expedited Transfer or Reassignment of Victims of Sexual Assault (http://www.apd.army.mil/pdffiles/ad2011_19.pdf). This directive specifically states that commanders may conduct an expedited transfer of the alleged offender if they deem such action is in the best interest of the victim. Since its implementation in 2011, more than 600 Soldier victims requested and received expedited transfers.

Standardized 'Hotline' Service

The Army prominently displays DoD Safe Helpline information (phone, on-line text or on-line chat and text) on Army SHARP Program training and marketing materials, the Army SHARP Program website and installation websites. The DoD Safe Helpline provides brochures, banners and information cards for dissemination throughout the Army. The Army also publicizes DoD Safe Helpline information in various media materials to include Army magazines and newsletters.

During FY13, the Army Audit Agency (AAA) conducted a comprehensive review of the Army's procedures for supporting the synchronization of the Safe Helpline with installation SHARP hotlines. As a result of the AAA review, and the efforts of Army Command SHARP Program Managers, the Army reconciled all installation SHARP hotlines with the DoD Safe Helpline.

On December 20, 2013, the Army standardized requirements for Army-wide compliance with the DoD Safe Helpline requirements and established monthly reports for the Chief of Staff and the Secretary. The Army SHARP Program Office, the Army Operations Center, AAA and DoD SAPRO conduct monthly compliance checks at various frequencies.

Best Practices/Innovations

SHARP Resource Center

A SHARP Resource Center (SHARP-RC) is a "one-stop shop" designed to coordinate and support all SHARP Program services on an Army installation, with a focus on maximum co-location of advocacy, investigative and legal personnel. The SHARP-RC also serves as the installation resource center coordinating prevention, outreach and training activities. Leadership and personnel at Joint Base Lewis-McChord (JBLM) established the initial SHARP-RC in 2013.

On March 21, 2014, the Chief of Staff directed a feasibility assessment for implementing resource centers at all Army installations, using the facility at JBLM as the model. A SHARP-RC Working Group conducted a comprehensive review of the JBLM model, to include an on-site visit, to identify core functions and resources required.

Using the Sexual Assault Response Team (SART) approach to case management, the SHARP-RC balances the interests of the military justice system by holding offenders accountable while also taking care of victims. The SART approach is a multi-disciplinary collaboration for intervention and response, uniformly considered a "best practice" among civilian communities. Designated SART members integrate information across multiple staff elements, assess installation-based coordination processes and analyze emerging trends and concerns. There are four primary disciplines represented in the SART:

- VAs from the installation SHARP Program.
- Healthcare providers from the installation MTF.
- SAIs from the supporting CID office.
- SVPs from the supporting SJA office.

Together, these representatives utilize the SHARP-RC to structure their customer service functions. The installation-based SART meets regularly to support the monthly Sexual Assault Review Board (SARB) to collect and analyze data related to sexual assault to better inform command decision-making at all levels.

The SHARP-RC has multiple functions that provide comprehensive service to the military community, including coordination with local victim advocacy agencies, legal, social and medical services. The designated SHARP-RC SARC, ideally filled by the Senior Commander's SHARP Program Manager, supervises day-to-day operations.

Based on each installation's specific resources and requirements, the following elements of the SHARP-RC may be full-time or part-time:

- Full-time VAs provide customer service and advocacy in support of victims, providers, responders and leaders. VAs operate the victim care and treatment area (with segregated Restricted Reporting and Unrestricted Reporting areas), perform 'triage' to identify needed resources, make referrals and direct non-SHARP issues to the appropriate program staff.
- A SACC/Nurse Case Manger (NCM) provides victim care management. While medical treatment is not conducted at the center, the SACC/NCM interviews victims and coordinates immediate and ongoing medical and behavioral health

referrals.

- The SVC provides the victim with an attorney to help them navigate the legal process.
- CID provides agent support and interview space in the SHARP-RC for immediate interaction with victims choosing the Unrestricted Reporting option.
- The SJA dedicates a prosecutor to the SHARP-RC and uses the space as a neutral environment for interacting with victims during the investigation and trial phase of the case. SJA and CID personnel are co-located in the SHARP-RC away from the Customer Service Area in order to protect confidentiality and preserve a victim's Restricted Reporting option. In addition, VWLs and Special Victim Paralegals may support SHARP-RC operations.
- The SHARP-RC provides training and analysis resources to the installation including:
    - Professional development programs for SHARP personnel and first responders.
    - Installation-wide training requirements to educate leaders on their SHARP Program responsibilities.
    - Training, advice and resources for VAs embarking on their first case.
    - Analysis on installation specific data and trends to give commanders more insight into their environment.

The HQDA SHARP-RC Working Group assessed establishing SHARP-RCs at 43 Army locations based on Army Command input and:

- Population size.
- Historical sexual assault caseload.
- Availability of physical resources such as building and office space.
- Availability of advocacy.
- Investigative, legal and medical resources.
- Geographic dispersion.

On June 2, 2014, the Chief of Staff approved a pilot program for the SHARP-RC concept at 12 locations across the Army. The initial operating capability is scheduled for January 2015, however, seven installations already established their SHARP-RC.

Positive Trends

The Army continues to hire personnel to fill authorized DA Civilian SARC and VA positions. The percentage of civilian personnel hired is now 69%. The overall number of credentialed SARCs and VAs is 15,795 (1,442 SARCs: 1,221 military and 221 civilian. 14,353 VAs: 13,777 military and 576 civilian).

The actions cited in LOEs 1-4 demonstrate the Army's commitment to provide the best possible services to victims of sexual assault. From investigators and prosecutors, to healthcare providers and SARCs/VAs, the Army continues to improve and professionalize all aspects of the SHARP Program.

5. LOE—Assessment

- **Populations Affected: All**
- **Process/procedural upgrades and efficiencies (other than DSAID)**
- **Best practices/innovations specific to your Service**
- **Positive trends (qualitative & quantitative)**
- **Highlights over last 3 years from DEOCS, WGRA/R surveys, Survivor Experience Survey, Focus Groups (recent and past efforts), etc.**

During the first several years of the Army SHARP (SAPR) Program, its assessment consisted primarily of feedback from surveys which included questions about command climate, Soldier safety, sexual harassment and sexual assault. Two of these survey instruments were operated and analyzed by the U.S. Army Research Institute for the Behavioral and Social Sciences (ARI); the Sample Survey of Military Personnel (SSMP) and the Human Relations Operational Troops Survey (HR OTS):

- The SSMP is an attitude and opinion survey that focuses on personnel topics and issues of interest to the Army. The survey is administered to a representative, random sample of Soldiers (E2-E4), NCOs (E5-E9), Officers/Warrant Officers (O1-O6/WO1-CW4). Analysis weights the data by rank to reflect the Army's population. In the Spring of 2013, 7,016 Soldiers completed surveys, 6,913 responded to the Fall 2012 SSMP and 8,263 responded to the Spring 2012 SSMP.
- The HR OTS is a triennial survey that focuses on perceptions and experiences from a sample of Active Component (AC) operational Soldiers. The survey focuses on Soldiers' experiences with sexual harassment and sexual assault, reporting behaviors, leadership and climate, SHARP training and policies and bystander intervention attitudes and expectations. The Army administers the survey to Soldiers (E3-E4), NCOs (E5-E6) and Officers (O1-O4). In 2012, 11,083 Soldiers responded to the survey compared to 11,718 in 2009.

Process/procedural upgrades and efficiencies

The Army also performed program assessment using other internal sources, including DA Inspector General (DAIG) and Command IG inspections, as well as external sources such as DoDIG, the Government Accountability Office (GAO) and the Defense Task Force on Sexual Assault in the Military Service (DTF-SAMS). In FY12 and FY13, the Army began expanding its sources for internal assessments of the SHARP Program:

- **Red Team Focus Groups**. Directed by the Chief of Staff to assess the effectiveness of the Army SHARP Program, a Red Team conducted focus groups from April through November 2012. These teams consisted of a broad spectrum of subject matter experts, to include representatives from the Army SHARP Program, Office of the Provost Marshal General (OPMG), Office of the Surgeon General (OTSG), DAIG, OTJAG and OCCH. This team assessed the effectiveness, coordination, training and synergy, including investigation and prosecution, of those responsible for preventing, reporting and responding to sexual assault at all levels of the command.
- **Sensing Sessions.** The Vice Chief of Staff personally conducted a series of sensing sessions at dozens of installations across the Army, meeting with a wide

variety of leaders, Soldiers and Family members in order to assess the climate in the field regarding SHARP.

- **Initial Military Training (IMT) Review**. TRADOC, and all commands that support the IMT mission, (e.g., USAREC, USACC and USMA), conducted a comprehensive review of all policy, procedures and regulations. Army commands evaluated the Lackland Air Force Base investigation report and lessons learned. These assessments identified areas for clarification and improvement in Army policy, procedures, training and oversight.
- **SHARP Advisory Panel.** In June 2013, the Chief of Staff initiated the SHARP Advisory Panel to advise Army senior leadership on the improvement of policies, programs and services that impact victims of sexual assault. The Panel, a forum hosted by the Chief of Staff, provides feedback on SHARP campaign efforts to: improve overall victim care; increase trust in the chain of command; increase reporting; reduce the possibility of ostracizing victims. In addition, the Panel provides recommendations for improving victim treatment by their peers, co-workers and chains of command.

The Army continued to increase its internal assessments of the SHARP Program during FY14:

- ARI conducted more than 170 focus groups and individual interviews at 12 Army locations on attitudes and experiences with sexual harassment/assault and SHARP. Visits took place during November and December 2013. Topics discussed included: reporting (e.g., barriers to reporting, reasons to report/not report, retaliation, confidentiality, SARC/VA), command climate (e.g., trust in leadership, unit climate regarding sexual harassment/assault), SHARP training, "sexting" and social media.
- The DAIG conducted a Special Interest Item Inspection from November 2013 through February 2014. More than 1,700 Soldier surveys; 128 leader surveys (battalion/company command teams), and 100 SARC/VA suitability files were reviewed for compliance and completeness.

Analysis of these independent assessments resulted in some common findings:

Finding 1: Confidentiality - Assessments cited concern that a lack of confidentiality discourages reporting. The findings highlighted the challenges in respecting the victim's right to confidentiality while ensuring that only those with need to know about the incident are informed. Commanders must balance the conflicting needs for Soldiers to understand the chain of command's response to sexual harassment/ assault incidents while maintaining victim confidentiality. Commanders are doing all they can to provide SHARP personnel with working areas where a victim could feel comfortable seeking help. However, some SHARP offices are located inside facilities where the victim has to approach a counter, usually surrounded by people, and ask to talk to the SARC or VA. To address these concerns, the Chief of Staff approved the SHARP-RC Program discussed in LOE 4 (Advocacy).

Finding 2: Training - Assessments found that the emphasis on SHARP training resulted in both training fatigue and hypersensitivity across the force. Some Soldiers were somewhat overwhelmed with the large amount of SHARP training

including PowerPoint presentations, online module and videos. Soldiers felt that the online training was just something they did to "check the box" and that they clicked through it. Satisfaction with SHARP training appeared to be related to the training modality. Participants in each survey/rank group expressed dissatisfaction with PowerPoint training and satisfaction with interactive training such as skits and role-play. There was also agreement that SHARP training should incorporate situations in which the genders and ranks of the victim and offender are other than what might be expected. Other concerns were that mandatory annual SHARP training was not effectively targeting the right audience, including commanders and leaders. The Army incorporated these recommendations into SHARP annual training guidance which stated that training should be conducted in groups of less than 25, be small unit leader-led and scenario-based. To address these and other issues, the Army updated its annual URT for FY15 by reducing reliance on briefing slides and introducing vignette- and scenario-driven training to support small group discussion. Many of the scenarios were based on real-life circumstances. The Army also implemented the ELITE training for developing individual, interactive counseling tools to improve small unit leader counseling skills. These scenarios are now in the Army Warrior Leader Course. The next iteration will look at company grade officers and NCOs.

Finding 3: SARC/VA Training - One assessment questioned the adequacy of SARC and VA training and suggested inclusion of additional topics and a lengthened course of instruction to better prepare SARCs/VAs to perform their duties. A majority of SARCs and VAs in one command voiced concerns about the quality, content and length of the training they received. Another assessment found that the Army needs to ensure consistent execution of a program of instruction and enhance training to improve response capabilities of VAs. To address these findings, the Army improved its training program for full time SARCs and VAs and established for the new SHARP Academy. This training program provides an expanded curriculum focused on professional services in direct support of sexual assault victims.

Finding 4: SHARP Personnel Screening Process - One assessment found that the screening packet configuration varied significantly from location to location because of local interpretations of the employment requirements. In some cases, this lack of understanding resulted in incomplete screening packets. Also, the screening packets varied from installation to installation, containing different information, incomplete information/documents and different formats. No installation inspected identified a centralized office to gather, provide quality control and maintain/store the screening packets. Another assessment recommended the Army publish guidance that includes an estimate for annual screening/re-screening requirements for SHARP personnel. In response to these concerns, the Army published EXORD 193-14 (July 25, 2014) directing an enduring process for screening sensitive positions, including SARCs and VAs.

Finding 5: Senior Leader Training - One assessment found that Army leaders need to establish and consistently model a climate of "zero retaliation". Another assessment recommended that the Army expand and emphasize a tiered approach to training and include leader professional development in PME. To

address these recommendations, the Army completed full integration of SHARP core competencies and learning objectives into all echelons of Army PME. Based on an assessment of Army PCC and Senior Enlisted SHARP training, the Army expanded mandatory first responder training from Brigade and Battalion level to the Company level. Army policy now requires Brigade SARCs to conduct this training for all Company Commanders and First Sergeants within 30 days of assuming their position. In addition, to improve prevention of sexual assault and harassment, the Army established a new training program for implementation in focused on bystander intervention, entitled 'Got Your Back'. The Army also updated SHARP URT for FY15 by reducing reliance on briefing slides and introducing extensive scenario-driven, leader-led, small group discussion.

Finding 6: Social Media - One assessment found that SHARP training should include scenarios discussing the use of text messages and social media to sexually harass others. Another assessment found that some Soldiers reported that they were harassed via social media. Additionally, 90% of sexual assault and sexual harassment cases were found to include the use of digital/social media. To address these findings, ARI is initiating research in 2015 on aspects of social media and cyber personas that may inform programs and policy on sexual harassment and sexual assault.

Best practices/innovations

Several SHARP Program assessment innovations implemented by the Army have proved very valuable:

- In FY13, the Army established a data and assessments team to provide a programmatic overview of data requirements and oversight responsibilities. Specifically, the Army added research and analysis experts to the SHARP Program Office to assist in expanding and focusing SHARP assessments. This team includes an Operations Research Analyst, a Process Improvement Specialist and a Research Psychologist. This team actively collaborated with the Army staff and command, DoD SAPRO and sister Service SAPR Programs to create a meaningful measurement and evaluation system aligned along the DoD LOEs. The data and assessments team reviews research studies, data sources and current policy and procedures for potential improvements to the SHARP Program.
- The Army fully transitioned to DSAID in October 2013. To improve and maintain data quality, the HQDA SHARP Program Office created monthly quality control and command reports for all ACOM, ASCC, DRU and installations. These reports allow commands and installations to analyze their DSAID data, correct errors and inform their leaders of areas of potential issues and achievements. Through this continual report and quality control process monitoring, the Army increased visibility and disposition tracking for more than 1,400 sexual assault cases. The Army continues to work with DoD SAPRO and all subordinate units to improve sexual assault data integrity and fidelity.
- The Army incorporated SHARP equities into its Ready and Resilient Campaign. This effort integrates behavioral issues and indicators to allow a holistic assessment of the health of the force. The goal of the campaign is to inculcate a

cultural change in the Army by directly linking personal resilience to readiness and emphasizing the responsibility of personnel at all levels to build and maintain resilience. Through centralized data collection and display, commanders can see how their sexual assault statistics fit in with other resiliency indicators using a web-based dashboard. This common operating picture establishes a baseline for Army tracking of resiliency metrics at various levels of command.

Additional Army SHARP Program assessment activities planned for FY15 include:

- **Campaign Plan Assessment.** In the 4th Quarter FY14, the Army SHARP Program Office instituted a Campaign Plan assessment to synchronize program lines of effort. This assessment tracks progress through the Strategic Management System (SMS), thereby giving a distributed common operating picture for commanders at all levels. Improvement of the assessment will continue throughout FY15. This assessment will aggregate several disparate data sources including manning and training data, climate assessments and incident reports and dispositions. Products from the assessment will allow commanders to verify compliance, examine trends and maintain situational awareness of the SHARP climate in their units.
- **RAND Studies.** HQDA SHARP Program Office commissioned two RAND studies in 2014 to review specific areas of leadership and Army Values. The first study is reviewing response system nodes from the company-level across the installation and is establishing a network map of that process. This will allow the SHARP Program to better understand who are the key players in this process and focus resources and training accordingly. The second study is reviewing how the Army defines its core values and how we teach them to our Soldiers. The studies are scheduled for completion in 2nd Quarter FY15.
- **SHARP Organizational Inspection Program (OIP).** The Army SHARP Program Office reviewed and certified the existing FORSCOM SHARP OIP as the Army-wide standard. The HQDA SHARP Program Office distributed this OIP to all command SHARP Program Managers, with guidance to inspect brigade and battalion programs on an annual basis.
- **Sexual Harassment Reporting.** The Army continues to improve sexual harassment data collection and reporting through upgrades to the Integrated Case Reporting System (ICRS). In conjunction with this effort, the Army SHARP Program Office began developing a standard form for sexual harassment reporting. This form provides inputs for improved ICRS data fidelity and quality. In conjunction with these efforts, the Army will significantly improve sexual harassment reporting.

Positive trends

As cited in the following paragraphs which detail results from various assessment tools, there are some very positive signs. During examinations of command climate as part of assessments conducted in the past two years, the Army found that unit leaders have 'zero-tolerance' of sexual harassment and sexual assault; Soldiers generally trust that their commanders (at all levels) will take action upon receipt of an allegation of sexual assault or sexual harassment; leaders at battalion and above exhibit buy-in and

take ownership when it comes to SHARP concepts. Soldiers participating in focus groups stated the Army is getting its message out about sexual assault prevention and response and nearly all battalion level commands and above take appropriate actions.

However, there is still room for improvement in chain of command support. In 2014, ARI conducted Human Relations Focus Groups that included sexual assault and sexual harassment topics. Some Soldiers who participated in these focus groups indicated leaders do not always model appropriate behaviors or make necessary corrections. This observation demonstrates that the Army's vigilance in training and positive leadership must continue.

Survey/Focus Group Highlights

The Defense Equal Opportunity Management Institute (DEOMI) Organizational Climate Survey (DEOCS) is mandatory for every command in the Army. Required periodic administration of the survey at the company and battalion level can help detect problems. The climate survey underwent major revisions in 2013. These revisions significantly improved organizational assessment for sexual assault intervention, climate and chain of command support perceptions. Since the new survey was fielded in January 2014, data prior to 2014 is not comparable to the new data.

The most recent DEOCS data available for this report was 3rd Quarter FY14. DEOMI provided the Army with a report analyzing survey data for 3,730 Army organizations, with 220,408 respondents, from April 1 - June 30, 2014. Therefore, the bulk of the DEOCS data presented here is taken directly from DEOMI reports for 3rd Quarter FY14. The Army was not able to perform direct trend analysis on DEOCS command climate data due to the survey improvements. However, some trends were apparent based on data from other previous sources, such as the SSMP and HR OTS.

The DEOCS received more than 367,000 surveys from January to June 2014. The results were generally very positive. Approximately 90% of Army participants responded positively to the survey questions addressing intervention, perception of safe environment, reporting climate and chain of command support. One area of improvement for the Army concerns Soldiers' perception about retaliation against victims. Approximately 25% of all DEOCS respondents said it was *"moderately likely"* or "*very likely"* that some form of retaliation, including peer retaliation, would occur subsequent to a report of sexual assault. Results of the 3rd Quarter FY14 DEOCS are presented below.

Intervention

Soldiers surveyed indicated they would most likely intervene when presented with a hypothetical sexual assault scenario. In fact, 92% of DEOCS respondents reported that they would take an intervening action if they witnessed a situation that might lead to sexual assault. Of the 4% of individuals who said they had observed a high risk situation, 87% indicated that they took some action. This data is consistent with the 2012 HR OTS.

However, across almost all rank groups and genders, except male and female officers, significant gaps existed between respondents' expectations of themselves and expectations of their peers. Larger percentages of 2012 HR OTS respondents said they

would intervene compared to their belief that their peers would do the same. Junior enlisted male and female respondents (E3 and E4) had the lowest expectations that their peers would intervene in the sexual harassment scenario.

Safe Environment

97% of DEOCS respondents indicated that they felt "*safe*" or "*very safe"* where they live and 98% of respondents indicated that they felt "*safe*" or "*very safe"* at work.

Reporting Climate

In general, Soldiers are very confident in their unit level sexual assault reporting climate. The mean response (DEOCS Q3, FY14) for *Unit Reporting Climate* fell within the range of *moderately* to *very likely* for the extent to which respondents perceived that the chain of command would take appropriate actions to address a report of sexual assault. Specific results for the Q3 FY14 DEOCS reporting climate questions were as follows:

- 93% responded it was very or moderately likely that the chain of command would take the sexual assault report seriously.
- 89% felt it was very or moderately likely that unit members would support the person making the report.
- 92% felt it was very or moderately likely that the chain of command would take corrective action to address factors that may have led to the sexual assault.
- 92% responded it was very or moderately likely that the chain of command would support the person making the report.

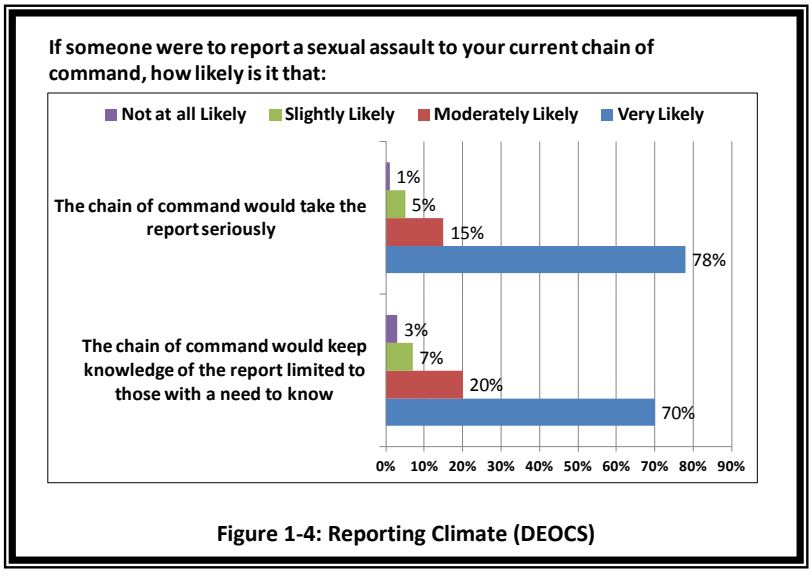


Figure 1-4: Reporting Climate (DEOCS)

- 92% felt it was very or moderately likely that the chain of command would take steps to protect the safety of the person making the report.
- 86% answered it was very or moderately likely that the chain of command would forward the report outside the unit to criminal investigators.
- 90% answered it was very or moderately likely that the chain of command would keep knowledge of the report limited to those with a need to know.
- 77% believed it was slightly or not at all likely that unit members would label the person making the report a troublemaker.

Chain of Command Support

DEOMI calculated an index of command actions related to sexual assault. The mean response (DEOCS Q3, FY14) for *Chain of Command Support* fell within the range of *moderate* to *great extent* for the extent to which respondents perceived command behaviors are targeted toward preventing sexual assault and creating an environment where members feel comfortable reporting a sexual assault. Other results from the Q3 FY14 Army DEOCS report:

- 78% of respondents felt that their chain of command promoted a unit climate based on "respect and trust" to a moderate or great extent.
- 88% answered that their chain of command refrained from sexist comments and behaviors to a moderate or great extent.

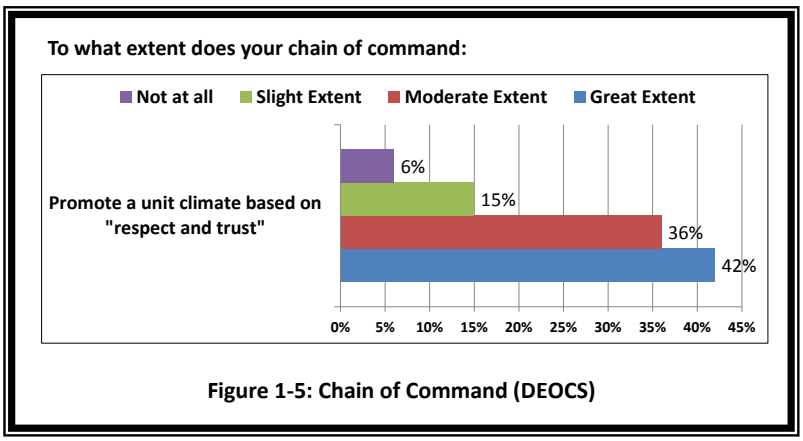


Figure 1-5: Chain of Command (DEOCS)

- 88% believed that their chain of command actively discouraged sexist comments and behaviors.
- 89% responded that their chain of command encouraged bystander intervention to a moderate or great extent.
- 91% responded that their chain of command encouraged victims to report sexual assault to a moderate or great extent.
- 90% of Soldiers responded that their chain of command created an environment where victims feel comfortable reporting sexual assault to a moderate or great extent.

The 2014 DEOCS results appear to be significantly more positive than some results from the 2012 HR OTS:

- Approximately 60% of respondents indicated that leadership is “very committed” to creating a workplace free of sexual harassment.
- Almost 25% of respondents “agree/strongly agreed” that NCOs and Officers tolerated sexist comments.

According to the 2013 Spring SSMP, 66% of females and 77% of males responded if someone in their unit were to report a sexual assault to their current chain of command, it is *“very likely"* that the chain would be supportive. Furthermore, 59% of females and 67% of males believed it is *“very likely”* the chain of command would take some corrective action. These results are consistent with those of the 2012 Spring SSMP.

Retaliation

The 2014 DEOCS data on reporting climate appears to be an improvement over

previous data. However, there is still concern over actual and perceived retaliation against those who make a report of sexual assault. Approximately one quarter (26%) of Army DEOCS respondents felt it was *"very likely" or "moderately likely"* that the alleged offender(s) or their associates would retaliate against the person making the report. Additionally, 22% of respondents indicated it was *"very likely"* or *"moderately likely"* that the career of the person making the report would suffer. It is important to note that this perception of retaliation appears primarily at the peer / supervisor level. Very little illegal reprisal as defined in Title X, United States Code, section 1034, is occurring in the Army.

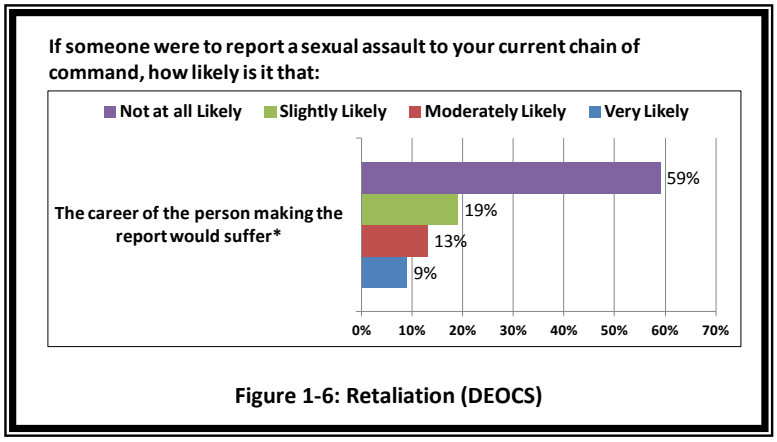


Figure 1-6: Retaliation (DEOCS)

Previous findings from the 2012 Workplace and Gender Relations Survey of Active Duty Members (WGRA) conducted by the Defense Manpower Data Center (DMDC) also noted Soldiers' concerns related to retaliation:

- Fewer than half of Soldiers surveyed indicated they did not report a sexual assault because they were concerned about retaliation from the offender or his friends (not professional retaliation from the chain of command).
- 44% of female Soldiers indicated they didn't report unwanted sexual contact because they were afraid of retaliation/reprisal from the offender or their friends.
- 33% of female Soldiers believed their performance evaluation or chance for promotion would suffer if they filed a report.

The 2013 Spring SSMP also indicated concerns about potential retaliation:

- 29% of female and 25% of male Soldiers said that it was "moderately, or very likely" that the reporting person would be labeled a troublemaker. These results are consistent with the 2012 Spring SSMP.
- 27% of female and 22% of male Soldiers said that it was "moderately, or very likely" the reporting person would not be believed. These results are consistent with 2012 Spring SSMP.
- 27% of female and 23% of male Soldiers said that it "moderately, or very likely" that the reporting person's career would suffer. These results are consistent with 2012 Spring SSMP.

The Army is taking action to address retaliation through messaging, training and punishment. On June 19, 2014 the Secretary signed Army Directive 2014-20, Prohibition of Retaliation Against Soldiers for Reporting a Criminal Offense (http://www.apd.army.mil/pdffiles/ad2014_20.pdf). In this directive, the Secretary states that "no Soldier may retaliate against a victim, an alleged victim or another member of the Armed Forces based on that individual's report of a criminal offense."

Prevalence

The primary source used to determine the prevalence of sexual assault in the military was the WGRA survey, conducted by DMDC in 2006, 2010 and 2012. In 2014, DoD employed RAND to significantly change and conduct the WGRA. RAND constructed the new survey (the 2014 RAND Military Workplace Study) to provide a specific distinction between offenses along the sexual misconduct continuum of harm. Critics of the 2012 WGRA survey suggested that the behaviors it asked about did not directly reflect the offenses described in military law. The RAND Military Workplace Study survey questions address sexual harassment and sexual assault, including specific questions about penetrative and non-penetrative offenses. Subsequent to recommendations by the Response Systems to Adult Sexual Assault Crimes Panel, and other professionals, RAND designed the 2014 Military Workplace Study to mirror the language of the UCMJ, Article 120. This is intended to create a more legally precise estimate of the prevalence of sexual misconduct in the Armed Forces, by type of offense.

To provide a means of comparison between previous WGRA surveys and the RAND Military Workplace Study, RAND fielded both versions to different, representative samples of military service members. In this way, RAND can estimate how prevalence rates differ depending on how the question is asked. The survey was fielded between August 13 and September 20, 2014. During that time, approximately 217,000 Soldiers received letters and emails inviting their participation. Preliminary results of the 2014 RAND Military Workplace Study are discussed in the next section of this report.

Part 2 - U.S. Army Statistical Report Data Call: Reported Sexual Assaults for the Period October 1, 2013 through September 30, 2014

1. Analytic Discussion

1.1. Provide an analytic discussion of your Service's Statistical Report. This section should include such information as:

- **Notable changes in the data since FY13 (in percentages) and other time periods (at least FY12, FY13 and FY14), as appropriate.**
- **Insight or suspected reasons for noted changes, or lack of change, in data**
- **Implications the data may have for programmatic planning, oversight, and/or research**
- **How reports of sexual assault compliment your Service's scientifically conducted surveys during FY13 or FY14 (if any)**
- **Prevalence vs. reporting (the percentage of Service member incidents captured in reports of sexual assault (Restricted Reports and Unrestricted Reports) (Metric #2)**
- **Total number of Sexual Assaults (Restricted Reports and Unrestricted Reports) over time (Metric #12)**
- **Other (Please explain)**

As displayed in Figure 2-1 below, there were 2,128 unrestricted reports and 397 Restricted Reports of sexual assault in the Army during FY14. The total number of reports (restricted and unrestricted) increased 8% from FY13. The FY14 data equates to 3.9 Service Member (SM) victims per 1,000 active duty Soldiers, compared to 3.3 per 1,000 in FY13 and 2.3 per 1,000 in FY12. The FY14 number of SM victims and the FY14 rate per 1,000 are both the highest recorded since the Army began keeping these statistics.

Reports of Sexual Assaults (Rate/1,000)	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Unrestricted Reports[1]	1,342	1,476	1,658	1,482	1,520	1,398	2,017	2,128
Restricted Reports	271	256	283	299	301	174	318	397
Total Reports[1]	1,613	1,732	1,941	1,781	1,821	1,572	2,335	2,525
Total SM Victims[2]	1,248	1,337	1,397	1,316	1,378	1,248	1,766	1,967
SM Victim Rate/1000[2]	2.4	2.5	2.5	2.3	2.4	2.3	3.3	3.9
CID Investigations[3]	1,245	1,328	1,512	1,390	1,394	1,249	1,831	1,926

Figure 2-1: Reported Sexual Assaults in the Army & Rate/1000 (Metric #12)

1: As of FY14, one victim equals one report, per DoD guidance. (FY07-FY13 adjusted to one victim per report).
2: Includes only SM victims in restricted and unrestricted reports for incidents occurring while in the military.
3: Used as number of unrestricted reports prior to FY14. May include multiple victims and/or offenders subjects).

NOTE: FY14 is the first full year using the Defense Sexual Assault Incident Database (DSAID) as the source for sexual assault data. Designated Army SARCs entered sexual assault case data into DSAID based on information received directly from victims, information provided by a VA and/or information from

CID investigators. Subject and case disposition data populates DSAID from a system interface with the Army Criminal Investigation/Criminal Intelligence (ACI2) system and manual entry by SARCs and HQDA OTJAG through the DSAID Legal Officer module. A comparison of DSAID data with CID sexual assault investigation data for FY14 indicates data for more than 150 sexual assault incidents may not be in DSAID. This discrepancy impacts reporting and analysis of victim, subject, offense and disposition data. The Army continues to work with its DSAID users and DoD to improve reporting using an aggressive quality control process.

The Army believes the increase in the number of reports of sexual assault since FY12 does not equate to an increase in actual assaults. The unprecedented priority placed on sexual assault prevention and response by Army leaders since FY12 has seemingly encouraged victims, who heretofore were reluctant, to come forward and report. This conclusion, however, requires current survey data depicting the prevalence of sexual assault in the Army. As stated in Part 1 of this report, the primary source for estimating the prevalence of sexual assault in the military was the WGRA, conducted by DMDC in 2006, 2010 and 2012.

Prevalence vs. Reporting (Metric #2)	FY10	FY12	FY14
Percent of *female* Soldiers who said they experienced "unwanted sexual contact" based on responses to WGRA Surveys and the 2014 Military Workplace Study	6.0%	7.1%	4.6%
Percent of *male* Soldiers who said they experienced "unwanted sexual contact" based on responses to WGRA Surveys and the 2014 Military Workplace Study	1.0%	0.8%	1.2%
***Estimated* number of Soldiers who were sexual assault victims based on responses to WGRA Surveys and the 2014 Military Workplace Study**	8,600	8,800	8,500
Soldier Victims who *Reported* Sexual Assaults	1,316	1,248	1,967
Soldier victims reporting a sexual assault vs. responses to WGRA Surveys and the 2014 Military Workplace Study *(Reported/Estimated)*	15%	14%	23%

Figure 2-2: Prevalence vs. Reporting (Metric #2)

Figure 2-2 depicts estimated prevalence data for FY10 and FY12 based on the percent of male and female Soldiers who said they experienced "unwanted sexual contact" in their responses to WGRA Surveys. Figure 2-2 also depicts preliminary data from the 2014 RAND Military Workplace Study. This FY14 data, combined with the increase in reports per 1,000 (from 2.3/1000 in FY12 to 3.9/1000 in FY14), significantly narrows the gap between prevalence and reporting. As a result, 23% of Soldiers who responded that they experienced "unwanted sexual contact" in the FY14 survey actually reported the incident, compared to 14% in FY12.

Although the FY14 data shows improvement, the Army's prevention efforts still require continued emphasis and leader engagement. To that end, the initiatives described in the report are intended to enhance sexual assault prevention efforts and facilitate increased leader engagement. As these initiatives mature, the Army will assess their effectiveness and make necessary changes in order to continue to reduce prevalence and increase reporting.

2. Unrestricted Reporting

2.1. Victim Data Discussion and Analysis. This section should include an overview of such information as:

- **Type of offenses**
- **Demographic trends**
- **Service referrals**
- **Experiences in Combat Areas of Interest (CAI)**
- **Military Protective Orders issued as a result of an Unrestricted Report (e.g., number issued, number violated)**
- **Approved expedited transfers and reasons why transfers were not approved**
- **The number of victims declining to participate in the military justice process (Metric #8)**
- **Others (Please explain)**

Figure 2-3 shows the breakout of victims (Service Members and Non-Service Members) and each type of sexual assault offense for unrestricted reports in FY14. Excluding attempts and cases where the offense code was not available, DSAID data shows the proportion of assaults that were the more serious penetrative offenses (specifically rape, aggravated sexual assault/sexual assault and forcible sodomy) was 42% in FY14, compared to 55% in both FY12 and FY13. This proportion was 66% in FY11. However, CID investigation data shows the penetrative rate at 48% for FY14, still a decrease from FY12 and FY13. This trend may suggest that Soldiers are increasingly recognizing the non-penetrative ("unwanted touching") offenses as criminal behavior that can and should be addressed.

Offense Type (Unrestricted Reports)[1]	Service Member Victim	Non-Service Member Victim	Total Victims	Percent of Total
Rape	258	118	376	18%
Forcible Sodomy	7	3	10	<1%
(Aggravated) Sexual Assault	324	109	433	20%
Aggravated Sexual Contact	29	4	33	2%
Abusive Sexual Contact	860	211	1,071	51%
Wrongful Sexual Contact	15	5	20	1%
Indecent Assault	6	1	7	<1%
Attempts	13	2	15	<1%
Offense Code Not Available	132	16	148	7%
Total	1,644	469	2,113	100%

1: Does not include restricted reports from previous years that converted to unrestricted in FY14.

Figure 2-3: Victim Status by Offense Type (FY14 Unrestricted Reports)

Some demographic trends have remained consistent over the past few years. For example, 81% of Army victims in FY14 completed investigations were E1-E4; compared to 83% in FY12 and FY13. Also in FY14, 69% of victims in completed investigations were 24 years old or younger. This is higher than FY12 and FY13 (both 64%), however

DSAID data cites “unknown age” for 17% of victims in completed investigations. CID data shows that 64% of victims in FY14 in completed investigations were 24 years old or younger, identical to FY13 and FY12.

One noticeable change is the percentage of male Soldier victims, which jumped to 27% in FY14, compared to 18% in FY13 and 17% in FY12. This appears to show that the Army’s goal to reduce the stigma of reporting is having a positive effect. The lag in reporting by male victims has always been much greater than female victims.

Victims in reported sexual assaults in CAI continued to be older and of higher rank than victims in Army-wide cases. Specifically, only 65% (FY12/13=74%) of Army victims in CAI reported cases in FY14 were E1-E4, compared to 81% of victims Army-wide. Similarly, 44% of victims in CAI reports were 24 years old or younger (FY13=48%), compared to 69% Army-wide.

Commanders issued 272 Military Protective Orders (MPO) in FY14. Four were reported to have been violated by subjects (FY13=93 issued/0 violated; FY12=189/0).

The U.S. Army Human Resources Command (HRC) processed 295 Permanent Change of Station expedited transfer requests in FY14, six were denied. Two Soldiers were pending UCMJ action, two were pending separation and two were under investigation. The Commanding General, HRC made the final decision in each denial. (FY13=192 requests/1 denied; FY12=66/0).

Additionally, Army commands reported 20 Soldiers requested expedited unit transfers (to remain on their current installation). None of these requests were denied. (FY13=38/0 denied; FY12=20/2).

The percentage of victims who declined to participate in the military justice process, precluding any command action (Metric #8) for subjects where evidence supported command action, has steadily decreased from 7% in FY12 to 6% in FY13 to 5% in FY14.

2.2. Subject Data Discussion and Analysis. This section should include an overview of such information as:

- **Demographic trends**
- **Disposition trends**
- **Experiences in CAI**
- **Command action for Military Subjects under DoD Legal Authority (to be captured using the most serious crime charged (Non-Metric #1)**
- **Sexual Assault Court-Martial Outcomes (to be captured using the most serious crime charged) (Non-Metric #2)**
- **Other (Please explain)**

Data regarding alleged offenders continue to show similar trends. Identified alleged offenders were 95% male in FY14; compared to 97% in FY12 and FY13. Also, 42% of known alleged offenders in FY14 were 24 years old or younger; compared to 41% in FY13 and 42% in FY12. However, the percentage of alleged offenders who were E1-E4 decreased to 52% in FY14, compared to 57% in FY13 and 59% in each year from FY09-FY12.

Subjects in reported sexual assaults in CAI during FY14 also tended to be older and

higher rank than subjects in Army-wide cases. Specifically, 26% of Army subjects in FY14 CAI (FY13=19%, FY12=36%) reported cases were E1-E4 compared to 52% of subjects Army-wide. Similarly, 27% of known subjects in CAI reports were 24 years old or younger (FY13=13%, FY12=27%), compared to 42% in Army-wide reports.

Figure 2-4 shows the breakout of subjects (alleged offenders) and each type of sexual assault investigation completed during FY14 for unrestricted reports. Excluding attempts and cases where the offense code was not available, the proportion of FY14 cases with service member subjects was 81%, unchanged from in FY13 and slightly lower than 84% in FY12 cases. The percentage of unidentified offenders in FY14 was 15%, also unchanged from FY13, but slightly more than 12% in FY12.

Offender Status by Assault Type[1] (Unrestricted Reports)	Service Member Offenders	Non-Service Member Offenders	Unidentified Offenders	Total	Percent of Total
Rape	318	16	90	424	21%
Forcible Sodomy	9	1	7	17	1%
(Aggravated) Sexual Assault	335	25	74	434	21%
Aggravated Sexual Contact	29	1	4	34	2%
Abusive Sexual Contact	916	39	103	1,058	51%
Wrongful Sexual Contact	40	0	3	43	2%
Indecent Assault	11	0	3	14	<1%
Attempts	3	3	5	11	<1%
Offense Code Not Available	11	2	11	24	1%
Total	1,672	87	300	2,059	100%

1: Preliminary data from DSAID.

Figure 2-4: Offender Status by Assault Type (FY14 Unrestricted Cases)

A commander is not limited to a single disposition choice and may employ more than one disciplinary tool, including administrative actions, to fully address an allegation. The disposition of any offense depends on the unique facts and circumstances of the allegation. Commanders, upon the advice of judge advocates, must use independent judgment to determine the appropriate level of disposition.

The authority to dispose of a “penetrative” offense (an allegation of rape, sexual assault or forcible sodomy) is withheld to the SPCMCA at the O-6 (Colonel) level, with a servicing legal advisor. The authority to dispose of a “non-penetrative” offense (an allegation of aggravated sexual contact or abusive sexual contact) is withheld to the O-5 (Lieutenant Colonel) level. The time it takes to make a disposition decision depends on many factors, including; the complexity of the allegation, the availability of evidence, continued investigation, cooperation of victims and witnesses and coordination with civilian authorities.

Disposition data trends (illustrated in Figure 2-5 below) continue to reflect a healthy judicial system, in which commanders employ the wide spectrum of disciplinary tools available to address misconduct, from an unwanted touch over the clothing to a forcible rape. Historically, disposition data shows positive trends for cases in which court-martial charges were preferred and negative trend for cases in which no command

action is possible. While the number of courts-martial continues to increase, the Army has maintained conviction rates ranging from 75-80%.

Note: FY14 is the first year that disposition data is reported using DSAID. The Army continues to verify results with an aggressive quality control process.

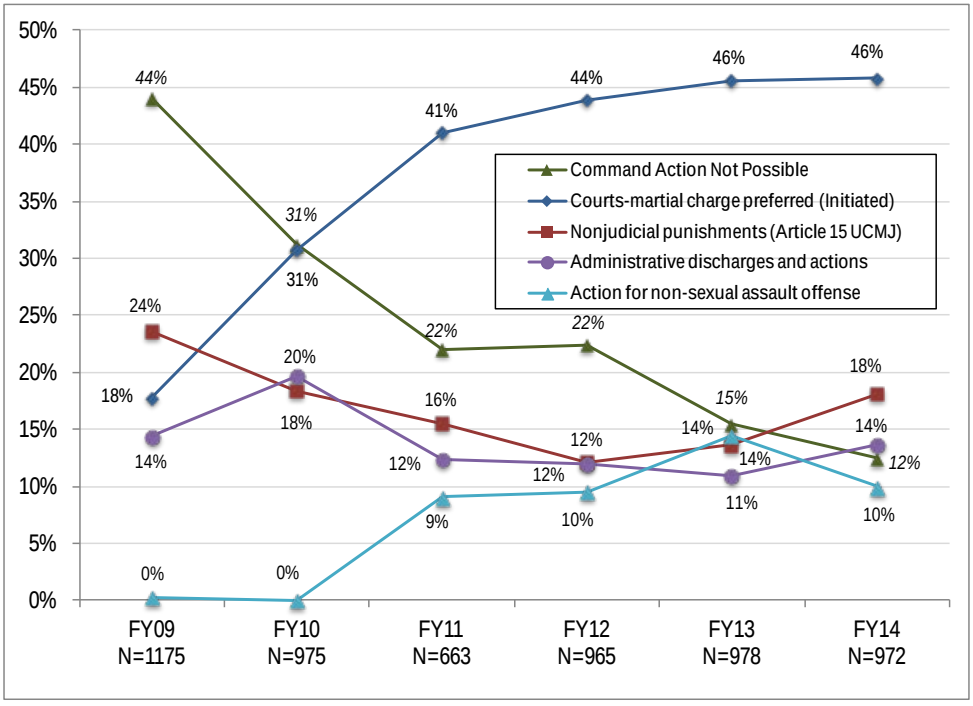


Figure 2-5: Percent of Offenders Considered by Commanders for Action (FY09-FY14)

Although the format of this report requires the Army to place each allegation into a single disposition category, the explanations provided below reflect that several disposition categories may be appropriate for a single allegation.

Using the provisional data produced by DSAID, there were 972 allegations of sexual assault, ranging from rape to indecent assault, ready for disposition decisions in FY14. (This includes allegations from cases opened in previous years completed in FY14). Of these 972 allegations:

- 445 allegations were disposed of through the preferral of court-martial charges for a sexual assault offense.
- 67 allegations were disposed of through an involuntary, adverse administrative discharge of the subject. Of those subjects, 31 were also given non-judicial punishment, with reductions in rank, forfeiture in pay, extra duty and restriction, prior to separation.
- 176 allegations were disposed of through non-judicial punishment. Each of these offenses involved a non-penetrative sexual assault offense, the vast majority an unwanted touch over the clothing. No penetrative offense (rape, aggravated sexual assault, sexual assault or forcible sodomy) was disposed of with non-judicial punishment.

- 66 allegations were disposed of through other adverse administrative actions. Each one of these offenses involved a non-penetrative sexual assault, the vast majority an unwanted touch over the clothing. No penetrative offense was disposed of with an adverse administrative action.
- 97 allegations provided probable cause only for a non-sexual assault offense. In these allegations, there was insufficient evidence to establish guilt beyond a reasonable doubt of the founded sexual assault offense and punitive action was taken for a non-sexual assault offense, such as adultery, fraternization or indecent acts. In 13 of these cases, court-martial charges were preferred. In 15 of these cases, the subject was administratively discharged for the non-sexual assault offense. In 51 of these cases, the subject was given non-judicial punishment and in 18 cases the subject was given other adverse administrative actions.
- 45 allegations were complicated by the refusal of the victim to cooperate in a military justice action. Without the cooperation of the victim in these cases, the Army was unable to take any punitive actions against the subject.
- 6 allegations involved an expired statute of limitations.
- 70 allegations were determined to have insufficient evidence of any offense. Although allegations made against the offender met the lower standard for titling in a criminal investigation, there was insufficient evidence to legally prove those elements beyond a reasonable doubt and proceed with a military justice action.

In addition to the 972 allegations, there were 189 allegations that could not be disposed of by the Army:

- 96 allegations involved an unknown subject.
- 10 allegations involved a subject who was deceased or had deserted.
- 43 allegations were disposed of by a civilian or foreign authority because the accused was not subject to the jurisdiction of the military.
- 40 allegations were disposed of by a civilian or foreign authority although the accused was subject to the jurisdiction of the Army. In these cases, all of which occurred outside the limits of a military installation, the civilian authority served as the primary investigative agency and determined the allegation merited charges.

2.3. Reporting Data Discussion and Analysis. This section should include an overview of such information as:

- **Trends in descriptive information about Unrestricted Reports (e.g., Did more reported incidents occur on/off installation?)**
- **Investigations**
- **Experiences in CAI**
- **Other (Please explain)**

The unrestricted reports discussed above represent sexual assault incidents reported during FY14 in which either the victim or alleged offender was a service member, but neither was a juvenile. CID thoroughly investigates each unrestricted report, regardless if the case is later determined to be unfounded.

While other jurisdictions may dispose of reports of sexual assault before opening an

investigation, the Army's practice is to formally investigate every allegation. Although this practice may contribute to a seemingly higher number of cases, it demonstrates the Army's commitment to thoroughly investigate reports of sexual assault.

The average completion time for sexual assault investigations closed by CID in FY14 was 129 days (median=106 days), compared to 109 days in FY13 and 80 days in FY12. Each case is unique and the amount of time it takes to complete an investigation is dependent on several factors, including: type of complaint, delays in reporting the incident, amount of physical evidence and cooperation of witnesses. Also, the greater number of cases reported to CID in FY13 and FY14 affects the timeliness of completing investigations. As a result, 729 of the 1,926 investigations opened by CID during FY14 were pending completion at the end of the fiscal year (FY13=793 pending of 1,831; FY12=379 of 1,249).

3. Restricted Reporting

3.1. Victim Data Discussion. This section should include such information as:

- **Demographics trends**
- **Service referrals**
- **Experiences in CAI**
- **Other (Please explain)**

During FY14, the Army recorded 495 restricted reports, of which 98 reports later changed to unrestricted, leaving 397 reports that remained restricted (FY13=364-46; FY12=227-53). This includes 21 restricted reports in the CAI (FY13=40; FY12=13), of which two reports later changed to unrestricted (for a net of 19 restricted reports) (FY13=2; FY12=1).

Unlike previous years, victims filing a restricted report in FY14 were 24 years old or younger at a comparable percentage to victims filing an unrestricted report. Specifically, 66% of restricted report victims were 24 years old or younger (FY13=57%, FY12=52%), compared to 69% in unrestricted reports (FY13=64%, FY12=65%).

3.2. Reporting Data Discussion. This section should include such information as:

- **Trends in descriptive information about Restricted Reports (e.g., Did more reported incidents occur on/off installation)**
- **Trends in Restricted Reporting conversions**
- **Experiences in CAI**
- **Other (Please explain)**

There are some similarities between restricted and unrestricted reports. For example, most reports (restricted and unrestricted) occurred on Friday, Saturday or Sunday. The limited number of reports in the CAI did not yield definitive trends.

There were also some notable contrasts between restricted and unrestricted reports. Only 47% of restricted reports were for alleged assaults that reportedly occurred on a military installation (FY13=37%; FY12=30%), compared to 66% for unrestricted reports (FY13=64%; FY12=68%).

Also, 28% of restricted reports (for which data was available) were reported more than a year after the incident (FY13=23%), compared to only 15% of unrestricted reports (FY13=14%). Victims who reported a sexual assault in FY14 that occurred prior

to their military service were much more likely to do so with a restricted report. Of the 74 reported in FY14 (FY13=116), 45 were restricted reports (FY13=94).

4. Service Referrals for Victims of Sexual Assault

4.1. Unrestricted Report Referral Data Discussion. This section should include such information as:

- **Summary of referral data**
- **CAI referral data**
- **Discussion of any trends of interest identified in referral data**
- **Other (Please explain)**

Service members receiving victim services for unrestricted reports continue to use military facilities more often than civilian facilities. The percent of victim services performed at military facilities increased from 75% in FY12 to 85% in FY13 to 95% in FY14.

There were 29 victims who received services for an incident that occurred prior to joining the military, compared to 22 in FY13 and 16 in FY12.

Additionally, there were 156 SAFE exams conducted for unrestricted reports, compared to 136 in FY13 and 168 in FY12.

Nearly all (99%) services for victims of unrestricted reports in CAI were performed with military resources, compared to 91% in FY13 and 84% in FY12. There was one SAFE exam conducted in CAI during FY14 for an unrestricted report, compared to eight exams in FY13 and two in FY12.

4.2. Restricted Report Referral Data Discussion. This section should include such information as:

- **Summary of referral data**
- **CAI referral data**
- **Discussion of any trends of interest identified in referral data**
- **Other (Please explain)**

97% of Service members receiving victim services related to restricted reports of sexual assault in FY14 did so in military facilities; compared to 81% in FY13 and only 70% in FY12. These services included 36 SAFE exams for FY14 restricted reports; compared to 61 in FY13 and 38 in FY12.

Most victims receiving services related to restricted reports of sexual assault in CAI during FY14 did so in military facilities. There were no SAFE exams conducted in CAI during FY14; compared to four in FY13.

4.3. Service Referrals for Non-Military Victims Data Discussion. This section should include such information as:

- **Summary of referral data**
- **CAI referral data**
- **Discussion of any trends of interest identified in referral data**
- **Other (Please explain)**

Most (85%) services provided to non-service member victims in FY14 were performed using military resources, compared to 76% in FY13 and 64% in FY12. These services included 41 SAFE exams for non-military victims (eight restricted and 33

unrestricted reports); compared to 66 in FY13 and 45 in FY12.

Three non-military victims received services in the CAI during FY14, compared to one in FY13 and none in FY12. Two received services for unrestricted reports and one had filed a restricted report.

5. Additional Items

5.1. Military Justice Process/Investigative Process Discussion. This section should include such information as:

- **Length of time from the date a victim signs a DD 2910 to the date that a sentence is imposed or accused is acquitted (Non-Metric #3)**
- **Length of time from the date a victim signs a DD 2910 to the date that NJP process is concluded (e.g., punishment imposed or NJP not rendered) (Non-Metric #4)**

The following non-metrics are new requirements (as of FY14) and are calculated using data from DSAID. Therefore, there is no comparable FY12 or FY13 data.

- The average length of time from the date victims signed their DD2910 to the date a court-martial sentence was imposed during FY14, or the accused was acquitted, was 212 days (median = 211).
- The average length of time from the date victims signed their DD2910 to the date an NJP concluded was 76 days (median = 68).

Appendix A: Civilian Declination Cases

The following case synopses were chosen by the Army as anecdotal examples of situations where the military justice process was used to address allegations of sexual assault involving military members, when a civilian or foreign justice process did not or could not fully address the misconduct alleged. These cases were selected by the Service to demonstrate certain aspects of the military justice process and do not reflect the sum total of all such occurrences during Fiscal Year 2014.

The Army chose these 10 cases, out of over 50 examples gathered from installations across the Army, not only to illustrate Army commanders' interests in accountability for Soldier offenders, but also to demonstrate the challenging sets of facts that are common to alcohol-facilitated sexual assault offenses that are rarely prosecuted in civilian jurisdictions.

1. Two female Soldier Victims were sexually assaulted by a male non-commissioned officer Subject. After an off-post party, Victim #1 was too intoxicated to walk and someone carried her into the residence where she fell asleep, fully clothed. The following morning, Victim #1 awoke partially clothed and believed that the Subject had sexually assaulted her. Victim #2 awoke in the night to find the Subject licking her face. Later on that same morning, Victim #2 awoke to the Subject touching her hips and attempting to slide his hands down into her shorts. The Victims reported the allegations to local civilian police. A joint investigation was conducted between local police and the CID office. The local police terminated their investigation because the local district attorney's office declined to pursue the case. The CID assumed the investigative lead. The CID re-interviewed the Subject and collected his DNA for comparison at the Army crime lab to evidence collected from the Victims. The Subject's DNA was found in the semen collected from Victim #1's vaginal swab and her skirt. The Subject's commander, receiving regular briefings throughout the almost eight month investigation, made the decision to refer charges against the Subject to a court-martial. The Subject entered a guilty plea to charges of Aggravated Sexual Assault against Victim #1 and Abusive Sexual Contact against Victim #2 at a General Court-Martial. He was sentenced to six years confinement, a reduction to E1, total forfeitures of pay and a Dishonorable Discharge. The Subject is required to register as a sex offender.

2. A female Soldier Victim was sexually assaulted by a male Soldier Subject from her unit. The Subject and the Victim were drinking and socializing at an off-post location. The Victim became severely intoxicated and vomited and passed out in the bathroom. She was then put into a bedroom by the owners of the house. The Victim awoke during the night to the Subject sexually assaulting her. The owners of the house heard her scream and ran into the room to find the Subject hiding in the bathroom and the Victim crying hysterically. The allegation was reported to local civilian authorities, who began investigating. Shortly thereafter, the local district attorney expressed an interest in prosecuting. However, the investigation and the charging decisions by local authorities were taking too long and when the Army learned that the prosecutor was negotiating with the Subject for a plea agreement for a deferred prosecution with probation only, the Subject's commander made the decision to refer charges against the Subject to a court-martial. The Subject was convicted at a General Court-Martial of Sexual Assault and

was sentenced to eight years confinement, reduction to E1, total forfeitures of pay and a Dishonorable Discharge. The Subject is required to register as a sex offender.

3. Multiple female civilian Victims, all recruits, were sexually assaulted by the male non-commissioned officer Subject, their recruiter. The Victims reported to civilian police that the Subject would bring them in after hours to conduct body fat calculations, and have them fully undress and grope them during the measurements. The local civilian police department investigated and the local district attorneys declined to prosecute the case. The Subject's commander made the decision to refer charges against the Subject to a court-martial for three separate Victims. The Subject was convicted of Abusive Sexual Contact and violations of recruiter regulations and was sentenced to 30 months of confinement, reduction to E1, total forfeitures of pay and a Bad Conduct Discharge. The Subject is required to register as a sex offender.

4. A civilian female dependent family member Victim was sexually assaulted by a male Soldier Subject. While attending an off-post party in a Soldier's residence, the Victim became substantially incapacitated due to alcohol intake and went to sleep in one of the bedrooms of the house. The Victim awoke to being sexually assaulted by the Subject. The Victim reported to local civilian authorities, who led the investigation and initially indicted the Subject for rape. However, the local civilian district attorney, citing the mandatory minimum sentence for rape and questioning the quality of the evidence to secure a conviction, indicated to the Victim that the case would be pled down to a lesser included offense, likely to result in a sentence of probation only. The Subject's commander directed CID to request that the civilian authorities suspend their prosecution to allow the commander to refer charges against the Subject to a court-martial. The civilian authorities agreed and the Subject was convicted of Sexual Assault at a General Court-Martial and sentenced to eight years confinement, reduction to E1, total forfeitures of pay and a Dishonorable Discharge. The Subject is required to register as a sex offender.

5. A civilian female dependent family member Victim was forcibly sodomized by a male Soldier Subject at her off-post residence. The Victim and her husband invited the Subject over to their home for the evening. After a few drinks, the Victim and her husband went to bed and told the Subject he was welcome to sleep on their couch. At some point, the Victim got up to check the locks on the front door and found the Subject on the couch, talking on his phone. She went to check on him and offer him a blanket. As she turned around to leave the Subject grabbed her ponytail and pulled her over the couch. She stumbled over and he bent her over the couch, with her head in the seat cushions, holding her down. He continued to hold her down with one hand while inserting his penis into her rectum. She said no multiple times but froze up physically and did not struggle against him. After the Subject ejaculated, he left the home and returned to his home across the street. The Victim reported the offense to civilian law enforcement within hours. The civilian police investigated but the civilian district attorney declined to prosecute, citing the Victim "doing nothing to stop suspect, no visible injuries, and inconsistent first report" in her email to military prosecutors. After the civilians declined prosecution, CID picked up the case and administered a polygraph, which resulted in admissions by the Subject. The Subject's commander made the decision to refer charges against the Subject to a court-martial. The Subject offered to

plead guilty with a sentence limitation. The convening authority accepted the offer because the Victim did not want to testify at trial and wanted to move on with her life. The military judge sentenced the Subject to 15 years confinement, reduction to E1, total forfeitures of pay and a Dishonorable Discharge. The confinement was reduced in accordance with the guilty plea agreement. The Subject is required to register as a sex offender.

6. A female Soldier Victim was sexually assaulted by a male Soldier Subject. After a night of socializing, to include consuming alcoholic beverages, the Victim returned to her off-post apartment with three other Soldiers, including the Subject, and she fell asleep. The Victim awoke to the Subject sexually assaulting her. The Victim reported to local civilian authorities. After learning of the details of the assault, the local police department declined to conduct further investigation into the allegation, and CID assumed sole investigative responsibility. The Subject's commander, briefed on the investigation, made the decision to refer charges against the Subject to a court-martial. The Subject was convicted of Sexual Assault at a General Court-Martial and was sentenced to six years confinement, reduction to E1, total forfeitures of pay and a Dishonorable Discharge. The Subject is required to register as a sex offender.

7. A civilian female dependent family member Victim was sexually assaulted by a male Soldier Subject. The Victim consumed alcohol with her boyfriend and his two friends, including the Subject, at his off-post residence. The Subject recorded the Victim and her boyfriend in the bathroom, without their consent, while they were engaging in sexual activity. The boyfriend became ill and passed out from alcohol consumption in a spare bedroom. The Victim passed out outside and was carried to the bedroom by the Subject and friend. While the Victim was passed out on the bed the Subject touched the Victim's buttocks and face with his penis and penetrated the Victim's mouth, vagina and anus with his penis. The Victim reported to civilian law enforcement, which declined investigative jurisdiction of the incident. CID investigated the offense and the Subject's commander made the decision to refer charges against the Subject to a court-martial. The Subject was convicted of Conspiracy to Commit Sexual Assault, Abusive Sexual Contact, Sexual Assault and Indecent Visual Recording. The Subject was sentenced to eight years confinement, reduction to E1, total forfeitures of pay and a Bad Conduct Discharge. The Subject is required to register as a sex offender.

8. A female Soldier Victim was sexually assaulted at a party off-post by a male Soldier Subject. The Victim became heavily intoxicated at the party and fell asleep. The Victim awoke several times to Subject sexually assaulting her to include kissing her neck, cheek and mouth, groping her buttocks and penetrating her vulva with his finger. The Victim awoke the third time and was coherent enough to verbalize to the Subject to stop, which he did. These assaults occurred after the Subject groped another Victim's buttocks earlier in the night while she was also asleep. The offense was reported to civilian law enforcement, but the local district attorney declined prosecution and relinquished jurisdiction to military authorities. The Subject's commander made the decision to refer charges against the Subject to a court-martial. The Subject was convicted of Sexual Assault and Assault Consummated by a Battery. The Subject was sentenced to two years confinement, reduction to E-1, total forfeitures of pay and a Bad Conduct Discharge. The Subject is required to register as a sex offender.

9. A female civilian Victim, the partner of a female Soldier, was raped by a male non-commissioned officer Subject in her partner's unit. The relationship between the Victim and her Soldier partner was known to the Subject and many other Soldiers in the unit. Although the Subject was married and knew that the Victim was in a lesbian relationship, the Subject struck up correspondence with the Victim via text message and Facebook that was at times flirtatious on both parts. One evening the Subject went to the Victim's home to hang out, watch football and drink. After the Victim's children went to bed, both the Subject and the Victim began drinking at a faster pace and became inebriated. When the Subject began kissing the Victim in the kitchen, she froze in shock. The Subject then carried her to a bathroom, shut the door, pulled down the Victim's pants, exposed his penis and pulled her hand onto his penis. The Victim pleaded with him to stop, but he kept kissing her and insisting they have sex. Sobbing, the Victim told him to "get it over with" and she cried as he had intercourse with her. The Victim reported the sexual assault to her partner several months later. The Victim reported the rape to the local civilian police, who did not take the case seriously given the prior interactions between the Victim and the Subject and the lack of resistance, and the civilian district attorney formally declined prosecution. Three months later, the Brigade Sexual Assault Response Coordinator reported the case to CID at the urging of the Victim's partner. CID immediately opened an investigation. The Subject's commander made the decision to refer charges against the Subject to a court-martial. The Subject was convicted of Aggravated Sexual Assault and Aggravated Sexual Contact. The Subject was sentenced to 14 months confinement, reduction to E-1, total forfeitures of pay and a Dishonorable Discharge. The Subject is required to register as a sex offender.

10. A male civilian Victim was sexually assaulted by his housemate, a male commissioned officer Subject. Victim awoke one evening in his room to the Subject sitting on the Victim's bed touching the Victim's penis and placing the Subject's mouth on the Victim's penis. The Victim called the local civilian police, who responded immediately, and took the Victim for a sexual assault exam at a civilian hospital. The civilian police referred the case to the civilian district attorney's office. After two years of inaction, the district attorney deferred the prosecution and asked the Army to take jurisdiction. The Subject's commander made the decision to refer charges against the Subject to a court-martial. The Subject was convicted of Abusive Sexual Contact and False Official Statement, sentenced to 24 months confinement, total forfeitures of pay and a Dismissal. The Subject is required to register as a sex offender.

Appendix B: Glossary of Acronyms

1SG - First Sergeant

AAA - Army Audit Agency

ACOM - Army Command

ACS - Army Community Service

AEAC - Army Education Advisory Committee

AFOSI - Air Force Office of Special Investigations

AIT - Advanced Individual Training

ALARACT - All Army Activities message

ALMS - Army Learning Management System

AMEDD - U.S. Army Medical Department

AMSC - Army Management Staff College

AOR - Area of Responsibility

AR - Army Regulation

ARI - US Army Research Institute for the Behavioral and Social Sciences

ARNG - Army National Guard

ASA M&RA - Assistant Secretary of the Army for Manpower and Reserve Affairs

ASCC - Army Service Component Command

ASI - Additional Skill Identifier

ATRRS - Army Training Requirements and Resources System

BCT - Basic Combat Training

BOLC-A - Basic Officer Leader Course - Accession (ROTC)

BOLC-B - Basic Officer Leader Course - Branch

CAI - Combat Areas of Interest

CASH/A - Cadets Against Sexual Harassment/Assault

CATEP - Confidential Alcohol Treatment and Education Pilot Program

CES - Civilian Education System

CAPIT - Child Abuse and the Prevention Investigative Techniques Course

CID - US Army Criminal Investigation Command

CONUS - Continental United States

DA - Department of the Army

DA PAM - Department of the Army Pamphlet

DAC - Department of the Army Civilian

DAIG - Department of the Army Inspector General

DCAP - Defense Counsel Assistance Program

DCCS - Deputy Commander for Clinical Services

DEOCS - Defense Equal Opportunity Climate Surveys

DEOMI - Defense Equal Opportunity Management Institute

DEW - Defense Enterprise Working Group

DFE - Digital Forensic Examiners

DMDC - Defense Manpower Data Center

DoD - Department of Defense

DoDIG - Department of Defense Inspector General

DoJ - Department of Justice

DRU - Direct Reporting Unit

D-SAACP - Department of Defense Sexual Advocate Certification Program

DSAID - Defense Sexual Assault Incident Database

DTF-SAMS - Defense Task Force on Sexual Assault in the Military Services

DVIT - Domestic Violence Intervention Techniques Course

E1 - Enlisted 1 (Private)

E4 - Enlisted 4 (Specialist)

ELITE - Emergent Leader Immersive Training Environment

ER - Emergency Room

EXORD - Execution Order

FETI - Forensic Experiential Trauma Interview

FIE - Forensic Investigative Equipment

FIFC - Foundation Instructor Facilitator Course

FORSCOM - US Army Forces Command

FST - Forensic Science Technician

FY - Fiscal Year

GAO - Government Accountability Office

GCMCA - General Court-Martial Convening Authority

GO - General Officer or General Order

GOLO - General Officer Legal Orientation

GOSC – General Officer Steering Committee

HQDA - Headquarters, Department of the Army

HQE - Highly Qualified Expert

HR OTS - Human Relations Operational Troops Survey

HRC - Human Resources Command

I. A.M. Strong - Intervene. Act. Motivate.

ICRS - Integrated Case Reporting System

IET - Initial Entry Training

IMT - Initial Military Training

IG - Inspector General

IMCOM - Installation Management Command

IT - Information Technology

JAG - Judge Advocate General

JAGC - Judge Advocate General Corps

JBLM - Joint Base Lewis-McChord

JCS - Joint Chiefs of Staff

LOE - Line of Effort

MCIO - Military Criminal Investigation Organizations

MEDCOM - US Army Medical Command

MJO - Military Justice Online

MOS - Military Occupational Specialty

MPO - Military Protective Order

MTF - Military Treatment Facility

MTT - Mobile Training Team

NCIS - Naval Criminal Investigative Service

NCM - Nurse Case Manger

NCO - Non-commissioned Officer

NCOER - Non-commissioned Officer Evaluation Report

NDAA - National Defense Authorization Act

NOVA - National Organization for Victim Assistance

NJP - Non-judicial Punishment

OCCH - Office of the Chief of Chaplains

OCONUS - Outside Continental United States

OER - Officer Evaluation Report

OIP - Organizational Inspection Program

OMPF - Official Military Personnel File

OPMG - Office of the Provost Marshal General

OSD - Office of the Secretary of Defense

OTJAG - Office of The Judge Advocate General

OTS - Operational Troops Survey

OTSG - Office of the Surgeon General

PCC - Pre-Command Course

PME - Professional Military Education

PMS - Professor of Military Science

POSH - Prevention of Sexual Harassment

ROI - Report of Investigation

ROTC - Reserve Officers Training Corps

RR - Restricted Report

SAAM - Sexual Assault Awareness Month

SABH - Sexual Assault Behavioral Health

SACC - Sexual Assault Care Coordinators

SACP - Sexual Assault Clinical Providers

SAFE - Sexual Assault Forensic Exam

SAI - Sexual Assault Investigator

SAMFE - Sexual Assault Medical Forensic Examiner

SAMM - Sexual Assault Medical Management Conference

SAMMO - Sexual Assault Medical Management Office

SANE - Sexual Assault Nurse Examiner

SAPR - Sexual Assault Prevention and Response Program

SAPRO - Sexual Assault Prevention and Response Program Office

SARB - Sexual Assault Review Board

SARC - Sexual Assault Response Coordinator

SART - Sexual Assault Response Team

SES - Senior Executive Service

SHARP - Sexual Harassment/Assault Response and Prevention Program

SHARP-RC – SHARP Resource Center

SJA - Staff Judge Advocate

SME - Subject Matter Expert

SMS - Strategic Management System

SOLO - Senior Office Legal Orientation

SPCM - Special Court-Martial

SPCMCA - Special Court-Martial Convening Authority

SSMP - Sample Survey of Military Personnel

SVC - Special Victim Counsel

SVUIC - Special Victim Unit Investigation Course

SVNCO - Special Victim NCO

SVP - Special Victim Prosecutor

SVUIC - Special Victim Unit Instructor Course

TCAP - Trial Counsel Assistance Program

TJAG - The Judge Advocate General

TJAGLCS - The Judge Advocate General's School and Legal Center

TRADOC - US Army Training and Doctrine Command

TSP - Training Support Packages

UCMJ - Uniform Code of Military Justice

UR - Unrestricted Report

URT - Unit Refresher Training

USACC - US Army Cadet Command

USACIL - US Army Criminal Investigation Laboratory

USAMPS - US Army Military Police School

USAREC - US Army Recruiting Command

USC ICT - University of Southern California Institute for Creative Technologies

USMA - United States Military Academy

VA - Victim Advocate

VWL - Victim Witness Liaison

WGRA - Workplace and Gender Relations Survey of Active Duty Members

WO - Warrant Officer


DEPARTMENT OF THE NAVY
UNITED STATES OF AMERICA

THE SECRETARY OF THE NAVY
WASHINGTON DC 20350-1000

November 5, 2014

MEMORANDUM FOR UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS

SUBJECT: Combined Data Call for the Department of Defense Sexual Assault Prevention and Response Progress Report to the President of the United States and the Fiscal Year 2014 Annual Report on Sexual Assault in the Military

As requested in your memorandum of June 26, 2014, attached are Department of the Navy (DON) materials required for the Department of Defense Sexual Assault Prevention and Response (SAPR) Progress Report to the President of the United States. Included are separate SAPR Progress Reports for the DON, the United States Navy, and the United States Marine Corps, along with Fiscal Year 2014 Sexual Assault Statistical Reports for the two Military Services.

I am pleased to provide you with details of our Department-wide efforts to combat sexual assault. An important part of our story involves my own DON Sexual Assault Prevention and Response Office (SAPRO), whose Director reports directly to me. As one result, the Department and each Service have become distinct, yet collaborative, centers of SAPR activity, whose collective synergy exceeds the sum of individual parts.

I am committed to creating a Department-wide culture of gender respect, where sexual assault is never tolerated and ultimately eliminated, sexual assault victims receive coordinated support and protection, and offenders are held appropriately accountable. I, along with the Chief of Naval Operations and the Commandant of the Marine Corps, have worked in close partnership since at least 2009 towards these high priority goals. There is no precedent for the scope of what we seek to achieve, and we accept the challenge to break new ground. Together, we have achieved important results.

Should you need additional information, my point of contact for this action is Ms. Jill Loftus, Director, DON SAPRO, who may be reached at (703) 697-2180 or jill.loftus@navy.mil.

Ray Mabus

Attachments:
As stated

DEPARTMENT OF THE NAVY
SEXUAL ASSAULT PREVENTION AND RESPONSE OFFICE

SAPR Progress Report to the President

Executive Summary

INTRODUCTION

The Department of the Navy (DON) is deeply committed to achieving a culture of gender respect – where sexual assault is never tolerated and ultimately eliminated; where victims receive effective support and protection; and where offenders are held appropriately accountable. There is no precedent for what we seek to achieve, and we accept the challenge to break new ground.

The Department of the Navy Sexual Assault Prevention and Response Office (DON-SAPRO) is a Secretariat organization whose Director reports directly to the Secretary of the Navy. While respecting important distinctions, DON-SAPRO operates in partnership with Sexual Assault Prevention and Response (SAPR) programs of the United States Navy and United States Marine Corps. Since 2009, Departmental strategy has included the following: leadership engagement on an unprecedented scale; new and innovative training tools designed for Service-wide use; and pilot initiatives to assess the efficacy of sexual assault prevention. In 2010, the Department set a goal of achieving within six years a demonstrable reduction in the frequency of sexual assault among Sailors and Marines.

Inquisitive efforts have included the following: civilian expert consultations; site visits worldwide with stakeholder interviews and focus groups; forensic reviews of criminal investigation case synopses; DON-wide sexual assault surveys in 2011 and 2013; pilot initiatives since 2011 at Great Lakes, Illinois; and ongoing sexual assault surveys at 19 post-recruit training programs. Separately, in 2010, we convened the first-ever, DON-wide summit of Sexual Assault Response Coordinators, and, in 2011, we expanded that forum to include installation and regional commanders, along with presentations by two male victims of sexual assault. We've since reached out to major Navy and Marine Corps sites with live training and education, and we've deployed several new training tools, including a first-ever training program developed specifically for DON civilians.

Several achievements have resulted. First, sexual assault reporting has dramatically improved as Sailors and Marines have become more confident about SAPR support. Second, accumulated experience at Great Lakes has demonstrated the possibility of sustained reductions in the risk of sexual assault among young Sailors in post-recruit vocational training. Finally, sexual assault surveys conducted by DON-SAPRO provide early evidence of Department-wide reductions in the frequency of sexual assault.

IMPROVED REPORTING

Across the Navy and Marine Corps, the annual number of sexual assault reports (including restricted reports) began rising sharply in Fiscal Year (FY) 2012 and has increased since then to more than twice its preceding baseline (see Figure 1 below). This recent trend contrasts dramatically with almost no change during FYs 2009-2011. The increase in sexual assault reporting correlates closely with the broad deployment of new SAPR initiatives and training tools in 2010-2011.

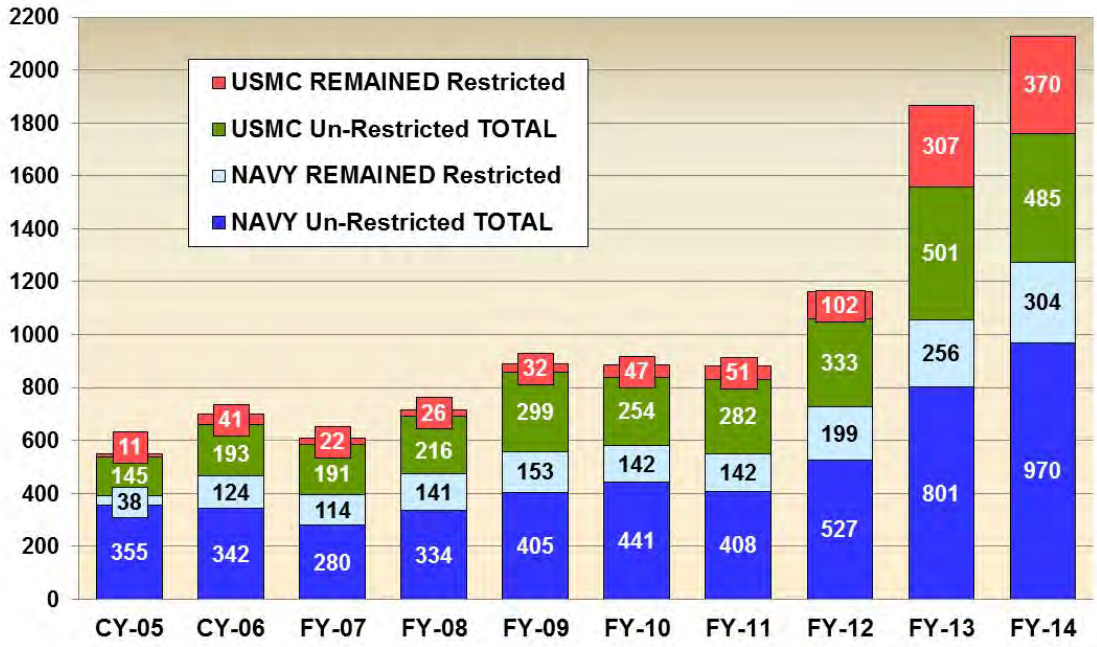


Figure 1. Unrestricted and Restricted Reports of Sexual Assault in the Navy and Marine Corps, by Year

Evidence suggests the increasing number of sexual assault reports has resulted from improved confidence to report a sexual assault. First and foremost, literally thousands of Sailors and Marines in hundreds of focus groups since 2012 have told us directly that they or their friends would now feel more comfortable reporting a sexual assault. In addition, our 2013 DON-wide sexual assault survey revealed that over 70% of male participants (out of 65,000) and 63% of females (out of 12,000) are now more likely to report a sexual assault, while only 3% of males and 5% of females felt less likely. From the same survey, even larger majorities knew who their Victim Advocate was and also felt their command leadership would quickly identify and address misconduct.

Encouraging trends, within the larger yearly totals of sexual assault reports, are also most consistent with increasing victim confidence. First, over the last several years, especially among females, a progressively increasing proportion of reports have involved incidents that occurred much earlier. During FY 2013, 25% of unrestricted reports by female victims and 20% of those by male victims involved assaults that occurred prior to that FY. Second, the number of reports made by male victims, who

usually are very reluctant to come forward, increased substantially for the first time in FY 2013, to almost triple their number in FY 2012. Also, the proportion of reports involving non-penetrating sexual contact has progressively increased. Over 40% of unrestricted reports by Navy women during FY 2013 involved non-penetrating sexual contacts.

PILOT SUCCESS IN SEXUAL ASSAULT PREVENTION

Initiatives at Great Lakes, Illinois have produced a sustained reduction in the number of reported sexual assaults among Sailors in post-recruit vocational training. The initiatives began in 2011 as pilot efforts through a partnership of DON-SAPRO, senior Navy leaders, and local stakeholders. Over a 44-month period, compared to the same interval prior, reports of any sexual assault (including restricted reports) have decreased by 47%, and reported penetrating sexual assaults have decreased by 61% (see Figure 2 below).

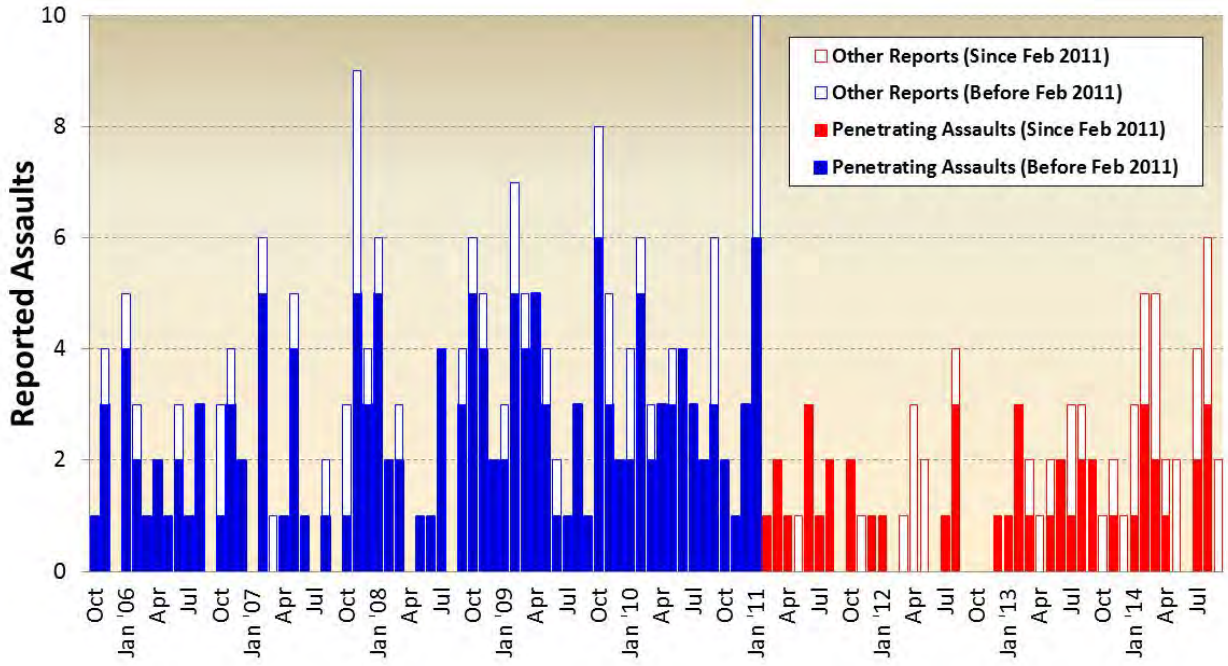


Figure 2.* Reports of Sexual Assault (Including Restricted Reports) at Training Support Command, Great Lakes, by Month of Reported Occurrence

Site visits and focus groups have provided subsequent confirmation of a positive command climate, confidence in SAPR program support, and comfort in reporting sexual assaults. Initial plans to also assess trends with paper-based sexual assault surveys proved to be logistically unsustainable. In its place, ongoing electronic sexual assault surveys since 2013 of all departing graduates confirm a consistently low incidence of sexual assault.

Our early interest in pilot initiatives reflected the absence of a documented precedent for achieving sexual assault prevention, and we did preliminary work to identify suitable

partners. In 2010, after visiting diverse military training sites, we concluded the training environment itself is not a risk factor, but sexual assaults are more common anywhere among the youngest Sailors and Marines. Our review of criminal investigation synopses supported this observation and helped identify candidate pilot sites. We lacked data to compare sexual assault frequencies at different locations, but we found the number of investigations then at Great Lakes resembled the totals for much-larger facilities, suggesting a higher risk. We came to recognize Training Support Command (TSC) Great Lakes as a large population of at-risk young Sailors, led by concerned commanders, where sequential assessments were feasible. The command is located on a relatively isolated Naval Station about 90 minutes north of Chicago, where it supports an average of 4,000 students enrolled in five major training commands. Most students are young Sailors newly arrived from nearby recruit training.

Additional work led to a two-day, on-site "Stakeholder Planning Summit on Sexual Assault Prevention Strategies" in early 2011, attended by DON-SAPRO, civilian experts, Navy leaders, and local stakeholders. With professional facilitation, the group identified many initiatives in several functional categories. Some were new training programs that needed special funding by DON-SAPRO, while many were local efforts implemented immediately. These included updated student orientations and SAPR curricula, restructured liberty policies, senior students tasked to look after juniors at the on-base club, open "non-judicial punishment" sessions and published decisions, engagement with Naval Criminal Investigative Service (NCIS) to combat hotel-room drinking parties, command support for local peer-mentoring programs, and a visible command presence at many student activities. In addition, the Navy Region commander began periodic "drumbeat" meetings to oversee and coordinate activities.

The visible engagement of leaders, at all levels, in multiple simultaneous efforts, triggered rapid impacts on command climate and the incidence of sexual assault. Initial impacts notably preceded the start-up of formal new SAPR training programs, some of them civilian contracted. Transformed activities at Great Lakes are now the norm, and the current staff no longer thinks of them as a "pilot project." Navy leadership is already applying its lessons Service-wide.

The success of ongoing student surveys, begun at several key places in 2013, has now led to their sequential implementation at all 19 Navy "A" School (initial post-recruit military vocational training) locations. Surveys at each site are conducted by DON-SAPRO in partnership with Navy leadership. The survey process is voluntary, anonymous, web-based, and continuous. Over 9000 Sailors have completed the survey, and participation has recently averaged about 30-40% of all graduates.

DEPARTMENT-WIDE IMPACTS

Sexual Assault Surveys conducted in 2011 and 2013 suggest a 30% reduction in the projected total number (both genders combined) of active duty Sailors and Marines who experienced either "penetrating" sexual assault or non-penetrating (and unwanted) sexual contact in the prior year. The great majority of overall impact was from survey-projected reductions in non-penetrating sexual contacts, especially among males.

Survey trends are confusing with regard to penetrating sexual assaults among females. We believe they are best explained by two separate and superimposed factors. First, we have recently changed (for the better) how survey participants interpret and respond to survey questions about unwanted sexual contacts. As a result of new and widely implemented SAPR training programs, Sailors and Marines are now much better educated about "consent" and "non-consent" in the context of sexual activity. This key concept is written into most sexual assault survey questions. Second, our results also suggest preliminary evidence of new reductions in the risk of penetrating sexual assault among the very youngest cohorts of female Marines.

Both Sexual Assault Surveys were Department-wide efforts. Each time, senior leaders invited all Sailors and Marines to participate. Each survey built on prior survey experiences in 2005 and 2009. Several features helped promote individual participation – both surveys could be taken from any computer or smart phone with internet access; both were intentionally short; and all responses were completely anonymous. In 2011, over 115,000 active-duty personnel (22% of the force) participated, including 21% of men and 27% of women. In 2013, over 78,000 (15% of the force) did so, including 15% of men and 18% of women.

Both surveys included questions about non-consensual experiences that duplicated formats used elsewhere by the Defense Manpower Data Center. We organized positive multiple-choice responses into two categories – (a) any combination including a "penetrating" sexual assault, and (b) those indicating only unsuccessful attempts or non-penetrating sexual contacts. We recognize that any form of sexual assault or unwanted sexual contact can be equally traumatic to individual victims. Our differentiation corresponds roughly to categories in the Uniform Code of Military Justice (UCMJ), and also the different circumstances and trending patterns of the two groupings. Inappropriate sexual touching more often occurs in the workplace, and has more convincingly declined than penetrating sexual assaults.

Baseline survey data from 2011 helped clarify some basic insights about sexual assault in military populations. Results for "penetrating" sexual assaults showed a clear relationship between sexual assault risk and young age, especially among females. Sailors and Marines of the same gender and age showed almost identical results. The highest annual risk of "penetrating" sexual assault was about 5% among 17-19 year old females (both Sailors and Marines) – the same as reported by the Department of Justice in 2007 for college women in America – but declines to about 1% or less for those in their late 20's and older. Males have a lower risk of sexual assault, but they constitute such a large majority of military populations that we project a larger number of individual male victims than female victims annually for both the Navy and Marine Corps.

Our findings here expand some insights and validate many others. Both Sailors and Marines strongly indicate they are now more comfortable reporting a sexual assault than in the past, and many say they personally know of someone intervening to prevent a sexual assault. Virtually all have received recent SAPR training, and the vast majority

found that training impactful. The vast majority also say their command leadership would quickly identify and address misconduct. Concern about confidentiality is a key influencer of reporting behavior. Most assaults occur in off-duty settings, and offenders are typically co-workers or other active-duty personnel. Alcohol is a common but not universal co-factor. Risk factors include young age and new arrival at a first Fleet assignment after initial military training, but assaults also occur in other settings. These insights have directly informed sexual assault prevention activities across the Department.

OTHER ACCOMPLISHMENTS

DON-SAPRO has also produced special training and professional tools:

In 2010, the first-ever DON "Sexual Assault Response Coordinator's Summit" was attended by all Sexual Assault Response Coordinators (SARCs) from across the Navy and Marine Corps. The 2½-day agenda included presentations by senior military and civilian leaders, outside civilian experts, and two sexual assault victims – a female Sailor and a female Marine.

In 2011, an expanded 3-day "Sexual Assault Prevention Summit" included all SARCs and added every Navy and Marine Corps shore installation and regional commander. Presenters included the Secretary and Under Secretary of the Navy, the Service Chiefs of both Services, the senior enlisted leader of both Services, White House staff, outside civilian experts, and two sexual assault victims – a male Marine and a male retired Navy officer.

In 2012, DON-SAPRO conducted SAPR forums at Navy and Marine Corps operational concentration sites. Over 5,000 Navy and Marine officers and senior enlisted personnel attended half-day leadership sessions at eight sites world-wide. The training offered new perspectives on victim behavior and the persona of many perpetrators. Additional sessions involved live-acted, vignette-based stage programs for enlisted Sailors and Marines.

In 2013, DON-SAPRO conducted "No Zebras, No Excuses …" training to large audiences during visits to over 30 Navy and Marine Corps locations world-wide. These live-acted, vignette-based programs emphasized bystander intervention. Over 41,000 Sailors and Marines attended. Civilian expert presentations were also conducted for commanders and other stakeholders at eight sites.

In 2014, DON-SAPRO is conducting live-acted "InterACT" programs at training sites and other diverse Navy and Marine Corps locations. The interactive sessions use audience participation to explore healthy relationships and specific bystander intervention techniques. Over 16,000 Sailors and Marines have attended thus far.

"One Team, One Fight" is a one-hour program tailored for civilians, combining video segments and facilitated discussion. It was deployed DON-wide in 2013 and remains in use for new hires. In 2014, DON-SAPRO deployed two other new SAPR training programs. "Make a Difference, Be the Solution" is tailored for pre-commissioned

officers, including midshipmen at the Naval Academy and at civilian college Reserve Officers' Training Corps (ROTC) programs, along with candidates in training at Officer Candidate School (OCS). "Empowered to Act" is tailored for prospective commanding officers and is in use at the Naval Leadership and Ethics Center. Both include scenario-based videos and facilitated small group discussion.

Work is already underway for products expected in 2015. These include the following: a SAPR training program tailored for the Navy Senior Enlisted Academy; a separate training program for recruits in training at Navy Recruit Training Command; a video library of short videos from previous training to illustrate specific issues of consent, incapacitation, and victim reactions; and "Understanding, Preventing, and Responding to Sexual Assaults: A Fresh Approach to Commander Training" which will use war-game techniques to educate Commanding Officers and Executive Officers.

The "*SAPR Commander's Guide*" is a 22-page, glossy-format booklet developed by DON-SAPRO in 2012. It summarizes Departmental priorities, background data, and suggestions for managing local cases. Over 40,000 copies have been distributed to command leadership across the Navy and Marine Corps. In 2014, an updated and expanded 50-page second edition is being published. It includes new sections written respectively by judge advocates, criminal investigators, chaplains, medical personnel, and the reserve component.

Comprehensive Overview by LOE

LEADERSHIP ENGAGEMENT

- The Department of the Navy (DON) initiated more direct involvement by senior civilian and military leadership to emphasize the importance of preventing sexual assaults, supporting victims, and providing the resources necessary to fully investigate any allegations.
- Top-down engagement of senior leadership has been a defining feature since 2009 of efforts to combat sexual assault in the DON. In September 2009, the Secretary of the Navy personally led a 2-day "Sexual Assault Prevention Summit" that brought senior military and civilian leaders together with 10 outside experts. Immediately thereafter, the Chief of Naval Operations (CNO) and the Commandant of the Marine Corps (CMC) convened Service-level planning.
- Later in 2009, the Secretary created the Department of the Navy Sexual Assault Prevention and Response Office (DON-SAPRO) as a new entity within the Navy Secretariat. Its Director is one of the Department's most senior civilian executives. She reports directly and often to the Secretary. As a result, the DON has three active centers of Sexual Assault Prevention and Response (SAPR) effort – DON-SAPRO, and Service-level counterparts of the Navy and Marine Corps – working in collaboration and reflecting partnership of the Secretary, CNO, and CMC. The DON is still the only Military Department with a dedicated SAPR organization reporting directly to the Secretary.
- In 2013, the Secretary, the CNO, and the Superintendent of the United States Naval Academy (USNA) each addressed the Brigade of Midshipmen on the critical

importance of preventing sexual assault and supporting sexual assault victims. The Superintendent, the Commandant of Midshipmen, and the USNA Sexual Assault Response Coordinator (SARC) also addressed the entire Brigade shortly afterward.

- Continuously since 2009, the Director, DON-SAPRO has conducted an active schedule of site visits to Navy and Marine Corps locations world-wide. Each of her visits includes discussions with senior commanders about sexual assault prevention, SAPR program and policy issues, and specific local challenges. In addition to their prominent role in Department-wide program assessment (see LOE #5 below), these high-visibility visits, on behalf of the Secretary, serve to reinforce DON priorities for senior leaders and key stakeholders literally around the world.

1. Line of Effort (LOE) 1—Prevention

- **Department-Wide Summits:**
  - In March 2010, DON-SAPRO convened the first-ever DON "Sexual Assault Response Coordinator's Summit." The 2½-day agenda included presentations by senior military and civilian leaders, civilian experts, and two sexual assault victims – a female Sailor and a female Marine. It was attended by virtually all SARCs from across the Navy and Marine Corps.
  - In May 2011, DON-SAPRO expanded its prior forum into a 3-day DON "Sexual Assault Prevention Summit" attended by Navy and Marine Corps SARCs, this time accompanied by all shore installation and regional commanders. The agenda included presentations by the Secretary, Under Secretary, CNO, Assistant Commandant of the Marine Corps (ACMC), Master Chief Petty Office of the Navy (MCPON), Sergeant Major of the Marine Corps (SgtMajMC), White House staff, outside civilian experts, and two sexual assault victims – this time a male Marine and a male retired Navy officer.
- **New SAPR Live Training:**
  - During mid-2012, DON-SAPRO conducted SAPR forums at Navy and Marine Corps operational concentration sites. Over 5,000 Navy and Marine officers and senior enlisted personnel attended ½-day leadership sessions at eight sites world-wide. Leadership sessions were presented by a leading civilian expert on sexual assault criminal investigation and offender profiling. The training offered new perspectives on victim behavior and the outward "nice guy" persona of many perpetrators. Additional sessions involved live-acted, vignette-based stage programs for enlisted Sailors and Marines.
  - During mid-2013, DON-SAPRO conducted "No Zebras, No Excuses …" training to large audiences during visits to over 30 Navy and Marine Corps locations world-wide. These live-acted, vignette-based programs emphasized bystander intervention. A special program recorded on a Navy ship in 2012 was professionally edited and has been distributed throughout the Fleet.
  - During mid-2013, DON-SAPRO conducted large-audience training for commanders and other stakeholders at eight Navy and Marine Corps sites. Mr.

Steve Thompson, a civilian expert, discussed sexual assault criminal investigations and offender profiling.

- In 2014, DON-SAPRO is conducting live-acted, theatrical-based "InterACT" programs on a quarterly basis at several initial military training sites in addition to one-time presentations at sites across the Department. The interactive sessions use audience participation to explore healthy relationships and specific bystander intervention techniques. Our intent is to build on prior training experience with an enhanced and more interactive follow-on program. Over 16,000 Sailors and Marines have attended thus far.

- **Chaplain Corps Initiatives:**
  - The Navy Chaplain Corps (CHC) serves both the United States Navy and the United States Marine Corps. In 2014, the CHC in collaboration with DON-SAPRO is moving forward to provide two prevention initiatives. The "Sexual Assault Prevention Workshop" will supplement existing command-level sexual assault prevention efforts and is based on the United States Coast Guard "WorkLife" program. This workshop will be provided through the Chaplain Religious Enrichment Development Operation (CREDO).
  - "Clean Conscience" is intended to prevent recidivism of previous sexual assault perpetrators and to assist those struggling with negative thoughts or actions regarding sexual assault. The program leverages the special confidentiality offered by chaplains. A messaging campaign will be directed to these individuals, underscoring the availability of help from chaplains to resist or correct violent behaviors, while keeping their counseling sessions confidential. Application of this initiative will be CHC-wide.

- **New SAPR Training Tools:**
  - In 2013, DON-SAPRO developed "One Team, One Fight," a one-hour training program tailored for civilians, which combines video segments and facilitated discussion. It was deployed Department-wide by the Office of Civilian Human Resources (OCHR) and remains in use for new hires. In 2014, OCHR built and deployed a computer-based module for annual follow-on training of DON civilians.
  - In 2014, DON-SAPRO is deploying two related but separate new products. "Make a Difference, Be the Solution" is a one-hour program tailored for pre-commissioned officers, including midshipmen at the Naval Academy and at civilian college Reserve Officers' Training Corps (ROTC) programs, along with candidates in training at Officer Candidate School (OCS). Staffs from all three training programs were actively engaged in its development. "Empowered to Act" is a two-hour pre-command program tailored for prospective Commanding Officers (COs), Executive Officers (XOs), and Command Master Chiefs (CMCs) attending the Naval Leadership and Ethics Center in Newport, RI, whose staff was especially supportive in its development.
  - Work is already underway for products expected in 2015. These include the following: a one-hour SAPR training program tailored for the Navy Senior Enlisted Academy, which every E-8 attends; a separate two-hour training program for Navy

recruits in training at Recruit Training Command (RTC) Great Lakes, IL; a video library of short videos from previous training to illustrate specific issues of consent, incapacitation, and victim reactions; and "*Understanding, Preventing, and Responding to Sexual Assaults: A Fresh Approach to Commander Training*" which will use war-game techniques to educate Commanding Officers and Executive Officers. DON-SAPRO has contributed substantial funding for these projects.

- **Sexual Assault Prevention Pilot Demonstration Projects:**
  - Since 2010, DON-SAPRO has partnered with Navy leadership and local commanders to implement and assess multiple simultaneous initiatives at Training Support Command (TSC) Great Lakes, the Navy's largest single concentration of post-recruit occupational training schools for new Sailors. An on-site summit in February 2011 set the stage for major new SAPR training programs, aggressive anti-alcohol efforts, visible leadership engagement in both Sailor discipline and mentoring, and active coordination across organizational lines by regional senior leaders. One result has been a 63% reduction in reported sexual assaults, sustained over a 30-month period. Separate anonymous sexual assault surveys confirm positive effects, and individual Sailors consistently tell us they are now more comfortable reporting sexual assaults, including some that occurred prior to enlistment. This effort has benefitted from periodic liaison with experts from the Centers for Disease Control and Prevention (CDC) in Atlanta and the University of Illinois at Chicago (UIC). Since 2013, the Navy has been working with regional senior leaders to distill key insights and apply them in different settings elsewhere.
  - Since 2013, DON-SAPRO has collaborated with diverse Navy stakeholders to explore support programs for victims of prior sexual assault. The goal is to develop voluntary, confidential mechanisms to help young Sailors gain personal strength and tools to succeed as Sailors and avoid re-victimization. Some Fleet and Family Support Centers (FFSCs) have had initial success with individualized, gender-specific support groups. DON-SAPRO supported special six-week training of two counselors at Naval Station Great Lakes, IL.
- **Crime Reduction Campaign:** The Naval Criminal Investigative Service (NCIS) maintains the Crime Reduction Program (CRP), a community outreach initiative designed to address criminal threats affecting the Department. On a quarterly basis, the CRP focuses the efforts of investigative personnel on educating and increasing the awareness of military members and their dependents on criminal threats in an effort to deter crime and victimization. The CRP is led by NCIS and includes both law enforcement and community service partners within DON. The campaigns frequently focus on sexual assault awareness. During these three-month campaigns, NCIS representatives provide sexual assault awareness briefings to commands and the military community. Due to the demand, sexual assault awareness campaigns occur once a year, and the next iteration is scheduled for January 1 to March 31, 2015. This yearly campaign immediately precedes the nationally recognized Sexual Assault Awareness and Prevention Month in April. In concert with the Secretary of the Navy's 21st Century Sailor and Marine Initiative, the goal of this campaign is to prevent sexual assaults and highlight bystander action and intervention.

Sexual Assault Awareness Briefing Program								
Fiscal Year	**Number of Briefs**	**Marine Officers**	**Marine Enlisted**	**Navy Officers**	**Navy Enlisted**	**Other Services**	**Civilians**	**Number of Personnel**
2011	**670**	980	9,576	2,423	22,187	6,617	1,691	**43,474**
2012	**806**	11,138	21,374	19,231	52,983	16,524	4,654	**125,904**
2013	**588**	1,206	12,803	3,480	15,127	2,061	2,357	**37,034**
*2014	**996**	2,336	18,547	7,065	35,717	18,102	7,955	**89,722**

***2014 - Quarters 1, 2, and 3**

- In 2013, NCIS worked at length with producers of the television series “NCIS” on an episode concept involving sexual assault. Calls to DoD Safe Helpline nearly doubled when the episode aired in April 2014, and there was also an increase that night in civilian calls to the National Sexual Assault Hotline operated by the Rape, Abuse, and Incest National Network (RAINN).
- In 2014, NCIS worked with the producers of “NCIS” to create four Public Service Announcements with actress Pauley Perrette. Plans are underway to broadcast them world-wide on the Armed Forces Network, in coordination with a poster campaign developed by NCIS Special Agents.

2. LOE 2—Investigation

- Since 2012, the Bureau of Medicine and Surgery (BUMED) has trained over 900 healthcare providers to perform Sexual Assault Forensic Exams (SAFE) and established the capability to perform SAFE exams at 97 Military Treatment Facilities (MTFs) world-wide and in over 250 Fleet deployed settings. In addition, each MTF has victim care protocols in place and conducts mock SAFE drills that test SAPR team coordination. These efforts serve the dual purposes of enhancing compassionate medical support for sexual assault victims while also improving the professional collection of forensic evidence for criminal investigations and prosecutions.
- The NCIS is a Department-level Military Criminal Investigative Organization (MCIO) that supports both the United States Navy and the United States Marine Corps. The NCIS has sponsored three advanced training courses for investigators: Advanced Family and Sexual Violence training, Advanced Adult Special Victims training, and a Mobile Training Team (MTT) course on "*Sexual Assault Investigation and Prosecution*." The MTT was a collaborative effort by NCIS, the Judge Advocate General of the Navy, and the Judge Advocate of the Marine Corps.

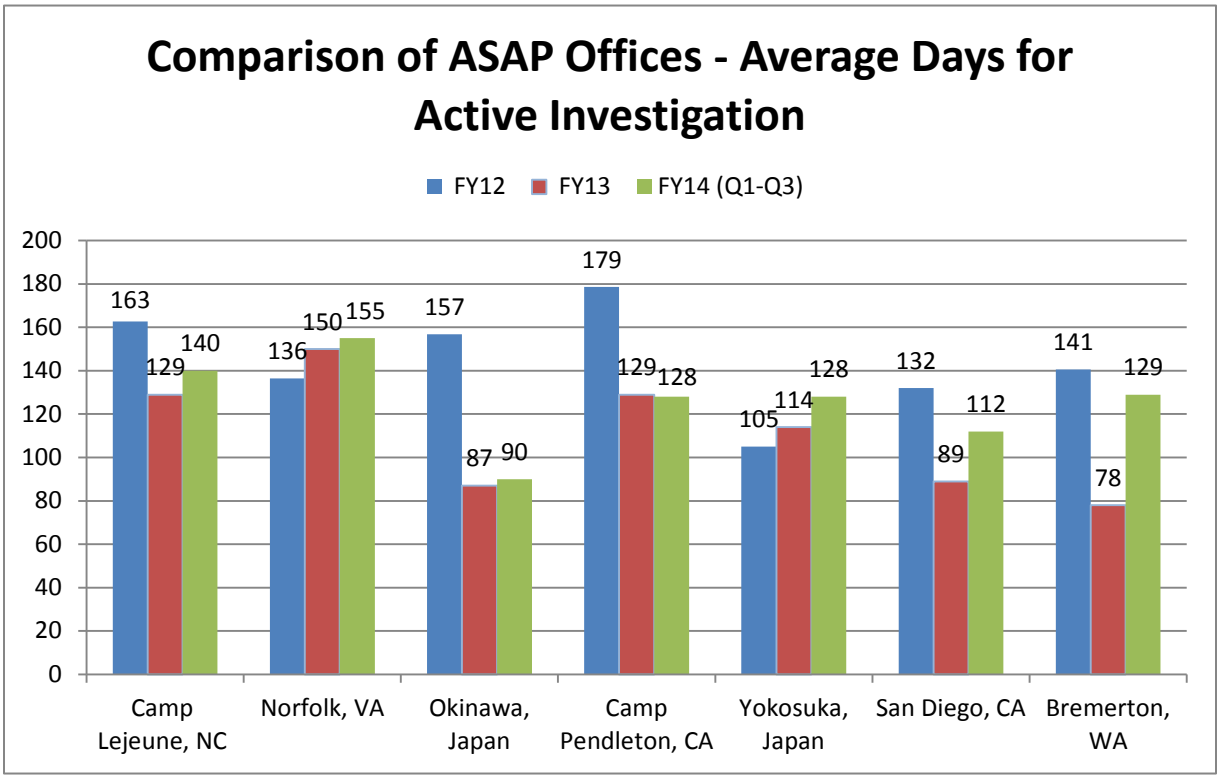
- Text Tip Campaign. In December 2011, NCIS established its Text Tip campaign, "See something, say something." To date, they have received 99 tips pertaining to sexual assaults.

- In July 2013, NCIS received 54 additional billets authorized by the Secretary of the Navy in response to increased sexual assault reporting. These billets included 41 Special Agents and 13 support staff. In addition to the Special Agents, the new billets include an Investigative Analyst, five Forensic Consultants, four Cyber Specialists, three Evidence Technicians, and one Laboratory Support position. The Special Agents have completed the nearly six-month-long Special Agent Basic Training Program at the Federal Law Enforcement Training Center (FLETC) and reported to their assigned field offices, where they are participating in the Field Training Evaluation Program (FTEP). During the FTEP, new Special Agents investigate common law crimes, such as larcenies, burglaries, and drug offenses, to gain experience and further develop their investigative skills.

- Adult Sexual Assault Program (ASAP) Teams. In support of Department of Defense (DoD) requirements for a Special Victim Capability (SVC), NCIS created ASAP. The program pairs Special Agents and Investigators, dedicated specifically to the investigation of sexual assaults, in order to expedite the investigative process and enhance continuity. By surging efforts and collaborating early, the program improves the timeliness and ultimate benefit of sexual assault criminal investigations. Team members collaborate throughout the investigative process with local law enforcement, prosecutors, healthcare providers, Victim Advocates, Victim-Witness Assistance Program (VWAP) personnel, and others. Since the implementation of ASAP, the timeliness of NCIS sexual assault investigations has improved markedly, without a concomitant degradation of investigative quality. Teams have been established in fleet concentration areas where the volume of sexual assault reports is greatest, including the following:

    - Camp Lejeune, NC (June 2012)
    - Norfolk, VA (August 2012)
    - Okinawa, Japan (September 2012)
    - Camp Pendleton, CA (October 2012)
    - Bremerton, WA (March 2013)
    - San Diego, CA (April 2013)
    - Yokosuka, Japan (August 2013)

  NCIS investigation timelines are calculated from initial notification until the date all logical investigative leads have been completed and the case has been presented to command for administrative or judicial action. The average timeline for investigations conducted by ASAP teams in FY 2013 was 110 days, a near 24% decrease from 144 days in FY 2012. Data through the 3rd quarter of FY 2014 indicates the length of investigations increased to 126 days, attributed to the continued increase of sexual assaults reported throughout the year.



- Master-at-Arms Augmentation. In an effort to assist NCIS with the increased reports of sexual assault, NCIS partnered with the United States Navy to activate twenty-three NCIS Master-at-Arms (MA) reservists for a period of one year. The reservists are predominantly local and state police officers and detectives who already possess the investigative expertise needed to investigate sexual assault allegations. The MAs have been recalled to active duty and are attending five weeks of instruction on NCIS policy, advanced interviewing and interrogation techniques, crime scene processing and management, and advanced sexual assault training at the Federal Law Enforcement Training Center (FLETC). Upon graduation, they will report to NCIS field offices in the continental United States for duty.

- Additionally, in an effort to professionalize and enhance the investigative capabilities of active-duty MAs, NCIS will commence a pilot program in early FY 2015. Twelve MAs selected from the Fleet who have already attended the eight-week Military Police Investigator's course will attend the same FLETC course of instruction as their reserve counterparts. Upon graduation, they will report for duty to NCIS field offices, where they will conduct criminal investigation under the auspices of the Special Agent in Charge.

3. LOE 3—Accountability

- Since 2012, DON-SAPRO has distributed over 40,000 copies of its 22-page, glossy-format "*SAPR Commander's Guide*" booklet, which summarizes Departmental priorities, background data, and specific suggestions on command management of local sexual assault cases. In 2014, an updated, 50-page, second edition is being published (see attachment). It includes new sections written by the Judge Advocate General (JAG), the Naval Criminal Investigative Service (NCIS), chaplains, medical personnel, and the reserve component.
- During Fiscal Year 2012, hundreds of uniformed judge advocates from the Navy and Marine Corps received specialized training to improve their ability to assist clients involved in sexual assault cases.
- In July 2013, the Navy and Marine Corps both began publicizing a running list of verdicts from Special and General Courts-Martial for all offenses, including sex assault crimes, in an effort to enhance accountability and increase transparency. The listings include details for each case, such as the type of court-martial, where it was held, the rank of the accused, the crime they were tried for, the verdict, and any punishment awarded – along with the names of offenders who either pled guilty or were found guilty. The effort is intended to show that offenders will be punished, which victim advocates and officials believe is central to stemming sex assaults.

4. LOE 4—Advocacy/Victim Assistance

- Since 2009, DON Office of Sexual Assault Prevention and Response (DON-SAPRO) has conducted over 100 specific site visits to Navy and Marine Corps locations world-wide to assess field-level SAPR program performance. The Navy hired 66 SARCs and 66 SAPR Victim Advocates (VA). The Navy identified locations for additional SARC/VA resources based on sexual assault trend analysis. The Marine Corps has strengthened credentialing requirements for SAPR personnel and increased the number of SARCs and VAs in the field.
- Since 2012, DON-SAPRO has collaborated with Navy and Marine Corps staffs to develop measurable Victim Support Milestones and associated metrics. The goal is to identify key victim-experience milestones in SAPR support and develop measurable performance standard for each. This effort builds on experience since 2011, where sequential audits by the Naval Audit Service, new written standards, and re-engineered processes resulted in dramatically improved 24/7 telephone access to SAPR support for sexual assault victims.
- Since 2012, DON-SAPRO has collaborated with the Department of Justice (DOJ), the Navy Bureau of Medicine and Surgery (BUMED), and local stakeholders to explore the feasibility of telemedicine support for Sexual Assault Forensic Exams (SAFE) at remote sites. Preparatory work and local training began in May 2013 at Naval Hospital Twentynine Palms, and Naval Hospital Jacksonville has since been added as a second pilot site.

- In March 2013, DON-SAPRO collaborated with the USNA to review SAPR victim support processes for Midshipmen. Recommended manpower and process changes focused on ensuring independent and confidential support, along with direct access to senior leadership to support command-level case management. All recommendations have been implemented.
- In 2014, the Navy Chaplain Corps (CHC), in collaboration with DON-SAPRO, is developing "Survivors of Sexual Violence Resiliency Retreats" through the Chaplain Religious Enrichment Development Operation (CREDO) program. These retreats will allow victims to reestablish confidence in themselves and restore wholeness in relationships. Additionally, they will help prior victims to reduce their chances of being re-victimized by sexual predators.

5. LOE—Assessment

- **DON Site Visits:**
  - Since 2009, DON-SAPRO has maintained an active schedule of Departmental site visits to Navy and Marine Corps locations worldwide. Typical visits include discussions with senior commanders, interviews with individual stakeholders, and confidential focus groups. Key stakeholders interviewed separately include the following: the senior enlisted leader, the Sexual Assault Response Coordinator (SARC), the Fleet and Family Support Center (FFSC) Director, Sexual Assault Nurse Examiners (SANEs) and other Naval Hospital medical personnel, Staff Judge Advocates (SJAs), Naval Criminal Investigative Service (NCIS) agents, and Chaplains. Focus groups are conducted as closed sessions with separate groups of Victim Advocates and young (usually gender-specific) Sailors and Marines. During FY2013 alone, in addition to the three special studies below, DON-SAPRO visited 16 sites, interviewed 110 stakeholders, and conducted 14 focus groups with 280 participants.
  - During 2010, DON-SAPRO visited large and small Navy and Marine Corps locations (four total) in Southern California to assess impacts of State law mandating sexual assault reporting by healthcare providers. At that time, each facility, in coordination with local law enforcement, had a different approach to State requirements, and no Military Treatment Facility (MTF) performed SAFE exams.
  - Later in 2010, a DON-SAPRO team visited Navy and Marine Corps training commands at six locations across the United States to explore unique sexual assault risk factors in training environments, and to identify best practices in combating sexual assaults. Site visits included Great Lakes IL, Parris Island SC, Pensacola FL, Camp Johnson NC, Fort Leonard Wood MO, and Athens GA. The team interviewed commanders and stakeholders, and conducted 17 focus groups with 240 participants. Our summary conclusions were that training environments *per se* are not inherently problematic, but that concentrations anywhere of very young Sailors and Marines, such as during immediate post-recruit training, are especially vulnerable.

- In November 2011, at the request of Commander, Pacific Fleet, a DON-SAPRO team visited Japan to assist the regional Inspector General by conducting an assessment of command climate and SAPR program issues onboard a ship home-ported in Sasebo, Japan.

- During FY 2013, DON-SAPRO conducted an extensive series of site visits to assess Initial Military Training (IMT) environments. In the immediate aftermath of public scandal at Lackland Air Force Base, the Secretary of the Navy had quickly directed DON-SAPRO to conduct site visits at all three Navy and Marine Corps recruit training facilities. These were already scheduled when the Secretary of Defense (SECDEF) issued expanded guidance for all Services to conduct assessments also encompassing initial post-recruit enlisted training sites and initial training programs for commissioned officers. Our agenda was built from prior experience. It was designed to provide credible insight through an exhaustive process of first-hand observations. A DON-SAPRO team visited 23 Navy and Marine Corps training sites nation-wide. The team met with over 200 commanders and stakeholders, and conducted 180 focus groups with 2,570 participants.

- During FY 2013, DON-SAPRO conducted site visits to assess Recruiting Environments. The effort was initially directed by the Secretary of the Navy as follow-on to further explore occasional concerning inputs from recent recruits during our review of Initial Military Training environments (see above). Our agenda was built from prior experience, and site visits to recruiting commands had already been scheduled when SECDEF issued parallel guidance. A DON-SAPRO team visited 27 Navy and Marine Corps locations, including recruiting headquarters, training sites, and local stations, along with recruits in training (to discuss prior recruiter interactions). The team met with over 200 commanders and stakeholders, and conducted 33 focus groups with 530 participants. The team also visited Military Entrance Processing Command and two Military Entrance Processing Stations. They also received data on the Naval Reserve Officers' Training Corps (ROTC) from the Naval Service Training Command.

- During FY 2013, DON-SAPRO conducted site visits to assess SAPR issues unique to Reserve Component settings. A DON-SAPRO team visited 12 Navy and Marine Corps reserve locations, including reserve headquarters, large reserve centers, and isolated small locations. They met with 33 stakeholders, and conducted 32 focus groups with 620 participants. The insights developed during these visits have been incorporated into a separate section of the DON-SAPRO's updated "*SAPR Commanders' Guide*."

- **DON Surveys:**

  - In June 2011, DON-SAPRO conducted a Department-wide sexual assault survey intended to update estimates of sexual assault incidence, explore assault circumstances, and identify factors that influence reporting. The survey process was voluntary, anonymous, web-based, and accessible from any computer. Senior leaders encouraged all Sailors and Marines to participate. Over 115,000

active-duty Sailors and Marines (22% of the force) provided responses, including 21% of men and 27% of women.

Key findings suggested the risk of sexual assault correlates closely with young age; 5% of 17-19 year-old females experience penetrating sexual assault each year; and sexual assault risk is identical for comparable Sailors and Marines. Males have a lower risk of being sexually assaulted, but more individual victims are projected in mostly-male military populations. Most male victims and over 40% of female victims don't tell anybody about their sexual assault.

- In May 2013, DON-SAPRO collaborated with USNA to conduct a paper-based, anonymous sexual assault survey of all Midshipmen. The purpose was to explore impressions of command climate, circumstances associated with sexual assault, and reasons for reporting or non-reporting. At the request of DoD, we did not assess the incidence of sexual assault among Midshipmen.

  Key findings include negative impressions of existing sexual assault training, and a strong priority on maintaining victim confidentiality.

- In October 2013, DON-SAPRO conducted a follow-on Department-wide sexual assault survey, once again intended to update estimates of sexual assault incidence, explore assault circumstances, and identify factors that influence reporting. As in 2011, the survey process was voluntary, anonymous, web-based, and accessible from any computer or smart phone. Senior leaders encouraged all Sailors and Marines to participate. Over 78,000 active-duty Sailors and Marines (15% of the force) provided responses, including 15% of men and 18% of women.

  Key findings suggested that most are now more comfortable reporting a sexual assault; many know of someone who intervened to prevent an assault; and confidentiality is a key concern in reporting. Thirty percent fewer victims of any form of "unwanted sexual contact" were projected in comparison to 2011. Most of that reduction involved non-penetrating assaults, especially among males. The Marine Corps may have achieved initial reductions in penetrating assaults among the youngest female Marines.

- Since 2013, DON-SAPRO has partnered with the Navy Education and Training Command and BUMED to develop and implement a continuous program of sexual assault surveys tailored for young Sailors as they graduate from Navy post-recruit "A" School training. The goal is to assess the incidence of sexual assault at Initial Military Training, explore assault circumstances, and identify factors that influence reporting. The survey process is voluntary, anonymous, web-based, and ongoing. Students are encouraged to participate as they graduate. Survey startup began in August 2013 at Pensacola FL, and quickly was expanded to encompass other large training centers at Great Lakes IL, Meridian MS, Groton CT (Naval Submarine School), and San Antonio TX (tri-Service Medical Education and Training Campus). Initial success has now led sequential implementation at all 19 Navy "A" School locations. Over 9000 Sailors have completed the survey, and participation has recently averaged about 30-40% of all graduates.

Key findings suggest that schoolhouse commanders are actively engaged; command climates are positive; and the incidence of sexual assault is comparably lower in IMT environments. Trends are hard to assess due to seasonal load variations, but the incidence of sexual assault may be diminishing. As expected, substantial numbers of male victims appear, despite their lower overall risk.

- **DON Case Reviews:**
  - Since 2009, DON-SAPRO has reviewed and categorized over 1,900 case synopses from NCIS to identify those groups at greatest risk, their alleged assailants, and the circumstances surrounding reported assaults.
  - In mid-2013, DON-SAPRO collaborated with USNA to review Command action in all known report of sexual assault involving Midshipmen during the prior five academic years. Results suggested that USNA leadership dealt aggressively with sexual assault cases presented for their action, but that few cases reached that level.

SEXUAL ASSAULT PREVENTION & RESPONSE



COMMANDER'S GUIDE

TOGETHER WE CAN PREVENT SEXUAL ASSAULTS

KEY POINTS

Sexual Assault

Sexual assaults encompass a broad range of intentional sexual contacts that are unwelcome and without consent. No form of sexual assault is ever acceptable in the Department of the Navy, and all are crimes under the UCMJ. Several sexual assault terms have specific legal definitions that may differ from their common usage here.

Incidence

Anonymous surveys suggest almost 25% of female Sailors and Marines experience some form of sexual assault during their careers, including 6-9% in the past year. Those surveys also suggest 6-8% of female Sailors/Marines have endured rape, forcible sodomy, and/or forced oral sex during their careers, including almost 3% in the past year[3].

Reporting

Even for the most serious forms of sexual assault, only 1 in 3 Sailor and Marine victims report the crime to authorities. Roughly 25% of Sailors and 35% of Marines don't tell anyone, including their friends[3]. The most common reasons for not reporting include feeling uncomfortable making a report, not wanting anyone to know, and fear that they would not be believed[3].

Most Vulnerable

The youngest enlisted Sailors and Marines face the highest risk of sexual assault – 3 to 5% of females aged 17-19 endure the most serious forms of sexual assault each year[3].
Sailors and Marines seem most vulnerable at their first duty stations after recruit training, when they are still new to the military and just out of the very-structured recruit environment.

Offenders

Most Sailor and Marine victims of sexual assault are assaulted by another person in uniform—usually someone they know.
Alleged offenders are usually of similar enlisted rank or 1-2 grades senior.
Most assaults begin in social settings, both on- and off-base, and both in CONUS and OCONUS.
Experts tell us many offenders are skilled predators who carefully select the most vulnerable targets—often those least likely to be believed if they report. Most perpetrators of sexual violence will do it repeatedly, debunking the misperception that most assaults are "an honest misunderstanding between two people who drank too much" or "miscommunication."
Many assaults are committed by repeat offenders.[5] This finding has strong implications for your investigations and prevention efforts.

Male Victims

Male victims of sexual assault are less likely to report. Their risk of sexual assault appears lower than for females, but the predominance of males in the Navy and Marine Corps means the projected number of individual male victims may be quite large—similar to or perhaps even greater than the number of female victims.

False Reports

Experts say that consciously false reports are no more common than other serious crimes. Unfortunately, a much larger proportion of cases are difficult to prove.

Alcohol

Alcohol is a pervasive factor. In some cases, offenders use alcohol as a weapon to incapacitate potential victims. Alcohol is never the cause of sexual assault.

Investigation

Sexual assault cases are difficult to investigate. Close coordination with law enforcement and legal is essential for successful prosecutions. In many cases, the key challenge is to provide evidence supporting the victim's non-consent to an undisputed sexual contact.

Bystander Intervention

Bystander intervention is one key element of sexual assault prevention. It emphasizes the moral responsibility of all Sailors and Marines to protect each other and to actively intervene in circumstances that may escalate to sexual assault.

CORE RESPONSIBILITIES

Set the tone. You are responsible for your command climate. Sexual assault and sexual harassment are unacceptable—period.

Lead by positive example. Sexual innuendo and jokes may get a few laughs, but they send absolutely the wrong message about your expectations. The same is true of irresponsible alcohol consumption and improper personal relationships.

Address factors that contribute to sexual assault situations. Liberty policies and strategies to address alcohol abuse have been used as successful tools in various places. One CO worked with NCIS and local authorities to break up alcohol-fueled hotel-room parties. Senior enlisted have been effective in programs to mentor younger Sailors and Marines.

Take sexual assault reports seriously. Use your Sexual Assault Response Coordinator (SARC) as a key asset. Partner with your SARC as your subject matter expert to help on all SAPR issues.

Remember that a primary concern for many victims is to preserve their privacy as much as possible. Don't accidently wound them in well-intended group comments.

Respond swiftly and appropriately to stop rumors and gossip surrounding reports of sexual assault.

Forward Unrestricted Reports of sexual assault to NCIS immediately.

Insist on thorough investigations of all reported sexual assaults. You may not be able to go forward or achieve convictions with every case, but thorough investigations will enable appropriate decision making or dispositions, and your approach sends a powerful message in itself.

Make sure that victims have access to local support services, and follow-up on how they are doing. Once again, your SARC is an invaluable resource in this regard.

Make your own conscious plan to protect victims from retaliation and re-victimization. Few things will have worse impacts on your command.

Promote "bystander intervention"—the moral responsibility of all Sailors and Marines to actively protect each other from sexual assault and risky behaviors. Encourage and support those individuals who do stand up to intervene.

Visibly support your SAPR team. Select appropriate victim advocates and ensure they are trained. Attend monthly SAPR Case Management Group (SA CMG) meetings.

Keep information shared regarding reported sexual assaults limited to those with a need-to-know. Respect the victim's right to privacy.

Meet with your SARC within 30 days of assuming command in accordance with DoDI 6495.02 and receive your SAPR toolkit.

STEP UP. STEP IN.

VIEWS FROM LEADERSHIP

Sexual assault continues to be an "insider threat" with serious impacts on our Navy and Marine Corps. Over the past year and a half we have taken important steps to combat this crime, including consistent leadership, new training methods, and victim-centered support efforts. We have seen progress, including an increase in the number of reports which indicates that our Sailors and Marines believe that their reports will be taken seriously and that victim support efforts are working. But we can't stop there. We must continue to strengthen the positive elements of our naval culture, and live up to our commitment to our Sailors, Marines and Civilians who work each day to ensure we provide global presence in defense of our country.

- Honorable Ray Mabus
Secretary of the Navy

We still have this challenge of sexual assault. We are making progress, but we are nowhere near being done. I'd ask you to keep the focus on that, remember what we need to do. You deserve a good command climate, one of dignity and respect. Those of you that are leaders, that are part of that team, I expect you to maintain a climate of dignity and respect, continue to push on that and make sure we are doing the right thing by our sailors

- Admiral Jonathan W. Greenert
Chief of Navy Operations

Sexual assault has no place in our Corps. Sexual assault not only has a long-lasting effect on the individual victim, but it also erodes unit readiness and command climate. I see positive progress and indicators that the Marine Corps SAPR Program is going in the right direction. However, I also believe that there is still much work to do... Marines must all work together to create an environment in which crimes of misconduct are not tolerated in any form.

- General Joseph F. Dunford Jr.,
Commandant of the Marine Corps

TABLE OF CONTENTS

PREVENTION:

PERSONAL LEADERSHIP 4

CLIMATE & ENVIRONMENT 7

PROGRAM LEADERSHIP 11

RESPONSE:

VICTIM RESPONSE 13

SUPPORT SERVICES:

JAG – Legal 22

NCIS 29

CHAPLAIN 32

MEDICAL (Sexual Assault Forensic Exams–SAFE) 33

ADDENDUM:

RESERVE SERVICES 35

ADDITIONAL RESOURCES & REFERENCES 43

Sexual Assault in the Department of the Navy

Sexual assault involves nonconsensual criminal acts ranging from sexual touching to rape.

Sexual Assault IS...
- Intentional sexual contact characterized by use of force, threats, intimidation or abuse of authority or when the victim does not or cannot consent

Sexual Assault INCLUDES...
- Rape
- Forcible sodomy (oral or anal sex)
- Other unwanted sexual contact that is aggravated, abusive, or wrongful
- Attempts to commit these acts

Consent IS...
- Freely given words or overt acts indicating agreement to sexual activity by a competent person

Consent IS NOT...
- Submission due to force or fear
- Implied due to dress or previous sexual relationship
- Possible if someone is substantially impaired due to drugs, alcohol, or unconsciousness

Sexual assault is **OUR** problem.

The following are estimated projections of Sailors and Marines who have experienced rape, forcible sodomy, and/or non-consentual oral sex during the last 12 months[3]:
- 2,847 Navy victims
- 1,272 Marine Corps victims

Being perpetrated by **OUR** members[7].
- 69% of perpetrators against Navy and Marine Corps victims were fellow service members

Being perpetrated on **OUR** installations[3].
- 51% of assaults against Navy men
- 37% against Navy women
- 60% of assaults against Marine Corps men
- 54% against Marine Corps women

Sexual assault is a **NATIONAL** problem.
- A rape occurs in the United States every 2 minutes[9]
- Nearly 1 in 5, or 22 million women in the United States have been raped in their lifetimes[2]
- It is the most under-reported crime in America[8]
- Approximately 1 in 71 men in the United States report having been raped in their lifetime, which equals roughly 1.6 million men[2]

KEY FOCUS GROUP FINDINGS

DON-SAPRO has conducted focus groups with Sailors and Marines around the world. This page identifies some of the common themes and information received from those groups.

Perceptions Regarding Sexual Assault in General

- Concerns: Alcohol, Transition to Fleet, port visits, house parties
- Each installation mentions a specific location, area, or environment that is related to massive alcohol consumption and is perceived as place where Sailors and Marines might be vulnerable to sexual assault
- Spike in reports is related to training and increased comfort in reporting and not related to an increase in incidents
- Male on male low-level abusive sexual contact is common within predominantly male commands (e.g., "nut-tapping" – grabbing testicles)

Perceptions Regarding Training

Recommend/Want:

- Small-Group based and interactive
- Victim testimonials and real case scenarios
- Bystander element
- Edutainment
- More information about perpetrators
- Examples of male victims
- Clarity on consent, on alcohol and consent, and on sexual behavior while intoxicated
- Mixed-gender groups
- Senior leadership attend training

Avoid:

- PowerPoint
- Messaging that "All males are rapists and all victims are women"
- Large group lecture (e.g.: 100+ in an auditorium)

Perceptions Regarding Reporting

- Confidentiality and privacy are seen as easily compromised
- False reports are believed to be pervasive
- Sailors and Marines are more likely to report now when compared to the past
- Males are less likely to report than females
- Knowledge/awareness of who uniformed victim advocates are is not wide-spread

Perceptions Regarding Victim Support

- High-level awareness of and confidence in using available SAPR resources

Perceptions Regarding Accountability

- Believe sexual assault perpetrators are being held appropriately accountable for their behavior

Sexual Assault in the Department of the Navy

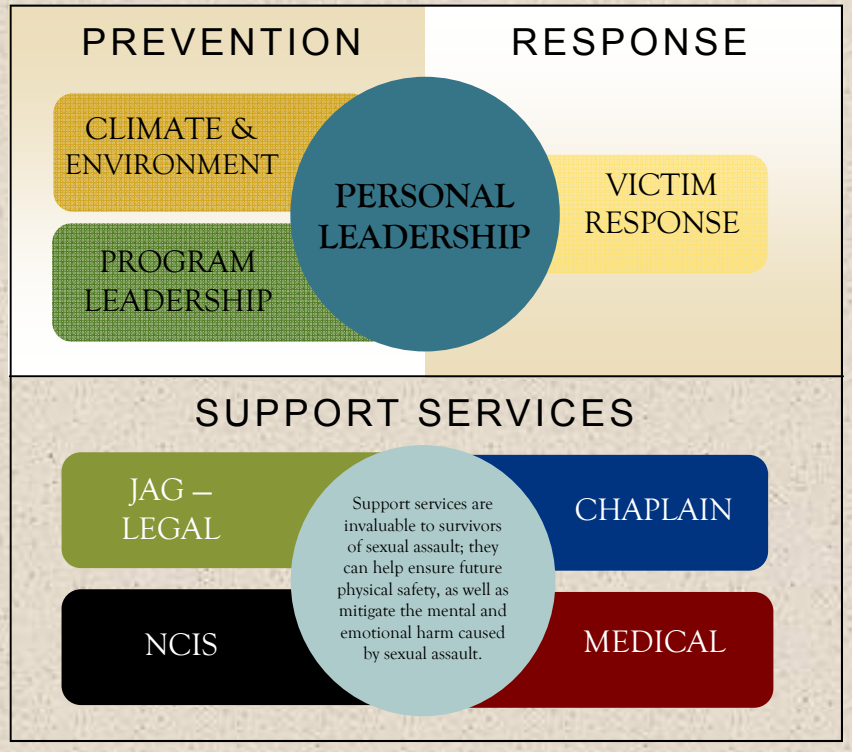
THE MOST POWERFUL IMPACT

You, as a leader, can make it unequivocally known that this issue is a priority to you. If in both formal and informal contexts, those under your command understand they will be held appropriately accountable by you for their response to this issue – the rest will follow.

Core Elements of a Command Environment

What am I responsible for?

The diagram below depicts the key elements of a Commander's responsibility for Sexual Assault Risk Management. The elements encompass both Prevention and Response strategies as well as support services. Attention paid to these elements has a positive effect on individuals and overall mission readiness. The remainder of this guide is organized according to these elements.



PERSONAL LEADERSHIP

Ask yourself: When you hear about a sexual assault case, how often do you doubt the veracity of the victim's report and instead focus on characteristics of the victim? For example: what the victim was wearing, if the victim had been drinking, if the victim voluntarily invited the alleged offender to his or her room.

Then consider: Victims of sexual assault are far more likely to have been assaulted and never tell anyone of the incident (48% Navy male victims, 32% Navy female victims, 41% Marine Corps male victims, and 38% Marine Corps female victims indicated they told no one of their assault[3]) than they are to have never been assaulted and made a false report (nationally, 2-10% of sexual assault reports are found to be false, the same as any other major crime.[4])

Ask yourself: How often are you skeptical of an assault because you feel like you can identify with the alleged perpetrator? "I know this man. He's a good guy. He's a lot like me when I was younger. He's a great Sailor/Marine."

Then consider: In the Navy, only 5% of the sexual assaults committed against women and 8% committed against men were reported to be by strangers. In the Marine Corps, only 8% of the sexual assaults committed against women and 12% committed against men were reported to be by strangers.[3] The majority are known to the victim and are often described as "nice guys," difficult to distinguish from those you may like and respect.

"Eliminating sexual assault in the military is one of the Department of Defense's highest priorities. We must continually strive to improve our prevention and response programs."

~ Chuck Hagel, Secretary of Defense

PERSONAL LEADERSHIP

Ask yourself: How often do you assume that a sexual assault is more likely to be a sexual encounter between well intentioned individuals who simply had too much to drink or had a misunderstanding of consent?

Then consider: Every case stands alone. Studies indicate that many of the sexual assaults committed by someone the victim knew are committed by repeat offenders[5]. In one study, the average number of victims for each rapist was seven, and in another study it was eleven[1]. Common tactics used to commit the assault include: ignoring victims' efforts to communicate, incapacitating them with alcohol or drugs, physical force, or threats.
Every case must be thoroughly investigated by law enforcement so that the facts relevant to that case can be determined.

Ask yourself: Based on your responses to the above questions, how might your biases be impacting prevention and response efforts under your command?

Then consider: What messages can you communicate, formally or informally, that could decrease victim blaming, increase scrutiny of repeated inappropriate behavior, and increase the reporting and help-seeking behaviors of victims?

Eliminating sexual violence is everyone's responsibility, but ultimately your words and actions as a leader, or lack thereof, set the deciding tone. Identifying potential liabilities in terms of misinformation or biases is a crucial first step.

"If we are going to remain the greatest expeditionary fighting force the world has ever known, we cannot allow this to continue. If we are going to protect our shipmates, we cannot allow this to continue. If we are going to remain the Navy and Marine Corps people look up to, and should look up to, this cannot continue."

~Hon. Ray Mabus, Secretary of the Navy

PERSONAL LEADERSHIP

Strategies:

1. Inform yourself and your command team about key aspects of sexual assault. Review SAPR policies to include DoDD 6495.01, DoDI 6495.02, SECNAVINST 1752.4B, and your service specific instructions and orders.
2. Hold those under your command accountable by directly and personally addressing questionable behaviors. Squash rumors and gossip surrounding reports of sexual assault.
3. Visibly support your SAPR team and partner with your SARC.
   - Ensure adequate resources
   - Meet with your SAPR team regularly
   - Communicate to others about the SAPR team's capabilities
   - Make introductions at SAPR programs
   - Ensure subordinate commanders establish a working relationship with the SAPR team
   - Support collaboration and cross-communication with your SARC and first responders
4. Actively involve your senior leadership team.
5. Go to SAPR trainings/conferences. Don't send substitutes.
6. Visibly and consistently express your support for victims and commitment to prevention; and a fair system of justice.
7. Keep information regarding Unrestricted Reports limited to those with a need-to know. Consider how message traffic is controlled.
8. Make it personal. Be "real" when discussing this issue.
9. Make sure awareness of the issue extends beyond Sexual Assault Awareness Month (April). Prompt your leadership with reminders to ensure ongoing attention.
10. Be proactive. Get the message out via multiple venues.
    - Webcast, radio, or TV Show
    - Facebook
    - Website
    - Newcomer briefings
    - Magnets
    - Commander's Access Channel broadcasts
    - Weekly newspaper
    - Mass and targeted e-mail
    - Commander's calls
    - Daily face-to-face communication
    - Integrate message into existing vehicles
11. Engage peer mentoring groups such as Coalition of Sailors Against Destructive Decisions (CSADD) and Single Marine Program (SMP).
12. Share your best practices with fellow Commanders.

CLIMATE & ENVIRONMENT

Ask yourself:

What is the real impact of a few off-color jokes, a couple of sexual advances, or over consumption of alcohol to my command climate and ultimately my mission readiness?

Then consider:

Environmental factors in the military associated with an increased likelihood of sexual assault include:

- Sexual harassment allowed by superiors
- Unwanted sexual advances or remarks
- Environments where superiors engaged in quid pro quo behaviors, such as when a superior makes inappropriate demands to a subordinate
- Environments where irresponsible consumption of alcohol is glamorized

A hostile climate decreases the likelihood victims will report, thus diminishing your opportunities to hold offenders appropriately accountable.

According to the DON-wide survey in 2013, self-identified victims of sexual assault stated they did not report due to the following barriers:

- They did not want anyone to know – 47% of Navy female victims, 52% of Marine Corps female victims, 24% of Navy male victims, and 22% of Marine Corps male victims.[3]
- They thought it was not important enough to report – 45% of Navy female victims, 40% of Marine Corps female victims, 42% of Navy male victims, and 39% of Marine Corps male victims.[3]
- They felt uncomfortable making a report – 42% of Navy female victims, 46% of Marine Corps female victims, 26% of Navy male victims, and 25% of Marine Corps male victims.[3]

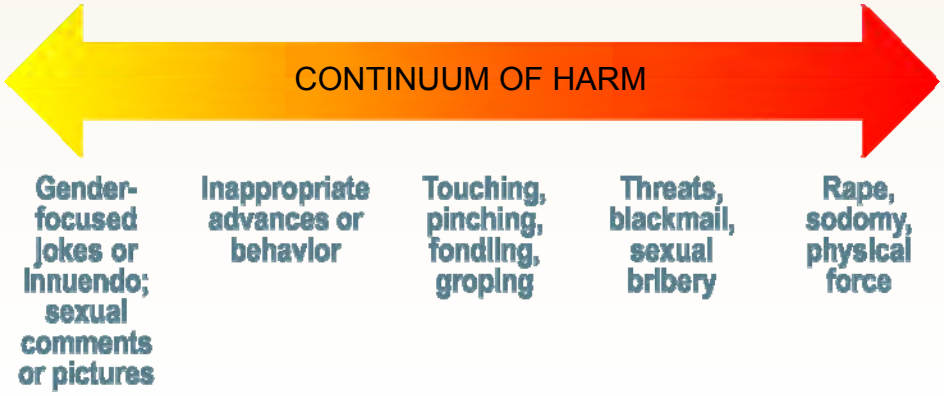
"It is up to us to declare and commit we will not tolerate sexual assault in our Navy and our Marine Corps."

~Hon. Ray Mabus, Secretary of the Navy

Ask yourself: What might a potential offender be thinking if he or she notices leadership is silent in the face of a vulgar e-mail or sexist comments?

Then consider: Officer and enlisted leadership is essential.

- While most who laugh at an off-color joke or forward an inappropriate email do not commit sexual assault - those who do commit this violence often mask and justify their behavior within climates where such behavior is condoned or ignored. Just as peers may provide inadvertent cover for offenders, they are also a very effective tool in both the prevention and response arenas. Emphasize the important role Sailors and Marines can play as active bystanders. Armed with basic education and training on resources and intervention strategies, they are a force multiplier.
- A study by Sadler (2003) shows the occurrence of the ranking officer initiating or allowing others in the unit to make sexually demeaning comments or gestures in a service woman's presence has been associated with a three- to four-fold increase in the likelihood of rape.[6]
- "Women reporting hostile work environments had approximately six-fold greater odds of rape...When officers engaged in quid pro quo behaviors, women reported a five-fold increase in rape. Officers allowing or initiating sexually demeaning comments or gestures towards female soldiers was associated with a three to four-fold increase in likelihood of rape."[6]



CLIMATE & ENVIRONMENT

Strategies:

1. Communicate clearly and often that there is a direct link between achieving your organizational goals and ensuring each Sailor/Marine feels safe and productive in his or her office.
2. Emphasize the importance of professional military culture and responsibilities including bystander intervention strategies.
3. Increase oversight and accountability for behaviors in the day-to-day workplace and living/community areas.
4. Conduct periodic surveys (DEOCS) to assess elements of your climate. Work with your leadership team to address the elements of greatest concern.
   - Meet with your SAPR team to discuss climate and environment issues.
   - Solicit information on climate concerns from groups in unique positions to observe, including Command Climate Surveys.
   - Conduct informal "walk around" assessments within the command.

   - Talk to people in work areas informally about the climate and environment
   - Integrate practical safety tips into orientation (locking doors, responsible alcohol use)
   - Listen for concerns with personnel in family and youth areas
   - Walk the grounds at night
   - Ensure all maintain standards of good order and discipline
   - Conduct no-notice inspections of barracks/ ships/workspaces
   - Be clear about your "boundaries" of behavior
   - Talk to your leaders about expectations
5. Encourage peer mentor groups such as CSADD and SMP.

CLIMATE & ENVIRONMENT

6. In both formal and informal settings, set the standard for behavior and communication that you want emulated. Challenge your Sailors/Marines to act in the following areas:
   - Address behaviors, conduct and attitudes across the Continuum of Harm (see page 8).
   - Ensure respect for victims and respect for the investigation and disposition processes.
   - Prohibit intimidation, retribution, and/or reprisal of any kind after a report has been made.
7. Encourage all leaders to make active efforts to stay current and responsive to climate concerns.
8. Do not tolerate sexually demeaning conduct.
9. Develop a climate within which bystanders feel empowered to act.
   - Support the Bystander Intervention Training programs (e.g.: the Navy's BI2F and the USMC's Take A Stand).
   - Encourage Sailors and Marines to take action in the face of destructive behaviors that could lead to a potential sexual assault.
   - Have leadership introduce key trainings and events pertaining to sexual assault prevention and response.
   - Acknowledge Sailors and Marines who intervene or speak up in potentially high-risk situations.

"Sexual assaults undermine teamwork, morale, unit cohesion and operational readiness. It is our duty to ensure that the conditions are established where every Sailor is treated with dignity and respect."

~MCPON Michael Stevens

PROGRAM LEADERSHIP

Ask yourself: Does your command know your policy on sexual assault?

Then consider: Sexual assault is completely unacceptable in the Navy and Marine Corps. Your ultimate goal as a leader is a command climate of gender respect where sexual assault is never tolerated and ultimately is completely eliminated.

There is no single easy method to prevent sexual assault. It will require our sustained commitment to multiple approaches — mentoring young Sailors/Marines; confronting alcohol issues; educating all Sailors/Marines about our shared responsibility as bystanders; and actively eradicating sexism and sexual harassment whenever encountered.

Studies show that a coordinated response by a multi-disciplinary approach improves a victim's experience as well as offender accountability.

Strategies:

1. Meet with your Sexual Assault Response Coordinator (SARC) within 30 days of taking command.
2. Establish a command climate of sexual assault prevention that is predicated on mutual respect and trust, recognizes and embraces diversity, and values the contributions of all its members. Be visible in your support and promotion of the SAPR program.
3. Carefully select those who will fill SAPR program roles in your command. Consider the sensitivity and maturity required in dealing with these issues. Ensure they are trained and Victim Advocates (VA) are credentialed.
4. Maximize each opportunity to interface with first responders. Build relationships with your SARC, law enforcement, legal, chaplains, and health care providers.
5. Invite your SARC to be present at all SAPR trainings and activities. Support your SARC when there are events. Let it be known you expect leaders in all echelons, both officer and enlisted, to be present and follow up if they are not.
6. Create opportunities for collaboration (e.g., training for first responders, host/participate in symposiums, awareness events, etc.) to showcase Command policy and address the issue of eliminating sexual assault.

PROGRAM LEADERSHIP

Strategies:

"Commanding officers are responsible for setting and enforcing a command climate that is non-permissive to sexual assault, a climate in which the spirit and intent of the orders and regulations that govern the conduct of our duties will be upheld. There are a number of leadership styles, but the result of any of them must be a group of Marines and Sailors who have absolute trust in their leaders. Trust in the commander and fellow Marines is the essential element in everything we do. Developing this trust, dedication, and esprit de corps is the responsibility of the commanding officer. They do this by setting standards, training to standards, and enforcing standards."

- Gen. Joseph F. Dunford Jr., Commandant of the Marine Corps

7. Ensure appropriate SAPR training is conducted for all members of your command.
8. Foster an environment that promotes and rewards bystander intervention.
9. Ensure your SARC is notified of all sexual assault reports and a VA is provided.
10. Refer all reports of sexual assault to NCIS, or the appropriate MCIO, for investigation. DO NOT conduct internal command-directed investigations or delay contacting NCIS, or the appropriate MCIO, while attempting to assess the credibility of the report.
11. Follow sexual assault response protocols for Unrestricted Reports. (Available from your SARC.)
12. Chair or attend the monthly Sexual Assault Case Management Group (SACMG or CMG), as appropriate.
13. Provide victims with Unrestricted Reports monthly updates regarding the current status of their case within 72 hours of the last SACMG or CMG.
14. Protect sexual assault victims from coercion, discrimination, retaliation, and/or reprisals.
15. Protect SARCs and VAs from coercion, discrimination, or reprisals related to the execution of their SAPR duties and responsibilities.
16. Make a rapid determination on Expedited Transfer Requests. Service members who file an Unrestricted Report of sexual assault have the option to request a temporary or permanent expedited transfer from their assigned command or installation, or to a different location within their assigned command or installation.
17. Ensure proper investigation of allegations while also understanding and communicating that the accused is presumed innocent until proven guilty.
18. Understand and respect the rights of the accused.
19. Know the resources that surround your base. This is particularly critical for non co-located Reserve units who rely on community-based resources (e.g., rape crisis centers, shelters).

VICTIM RESPONSE

Ask yourself: What does a victim look like?

Then consider: Victims of sexual assault are trauma victims. Trauma affects everyone differently. There are preconceived notions of how a "real" victim of sexual assault should look and act, as well as respond. When a victim does not conform to these expectations, often the veracity of his or her experience is doubted.

Ask yourself: Why is reporting often delayed?

Then consider: A victim may not report right away for a variety of reasons, including fear of the perpetrator; public humiliation; a hostile environment for victims; fear of being disbelieved or blamed due to collateral misconduct (underage drinking, substance use); and blaming themselves for the assault.

Ask yourself: Why don't victims fight back?

Then consider: Victims may be incapable of resisting due to intoxication, or may submit out of fear, to avoid further harm or heightened violence, or due to a physiological reaction, and/or because of perpetrator threats.

Ask yourself: Are most victims hysterical or emotional?

Then consider: There is not one "typical" response for victims of sexual assault.

Ask yourself: Are most victims expected to be able to provide accurate recollections of their trauma?

Then consider: It is well established that memory processing is disrupted during traumatic events. Commonly occurring psychological reactions to trauma may impair a victim's ability to accurately recollect and talk about their sexual assault.

Ask yourself: What do you do when you don't really believe the victim?

Then consider: As a leader, it is essential that you follow the process and maintain objectivity. Take every case seriously. Each allegation of sexual assault should be considered independent of victim's character, behavior, or other allegations of past or present victim misconduct.

Ask yourself: When I think about sexual assault, how often do I think only of female victims?

Then consider: There are additional stereotypes and myths that impact men's ability to face their sexual assault and seek support or services, including:

- Men are immune to victimization.
- Men should be able to fight off attacks.
- Men shouldn't express emotion.
- Men enjoy all sex, so they must have enjoyed the assault.

These are NOT true!

Ask yourself: What are my assumptions about sexual assault offenders?

Then consider: When the victim was a Navy female, the perpetrator was a coworker 48% of the time, and another military service member 25% of the time. For Marine Corp female victims, the perpetrator was a coworker 47% of the time, and another military service member 24% of the time. When the victim was a Navy male, the perpetrator was a coworker 39% of the time, and another military service member 19% of the time. When the victim was a Marine Corps male, the perpetrator was a coworker 38% of the time, and another military service member 18% of the time.[3]

"If an assault occurs, we have to support sexual assault victims and encourage them to seek help."
~ Hon. Ray Mabus, Secretary of the Navy

Ask yourself: Why won't victims just report so we can hold the offenders appropriately accountable?

Then consider: This is a question often asked by leadership out of well-intended frustration at feeling helpless to act in the face of an assault. The reality is that reasons victims gave for not reporting include things within a Commander's reach to address. These include:

- Did not want superiors to know
- Fear of being treated badly if they report
- Concern for protecting their identity
- Did not trust the reporting process
- Afraid of retaliation by either their command or socially by their peers
- Thought nothing would be done
- Perception they could handle it on their own

The responsibility for an increase in reporting is not the victim's. Note what is being communicated within your command that may contribute to barriers to reporting, and address it. An increase in reporting will be unlikely until the response is strengthened and improved.

"If we prove to our young men and women who have been assaulted that we are serious about changing this culture, perhaps we'll get the reporting."
- Honorable Robert O. Work
Under Secretary of the Department of Defense

Strategies:

1. Take every case seriously and make sure your concern is apparent.
2. Protect victims from re-victimization and retaliation.
3. Ensure victims receive needed support—best done in coordination with the SARC.
4. Insist on a thorough investigation of every Unrestricted Report of sexual assault.
5. Respect victims' choices about reporting. If a victim chooses Restricted Reporting, respect that choice and trust your team to work the process.
6. If possible, defer action on issues of collateral misconduct while sexual assaults are being investigated and decided upon.
7. Ensure that transfer requests are expeditiously processed (72 hours).
8. Ensure adequate attention is paid to the selection, training and oversight of the SAPR team (SARC, VA/UVA, POC, DCC, SAPR Command Liaison).
9. Make sure the SAPR team has command access and support.
   - Attend the monthly SAPR Case Management Group (SACMG or CMG) meeting
   - Speak at VA/UVA training (e.g.: welcome participants)
   - Do not pressure SARCs or VAs/UVAs to disclose Restricted Reports
10. Ensure training for first responders is available and effective (medical, NCIS, VA/UVA, SARC, chaplains, VLC, JAG).
11. Ensure first responders are collaborating and doing their work effectively.
12. Ensure a strong Victim Witness Assistance Program (VWAP).
13. Remember that complications and delays occur in military and civilian courts. These cases are rarely resolved quickly.
14. Ensure case outcomes are thoroughly reviewed and communicated to each victim by you as the Commander.

VICTIM RESPONSE

Reporting Options:

There are two reporting options available: Unrestricted and Restricted, defined below.

Unrestricted Reporting:

A process used by an eligible individual to disclose that he or she is the victim of a sexual assault. Under these circumstances, the victim's report to the SARC, healthcare personnel, a VA/UVA, command authorities, or other persons are reportable to law enforcement and may be used to initiate the official investigation process.

Restricted Reporting:

A process used by an eligible individual to report or disclose that he or she is the victim of a sexual assault to specified officials on a requested confidential basis. Under these circumstances, the victim's report and any details provided to the SARC, healthcare personnel*, or a VA will not be reported to law enforcement to initiate an official investigation unless the victim consents or an established exception is exercised under DoD Directive 6495.01.

Restricted/Unrestricted Reports

RESTRICTED		UNRESTRICTED
Yes	CONFIDENTIALITY	No Sensitive/need to know
Active Duty and Reservists on Active Status, and their dependents 18 years or older	ELIGIBIITY	All personnel
No	LAW ENFORCEMENT INVESTIGATION	Yes
No	COMMAND INVOLVEMENT	Yes
Available	SEXUAL ASSAULT KIT	Available
Available*	MEDICAL SERVICES	Available
Available	COUNSELING SERVICES	Available
Available	VICTIM ADVOCATE SERVICES	Available
Available	VICTIMS' LEGAL COUNSEL SERVICES	Available

*In some states, including CA, medical providers are required to report sexual assault to law enforcement, and cannot offer a Restricted Report.

Why the Restricted Reporting Option Is Critical

The Restricted Reporting option is a critical tool in the organizational response to sexual assault. It is the option developed specifically to increase mission readiness and increase reporting by addressing the initial needs of a victim for more control over their environment – including time, privacy, and medical and emotional support. It is best described as a window into information previously unknown. Prior to this reporting option, most victims of sexual assault simply attempted to deal with the trauma on their own and hoped they could still function in their personal and professional lives. As this is a very difficult trauma to successfully self-treat, some struggled on and many others departed the Navy and Marine Corps, often for reasons related to their trauma.

While the goal is to have every Restricted Report go Unrestricted, some victims may never go beyond the Restricted Reporting step. Others will find themselves able to move their report into the Unrestricted realm in due time, and not only get help for themselves but also participate in holding their offender appropriately accountable.

Honoring a victim's choice for Restricted Reporting is critical. It demonstrates our commitment to support victims of sexual assault in ways that are relevant to them, in spite of the fact that it delays an investigation into the allegation and your ability as leaders to "care for your Sailors/ Marines."

"You will all be counted on to lead in helping eliminate sexual harassment and sexual assault of your sisters and brothers in uniform. You've seen what these crimes do to the survivors, their families, institutions and communities. You know how they tear people and units apart, how they destroy the bonds of confidence and trust at the very core, the center, the heart, of our military. We're all accountable. From new recruits to four-star admirals and generals, from second lieutenants to the secretary of defense, we all have to step up and take action when we see something that hurts our people and our values."

~ Chuck Hagel, Secretary of Defense

VICTIM RESPONSE

Respecting a victim's choice for this option demonstrates that you and the Navy and Marine Corps care about him or her first, and the desire to investigate the crime second. This is very important as victims strive to adjust to the shock of their circumstances, regain their bearings, and prepare to move forward.

Rest assured that your SAPR team is working with victims to help them understand the importance of an immediate Sexual Assault Forensic Exam (SAFE) kit to preserve evidence for future use. The SARC is also working to help them understand the process of changing to an Unrestricted Report if and when they want.

Initial medical care, both physical and mental, coupled with quality time to work with a SARC and VA creates a safe zone for victims. This tends to translate into a victim being much more willing to participate in the investigative and disposition process.

Bottom Line: A Restricted Reporting option puts the victim's voice first, ensures they get immediate help, and may eventually improve the Commanders ability to pursue an alleged perpetrator on a case converted to Unrestricted that may have been otherwise unknown, while helping a victim more quickly return to mission ready status.

I am committed to eliminating sexual assault and together, we must provide a comprehensive and synchronized effort to ensure the entire Department is aligned in working towards this goal.

~Hon. Ray Mabus, Secretary of the Navy

Reporting Options Eligibility

Active Duty:

Eligible to file a Restricted Report or Unrestricted Report

Full SAPR support services from a SARC and a SAPR Victim Advocate (VA)

Reservists:

Eligible to file a Restricted Report or Unrestricted Report

When sexually assaulted while performing active service and inactive duty training, have full SAPR support services from a SARC and a SAPR VA

When sexually assaulted prior to entering service or while not performing active service or inactive training (civilian status), have immediate crisis SAPR support services from a SARC and SAPR VA and connected to appropriate resources

Military Dependents:

Eligible to file a Restricted Report or Unrestricted Report if they are:

- 18+ years old
- Eligible for treatment in the military healthcare system
- At installations CONUS and OCONUS
- Victims of sexual assault perpetrated by someone other than a spouse or intimate partner

Full SAPR support services from a SARC and a SAPR VA

(The Family Advocacy Program covers adult military dependent sexual assault victims who are assaulted by a spouse or intimate partner, and military dependent sexual assault victims who are 17 years old and younger.)

VICTIM RESPONSE

Reporting Options Eligibility Continued

Civilians Eligible for Treatment in Military Healthcare Facility:

Eligible to file an Unrestricted Report

Immediate crisis SAPR support services from a SARC and SAPR VA and connected to appropriate resources

Civilian Employee Assistance Program (CEAP)

(e.g. dependents, retirees, civilians stationed or performing duties OCONUS)

All Other Civilians:

Follow civilian reporting options for their State/Region

Immediate crisis SAPR support services from a SARC and SAPR VA and connected to appropriate resources

Civilian Employee Assistance Program (CEAP)

"Sexual assault has no place in our Corps. It shatters the trust that must exist between Marines. All of us have a moral obligation to our fellow Marines in preventing sexual assault and to support any Marine or Sailor who falls victim to this crime.
~ Sgt. Maj. Michael P. Barrett, Sergeant Major of the Marine Corps

Sexual Assault Investigative and Court-Martial Processes

Allegations of sexual assault trigger specific investigative responses and command requirements unlike those required for allegations of other crimes. Your close coordination with your SJA and trial counsel is critical to a thorough investigation and a fair and effective disposition process. Your legal advisors and SAPR team receive extensive training on how to handle allegations of sexual assault and should be consulted concerning any question you have about these processes or any military justice concerns. What follows is a general description of the investigative and disposition process, to include referral of charges to court-martial.

Unrestricted Reports and the Investigative Process:

Unrestricted Reports are fully investigated and reviewed for prosecution or other disposition. All allegations of sexual assault, both penetration and contact offenses, must be reported immediately to NCIS, who will open an investigation. While already required by DoDI 6495.02, Section 1742 of the FY 14 National Defense Authorization Act (NDAA) now also mandates that unit commanders who receive Unrestricted Reports of sexual assault must immediately refer the matter to the servicing military criminal investigation organization (e.g. NCIS).

Expedited Transfers, Victim Safety, and the Investigative Process:

Victims may request an expedited transfer to another command or duty station. Rather than transferring the victim after a report of sexual assault, commanders may instead transfer the suspect. However, no action against a suspect should be made until after consultation with NCIS and the command's staff judge advocate or legal advisor. Military protective orders are often issued against the suspect, ordering the suspect to have no further contact with the victim, but should only be issued after consultation with NCIS so it does not interfere with the ongoing investigation. During the investigation, NCIS will interview the victim to document what happened. NCIS will also interview other witnesses and gather any evidence present at the crime scene. When the investigation is complete, NCIS will send the investigation to the suspect's commanding officer for appropriate disposition.

JAG – LEGAL

Victim's Legal Counsel

Background: Program to provide independent legal counsel to eligible sexual assault victims. This responsibility has been codified in Section 1716 of the FY 14 NDAA.

Mission: VLCs are attorneys working to protect and preserve the rights and interests of Navy and Marine Corps sexual assault victims, and in the case of investigation and prosecution, to assure victims understand the process, can exercise their rights, and are able to effectively participate by having a voice in the process.

Duties: VLCs form an attorney-client relationship with eligible victims. All communications between VLCs and their clients are confidential and privileged. VLCs advise victims on sexual assault reporting options; provide legal representation and advice during the investigative and court-martial process; advocate on the victim's behalf; represent the victim in military justice proceedings where the victim has an interest and right to be heard by the court; and provide other legal advice and services connected with a report of sexual assault. VLCs cooperate and coordinate with other support providers including SARCs, VAs, chaplains, and medical personnel, to provide full spectrum assistance to victims.

Eligible Victims: Eligible victims include Navy and Marine Corps active-duty, Navy and Marine Corps Reserve personnel while on active duty or on inactive-duty training at the time of the assault, other service personnel and retirees when assaulted by an active-duty Navy and Marine Corps member, adult and child dependents of active-duty Navy and Marine Corps members when assaulted by an active-duty Navy and Marine Corps member, and some overseas DON civilians. Other Reserve personnel may be eligible on a case-by-case basis.

VLC Contact: Victims can seek assistance from a VLC at any point following a sexual assault. Victims are not required to contact or consult with a VLC – the choice remains with the victim. When contacted, VLCs will immediately form an attorney-client relationship with an eligible victim and provide legal advice, assistance, and advocacy for that victim as appropriate. Victims can contact a VLC directly or seek VLC contact from other support personnel including SARCs, VAs, trial counsel, NCIS, SJAs, chaplains, and medical providers.

Crime Victim Rights

Throughout the entire investigative and military justice process, the victim has certain rights. For example, a victim has the right to communicate, typically through the VLC or trial counsel, his or her position regarding disposition decisions of the case. Although the convening authority is not bound to dispose of the case as the victim desires, the victim's views must be carefully considered. Article 6b of the UCMJ, is a new statute that applies, with minor modifications, the federal Crime Victims' Rights Act to victims of crimes under the UCMJ at all stages of the military justice process.

Those rights include:

- Be reasonably protected from the accused;
- Reasonable, accurate and timely notice of:
  1) public pretrial confinement hearings of the accused;
  2) preliminary hearing under Article 32;
  3) court-martial proceedings;
  4) public proceedings of the clemency and parole board;
  5) release or escape of the accused;
- Not to be excluded from any public court proceeding related to the offense, unless the preliminary hearing officer or military judge determines by clear and convincing evidence that the victim's testimony would be materially affected if he or she heard other testimony at the preliminary hearing or trial;
- To be reasonably heard at the following:
  1) public pretrial confinement hearings of the accused;
  2) sentencing hearing related to the sexual assault offense; and
  3) public proceeding at the clemency and parole board;
- Confer with the trial counsel;
- Receipt of available restitution, if appropriate;
- Proceedings free from unreasonable delay;
- Be treated with fairness and respect for dignity and privacy.

Additionally, in the FY 14 NDAA victims were provided the right to submit matters to the Convening Authority prior to action being taken on the findings and sentence following conviction in a court-martial.
The Navy and Marine Corps established a Victims' Legal Counsel (VLC)

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Convening Authority Decisions

SA-IDA: Depending on the offense alleged, the investigation may need to be forwarded up the chain of command to a Sexual Assault Initial Disposition Authority (SA-IDA). The SA-IDA is at least a captain/colonel (O-6) who is a Special Court-Martial Convening Authority.

Offenses: The offenses that require forwarding to the SA-IDA are those that involve allegations of penetration, offenses of rape, sexual assault and forcible sodomy, and attempts to commit these offenses.

Case Procedure: The SA-IDA will, after consulting with his or her Staff Judge Advocate and trial counsel, determine how the case should proceed. If there are allegations of collateral misconduct by the victim then disposition of those alleged offenses are also withheld to the SA-IDA. If the SA-IDA decides that there is sufficient evidence of an offense of sexual assault, they may proceed towards a court-martial. Before any case can be sent to a General Court-Martial, an Article 32 preliminary hearing must be conducted (unless waived by the accused). Depending on the nature of the offenses alleged, the SA-IDA may also dispose of the allegations at a summary or special court-martial, non-judicial punishment, process the accused for administrative separation, or other administrative means. Penetration offenses may only be referred to General Court-Martial and some decisions to not refer charges to a court-martial must be submitted for higher level review. Consult your legal advisor for specific advice for these cases.

Court-Martial Process: The court-martial process is initiated when charges are preferred (sworn to), and will proceed differently depending on the type of court-martial. The three types of courts-martial each have different maximum punishments that can be adjudged. A Summary Court-Martial cannot adjudge confinement exceeding one month for enlisted personnel, may not confine an officer, and a punitive discharge may not be adjudged for either officers or enlisted personnel. The maximum punishment for a Special Court-Martial is a bad conduct discharge and confinement for one year for enlisted only and may not confine or discharge an officer. A General Court-Martial can adjudge a dishonorable discharge (or a dismissal for officers) or a bad conduct discharge, and depending on the maximum punishment allowed per offense, in some cases may adjudge death or a period of confinement up to life without the possibility of parole for officer or enlisted.

Trial Counsel: A trial counsel (prosecutor) begins working a sexual assault case with NCIS during the investigation. Trial counsel and the VLC (if the victim is eligible for and requests one) will explain to the victim all of his or her rights under the UCMJ and explain the military justice process to the victim as the case moves forward. Trial counsel are specially trained for prosecuting sexual assault cases as part of a congressionally required special victim capability.

Charges Preferred: Once charges are preferred, the suspect becomes known as the accused and is provided a military defense counsel to represent him or her. Depending on the nature of the charges, they may be immediately referred to a summary court-martial or special court-martial, but before a case can proceed to a general court-martial, the accused has the right to have the charges considered at an Article 32 preliminary hearing.

Article 32 Preliminary Hearings: The accused will be present at the Article 32 preliminary hearing and will be represented by counsel who may cross-examine witnesses called by the government. The preliminary hearing officer will hear evidence and produce a written report, which will include findings as to whether there is probable cause to believe that the accused committed the offenses charged and a recommendation on forum for disposition of the charges. Based on the preliminary hearing officer's report, the recommendation of the staff judge advocate, and the decision of the SA-IDA as applicable, a General Court-Martial convening authority may refer the charges to a General Court-Martial. For some less serious offenses, the convening authority may also refer the charges to a summary or Special Court-Martial or impose NJP or, if appropriate, may dismiss the charges.

Elevated Review: As a result of Section 1744 of the FY 14 NDAA, there are two new requirements for reviewing decisions not to refer charges to General Court-Martial in certain cases. In cases involving UCMJ offenses of rape, sexual assault, forcible sodomy and attempts to commit these offenses, where the General Court-martial Convening Authority SJA recommends referral in Article 34 advice and the Convening Authority declines to refer any charges, then the case must be forwarded to the Secretary of the Navy for review. Where the General Court-martial Convening Authority SJA recommends not referring charges and the Convening Authority agrees, the case must be forwarded and reviewed by the next superior commander authorized to exercise General Court-martial Convening Authority.

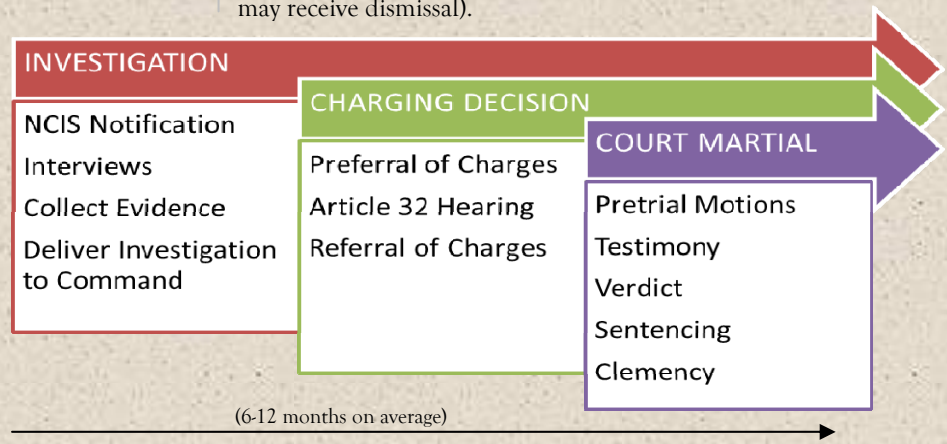
JAG – LEGAL

Court-Martial

Judge or Panel: If the case goes to court-martial, the accused may elect to be tried by a military judge alone or by a panel of "members" who serve as jurors. If the accused is enlisted, he or she can also request that at least one-third enlisted members serve on the panel. The trial counsel will work with the victim, the VLC, and the VA throughout the trial process.

Victim Testimony: The victim will normally have to testify at the trial and may also have to testify in pre-trial motions sessions. Both the prosecution and defense can call witnesses and present evidence during the trial.

Verdict and Sentencing: Before an accused can be found guilty, the members or military judge must be convinced of the accused's guilt beyond a reasonable doubt. If the accused is found guilty, the case will proceed to the sentencing phase, during which the military judge or members will decide what punishment to adjudge. During the sentencing hearing, both sides may again call witnesses to testify to help determine an appropriate sentence. The victim can testify about the impact of the sexual assault, which may include the emotional, physical, and financial suffering the victim experienced. If confinement is adjudged, it will ordinarily begin immediately after the sentence is announced at the end of the court-martial. As part of the sentence, an accused may also be reduced in rank, required to forfeit pay and allowances, and/or be discharged from the Navy with a bad conduct or dishonorable discharge (officers may receive dismissal).

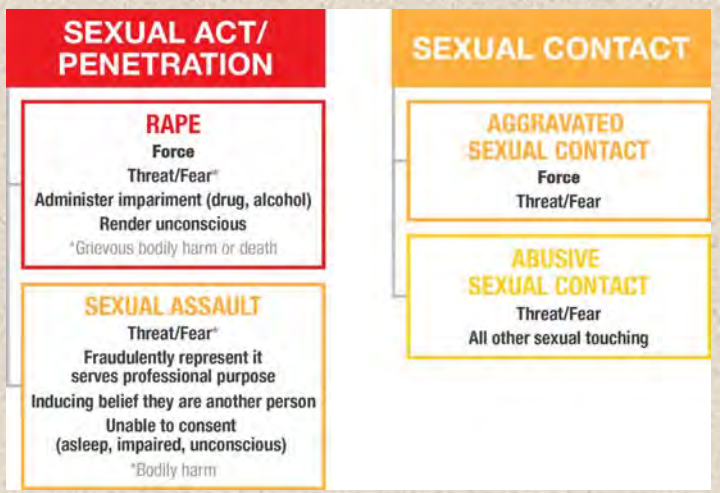


Unlawful Command Influence (UCI)

The following are the "10 Commandments" of UCI to assist commanders and other members of the unit in the lawful exercise of their UCMJ authorities:

1. The commander may not order a subordinate to dispose of a case in a certain way.
2. The commander must not have an inflexible policy on disposition or punishment.
3. The commander, if also an accuser, may not refer the case.
4. The commander may neither select nor remove court members in order to obtain a particular result in a particular trial.
5. No outside pressure may be placed on the judge or members to arrive at a particular decision.
6. Witnesses may not be intimidated or discouraged from testifying.
7. The court decides punishment. An accused may not be punished before trial.
8. Recognize that subordinates and staff may "commit" command influence that will be attributed to the commander, regardless of his or her knowledge or intentions.
9. The commander may not have an inflexible attitude towards clemency.
10. If a mistake is made, raise the issue immediately.

UCMJ — Article 120 Offenses



Initiation of an Investigation:

The US Naval Criminal Investigative Service (NCIS), US Army Criminal Investigation Division (USACID), and the US Air Force Office of Special Investigations (AFOSI) comprise the Military Criminal Investigative Organizations (MCIOs). DoD Instruction 5505.18 requires **all** Unrestricted Reports of sexual assault against adults be immediately reported to the cognizant MCIO, regardless of the severity of the allegation. NCIS will initiate investigations of **all offenses** of adult sexual assault of which they become aware that occur within their jurisdiction regardless of the severity of the allegation. When NCIS becomes aware of an allegation of adult sexual assault, the Restricted Reporting option is no longer available to the victim. NCIS will pursue a criminal investigation with or without the victim's cooperation. Off-base incidents or incidents outside of exclusive federal jurisdiction often result in local law enforcement maintaining primary jurisdiction. When local law enforcement maintains primary jurisdiction, NCIS will provide assistance as requested and will generally monitor the investigation when a service member is the subject. In the event the local law enforcement agency defers to NCIS or terminates its investigation, NCIS may assume the investigation and continue to a logical conclusion. Jurisdiction is a vital issue and Commanders are encouraged to proactively discuss jurisdiction with their staff judge advocate, trail counsel, and local NCIS office.

Investigative Process:

Investigative procedures and practices are standardized for an investigation. However, some investigative procedures may be precluded depending on the circumstances of an individual investigation. Forensic examination of the victim is recommended by DoD for incidents occurring within seven days of the report and evidence is often recovered for incidents occurring fourteen days prior to the report.

In general, the sequence of investigative activity is;

1) initial contact with the victim to determine the basics of the allegation;
2) forensic exam of victim (if applicable);
3) crime scene examination (typically concurrent with forensic exam);
4) in-depth victim interview;
5) witness interviews;
6) subject interview;
7) forensic lab examination (if applicable);
8) follow-up leads developed from previous investigative activity.

Investigative Process Continued:

Within 48 hours of receiving a report of sexual assault, NCIS contacts specially trained local trial counsel who work with NCIS as part of the Navy and Marine Corps Special Victim Capability.
In each investigation, NCIS attempts to identify and collect evidence. Often, evidence is located on cell phones, tablets, computers and other electronic media storage devices. The collection of these items always impact the victim and subject, and may lead to frustration with NCIS, the command, and the military justice process. In the majority of cases, the victim knows and has communicated with the suspect prior to and after the assault. Many times, both suspect and victim communicate with others regarding the assault. Properly securing the content of these communications is vital to the investigation. Commanders should work with NCIS to explain to impacted victims and subjects the necessity of evidence collection and collaboratively identify solutions that may reduce the impact.
It is important to note, each investigation is unique, which makes it impossible to predict the time required to complete. NCIS strives for thorough and timely investigations but NCIS will not sacrifice thoroughness for timeliness.

Final Disposition:

DoDI 5505.18 requires the Commander of the service member who is the subject of an adult sexual assault investigation to provide the MCIO, in writing, all disposition data, to include any administrative, non-judicial punishment or judicial action taken as a result of the investigation. On August 11, 2014, the Secretary of the Navy issued ALNAV 061/14 to implement the new Sexual Assault Disposition Report (SADR). For Navy commands, the alleged offender's commander or commanding officer shall complete the SADR NAVPERS 1752/1. For USMC commands, the convening authority who disposes of the sexual assault allegation, shall ensure completion and submission of the USMC SADR Form. Disposition data provided to NCIS ultimately is reported in the DoD Annual Report on Sexual Assault in the Military, as well as other high profile reports. Disposition data is a significant element within the SAPR program.

NCIS Adult Sexual Assault Program:

NCIS maintains a worldwide capability to respond to allegations of sexual assault. In every region, NCIS has Family and Sexual Violence investigators who are trained and capable of conducting sexual assault investigations. In large fleet concentration areas, NCIS established the Adult Sexual Assault Program (ASAP) teams who are solely dedicated to conducting sexual assault investigations. As part of the investigative process, NCIS Family and Sexual Violence investigators participate in the multidisciplinary committees supporting each installation and are available to support each command. Continuity is a cornerstone of the ASAP concept. In remote locations or on smaller installations, NCIS provides equally trained and capable investigators.

Prevention:

In partnership with the U.S. Navy and U.S. Marine Corps, NCIS conducts a Crime Prevention and Awareness Program. Each quarter, NCIS, in collaboration with the services, conducts briefings in an effort to educate Marines, Sailors, and Department of Defense (DoD) civilians on various crimes and ways to avoid becoming a victim. At least one quarter is dedicated to Sexual Assault Awareness and Prevention and is intended to coincide with Sexual Assault Awareness Month. These briefings provide the opportunity for commands to interact directly with NCIS agents and investigators to gain knowledge on the topic before a sexual assault is reported. With NCIS support, the goal of the program is to prevent sexual assaults instead of just reacting to them.

CHAPLAINS

Chaplains provide support and care to victims in multiple ways.

Actions to Support Victims:

- Provide pastoral care, support, and counsel
- Prevent further harm
- Reduce fear and anxiety
- Re-establish some sense of personal control and self-determination

If needed, contact your supervisory chaplain to verify SAPR procedures and response.

Support Steps:

Once safety has been established:

- Continue pastoral care, support, and counsel
- Confidentiality
    - Advise victim on confidentiality (with chaplains, VAs, VLCs, etc.)
    - Victims may desire total confidentiality, not wishing to disclose beyond the chaplain
    - If victim wishes to file a report, explain Unrestricted and Restricted Reporting.
- When appropriate: discuss medical care and forensic exam options (SAFE Kits), collateral misconduct (fear of punishment should not hinder reporting), and Military Protective Orders (MPO)
- Ensure victim has a safe place to return
- Ensure "warm handoff" of victim to SARC, SAPR VA, or healthcare personnel (if victim releases the chaplain from confidentiality and desires victim support beyond the chaplain)
- Report referrals to command SARC for entry into DSAID

MEDICAL

Ask yourself: What is a Sexual Assault Forensic Exam (SAFE)?

Then consider:

SAFE is offered as an option to sexual assault victims.

- The exam can take 4-6 hours to perform and is performed by a SAFE provider.
- A SAFE provider will perform a full physical exam, which includes collecting evidence (DNA and toxicology) and photographing injuries.
- Evidence collected from the patient may then be used in court to prosecute the offender.

Ask yourself: Where are SAFEs performed?

Then consider:

SAFE capability is available within operational medical departments, military treatment facilities, civilian rape crisis centers, and emergency departments.

Commanders must ensure that SAPR management options (Restricted and Unrestricted) are known and SAPR team members are available to respond at both military and civilian medical facilities for care of military members and their families affected by sexual assault 24 hours a day.

Ask yourself: Is SAFE evidence collection offered for both Restricted and Unrestricted Reporting options?

Then consider:

Yes. The same level of medical and forensic care is offered for patients regardless of their reporting choice.

- Restricted SAFE kits are not processed by the criminal investigative laboratory, for evidence in court, unless a victim changes their reporting option to Unrestricted. Restricted SAFE kits are stored by NCIS Consolidated Evidence Facility up to 5 years.
- Unrestricted DoD SAFE kits are sent immediately to US Army Criminal Investigation (USACIL) Laboratory if deemed necessary by NCIS and legal for use as evidence in court. Unrestricted DoD toxicology kits are collected for sexual assaults in which drugs or alcohol are suspected. These kits are sent to the Armed Forces Medical Examiner by NCIS.

Ask yourself:
Then consider:

How do SAPR and SAFE teams connect?

SAPR team members (SARC, VA, Command Liaison) respond, monitor, and/or coordinate on all known cases of sexual assault in both civilian and military settings.

SAFE providers will conduct the exam and refer patients for medical and behavioral health follow-up care. SAFEs performed within MTF and afloat in the Fleet are reported monthly to the Bureau of Medicine and Surgery. SAPR team members produce reports on progress of care in Unrestricted Reports to include voice SITREPs, message SITREPs, Sexual Assault Incident Response Oversight (SAIRO) Report, Commander Assessments within 30 days, and provide victim case updates from initial report through adjudication of the case.

"Navy Medicine provides compassionate, competent, medical care that is victim-centered, gender-sensitive and takes into account the reporting preferences of the individual. In support, Navy Medicine is committed to the success of the Sexual Assault Prevention and Response Program and to ensuring the availability of sexual assault forensic exams (SAFE) at shore and in afloat settings."

~VADM Matthew L. Nathan,
Surgeon General of the Navy
Chief of the Navy's Bureau of Medicine and Surgery

Critical Steps:

Upon assuming the role as a Unit Commander, there are critical steps to improve the ability to offer the best support for sexual assault victims and how to hold alleged offenders appropriately accountable.

Meet with your SARC. The first step a Unit Commander should take is to personally meet with the SARC and VA if a major installation is in close proximity to your location.

Ensure Unit VAs are assigned and trained.

A Unit Commander should also develop a short list of resources to assist victims.

If in an isolated location it is imperative to contact and establish a relationship with local civilian resources in addition to contacting the area's assigned SARC. This will assist in providing immediate victim advocacy and resources to a reservist who reports a sexual assault regardless of a victim's eligibility for services.

For cases involving sexual assaults that are reported while a reservist is in a non-duty status, or on "civilian time," the Department of Defense Safe Helpline (877-995-5247) is specifically designed to assist members in locating the closest resources anywhere in the continental United States.

"Honor. Courage. Commitment. These values have guided our Corps for more than two centuries and it is our responsibility as Marines to adopt and live out these values. Integrity, responsibility, accountability; do the right thing, in the right way, for the right reasons; devotion to the Corps and fellow Marines. Sexual assault in our ranks goes against everything we stand for and is in direct conflict with our core values - it won't be tolerated. All Marines should be knowledgeable about our Sexual Assault Prevention and Response program - get educated, and above all else, get reacquainted with our values. I expect you to live them 24 hours a day, every day."

~LtGen Richard P. Mills, Commander,
Marine Forces Reserve & Marine Forces North

Key Findings:

- Sexual assault is less likely to occur during a drill weekend than when a reservist is deployed, recalled to active duty, during annual training (AT), or other similar type of orders.
- Sexual assaults may occur outside of military time, i.e., civilian time, but there is no requirement for a reservist to report such incidents.
- Isolated locations were identified by reservists as high risk locations secondary to isolation, stress, and access to alcohol.
- Individuals deploying as an Individual Augmentee (IA) perceived a greater risk than those reservists deploying as part of a unit.
- Increased risk is perceived among reservists working alongside host country civilians and third country nationals.
- Our general insight and understanding of sexual assaults in Navy and Marine Corps Reserve Forces is more limited than that of the active duty population. However, data retained from anonymous surveys, site visits, and focus group meetings show that sexual assault among reserve personnel appears to be less common when compared to the active duty population.
- Younger age, in general, is associated with an increased risk of sexual assault. The Reserve population tends to be older than the active force. The average age of Reserve component personnel who report sexual assault is 26 years as compared to 18-22 in the active duty population.

RESERVE COMPONENT

Reserve Specific Sexual Assault Considerations

All military members are entitled to the advocacy services of a SARC and/or VA. Other services, e.g., medical, counseling, or legal, are dependent on the duty status of the reservist when an assault occurs.

A member may report to reserve unit leadership an assault that occurred while on orders such as AT, ADT, ADSW or during a drill (inactive duty training (IDT) weekend and are afforded full SAPR services and support, including Restricted and Unrestricted Reporting. Members may also report to reserve unit leadership an assault that occurred on civilian time and are eligible to receive limited, immediate short-term SAPR support services from the SARC or SAPR VA including Restricted and Unrestricted options. VLCs are available on a case by case basis. These members should then be connected with local appropriate resources for further care and assistance.

Consideration #1
Sexual assault occurs on civilian time

Reservists are not required to report sexual assault that occurs while on civilian time, but one may opt to report an assault in order to receive advocacy and emotional support. These cases should be referred to a SARC or SAPR VA who can provide victim advocacy and assist in determining what services may be available to best support a victim. When a SARC or SAPR VA is not available or located near the reserve unit, it is imperative for reserve unit leadership to have an understanding of available services in the local community that may be utilized.

Consideration #2
SA occurs while on orders and is reported

Reserve Component (RC) personnel who incur an injury, illness or disease while in a duty status are eligible for the Line of Duty (LOD), this includes those who report a SA while in a duty status.
The LOD determination statement will specify the benefits for which the member is eligible. The reporting mechanism under which the report was made, either Restricted or Unrestricted), will have an impact on benefits eligibility (see Line of Duty Key Points on page 39).

Consideration #3
SA while on AD orders and delayed/not reported

Individuals may delay reporting a sexual assault for numerous reasons. This is especially true for a reservist who is assaulted while away from home on temporary active duty. In this scenario a reservist may delay or avoid reporting a sexual assault to ensure staying focused on the mission, avoid jeopardizing return date, or waiting to report until re-engaged with home support network. It is important for unit leadership to understand the complexities that exist for reservists when re-engaging back into the civilian world, the potential needs of a victim and the processes involved to best support them.

If an individual reports a sexual assault after the return to reserve status a LOD determination must be made. A member must report a case within 180 days of return for it to be considered under the LOD determination. If in an authorized duty status the reservist is eligible to access medical treatment and counseling for injuries and illness incurred from the sexual assault under the LOD determination. However, there is some variation depending on whether or not the case is Restricted or Unrestricted (see Line of Duty Key Points on page 39).

Reserve Commander Core Responsibilities

Legal:
The core legal concepts are generally unchanged in regards to the rights of the victim and the accused. But there are unavoidable jurisdictional complexities that may have to be anticipated including but not limited to jurisdictional limitations outside drill periods, oversight of civilian berthing during IDT Drill weekends and response to actions of offender and option for continued military service.

In some cases local law enforcement may assume jurisdiction over the case. Laws will vary by state and may include things such as who must conduct SAFE kit exams and retain evidence and exercise jurisdiction. In these cases, it is essential to have your SJA and NCIS engaged as a liaison with the local law enforcement to assist your victim with maintaining awareness as well as offering legal counsel.

In some cases it may be necessary to offer the reserve victim of a military related sexual assault (i.e.: military on military sexual assault which occurred between members drilling in the same unit) an alternative drill assignment.

As per NAVADMIN 132/12, MARDMIN 227/12, and MCO 1752.5B the command should allow for separate training on different drill weekend or times from the alleged offender or with a different unit in the home drilling location to avoid undue stress on the member or members family.

Medical & Advocacy:
Address the needs of the reservist victim of sexual assault by utilizing available medical and mental health services. The immediate core medical concepts are generally applicable given the circumstances for reservists but eligibility for services is dependent upon LOD determination as to whether the sexual assault incident occurred in an active duty or inactive duty training status.

Unique caveats apply to Reserve populations in regards to benefits that include, but are not limited to, entitlement benefits available depending upon the reporting type of Restricted versus Unrestricted, and duty status.

Provide advocacy to Reserve victims of sexual assault. Understand that Reserve members are entitled to advocacy services but that unintended complexities may exist such as limited access to medical facilities due to geographical location, sparse local community resources, and limited access to local SARC expertise.

RESERVE COMPONENT

Line Of Duty (LOD) Key Points

- Available to Reserve personnel to determine, whether an injury, illness, or disease was incurred or aggravated while in an authorized duty status. This includes travel to and from the authorized duty location.
- Reserve personnel are able to access medical treatment and counseling for injuries and illness incurred from a sexual assault while in an authorized duty status. Members must report a case within 180 days to be considered for LOD benefits.
- LOD Determination should be made without the victim being identified to law enforcement or command, solely for the purpose of enabling the victim to access medical care and psychological counseling and without identifying injuries resulting from a sexual assault.
- Unit Reserve Commanders should identify an appropriate individual within the unit or command to process LODs. Designated individuals shall possess the maturity and experience to assist in a sensitive situation **and,** if dealing with a Restricted Report, to safeguard confidential communications. These individuals are authorized to receive confidential communications for the purpose of determining LOD status.
- The appropriate SARC will brief the designated individuals (identified in the previous bullet point) on Restricted Reporting policies, exceptions to Restricted Reporting, and the limitations of disclosure of confidential communications. The SARC and these individuals may consult with their servicing legal office, in the same manner as other recipients of privileged information for assistance, exercising due care to protect confidential communications by disclosing only non-identifying information
- The SARC may provide documentation for LOD determinations to substantiate the victim's duty status and the filing of the Restricted Report to the designated official.
- If medical or mental healthcare is required beyond initial treatment and follow-up, a licensed medical or mental healthcare provider must recommend an ongoing treatment plan and submit documentation monthly.

- The LOD process for Restricted Reporting does not extend to pay and allowances or travel and transportation incident to the healthcare entitlement. In addition the Incapacitation Benefit is not available to Restricted cases to cover financial losses incurred if a reservist is unable to resume normal military duties and/or civilian employment. However, at any time the Service member may request an Unrestricted LOD to be completed in order to receive the full range of entitlements.

- If an LOD review does not resolve in less than 90 days or the case is not progressing toward resolution then the case is submitted for a Medical Board. This can be completed at any MTF, DoD, or VA facility and the member must be present. The case may be sent for further evaluation by a Physical Evaluation Board for duty eligibility determination based on the results of the Medical Board. The LOD process is limited to one year, after this a military physician can request an extension or the case is transferred for Medical or Physical Evaluation Board.

- In the case of a member of a Reserve Component on active duty who is the victim of sexual assault committed while on active duty and who is expected to be released from active duty before the LOD determination is made, the member may request and receive orders to be retained on active duty until completion of the LOD determination.

- In the case of a member not on active duty who is the victim of sexual assault that occurred while the member was on active duty and when the LOD is not completed, the member may request and receive orders to return to active duty for such time as necessary for completion of the LOD determination.

- A request submitted by a Reservist to continue on active duty or to be ordered to active duty, respectively, must be decided within 30 days from the date of the request. If the request is denied, the member may appeal to the first General Officer or Flag Officer in the member's chain of command and a decision on the appeal must be made within 15 days from the date of the appeal.

- Once the LOD determination is made, if requested by the member and approved, services available to active duty personnel (as outlined in the SECNAVINST 1752.4B) may be provided to the Reservist. If the Service Member is determined not in the line of duty and the appeal is denied, the SARC or SAPR VA should provide available resources in the local community.

RESERVE COMPONENT

Victim Resources

- Reserve personnel may elect either the Restricted or Unrestricted Reporting option and have access to the advocacy services of a SARC or SAPR VA. Advocacy services are available regardless of the duty status at the time of the incident or at the time they are seeking advocacy services.

- Regardless of reporting option, reserve personnel have access to medical treatment and counseling for injuries and illness incurred from a sexual assault occurring while performing active duty services or inactive duty training. However, other entitlements remain dependent on a LOD determination as to whether the incident occurred in an active duty or inactive duty training status.

- If a victim reports a sexual assault that occurred while in civilian status Reserve personnel have no requirement to report the incident to unit leadership. Should a member report, advocacy services are available through the unit victim advocate and assigned SARC. If feasible, Reservists may also report to either Navy Fleet and Family Services or Marine and Family Programs within Marine Corps Community Services to receive advocacy care.

- Eligibility for resources beyond advocacy is determined by member's status at the time of the sexual assault. Resources may be limited for victims who are either not eligible based on when the assault occurred or when reservists are located in areas remote from DON installations.

- It is imperative that relationships be developed with local resources to provide support to the Reservist that is not eligible for care within the DoD. State and local programs serve victims of sexual assault by providing free confidential crisis counseling, advocacy, information, and referrals to other available services in the local area.

- Reservists who file an Unrestricted Report may request a temporary or permanent expedited transfer or reassignment. A transfer may include provisions to perform inactive duty training on different weekends or times than the alleged offender, or with a different unit in the home drilling location as to avoid undue burden on the Service member. Transfer of the alleged offender instead of the victim should also be considered if applicable.

- Provide opportunity for Reserve member who reports a military related sexual assault to consult with a VLC, and in cases that involve possible collateral misconduct, to consult with defense counsel. Victims shall also be referred to the Victim Witness Assistance Program (VWAP) (SECNAVINST 1752.4B Encl 5).

- Reserve personnel who report a sexual assault may be encouraged to seek a civilian protective order. Should a Reserve member opt to move secondary to a civilian protective order etc. they should follow normal process to request transfer to another Navy Operational Support Center (NOSC) or Major Subordinate Command (MSC).

Summary

Commanders of Reserve Component Personnel

- ✓ When receiving an Unrestricted Report of a sexual assault, immediately refer the matter to NCIS or other appropriate MCIO regardless of the severity of the allegation, offense or potential punishment authorized by the UCMJ.
- ✓ Contact your SARC and VA to make contact with victim.
- ✓ If, a SARC or VA is unavailable contact Safe Helpline at 1-877-995-5247 to locate available resources.
- ✓ Active Duty and Reserve personnel who are victims of sexual assault are entitled to VLC services.
- ✓ Conduct a LOD Investigation to determine level of care and legal direction for investigation and prosecution. If a Restricted Report the member is still eligible for LOD determination with limitations on benefits as outlined in section III, Line of Duty as well as SARC and SAPR VA services.
- ✓ If the victim is a remotely located service member identify local medical resources available to the member.
- ✓ If the accused is a civilian, discuss with the victim the options of reporting the assault to local law enforcement.
- ✓ Contact your legal counsel for guidance on reporting as there are unavoidable jurisdictional complexities that may have to be anticipated including but not limited to jurisdictional limitations outside drill periods, oversight of civilian berthing during IDT Drill weekends and response to actions of an offender and option for continued military service.
- ✓ If the accused perpetrator is active duty, review the need for and if necessary issue a Military Protective Order.
- ✓ Take the time to review all requirements as outlined in SECNAVINST 1752.4B dtd 08 Aug 2013 and your Service specific directives.

Directives & Instructions

DoD Directive 6495.01—Sexual Assault Prevention & Response Program (1/23/2012)

DoD Instruction 6495.02—Sexual Assault Prevention & Response Program Procedures (3/28/2013)

SECNAVINST 1752.4B—Sexual Assault Prevention & Response (8/8/2013)

OPNAVINST 1752.1B—Sexual Assault Victim Intervention Program (12/29/2006)

MCO 1752.5B—Sexual Assault Prevention and Response Program (3/1/2013)

Websites

For additional information, please visit the following websites:

www. donsapro.navy.mil (DON SAPRO)

www.sapr.navy.mil (Navy Policy and Training)

www.cnic.navy.mil/ffr/family_readiness/fleet_and_family_support_program/sexual_assault_prevention_and_response/resources.html (Navy Resources & Reporting)

www.manpower.usmc.mil/sapr (USMC SAPR)

www.jag.navy.mil (Navy JAG)

www.hqmc.marines.mil/sja/UnitHome.aspx (HQMC SJA)

www.jag.navy.mil/legal_services/VLC.htm (Navy VLC)

www.marines.mil/sja/Branches/VictimsLegalCounselOrganization(VLCO).aspx (USMC VLC)

www.ncis.navy.mil (NCIS)

www.sapr.mil (DoD SAPRO)

www.myduty.mil (DoD SA Resources)

www.SafeHelpLine.org (Sexual Assault Support)



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[3]Department of the Navy. (2013). Sexual Assault Survey.

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[9]U.S. Department of Justice. (2008-2012). National Crime Victimization Survey.

Department of the Navy Sexual Assault Prevention & Response Office
(DON SAPRO)
1000 Navy Pentagon
RM4E615
Washington DC 20350-1000
www.donsapro.navy.mil

Anonymous Comments from the DON SAPRO 2013 Sexual Assault Survey

- Encourage Marines to interfere. The first time I was raped there were other Marines in the room, next door, and duty in the barracks. No one stopped it or stood up for me even though I was screaming for the first few minutes. I had a horrible experience with NCIS, Chain of command, and my unit. I was sober and the rapist was not. Marines should be encouraged to drink responsibly. Chain of command should not punish or threaten someone's career when they step forward. (USMC female)
- I have been told that since I was not hurt on a ship. For example, like having a broken leg. What happened was horrible but it isn't the Navy's problem. From being a victim myself that discourages me from getting any further treatment or help for fear that I will be separated out of the Navy because I admit to having psychological problems such as anxiety, depression, paranoia, and sleep deprivation from the assault. I am on a second Limited Duty not of my choice because of it and every day is a struggle to not cave into suicide or alcohol abuse, yet on the other hand I feel discarded by the Navy which I fought so hard to get into in the first place. (Navy female)
- I have been a victim, have had family members who have been victims and I know of others in the Marine Corps who have been victims. The psychological stigma is huge and the emotional turmoil is lifelong. (USMC male)
- I was a victim of sexual assault. I had my genitalia grabbed and the report was made. On four different occasions, my CO and XO re-victimized me saying it poses a negative light on me and it's all perception that I was at the wrong place at the wrong time. (Navy male)
- ... I made a report the first three months on board about another shipmate of higher ranking than me. Since then I still haven't been able to let it go, people still look at me differently, and still bring up the incident. They call me liar and troublemaker. Just in the past week I have been slapped on the ass, got threatened that I would be spanked on the ass with a spatula if I didn't do something. Also, a shipmate was trying to play drums on my boobs hitting my boobs with papers. I told them over and over again to stop and I don't know if they took me seriously. If I had the chance to get off the ship I would. I hate it here. I feel like I've always been labeled that girl... (Navy female)
- I was raped, filed a Restricted Report, diagnosed with Post Traumatic Stress Disorder and placed on Limited Duty to receive mental health treatment; which prevented me from complying with my normal sea/shore rotation and returning to sea duty. ... After I told my peers of my Limited Duty status, one of them responded "Well gee, what do you expect...you have a vagina." And I sarcastically responded, "Well gee, that was professional and what I'd expect a Chief to say." ... While my co-workers did not know of my assault and I'm sure intended no malice in their comments, that moment devastated me. It was that type of environment that prevented me from reporting my assault for 2 years... (Navy female)
- As an E3, I was sexually assaulted along with an E4 ... Neither of us reported ... for fear that we would be thrown out of the Navy for having sex with another male, even though it was forced. ... I had pretty much blocked out the whole event until recently when we had the Sexual Assault stand down, and attended the training. Male on male assaults were mentioned, and that was when the whole event came back to me almost 20 years later. Had it happened to me now, I would have had no problem reporting it, but at the time it happened, there was no way I was going to report it. The Navy is going in the right direction, and I'm glad I've been in long enough to see this change. (Navy male)

Step Up. Step In.
Prevention is everyone's responsibility!

Department of Defense (DoD)
Sexual Assault Prevention and Response (SAPR)
Progress Report to the President (POTUS):
United States Navy Program Overview

Executive Summary

Sexual assault is a significant threat to the United States Navy. It adversely impacts readiness, morale, and retention. Navy takes this threat seriously and is fully committed to sexual assault prevention, supporting victims, and appropriate offender accountability with due process of law. In the last three years, Navy dedicated extensive resources to reducing sexual assault and improving response measures.

Navy's primary goal is to eliminate sexual assault. Success is when each and every Sailor understands the definition of sexual assault, how it harms other Sailors and the Navy, how to prevent it from occurring, and how to respond if prevention fails. Success is when every Sailor behaves in a manner consistent with Navy Core Values of honor, courage, and commitment, and treats others with dignity and respect.

Sexual assault prevention requires multiple, layered efforts at all levels working in concert. Navy sexual assault prevention incorporates cultural improvement through engaged leadership, innovation, education and awareness, intervention, accountability, and partnerships across Navy organizations. Policy alone will not stop sexual assault; it requires execution at the fleet level and involves all leaders.

Navy leadership recognizes sexual assault prevention cannot be accomplished in isolation. Much like cities that reduced major crime by simultaneously focusing on and eliminating lesser crimes, Navy Sexual Assault Prevention and Response (SAPR) efforts follow a similar strategy. Navy understands the criticality of creating a culture at all levels intolerant of unacceptable actions and behaviors in order to prevent more serious or criminal behaviors. Navy efforts are focused on the concept of a continuum of harm of destructive actions and behaviors to include a renewed emphasis on the prevention of hazing, sexual harassment, and alcohol abuse. The 21st Century Sailor Office was established to provide coordinated efforts in Sailor resiliency and readiness programs, and integrate efforts to counter destructive behaviors.

THE CONTINUUM OF HARM AND 21ST CENTURY SAILOR OFFICE

In Navy's efforts to prevent sexual harassment and sexual assault, a key concept is the continuum of harm, shown in Figure 1. Towards the "left" end of this continuum are a range of destructive attitudes and behaviors, such as demeaning or discriminatory comments, stereotyping, and unequal treatment. More serious acts of sexual assault such as groping, forced sexual activity, and rape are to the "right" of the continuum.

A command environment that allows inappropriate behaviors to exist increases the

likelihood for incidents of sexual harassment. Further, environments that permit sexual harassment behaviors to exist increase the likelihood for incidents of sexual assault.

Leaders at all levels set the conditions for success by creating environments which exude and reward inclusive behavior, while at the same time crowding-out destructive actions by safely intervening well before they can manifest themselves in criminal acts.

Figure 1: The Continuum of Harm



The 21st Century Sailor Office, led by a Navy Admiral, is responsible for policy, resourcing, and oversight for a portfolio of programs, to include the goal of measurably reducing and eliminating sexual assault. The portfolio also includes operational stress control and suicide prevention; physical readiness and nutrition; sexual harassment prevention; equal opportunity; hazing prevention; and drug and alcohol abuse prevention. The 21st Century Sailor Office addresses the need for coordination and synergies among these critical Sailor-focused programs across the entire continuum of harm by strategically enabling each level of accountability within the Navy: institutional, command, and individual.

NAVY SAPR STRATEGY

Navy requires an inclusive approach based upon true equality, respect, and diversity, understood by all, and executed by leadership. Leaders at all levels create the cultural conditions for success. Every person in Navy, uniformed and civilian, in different degrees and with various responsibilities, is a leader.

Navy's sexual assault strategy focuses on setting the conditions and creating a culture in which sexual assault is not tolerated, ignored, or condoned. This strategy uses a multi-pronged approach that includes prevention at the institutional, command, and individual levels. Key prevention strategy components are leadership and Sailor engagement, stakeholder and community involvement, training and awareness,

appropriate offender accountability, and continuous assessment. Accountability at all levels is vital to this approach.

As Navy focuses on prevention, response capabilities continue to be implemented and matured. Increasing reporting of this universally underreported crime is central to the response strategy. Reporting of sexual assaults is a bridge to victim support and appropriate offender accountability. Navy will continue to ensure Sailors understand their reporting options and how to report. The increase in Navy reporting, coupled with recent command climate survey results, is considered a positive Sailor reaction to efforts to increase trust and confidence in the sexual assault response system.

Navy continues to assess the effectiveness of prevention and response methodologies through collected data, metrics analysis, surveys, focus groups, and other feedback mechanisms. As Navy increases its knowledge of circumstances surrounding these incidents, it improves its ability to target prevention efforts and respond properly.

SAPR LINES OF EFFORT

Navy's SAPR efforts are aligned with the Department of Defense's (DoD's) five Lines of Effort (LOEs): Prevention, Investigation, Accountability, Victim Assistance and Advocacy, and Assessment.

Prevention (LOE 1) involves a multifaceted approach to stop sexual assault. Engaged leadership is responsible for creating a command climate that does not tolerate unacceptable actions and behaviors. Sailors receive specialized SAPR training on how to recognize sexual assault, how to get help, how to report, and how to prevent it from occurring. Recent results from the 2014 RAND Military Workplace Study (RMWS) indicate that estimated prevalence of unwanted sexual contact in the Navy decreased since the 2012 survey. While this trend shows that initiatives from the recent years have begun to gain traction, Navy must continue to aggressively pursue prevention and response efforts. Leaders and Sailors offer peer-to-peer support, and Navy-wide partnerships work together towards prevention.

A sexual assault report initiates the response process. The Investigation phase (LOE 2) includes gathering evidence and facts of the crime through Naval Criminal Investigative Service (NCIS) investigations within Navy's jurisdiction. Modified training to improve investigative skills and an increase in the number of special agents resulted in more timely and thorough investigations. NCIS collaborates early in the investigative phase with trial counsel and/or staff judge advocates to ensure early and ongoing collaboration at the senior trial counsel and supervisory special agent level. Accountability (LOE 3) involves the commander's response to ensure appropriate accountability for alleged offenders. Staff judge advocates and trial counsel support commanders throughout the military justice process. The Office of the Judge Advocate General (OJAG) also deploys extensive resources and legal personnel to support victims and defend alleged offenders throughout the adjudication process. Victim Assistance and Advocacy efforts (LOE 4) provide the needed care and support to help individuals overcome the physical

and emotional trauma of sexual assault.

Finally, Assessment (LOE 5) is a self-check on Navy progress to evaluate the effectiveness of SAPR efforts. Navy collects data and metrics pertaining to reported sexual assaults including demographics, type of incident, and case specifics. This information helps leadership conduct regular assessments of SAPR programs and measure success, improvements, and areas for needed improvement.

CONCLUSION

Navy continues to focus its efforts on sexual assault prevention and response. Emphasis on response and victim advocacy must and will remain a priority. Preventing sexual assault from occurring is the primary goal of Navy efforts going forward. Navy is dedicated to ensuring sexual assault victims receive timely support and protection, including medical treatment, counseling, legal support, and victim advocacy. Increased reporting is a positive measure of the efforts to grow trust and confidence in Navy's response system. Navy will continue to develop response capability by providing professional and compassionate victim support; thorough and independent investigations; and an adjudication process that respects the rights of victims and the constitutional and statutory due process rights of alleged offenders.

Line of Effort 1: Prevention

1.1 INTRODUCTION

Sexual assault is a crime that harms Sailors, damages unit cohesion and trust, and stands contrary to Navy Core Values. Navy endeavors to create an environment in which Sailors do not tolerate, condone, or ignore sexual assault or other inappropriate behaviors. Understanding the realities of sexual assault and the conditions under which it occurs is a continuous requirement to advance cultural change. Navy aims to reinforce cultural imperatives of mutual respect, trust, professional values, and team commitment. Leadership is charged with fostering an environment where sexual assault and the behaviors and actions that may lead to it are unacceptable.

Navy's prevention-based practices focus on institutional, command, and individual actions and accountability. The overarching imperative at all levels of the chain of command is to establish organizational behavior expectations that are clearly communicated and consistently maintained. Cultural elements include the policies, command statements, actions, values, and personal comportment of the entire team.

Setting the right command culture is critical to addressing and preventing all destructive behaviors. Within the continuum of harm framework, Navy seeks to prevent all degrees of harmful behavior. This prevention starts with creating command climates and individual perceptions that Navy is intolerant of unprofessional and criminal behavior.

Navy's prevention strategy is designed to foster a culture and environment in

accordance with Navy Core Values. Navy's coordinated efforts include: deliberate and engaged leadership, innovation, education and awareness training, presence and intervention, and partnerships across Navy organization.

1.2 DELIBERATE AND ENGAGED LEADERSHIP

Navy leadership and commanders play a critical role in preventing sexual assault. Leaders drive the command climate and culture, and ensure a safe and productive working environment. Leaders set an expectation of dignity, mutual respect, and professionalism among shipmates. The actions and attitude of leaders set the example and define Navy's organizational culture.

Flag Officer Engagement

Navy's SAPR efforts directly involve Flag Officers. Since 2010, all Unrestricted Reports of sexual assault are reported to the first Flag Officer in the chain of command. Additionally, since 2012, unit Commanding Officers (COs) deliver personal reports to their respective Flag Officers within 30 days of the initial notification of a report of sexual assault, as operational circumstances allow. These reports provide information about care and support provided to the victim, initiatives the command will take (or has taken) to prevent future occurrences, and the impact to the command's ability to carry out its mission. The first Flag Officer reports alert senior leadership to any common factors and trends as well as provide insight into any gaps or seams in Navy's SAPR policy or program initiatives.

In July 2013, the Chief of Naval Operations (CNO) directed Fleet Commanders to designate a Flag Officer, reporting directly to the Fleet Commander, as the SAPR program leader for each Navy installation/fleet concentration area and associated local commands. This designated Flag Officer established regular conversations with appropriate installation/local command representatives, local community, and civic leaders to review SAPR program efforts. Flag Officers regularly inform Fleet Commanders of prevention and response trends and opportunities for improvement within their area of responsibility. The Flag Officer also ensures that community outreach and engagement are part of each area's prevention and response measures. COs and all Flag Officers work with stakeholders to discuss command climate and SAPR readiness issues.

The Fleet Commanders participate in quarterly SAPR-dedicated video teleconferences with the CNO to discuss trends and recommend future initiatives. Several key initiatives were directed and fast-tracked as a result of the CNO SAPR meetings, including enhanced investigative capability using Navy uniformed investigators; bystander intervention skills training for all Sailors; and simplification of victim support duties within each unit.

Commander Engagement

Navy continues to evaluate the tools provided to commanders to ensure they can execute their charge of command. In particular, Navy focuses on improving the development of leadership and character in leaders selected for command. Today, all Navy leaders complete tailored SAPR training. This training, provided by professional mobile training teams, is designed to help leaders identify environmental factors that surround or contribute to sexual harassment or sexual assault, and understand the response requirements when a sexual assault occurs.

Because of the inherent responsibility of commanders, the screening processes to select them are rigorous. Commanders must meet strict professional and performance qualification standards as well.

Local Leadership Involvement

Keeping local leaders informed of the status of the SAPR program within their area of responsibility is critical to their ability to stay engaged and drive results. Beginning in July 2013, Navy created 25 dedicated SAPR Officer billets to directly support the commanders of major staffs, type commands, and Navy regions. SAPR Officers work closely with local Sexual Assault Response Coordinators (SARCs), SAPR program managers assigned to Fleet Commander staffs, and local SAPR stakeholders such as NCIS special agents, Region Legal Services Office staff judge advocates and trial counsel, chaplains, and healthcare providers. SAPR Officers provide program continuity and ensure understanding and proper execution of policy, training, and oversight activities.

Another initiative that supports continued command awareness and engagement is the establishment of a permanent Navy Reserve Forces SAPR program manager, who reports directly to the Commander, Navy Reserve Forces Command. This SAPR program manager greatly improves the ability of Navy Reserve Forces Command to provide oversight, manage the SAPR program more effectively, and best support the unique requirements of Navy Reserve Sailors.

Training to Support Engaged Leadership

Navy developed and executed specialized training over the last several years to enhance the ability of all levels of leadership to comprehend the scope of the sexual assault problem, and the causes and factors which will drive its prevention.

Developed in Fiscal Year (FY) 2011, SAPR-Leadership (SAPR-L) training was designed for all leaders in the grades of E-7 and above. Command triads (CO, Executive Officer (XO), and Command Master Chief) delivered the SAPR-L training to their units. The command triads received instruction on how to effectively facilitate SAPR-L training from teams of master trainers, which included staff judge advocates, to ensure all leaders were trained in SAPR legal policies, directives, and updates to the Uniform

Code of Military Justice (UCMJ).

SAPR-L focused on leadership's role in preventing sexual assaults including encouraging bystander intervention, creating the appropriate command climate, caring for victims, and holding alleged offenders appropriately accountable. Video vignettes and facilitated discussion points provided an open forum for units to have frank discussions about command culture. Navy executed the program aggressively, and 95% of all Navy E-7 and above personnel completed the training in FY12. SAPR-L effectively provided needed context and pragmatic problem awareness for leaders to prevent and respond to incidents of sexual assault.

SAPR modules delivered for pre-command training courses and Command Master Chief/Chief of the Boat courses were updated in FY13 to incorporate standardized competencies and learning objectives established by DoD and the Services. Navy utilized portions of the SAPR-L training video in the updated module to ensure continuity of message and relevance for the operational fleet. Department of the Navy (DON) Sexual Assault Prevention and Response Office's (SAPRO) *Commander's Guide* is also provided to all current and prospective command triads, to help them manage and execute their command SAPR programs.

Extended Leadership Involvement

Fleet Commanders stay synchronized with Sailors on the importance of sexual assault prevention in a variety of ways. The Pacific Fleet holds a series of engagements each year throughout its geographic area of responsibility, which feature a number of Sailor and family-related topics and typically include tailored sessions on sexual assault prevention. Additionally, all Pacific Fleet commands completed a mandatory All Hands two-hour "Stamp Out Sexual Assault" stand-down in FY13. The stand-down was designed to solicit non-attributable input on Sailors' expectations and issues regarding sexual assault, Navy policy, personal behavior, and best practices.

U.S. Fleet Forces has similar workshops provided in each major fleet concentration area, including units stationed or deployed overseas. These workshops, conducted by subject matter experts, provide the opportunity for Forces commanders to have discussions with leaders and Sailors regarding intent and expectations of sexual assault prevention, program updates, and policy changes. Cultural change is visible at all levels of command. Targeted top-down approaches in 2012 led to Navy-wide training in 2013, which are now leading to innovation across the fleet.

Commander, Naval Surface Forces Atlantic started a Health of the Force initiative that focuses on the interactive nature of all destructive behaviors and their impact to combat readiness. The program tailors prevention efforts to the ship rotation plan, enabling afloat Surface Command Leadership teams to tackle Sailor readiness on the deckplate. The unique aspect of this program is that it enables each command to customize their own program to their unique demographics and deployment cycle.

Commander, Submarine Forces Atlantic is aggressively pursuing the identification of micro-climates within a command that may exhibit the continuum of harm that could lead to sexual assaults and the other destructive behaviors. While many of the commands have a positive command climate, micro-climates in work centers and divisions may run counter to good order and discipline and Navy Core Values.

Commander, Strike Group Eight enabled positive dialogue among all battle group commands to exchange best practices for prevention efforts as well as experience in response to sexual assaults. As a result of this effort, minor modifications to the administration and reporting of expedited transfers are being implemented for both the Atlantic and Pacific Fleets to ensure that victim privacy is protected, without losing commander accountability for oversight of legal cases.

Several commands developed a pre-planned process for duty officers to respond to reports of sexual assault. The command took standing instructions and converted them to easy-to-use checklists tailored to the variety of watches that may receive reports of sexual assault, reports of bystander intervention, or reports requiring action to prevent a sexual assault. These checklists are being promulgated Navy-wide.

Navy Medical Center Portsmouth's Chief Petty Officer Mess developed a program called "Real Talk, No Rank," which is being adopted by the afloat force. This program, designed to allow frank and honest discussions in both mixed-gender and gender-specific environments, has led to improved Sailor confidence in the Chief Petty Officer Mess.

A forward-deployed unit has developed a risk-reduction analytic tool which will allow commands to better forecast high-risk, inappropriate behaviors based on the ship's schedule. The tool helps commands analyze their unique schedules and demographics to discern high-risk situations, allowing them to focus their prevention efforts.

Another best practice for enhancing collaboration between local leadership came from the Naval Education Training Command, where COs and SAPR program managers participate in monthly strategic SAPR meetings with other area leadership. This synergy allows COs to work with external partners to develop sustained plans based on expert advice in the fields of victim advocacy and law enforcement. These meetings foster open communication between base SARCs, base COs, tenant commands, and local law enforcement to help prevent sexual assault.

In 2013, the Pacific Fleet Chaplain and the Religious Programs Specialist Master Chief conducted roundtable discussions with the fleet to dialogue with Sailors in a comfortable environment. The roundtable discussions included 400 E-1 to E-6 Sailors in 15 different forums, fostering grassroots level awareness of sexual assault policies among Sailors from different commands. The roundtables helped identify better ways for leadership to communicate, address challenges pertaining to the tone of the force, and uncover the deckplate perspective on sexual assault problems and solutions. On a routine basis, chaplains provide general insights to commanders regarding the command climate,

without revealing what Service members share in confidence. Chaplains contribute to improving command climate by providing care and support for all Service members and families, regardless of individual faith beliefs. Chaplains also assist in pointing individuals to the appropriate SAPR resources.

In 2014, the U.S. Fleet Forces chaplains joined the Fleet Workshop team to provide awareness and education on chaplain support and resources. In addition, the Fleet Chaplain conducted separate training and discussion sessions in each fleet concentration area for all local chaplains intended to increase their effectiveness in Sailor and family support.

Leadership Outreach to Community

Because many reported incidents of sexual assault occur off-base, command leaders increased engagement with local communities. Navy made significant progress in increasing its presence off-base. Commands reached out to local hotel proprietors, restaurant and bar owners, and liquor store managers to educate them on sexual assault prevention efforts and make them aware of Navy resources. Command outreach also included coordination and consultation with local law enforcement, hospitals, and taxi cab companies. Representatives from boards of commerce, as well as local establishments, welcomed Navy's intervention efforts progress is made in curbing incidents of sexual assault and other unacceptable behaviors in the local community.

1.3 NAVY INNOVATIONS

By dedicating resources and manpower, Navy implemented new and innovative methodologies. Some of these initiatives grew from dedicated pilot programs to become Navy-wide efforts, while others evolved and were adopted over time. Innovation and creativity drive the development and execution of new programs. Each initiative is directly or indirectly focused on preventing sexual assaults.

Great Lakes Pilot Prevention Program

Naval Station Great Lakes is home to Navy's Recruit Training Command, where all enlistees attend basic training. Training Support Command Great Lakes is responsible for administration of Sailors for rate-specific technical training. Navy begins teaching new Sailors from day one about principles of respect and the Navy Core Values of honor, courage, and commitment. These principles are emphasized and enhanced at Training Support Command while Sailors learn their technical skills.

Naval Station Great Lakes was identified as an ideal location to launch a sexual assault pilot prevention program. Starting in 2010, DON SAPRO partnered with Navy leadership and local commanders at an on-site summit to implement and assess multiple simultaneous initiatives at Great Lakes. Experts gathered in February 2011 to set the stage for important new SAPR training programs, aggressive anti-alcohol efforts,

visible leadership engagement in both Sailor discipline and mentoring, and active coordination across organizational lines by regional senior leaders. From the summit meeting, the program developed to become the Great Lakes Pilot Prevention Program in 2012. Based on feedback from Sailors, surveys, and leadership review, Navy realized the value and efficacy of these efforts. Navy adopted and expanded the initiatives from the pilot program to regions in San Diego and Japan initially, and then to all fleet locations in 2013.

Alcohol Deglamorization

Alcohol plays a role in many Navy sexual assaults. In 2010, Submarine Force Pacific Fleet began fielding alcohol detection devices to Sailors, which grew to become a Navy-wide practice by 2013. The alcohol detection devices are a training and awareness tool to educate Sailors on the effects of alcohol and excessive drinking. Also in 2013, Navy enhanced its alcohol deglamorization efforts with a "Keep What You've Earned" campaign to emphasize the dramatic and long-lasting effects of irresponsible alcohol use. Navy updated the policy on the availability of alcohol on base and directed the Navy Exchange Command to limit alcohol sales. Navy removed all distilled spirits from mini-marts and restricted distilled spirit sales to main exchanges or dedicated package stores. Stores limited alcohol displays to no more than 10% of total retail floor space, moved displays to the rear of facilities, and limited alcohol sales to between 6 a.m. to 10 p.m. Navy Exchanges also sell single-use breathalyzers to better educate Sailors on responsible alcohol use. Navy has seen downward trends in incidents of driving under the influence of alcohol and other alcohol-related incidents.

Coalition of Sailors Against Destructive Decisions

The Coalition of Sailors Against Destructive Decisions (CSADD) is a peer-to-peer, grassroots mentorship program geared toward Sailors 18 to 25 years old to combat destructive behavior and reinforce the culture that "Shipmates help Shipmates." CSADD has grown in size and strength from a small monthly group of 18 Sailors to a multi-Service organization of 373 chapters. Navy provides technical assistance to local CSADD chapters in support of peer mentoring, positive messaging, and interpersonal communications. Navy continues increased collaboration between the SAPR program and CSADD chapters, often involving SARCs, to foster cross-program collaboration at the installation level.

CSADD members connect to their peers in a powerful way using visual media and short vignette films to convey training points. The groups meet regularly to discuss responsible use of alcohol, core values, healthy lifestyle choices, and other Sailor issues and responsibilities. CSADD chapters sponsor recreational events to emphasize that Sailors can enjoy safe and healthy activities without relying on alcohol. CSADD efforts also teach bystander intervention, as it pertains to sexual assault and other decision making.

1.4 EDUCATION AND AWARENESS TRAINING

Increased education and awareness ensure that Sailors understand what constitutes sexual assault, the avenues for reporting, available support services, and the importance of eliminating sexual assault from the ranks. Training for Navy members increases in scope and levels of accountability commensurate with their rank, leadership responsibility, and experience.

All Navy Service members are required to receive annual SAPR training, which is delivered with face-to-face training. Topics include ways to prevent sexual assault crimes, the continuum of harm from harassment to assault, actions a victim can take if assaulted, and the difference between Restricted and Unrestricted Reporting options.

SAPR-Fleet

SAPR-Fleet (SAPR-F) is training geared specifically toward E-6 and below Sailors. SAPR-F focuses on a command's roles, bystander intervention, peer pressure, the impact of sexual assault on victims and the command, and processes for holding alleged offenders appropriately accountable. SAPR-F was originally developed as a one-time Navy-wide training. Every E-6 and below Sailor completed SAPR-F prior to April 2013. Since then, components of SAPR-F were included in various other training forums.

Cultural Orientation at Accession Points

Navy has various accession points through which approximately 35,000 individuals join the Service as Sailors each year. Navy capitalizes on the opportunity to mentor new Sailors, instill Navy Core Values, and establish the level of expectation for command culture and climate. All accession points provide incoming Sailors initial sexual assault training.

Each of the Navy accession venues customized SAPR training embedded in the indoctrination curriculum. These accession points are the U.S. Naval Academy (USNA), Reserve Officer Training Command (ROTC), Officer Training Command, and Delayed Entry Program. In August 2013, Navy Recruiting Command implemented SAPR Delayed Entry Program, a mandatory pre-accession training to civilians pending enrollment into a Navy accession program. The SAPR Delayed Entry Program defines Navy policy standards related to sexual harassment, sexual assault, professional expectations, and potential disciplinary actions for future Sailors.

Recruit Training Command at Great Lakes

The Recruit Training Command trains individuals to embrace Navy Core Values and the concept of what a shipmate is and does. Recruit Training Command staff members transform civilians into basic Sailors over a 59-day period. Experts provide training in multiple formats. In the first week, new recruits receive a 90-minute SAPR presentation,

participate in open discussion, and watch a video. Recruit Training Command instructors also deliver SAPR-F training and present information on the UCMJ.

The Naval Health Clinic Great Lakes provides a one-hour recruit wellness brief called Reinforcing Education to Achieve Health on several topics including sexual health awareness and good decision making in sexual matters. Prior to graduation and off-base weekend privileges weekend, the Recruit Training Command staff give recruits a liberty brief, emphasizing the importance of shipmates looking after each other, and avoiding situations that place them at risk.

United States Naval Academy

USNA SAPRO provides annual training and education opportunities for all midshipmen, faculty, staff, active duty, and civilian personnel. Training and education sessions range from large group informational sessions to small, interactive discussions.

The primary training for midshipmen is the Sexual Harassment and Assault Prevention Education program, a tiered approach aligned with the four-year USNA curriculum. The curriculum includes embedded concepts of the continuum of harm, as well as building leadership ethics and culture. The program deconstructs cultural myths about accepted behaviors and provides practical intervention tools for leaders. In addition to the formal Sexual Harassment and Assault Prevention Education course, midshipmen receive briefings by SAPRO staff members at the fall and spring brigade reforming and prior to summer training. The briefings increase awareness, identify specific risks, and provide bystander intervention training. Since 2012, midshipmen also receive SAPR-L and SAPR-F training.

New Officer Training

The Officer Training Command curriculum requires training on SAPR, inappropriate touching, and fraternization. Students receive a brief from the chaplain and initial SAPR training. Over the nine-week program, additional SAPR training covers the definition of sexual assault, reporting options, and the role of the SARC and SAPR Victim Advocates (VAs). The course supervisor also briefs students on bystander innovation during liberty briefs. All students receive brochures and wallet-sized cards during initial SAPR training. Handouts contain explanations of the reporting options as well as the DoD Safe Helpline contact information. The command also provides a designated room and telephone for Sailors to make private Safe Helpline calls.

Navy ROTC units provide initial SAPR training to midshipmen during freshman orientation. Sophomore, junior, and senior ROTC midshipmen complete SAPR-F/L training within the first 90 days of the fall semester. Posters in the unit spaces prominently display SAPR and Safe Helpline information.

SAPR Stand-down

In 2013, the Secretary of Defense directed a DoD-wide SAPR stand-down. Navy command triads held a two-hour stand-down and facilitated a small-group, open discussion. The conversation focused on generating the right command environment, the role of leadership, sexism and sexual harassment, and fair and equal treatment. The stand-down led to many dynamic conversations that helped connect Sailors and leadership, enhancing command cohesiveness. Sailor response was overwhelmingly positive, many commenting positively on providing a venue in which Sailors could openly communicate with their command leadership.

Additional Training and Awareness

Navy continually seeks any and all opportunities to enhance and supplement training and awareness, carefully balancing the correct training dosage to ensure effectiveness. Sexual Assault Awareness Month (SAAM) campaigns enable Navy to target demographics within the force and assure consistent messaging of creating a respectful and professional environment. SARCs collaborate with command SAPR personnel to execute more than 575 prevention-based activities annually. In FY13, a wide range of events and programming provided prevention outreach and training to over 113,000 personnel throughout Navy installations.

Every April, SAAM commits to raise awareness and promote the prevention of sexual violence with special events and public education. SAAM observance adds to ongoing efforts to reinforce Navy's commitment to strengthening a professional climate. SAAM plays a role in command climate improvement, teaching the cultural imperatives of mutual respect and trust, team commitment, and professional values. SAAM activities support an environment that prohibits unequal treatment, sexual harassment, and sexual assault.

Under CNO's direction during SAAM 2012, all Navy commands held an unprecedented two-hour SAPR stand-down with face-to-face discussions for all unit members. To facilitate the unit stand-downs, commands were provided training modules and reference material to include facilitation guides and recorded interviews of Navy leaders discussing sexual violence in the Navy.

Navy encourages command-level innovation to train and educate Sailors. Initiatives include personal videos, blog posts, web forums, and SAPR-related magazine articles. During SAAM 2012, U.S. Pacific Fleet hosted a SAAM Breakfast to receive direct input on the effectiveness of training from Sailors, and to solicit perceptions on sexual assault issues. Also in support of SAAM 2012, Pacific Fleet Sailors at Joint Base Pearl Harbor-Hickam raised awareness by displaying pairs of shoes to represent the Navy sexual assault victims in the previous year.

Next Training Steps

Navy has two new training projects in development. The first is Bystander Intervention to the Fleet training, a peer-delivered skills training to enable Sailors to identify situations that require intervention, and have the skills necessary to actively and safely intervene. The second training, Living Our Core Values: Chart the Course, will combine video vignettes and small group-facilitated discussions to address continuum of harm behaviors including sexism, sexual harassment, and sexual assault.

1.5 INTERVENTION AND PRESENCE

In addition to institutional and leadership levels of engagement in prevention efforts, individual Sailors must act to reduce sexual assault incidents. Among other personally driven motives, Sailors learn to intervene and support one another with bystander intervention.

Bystander Intervention

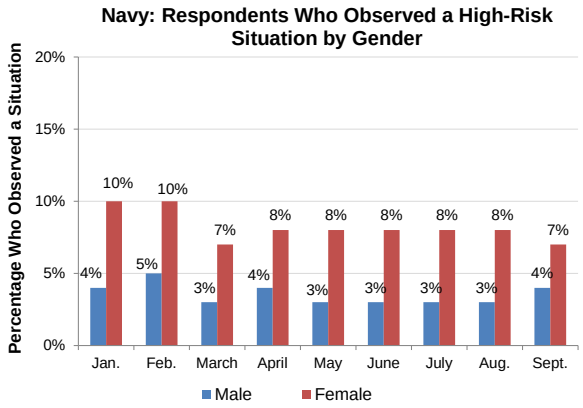
Bystander intervention is a major tenet of Navy prevention strategy. Bystander intervention positively impacts command climate so that Sailors feel safe among each other, and empowers them to intervene on another Sailor's behalf, if necessary. Navy emphatically encourages bystander intervention in SAPR-related trainings at all levels. The Great Lakes SAPR program supported a lead initiative by providing a bystander intervention program for all students assigned to advanced skill training sites (A Schools). In FY13, the SAPR program and Fleet and Family Support Center counselors supported 598 classes with over 14,000 Sailors attending.

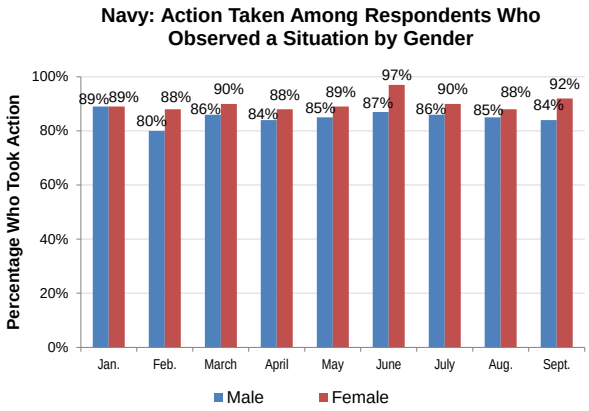
Sailors receive different forms of bystander intervention training to help them recognize situations which require action and understand how to safely intervene. One training scenario uses Sailors and actors to role play real life situations where intervention is necessary. The team training event creates unit cohesion which carries over to Sailors working together to protect and help each other. Additionally, a U.S. Pacific Fleet social media campaign in 2014 developed the hashtag #StepUpStepIn, to promote bystander intervention related to sexual assault. The #StepUpStepIn hashtag appeared on social media more than 100 times since March 2014, resulting in more than 1,000 likes, shares, and retweets.

The Defense Equal Opportunity Management Institute (DEOMI) Organizational Climate Survey (DEOCS) is a confidential, command-requested development survey focused on issues of equal opportunity and organizational effectiveness. Navy mandates that commands conduct the DEOCS within 90 days of a change of command, and annually thereafter. Navy uses DEOCS results to indicate the effectiveness of bystander intervention training. Figure 2 shows monthly trends from 2014 that Sailors do intervene. A difference in responses between male and female intervention highlights the need for continued focus on training and establishing a standardized perspective to determine high-risk situations. High-risk situations are defined as situations that were,

or could have led to, a sexual assault.

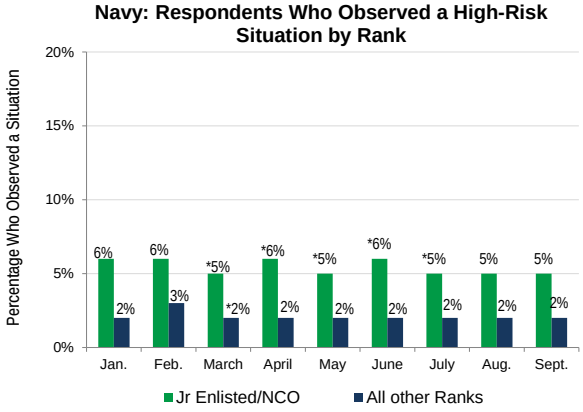
Figure 2: Bystander Intervention by Gender (2014)

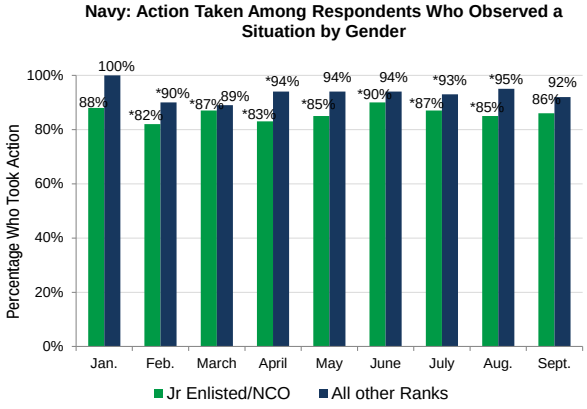




Results also reveal an intervening action gap between ranks. Figure 3 shows that junior Sailors are more likely to observe a high-risk situation, yet are slightly less likely to act, compared to other ranks shown in the graph below. Bystander Intervention to the Fleet training is designed to empower junior Sailors to feel more confident in intervening.

Figure 3: Bystander Intervention by Rank (2014)





Tactical Improvements

Navy implemented several tactical prevention initiatives. Command surveys of facilities identified areas that required better lighting, visibility, and other safety improvements to reduce the vulnerability of Sailors. In October 2013, all Navy Fleet Commanders instituted roving barracks patrols, led by senior enlisted personnel or experienced junior officers, to increase the visible presence of leadership to deter behavior that may lead to sexual assault or other misconduct. Personnel assigned as barracks resident advisors are screened to ensure they are mature, effective leaders, and receive resident advisor training. All Sailors residing in barracks attend indoctrination training, which includes a sexual assault prevention module, within 30 days of occupancy.

1.6 PARTNERSHIPS ACROSS NAVY

Navy leadership created avenues to ensure a cohesive workflow across organizations. The CNO SAPR cross-functional team is a multidisciplinary forum creating synergy and focused effort among Navy stakeholders. Major stakeholders represent disciplines such as policy and resourcing, investigations, legal, medical support, victim advocacy, and fleet organizations. Stakeholders collaborate on prevention initiatives, response and support, training, and policy and legislation.

A U.S. Fleet Forces Task Force combined leadership from Navy fleet and shore infrastructures to undertake initiatives across the five SAPR LOEs. This ensures synergy across Navy, shares knowledge, and coordinates across the Navy enterprise for a comprehensive solution.

Most U.S. Pacific Fleet regions have a periodic SAPR council meeting led by the region commander with major Fleet and Force level Flag Officers in the same geographic area. These meetings assist in aligning program goals, sharing best practices, and identifying leading indicators that may require leadership awareness and action.

Personal Readiness Summits, co-sponsored by Office of the Chief of Naval Operations and U.S. Pacific Fleet, cover SAPR briefings to leadership, program managers and deckplate supervisors. In FY11, 4,900 Sailors were trained, and the summit grew over the years to reach more than 24 naval installations and nearly 15,000 Sailors of all ranks in FY13.

1.7 POSITIVE TRENDS

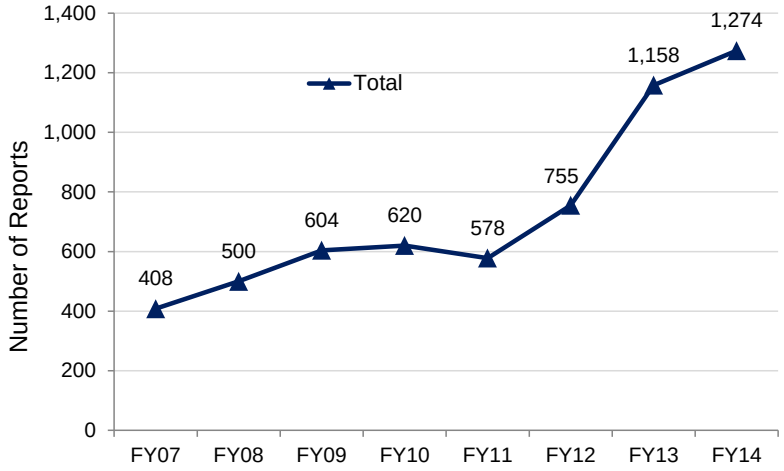
Navy's prevention efforts center around creating a command climate that sets the conditions in which sexual assault, and other continuum of harm behavior is not tolerated. Navy uses sexual assault reporting numbers and command climate assessments as two measurement tools to assess progress in prevention efforts.

The DEOCS specifically asks Sailors to rate their perceptions of leadership support for SAPR. Sailor perceptions averaged between 'agree' and 'strongly agree' since this question was added to the DEOCS, and these positive responses continued.

Assessing Command Climate through Reports

Sexual assault is an underreported crime. Increasing the number of sexual assault reports is an indicator of command climate improvement. When a Sailor trusts the command to respond appropriately, he or she is more likely to make a report. Therefore, Navy aims to increase confidence in the confidentiality and quality of program resources to help Sailors feel empowered to report. Figure 4 shows the positive trend of increased sexual assault reports, in part due to positive command climates where victims feel more comfortable in reporting. FY14 Reports are trending at 10% over FY13.

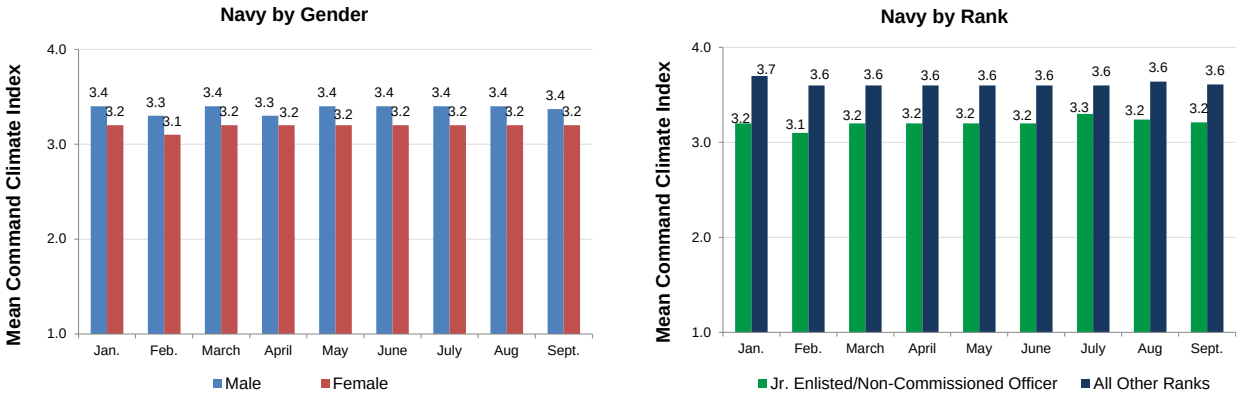
Figure 4: Navy Reports of Sexual Assault



Perceptions of Command Climate

Metrics from the DEOCS indicate Sailors view their command's climate positively. Results show commands promote a climate based on respect and trust, and actively discourage sexist comments and behaviors. As seen from the 2014 monthly trends in Figure 5, a slight gap exists with females and junior enlisted personnel having a slightly lower perception of command climate at their commands, but these groups still trend positively. Navy will continue to improve the perception of command climate and culture with engaged leadership and a respectful working environment.

Figure 5: Command Climate Index (2014)



Surveyed Estimated Prevalence of Sexual Assault

The 2014 estimated prevalence results using the comparable 2012 WGRA survey methodology indicate that 5.1% of women experienced unwanted sexual contact, a decrease from the 7.2% of women in 2012, and 1.1% of men experienced unwanted sexual contact, compared to the 2.7% men in 2012. These results are a step in the right direction, and indicate that Navy's SAPR efforts are working. Navy will continue with prevention efforts, setting the conditions for a command climate that does not

condone, tolerate, or ignore sexual assault.

1.8 CONCLUSION

Navy maintains high expectations from every member of the Total Force, and is dedicated and determined to foster an environment of complete respect and trust. Preventing sexual assault is a Navy problem that requires a Navy solution. Every member of the Navy team must be actively engaged to prevent sexual assaults from occurring. Strong leaders at the forefront demonstrate Navy's prevention efforts. Sailors receive specialized training to increase SAPR education and awareness, and support their peers to ensure they stay safe.

Innovation and strategic thinking drive the creation and implementation of new programs. Setting and adhering to expectations of professional behavior and an environment of mutual respect is critical to Navy's success, and will be accomplished through efforts at the institutional, command, and individual levels. All Sailors deserve, and must expect, a safe and secure work and living environment, and a culture intolerant of sexual harassment and sexual assault.

Response to sexual assaults is, in itself, a prevention tool. Navy is committed to professional and independent investigative capability, a fair and just adjudication process, and focused and compassionate support and advocacy for victims.

Line of Effort 2: Investigation

2.1 INTRODUCTION

If prevention measures fail and a sexual assault incident involving a Sailor occurs, Navy responds with thorough investigations, actions to support the victims, and a fair and transparent process to hold offenders appropriately accountable. The DoD Inspector General instruction requires that Military Criminal Investigative Organizations investigate all reports of sexual assault, to include contact offenses. Therefore, all Unrestricted Reports of sexual assault within Navy are referred to NCIS (or another Service Military Criminal Investigative Organization in certain locations), regardless of severity, with the goal of yielding timely and thorough investigations. Commands are specifically directed not to conduct internal investigations for reports of sexual assault and must immediately notify NCIS upon receipt of a report.

2.2 POPULATIONS AFFECTED

NCIS is the key organization responsible for investigating Unrestricted Reports of sexual assault within Navy. NCIS investigations will likely involve the victim, alleged offender, and witnesses. Other first responders or entities involved when a sexual assault is reported include SARCs, SAPR VAs, chaplains, healthcare professionals, staff judge advocates, trial counsel (prosecutors), Victims' Legal Counsel (VLC), and

other Special Victim Capability (also known as Special Victim Investigation and Prosecution capability personnel), as well as other Victim Witness Assistance Program personnel.

Sexual Assault Victim

In a continuing effort to improve SAPR efforts, a DoD-wide Survivor Experience Survey was launched in June 2014 to provide a mechanism to receive feedback from sexual assault victims. The survey asks about the victim's experience with the entire response process, and specifically about their experience with the military investigation process. The results will provide unprecedented insight into how victims perceive Navy's response system and highlight opportunities for further improvement.

Navy anticipates and expects that victims will be kept better informed of the status of their case with the expansion of the victim advocacy team. Victim Advocacy and Assistance (LOE 4) addresses support offered to victims in greater detail.

Sexual Assault Response Coordinators

SARCs play a key role in investigations as they are often the first responders when Sailors report sexual assaults. The SARCs coordinate appropriate and responsive care to sexual assault victims and notify the victim's CO of the sexual assault report.

Naval Criminal Investigative Service

NCIS first established dedicated agents to work on adult sexual assaults, child sexual/physical abuse, and domestic violence crimes in the mid-1990s. Through the years, NCIS continued to build a cadre of agents dedicated to working what are now termed "special victim crimes."

NCIS receives notification of Unrestricted Reports through various channels including directly from victims, SARCs, commands, local authorities, and friends and family of victims. Command notifications are the most common initiations of investigation. Command personnel are often the first to identify changes in behaviors for the involved parties and sometimes become the first confidants.

2.3 PROCESS/PROCEDURAL UPGRADES AND EFFICIENCIES

Uniform Code of Military Justice

In June 2012, Congress revised Article 120 of the UCMJ, and in January 2013 DoD policy was revised requiring Military Criminal Investigative Organizations to investigate all allegations of sexual assault, to include contact offenses and attempts, regardless of the severity of the allegation. That change led to an immediate increase in case loads for NCIS as they previously focused primarily on penetration offenses. In addition to the change in policy, reports of sexual assault within the Navy also increased, impacting the

capacity to conduct investigations and requiring additional manpower to be directed away from other investigations and operations. From June 2012 through 2014, NCIS saw an 85% increase in the number of reported adult sexual assaults. The volume of investigations resulted in NCIS having to recode many criminal investigation billets to support the Family and Sexual Violence mission, which investigates sexual assaults.

Due to the increase in sexual assault reporting, NCIS received 54 billet enhancements from DON in July 2013. These billets encompassed 41 special agents and 13 support staff personnel. The special agents completed six months of training at the Federal Law Enforcement Training Center and are currently assigned to field offices participating in the Field Training Evaluation Program. During the field training, new special agents investigate crimes such as larcenies, burglaries, and drug offenses to gain experience and further develop their investigative skills. These special agents do not work sexual assaults cases, but their presence allows for the more experienced agents to solely focus on investigating sexual assault cases.

In an effort to assist NCIS in investigating the increased number of reported sexual assaults, NCIS partnered with Navy to activate 23 Master-at-Arm (MA) Reservists for a one-year period. Mostly state and local police officers and detectives, these Reservists already possess the investigative expertise needed to investigate sexual assault allegations. Upon activation, the Reservists attended five-weeks of instruction on NCIS policy at the Federal Law Enforcement Training Center, advanced interviewing and interrogation techniques, crime scene processing and management, and advanced sexual assault training. MAs, under the direct supervision of NCIS special agents, are currently working on caseloads at their assigned duty stations. Additionally, NCIS will begin a three-year pilot program in early FY15 to professionalize and enhance the investigative capabilities of active duty MAs. Upon completion of the same five-week course attended by the Reservists and an eight-week Military Police Investigator's course, 12 selected active duty MAs will be assigned to NCIS field offices as investigators under the supervision of NCIS special agents.

Sexual Assault Forensic Examinations

Sexual Assault Forensic Examinations (SAFE) gather evidence that may aid in an investigation. Medical treatment and access for victims necessitated development of a robust, integrated, interdisciplinary program to ensure 24/7 availability of a SAFE in the major military treatment facilities. Program managers are actively engaged in laying the groundwork for sustaining proficient, confident, caring, SAFE providers to meet the needs of victims of sexual assault. Military treatment facilities around the globe trained a total of 324 Navy SAFE providers. In U.S. Fleet Forces, 287 providers are trained to provide SAFE care on 123 surface, air, expeditionary, and submarine platforms. In the Pacific Fleet, 191 healthcare providers are trained to provide SAFE care on 142 surface, air, and submarine platforms. Additionally, 57 providers attached to the Military Sealift Command underwent SAFE training. All Navy ships have a SAFE trained medical provider assigned.

Interagency Collaboration

Navy increased collaboration with other government agencies to improve procedural interoperability for the collection of evidence. Since 2012, DON SAPRO collaborated with the Department of Justice, the Navy Bureau of Medicine and Surgery (BUMED), and local stakeholders to explore the feasibility of telemedicine support for SAFEs at remote sites. BUMED coordination efforts serve the dual purpose of enhancing compassionate medical support for sexual assault victims while also improving the professional collection of forensic evidence for criminal investigations and prosecutions. SAFE kits processed through the U.S. Army Criminal Investigation Laboratory undergo a quality assurance review and have significantly faster processing times, averaging 70-78 days, versus 180 days in civilian laboratories.

Text & Web Tip Line

In December 2011, NCIS established the Text & Web Tip Line program as part of the "See Something, Say Something" campaign. The NCIS Text & Web Tip Line is an anonymous tip collection system that has proven invaluable in collecting actionable intelligence in support of the criminal investigative mission. It gives Sailors a discreet, secure, and anonymous reporting option to report crimes or concerns without fear of retaliation from peers, or perceived pressure from within the chain of command. This encrypted system equipped NCIS with the ability to provide direct feedback and real-time connectivity with the tipster across multiple platforms. The reporting party may remain anonymous or refrain from participating in an investigation. To date, NCIS has received 99 tips pertaining to allegations of sexual assault within Navy.

Judge Advocates Serve as Article 32 Hearing Officers

Navy continues its practice of using judge advocates to serve as investigating officers for Article 32 hearings in order to enhance competence in the investigation of sexual assaults. On August 14, 2013, the Secretary of Defense implemented seven initiatives to gain greater consistency of effort and enhance oversight, investigative quality, pretrial investigations, and victim support. One of the initiatives mandated judge advocates to serve as investigating officers for all Article 32 hearings on sexual assault offense charges. Navy formally adopted the requirement in policy.

2.4 NAVY INNOVATIONS AND BEST PRACTICES

NCIS also expands beyond its primary investigative function to offer education and training to commands with specific briefs focused on awareness, prevention, and bystander intervention. NCIS special agents provide training for SAPR VAs, command stand-downs, and other SAPR-related events.

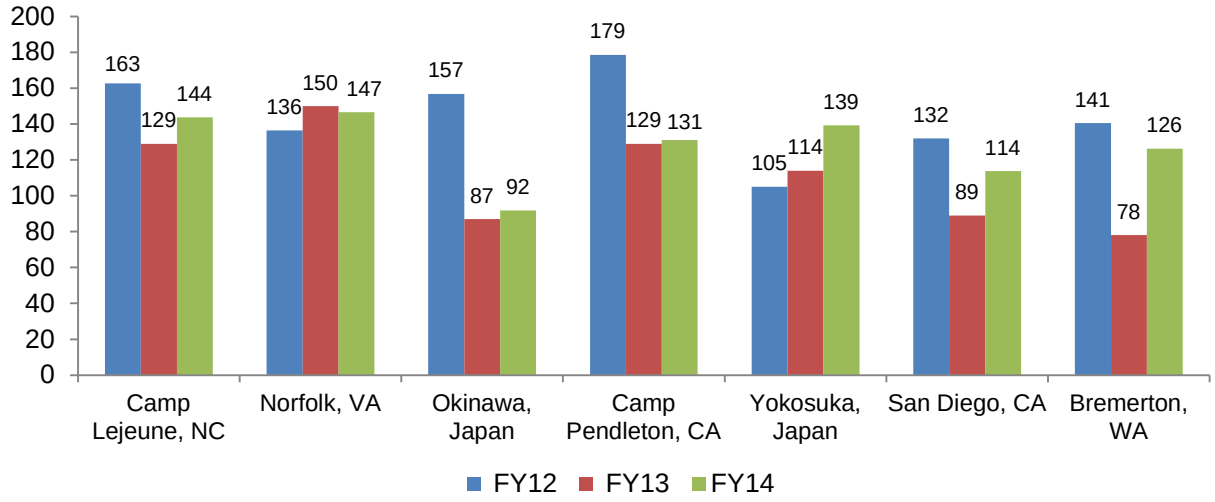
Investigation efforts focus on ensuring due process to both the victim and alleged offender. As a component of Navy's Special Victim Investigation and Prosecution team, within 48 hours of a reported sexual assault, NCIS collaborates with Navy prosecutors

responsible for the potential prosecution of the alleged offender. The goal of this collaboration is to ensure the investigation meets the legal standards for prosecution.

Adult Sexual Assault Program

NCIS created the Adult Sexual Assault Program (ASAP) to provide a distinct and recognizable group of personnel to investigate sexual assault related offenses. This initiative is an operational shift whereby dedicated teams of NCIS personnel investigate reports of sexual assault. Upon receiving a report, ASAP personnel employ a surge team response to complete investigative activity in a timely manner, resulting in the faster delivery of an investigative package to the convening authority (the individual responsible for adjudicating the case). Members of the team collaborate with prosecutors and victim advocate personnel, in accordance with Congressionally mandated Special Victim Capability criteria, also known as Special Victim Investigation and Prosecution capability. ASAP teams are located in the largest fleet concentration areas where the volume of sexual assault reports is the greatest. NCIS established ASAP teams in seven locations. Most importantly, ASAP teams increased investigation performance while sustaining the quality and thoroughness of investigations. Figure 6 shows the implementation of the ASAP's impact on investigation length by location.

Figure 6: ASAP Offices Average Days for Active Investigation



NCIS investigation timelines are calculated from initial notification until the date all investigative leads are completed and the case is forwarded to command for administrative or judicial action. The average timeline for FY13 NCIS investigations in offices with ASAP teams was 110 days, which is a 24% decrease from 144 days in FY12. However, FY14 shows a spike in investigation timelines to 127 days. This increase can likely be attributed to the increase in the number of reported sexual assaults, and changes in the requirement for Military Criminal Investigative Organizations to investigate all allegations of sexual assault to include contact offenses.

Crime Reduction Program

The NCIS Crime Reduction Program continues to publicly address criminal activity that impacts the military community. Partnering with DON, the Crime Reduction Program uses meetings, speeches, and briefs to raise sexual assault awareness, increase victim and Service member confidence, and promote bystander intervention. Crime reduction efforts focus on reducing the occurrence of sexual assaults.

2.5 TRAINING ENHANCEMENTS

NCIS made substantial advancements to enhance the quality and quantity of investigation training since 2011. NCIS employs a three-phased approach to sexual assault training covering basic, refresher, and advanced training. These efforts include establishing basic investigative skills, honing core competencies, and advancing subject matter expertise of sexual assault investigations. NCIS develops and conducts training in collaboration with prosecutors, psychologists, OJAG's Trial Counsel Assistance Program (TCAP) and Criminal Law Division, SARCs, sexual assault nurse examiners, the U.S. Army, and U.S. Air Force.
To meet Special Victim Capability requirements, special agents and investigators must attend advanced training in adult sexual assault, child physical and sexual abuse, and domestic violence. Both NCIS courses, Advanced Adult Sexual Assault Investigation Course and the Advanced Family and Sexual Violence Training Program, meet stipulated requirements.

NCIS' goal is to provide advanced training to all personnel who could potentially respond to, and/or investigate adult sexual assault. This advanced training focuses on the effects of trauma on the memory of victims who have been sexually assaulted. Additionally, special agents and investigators training includes understanding and respecting a victim's immediate priorities; ensuring victims that their criminal complaint will be taken seriously and fully investigated; establishing transparency and trust with the victim; helping to restore the victim's sense of control; explaining the investigative process to the victim; and understanding interview techniques that can assist the victim's recollection. NCIS currently employs 1,050 special agents and investigators, with 161 dedicated solely to investigating Special Victim Capability crimes.

Since August 2012, 118 of the dedicated personnel and 140 non-dedicated personnel have attended training for adult sexual assault investigations. Prior to the FY14 Q3, satisfying training requirements was difficult, as the only advanced training available to NCIS was the U.S. Army Criminal Investigation Division's Special Victim Unit Investigations Course. The Army course is taught only once per month and NCIS had a limited number of training seats per course. To accelerate training of agents, in FY14 Q4, NCIS developed and commenced a NCIS-specific Advanced Adult Sexual Assault Investigators Course, held at the Federal Law Enforcement Training Center. To date, 258 NCIS Special Agents and Investigators have attended the advanced training in sexual assault investigations, and with continued funding in FY15, NCIS will offer 11 additional courses.

2.6 CONCLUSION

NCIS continues to enhance the skill sets of special agents and investigators as subject matter experts in sexual assault investigations. NCIS will continue to evaluate and revise in-service training for NCIS personnel to ensure it meets statutory requirements and community standards. The quality of NCIS training courses led to improvements on procedural efficiency across the entire Fleet. Navy continues to innovate with programs including SAFE capability, Text & Web Tip, and ASAP. These measures demonstrate the dedication Navy and NCIS put forth to provide commanders with the best information to hold offenders who commit sexual assault appropriately accountable.

Navy's primary goal is to prevent sexual assault by creating an environment in which Sailors and leaders do not tolerate, condone, or ignore sexual assault. However, if prevention efforts fail, Navy is committed to ensuring thorough investigations are conducted of all sexual assaults. Navy will maintain and improve its high competence in sexual assault investigation and foster coordination between investigators and judge advocates. Investigative personnel discover and prepare evidentiary information about the allegation of sexual assault so that commanders, with the advice and assistance of staff judge advocates and trial counsel, have the necessary information available to adjudicate the case and hold offenders appropriately accountable.

Line of Effort 3: Accountability

3.1 INTRODUCTION

Navy understands, institutes, and emphasizes the importance of accountability at the institutional, command, and individual levels. Accountability is more than a consequence for unacceptable behaviors; it also adds another level of deterrence for conduct throughout the continuum of harm. Command leadership must create a command climate intolerant of sexual harassment and sexual assault. Individual Sailors must treat each other respectfully and watch out for each other. Prevention (LOE 1) addresses these types of accountability for non-offenders. Pursuant to the DoD definition of LOE 3, this section focuses on Navy's disposition and adjudication processes to hold offenders appropriately accountable.

3.2 POPULATIONS AFFECTED

Sexual assault incidents involve multiple populations, services, and agencies in the adjudication of sexual assault cases. In order to hold offenders appropriately accountable and uphold due process of law, sexual harassment and sexual assault cases may proceed through many different disciplinary or administrative forums. Over the past three years, Navy increased the number of dedicated personnel, training, and resources to include judge advocates, Victims' Legal Counsel, NCIS, Special Victim Capability/Special Victim Investigation and Prosecution personnel, and other legal assistants. Additional personnel, training, and resources improved case load

distribution, and reinforced experience and expertise in cases involving reports of sexual assault.

Commanders

SAPR is more than a legal issue, it is a leadership issue. The performance, safety, and climate of a unit begin and end with the commander. As described in the "Charge of Command" that all Navy officers sign in the presence of their reporting senior upon taking command, COs are responsible and accountable for everything that happens on their ships, or in squadrons, or units. By virtue of experience, skill, and training, Navy commanders are the best assessors of their people and are the key to sustaining the readiness of their unit. To implement effective and permanent change in Navy, it must be done through commanders.

Navy understands many of the factors surrounding the majority of sexual assaults from analysis of sexual assault reports and cases. The commander is responsible to address these factors by fostering an appropriate command climate of dignity and respect for everyone, and ensure safe workplaces and living areas. Overall, the CO is responsible for good order and discipline of the unit and the well-being of Sailors.

The responsibility, authority, and accountability Navy places in the commander requires that he or she is provided with the tools to maintain appropriate readiness and safety every day. Military justice is one of those tools. The fundamental structure of the military justice system and UCMJ, centered on the role of the commander as the convening authority, supported by the staff judge advocate, is sound. Navy commanders are often required to make independent decisions far from shore, in uncertain or hazardous conditions. In this environment, it is essential that commanders be involved in each phase of the military justice process, from the report of an offense through adjudication under the UCMJ.

Trial Counsel

Navy's Regional Legal Service Offices have an experienced cadre of litigation specialists, and military justice expert judge advocates serving in litigation-intensive billets. This includes the nine regional Senior Trial Counsels which prosecute the most complex cases while supervising, mentoring, and training junior trial counsel. Navy Regional Legal Service Offices are supported by Navy's TCAP which provides seasoned advice, assistance, and support throughout all phases of the investigation and court-martial process. TCAP is staffed by both uniformed and civilian personnel, to include a nationally recognized former civilian prosecutor and a highly-qualified expert.

Defense Counsel

Alleged offenders are provided equally capable and qualified defense counsel through Navy Defense Service Offices. Operating under a four region construct, Defense Service Offices provide zealous defense to members accused of sexual assault.

Similar to TCAP for the prosecutors, defense counselors have reach-back capability to the Navy's Defense Counsel Assistance Program which also has a highly-qualified civilian expert providing advice, assistance, and training to uniformed defense counsel.

Staff Judge Advocates

Navy commands are also required to consult with judge advocates in every sexual assault case. In addition, commanders must specify the judge advocate consulted prior to taking final disposition action and submitting the close-out report. This helps ensure visibility of all sexual assault cases and judge advocate consultation prior to a command disposing of a case. Staff judge advocates also provide formal, written legal advice to general court-martial convening authorities pursuant to Article 34, UCMJ prior to the convening authority referring charges to a general court-martial.

Victims' Legal Counsel

The Navy VLC Program was established in August 2013. VLCs provide independent legal counsel to sexual assault victims. VLC is considered one of Navy's best practices because in addition to providing legal advocacy and support for victims of sexual assault during the military justice investigation and adjudication processes, it contributes to victims participating in the entire military justice process. Navy VLCs specifically assist victims to understand and exercise reporting options; work with victims through the investigative and military justice processes; advocate for the victim's rights and interests; and help victims obtain access to other support resources.

Naval Criminal Investigative Service

Close coordination between NCIS agents and judge advocates enhances Navy's ability to share investigative information for proper adjudication. Over the years, two NCIS Sexual Assault Task Forces conducted a pilot program with judge advocate prosecutors to ensure early collaboration and ongoing multidisciplinary review of cases at the Senior Trial Counsel and supervisory special agent level. Navy's Victim and Witness Assistance Program personnel advise victims and witnesses of their rights. NCIS agents and trial counsel work with Victim and Witness Assistance Program personnel to provide initial notification and information. Trial counsels have responsibility for advising victims at key milestones throughout the courts-martial process.

Special Victims Investigation and Prosecution Capability

OJAG established a Special Victim Capability for prosecutors, paralegals, and legal support personnel, known as the Special Victim Investigation and Prosecution group. As defined by FY13 National Defense Authorization Act, the Special Victim Investigation and Prosecution group works with all professionals who investigate, prosecute, and provide support for allegations of sexual offenses. This group of skilled professionals includes Military Criminal Investigative Organization investigators, judge advocates, Victim and Witness Assistance Program personnel, and administrative paralegal

support personnel. In September 2013 and 2014, Navy offered Special Victim Capability Courses to personnel in these roles. Due to the presence of Special Victim Capability personnel at the training, it enhanced the competency of judge advocates and increased collaboration between Special Victim Investigation and Prosecution personnel. This helps ensure a more thorough investigation, enhanced victim support, and appropriate accountability in sexual assault cases.

Alleged Offenders

Navy policy requires Service members who commit sexual misconduct, to include rape, sexual assault, stalking, forcible sodomy, child sexual abuse, possession or distribution of child pornography, and incestuous relationships to be processed for administrative separation. In FY13, Navy began releasing courts-martial results on a public domain website, and continues to do so to increase transparency of accountability actions and to serve as a deterrent to others.

3.3 NAVY INNOVATIONS AND BEST PRACTICES

Military Justice Litigation Career Track

In 2007, to improve the overall quality of Navy court-martial litigation, the Judge Advocate General (JAG) Corps established the Military Justice Litigation Career Track. JAG Corps officers apply for designation as military justice specialists or experts based on their litigation experience. Military Justice Litigation Qualified officers are detailed to lead trial and defense departments at Regional Legal Service Offices and Defense Service Offices, which provide Navy prosecutors and defense counsel, respectively. These officers provide proven experience in the courtroom, personally conducting, adjudicating, or overseeing litigation in sexual assault and other complex cases.

The capstone position of the Military Justice Litigation Career Track is the Chief Judge of DON. This officer is one of four Assistant Judge Advocates General and is eligible for promotion to the rank of O-7 upon retirement. This position promotes vitality and career progression to Flag Officer rank for Navy judge advocates with significant military justice expertise. The Military Justice Litigation Career Track program increases the experience levels of trial and defense counsel and leverages that experience to enhance the effectiveness of criminal litigation practice.

Many mid-career Military Justice Litigation Qualified officers are also sent to a year of post-graduate education and earn advanced law degrees in litigation and trial advocacy.

In 2014, Navy made the deliberate decision to elevate the rank and experience of the senior trial and senior defense, assigning officers with approximately 15 or more years of service and experience into the litigation billets at the largest installations that have the heaviest caseloads. This will ensure that not only will the most difficult cases receive the highest levels of advocacy, but that these career litigators will be able to more effectively mentor and groom junior counsel.

Civilian Externships for Prosecutors

To further refine the JAG Corps' litigation capabilities, in 2012 the Navy established an externship program and assigned two mid-level Military Justice Litigation Qualified career officers to work in the sex crimes units in the Office of the State Attorney in Jacksonville, Florida, and the San Diego District Attorney's Office in San Diego, California. These six-week clinical training externships enabled the officers to gain valuable practical experience and insight into how civilian prosecutor's offices manage a high volume of sexual assault cases. In May 2014, the Secretary of the Navy submitted an additional request to DoD for assignment of three additional Military Justice Litigation Qualified officers to three other civilian jurisdictions.

Victims' Legal Counsel Best Practices

VLCs advise and assist sexual assault victims in understanding and participating in the military justice system. Increased understanding of military justice disciplinary processing assists victims in playing a more effective role in those processes when they choose to do so. As of July 2014, VLCs engaged NCIS/law enforcement on over 600 occasions, trial counsel on more than 1500 occasions, and defense counsel on over 130 occasions in working with victims. VLCs, upon request of their clients, advocate on behalf of victims at pre-trial motions hearings and Article 32 investigations, and are present at courts-martial to answer questions and prepare victims for their testimony. Victims report greater confidence and trust in participating in the military justice process after working with VLCs.

Naval Justice School Best Practices

The Naval Justice School provides the majority of Navy judge advocate training and prepares each judge advocate for courtroom litigation. From FY11-14, the Naval Justice School trained 264 Navy judge advocates in the Basic Lawyer Course. All judge advocates must complete the 10-week Basic Lawyer Course in order to receive Article 27(b), UCMJ certification. The Naval Justice School also offers Basic and Intermediate Trial Advocacy Courses, as well as a specialty course on litigating complex cases.

The Prosecuting Alcohol Facilitated Sexual Assault course specifically addresses cases in which alcohol is a factor. It demonstrates to judge advocates how to make charging decisions in sexual assault cases, analyze credibility and corroboration, and try the case. The Defending Sexual Assault Cases course, in conjunction with the Center for American and International Law, provides defense counsel training on sexual assault litigation. The Prosecuting Alcohol Facilitated Sexual Assault and Defending Sexual Assault Case courses are among the best-attended Naval Justice School military justice courses.

The Naval Justice School continues to offer numerous courses and standardized training to judge advocates and senior officers from the fleet that cover sexual assault related topics. The number of graduates for each course is indicative of the success in

providing SAPR and sexual assault related training in the area of military justice to judge advocates and leaders from the fleet.

3.4 PROCESSES/PROCEDURAL UPGRADES AND EFFICIENCIES

Improved Legal Structure for Handling Cases

In October 2012, OJAG reorganized the Naval Legal Service Command to meet the Navy's evolving demands for expeditionary legal services support, while continuing to provide quality military justice services. The realignment changed the way Sailors receive defense services in 12 locations around the fleet. Similar to procedures at sea, Sailors requesting defense services such as representation for courts-martial or administrative boards will make initial contact with an attorney by telephone or other remote communication technology, with subsequent in-person consultation arranged if necessary. As part of the realignment, the JAG Corps refocused the first two years of all new judge advocate careers by implementing a comprehensive training program in prosecuting and defending cases, providing legal assistance, and advising commands.

Collaboration Outside of Navy

Navy judge advocates also improved efficiencies by working collaboratively with other government agencies and DoD services. Judge advocates attended various outside courses, including those taught by the U.S. Army, U.S. Air Force, Department of Justice, and National District Attorney's Association.

Navy judge advocates attended an advanced trial advocacy course held at and administered by the Center for American and International Law. The course material included substantive lectures and practical segments regarding how to provide an effective defense in sexual offense cases.

In Special Victim Capability cases, experts and the government civilian attorney play a key role in enhancing information flow and knowledge sharing, promoting consolidation of government resources and collaboration between investigators and trial counsel located worldwide. These examples demonstrate increased interoperability between Navy, other military Services, and civilian organizations that led to greater cohesion in efforts to combat sexual assault.

3.5 TRAINING ENHANCEMENTS

Navy continuously adds new training modules to increase the abilities and capacity of individuals involved in accountability for sexual assault. The Naval Justice School and the Litigation Trial Training Coordination Counsel developed courses unique to sexual assault.

Naval Justice School

The Naval Justice School offers several annual trainings for officers in senior, legal, and command roles. The Naval Justice School CO leads a two-hour seminar discussion 14 times per year as part of the Naval War College's Major Command Course. While the seminar covers a variety of legal topics, the single largest portion concentrates on the commander's responsibilities in sexual assault cases. Additionally, the Naval Justice School hosts a three-day Senior Officer Course 38 times per year. Students receive special training on issues involving sexual assault, equipping them to properly handle reports of sexual assault incidents. The Naval Justice School also hosts a Legal Officer course at its east and west coast detachments. This three-week course includes SAPR training designed to increase legal officers' understanding of legal issues they face when a case of sexual assault arises within their command.

The Naval Justice School now offers two newly created courses called Trial Counsel Orientation and Defense Counsel Orientation. These courses begin with the basics of trial litigation for new or returning trial practitioners, and move to the intricacies of litigating complex cases such as sexual assaults, child homicide, and child pornography cases.

Foundational Judge Advocate Training

In 2012, the Navy JAG Corps implemented the First Tour Judge Advocate program, requiring all new judge advocates to complete six-month rotations in legal assistance, trial, defense, and command services for their first two years of service as a judge advocate. Navy Legal Assistance attorneys also received training focused on delivering direct legal assistance to victims, assisting with a wide variety of legal issues associated with sexual assault. These efforts are designed to ensure understanding of victims' rights and the courts-martial process.

Specially Trained Trial Counsel

In September 2013, OJAG's criminal law division offered the first Special Victim Capability course to train prosecutors, paralegals, SAPR VAs, and judge advocates. The training focused on understanding the dynamics of special victim crimes, working with victims, and increasing collaboration of effort within the military justice system. This course improved and enhanced victim care, victim support, prosecution support, and provided a more comprehensive and standardized response to allegations of sexual assault, child abuse, and serious domestic violence offenses. OJAG offered this course again in 2014, with increased attendance and expansion of sexual assault-related topics.

The JAG Corps continues to work with the Family and Sexual Violence Units, to include the ASAP teams. ASAPs consist of advanced-trained sexual assault NCIS investigators, and work in collaboration with SARCs, SAPR VAs, and judge advocates through the investigation and prosecution process. The ASAP initiative also includes

early engagement with legal and victim advocacy personnel.

Under direction from OJAG's Criminal Law Division, the Litigation Training Coordination Council oversees all Navy litigation training. The council identifies and centralizes military justice litigation and trial advocacy training for both the prosecution and defense bars. It provides a macro-level comprehensive review of the training pipeline to ensure that the foundation learned at the Naval Justice School continues to build throughout an attorney's career.

All Senior Trial Counsel and a large majority of trial counsel attended the Prosecuting Alcohol Facilitated Sexual Assaults course and all prosecution offices completed a nine-hour online course of lectures on special victim offenses as of January 2014. The course collaborates with advisors from the Prosecutors Resource on Violence Against Women, to teach trial skills, seminars, and lectures on various aspects of prosecuting alcohol facilitated sexual assault. The Navy continues to staff Military Justice Litigation Qualified judge advocates to serve as Senior Trial Counsel. Additionally, Navy JAG Corps continues to offer fully-funded postgraduate legal education at civilian institutions to help ensure highly-trained and experienced trial and defense counsel.

Trial Counsel and Defense Counsel Assistance Programs

In October 2010, OJAG established the TCAP and Defense Counsel Assistance Program. In support of this initiative, Navy hired three highly-qualified experts who are former civilian prosecutors or defense counsel, in order to provide legal advice and support for both defense and government counsel on case preparation. Since their inception, the programs continue to grow and provide enhanced military justice training to both the trial and defense counsel, particularly in sexual assault cases.

TCAP supports the trial counsel and the staff judge advocates concerning their representation in the courts-martial and post-trial process. TCAP conducts annual inspections on each prosecution office to ensure compliance with instructions, emphasize new developments, and identify leading practices.

TCAP conducts training for trial counsel at every level of experience and expertise to educate and improve counsel judgment and performance. A myriad of training programs provide on-scene and online training to trial counsel in a variety of specialized areas. TCAP training includes annual mobile training team site visits with flexible training sections on special victims' crimes and process inspection. Mobile training teams conduct week-long training sessions in each of the nine Regional Legal Service Offices in coordination with NCIS, focusing on special victims crimes. TCAP sponsors subject matter experts to conduct an interactive web-based training through Defense Connect Online. TCAP also provides in-person training at the Special Victims Unit Investigations Course in Fort Leonard Wood, Missouri and the Federal Law Enforcement Training Center.

Highly-qualified experts from the Defense Counsel Assistance Program organized the Defense Counsel Orientation Course, which brought together military and civilian

defense counsel from all experience levels. This was designed to prepare new defense counsel to represent clients at courts-martial. The Defense Counsel Assistance Program provides enhanced legal knowledge on military justice issues, to include Military and Federal Rules of Evidence; common legal issues encountered in sexual assault trials; and expert assistants and witnesses.

Joint NCIS Training

The joint NCIS and Navy Prosecutor Advanced Adult Sexual Assault Training Program and Advanced Family and Sexual Violence Training Programs enable frontline NCIS special victims investigators and Navy trial counsel to receive advanced courses on the investigation and prosecution of adult sexual assault cases, including spousal rape, domestic violence, and child abuse. This training is held at the Federal Law Enforcement Training Center in Georgia.
Judge advocates also participated in a multidisciplinary Sexual Assault Investigation and Prosecution Course. Mobile training teams comprised of Navy TCAP, U.S. Marine Corps TCAP, NCIS instructors, Army Criminal Investigation Division, and other external instructors presented the course to assist sexual assault investigators and prosecutors. Topics included working with the victim from the initial interview through direct and cross-examination, case corroboration, the undetected rapist, and un-indicted co-conspirators. Specialized SAPR training will continue to enable judge advocates to better advise COs, alleged offenders, victims, and witnesses on SAPR-related issues.

3.6 CONCLUSION

Navy ensures judge advocates provide timely and competent advice to COs, alleged offenders, victims, and witnesses on SAPR-related issues; as well as conduct fair trials and other disciplinary and administrative proceedings with due process of law for all alleged offenders of sexual assault. Partnerships between judge advocates and NCIS facilitate efficient processes and synergies for sexual assault accountability. Navy will continue to hold offenders appropriately accountable.

Investigation and accountability capabilities are critical to responding to sexual assault. Thorough investigations and trials are also important to victim assistance, which will be discussed in the next section. Navy utilizes information derived from investigations and military justice proceedings to better educate victims about the military justice process. When victims are informed of the judicial process they are more likely to stay involved, often resulting in cases being tried, which is a major factor in the ability to hold offenders appropriately accountable.

Line of Effort 4: Victim's Advocacy and Assistance

4.1 INTRODUCTION

Navy strives to care for victims and strengthen their resilience following a sexual assault by providing high-quality response services and a safe environment. Victim support for

Navy active duty and reserve members relies on a broad coordinated network of support personnel: trained and certified SARCs, SAPR VAs, Deployed Resiliency Counselors (DRCs), chaplains, as well as medical and legal services providers. These victim support personnel are responsible for advocacy coordination, medical services, legal support and counseling for the victim. However, none of these services can occur without the victim first making a report. Victims have the option to make a Restricted Report, which gives them access to medical, counseling, and legal services if they prefer; or victims can make an Unrestricted Report, which alerts the command and initiates an NCIS investigation, in addition to medical help. Navy must instill confidence and trust to motivate victims to report, while striving to continually improve the level of victim support services available.

4.2 POPULATIONS AFFECTED

Personnel in a position to make first contact with a victim are critical to Navy's victim assistance efforts. Navy is working to ensure victim support personnel are accessible to assist victims, which includes availability for Reservists.

Sexual Assault Response Coordinators and SAPR Victim Advocates

SARCs are critical to providing victim assistance, as they integrate and coordinate victim resources. SAPR VAs are the primary means of ongoing support to the victim and the primary liaison between the victim and command leadership. All Navy SARCs and SAPR VAs are military personnel or DoD civilian employees, certified through the Defense Sexual Assault Advocate Certification Program prior to providing direct services to sexual assault victims.

In FY13, Navy executed the requirement of having at least one SARC and at least one full-time SAPR VA assigned to each brigade or equivalent unit level of the Armed Forces. For Navy, this requirement equates to a minimum of 64 SARC and 64 SAPR VAs. Due to the uniqueness of force distribution around the globe, Navy created additional billets to support the demand, ensuring easily accessible and certified personnel for victims. Nine of the SARC billets were established as regional positions to streamline communication and ensure better coordination and consistency of services between Commander, Naval Installations Command, regional leadership, and SARCs in the field.

In addition to full-time SAPR VAs, Navy has unit members who volunteer to take collateral duties as Unit SAPR VAs. Unit SAPR VAs also complete the same required training and certification. Over the last three years, Navy added over 2,000 Unit SAPR VAs, increasing the number from 3,352 in FY11 to 5,472 in FY14.

Deployed Resiliency Counselors

In July 2013, the Navy established DRC positions aboard all aircraft carriers and large-deck amphibious assault ships. The DRC is a civilian licensed counselor who supports

Sailors in deployed environments and serves as a liaison to shore-based SARCs. DRCs provide Sailors with critical support services during deployment by working cooperatively with military and civilian medical, social service, law enforcement, chaplains, and legal personnel on behalf of sexual assault victims. The DRC provides short-term individual therapy and educational training on Sailor resiliency topics, such as the prevention of sexual assault, suicide prevention, and substance abuse. The DRC ensures immediate victim response, needs assessment, referrals, and other coordination in response to allegations of sexual assault. They also conduct sexual assault awareness and prevention training, and oversee shipboard training and certification for Unit SAPR VAs. All DRCs are certified by the Defense Sexual Assault Advocate Certification Program.

Healthcare Providers

The victim-centered support for sexual assault victims requires addressing physical and psychological trauma, appropriate coordination of care, and collection of medical-forensic evidence. Civilian medical facilities conduct SAFEs to maintain a 24/7 response capability when such services are not available at the local military treatment facility. Regional program management created and implemented victim care protocols to ensure standardized and coordinated care for victims of sexual assault. BUMED improved communication with the fleet to ensure that all SARCs and SAPR VAs are up-to-date on certification and any new policies, procedures, education and training, and best practices on at least a monthly basis. BUMED promulgates policy to ensure the total array of medical assistance is available to eligible victims of sexual assault.

Chaplain Corps

The Chaplain Corps provides an important resource for supporting the emotional healing and successful reintegration of victims back into their command, regardless of victim religious affiliation or beliefs. Chaplains and Religious Program Specialists are trained in SAPR policies and procedures. Chaplains provide pastoral counseling to victims and a safe place to talk without fear or judgment. Chaplains also will not report what Service members share in confidence, nor can they be compelled to break confidentiality. Chaplains are an important source for directing individuals to other appropriate resources.

4.3 IMPROVEMENTS TO VICTIM SERVICES AND RESOURCES

Navy remains committed to increasing victim confidence to self-report incidents. Continued leadership visibility and support is critical to build victim trust and endurance and ensure confidentiality is maintained in the SAPR process. Improvements to victim resources include the VLC, Safe Helpline, Victim and Witness Assistance Program, expedited transfers, and military and civilian protective orders.

Legal Assistance to Victims and the Victims' Legal Counsel Program

Prior to the implementation of its VLC program in 2012, OJAG trained Navy Legal Assistance attorneys with the focus on delivering direct legal assistance to victims to assist with a wide variety of legal issues associated with sexual assault, to include making sure victims' rights and the court-martial process were understood.

With the implementation of the VLC program, Navy sexual assault victims are provided direct, no-cost access to their own lawyer who can provide legal advice, assistance, and advocacy across a range of victim rights and interests. Confidential communication ensures victims can discuss all aspects of their cases without fear of sacrificing privacy, while promoting an open, honest dialogue. VLC services are optional and available to all eligible sexual assault victims regardless of the type of report they make, or if a report is made at all. VLC services are intended to garner greater victim trust, confidence, awareness, and comfort in the Navy sexual assault response system. The expectation is that VLCs will result in more victims reporting and staying in the military justice process through the conclusion of the case. Victim participation in the process is a major factor in the ability to hold alleged offenders appropriately accountable.

The Navy VLC program dedicated 30 judge advocates and 10 administrative employees, providing support at 23 U.S. and overseas Navy installations. Navy VLC personnel assist victims in understanding and exercising their reporting options, work with victims through the investigative and military justice processes, advocate for the victim's rights and interests, and help victims obtain access to other support resources. At the victim's request, VLCs can accompany victims to law enforcement, trial counsel, and defense counsel interviews. VLCs also assist victims in providing input to convening authorities regarding case disposition, final action on courts-martial findings, and any alleged offender's requests for clemency. VLCs complement and augment the support from SARCS, SAPR VAs, and other resources. In FY14, Navy VLC assisted 719 sexual assault victims and advocated for their interests in 351 military justice proceedings, ranging from pre-trial conferences to Article 32 hearings and special courts-martial.

Navy VLCs conducted extensive outreach among fleet personnel, leadership, and other victim support providers to promote awareness of VLC services and availability. These briefs addressed both the structure and nature of the VLC mission, highlighting that victims could engage a judge advocate to advance and defend their interests. As of September 2014, Navy VLC had provided 830 Outreach Briefs to over 25,000 personnel.

Safe Helpline

In April 2011, DoD launched Safe Helpline as a crisis support service for members of the DoD community who are victims of sexual assault. Navy transitioned to use the Safe Helpline as the primary crisis intervention tool across the Navy. The DoD Safe Helpline responds to Navy requests for information or support, with 100% follow up by

their respective SARC or SAPR VA, if requested.

The Safe Helpline aims to increase victim confidence in the SAPR program through consistent responses by trained advocates who connect the victim to SARCs or other first responders at their local installation, anywhere in the world. The DoD Safe Helpline is heavily marketed via printed material and social media sites. A Safe Helpline smart device application can provide individuals direct contact information to first responders (SARC, military chaplain, JAG, medical personnel, or civilian sexual assault service provider) at their location. Navy regularly conducts audits of this contact information to ensure its accuracy and accessibility.

Prohibited Retaliation against Victims

Navy prohibits retaliation against any person who reports a criminal offense, brings forward a complaint, or cooperates in the investigation process. If the alleged perpetrator is the victim's CO or otherwise in the victim's chain of command, sexual assault victims have the opportunity to go outside the chain of command to report the offense to NCIS, other COs, DoD Safe Helpline, or an Inspector General. If a Service member experiences any retaliatory action for making a report of sexual assault, he or she has a number of options to report the retaliation for investigation and appropriate action. To specifically ensure there are no retaliatory separations from the Navy, a Flag Officer reviews the records of any victim who is being considered for involuntary separation within one year of a final adjudication of an Unrestricted Report.

DoD collects data on victim retaliation using three sources: DEOCS, WGRS, and Survivor Experience Survey. Combining these three data sources provides a more robust understanding of Sailor perception and personal experiences. Navy will continue to use the three data sources to assess policies and initiatives.

Navy SAPR strategy continues to focus on real and perceived barriers to reporting. DEOCS helps Navy assess progress in this area through command climate surveys. There is a decreasing trend in the percent of respondents who perceive barriers to reporting sexual assault. By the end of FY13, 50% of respondents perceived three or more barriers to reporting sexual assault. By the end of FY14, the respondents that perceived three or more barriers to reporting had decreased to 35%.

The most frequently perceived barrier to reporting sexual assault was "loss of privacy/confidentiality" followed by "fear of social retaliation for making the report." Navy continues its commitment to address Sailors' confidentiality concerns and foster an environment intolerant of retaliation.

Expedited Transfers

The Navy offers victims who make an Unrestricted Report of sexual assault the option to request an expedited transfer to another command or duty station. Within 72 hours of receiving a request for an expedited transfer, the CO must decide to approve or refer

to higher authority. If the CO approves the transfer, he or she forwards the request and recommendation to Naval Personnel Command for processing and record filing. In the case of expedited transfer disapproval, the CO must immediately forward the reason in writing to the first Flag Officer, or Senior Executive Service (SES) equivalent, in the requesting Sailor's chain of command. The Flag Officer or SES must decide to approve or disapprove the request within 72 hours of receiving the command-level recommendation, then forward to Naval Personnel Command to process and file.

Selected Reservists who are victims of sexual assault may request expedited transfers, reassignment to a different unit, or a different schedule than the alleged offender. This helps to relieve undue burdens potentially placed on the Service member and their family by a transfer.

Military and Civilian Protective Orders

Other protection measures available to victims include the issuance of a military or civilian protective order against the accused, prohibiting further contact with the victim.

Victim and Witness Assistance Program

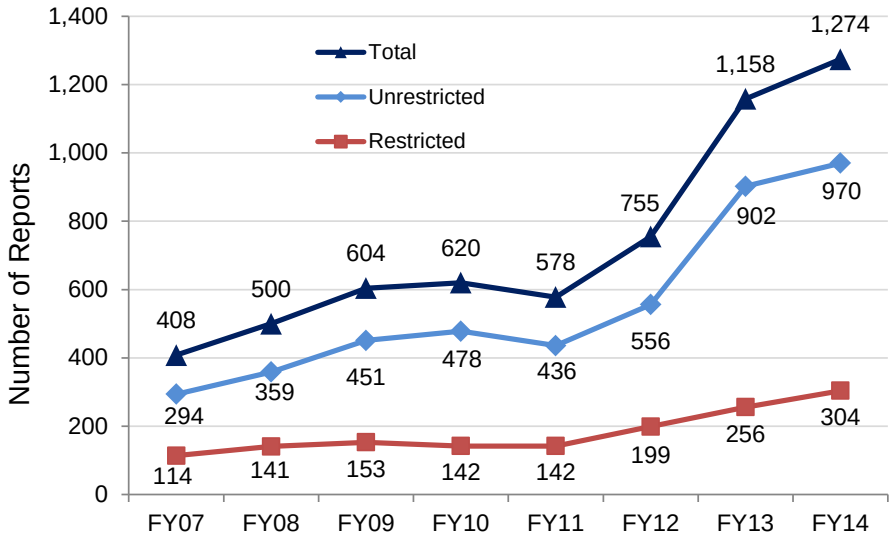
The Victim and Witness Assistance Program ensures victims and witnesses of crime are afforded their rights throughout the criminal justice process, from investigator's initial contact through any period of confinement adjudged. Navy policy requires all commands to appoint Victim Witness Liaison Officers to oversee the Victim and Witness Assistance Program in their areas of responsibility. The Liaison Officer works with the Regional Legal Service Office to provide additional support.

4.4 VICTIM SATISFACTION AND CONFIDENCE IN THE SYSTEM

Reporting

Navy had a 53% increase in sexual assault reporting in FY13, shown in Figure 7. In FY14, the year-to-year rise slowed to 10%. Navy instituted a number of measures to improve Service member confidence and/or victim participation in the investigative and military justice process. Several factors have contributed to the increase in reporting, including better understanding of what defines a sexual assault; awareness of the multiple avenues to report; trust in the command to take all reports seriously; and confidence that the command will support the victim throughout the process.

Figure 7: Reports of Sexual Assault over Time



Fleet Commander and Fleet Master Chief visits to individual commands, fleet workshops, and other fleet sponsored events routinely and consistently address reporting. The key message to Sailors is that leadership wants and encourages Sailors to report sexual assaults and related sexual harassment behavior.

Sailors can convert Restricted Reports to Unrestricted Reports. In FY14, Navy's rate of conversion from restricted to unrestricted was 24%; the FY13 conversion rate was 16%; the FY12 conversion rate was 19%. Navy will continue to build trust in the SAPR program, and encourage more victims to report.

4.5 TRAINING ENHANCEMENTS

Sexual Assault Response Coordinators Training

Prior to providing direct services to victims, Navy requires SARCs to receive 80 hours of National Advocate Credentialing Program approved training, with 40 hours in-person and 40 hours online. SARC training covers how to supervise staff, case management, trainer skill building, Sexual Assault Case Management Group facilitation, SAPR Command Personnel cross training (SAPR point of contact, SAPR Data Collection Coordinator, SAPR Command Liaison), and other related topics.

Every two years, SARCs are required to recertify with Defense Sexual Assault Advocate Certification Program by completing a minimum of 32 hours of approved continuing education.

Commander, Naval Installations Command Headquarters SAPR staff also increase SARC's skills as the local subject matter experts for shore-based and afloat commands. SARCs attended annual training and multiple webinars that provided information and resources for outreach and prevention.

SAPR Victim Advocate / Unit SAPR Victim Advocate Training

SAPR VA training curriculum emphasizes the importance of treating victims with dignity and respect. Prospective SAPR VAs learn the importance of demonstrating compassion and care for victim welfare and how crucial this interaction is to instill victim confidence in the SAPR program. A portion of the training is designed to familiarize SAPR VAs with local civilian and military resources that are available for victim care and treatment. Overseas, the SAPR VAs tour rape crisis centers in their area to better understand available services and capabilities, as this may be a valuable referral and resource for victims. SAPR VAs also visit the local U.S. Naval Hospital or similar medical facility and receive a briefing by a sexual assault nurse examiner regarding the intricacies of the process to provide support to a victim while undergoing a SAFE. These educational methods assist SAPR VAs in further understanding the resources available to them and their unique capabilities. Periodic trainings and communications with SAPR VAs also serve as continuing education engagements to provide program changes that further expand the range of services offered to victims.

Per DoD, Unit SAPR VAs receive 40 initial hours of National Advocate Credentialing Program approved training. Training topics cover dynamic effects of sexual assault, sexual assault in the military, prevention strategies, ethics, trauma, informed care, cultural competency, confidentiality policy, SARC and all SAPR VA roles and responsibilities, crisis intervention, self-care, the military and civilian judicial process, the medical process, resources and referrals, and victims' rights.

BUMED Training

Medical personnel receive first responder training at command orientation with annual updates to meet requirements. BUMED's SAFE training program was successfully transitioned to the Navy Medicine Professional Development Center. Navy Medicine Prospective COs and XOs received briefings on the program and their role in response to reported sexual assaults to ensure appropriate and timely medical support for victims. Discussions included medical care and support, forensic evidence collection, reporting options, and military treatment facility requirement for a 24/7 response capability.

4.6. PROCESSES/PROCEDURAL UPGRADES AND EFFICIENCIES

Case Management

SARCs collaborative efforts with local military and civilian stakeholders resulted in streamlined protocols in managing cases and increased compliance with Sexual Assault Case Management Group participation. SARCs routinely collaborate with local military and civilian stakeholders regarding meetings and responder-specific training to ensure proper protocols are in place and all roles are clearly understood and performed. Additionally, SARCs work with installation and community responders to increase policy compliance and ensure victim privacy for restricted reporting, SAFE kit documentation, chain of custody, and storage.

Shared Military SAPR Resources

Due to dispersed geographic locations, Navy personnel have the option to receive U.S. Army, U.S. Air Force, or other Joint SAPR VA assistance. SAPR VAs from other Services who take a sexual assault report involving a Navy Sailor provide a personal hand-off to the Navy SARC and SAPR VA in order to ensure that any Service-specific reporting and investigation requirements are conducted.

Navy and other Services transitioned to the Defense Sexual Assault Incident Database (DSAID) to improve individual case tracking and reporting capabilities. Another method of tracking services is through participation from the Office of the Chief of Naval Operations cross-functional team, which provides a platform to discuss system barriers that may impact victim services. Recommendations to mitigate identified barriers are discussed and solutions implemented.

4.7 CONCLUSION

Navy offers extensive care and resources to help and support sexual assault victims. Medical services assist victims in recovering from physical trauma. Counselors and chaplains contribute to resolving emotional and internal pain. Increasingly positive command climates and environments allow for victims to return to work without fear of retaliation for reporting. Credentialed SARCs work to manage SAPR VAs, DRCs, and investigators and legal personnel, all designed to advocate for and assist victims. Navy will continue to increase the capability of response personnel and programs to address victims' needs. Navy uses assessments, described in the next section, to continually evaluate and improve the quality of services provided.

Line of Effort 5: Assessment

5.1 INTRODUCTION

Assessment is paramount to ensure that SAPR programs and policies achieve the desired outcome of a command climate where sexual assault and associated behaviors are not tolerated. Navy strives for responsive, meaningful, and accurate systems of measurement and evaluation in every aspect of the SAPR program. Navy draws on authoritative data from sexual assault reports, survey instruments, focus group discussions, and other measures to effectively evaluate the SAPR program and inform strategy and policies.

Navy uses multiple tools, including DSAID, to assess progress. DSAID information allows trend analysis, helping tailor effective and efficient initiatives. Navy also collaborates with DoD SAPRO and the other Services to provide alignment and standardization on multiple department-wide survey efforts. Navy executes specific surveys and polls, providing valuable feedback for efforts to eliminate sexual assault.

5.2 EXECUTIVE-LEVEL ASSESSMENT AND OVERSIGHT

Navy senior leadership plays a critical role by providing oversight, guidance, and review of SAPR programs. The Navy SAPR Director meets one-on-one monthly with the CNO to discuss program updates and initiatives. The Navy SAPR Director also provides a monthly update to a panel of three-star admirals. All Navy four-star admirals, including the CNO, meet quarterly via video teleconference. The Navy SAPR cross-functional team meets monthly to synchronize stakeholders across the Navy, discuss progress, and share best practices. SAPR is part of the agenda at the Joint Chiefs of Staff and Service Operations Deputies Tank briefings as well as the U.S. Fleet Forces Task Force and U.S. Pacific Fleet Executive Steering Committee meetings. Navy senior leadership have regular, direct, face-to-face engagements with the fleet during fleet visits, where senior leaders hear directly from Sailors and share information about Navy SAPR initiatives. Regional SAPR Officers provide a means to disseminate information and best practices to the regional and local levels.

Direction from the Secretary of the Navy requires the Naval Inspector General to inspect, investigate, assess, or inquire into important matters, including SAPR-related programs in all command inspections and area visits. During command inspections and area visits, SAPR programs were found to be well-managed and in compliance with program requirements. These inspections offer additional oversight to assess compliance and quality of programs, and ensure the quality of SAPR efforts executed across the fleet.

5.3 DEFENSE SEXUAL ASSAULT INCIDENT DATABASE

Data collection creates the foundational bases for Navy assessments. Properly capturing sexual assault reports is critical to a meaningful and accurate measurement of the success of this program. In July 2012, Navy initiated its transition from the case management system to DSAID as the data collection tool for all SAPR case data. Key SAPR program stakeholders simultaneously managed the data collection and system capability. DSAID provides standardized data entry protocols for SARCs and legal officers, and data transport procedures for NCIS.

Metrics and details pertaining to reported sexual assaults (i.e., demographics, type of incident, case specifics) are continually collected, tracked and analyzed across the fleet to inform SAPR policy and procedures within Navy. The standardization facilitates case tracking and trend analysis. DSAID data helped inform Navy policies on restricted alcohol sales on base, implementation of roving barracks patrols, and increased training at all Navy accession points.

5.4 SURVEYS

Workplace Gender Relations Survey

Navy's fundamental means to measure the success of its SAPR program is through

periodic survey of Sailors. The biennial DoD WGRS is the primary tool to estimate the prevalence of unwanted sexual contacts across the Navy. It provides insight and feedback on, among other things, unwanted sexual contact and unwanted sexual behavior. The WGRS utilizes a series of standard questions to measure the incidence of sexual assault over the previous 12-month period. Survey results are compared to actual reports of sexual assault (restricted and unrestricted) to assess Service member confidence in the system and willingness to report. Results from this survey highlight the gap that exists between incidents and reports of sexual assault. Understanding that the decision to report a sexual assault is personal for a victim, Navy continues to focus on eliminating all perceived barriers to reporting. These perceived barriers are assessed in more detail and at higher frequency through the DEOCS instrument.

DEOMI Organizational Climate Survey (DEOCS)

The DEOCS is a confidential, command-requested organizational development survey used to assess shared perceptions about equal opportunity, SAPR, and organizational effectiveness. Navy uses the DEOCS as a management tool to assess aspects of command organization and effectiveness. Commanders are required to conduct a DEOCS within 90 days of assuming positions of command and annually thereafter to assess command climate, effectiveness of its SAPR policies, and perceptions of Sailors within a unit. The unit CO briefs the immediate superior in command on the results of the survey, along with a plan of action to address any opportunities for improvement.

From 2011 to 2013, the DoD surveyed commands using DEOCS 3.3.5 which provided trending information on: (1) perceptions of leadership support for SAPR, (2) perceptions of barriers to reporting sexual assault, (3) bystander intervention climate, and (4) knowledge of sexual assault reporting options. Since 1 January 2014, Navy uses DEOMI's latest version, DEOCS 4.0, which includes new and revised SAPR climate questions containing seven measures: (1) perceptions of safety, (2) chain of command support, (3) publicity of SAPR information, (4) unit reporting climate, (5) perceived barriers to reporting sexual assault, (6) unit prevention climate with bystander intervention, and (7) restricted reporting knowledge. The two versions of the survey cannot be trended because new items were added, wording of similar items changed, and the response scale changed. Although trends are interrupted from 2011 to the present, general understanding of the data shows continued improvement in command climate.

These surveys provide leadership with direct feedback from deckplate Sailors. Local commanders can assess their command climate in comparison with Navy and DoD averages, and take appropriate action as necessary to address specific areas of concern. Examples include local training on proper reporting channels, intolerance of retaliation, and effective bystander intervention methods. Navy uses this information continuously to assess the effectiveness of policy and training initiatives and then refine activities or training. Examples of action taken as a result of DEOCS feedback include revision to the sexual assault training module at Command Leadership School, creation of Navy-wide bystander intervention skills training, and additional training and

processes to address perceived barriers to reporting.

Survivor Experience Survey

Launched on 4 June 2014, the Survivor Experience Survey is a survey administered specifically to military victims of sexual assault who filed a report of sexual assault. Initial results from the survey are based on the 22 Navy responses received so far. As survivor survey responses are collected, they will provide feedback on SAPR processes from the victim's perspective in areas concerning support services, commands actions, and peer responses. This information will play a vital role in assessing Navy's progress, and help shape future policies and programs.

A School Exit Surveys

Sailors learn the fundamentals of their technical field at Navy A Schools. Naval Education and Training Command and DON SAPRO continue to develop and expand their collaborative efforts to conduct sexual assault surveys of all Navy A School graduates at Navy's five largest A school concentration sites: Great Lakes, Illinois; Pensacola, Florida; Meridian, Mississippi; Groton, Connecticut; and San Antonio, Texas. This survey underscores Navy's commitment to seeking insights and assessing progress in combatting sexual assault.

Over 1,800 women and 5,600 men completed the voluntary anonymous surveys since initial fielding in August 2013. Indications continue to suggest that Sailors in A School training environments have a low incidence rate of sexual assault compared to other Navy environments. Results directly reflect the efforts made in training environments and the engagement of local commanders.

Navy Quick Polls

Navy Personnel Research, Studies, and Technology conducts SAPR Quick Polls to query Sailors on current DoD and Navy SAPR-related issues. Navy leadership encourages maximum participation in these targeted polls. The 2013 SAPR Quick Poll, conducted from April to May 2013, returned 5,118 responses. The Quick Poll measured the effectiveness of SAPR training, different reporting options, perceptions of leadership's role in tolerating or impeding reporting, and barriers to reporting, to inform policy and training initiatives.

SAPR Quick Poll findings indicate that SAPR-L/F training was very well accepted and over 80% of those surveyed said it increased awareness of the problem and appropriate preventative measures. The SAPR Quick Poll found that 94% of enlisted members and over 90% of officers knew who the SAPR point of contact and SAPR VAs were at their command; over 85% responded that sexual assault training is taken seriously at their command; 90% indicated that they knew what to do if they or a friend were sexually assaulted; 80% indicated that they would likely report the sexual assault to Navy authorities if assaulted; over 90% of enlisted and 95% of officers report knowing what

actions are considered sexual assault; and over 91% correctly identified the difference between Restricted and Unrestricted Reporting.

5.5 FOCUS GROUPS

The Defense Manpower Data Center conducted focus groups on behalf of each of the Services in 2014. One training site (Pensacola, Florida) and one operational site (Norfolk, Virginia) were chosen to host the event for each Service. Focus group leaders divided groups by gender and rank to facilitate an honest and open discourse on Sailors' perceptions of SAPR initiatives in a non-attribution environment. Direct engagements like the focus groups influence decisions to modify delivery of training. Changes such as the desire for more peer-to-peer training have been made, as captured in the new Bystander Intervention to the Fleet training vehicle.

5.6 ASSESSMENT EFFORTS AT LOCAL COMMANDS

Several local and regional Navy commands implemented independent assessment tools, such as local databases derived from operations and situation report data and informal surveys to assess local trends. These demonstrate proactive methods to incorporate responsive, meaningful, and accurate systems of evaluation into all aspects of SAPR. Additionally, Fleet and Family Service Centers give clients anonymous quarterly and annual surveys to complete and provide feedback on SAPR services they receive. All regions utilize monthly Sexual Assault Case Management Group to measure SAPR program effectiveness. Case Management Groups provide an avenue to assess the quality of care and support provided to sexual assault victims.

BUMED Assessment

BUMED conducts site visits to support SAPR and SAFE program implementation, ensures command coordinators are fully aware of the resources available to them, and confirms that commands are in compliance with regulations.

Other Assessment Efforts

Navy seeks constant feedback on the effectiveness of SAPR programs. Navy measures system responsiveness through feedback from SARCs, SAPR VAs, VLCs and victims themselves. Together, these metrics are reviewed quarterly by CNO and his 4-star Fleet Commanders to ensure alignment to the SAPR program.

5.7 TWELVE DOD-DESIGNATED REPORT METRICS

Metric 1: Past year of Estimated Prevalence of Unwanted Sexual Contact

The prevalence metric indicates the estimated pervasiveness of unwanted sexual contact and provides a direct indicator of the scope of the sexual assault problem. The data is self-reported and compiled through a biennial survey. The 2014 estimated

prevalence results using the comparable 2012 WGRA methodology indicate that 5.1% of women and 1.1% of men experienced unwanted sexual contact. The 2012 results showed that 7.2% of women and 2.7% of men experienced unwanted sexual contact. This trend is a step in the right direction. Navy will continue with the efforts made in prevention, setting the conditions for a command climate that does not condone, tolerate, or ignore sexual assault. The goal is a consistent and measurable decrease in prevalence of sexual assault, leading to the ultimate elimination of this threat to Sailors.

Metric 2: Estimated Prevalence vs. Reporting

The reporting metric compares estimated prevalence, as described in metric 1 above, with the number of reported unwanted sexual contact by Service member victims. The difference between the two metrics is the reporting gap, an important measure of victims' trust in the sexual assault response system. The number of reported Service member victims rose since 2011, especially from 2012 to 2013 where it increased 52%. This rise was expected due to efforts to raise awareness of sexual assault, educate Sailors on the definition of sexual assault, and provide support for those who report sexual assault. The number of reported victims from 2013 to 2014 increased 13%. 2014 estimated prevalence results using the comparable 2012 WGRA methodology indicate unwanted sexual contact decreased to 5.1% for women and 1.1% for men from 2012 results of 7.2% for women and 2.7% for men. The goal for this metric is a reduction in prevalence of sexual assault, indicating success in prevention. Navy also aims for the number of Service member victims reporting sexual assault to equal the actual prevalence of sexual assault, indicating success in response. With the increase in reports and decrease in prevalence, Navy is making progress in closing the reporting gap.

Metric 3: Bystander Intervention Experience in Past 12 Months

The bystander intervention metric uses command climate survey responses to describe the self-reported percentage of respondents who, in the past 12 months, observed a situation they believed was, or could have led to, a sexual assault. If observed, a subsequent question asks participants to select from a number of possible responses that most closely resembles their action resulting from the observation. The overall percent of participants observing sexual assault situations was around 5%. Results further indicate that female and junior Sailors consistently observe sexual assault situations more frequently than male and more senior Sailors. This consistent disparity in observation indicates that more work remains to standardize perceptions of appropriate behavior and reduce exposure to risky situations.

Female and more senior Sailors are more likely to act when the situations are observed, and it is encouraging that about 85% overall of those observing a sexual assault situation took action. Because junior Sailors are less likely to act than more senior Sailors, a continued focus on empowering them to take action is warranted. To that end, Navy is implementing additional bystander intervention skills training in 2015. The goal for this metric is a reduction in observed sexual assault situations and increased

intervention by those who observe those situations. Awareness and education efforts are empowering many Sailors to intervene.

Metric 4: Command Climate Index – Addressing Continuum of Harm

The command climate metric assesses the extent to which the chain of command promotes a climate based on respect and trust, refrains from sexist comments and behaviors, and actively discourages sexist comments and behaviors. The response results from the command climate survey are positive and consistent, averaging between 'moderate' to 'great' the extent to which commands support positive climates.

Sailors believe their commands are intolerant of a climate which may promote actions that may lead to sexual assault. There is a disparity in response between genders and rank. Females and junior Sailors have a lower perception of command climate in regard to respect, trust, and sexist behaviors. While the overall responses are still positive, the disparity indicates a continued need to address this issue. The goal for this metric is a positive climate with consistent responses across gender and pay grade. Work remains to create a better climate for junior Sailors and females.

Metric 5: Investigation Length

The investigation length metric indicates the time it takes to complete sexual assault investigations, calculated from initial notification until the case is presented to command for appropriate action. It is important to note that this is not a performance metric related to the time it takes to conduct an investigation. Cases must be investigated thoroughly and effectively, ensuring victims' rights and the due process rights of the accused are protected. Due to the unique nature and complexities of individual cases, a qualitative assessment of the work is more relevant. Investigation length trends show the efficacy of sexual assault investigation policy, resourcing decisions, and whether there is a need for modification to process or resourcing. The average investigation length in FY14 was 126 days, which is a slight increase from 122 days in FY13. In terms of caseloads, completed investigations rose from 621 in FY12 to 839 in FY13. In FY14, completed investigations increased to 1,019.

Comparing FY14 to FY13, Unrestricted Reports increased by 68, an 8% increase. Investigation length rose slightly by 4 days, a 3% increase; and completed investigations increased by 180, a 21% increase. This shows that even though investigation time remained about the same, investigative capacity has not lost ground despite a rise in reported cases. Navy will continue to increase investigative resources, ensuring investigation pace is maintained while reducing investigation time prudently. The goal for this effort is thorough, effective, and responsive investigations. The time for investigation completion is a measure of how well the investigation effort is resourced. Despite the rise in caseloads, investigations are being completed thoroughly and effectively due to more effective training and additional resources.

Metric 6: All Certified SARC and SAPR VA Personnel Currently Able to Provide Victim Support

The victim support metric shows the resources available to support sexual assault victims. Navy is above the mandated number of 64 SARCs, and on track to exceed the required number of 64 full-time SAPR VAs. This means the personnel are in place to support victims who come forward. Understanding the value of SARCs and SAPR VAs, Navy increased the number of positions to 82 and 67, respectively, in October 2013 to better support the geographically-dispersed fleet. Additionally, Navy has over 5,000 Unit SAPR VAs serving their shipmates in a volunteer, collateral duty capacity. Navy will also have 18 DRCs assigned to large ships by mid-FY15. In addition to helping Sailors across the spectrum of resiliency, DRCs can provide specific help to prevent and respond to sexual assault. The goal for this metric is to meet the mandated requirements, exceeding the requirement as necessary to best support the unique needs of Sailors deployed on ships and around the globe.

Metric 7: Victim Experience – SARC/VA Support; Special Victim Support Counsel

The victim services metric demonstrates the level of satisfaction of sexual assault victims with the services provided by SARCs, VLCs, and Special Victim Capability. Preliminary Survivor Experience Survey results for Navy show that victims were satisfied with their SARCs and victim counsel. This survey provides invaluable insights from the perspective of the victim which can be used to identify opportunities to further improve services to victims. The goal for this metric is complete victim satisfaction of support provided from SARCs and victim counsel. The support team available to victims is effective, and additional data will better refine this assessment.

Metric 8: Victims Declining to Participate in the Military Justice Process

The victim participation metric shows the percentage of alleged offenders whose cases were provided to the commander for action, but could not be prosecuted due to victims declining to participate in the military justice system. The trend was fairly stable around 16% for the last several years. Navy will closely monitor this trend for improvement in consideration of the VLC program reaching full operational capability in July 2014. The goal for this metric is to maximize victim participation in the military justice system to have appropriate accountability for all offenders. Recent initiatives, such as the VLC and pending changes to Article 32 testifying requirements are expected to improve progress.

Metric 9: Victim Retaliation – Victim Perspective; Command Climate Perspective

The victim retaliation metric measures both the Sailors' perceptions of victim retaliation and the prevalence of social and professional retaliation. This metric is derived from three sources: the DEOCS, WGRS, and Survivor Experience Survey. Based on command climate survey data, Sailors have a strongly positive perception that retaliation is less likely to occur at their commands, with males and senior ranks having

a more favorable perception than females and junior Sailors. Average scores across all demographic groups fell between 'moderately' to 'very likely' in response to how well their chain of command prevents a hostile environment for victims making reports of sexual assault.

Based on 22 initial Survivor Experience Survey results, the majority of Navy victims reported experiencing some form of retaliation. The survey results indicate a need to further understand and address this issue. The goal for this metric is eliminating all forms of retaliation to allow survivors to return to work, and also encourage other victims to come forward without the fear of retaliation for reporting. Although commanders are establishing command climates intolerant of retaliation, the limited data from the Survivor Experience Survey do not correlate to this finding.

Metric 10: Victim Experience – Victim Kept Informed Regularly in the Military Justice Process

This victim communication metric shows the overall victim satisfaction with being kept informed of their case progression throughout the military justice process. Based on 22 initial Survivor Experience Survey results as of September 2014, most victims who responded reported being provided accurate up-to-date information on their case status. The standard for being adequately informed is defined by each individual victim, and highlights the need for tailored care and communications. With the VLC program in full operation as part of the victim advocacy team, Navy will continue to monitor this metric. The goal for this metric is victim satisfaction of being informed of case progression. Victims are generally satisfied with the information they receive, which is attributable to the use of VLC. Additional survey responses will better refine this assessment.

Metric 11: Service Members' Perceptions of Leadership Support for SAPR

The Service member's perception metric shows Sailors' perceptions of leadership support for the SAPR program, victim reporting, and victim support. Based on the data gathered from command climate surveys, Sailors have a strongly positive perception of leadership support, with males and senior ranks having a more favorable impression than females and junior enlisted. Average scores across all demographic groups fell between 'moderately' to 'very likely' in response to how well their chain of command would take appropriate actions after receiving a report of sexual assault. Leadership support up and down the chain of command is critical to encourage reporting and setting the right tone for acceptable behavior and accountability in the command. The goal is command leadership that supports sexual assault prevention and response. These results show the efficacy of efforts to educate, train, and hold individuals appropriately accountable for sexual assault prevention and response at all levels of command.

Metric 12: Reports of Sexual Assault Over Time

This reports metric shows the year-to-year trend of Navy Restricted and Unrestricted

Reports. Based on the data, sexual assault reports continue to increase with total reports in FY14 increasing 10% over FY13. FY13 finished 53% higher than FY12, and FY12 finished 31% higher than FY11. With the efforts to educate Sailors about sexual assault, and the improvement in response to reported assaults, it was expected that sexual assault reporting would increase.

Restricted Reports provide a valuable option to maximize sexual assault reporting for victims who may not otherwise come forward. Restricted Reports constitute about 25% of all reports, and Navy continues efforts to encourage victims to come forward in an unrestricted manner. Maximum reporting is desired to enable care for victims and to hold offenders appropriately accountable. The objective for this metric is tied to the prevalence of sexual assault, addressed in metrics 1 and 2.

5.8 CONCLUSION

Assessment is a continuous process of collecting and analyzing data to measure and report program effectiveness. Evaluating the SAPR program allows Navy to identify areas of success and areas of needed improvement. Navy uses measurement tools to determine the impact of SAPR programs and eventual success of eliminating sexual assault. The results from assessments drive further adjustments to prevention and response efforts. SAPR assessments support Navy's ability to continually improve overall command culture, and set conditions to deter and prevent destructive behaviors.

Acronym List

A School	Advanced Skill Training School
ASAP	Adult Sexual Assault Program
BUMED	Bureau of Medicine and Surgery (US Navy)
CNO	Chief of Naval Operations
CO	Commanding Officer
CSADD	Coalition of Sailors Against Destructive Decisions
DEOCS	DEOMI Organizational Climate Survey
DEOMI	Defense Equal Opportunity Management Institute
DoD	Department of Defense
DON	Department of the Navy
DRC	Deployed Resiliency Counselor
DSAID	Defense Sexual Assault Incident Database
FY	Fiscal Year
JAG	Judge Advocate General
LOE	Line of Effort
MA	Master-at-Arms
NCIS	Naval Criminal Investigative Service
OJAG	Office of the Judge Advocate General
ROTC	Reserve Officer Training Corps
SAAM	Sexual Assault Awareness Month
SAFE	Sexual Assault Forensic Exam
SAPR	Sexual Assault Prevention and Response
SAPR-F	Sexual Assault Prevention and Response-Fleet
SAPR-L	Sexual Assault Prevention and Response-Leadership
SAPRO	Sexual Assault Prevention and Response Office
SAPR VA	Sexual Assault Prevention and Response Victim Advocate
SARC	Sexual Assault Response Coordinator
SES	Senior Executive Service
TCAP	Trial Counsel Assistance Program
UCMJ	Uniformed Code of Military Justice
USNA	United States Naval Academy
VLC	Victims' Legal Counsel
WGRS	Workplace and Gender Relations Survey
XO	Executive Officer

Department of Defense (DoD) Statistical Report Data Call: Reported Sexual Assaults in the Military for the Period 1 October 2013 through 30 September 2014

The Defense Sexual Assault Incident Database (DSAID) is the source of the data collected for this report. The statistical data, calculated as of 15 October 2014 and illustrated below, includes sexual assaults incidents reported during the period of 1 October 2013 through 30 September 2014.

1. Analytic Discussion

1.1. Provide an analytic discussion of your Service's Statistical Report. This section should include such information as:

- Notable changes in the data since FY13 (in percentages) and other time periods (at least FY12, FY13, and FY14), as appropriate
- Insight or suspected reasons for noted changes, or lack of change, in data
- Implications the data may have for programmatic planning, oversight, and/or research
- How reports of sexual assault compliment your Service's scientifically conducted surveys during FY13 or FY14 (if any)
- Prevalence vs. reporting (the percentage of Service member incidents captured in reports of sexual assault (Restricted Reports and Unrestricted Reports) (Metric #2)
- Total number of Sexual Assaults (Restricted Reports and Unrestricted Reports) over time (since 2004) (Metric #12)
- Other

Total Number of Sexual Assault Reports

Total Reports	
FY07	408
FY08	500
FY09	604
FY10	620
FY11	578
FY12	755
FY13	1,158
FY14	1,274

In Fiscal Year 2014 (FY14), reports of sexual assault in the U.S. Navy continued to increase over previous years. For a crime that is universally underreported, Navy views this trend as a positive endorsement of efforts to improve command climate. When a Sailor trusts the command to respond appropriately, he or she is more likely to make a report. The results of the Defense Equal Opportunity Management Institute Organizational Climate Survey (DEOCS) reiterated an increase in trust and confidence through a consistent positive perception of command climate and leadership support of the SAPR program.

Navy actively encouraged reporting of sexual assaults through training and education, as indicated by the 10% increase in reports of sexual assault between FY13 and FY14. This follows a 53% increase in reports between FY12 and FY13, and a 31% increase between FY11 and FY12. A three-fold increase in reports of sexual assault between

FY07 (408) and FY14 (1,274) is strong evidence of trust and confidence in the Navy response system, and indicates progress toward closing the gap between actual incidents and reports.

Restricted Reports

Restricted Reports enable a victim to receive support services without command notification or initiating an investigation. In FY14, 401 initial Restricted Reports indicated an increase of 31% over FY13 (305). This follows a 24% increase between FY12 (246) and FY13, and a 41% increase between FY11 (174) and FY12. In FY14, 97 (24%) initial Restricted Reports were converted to Unrestricted Reports, compared to 49 (16%) in FY13, 47 (19%) in FY12, and 32 (18%) in FY11. This increase in conversion rates is another indicator of growing trust in the response system.

Unrestricted Reports

Unrestricted Reporting initiates a law enforcement investigation and provides an opportunity to hold alleged offenders appropriately accountable, in addition to giving victims access to support services. In FY14, there were 970 Unrestricted Reports, an increase of 8% from FY13. In FY13, there were 902 Unrestricted Reports of sexual assault, a 62% increase from the 556 reports in FY12. In FY12, there was a 28% increase in Unrestricted Reports from the 436 reports in FY11.

With the rise in Unrestricted Reports, NCIS initiated and completed more investigations during this timeframe. In FY14, NCIS initiated 867 investigations and completed 1,019, including investigations begun in previous years. In FY13, 801 investigations were initiated and 839 were completed. In FY12, 527 investigations were initiated and 621 were completed. In FY11, 408 investigations were initiated and 436 were completed. Enhanced training, refocused investigative practices, and resources dedicated to sexual assault investigations were effective in keeping pace with the rise in sexual assault investigations.

Prevalence vs. Reporting

Confidential surveys are currently the best tool available to estimate the number of sexual assault incidents in the Navy. The Workplace and Gender Relations Survey of Active Duty Personnel (WGRA) was conducted by the Defense Manpower Data Center (DMDC) through 2012, and the RAND Military Workplace Study (RMWS) was used in 2014, utilizing newly designed assessment criteria and methods. RAND assigned a small number of service members a version of the prior 2012 WGRA questionnaire, and analyzed the comparable results to provide historical trends. The FY14 prevalence estimates in the table were calculated using the WGRA data. Estimates of sexual assault prevalence in the Navy are based on the percentage of surveyed Sailors who had at least one experience of unwanted

Prevalence Estimate	
CY06	10,400
FY10	5,100
FY12	10,600
FY14 (WGRA)	5,600

sexual contact (this includes contact, attempted penetration, and penetration offenses) in the 12 months before responding to the survey, and represent both male and female victims of various offense types.

By extrapolating the survey results to the Navy population, there were estimated to be roughly 5,600 sexual assault incidents in FY14. This represents a decrease over the FY12 estimate. In FY14, 1,135 Service members made restricted or unrestricted reports, representing 20% of the estimated incidents. In FY12, 659 Service members made restricted or unrestricted reports, representing 6% of the estimated incidents that year.

From preliminary estimates of FY14, about half of the 5,600 extrapolated incidents represent male victims and half represent female victims. These estimates indicate roughly 32% of female victims and 8% of male victims made reports in FY14. In FY12, about two-thirds of the 10,600 extrapolated incidents represented male victims and one-third represented female victims. These estimates indicate roughly 17% of female victims and 1.2% of male victims made reports in FY12. This data demonstrates the underreporting of this crime, especially among male victims who comprised the majority of the prevalence estimate, but only a small percentage of the Service member reports received. Navy continues efforts to increase reporting among all victims, recognizing that gender-specific strategies are necessary to encourage male and female victim reporting.

The surveys also break out unwanted sexual contact behaviors by type. Across DoD in FY14, behaviors experienced by female victims were 30% for unwanted sexual touching, 29% for penetration offenses, 31% for attempted offenses, and 10% were not specified. Across DoD in FY14, behaviors experienced by male victims were 49% for unwanted sexual touching, 11.5% for penetration offenses, 11.5% for attempted offenses, and 28% were not specified. FY14 Service specific type of behavior analysis is not yet available. For Navy in FY12, behaviors experienced by female victims were 29% for unwanted sexual touching, 34% for penetration offenses, 24% for attempted offenses, and 13% were not specified. In FY12 behaviors experienced by male victims could not be broken out due to the low number of survey responses.

Navy will continue to use the results of this survey to assess progress in closing the reporting gap, both from the perspective of reducing incidents and increasing reporting. While the ultimate goal is to eradicate sexual assault, Navy wants to ensure maximum reporting of incidents to facilitate victim care and ensure appropriate accountability for offenders.

Notable Changes in Data

Type of Offenses

Unrestricted Reports are categorized as either contact (e.g., abusive sexual contact or aggravated sexual contact) or penetration (e.g., rape or sexual assault) offenses,

depending on the nature of the act. In FY13, 44% of Unrestricted Reports were contact offenses, compared to 35% in FY12. Conversely, 56% of Unrestricted Reports were penetration offenses in FY13, compared to 63% in FY12. FY14 data in this category is still provisional, precluding trending analysis. However, based on the 737 unrestricted reports that have been categorized, 399 are penetration crimes, 309 contact crimes, and 29 are attempts to commit a crime. Navy continues to reconcile FY14 data in this category. The rise in reports of contact offenses reflects the broadened definition of what constitutes sexual assault, efforts to increase trust that commands will hold offenders accountable, eradicate pre-conceived notions about what constitutes sexual assault, and ensure an increased willingness to report all unacceptable behavior.

Report Latency

Latency refers to the delay between the date the incident of sexual assault occurred and the filing of a report. In the case of Unrestricted Reports, a shorter latency provides the best opportunity for a successful investigation. However, recent education and awareness campaigns triggered more victims, who may not have previously had confidence in the response system, to come forward and report. In FY14, reports received less than 31 days from the incident accounted for 57% of Unrestricted Reports, 52% in FY13, and 56% in FY12. Conversely, reports received greater than or equal to 31 days from the date of the incident accounted for 37% of Unrestricted Reports in FY14, 42% in FY13, and 35% in FY12. Unknown latency comprises the remaining reports in each year. Navy continues to educate and encourage Sailors to come forward and receive support services, regardless of when the incident occurred.

Male Victim Reporting

Male victims in the Navy, as in the general population, represent an underreported segment of an underreported crime. Male victims comprised 15% of Unrestricted Reports in FY13 (117) and 11% in FY12 (56). FY14 data in this category is still provisional, precluding trending analysis. However, based on the 799 Unrestricted Reports that have been categorized, 162 are male victims. Navy continues to reconcile FY14 data in this category. Navy continues efforts to encourage reporting among men and women.

Other Trends

Service member on Service member crimes accounted for 67% of Unrestricted Reports in FY13 and 69% in FY12. Additionally, the majority of victims who file Unrestricted Reports continue to be female, 85% in FY13 and 89% in FY12, and junior enlisted between pay grades E-1 and E-4, 67% in FY13 and 78% in FY12. FY14 data in these categories is still provisional, precluding trending analysis.

Explanation and Implications of the Data

It is important to note that an increase in sexual assault reports is the result of various factors and may not necessarily represent increased incidents of sexual assault. Many factors contributed to changes in reporting and demographics, including additional training, education, awareness campaigns, changes to Article 120 of the Uniform Code of Military Justice (UCMJ), and expanded efforts to reduce sexual assaults in the military. Additionally, beginning in January 2013, MCIOs were required to investigate all reports of sexual assault, including contact offenses, regardless of the type of sexual assault offense.

During the last several fiscal years, there was a strong Navy-wide education campaign to educate Sailors and civilians about sexual assault reporting options (restricted and unrestricted), services available to victims of sexual assault, and crime prevention initiatives.

In FY13, the Secretary of Defense directed a SAPR stand-down requiring 100% participation by all active duty, reserve, and civilian employees of DoD. The goal of this training campaign was threefold: convey a top-down message of intolerance of sexual assault in any aspect of DoD; eradicate pre-conceived notions about what constituted a sexual assault; and educate on reporting options and victim services. The impact and effectiveness of this training is one of many factors contributing to the increased reporting of incidents of sexual assault.

Changes to Article 120 of the UCMJ and the new requirement for NCIS to investigate all contact offenses, contributed to the increase in investigations. In June 2012, UCMJ Article 120 broadened the legal definition of sexual contact to include touching any part of the body for sexual gratification. Prior to this change, the definition of sexual contact only included sexual-related areas of the body (e.g., the genitalia, anus, groin, breast, inner thigh, or buttocks). The new definition includes non-sexual areas such as the neck or shoulder. Awareness campaigns on these changes were disseminated Navy-wide. Unrestricted Reports increased 62% between FY12 and FY13, during which the number of contact offenses investigated (i.e., wrongful sexual contact, abusive sexual contact, and aggravated sexual contact) increased 88%. Navy also attributes the increase in high latency Unrestricted Reports from 35% of in FY12 to 42% in FY13 to the awareness and education campaigns.

2. Unrestricted Reporting

2.1. Victim Data Discussion and Analysis. This section should include an overview of such information as:

- Type of offenses
- Demographic trends
- Service referrals
- Experiences in Combat Areas of Interest Military Protective Orders Issued as a Result of an Unrestricted Report (e.g., number issued, number violated)

- Approved expedited transfers and reasons why transfers were not approved
- The number of victims declining to participate in the military justice process (Metric #8)
- Others

Type of Offenses

In FY14, abusive sexual contact was the most frequently reported offense, followed by sexual assault and rape. Aggravated sexual contact, forcible sodomy, aggravated sexual assault, indecent assault, and attempts to commit an offense accounted for the remaining reports. A significant portion of FY14 offense data has not yet been categorized, precluding trend analysis. However, abusive sexual contact, sexual assault, and rape are estimated to remain the most frequent offenses reported. As previously noted the general shift in reporting from penetration offenses to contact offenses began to occur during FY13 and has continued into FY14.

Demographic Trends

Victims were predominantly female Service members between the ages of 20 and 24 and pay grades E-1 to E-4. Nearly all of the Service member victims were active duty and affiliated with the U.S. Navy. The remaining Service member victims were Navy reservists or affiliated with other services. These trends have remained steady from FY11 to present.

Service Referrals

During FY14, DSAID captured over 3,300 resource referrals for Service member victims in both Unrestricted and Restricted Reports. Referrals for SAPR Victim Advocates were the most frequently offered resource, accounting for 28% of total referrals. Other referrals were made for mental health resources, legal services, medical services, chaplain/spiritual support, and DoD Safe Helpline. Additionally, over 200 resource referrals were offered to non-Service member victims. These include referrals to Rape Crisis Centers, SAPR Victim Advocates, mental health resources, legal services, medical services, and chaplain/spiritual support.

Combat Areas of Interest

In FY14, 15 victims made Unrestricted Reports of sexual assault which occurred in a combat location. The general trends for these reports match the overall Navy demographics in regards to offense type reported, time of delayed report, and demographic information of the victims. All of these victims were Service members. As in previous FY reporting, with a relatively small number of Unrestricted Reports in the combat areas of interest, the trends within these reports remained consistent.

Military Protective Orders

In FY14, 232 Military Protective Orders were issued in 970 Unrestricted Report cases, with 1 violation by a subject. FY14 data in this category is still provisional, precluding trending analysis. Navy continues work to reconcile FY14 data in this category. In FY13, 244 Military Protective Orders were issued, with 11 violations by subject.

Expedited Transfers

In FY14, there were 17 unit/duty and 174 installation expedited transfer requests by Service member victims. One of the unit expedited transfer requests was denied on the basis the report of sexual assault was determined not to be credible. In FY13, there were 20 unit/duty and 128 installation expedited transfer requests by Service members. Two unit expedited transfer requests were denied. In one instance, the victim and offender were not collocated, and in the other, the report of sexual assault was determined not to be credible.

Victims Declining to Participate in the Military Justice Process

Subjects could not be prosecuted in 118 (17%) cases where victims declined to participate in the military justice process. This is not, however, reflective of all cases in which the victim declined to participate in the investigative/military justice process. In some cases, command action was pursued, resulting in administrative or disciplinary action against a subject, despite non-participation of the victim. However, these cases are not categorized as a victim declination within DSAID. Navy's Victims' Legal Counsel (VLC) program reached full manning in July 2014 with 29 VLCs. VLCs are geographically dispersed around the globe, and provide advocacy and legal advice to victims, whether or not a victim chooses to make a report. The addition of VLCs to the victim support team is expected to positively impact reporting propensity and victims remaining in the adjudication process through completion.

2.2. Subject Data Discussion and Analysis. This section should include an overview of such information as:

- Demographic trends
- Disposition trends
- Experiences in Combat Areas of Interest
- Command action for Military Subjects under DoD Legal Authority (to be captured using the most serious crime charged) (Non-Metric #1)
- Sexual Assault Court-Martial Outcomes (to be captured using the most serious crime charged) (Non-Metric #2)
- Other

Demographic Trends

In FY14, subjects were predominantly male, active duty, U.S. Navy, enlisted Service

members, between 20 and 34 years of age. Less than 5% of the Service members were activated reservists at the time of the sexual assault.

Disposition Trends

Disposition data was examined for cases closed during the fiscal year vice open and closed in the same fiscal year. Thorough investigations and case dispositions require time, particularly in complex cases. Examining cases opened and closed in the same fiscal year would have excluded analysis of the more egregious reports received in previous fiscal years, and as a practical matter, all cases reported in the last quarter of the fiscal year, because it takes time to investigate and take disposition actions.

In FY14, there were 920 final dispositions for subjects accused of sexual assault. Fifty-seven percent (522) of the subjects were not prosecuted for the following reasons: lack of jurisdiction (i.e., civilian subjects not subject to UCMJ) (64); civilian or foreign authority exercised jurisdiction over Service member subject (6); subject was unknown (159); allegation was unfounded (e.g., it was false/baseless or did not meet the elements of a sexual assault offense) (27); statute of limitations expired (5); subject died or deserted (1); evidence was insufficient (142); or victim declined or refused to cooperate with the investigation or prosecution (118).

Experiences in Combat Areas of Interest

In FY14, 50% of the subjects were Service members. Unknown and foreign national subjects accounted for a majority of the remaining subjects. The U.S. Navy Service member subjects were primarily male, active duty, and enlisted. The ages of the subjects were widely dispersed between 20 and 49 years of age, with 44% of the ages not available. Due to the relatively small sample size (15) for Unrestricted Reports in the combat areas of interest and varying missions within them, there also is a wide variability of subject demographics from year-to-year.

Command Action for Military Subjects Under DoD Legal Authority

In FY14, command action was taken against 398 Service members for both sexual assault and non-sexual assault (e.g., failure to obey order or regulation) offenses. Types of command action included court-martial, non-judicial punishment, administrative separation, or other adverse administrative actions (including Midshipmen Disciplinary System Action at the U.S. Naval Academy). Court-martial charges were preferred in approximately 49% of cases, a 5% rate increase over FY13.

Sexual Assault Court-Martial Outcomes

In FY14, there were 181 cases where court-martial charges were preferred for a sexual assault offense, a 64% increase over the 110 cases in FY13.

Of those 181 cases, 134 proceeded to trial on at least one sexual assault offense. Of

those 134, 93 cases resulted in a conviction (69%), and 41 in an acquittal (31%). Of those 181 cases, 10 resulted in a resignation or separation in lieu of trial and 36 resulted in dismissal of charges. However, of the 36 that resulted in dismissal of charges, 11 subjects received non-judicial punishment.

2.3. Reporting Data Discussion and Analysis. This section should include an overview of such information as:

- Trends in descriptive information about Unrestricted Reports (e.g., Did more reported incidents occur on/off installation?)
- Investigations
- Experiences in Combat Areas of Interest
- Other

Location and Time of Incident

In FY14, slightly more sexual assault incidents occurred on, rather than off of, military installations. Incidents occurred every day of the week, with the majority occurring Friday through Sunday. When the time of the incident was known, it was more likely to be between midnight and 6 a.m., or 6 p.m. to midnight. In the initial report by the victim, 33% of the reports were made within three days of the sexual assault, and 24% were made four to 30 days after the sexual assault. The remaining reports were delayed longer than 30 days. The time and day of the incidents remained consistent for Unrestricted Reports from FY11 to present.

Investigative Authority

NCIS was the predominant investigative authority for Navy Service members. A small number of Navy Service members were also investigated by other Service MCIOs and civilian or foreign law enforcement. Additionally, NCIS routinely investigates non-Service member subjects (civilian or foreign national) and cases where the subject is unknown as long as there is a U.S. Navy connection (i.e., Navy victim or alleged incident occurred on board a Navy installation).

Combat Areas of Interest

Of the 15 Unrestricted Reports occurring in combat areas of interest, incidents occurred both on and off of military installations, with a small percentage of incidents occurring either in unidentified locations or possibly multiple locations. The incidents largely occurred in Bahrain, which remains consistent since FY11. Other countries included Djibouti, Iraq, Kuwait, and the United Arab Emirates, which has fluctuated over the years. Previous FY reports included Unrestricted Reports occurring in Afghanistan, Pakistan, Jordan, Oman, Qatar, and Uganda. The majority of the incidents took place Friday thru Monday; the time-interval of the incidents varied (e.g., midnight to 6 a.m., 6 a.m. to 6 p.m., or 6 p.m. to midnight).

3. Restricted Reporting

3.1. Victim Data Discussion. This section should include such information as:

- Demographics trends
- Service referrals
- Experiences in Combat Areas of Interest
- Other (Please explain)

Sexual Assault Response Coordinators

Restricted reports are not reported to law enforcement for investigation or to commands for disposition. Sexual Assault Response Coordinators (SARCs) do not report the types of offenses for Restricted Reports. For all Restricted Reports, the role of the SARC is to focus on support services (e.g., crisis intervention and referrals to advocacy, medical, and counseling services) and case management.

Total Restricted Reports

Between FY13 and FY14, there was a notable increase in initial Restricted Reports. There were 96 more reports in FY14 (401) than in FY13 (305), an increase of 31%. There were also 59 more Restricted Reports in FY13 compared to FY12 (246), a 24% increase. In FY14, 393 Service members, five non-Service member victims (involving a military subject and entitled to a Restricted Report by DoD policy), and three reports with unavailable victim type, made a Restricted Report to a SARC and/or SAPR Victim Advocate (SAPR VA). Increased trust and confidence in the SAPR program and a better understanding of what constitutes sexual assault may have contributed to the increase in reporting.

Service Affiliation

In FY14, of the 401 Restricted Reports, 304 remained restricted (not converted to an Unrestricted Report). Within Navy, 299 were filed by Service member victims, 95% Navy (283), U.S. Army (5), U.S. Marine Corps (6), and U.S. Air Force (5).

The remaining five Restricted Reports were filed by non-Service members against Service member assailants (4), with one report with unavailable victim type. Twenty-four of the Restricted Reports involved incidents that occurred prior to the victims' military service.

Demographic Trends

FY14 data in this category is still provisional, precluding trending analysis. Demographically, based on 304 initially Restricted Reports able to be categorized, 261 involved female victims, and 42 involved male victims. The majority, 161 victims, were between the ages of 20-24. The remaining ages of victims at the time of incident were

as follows: three victims between ages 0-15; 65 victims between ages 16-19; 57 victims between ages 25-34; and four victims between ages 35-49. Based on the available 299 Service member reports being categorized, ranks were reported as follows: 201 were E-1 to E-4, 74 were E-5 to E-9, 20 were O-1 to O-3, and four were Cadet/Midshipman.

Combat Area of Interest

In FY14, there were 10 Restricted Reports filed by Service members in combat areas of interest compared to one in FY13. Of the 10 reports, 90% (9) were Navy victims and 10% (1) were U.S. Air Force victims. Demographically, 90% (9) involved female victims, and 10% (1) involved a male victim. The ages of victims at the times of incidents were as follows: 10% (1) ages 16-19, 70% (7) ages 20-24, and 20% (2) ages 35-49. Ranks of the victims were as follows: 60% (6) were E-1 to E-4 and 40% (4) were E-5 to E-9.

Non-Service Member Victims

In FY14, there were 13 non-Service member victims who made an initial Restricted Report. The non-Service member Restricted Reports were made as follows: nine non-Service member on non-Service member entitled to Restricted Report by DOD policy, one unidentified subject on non-Service Member, and three unavailable victim types.

Of the 13 non-Service member Restricted Reports in FY14, two (15%) converted to Unrestricted Report in FY14 and 11 remained Restricted. Of the 11 remaining non-Service member Restricted Reports, two have unavailable victim type. Demographically, nine of the Restricted Reports involved female victims and two have unavailable data. The age of victims at the time of incident was as follows: six were between the ages of 20-24, two were between the ages of 25- 34, one of the victims was between the ages of 16-19, one was between the ages of 35- 49, and one data unavailable.

3.2. Reporting Data Discussion. This section should include such information as:

- Trends in descriptive information about Restricted Reports (e.g., Did more reported incidents occur on/off installation)
- Trends in Restricted Reporting conversions
- Experiences in Combat Areas of Interest
- Other (Please explain)

Restricted to Unrestricted Conversions

In FY14, of the 401 initially Restricted Reports, 24% (97) were converted to Unrestricted Reports, a 98% increase from FY13 (49). FY13 had a 4% increase in conversion from FY12 (47). Of the converted cases able to be categorized in FY14, 94

were filed by Service member victims and one was filed by a non-Service member victim. Approximately 55% (166) of the Restricted Reports were filed by Service members who indicated they were sexually assaulted by other Service members, 21% (65) involved Service members assaulted by an unidentified subject, 16% (50) involved Service members assaulted by a non-Service member, 1% (4) involved non-Service members assaulted by Service members (entitled to make a Restricted Report by DoD Policy), and 6% (19) of the Restricted Reports have unavailable data for this category.

Location of Incident

FY14 Restricted Reports occurring on a military installation (including on board a ship in port) accounted for 25% (78), compared to 54% (165) that occurred off a military installation and 17% (53) that occurred in an unidentified location. The location was unavailable in 3% (8) of the reports for this category. In comparison to FY13 Restricted Reports, there was a 16% decrease for incidents occurring on a military installation [FY13 (83)]; a 16% increase occurring off of a military installation [FY13 (144)]; and a 5% decrease occurring in an unidentified location [FY13 (78)].

Additionally, 14 (5%) of the 283 Navy Service member victims who made Restricted Reports disclosed to SARCs and/or SAPR VAs that the incidents occurred aboard ship while on the installation.

Time of Incident

Approximately 30% (92) of incidents occurred between midnight and 6 a.m., 30% (90) between 6 p.m. and midnight, and 9% (27) between 6 a.m. to 6 p.m. Time of the incident was unknown in 29% (89) of reported incidents and unavailable in 2% (6) cases.

Combat Area of Interest

The 10 combat area of interest Restricted Reports did not convert to Unrestricted. Of these, 70% (7) were made by Service members who indicated that they had been sexually assaulted by other Service members; 10% (1) involved a Service member assaulted by unidentified subject; 10% (1) involved Service member assaulted by non-Service member; and 10% (1) of the Restricted Report data for this demographic was unavailable (blank).

Of the 10 combat area of interest Restricted Reports, 60% (6) were reported as occurring on a military installation and 40% (4) occurred off a military installation. Combat area of interest Restricted Reports are categorized in the following timeframes: two of the sexual assault incidents occurred between midnight and 6 a.m., three of incidents occurred between 6 a.m. to 6 p.m., two occurred between 6 p.m. and midnight, and three have unknown time of incidents.

4. Service Referrals for Victims of Sexual Assault

4.1. Unrestricted Report Referral Data Discussion. This section should include such information as:

- Summary of referral data
- Combat Areas of Interest referral data
- Discussion of any trends of interest identified in referral data
- Other

Service Referrals for Service member Victims of Sexual Assault (Unrestricted Reports)

In FY14, there were 2,563 total support service referrals for Service members making Unrestricted Reports, compared to 2,861 in FY13 and 1,419 in FY12. Referrals were provided by SARCs when the victim requested or conveyed a need for military and/or civilian medical, victim advocacy, mental health, legal, or chaplain services. Referrals were primarily made to military resources for medical and mental health support as well as victim advocacy services. Of the total referrals, 2,337 (91%) were made to military support services: 667 for victim advocacy, 478 for mental health, 278 for chaplain/spiritual support, 374 for legal assistance, 166 to the DoD Safe Helpline, 253 for medical, and 121 were referrals to other services. In addition, 226 (9%) referrals were made to civilian facilities as follows: 49 to a rape crisis center, 46 for mental health, 48 for victim advocacy, 18 for medical, seven for legal assistance, six for chaplain/spiritual support, and 52 to other services.

Combat Areas of Interest

In FY14, there were 54 total support service referrals, both military and civilian resources, for Service members making Unrestricted Reports in combat areas of interest. Referrals were provided by SARCs when the victim requested or conveyed a need for military resources and/or civilian medical, victim advocacy, mental health, legal, or chaplain services. Referrals were primarily made to military facilities for medical and mental health support. Of the total referrals, 52 (96%) were made to military support services: 10 for victim advocacy, 11 (21%) for chaplain/spiritual support, nine for mental health, eight for legal assistance, seven for medical, six to DoD Safe Helpline, and one to other services. In addition, two (4%) referrals were made to civilian facilities as follows: one to a rape crisis center and one for victim advocacy.

Sexual Assault Forensic Examination (SAFE)

In FY14, there were 129 Service member Unrestricted Reports to SARCs where a SAFE was conducted; a 52% increase over FY13 (85). In FY14, there were no instances where these victims reported to SARCs that SAFE kits or other supplies were not available at the time of the victim's exam.

In FY14, there were two cases where Service members in combat area of interest reported to SARCs that a SAFE was conducted

4.2. Restricted Report Referral Data Discussion. This section should include such information as:

- Summary of referral data
- Combat Areas of Interest referral data
- Discussion of any trends of interest identified in referral data
- Other

Service Referrals for Service Member Victims of Sexual Assault (Restricted Reports)

In FY14, there were 824 total support service referrals for Service members who made Restricted Reports, a 16% decrease from FY13 (982). However, FY14 has a 101% increase over FY12 (410) while FY13 had a 140% increase compared to FY12. As with the Unrestricted Reports, FY14 referrals were primarily made to military resources for medical and mental health support as well as victim advocacy services. Of these total referrals, 745 (90%) were made to military resources, including 196 for victim advocacy, 170 for mental health, 112 for chaplain/spiritual support, 103 for medical, 70 for DoD Safe Helpline, 62 for legal, and 32 to other services. In addition, 79 (10%) referrals were made to civilian facilities as follows: 26 to a rape crisis center, 21 for mental health, 11 for victim advocacy, five for medical, two for chaplain/spiritual support, and one for legal services.

Combat Areas of Interest

In FY14, there were 24 total support service referrals for Service members who made Restricted Reports in combat areas of interest. Referrals were provided by SARCs when the victim requested or conveyed a need for military and/or civilian medical, mental health, legal, victim advocacy, or chaplain services. Referrals were primarily made to military resources for medical and mental health support as well as victim advocacy services. Of these total referrals, 22 (92%) were made to military resources, including seven (32%) for victim advocacy, seven (32%) for mental health, four (18%) for medical, two (9%) for legal assistance, one (4.5%) for chaplain/spiritual support, and one (4.5%) for DoD Safe Helpline. In addition, (8%) referrals were made to civilian facilities as follows: one (50%) to a rape crisis center and one (50%) for chaplain/spiritual support.

Sexual Assault Forensic Examination (SAFE)

In FY14, there were 39 Service member Restricted Reports to SARCs where a SAFE was conducted, a 15% increase from FY13 (34). In FY14, there were no instances

where these victims reported to SARCs that SAFE kits or other supplies were not available at the time of the victim's exam.

In FY14, there were no Service members in combat areas of interest with Restricted Reports to SARCs who indicated that a SAFE was conducted.

4.3. Service Referrals for Non-Military Victims Data Discussion. This section should include such information as:

- Summary of referral data
- Combat Areas of Interest referral data
- Discussion of any trends of interest identified in referral data
- Other

Service Referrals for Non-Service Member Victims of Sexual Assault (Unrestricted)

In FY14, there were 149 total support service referrals for non-Service members who made Unrestricted Reports. Referrals were provided by SARCs when the victim requested or conveyed a need for military and/or civilian medical, mental health, legal, victim advocacy, or chaplain services. Referrals were primarily made to military resources for medical and mental health support as well as victim advocacy services. Of these total referrals, 118 (80%) were made to military facilities, including 35 for victim advocacy, 26 for mental health, 15 for chaplain/spiritual support, 14 for medical, 9 for DoD Safe Helpline, 15 for legal assistance, and 4 to other services. In addition, 30 (20%) referrals were made to civilian facilities as follows: seven to a rape crisis center, 11 for mental health, four for victim advocacy, three for medical, one for legal services, and five referrals were for other services.

Service Referrals for Non-Service Member Victims of Sexual Assault (Restricted)

In FY14, there were 42 total support service referrals for non-Service members who made Restricted Reports. Referrals were primarily made to military facilities for medical and mental health support as well as victim advocacy services. Of these total referrals, 36 (86%) were made to military resources, including eight for victim advocacy, seven for mental health, seven for chaplain/spiritual support, seven for medical, four for DoD Safe Helpline, two for legal assistance, and one for other services. In addition, six (14%) referrals were made to civilian facilities as follows: two for a rape crisis center, two for medical, one victim advocacy, and one were referrals for other services.

Combat Areas of Interest

There were no cases in this category requiring support services referrals in a combat area of interest.

Sexual Assault Forensic Examination (SAFE)

In FY14, there were 19 non-Service member Unrestricted Reports to SARCs where a SAFE was conducted. In FY14, there were no instances where these victims reported to SARCs that SAFE kits or other supplies were not available at the time of the victim's exam.

In FY14, there were seven non-Service member Restricted Reports to SARCs where a SAFE was conducted. In FY14, there were no instances where these victims reported to SARCs that SAFE kits or other supplies were not available at the time of the victim's exam.

5. Additional Items

5.1. Military Justice Process/Investigative Process Discussion. This section should include such information as:

- Length of time from the date a victim signs a DD 2910 to the date that a sentence is imposed or accused is acquitted (Non-Metric #3)
- Length of time from the date a victim signs a DD 2910 to the date that NJP process is concluded (e.g., punishment imposed or NJP not rendered) (Non-Metric #4)
- Length of time from report to MCIO recommendation (Non-Metric #5)

In FY14, the average length of investigations conducted by NCIS was 126 days. In cases where the most serious offense investigated by NCIS was a penetration offense, the average length of time between the date the investigation was completed and the date legal advice was rendered to the command regarding case disposition was 29 days. In those cases disposed of at court-martial, the average length of time between the date the victim chose to make an Unrestricted Report and the date the sentence was imposed or an accused was acquitted at court-martial was approximately 317 days. In cases disposed of at non-judicial punishment, the average length of time between the date the victim signed a DD 2910 and the date non-judicial punishment was concluded was approximately 155 days.

Non-Metric Six
6.1. Non-metric #6: DoD action in sexual assault cases declined by civilians

Navy chose the following case synopses as anecdotal examples of situations where the military justice process was used to address allegations of sexual assault involving military members, when a civilian or foreign justice process did not or could not fully address the misconduct alleged. These cases were selected by the Service to demonstrate certain aspects of the military justice process and do not reflect the sum total of all such occurrences during FY14.

Case 1

Continental United States: Victim reported being sexually assaulted by Subject after a night of celebrating with her husband and others. Victim reported becoming too intoxicated, getting sick, and going to bed. Victim awoke to Subject attempting to orally copulate her after digitally penetrating her vagina. Subject was taken into custody by local authorities. Subject admitted to sexually assaulting the Victim. Local authorities dismissed the case due to lack of Victim participation and released primary jurisdiction of the investigation to the MCIO. Subject was convicted at a general court-martial and was adjudged 126 days of confinement, reduction to the pay grade E-1, forfeiture of $1,000 for a period of one month, and a bad conduct discharge.

Case 2

Continental United States: Victim reported that she last remembered having drinks with Subject and then woke up in an unknown location, later identified as Subject's apartment, with Subject on top of her engaging in vaginal intercourse. Victim stated she passed out again and then woke up the next morning alone in Subject's apartment. Local authorities declined to prosecute due to insufficient evidence to prove the case beyond a reasonable doubt. Navy prosecuted and Subject was convicted at a general court-martial and adjudged three years of confinement and a bad conduct discharge.

Case 3

Outside Continental United States: Victim reported that after drinking with Subject, Subject removed his penis from his pants while he and the Victim were outside. Victim reported that Subject forced her to perform oral sex on him. Victim further reported that Subject dragged Victim to a nearby park and then back to his off-base residence where she was forced to continue to perform oral sex on Subject and was raped by Subject multiple times. Subject also struck Victim in the stomach and threatened to kill her in order for her to comply. Foreign authorities declined to prosecute. Subject was convicted at general court-martial and adjudged nine years of confinement, total forfeiture of all pay and allowances, reduction to the pay grade E-1, a $90,000 fine, and a dishonorable discharge.



United States Marine Corps

Sexual Assault Prevention and Response

Progress Report to the President of the United States

December 2014

SAPR



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United States Marine Corps

Sexual Assault Prevention and Response (SAPR)
Progress Report to the President of the United States

December 2014

TABLE OF CONTENTS

Executive Summary 5

Comprehensive Overview by Line of Effort (LOE) 7

- Line of Effort 1: Prevention 7
- Line of Effort 2: Investigation 22
- Line of Effort 3: Accountability 28
- Line of Effort 4: Advocacy/Victim Assistance 47
- Line of Effort 5: Assessment 61

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Executive Summary

United States Marines are bound by loyalty and self-discipline. As members of an elite fighting force distinguished by its intense readiness, they are responsible for defending and aiding anyone in need at a moment's notice—especially fellow Marines. In the Marine Corps, the words *honor*, *courage*, and *commitment* are not empty, abstract concepts; they are the time-honored principles upon which all Marines build their lives and base their actions. Sexual assault does not belong among these legendary ranks. Those who fail to prevent sexual assault fail to uphold the proud tradition of excellence the Marine Corps has fought for centuries to establish. "Every sexual assault that has ever occurred in our Corps," wrote the 35th Commandant of the Marine Corps in a letter to Congress, "has damaged lives, eroded trust, tarnished our legacy of valor, and brought shame on all Marines, past and present."

Recognizing the devastating effects of sexual assault—including its impact on morale, mission capability, and readiness—the Commandant instituted Corps-wide measures to combat sexual assault. The Marine Corps enhanced its prevention efforts, introducing training programs focused entirely on community-based bystander intervention. The Corps also improved response capabilities, establishing 24/7 Installation Helplines in late 2010 and implementing first responder protocols in 2011. These early efforts had immediate effects and formed the basis of prevention and response initiatives still in use today. They also helped to reveal the greater scope of the problem within the Marine Corps and infused a sense of urgency in all Marine Corps leaders. In FY11, there were 346 victims in reports of sexual assault in the Marine Corps, which the Commandant called only "an initial glimpse of reality." The large majority of victims did not report and too many Marines, he said, "refuse to acknowledge the magnitude of the problem." Clearly, more needed to be done.

In early 2012, the Commandant issued the three-phase USMC Sexual Assault Prevention and Response (SAPR) Campaign Plan, which, in addition to more thorough program and data assessments, called for unprecedented institutional reform in the areas of prevention training for all ranks and standardized response capabilities across the Corps. The SAPR Campaign Plan called for the identification and closing of programmatic gaps pertaining to investigative, legal, and victim care services and for improved communication to the fleet regarding new and existing resources available to victims. In addition, the Campaign Plan called for large-scale SAPR training initiatives so that all Marines, from recruits to Commanders, would better understand the destructive effects of sexual assault and how to take immediate action to prevent it.

The fight against sexual assault requires total leadership engagement at all levels. The Marine Corps is built around the authority and centrality of the Commander, a model designed to enhance combat effectiveness, the sole organizing principle of all military Services. The SAPR Campaign Plan was therefore built around this central pillar of command, so that when critical moments arise—in the context of sexual assault—there is no hesitation among Marines. During such moments, each individual Marine must know that he or she is the right person for the right task at the right time, and it is the Commander who instills this sense of responsibility and trust. Accordingly, Phase I of the

SAPR Campaign Plan focused on the infusion of SAPR principles into key levels of leadership: General Officers, Sergeants Major, all Marine Corps command teams, noncommissioned officers. This initial surge of top-down training was followed by an All Hands SAPR training event for every Marine, which was conducted by Commanders and senior enlisted leaders to further solidify and demonstrate leadership engagement.

While these training events focused on prevention—dispelling myths, challenging preconceived beliefs, reducing stigma, and teaching specific intervention techniques—they were also used as a vehicle for outreach to raise victim awareness of reporting options and resources. The resulting second-half FY12 reporting spike brought the year's total to 453 victims in sexual assault reports, a 31 percent increase over FY11. Phase II of the SAPR Campaign Plan, which was launched November 2012, intensified these prevention initiatives, with customized SAPR training being developed for each stage in a Marine's career, and further advanced Phase I efforts to streamline victim response capabilities. During this time, the Marine Corps implemented the SAPR 8-Day Brief, a compliance mechanism used by Commanders to ensure proper victim response protocol for every unrestricted report. In addition, a victim advocacy survey was developed and implemented, providing valuable insight into the first-hand experiences of victims receiving services. These tools have been recognized for their proven effectiveness, serving as the precursors for similar mechanisms adopted by the Department of Defense (DoD) for use by all Service branches.

Other initiatives during this period included the increased staffing and credentialing of all Marine Corps SAPR first responders, along with the strengthening and expansion of their required training. In addition, protocol for all sexual assault investigations was remodeled to reflect a task force-style approach. The entire Marine Corps legal community was reorganized, improving prosecutorial capability and expertise for sexual assault and other complex cases. The Marine Corps also established the Victims' Legal Counsel Organization (VLCO), which provides dedicated legal guidance and representation to all crime victims, including victims of sexual assault.

As the Marine Corps continued to strengthen its prevention and response capabilities, more victims continued to come forward. In FY13, there were 876 victims in reports of sexual assault, marking a 93 percent increase over FY12. In FY14, there were another 855 victims in reports of sexual assault, sustaining this high level of reporting. This upward trend is supported by other positive statistical measurements, including yearly increases in reports for incidents that occurred over one year prior, reports converted from restricted to unrestricted status, the number of completed sexual assault investigations, and an increase in prosecutions for sexual assault offenses. For a crime often characterized by trauma, shame, and lack of acknowledgement, these and other developments demonstrate the progress that this institution has made in the last three years. The Marine Corps is gaining the trust of victims, whose confidence in the response system bridges the way to appropriate offender accountability.

The following Progress Report to the President of the United States details all Marine Corps SAPR initiatives and progress since December 2011. The report is organized to reflect the five lines of effort (LOE) that have guided the development and

implementation of the SAPR Campaign Plan: prevention, investigation, accountability, advocacy/victim care, and assessment. Despite the encouraging trends detailed herein, the battle against sexual assault is far from over. In April 2014, following a status review of the SAPR Campaign Plan, the Commandant issued a Phase II Addendum to address and explore newfound gaps and areas of improvement. These include prevention during periods of vulnerability, such as Marines transitioning to the operating forces from the entry level pipeline; the misuse of alcohol as it relates to sexual assault; the fidelity of existing SAPR metrics; and external communication and transparency. Reviews of Marine Corps progress will be conducted annually to determine whether the conditions have been met to begin the third phase of the SAPR Campaign Plan, which will focus on enduring sustainment.

Ultimately, the goal of the Marine Corps is to have all Marines take personal ownership of the core values that have defined this institution since its inception—honor, courage, and commitment—and to uphold these values consistently throughout their careers and beyond. Every Marine, the Commandant stated, must be "dedicated to making necessary changes to prevailing conditions and attitudes to create the work culture that the American people not only expect, but demand from their Marines." Achieving such a vision would make all of the below SAPR efforts necessarily self-enforcing and ingrained into an institution in which sexual assault and other crimes of misconduct are, without exception, unaccepted and eliminated.

Comprehensive Overview by Line of Effort (LOE)

1. LOE 1—Prevention

In April 2012, the Commandant convened a SAPR Operational Planning Team (OPT) chaired by a General Officer and comprised of senior officers and enlisted leaders hand-selected by the Commandant. The Commandant tasked the OPT with assessing the urgency and magnitude of sexual assault within the Corps and devising a strategy to address and combat this crime. Commanding Officers, Officers-in-Charge, and senior enlisted were charged with changing the prevailing conditions and attitudes that allow this crime to happen within our ranks.

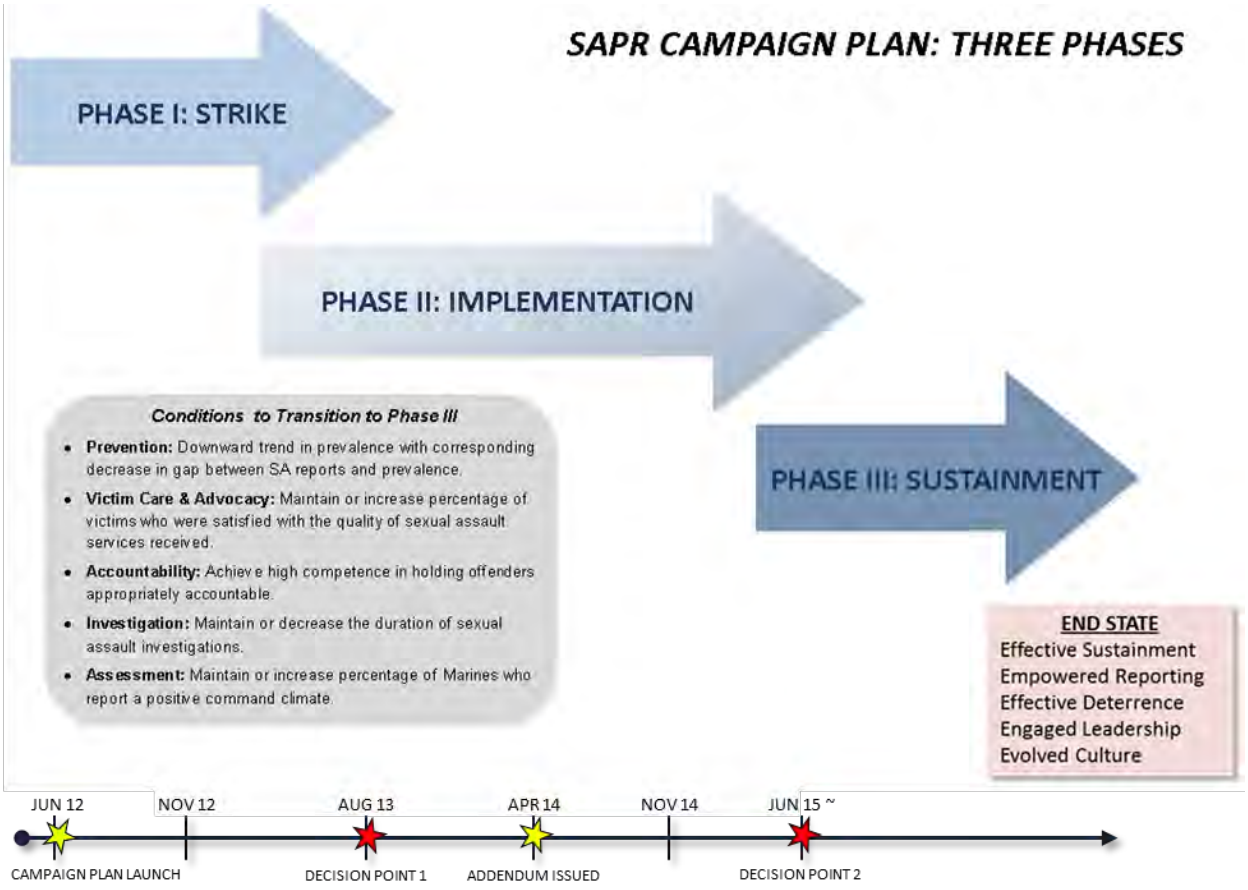
The OPT created the three-phase SAPR Campaign Plan, signed June 2012, which outlined and guided the implementation of initiatives designed to eliminate sexual assault from the ranks and enhance capabilities pertaining to victim care, appropriate offender accountability, and program assessment. Phase I of the SAPR Campaign Plan spanned five months, from June to November 2012, during which time over 40 tasks were assigned and completed. Included were several SAPR training events and programs specifically designed for General Officers, Sergeants Major, command teams, noncommissioned officers, as well as an "All Hands" mandatory SAPR Training initiative for every Marine. Phase I also called for the complete reorganization of the SAPR branch at the headquarters level, assigning leadership and Campaign Plan implementation oversight to a Colonel (O-6) from an operational command, again hand-selected by the Commandant.

Phase II of the SAPR Campaign Plan was launched on 10 November 2012, introducing several large-scale victim response initiatives, while extending and intensifying the prevention efforts started in Phase I. More SAPR training programs were developed and implemented across the Corps, customized to specific internal entities including the Delayed Entry Program, Recruit Depots, Military Occupational Specialty (MOS) schools, Primary Military Education (PME) for both officers and enlisted, Commanders and Senior Enlisted Leaders, and pre-deployment environments. All annual training requirements were also customized in a manner specific to grade in order to keep the SAPR material fresh and relevant to the intended audience.

While built around leadership engagement, each of these Marine Corps SAPR training programs were designed to disrupt the offender's cycle of harm in part by teaching the principles of bystander intervention. Evidence-based research has shown that the likelihood of bystanders intervening to prevent a crime decreases significantly when the offender and the victim know each other. This finding is especially critical in the context of sexual assault, where the large majority of victims are acquainted with their attackers. This reluctance to intervene is most effectively addressed at the community level with proper training that empowers bystanders in two ways: 1) infusing them with a sense of responsibility to intervene, and 2) teaching them how to intervene. The Marine Corps has addressed these two elements in its training courses by appealing to all Marines' sense of duty to protect each other and instructing them in the three D's of bystander intervention: Direct, Distract, and Delegate. Information regarding specific Marine Corps SAPR training initiatives implemented within the last three years will be detailed below.

In August 2013, the Commandant re-convened the SAPR OPT to review the effectiveness of the initiatives specific to this SAPR Campaign Plan and determine the way ahead. Specifically, the OPT was tasked with answering the following three questions: 1) What is the Marine Corps doing that is working?, 2) What is the Marine Corps doing that is not working?, and 3) What should the Marine Corps be doing that it is not doing? The OPT concluded that while the Marine Corps is moving in the right direction, Phase II of the Campaign Plan should be extended to build upon our progress and sustain the positive energy and momentum of our efforts thus far. A working group was convened in October 2013 to develop and refine additional Phase II tasks, which were thoroughly researched, organized, and incorporated into the Addendum to the SAPR Campaign Plan, signed by the Commandant on 7 April 2014. The Addendum includes tasks designed to enhance Marine Corps efforts in several areas, including prevention during periods of vulnerability, such as Marines in transition; the misuse of alcohol; SAPR metrics; and external communication and transparency. The next decision point and Campaign Plan review is scheduled for June 2015.

The third phase of the SAPR Campaign Plan remains on a conditions-based timeline, as outlined in the graphic below. The focus of Phase III will be the sustainment of all Marine Corps SAPR progress to date.

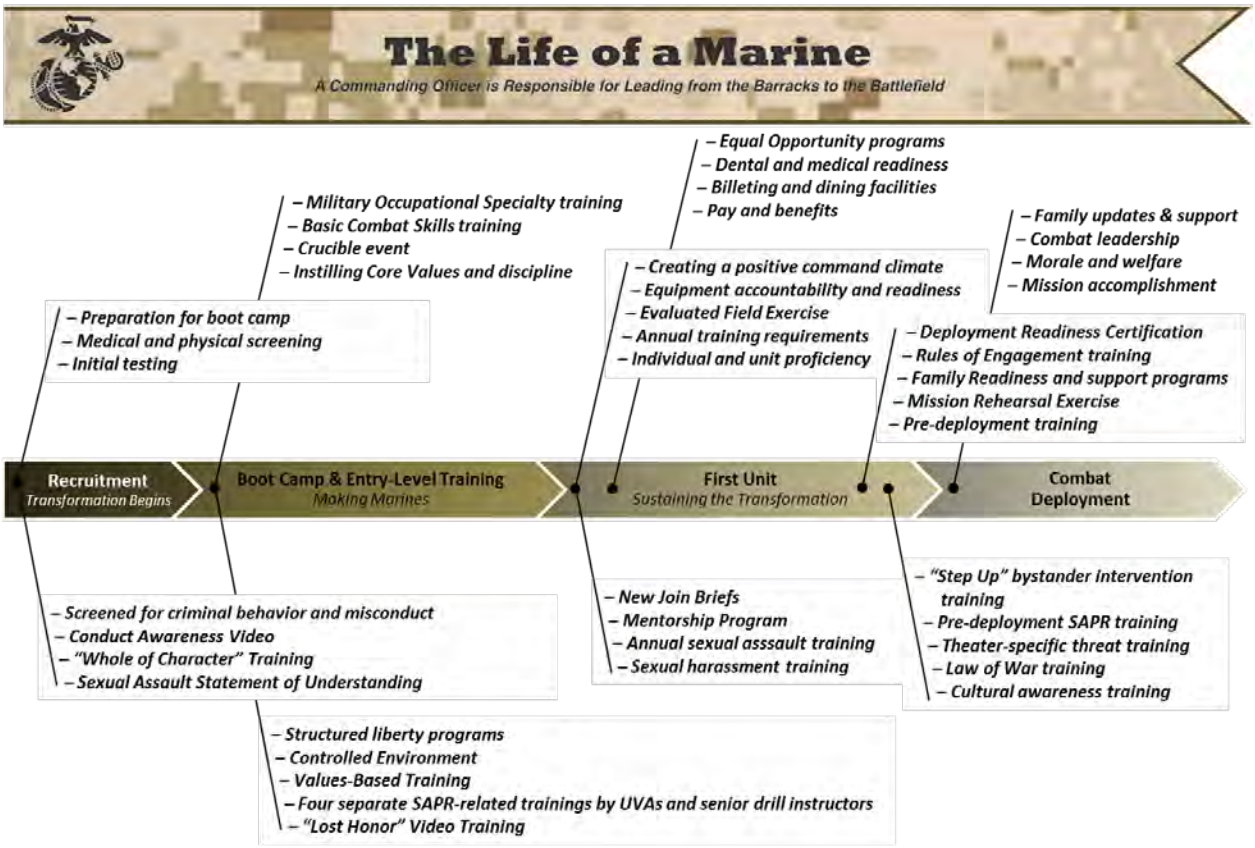


Training Enhancements

Every Marine is required to complete annual SAPR training to ensure a thorough understanding of the nature of sexual assault in the military environment and the entire cycle of prevention, reporting, response, and accountability. The training provides Marines with a general knowledge of sexual assault, to include:

- What constitutes sexual assault;
- Why sexual assault is a crime;
- The definition of consent;
- Available reporting options, exceptions, and limitations of each option;
- Awareness of the Commander's roles, responsibilities, and available military and civilian resources for victims;
- The distinction between sexual assault and sexual harassment and other types of sexual-related misconduct; and
- Methods of prevention and risk reduction, to include bystander intervention.

The below "Life of a Marine" graphic displays a rough timeline of a Marine's progress from recruitment through his or her first duty station and combat deployment. Since the June 2012 launch of the SAPR Campaign Plan, the Marine Corps has concentrated a large portion of its efforts on this crucial period in the life of a Marine, working to instill a sense of ethics and responsibility into our youngest, most vulnerable demographic.



The ongoing establishment of the SAPR training continuum includes new training initiatives implemented even before recruit training, emphasizing individual character and the core values, and extends into the later stages of a Marine's career, focusing on leadership and accountability. These initiatives comprise a building block model for Marine Corps SAPR training and include programs designed specifically for the following:

Delayed Entry Program (DEP)

The Marine Corps has instituted a formal two-hour ethics package course of instruction titled "Whole of Character" for all poolees (i.e., Marine Corps enlistees who are awaiting travel to Recruit Training). This training is conducted by recruiters and required prior to accession. It is designed to introduce young men and women to the Marine Corps ethos of honor, courage, and commitment, while addressing the Marine Corps position on sexual assault, harassment, hazing, and alcohol abuse. Learning objectives include:

- Understand the Marine Corps core values and how they are consistent with ethical standards of behavior;
- Understand the DoD definitions of sexual harassment, sexual assault, consent, and bystander intervention;
- See the value of making ethical decisions consistent with Marine Corps ethical standards;
- Anticipate consequences of decisions; and
- Avoid actions that could lead to negative outcomes.

Upon initial enlistment, recruits view the "Conduct Awareness" video, which describes inappropriate behavior and how to report misconduct and crimes, delivered by the Military Entrance and Processing Station (MEPS) Liaison.

Marine Corps Recruit Depots (MCRD), Officer Candidates School (OCS), and Military Occupational Specialty (MOS) schools

All recruits receive SAPR training within the first 14 days of arriving at recruit training and again before graduation. Officer candidates also receive SAPR training within the first 14 days of arrival at Officer Candidates School (OCS). Both populations are required to sign a statement of understanding (SOU) pertaining to Marine Corps policy on sexual assault and sexual harassment. The SOU states: "Sexual assault and sexual harassment are prohibited in the United States Marine Corps. Furthermore, any instances of non-adherence to this policy by a Marine can result in disciplinary or administrative action." The SOU also contains clear definitions of sexual assault and sexual harassment. These Marines receive additional SAPR training prior to arrival at their first duty stations while at either The Basic School (for officers) or Military Occupational Specialty (MOS) training (for junior enlisted Marines).

Both Marine Corps Recruit Depots (Parris Island and San Diego) now conduct four separate SAPR-related trainings. Training is provided on the first day of arrival to recruit training, conducted by a Uniformed Victim Advocate (UVA). The second is on Training Day 10, which is a lecture given by the MCRD academics department. The third is a foot locker discussion with their Senior Drill Instructor, which occurs at Training Day 50. The fourth occurs at the end of recruit training and consists of the Marine Corps *Lost Honor* video, which includes interviews with four Marines convicted of sexual assault, each recounting the various circumstances and decisions leading up to the incident.

In addition, all recruits receive two Core Values Guided Discussions (CVGDs) at the beginning and during the final phase of recruit training. Both CVGDs are conducted by the platoon's Senior Drill Instructor (SDI). Recruits are also taught core values and bystander intervention during Marine Corps Martial Arts Program (MCMAP) training, which includes discussions pertaining to ethics.

The following table contains a complete list of all sexual assault, sexual harassment, and related training during recruit training:

TRAINING TOPIC	CONDUCTED BY	LENGTH OF TRAINING
Equal Opportunity (EEO)	Series Commander (1stLt/Capt)	1 hour
SAPR	Company 1stSgt	1 hour
SAPR 1 Guided Discussion	Senior Drill Instructor (SDI)	30 minutes
Sexual Harassment	Company CO (Capt)	1 hour
EEO Guided Discussion	SDI	30 minutes
Sexual Harassment Guided Discussion	SDI	30 minutes
Fraternization	Series Commander (1stLt/Capt)	1 hour

Sexual Responsibility	Company 1st Sgt	1 hour
Fraternization Guided Discussion	Drill Instructor (DI)	30 minutes
Sexual Responsibility 1 Guided Discussion	SDI	30 minutes
SAPR 2 Guided Discussion	SDI	30 minutes
Warrior Preservation	SDI	1 hour
Sexual Responsibility 2 Guided Discussion	DI	30 minutes
Continuing the Transition Guided Discussion	SDI	30 minutes

After recruit training and OCS, SAPR training is provided at MOS schools by UVAs. SAPR training at MOS schools reinforces the values and instruction that these new Marines received during recruit training. Newly commissioned Second Lieutenants receive SAPR training at The Basic School within the first two weeks of arrival. A SAPR overview is taught by a UVA and is followed by a discussion with the Commanding Officer. Additionally, the Second Lieutenants break into small groups and go through scenarios with their Platoon Commanders. These scenarios focus on handling a report of sexual assault from a leader's perspective.

Junior Enlisted Marines

Marine Corps efforts to focus on that critical period of transition between entry-level training and the operating forces were strengthened by the 28 July 2014 release of the "Step Up" bystander intervention training program. Designed specifically for junior Marines, the most at-risk demographic in the Marine Corps, "Step Up" is a 90-minute video-based, interactive program that teaches the principles of bystander intervention. The video segment, which is integral and exclusive to this training, follows a group of acquainted junior Marines attending an off-base house party during which one Marine aggressively pursues another. The training teaches Marines about sexual assault and how to prevent it by identifying in this scenario the different ways in which bystanders could have intervened to stop an incident from occurring.

Regarding bystander intervention, "Step Up" training discusses red flags (i.e., actions and behaviors that go against the core values of the Marine Corps), as well as when and how to intervene, providing specific techniques and examples. In addition, the "Step Up" curriculum teaches junior Marines about healthy relationships, consent, sexual harassment (and how it differs from sexual assault), and reporting options for victims.

Noncommissioned Officers (NCOs)

The Marine Corps "Take A Stand" training initiative was launched on 15 January 2012, six months prior to the launch of the SAPR Campaign Plan, initiating our customized SAPR training model, a building block approach designed to keep SAPR material fresh and relevant for all Marines. The three-hour "Take A Stand" curriculum, designed specifically for NCOs (Corporals and Sergeants), replaces the SAPR annual training requirement for these ranks and includes mini-lectures, guided group discussions,

activities, and over 60 documentary interviews that comprise the program's video component. In addition, the video includes interviews with SAPR subject matter experts, the Commandant and Sergeant Major of the Marine Corps, senior leaders, NCOs, junior Marines, and victims of sexual assault.

The video component of "Take A Stand" also includes the dramatization of a scenario in which a Lance Corporal is being targeted by a Corporal, leading to a sexual assault. This scenario is designed to engage the audience and set up key teaching points pertaining to consent, the impact of sexual assault on victims, and offender techniques, including coercion, influence, and alcohol. Above all, the scenario informs the small-group discussions centered on intervention, specifically on when and how bystanders should intervene, as well as on why people often fail to.

With 63% of all Marines being age 25 or younger, and 42% of all Marines at the rank of Lance Corporal or below, NCOs are relied upon heavily for their presence and leadership and are considered the backbone of the Corps. Following its release, "Take A Stand" was completed by all NCOs by 31 August 2012. Currently, the program is required training for all newly promoted Corporals and Sergeants. "Take A Stand" is taught by UVAs who have been certified by a master training team led by an installation SARC.

Pre-deployment Training
The Marine Corps revised its pre-deployment SAPR training program, which now includes bystander intervention and risk reduction strategies. The training also provides information pertaining to the country anticipated for deployment, emphasizing its customs, mores, and religious practices. In addition, the training identifies first responders who will be available during deployment, to include law enforcement, legal, the SARC, UVAs, healthcare personnel, and Chaplains.

Professional Military Education (Officer and Enlisted)
Customized SAPR training has been developed and implemented for the following: Corporals Course, Sergeants Course, Staff Academy, Advanced Academy, First Sergeants Course, Expeditionary Warfare School (EWS), and Command and Staff (CSC). SAPR material has been incorporated into the Corporals and Sergeants Course curricula, while HQMC SAPR provides the training at the Staff Academy, Advanced Academy, 1st Sergeants Course, EWS, and CSC. The SAPR training for EWS and CSC includes real-life case studies that illustrates the importance of Commander awareness. The training teaches that Commanders should always be aware of how their actions, or inactions, communicate intent and messages across the Corps.

Prospective Commanders and Senior Enlisted Leaders
The Marine Corps Commanders Course is mandatory for all prospective Commanders and Senior Enlisted Advisors. The course emphasizes the importance of command climate and the central role of leadership in both prevention and response. The four-phase course employs a read-ahead, a group lecture/discussion, and practical application (i.e., small-team problem-solving scenarios). The last phase is a brief by their

installation SARC within 30 days of assuming command or getting posted. The brief covers SAPR resources available at the local level. In addition to teaching the basic concepts and issues related to sexual assault in the military, the Commanders Course is designed to ensure that all Marine Corps leaders understand:

- Risks and circumstances associated with sexual assault incidence and the proactive measures to prevent sexual assault and other destructive behaviors within their command;
- Essential elements of quality victim care and the roles and responsibilities of victim service providers;
- Complexity of sexual assault crimes and the appropriate investigation and disposition options available; and
- The roles of Commanders and Senior Enlisted Leaders in fostering a command environment free of sexual assault.

Commanders/Command Teams/Senior Officers

Following the Commanders Course, all Command Teams must receive SAPR annual refresher training conducted by the Installation SARC. The Marine Corps also developed and implemented specific SAPR training for the Brigadier General Select Orientation Course (BGSOC), which outlines all the key command responsibilities, including military protective orders, civilian protective orders, expedited transfers, transferring of the alleged offender, and holding offenders appropriately accountable. Above all, the BGSOC SAPR training emphasizes the fact that Marines who have been sexually assaulted often do not come forward due to fear of being punished for collateral misconduct, being ostracized in the unit, or not being believed or supported by their leadership. The training emphasizes the importance for leadership to set the tone about how sexual assault can be prevented and making sure that any incidents are properly addressed per policy.

In addition, numerous one-time training events and stand-downs have also been conducted for senior leaders before and after the June 2012 launch of the SAPR Campaign Plan. The most notable of these include:

Senior Leaders Seminar

This four-hour SAPR training course was conducted nine times throughout 2011 for all Master Sergeants, First Sergeants, Master Gunnery Sergeants, Sergeants Major, Chief Warrant Officers, and all senior officers.

SAPR General Officers' Symposium (GOS)

Held 10–11 July 2012 at Marine Corps Base (MCB) Quantico, this SAPR GOS was convened by the Commandant to initiate the top-down approach of Phase I of the SAPR Campaign Plan. Mandatory for all General Officers, the symposium specifically addressed the prevention of sexual assault and consisted of two days of training conducted by subject matter experts who spoke on topics relevant to prevention, including the effects of alcohol, inadvertent victim blaming, dispelling myths, and other

related subjects. Training on sexual assault prevention was also made a centerpiece topic of the 2012 Sergeants Major Symposium, held 1 August 2012.

Command Team Training
As part of Phase I of the SAPR Campaign Plan, SAPR Command Team Training was conducted for all Commanding Officers and Sergeants Major. The training program was designed to ensure that all leaders (staff NCOs and officers) are engaged and mindful of the problem of sexual assault within the Corps. The program consisted of one day of training presented in the form of guided discussion, case studies, video-based Ethical Discussion Games (EDGs), and SAPR Engaged Leadership Training. SAPR Engaged Leadership Training provided Command Teams in-depth practical knowledge on their responsibilities within the SAPR program, on the importance of establishing a positive command climate and victim care, the process of Victim Advocate selection, and the necessity to equip Marines with knowledge pertaining to sexual assault prevention.

Leadership Summit
In June 2013, the Commandant directed the Leadership Summit for all Commanding Generals, Commanding Officers, and their Senior Enlisted Advisors. Utilizing case studies and small-group discussions, the summit underscored how the ripple effects of command climate impact the lives of individual Marines, the effectiveness of the unit, and the overall strength of the Corps. Reinforcing the SAPR Campaign Plan's Commander-centric structure, the Leadership Summit embedded the problem of sexual assault into the larger sphere of command climate and addressed the often co-occurring behaviors of alcohol misuse and sexual harassment, which ranges from crude behavior to sexual coercion. Training on sexual assault prevention is also included in the annual Sergeants Major Symposium and was made a centerpiece topic for the symposium held in August 2012.

Additional SAPR Training Events and Programs for all Marines

All Hands Training
Mandatory for every Marine, this training program was conducted from September to November 2012 as part of Phase I of the SAPR Campaign Plan. The training tied prevention not only to the core values of honor, courage, and commitment, but also to unit cohesion, readiness, and morale. Conducted by Commanders and Sergeants Major, All Hands training included direct messages from the Commandant, as well as extensive instruction on SAPR services, resources, procedures, and reporting options. The principles of bystander intervention were embedded in All Hands training through video-based EDGs, which contain scenarios related to sexual assault.

Sex Signals
The Marine Corps has greatly benefited from the relationship it has established and maintained with Catharsis Productions, a theater company and advocacy organization whose mission is to reduce interpersonal violence by producing innovative and research-supported programming that challenges oppressive attitudes, transforms behavior, and inspires communities to create a world without violence. Their effective program "Sex

Signals" supports the Marine Corps SAPR mission through non-traditional training techniques. Incorporating improvisation, audience interaction, humor, and education, "Sex Signals" provides a fresh and provocative look at dating, sex, and the core issue of consent.

Part of the two-person "Sex Signals" show requires the audience to play the role of the bystander. The two actors demonstrate some sexually aggressive behavior at a party, and the audience is armed with STOP signs to hold up when they think it's going too far. The audience's reactions allow for the discussion of differing ideas of what is acceptable. Feedback from participants has shown that many will fail to hold up their STOP signs because they think no one else will. This problem mirrors real-life situations in which bystanders do not intervene because they imagine they are the only ones who see a particular incident as a problem. "Sex Signals" was performed across 16 Marine Corps installations and two reserve sites throughout FY12 and FY13.

No Zebras. No Excuses: Sexual Aggression Peer Advocates (SAPA) was established at Central Michigan University in 1996 and has become one of the foremost peer advocate programs in the country. SAPA provides training and educational programs on sexual assault and violence prevention, including their renowned program "No Zebras. No Excuses," which is a survivor-centered, perpetrator-focused stage production that uses vignettes to present audience members with scenarios related to bystander intervention. In FY12, "No Zebras. No Excuses" was performed across several Marine Corps installations. In FY13, a truncated version of this program—called "Zebras Lite"—was performed on seven Marine Corps installations. These performances were funded by the Department of the Navy (DON) Sexual Assault Prevention and Response Office (SAPRO).

Process/Procedural Upgrades and Efficiencies

The following initiatives have been implemented within the last three years to enhance SAPR prevention efforts and to promote individual values and character.

Delayed Entry Program (DEP) – "Welcome Aboard Package"
In addition to the "Whole of Character" training detailed above, all new members of the DEP receive a "Welcome Aboard Package" at the time of acceptance for enlistment into the Marine Corps. This packet is geared toward all new members and their families. In addition to a booklet and video about the command, sexual assault wallet cards are included that outline the DEP member's responsibilities for reporting of any incidents, bystander intervention, and acceptable conduct and reporting.

Recruiter Screening and Training
A Marine's career begins with the recruiter. Although all Sergeants through Master Sergeants are eligible to be assigned or to volunteer to be a recruiter, the screening narrows down the selection considerably: Of the 9,050 Marines screened annually, only 1,800 Marines are assigned to Recruiting Class. The screening process ensures that when a Marine is screened for recruiting duty, any history of activity that would put the recruit at risk would immediately disqualify the recruiter from the duty. This process

includes a records review of evaluations/fitness reports, nonjudicial punishments, courts-martial, alcohol consumption, drug involvement, and family advocacy issues. It also includes medical screening, to include a full mental health screening, and interviews with the Commanding Officer and senior enlisted leader. In addition, all selected must have a background check and be checked against the National Sex Offender Registry.

After graduating from Recruiters School and being placed on recruiting duty, the recruiter receives "Whole of Character" training. In addition, all recruiters receive an "Ethics Package" at Basic Recruiters School (BRC) at MCRD San Diego. This formal course of instruction deals with the Marine Corps core values of honor, courage, conduct, and commitment, and outlines the following:

- Relationship restrictions between the recruiter and the recruit
- Two-person integrity policy (detailed under the "Best Practices/Innovations" section below)
- Fraternization
- Sexual harassment
- Sexual assault
- Alcohol issues and usage

Alcohol Sales Restrictions

Alcohol continues to be a factor to incidents of sexual assault, with roughly half of all reports of sexual assault in the Marine Corps involving alcohol in some way. In August 2013, the Commandant released a memo that details new restrictions pertaining to the sale of alcohol aboard Marine Corps installations. These changes were implemented to support SAPR initiatives and promote good health. They include:

- Removal of distilled spirits—or liquor—from all sites designated as Marine Marts adjacent to barracks.
- Alcoholic beverages to be sold only from 0800 until 2200 in all Marine Corps exchanges.
- Floor space dedicated to the sale and display of alcohol will be limited to no more than 10 percent of total retail space in stores not considered a package store.
- Alcohol and displays will be relocated to the sides or rears of exchanges, farther from main entrances and sections used by underage patrons; in-store marketing will be limited to those sections.

In addition, a data call was released in September 2014 requiring verification that all Marine Corps employees (employed 30 days or longer) who sell or serve alcohol to patrons for immediate consumption on premises have attended and successfully passed the approved Responsible Alcohol Service Training. Currently, the approved training program is ServSafe Alcohol certification program by the National Restaurant Association. In addition, in Okinawa, the Controlling Alcohol Risks Effectively (CARE) program by the American Hotel & Lodging Educational Institute has been approved for training.

Enhanced Barracks Oversight

In September 2013, at the General Officers Symposium, the Commandant called for several new initiatives pertaining to the barracks. He cited several behavioral problems as the reasoning behind these changes, mentioning specifically the issues of sexual assault, hazing, alcohol misuse, fraternization, and failure to maintain personal appearance standards. These initiatives included:

- Sergeants and Corporals will return to the barracks to provide leadership to the maximum extent possible. This policy change was made in 2011, with the Commandant saying it was necessary to save money and put the Corps' new, impressive bachelor enlisted quarters to full use.
- Senior officers, staff NCOs (SNCOs), and NCOs will be in and out of the barracks regularly, especially between 2000 and 0400.
- Company-grade officers will be assigned as officers on duty and SNCOs will be assigned as staff officers on duty. All Marines on duty will be required to wear service uniforms, either Bravos or Charlies, depending on which uniform is in season.
- Two NCOs will be on duty per barracks, and a firewatch will be conducted on each floor of each building.
- Television and video games will not be allowed in the watchstander's place of duty. They must be out and about, and not behind a desk.

Best Practices/Innovations

Ethical Discussion Groups (EDGs)

Based on the success of the six video-based EDGs that were implemented in FY12 as part of All Hands training, eight additional EDGs were developed in 2014. Four were distributed for Corps-wide use in September 2014. The remaining four will be incorporated into trainings targeting leaders at various levels. The EDGs enhance Marine Corps prevention training efforts, incorporating bystander intervention and teaching Marines how to properly respond if a sexual assault occurs. Each EDG targets a specific audience, from junior Marines to leadership, and relates to the targeted audience's level of responsibility and knowledge. Using realistic scenarios that depict incidents surrounding a sexual assault, EDGs allow Marines to think about how they would act in similar situations, preparing them to intervene and respond appropriately in real life. After watching an EDG video, Marines participate in small groups that enable candid, nonjudgmental discussions and serve to dispel myths and misconceptions about sexual assault.

In FY14, one of the EDG videos titled "The Gunny" received a bronze Telly Award. The Telly Award is an industry award for creative excellence honoring outstanding video and film programs. Winners represent the best work of many national and regional advertising agencies and production companies. "The Gunny" recounts a scenario in which a female Lance Corporal tells her Gunnery Sergeant that she was raped by another Lance Corporal the previous night. Rather than putting her in contact with a UVA, the Gunnery Sergeant takes it upon himself to handle the situation the wrong way.

After obtaining details about the incident from the victim, including the name of the alleged offender, the Gunnery Sergeant sends the victim home and angrily confronts the offender, eventually taking him to the Provost Marshal's Office (PMO). Later, the Sergeant Major gets wind of how the Gunnery Sergeant handled the situation and asks to speak with him. While the Sergeant Major praises the Gunnery Sergeant's initiative, he corrects his judgment on how to handle reports of sexual assault and goes through the proper protocol for such situations.

Policies at the Marine Corps Recruit Depots

Recruit Training is structured so that our young recruits have positive role models to emulate during the important, formative period of their introduction to the Marine Corps, which is essential for their development into young Marines. Battalion Commanders also play an integral role in this process through not only their discussions with the recruits but also in their actions. There are female instructors throughout the various aspects of recruit training to include: Marine Corps Martial Arts Instructors, Academic Instructors, Marine Corps Instructors of Water Survival, senior enlisted female Marines within Support Battalion, and female drill Instructors within Female Rehabilitation Platoon. There are also female drill instructors in the Receiving section, who are responsible for receiving all recruits (male or female), and ensuring they are prepared to start training at the end of receiving week. These female instructors are placed throughout the various facets of training to provide a positive role model for both male and female recruits to observe and interact with.

All recruits are required to travel in pairs, and there is no alcohol or opposite gender visitors allowed in the recruit barracks, where there is someone on watch at all times. Permanent personnel barracks are regularly toured by the command duty officer and officer of the day, especially during hours of darkness and high activity. This continuous presence serves to mitigate high-risk situations that have the potential to deteriorate into misconduct. Even though alcohol and opposite gender visitations are allowed in permanent personnel barracks, they are strictly regulated through frequent barracks inspections and visiting hours supervised by the barracks duty.

In addition, recruits making a report for a sexual assault that occurred prior to their enlistment are tracked. Because MCRD Parris Island is the only installation that trains female enlisted recruits, prior-to-service reports at this recruit depot tend to be higher and have only increased with the added training focus on SAPR resource awareness. To handle such a large case load, MCRD Parris Island increased the number of UVAs per battalion and requested additional counselors be available for sexual assault victims. Being that most MCRD Parris Island victims report during recruit training, having UVAs assigned as drill instructors enables a measure of how the recruit is doing and follow up as much as possible without distracting from the overall recruit training.

To further ensure that recruits are protected within the safe training environment, drill instructors, like recruiters, are subject to a very rigorous selection process, which includes a background check and being checked in the National Sex Offender Registry. MCRD Parris Island also assigned UVAs specifically to the Drill Instructor School and

they provide a very in-depth brief which explains the policies set forth so that if a recruit comes to them during recruit training and starts to tell them something related to sexual assault, they learn how to stop that recruit from disclosing that information and how to conduct a warm hand-off to a UVA or SARC so that the restricted reporting is still available.

Two-Person Integrity Policy for Recruiters

Marine Corps Recruit Command (MCRC) FROST Call 033-13—"Safeguarding recruiting activities involving recruiters and members of the opposite sex"—was published 19 July 2013 to help ensure that Marines, prospects, applicants, DEP members, and officer candidates are appropriately safeguarded during all portions of the Marine Corps recruitment process. Because isolated contact was one of the most common factors in a number of sexual misconduct allegations and incidents involving recruiting personnel and local citizens, the policy calls for the inclusion of a third party between recruiting personnel and prospective recruit prospects, applicants, candidates, and members of the DEP of the opposite sex. These recruiting activities include, but are not limited to: home visits, appointments, sales interviews, applicant processing, transportation, and any DEP activities. A third party includes any adult; another Marine (to include a Marine Boot Camp graduate on leave or Marines serving in the Recruiter Assistance Program); or other applicant, DEP member, or candidate.

Publication of all Courts-Martial Results

In July 2013, the Marine Corps legal community began consolidating results of trial and publishing them on the *www.marines.mil* website to serve as an educational tool and deterrent. The results are published on a monthly basis, and demonstrate that the Marine Corps holds offenders appropriately accountable.

Reawakening Campaign

In October 2013, the Commandant launched the Reawakening campaign, which returns and re-strengthens our focus on the timeless foundations and ethos of the Marine Corps. The Reawakening campaign was designed to ensure a smooth transition from more than a decade of continuous combat to a return to garrison and the primary role as a crisis-response force-in-readiness. As such, the campaign focused on the foundations of discipline, faithfulness, self-excellence, and concerned leadership especially with regard to NCOs: 42% of the active duty Marine Corps hold the rank of Lance Corporal or below, making the Marine Corps easily the most junior of all military services.

Positive Trends

Command Climate

The Marine Corps implemented the Commandant of the Marine Corps (CMC) Command Climate Survey in July 2013 as a supplemental survey to the existing Defense Equal Opportunity Management Institute (DEOMI) Organizational Climate Survey (more information about these surveys can be found in the LOE5: Assessment section). According to the results of the CMC Command Climate Survey compiled between July 2013 and May 2014, Marines agreed most with the following five statements pertaining to command climate:

1. Leaders/supervisors in my unit have made it clear that sexual assault is criminally unacceptable behavior.
2. Leaders/supervisors in my unit have set a command climate wherein sexual harassment is not tolerated.
3. My unit provides a safe environment against sexual assault.
4. My unit would take appropriate action in the case of a hazing allegation.
5. My unit provides a retaliation-free environment for those who report misconduct (e.g., sexual assault, sexual harassment, hazing, or fraud/waste/abuse).

Bystander Intervention

With bystander intervention being a central focus of all SAPR programs, the 2012 Workplace and Gender Relations Survey (WGRS) shows that 93% of Marine Corps women and 88% of Marine Corps men indicated that they would actively intervene in a situation at risk for sexual assault—a 2% and 11% increase, respectively, over 2010 WGRS results.

In addition, the latest available DEOMI Command Climate Snapshot (August 2014) indicates that 88% of Marines who observed a situation in the last 12 months that they believed was, or could have led to, a sexual assault actually took some type of action to intervene. The top three responses for junior enlisted Marines were:

1. I created a distraction to cause one or more of the people to disengage from the situation. (Distract)
2. I confronted the person who appeared to be causing the situation. (Direct)
3. I told someone in a position of authority about the situation. (Delegate)

The top three responses for NCOs were:

1. I stepped in and separated the people involved in the situation. (Direct)
2. I asked the person who appeared to be at risk if they needed help. (Direct)
3. I created a distraction to cause one or more of the people to disengage from the situation. (Distract)

Contact Crimes / Penetrating Crimes

While our prevention efforts have focused on leadership engagement, command climate, and bystander intervention, they also aim to reduce stigma and educate Marines about what constitutes sexual assault. According to the DoD Annual Reports for FY12 and FY13, reports of penetrating crimes decreased from 67% to 55%, while reports of contact crimes increased from 33% to 45%. The Marine Corps will further assess this encouraging development, which may shape the way for future analysis, suggesting that Marines are more aware of criminal sexual behavior, recognize it as a serious crime, and report it before it potentially escalates.

Way Ahead

According to the CMC Command Climate Survey, Marines disagreed most with the following five statements:

1. Alcohol abuse is a problem in my unit.
2. My unit is characterized by a high degree of trust and internal cohesion.
3. Leaders/Supervisors in my unit set aside regular time for coaching and counseling.
4. Money, supplies, and equipment in my unit are well-managed and there is a high degree of accountability.
5. Leaders/Supervisors in my unit know the professional and personal goals of their Marines and Sailors.

All Marine Corps prevention efforts continue to emphasize leadership engagement, which would help to address the above concerns of Marines. The Marine Corps will continue its SAPR Campaign Plan and the Phase II Addendum, which includes several tasks pertaining to the role of leadership, including supporting the further development of the Marine Corps Leadership Development Program, the assigning of additional female drill instructors at the MCRDs and female Marine combat instructors at the Schools of Infantry. Further research will be conducted to identify more effective training approaches, such as the Virtual Experience Immersive Learning Simulation (VEILS) model, and how best to apply the Centers for Disease Control and Prevention's social-ecological model—a proven framework for prevention—to the unique, Commander-centric societal structure of the Corps.

In addition, the expansion of the Headquarters Marine Corps (HQMC) SAPR Branch in FY15 will add more research and prevention subject matter expertise to implement a more comprehensive approach to preventing sexual assault. These efforts will focus on validating the effectiveness of existing initiatives and protecting vulnerable Marines from high-risk situations. Prevention efforts will consider all Marine populations (bystanders, victims, and offenders) in order to fully understand and interrupt the chain of an offender's actions, prior to an incident of sexual assault. HQMC SAPR will also increase collaboration with other Marine Corps programs to strategically address associated behaviors, including sexual harassment as a possible precursor and substance abuse.

2. LOE 2—Investigation

As the DON Military Criminal Investigative Organization (MCIO), NCIS is tasked with investigating all reports of sexual assault. Timely and thorough investigations are vital to responding to sexual assault, reassuring victims that their voices were heard and keeping them engaged in the process so that justice can be delivered appropriately. These principles are contained in the Naval Criminal Investigative Service (NCIS) message of "Operational Excellence," which permeates throughout all NCIS investigative disciplines and has been a consistent message to field and headquarters components.

In June 2012, NCIS began implementing its Adult Sexual Assault Program (ASAP) model in support of the Special Victims Capability (SVC) initiative. The ASAP model provides distinct and recognizable groups of specially trained NCIS special agents and personnel to investigate SVC-related offenses, which include the following: child abuse

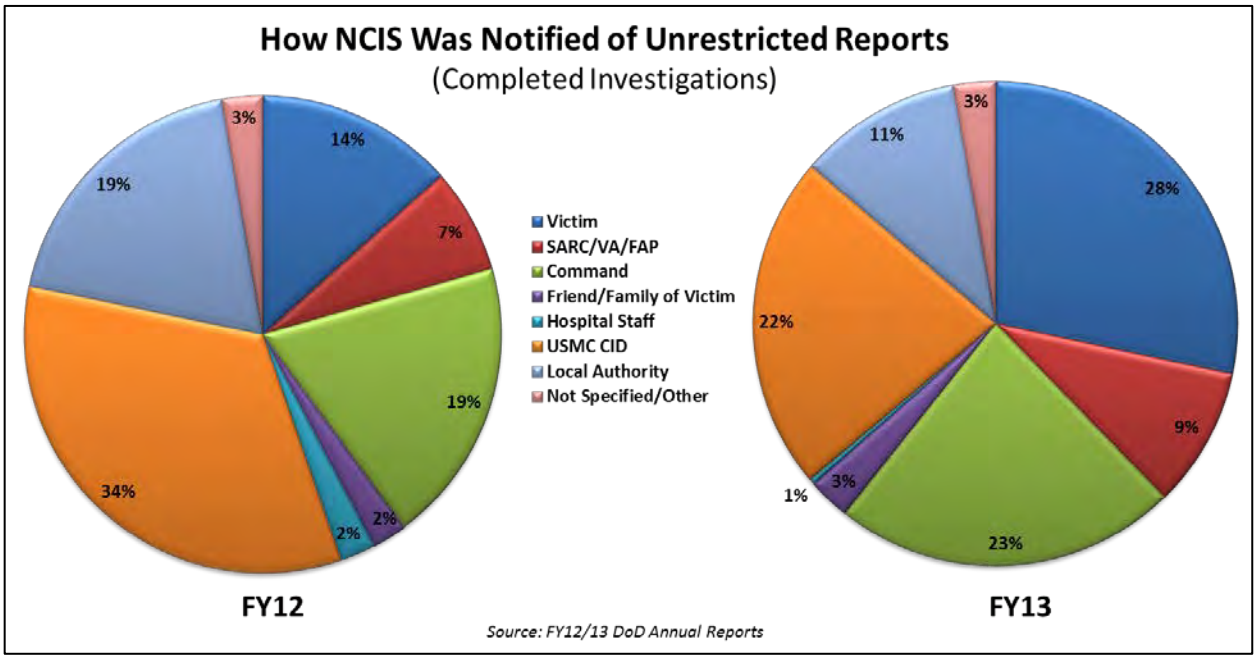
(involving sexual abuse and/or grievous bodily harm), domestic violence (involving sexual assault, and aggravated assault with grievous bodily harm), and adult sexual assaults. Upon receipt of a sexual assault report, ASAP teams will employ a surge response to complete the investigative activity in a timely manner, with the intent of providing more rapid delivery of the investigative package to the convening authority. The ASAP initiative also includes early engagement with legal and victim advocacy personnel.

ASAP teams are located in the large fleet concentration areas where the volume of sexual assault reports is the greatest. Currently, NCIS has established ASAP teams in the following locations:

- Camp Lejeune, NC (established June 2012)
- Norfolk, VA (August 2012)
- Okinawa, Japan (September 2012)
- Camp Pendleton, CA (October 2012)
- Bremerton, WA (March 2013)
- San Diego, CA (April 2013)
- Yokosuka, Japan (August 2013)

ASAP is in the planning stages for Hawaii, the National Capital Region, and the Jacksonville/ Mayport Region. In smaller and remote NCIS locations where ASAP teams are not present, the training of agents to the ASAP standard is ongoing.

NCIS agents are integrated with judge advocates (JAs), VAs, medical, and other skilled professionals assisting special victims. NCIS agents are required to engage with trial counsel to discuss specific investigation development and trial preparation. Additionally, NCIS agents interact with the SARC, VA, the U.S. Navy Bureau of Medicine and Surgery (BUMED), and other stakeholders as needed and during established case management group (CMG) meetings and Sexual Assault Response Team (SART) meetings. An NCIS agent's job involves developing collaborative relationships with many different stakeholders. As the below charts demonstrate, several different parties initiate reports of sexual assault and it is imperative that all the stakeholders have confidence that NCIS agents and investigators will investigate all claims of sexual assault with diligence and without prejudice. In addition, the below charts show how the reporting to NCIS has positively increased from FY12 to FY13 in the "front-line" areas of victim reporting, command reporting, and SARC/VA/Family Advocacy Program (FAP) reporting.



Training Enhancements

While many of the skills necessary for the investigation of special victim cases are the same as those needed for other criminal investigations, such as preserving crime scenes, collecting evidence, and testifying at trial, SVC offenses require additional proficiencies, advanced training and techniques, and heightened sensitivity to victims' needs. The MCIO investigators assigned to the SVC are specifically trained to respond to and investigate all SVC covered offenses.

The selection of investigators for the SVC is contingent on their completion of specialized training. This training, at a minimum, covers the following competencies:

- Legal jurisdiction for conducting criminal investigations;
- Elements of proof for SVC covered offenses;
- Crime scene management;
- DNA collection requirements;
- Identifying, obtaining, preserving, and transporting forensic evidence;
- Rights of crime victims and available victim and witness assistance, support, and counseling services available;
- Sensitivities associated with child abuse victims, including but not limited to interviewing techniques, Sexual Assault Forensic Examinations (SAFEs), risk factors, and protection orders;
- Sensitivities associated with victims of sexual assault, including but not limited to interviewing techniques, impact of trauma, SAFEs and medical treatment, counseling, victim support, establishing victim trust and transparency, impact of alcohol and drugs, and protection orders; and
- Sensitivities associated with victims of serious domestic violence, including but

not limited to interviewing techniques, impact of alcohol and drugs, protection orders, restricted reporting for domestic violence, and dynamics of domestic abuse.

After individual investigative agents have completed all the required training they are certified by their respective MCIO to conduct investigations meeting the SVC criteria. Specific training programs are detailed below.

Adult Sexual Assault Response (ASAP) Training

All NCIS special agents assigned to an ASAP team have completed the 10-week Criminal Investigator Training Program (CITP) and Special Agent Basic Training Program (SABTP) at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia. These programs include the training of interview and interrogation techniques, which are central to the success of any investigation. Approximately 75 hours are dedicated to interview and interrogation techniques: 25 hours during CITP and 50 hours during SABTP.

Additionally, ASAP special agents and first line supervisors must attend the Advanced Adult Sexual Violence Training Program (AASVTP). The AASVTP is a two-week advanced course collaboratively created by NCIS and Army CID. Within the AASVTP, students receive advanced training on victim and offender dynamics as well as interview techniques designed for trauma survivors. Students conduct case reviews and "table top" exercises facilitated by nationally recognized experts and military senior trial counselors. Students must complete a comprehensive examination at the conclusion of the course.

Similar to ASAP, NCIS special agents responsible for investigating domestic violence or child abuse offenses must attend the NCIS Advanced Family and Sexual Violence Training Program (AFSVTP) at FLETC. The AFSVTP is a two-week advanced course focused on domestic violence and child abuse. Experts from the law enforcement field, social services, and DoD instruct students on victim and offender dynamics, domestic violence and child abuse injuries, risk assessments, stalking, and other associated topics. The AFSVTP curriculum includes case studies and table top exercises.

NCIS special agents who have attended AASVTP and AFSVTP must attend the one-day Trial Component Training Program (TCTP). The TCTP is a joint learning environment where special agents and prosecutors discuss topics such as enhancements to improve investigations, trial preparation, and courtroom testimony. TCTP is held locally and delivered by the regional senior trial counsel.

From 14–15 April 2014, members from the NCISHQ Family and Sexual Violence Program, NCIS Training Division, and the USN Trial Counsel Assistance Program conducted a curriculum review of the US Army's Special Victims Unit Investigations Course (SVUIC) and determined the mandated SVC curriculum (DoDI 5505.18 and DoDIG DTM 14-0002) could be covered in a one week course of instruction. This one week course will be more cost effective than the SVUIC and less impacting on the absence of NCIS personnel and USN/USMC JAGs from their primary duties. NCIS has

identified this course as the Advanced Adult Sexual Assault Investigations Training Program (AASAITP) and held two courses at FLETC in FY14. The NCIS goal is to train all personnel who could potentially respond to an allegation of sexual assault or those who supervise, manage or inspect a sexual assault investigation to attend the AASAITP.

Process/Procedural Upgrades and Efficiencies

Enhanced NCIS Oversight/Inspection Processes

NCIS launched the Staff Assistance Visit (SAV) Program to assess field performance and adherence to Operational Excellence, focusing on investigative quality, timeliness, and compliance with NCIS policy and standards. SAVs are initiated by the NCIS Deputy Director at his/her discretion. In addition, the Quality Assurance Visit Program is a program in which the NCIS geographic executive assistant directors for Atlantic, Pacific, and Global Operations conduct regularly scheduled visits to field offices to assess investigative quality, timeliness, and compliance with NCIS policy and standards.

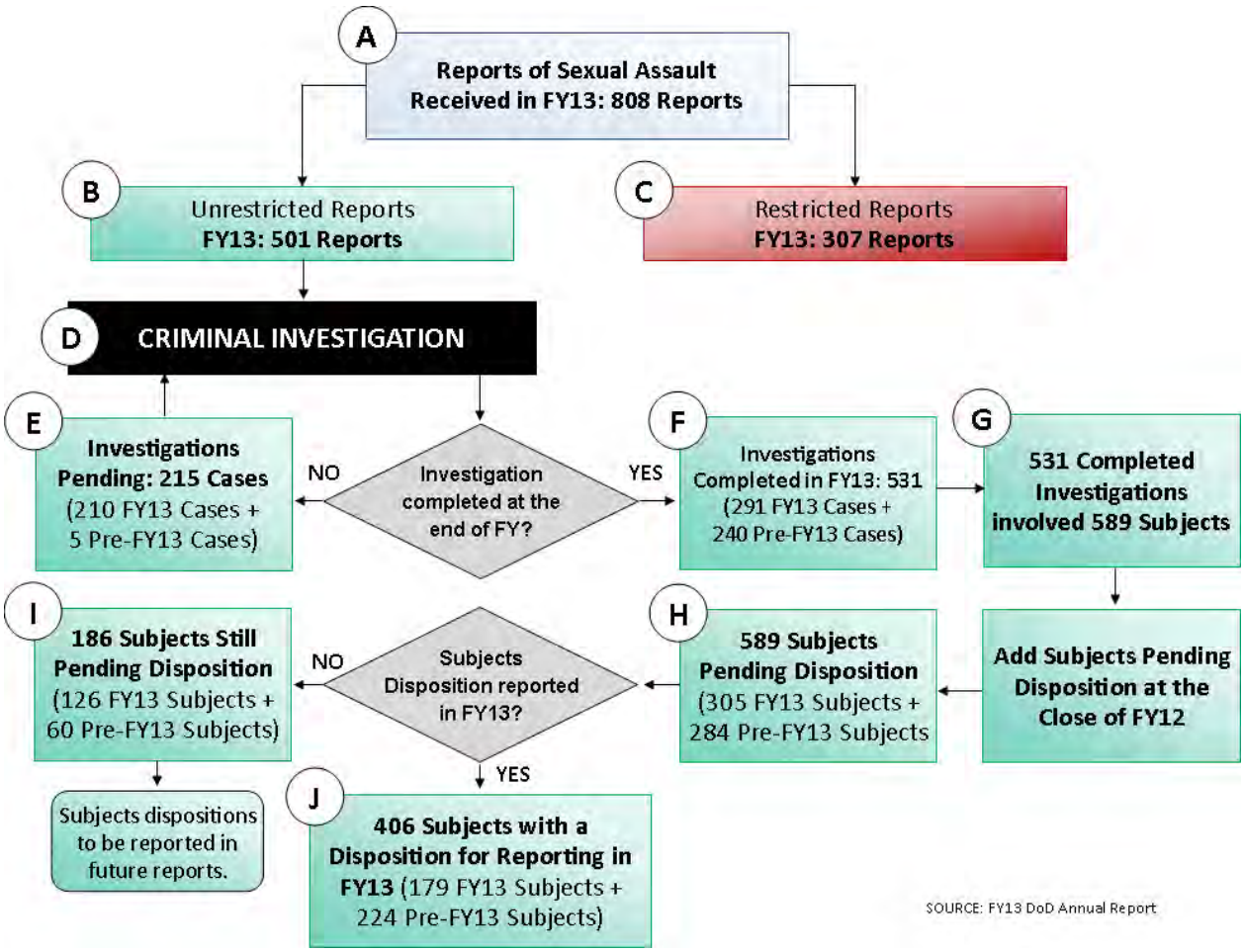
Embedded CID Agents in Complex Trial Teams

USMC CID agents are embedded within each Regional Trial Counsel's (RTC) office and are responsible for providing subject matter expertise and trial support to the RTC's complex trial teams. These agents support a broad spectrum of criminal incidents, to include sexual assault, directly relating to the preparation of the government's case for trial and sentencing by court-martial.

Positive Trends

Completed Investigations

The implementation of the ASAP concept has shown an overall decrease in the time it takes to complete investigations. In FY13, initiated investigations increased 50% and completed investigations increased 69%. Therefore, not only did NCIS drastically increase their caseload; they improved their completion rate. Many factors made this effort possible. NCIS streamlined the Family and Sexual Violence (F&SV) program model and created investigative teams which expedited the timeline of the investigations. Secondly, NCIS was able to increase manning and hire additional special agents and investigators to respond to the increased demand. Lastly, NCIS re-trained all agents and investigators assigned to the F&SV program such that they could carry out the new program model. The below flow chart details the end-of-year status of the 501 unrestricted reports of sexual assault in FY13.



Way Ahead

Crime Reduction Campaign

NCIS introduced the Crime Reduction Program (CRP), a community outreach initiative designed to address criminal threats affecting the Marine Corps and Navy. On a quarterly basis, the CRP dedicates its efforts to increasing education and awareness of military members and their dependents to deter the precursors of crime and victimization. The CRP is led by NCIS and includes both law enforcement and community service partners within the DON. On several occasions, the CRP has focused on sexual assault awareness. During these three-month campaigns, NCIS representatives visit commands to provide sexual assault awareness briefings. The table below illustrates the CRP's efforts to date.

NCIS CRP Sexual Assault Awareness Briefing Program

Fiscal Year	Number of Briefs	Marine Officers	Marine Enlisted	Navy Officers	Navy Enlisted	Other Services	Civilians	Number of Personnel
2011	**670**	980	9,576	2,423	22,187	6,617	1,691	**43,474**
2012	**806**	11,138	21,374	19,231	52,983	16,524	4,654	**125,904**

2013	**588**	1,206	12,803	3,480	15,127	2,061	2,357	**37,034**
2014*	**996**	2,336	18,547	7,065	35,717	18,102	7,955	**89,722**

Through Q3

Due to the demand, sexual assault awareness campaigns will occur once a year with the next iteration being from 1 January 2015 through 31 March 2015. NCIS' yearly campaign precedes the month of April which is the nationally recognized Sexual Assault Awareness Month. In concert with the 21st Century Sailor and Marine Initiative, the goal of this campaign is to prevent sexual assaults and highlight bystander action and intervention.

3. LOE 3—Accountability

Since October 2011, the Marine Corps legal community has focused its efforts on three main areas to combat sexual assault: (1) improving the delivery of military justice services to Commanders and Marines, (2) increasing education efforts to Commanders and Marines on the legal consequences of sexual assault, and (3) establishing the Marine Corps Victims' Legal Counsel Organization (VLCO). By improving its legal support procedures, methods of training, and organization, the Marine Corps has ensured that both victims and subjects understand the legal process and their legal rights, and receive highly-trained and experienced counsel to represent them.

Legal Reorganization – Creation of Regional Centers of Excellence

In 2012, the Commandant directed the reorganization of the Marine Corps legal community. This critical development raised the quality and consistency of legal support across the Marine Corps, particularly in complex trial practice, which includes sexual assault cases. The reorganization realigned the provision of legal support from independent, decentralized legal offices to regional legal centers structured to provide a full range of legal services. It also removed staff judge advocates from the legal services offices and positioned them to focus on providing legal advice to Commanders. Relevant to the Marine Corps fight against sexual assault, the reorganization resulted in enhanced military justice capability for complex and special victim cases; better and more frequent training; process improvements that allow for better supervision and integration of prosecution teams; and the ability to communicate effectively among the regional trial offices regarding best practices and lessons learned.

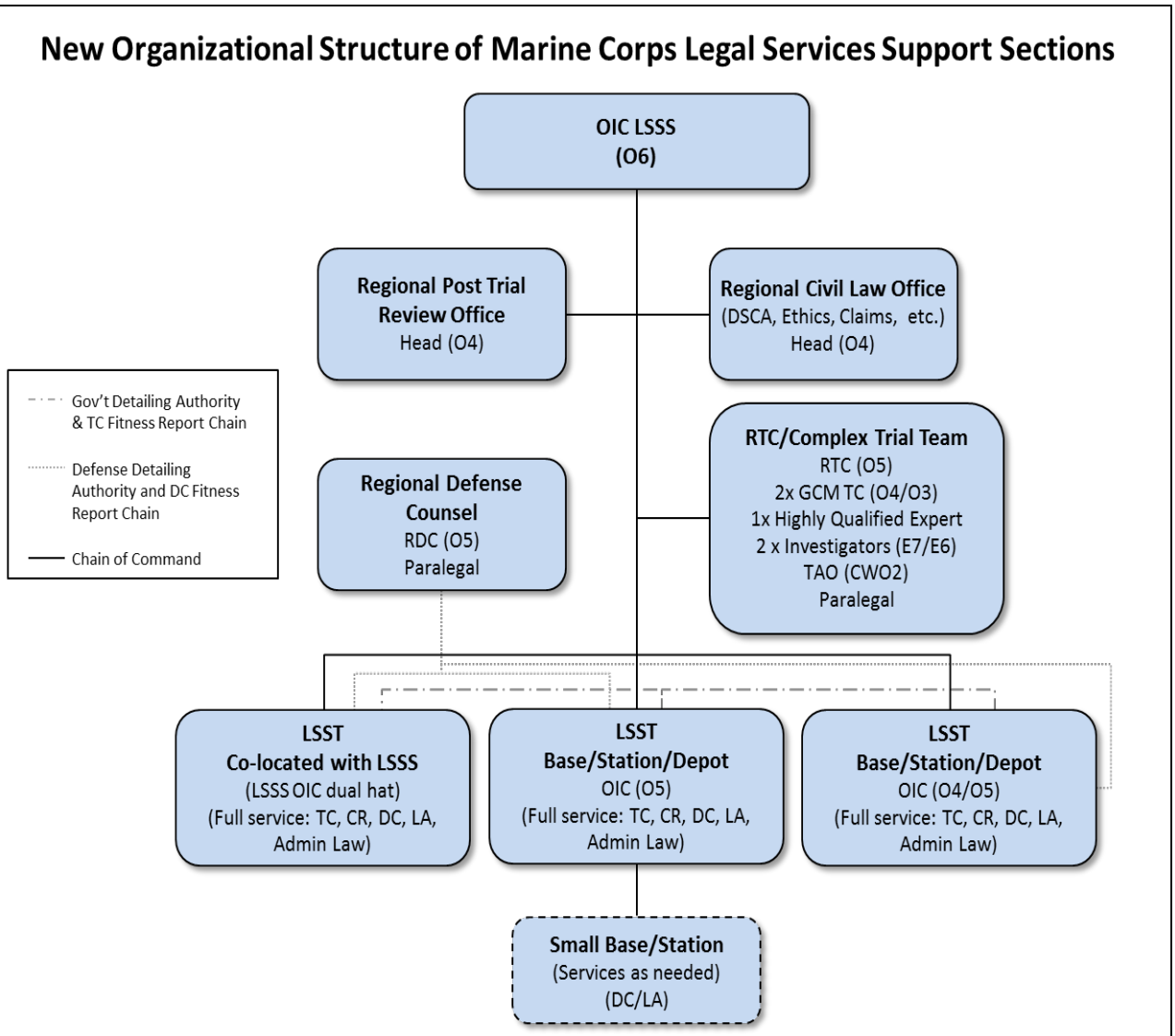
Background

The most significant change from the reorganization was actually an extension of the Legal Service Support Section (LSSS) doctrine adopted in the 1980s. Before the 2012 reorganization, three LSSSs, organized within the Marine Logistics Groups, provided legal services for all operational and supporting establishment commands aboard the three main Marine Corps installations. Elsewhere, legal services to both operational and supporting establishment commands were provided by law centers often led by command staff judge advocates who provided both command legal advice and legal services. Although the LSSSs were originally formed to provide economies of scale in the provision of legal services beyond the organic capability of the command SJA, LSSSs and law centers within the same geographical areas operated independently of

each other, and limited themselves to their own organic capability to address whatever cases arose, regardless of complexity. In addition, the decentralized nature of the LSSSs and law centers did not allow for sharing of information, best practices, or standardization of procedures.

The reorganization replaced the part-LSSS/part-law center structure with four regional LSSSs led by experienced judge advocates in the rank of Colonel. The LSSSs are now part of Marine Corps Installations Command (MCICOM) and align with the four MCICOM regions. Each LSSS is responsible for providing legal services throughout a geographic Legal Services Support Area (LSSA) and across operational and supporting establishment commands. The LSSS for the National Capital Region is also tasked with supporting Marine Forces Reserve units, regardless of location. The LSSSs are composed of subordinate Legal Services Support Teams (LSSTs) and a regional office that consists of an Administrative Support Office, a Regional Trial Counsel Office, a Regional Post-Trial Review Office, and a Regional Civil Law Office. In addition, each LSSS administratively supports a Regional Defense Counsel Office that reports directly to the Chief Defense Counsel of the Marine Corps. The LSSSs do not provide legal advice to Commanders. Instead, staff judge advocates, who are positioned at the command level, are responsible for providing independent legal advice to their Commanders.

Execution and supervision of legal services were regionalized to balance the requirements for: immediate functional supervision; performance to uniform standards; accountability and transparency; peer-to-peer mentorship; economies of scale; manageable and flexible MAGTF sourcing solutions; historical demand; installation demographics; and responsive Commander-centric support. The LSSSs effectively create regional centers of excellence by concentrating litigation and other support assets within one organization that can be employed throughout the region. The regional centers of excellence allow assignment of the right trial counsel on the right case, ensuring important cases such as sexual assaults are vigorously and effectively prosecuted.



Enhanced Prosecution Capability

The legal reorganization ensures that each regional LSSS has the depth and breadth of legal expertise to prosecute sexual assault cases when appropriate. A pillar of the enhanced prosecution capability is the Regional Trial Counsel (RTC) Office, which assists the LSSS Officer in Charge (OIC) by providing training and supervision of Marine Corps trial counsel and monitoring resource allocation, allowing for a surge of resources to special victim cases, including sexual assault. The RTC Office is composed of a Lieutenant Colonel RTC, civilian Highly Qualified Experts (HQE), complex trial counsel (CTC), and other trial support resources such as a investigators from CID, and dedicated administrative support in the form of a legal administrative officer and paralegal.

The RTC is a Lieutenant Colonel with significant litigation experience who is responsible to the LSSS OIC for the overall provision of trial services within the region. Complex trial counsel are experienced attorneys who leverage their expertise to coordinate complex trial teams customized by the RTC to the needs of the particular case. The CTCs

incorporate the HQEs, legal administrators, additional trial counsel, and the resident criminal investigators as needed to thoroughly develop their cases. The HQEs are all seasoned civilian prosecutors who bring decades of experience prosecuting felony-level cases and have prosecuted hundreds of contested trials, including sexual assault. The HQEs provide perspective, share best practices from the civilian community, work with victims, and assist Marine Corps trial counsel in case preparation. Additionally, CID agents provide an investigative capability to prosecutors to enable them to surge investigative efforts as necessary in complex cases.

The Marine Corps has received very positive feedback from trial counsel that work with the HQEs on a daily basis. By having the HQEs positioned within the regional LSSSs, the trial counsel have ready access to these specialists to help develop trial strategies and provide relevant feedback on a day-to-day basis. The prosecution HQEs have provided analysis and assisted with case strategy in over 150 sexual assault cases. The Response Systems to Adult Sexual Assault Crimes Panel (RSP) studied the effectiveness of this program and recommended the "Staff Judge Advocate to the Commandant of the Marine Corps continue to fund and expand programs that provide a permanent civilian presence in the training structure for both trial and defense counsel." The RSP cited these HQEs as adding perspective, base-level experience, continuity, transparency, and validity to military counsel training programs.

The criminal investigators and the legal administrative officer in the RTC office provide a key support role in complex prosecutions. Historically, a prosecutor was individually burdened with the coordination of witnesses and experts, the gathering of evidence, background investigations, and finding additional evidence for rebuttal, sentencing, or other aspects of the trial. These logistical elements of a trial proved even more demanding in a complex case. The presence of criminal investigators and the legal administrative officer allows Marine Corps prosecutors to focus on preparing their cases for the courtroom, without the additional administrative and investigative burden.

At the installation-level LSSTs, trial services are supervised by an experienced Major who is a specialist in criminal justice and is required to possess a Master of Laws degree with a specialty in criminal law. This experienced Major supervises the trial counsel within the LSST and coordinates assistance with the RTC Office when additional resources are required. Moreover, the senior trial counsel and the trial counsel at each LSST have access to the Trial Counsel Assistance Program (TCAP) (described below) within Judge Advocate Division, Headquarters, Marine Corps to answer any questions that may arise during the course of litigation.

The reorganization of the Marine Corps legal community properly positioned the Marine Corps military justice system to meet the recent increase in sexual assault and other complex cases. In order to reinforce these successes, the Marine Corps must continue to develop and maintain experienced judge advocates. The enhanced training discussed below has helped to increase the efficacy of the military justice response to sexual assault.

Training Enhancements

Leading up to the legal community reorganization, the Marine Corps established TCAP to serve as a hub for trial advice, training coordination, best practice development, and resource retention. Since then, the Marine Corps has also developed new training modules designed to leverage the benefits of the reorganization.

TCAP and DCAP

Since their inception, TCAP and Defense Counsel Assistance Program (DCAP) have provided regular assistance to all levels of trial and defense counsel from basic charging questions to complex assistance in cross examining expert witnesses at courts-martial. TCAP and DCAP also provide regular updates to the trial and defense counsel on appellate case law, provide sample motions and other legal resources, and coordinate trial and defense counsel training throughout the Marine Corps.

TCAP has fielded over 500 trial support questions since its inception, conducted training at over 40 different courses, and assisted with funding of over 60 training events. As an example of the type of assistance provided, in a recent sexual assault case involving four victims that were potential recruits in the Marine Corps, TCAP assisted the trial counsel in reviewing the evidence, developing a case strategy, and conducting a mock open and closing argument. During the course of the case preparation, TCAP noted that the trial counsel should highlight the training the accused received to serve as a Marine recruiter and develop evidence to contrast the accused's contact with the victims versus his contact with other male recruits to show how he singled out these individuals. Ultimately at trial, the government prevailed on the case and the accused received a sentence of 12 years confinement and a dishonorable discharge. During a debrief with the members, these facts were cited as crucial evidence in the members' deliberations.

This type of on-the-job training is critical to develop experienced counsel that can vigorously and effectively prosecute cases. TCAP also coordinates more formal classroom training through on-site training sessions and through the Naval Justice School (NJS).

Enhanced Special Victim Capability Training

TCAP has overseen a large increase in training in the last three years. Since 2011, the Marine Corps has significantly expanded the funding and approved courses available to assist trial counsel in understanding and prosecuting special victim cases from three courses available through NJS and TCAP, to over 20 courses available through NJS, TCAP, the National District Attorney's Association, the Department of Justice, National Advocacy Center, the Federal Law Enforcement Training Center, and the Army and Air Force JAG schools. In these courses, trial counsel focus on specific aspects of special victim cases, from working with victims to trial advocacy, understanding digital exploitation of children and child abuse, and partnering with victim advocates and agents from NCIS in investigating and prosecuting special victim cases. Marine Corps TCAP will continue to work with NCIS, our sister Services, the Department of Justice, and other national prosecution training organizations to provide the highest quality of training for

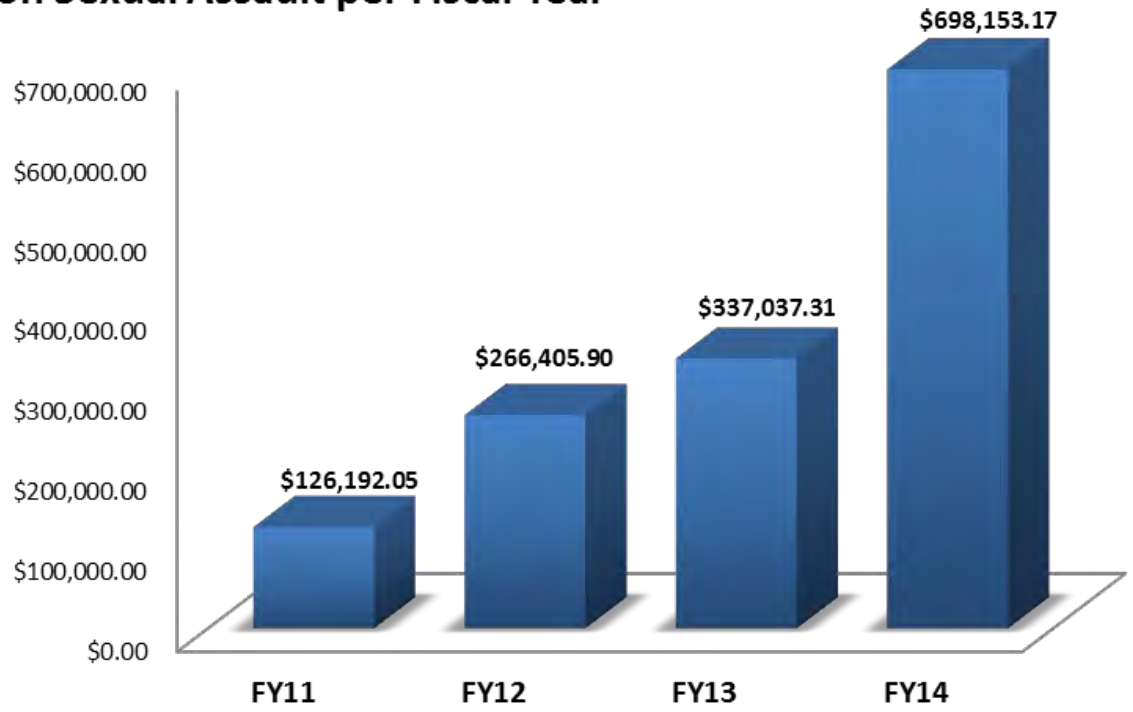
our trial counsel working with special victim cases and other special victim capable partners.

The Marine Corps Defense Services Organization (DSO), with the mission of delivering zealous, independent, and professional defense services to Marines and Sailors facing disciplinary action, oversees DCAP. Since 2011, DCAP has aggressively sought out and sent defense counsel to training courses designed to ensure DSO attorneys maintain the knowledge and experience necessary to provide successful representation despite sweeping changes in the manner the military prosecutes sexual assault cases when cases are referred to courts-martial. The DSO continues to attend service school training at NJS and the Army and Air Force JAG schools. The training from these service schools is bolstered by attendance at civilian training events sponsored by organizations such as the National Association for Criminal Defense Lawyers, Federal Public Defenders Association, Bronx Defenders Academy, National Criminal Defense College, and various other local and state public defender offerings. More specific training is provided through consultations with the Marine Corps criminal defense HQE. The Marine Corps DSO will continue to train its attorneys to the best extent possible, ensuring that Marine and Navy accused receive competent and effective representation.

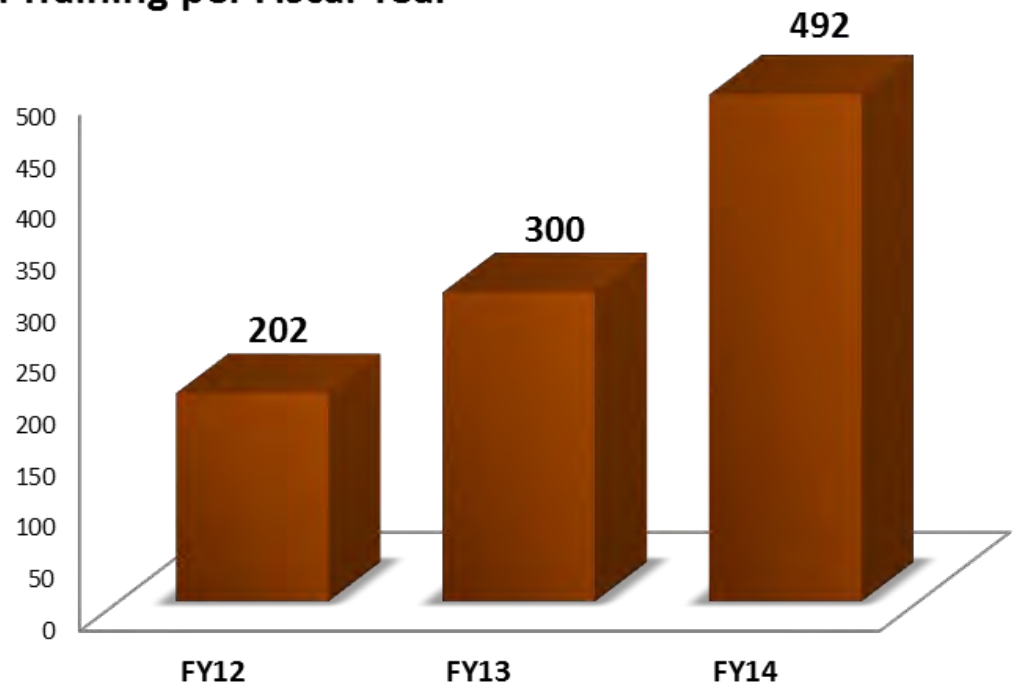
In addition to the nationally recognized training provided to Marine Corps trial and defense counsel, the Marine Corps implemented increased regional and local training standards by the regional and senior trial/defense counsel. As recorded in the updated Manual for Legal Administration, each regional supervisory counsel must provide for two days of training for all counsel within the region every quarter, and each senior supervisory trial or defense counsel must provide two one-day trainings each quarter. These trainings focus the counsel on how to leverage the additional special victim capabilities at their region and installation such as the family advocacy specialists, health care providers, child protective services, law enforcement officers, SARCs, VAs, and the local forensic testing facilities. They also instill the importance of ethical representation and the basic trial advocacy skills required for special victim cases.

The below charts show both the number of counsel trained for special victim capabilities (including Victims' Legal Counsel) and the level of funding the Marine Corps has committed to train our trial counsel, defense counsel, and VLC (FY14 only) in handling these complex cases.

Amount of Funds Expended to Train Marine Corps Legal Staff on Sexual Assault per Fiscal Year



Number of Marine Corps Personnel Receiving Sexual Assault Legal Training per Fiscal Year



Effective Online Training
The Marine Corps recently partnered with NJS to develop an online Trial Counsel Orientation for all new trial counsel in the Marine Corps. In the past, the Navy and Marine Corps conducted a Trial Counsel Orientation twice a year for all new trial counsel to help teach them the significant administrative responsibilities and unique ethical requirements of being a trial counsel. Because the course was only offered twice a year, many trial counsel would not attend this course until six months after they started their job, and some would miss the course entirely if their trial schedules conflicted with the course. Recognizing the limitations of in-person training, the Marine Corps and NJS developed an online course to teach the unique aspects judge advocates will face as trial counsel, including recent updates to the law from the FY14 NDAA. The course is easily updated and will ensure all trial counsel receive a baseline training upon their initial assignment in the billet.

Training for Commanders and Marines
The Marine Corps legal community has increased training and education of Marines regarding sexual assault to supplement broader SAPR programs. These legal efforts to confront sexual assault include increased training of senior leaders, participation in training of Marines, and increased communication concerning the results of courts-martial for educational and deterrent effect.

Senior Leader Training
The Marine Corps provides formal and informal legal training for senior enlisted leaders, Commanders, and General Officers. Formally, senior enlisted leaders are trained at the Senior Enlisted Course and the Sergeant Major Symposium on Military Justice, which includes an overview of the military justice process, the role of convening authorities in that process, unique sexual assault requirements, legal pitfalls such as unlawful command influence, and recent developments in military justice. Senior Commanders are similarly trained in these areas in the weeklong Commanders Course, and the senior officer course through NJS and The Judge Advocate General's Legal Center and School (TJAGLCS). The Marine Corps recently increased the focus on legal accountability at the Commanders Course from one hour to four hours to help Commanders understand the nuances of sexual assault cases. All of these courses have been modified to increase the focus on sexual assault, including educating these leaders about sexual assault myths, victimology, updates to UCMJ Article 120, and SAPR policies such as Sexual Assault Initial Disposition Authority (SA-IDA) and SAPR 8-Day Briefs.

Legal Community Training
Staff judge advocates provide daily advice and informal training to the Commanders and senior enlisted they serve, keeping those Commanders apprised of continuing developments and advising them on military justice matters as issues arise in disciplinary cases. The SJA to CMC provides annual training to staff judge advocates on updates in the law from the NDAA and other policy updates at the annual Legal Community Training. Staff judge advocates also receive instruction on emerging sexual assault tools and trends. This training ensures Commanders are provided the most accurate and up-to-date legal advice.

Lost Honor Accountability Training
In addition to the sexual assault training provided to judge advocates and Commanders, the Marine Corps developed a training video available to all Marines demonstrating how offenders will be held appropriately accountable for their actions. The video consisted of interviews with four convicted offenders describing their careers in the Marine Corps and how their criminal decisions to commit sexual assault ruined their careers and impacted their lives. The video effectively demonstrates how Marines will be held appropriately accountable when they take advantage of a vulnerable person, regardless of the surrounding circumstances. The Marine Corps is the youngest of the Services and has a high first-term turnover rate. Approximately 63% of the Marine Corps is age 25 or under, and 66% of Marines are serving in their first enlistment. This documentary provides these younger Marines with accounts from people who are similar to themselves in age and background. The goal of *Lost Honor* is to give Marines a different perspective about sexual assault and to force them to confront the seriousness of the crime in a different manner. The expected outcome of this training is to reduce incidents of sexual assault by deterring our younger population's more risky behavior and by learning from the actual criminal actions and real consequences of their peers.

The crimes in *Lost Honor* all involve alcohol-related sexual assaults, which comprise a significant portion of the sexual assaults. In FY13, alcohol was reported to be a possible contributing factor in just under half (48%) of all unrestricted reports of sexual assault in the Marine Corps. *Lost Honor* is designed to be viewed in small groups followed by frank and focused discussions led by small unit leaders using an approved discussion guide. The discussions will focus on the actions and decisions that may lead to life-altering negative consequences to both the victim and the offender. The documentary and discussion groups emphasize that Marines are accountable for their decisions and dispel the notion that alcohol is an excuse for criminal behavior.

Process/Procedural Upgrades and Efficiencies

The Marine Corps has instituted a number of process improvements designed to formalize and facilitate the higher standards for military justice practice. They include new detailing and qualification standards, heightened sexual assault disposition authority, an upgraded case management system, and standardization of trial forms. These improvements promote the proper detailing of counsel and the efficient handling of complex cases such as sexual assault.

Increased Detailing Standards
New rules for the detailing of trial counsel require minimum standards of courtroom experience, successful completion of an intermediate level prosecution of sexual assault course, and experience specifically as an assistant trial counsel in a sexual assault case before a trial counsel may be detailed as the lead attorney on a sexual assault court-martial.

The RTCs have overseen and personally detailed counsel and other trial support assets to all 113 sexual assault cases preferred in FY13, and all special victim cases in FY14. In exceptionally complex cases, an RTC has been detailed to the case. One example of

the success of the reorganization can be seen in a recent case involving the murder of a prostitute by a senior enlisted accused. Initially, the RTC detailed a complex trial counsel and an investigator to assist on the case. When it became clear that the complexity of the case exceeded the capacity of the single complex trial counsel, the RTC from another region was detailed to assist on the case. Both HQEs from the two regions consulted extensively on the case as well. Ultimately, the prosecution was successful and the accused received a life sentence and a dishonorable discharge.

Increased Counsel Qualification Standards

The Marine Corps recently increased the qualification standards for all judge advocates, including Article 32 investigating officers, handling special victim cases. With few exceptions, Article 32 investigating officers now must be field grade judge advocates that have experience handling special victim cases as a trial counsel or defense counsel. Additionally, detailing authorities must consider a number of factors when detailing counsel or investigating officers, including trial experience, education, training, and the individual characteristics of the case.

For special victim cases, the Marine Corps developed new guidance and qualification criteria for detailing counsel. The regional trial counsel must personally detail all counsel to special victim cases to ensure the right counsel is on the right case at all times. Before being detailed by the regional trial counsel to a special victim case, the trial counsel must be special victim qualified. This qualification requires the trial counsel to meet certain standards including time as a trial counsel, experience, training, prior qualification as a general court-martial trial counsel, and previous experience as an assistant trial counsel on a contested special victim case. Once the trial counsel meets the standards to be qualified as special victim capable, the regional trial counsel and the LSSS OIC will review their background and experience and ensure they are confident in the counsel's ability to work with victims of sexual assault and prosecute special victim cases. To achieve the highest quality prosecution, trial counsel assigned to sexual assault cases are required to consult the local civilian HQEs within 10 days of receiving a sexual assault case to ensure all avenues of investigation are explored and that they begin to develop an overview of the trial strategy. With these new requirements and consistent field grade supervision, trial counsel are well-equipped to handle the increasing complexity of sexual assault cases

Sexual Assault Initial Disposition Authority (SA-IDA)

Grade requirements for convening authorities to dispose of sexual assaults have also increased. In April 2012, the Secretary of Defense withheld initial disposition authority (IDA) in sexual assault offenses (SA-IDA)—including penetration offenses, forcible sodomy, and attempts to commit those crimes—to the Colonel/special court-martial convening authority (SPCMCA) level. The Commandant of the Marine Corps expanded SA-IDA to include all contact sex offenses, child sex offenses, and any attempts to commit those offenses. As a result, the Marine Corps now has a smaller group of more senior and experienced officers making disposition decisions for all sexual offense allegations and any related collateral misconduct.

Case Management System (CMS)
In 2011, the Marine Corps implemented a service-wide Case Management System (CMS) to track all cases from the initial receipt of a request for legal services until the completion of appellate review. CMS provides all levels of the Marine Corps increased visibility and accountability on the status of special victim cases. CMS also provides leadership the ability to analyze trends within the Marine Corps as a whole as to the quantity of sexual assault cases, the speed with which they move through the process, trends with these cases, and the final disposition at the trial level of the cases. Additionally, it provides necessary visibility for inbound cases to Navy and Marine Corps Appellate Review Activity and is flexible to accommodate expanding requirements as additional data is needed.

Standardized Forms
Within the past year, the Marine Corps has standardized its trial services forms. These forms are used both internally and externally to the legal community and ensure all reporting and requests for legal services are standardized regardless of where a Marine serves. This promotes consistency across the Service and reduces variances in information collected and reported and also minimizes the training time when Marines moves to a different region.

Best Practices/Innovations

The Marine Corps consistently seeks out best practices from our regional LSSSs, sister Services, and civilian counterparts, and implements them throughout the service. Over the past three years, the Marine Corps has standardized the tracking of criminal cases through CMS, standardized trial services forms throughout Marine legal offices, developed TCAP and DCAP to share best practices and innovations, added online training to better reach all counsel, and implemented many of the suggestions by the RSP. The legal community will use these best practices to implement the DoD policy and provisions of the FY12–14 NDAAs.

TCAP/DCAP
TCAP and DCAP enable the sharing of best practices and innovations among our trial and defense communities. Both TCAP and DCAP run secured websites where trial and defense counsel can discuss issues among themselves, share recent motions filed in their circuits, and discuss trial strategies among their communities.

The Marine Corps TCAP is closely aligned with Navy-Marine Corps Government Appellate Division that handles all appeals for the government on courts-martial. The government appellate division provides regular case analysis of appellate cases, feedback on trends noticed on appeal, and trial strategy for building an effective trial and appellate record for service-wide issues such as unlawful command influence. The government appellate briefs are available online for the trial counsel in order to help build and summarize recent case law in their motions. The government appellate division also provides regular classes at the TCAP training events to ensure trial counsel are aware of trends and relevant recent case law updates. In addition to the partnership with the government appellate division, Marine Corps TCAP and trial counsel are also

closely aligned with Navy TCAP. Marine Corps and Navy TCAPs provide joint training to Marine Corps and Navy trial counsel through NJS and monthly topical online seminars through Defense Connect Online. Additionally, Marine trial counsel have access to Navy TCAP's secured website, motions bank, and discussion boards to provide further resources on novel issues. Best practices and trial strategies are quickly shared through these interactions between both the Navy and the Marine Corps.

Finally, the four service TCAPs hold quarterly meetings to discuss best practices and innovations among the Services. This provides an avenue for the Services to discuss the differences in organization of the trial service communities, share effective training courses, and discuss effective trial strategies. The Marine Corps is committed to the further exchange of ideas and integration of our trial service communities.

Response Systems to Adult Sexual Assault Crimes Panel (RSP)
The FY13 NDAA created the RSP in order to conduct an independent review and assessment of the systems used to investigate, prosecute, and adjudicate crimes involving adult sexual assault and related offenses. The RSP issued its final report in June 2014 and the Marine Corps has moved swiftly to implement many of the recommendations from the Panel. First, the RSP recommended that the Marine Corps "continue to fund and expand programs that provide a permanent civilian presence in the training structure for both trial and defense counsel." The Marine Corps has already hired four civilian HQEs and plans to hire an additional HQE for both the prosecution and the defense in the near future. Additionally, the Marine Corps received over $1.2 million in funds to enhance the Special Victim Capability and Special Victim Counsel programs. As the RSP advised, all requests for defense counsel resourcing and training were met at a net expense of over $185,000, and the defense is hiring an additional HQE with these funds. As described above in the training section, the Marine Corps has also increased the availability of training and coordinated to share best practices through the service TCAPs and DCAPs.

Implementation of DoD Directive-Type Memorandum (DTM) 14-003, "DoD Implementation of Special Victim Capability (SVC) Prosecution and Legal Support"
In February 2014, consistent with Section 573 of NDAA for FY 2013, the Under Secretary of Defense for Personnel and Readiness issued a directive-type memorandum (DTM) to establish policy for implementation of an SVC across the DoD by providing a distinct, recognizable group of appropriately skilled personnel in prosecuting covered offenses. As described above, the Marine Corps implemented this requirement through the reorganization and increased counsel qualification standards. Significantly, the DTM also required the service to establish policies for the MCIO to notify the SVC prosecutor within 48 hours after the designation of an investigation as meeting SVC requirements. This policy has been implemented throughout the regions and SVC trial counsel throughout the Marine Corps regularly receive notice of these offenses. This ensures the SVC trial counsel can provide crucial input to the investigator on the type of evidence to begin gathering and what further investigation needs to be conducted. This also provides visibility of the case to the SVC trial counsel and allows the trial counsel to engage early

with the staff judge advocate and the convening authority as to the merits and viability of the case. Ultimately, the Marine Corps is confident that this is the correct policy and will lead to improved cases presented at courts-martial.

Implementation of National Defense Authorization Acts (NDAAs)
The Marine Corps, like all Services, has modified its legal processes and procedures in order to comply with the past three NDAAs.

FY12 NDAA
The Fiscal Year 2012 NDAA rewrote the Article 120 sexual assault statute and required the Services to offer legal assistance to eligible victims of sexual assault. The Marine Corps participated in the Joint Service Committee on Military Justice that drafted the implementing instructions for Article 120 that will become part of the Manual for Courts-Martial. The Marine Corps also offered and advertised the availability of legal assistance to victims of sexual assault. Both of these efforts required extensive training of judge advocates to understand the nuances and limitations of this new statute, as well as outreach to the entire Marine Corps to inform all Marines of the availability of the legal services and the new accountability standards under Article 120.

FY13 NDAA
The Fiscal Year 2013 NDAA provided increased statutory authority to the SJA to CMC and required the establishment of a Special Victims Capability within the Marine Corps to respond to certain special victim cases, including sexual assault. Changes in Title 10, combined with implementing directives, provide the SJA to CMC with increased authorities over the Marine legal community, including functional supervision over the provision of military justice within the Marine Corps. Marine Corps Order 5430.2 provides the SJA to CMC the authority to set policies and procedures regarding the provision of legal support throughout the Marine Corps. The Marine Corps has implemented the SVC through the creation of the RTC Office and complex trial teams in the 2012 reorganization, and has recorded these changes in the Manual for Legal Administration. As discussed above, minimum standards were set for a trial counsel to be assigned to a special victim case, including experience, training, and personal evaluation by the RTC and LSSS OIC. Additionally, the reorganization established complex trial and special victim expertise for each LSSS in the RTC, complex trial counsel, and HQEs. Finally, the RTC is required to personally detail the right counsel to special victim cases and assign appropriate assets to form a complex trial team when necessary. This complex trial team ensures that every special victim case has a qualified counsel and appropriate assets to handle the case, meeting the new statutory requirement.

The increased authorities of the SJA to CMC and the implementation of an SVC through the reorganization have been critical upgrades for the Marine Corps complex trial capability, and have allowed the Marine Corps to effectively perform sexual assault litigation.

FY14 NDAA
The Fiscal Year 2014 NDAA included changes to nearly every stage of the military justice process: changes to initial disposition decisions, limitations on the scope of preliminary hearings under Article 32, review of non-referral decisions, establishment of minimum sentences for certain sex offenses, and limitations on the scope of clemency available for members convicted of crimes. The Marine Corps, as a member of the Joint Service Committee on Military Justice, has been working closely with the other Services to implement these significant changes through amendments to the Manual for Courts-Martial, DoD, DON, and Marine Corps regulations, and through guidance to fleet staff judge advocates. Significantly, the Marine Corps began a complete revision of the Manual for Legal Administration in order to implement and incorporate the authorities and developments from the Fiscal Year 2013 and 2014 NDAAs.

The most significant changes from the FY14 NDAA include enhanced rights to victims, changing the scope of the Article 32 hearing, and amending the authority of Commanders to adjudicate sexual assault cases.

- *Sections 1701, 1704, 1706, 1747 (Crime Victims' Rights)* – Statutorily incorporates Crime Victims' Rights into military justice. Military victims now have rights under the UCMJ similar to those that victims have in federal courts under the federal Crime Victims' Rights Act. These rights include the right to be present and heard at certain hearings, the right to be treated with respect for their privacy, and the right to consult with the Government attorney. While trial counsel have always strived to enforce these rights under the victim-witness assistance program, these rights are now codified in the UCMJ. Additionally, victims will have the right to have trial counsel or victims' counsel present when being interviewed by the defense (1704), and the right to submit post-trial matters for consideration by the convening authority (1706). Finally, section 1747 requires notification to service members completing the security clearance questionnaire that they do not need to divulge mental health treatment they received as a result of a sexual assault.
- *Section 1716 (Special Victims' Counsel)* – This section requires the Services to establish special victims' counsel to provide legal assistance to eligible victims of alleged sex-related offenses. The Marine Corps implemented this statute through the creation of the VLCO described below.
- *Section 1702* – Revision of Article 32 and Article 60, UCMJ. Section 1702 of the FY14 NDAA limits the scope of Article 32 hearings to avoid them from becoming a discovery tool, and retitles them as "preliminary hearings." As the Marine Corps had already implemented through customary practice, section 1702 requires the hearing officer, whenever practicable, to be a judge advocate of equal or greater rank to the counsel involved in the case. Section 1702 also provides significant protection of victims to bring the UCMJ in line with most civilian jurisdictions by allowing all victims, military and civilian, the right to decline to testify at the preliminary hearing. Additionally, section 1702 significantly changes Article 60 to prevent a convening authority from modifying the findings or sentence of a court-martial in many felony level cases. The Secretary of the Navy implemented the

Article 60 changes in ALNAV 051/14. The Marine Corps is working with the Joint Service Committee on Military Justice to rewrite Rule for Courts-Martial 405 to implement the changes to Article 32.

- *Section 1744* – Review of Decisions Not to Refer Sexual Assault Cases to Trial. This section requires the service secretary to review sex offense cases in which the staff judge advocate recommended referral to court-martial and the convening authority elected not to. Even in cases in which the staff judge advocate and convening authority agree the case should not be referred, the case must be reviewed by the next higher convening authority.

Victims' Legal Counsel Organization (VLCO)

In August 2013, the Secretary of Defense (SecDef) directed all of the Services to create a special victim counsel program to provide legal representation to victims of sexual assault. The SecDef required the new organization to have an initial operating capability as of 1 November 2013 and be fully operational by 1 January 2014. As discussed above, the FY14 NDAA also created a statutory requirement to establish a special victims' counsel program. The Marine Corps established a fully mission capable VLCO within the required timelines.

The VLCO mission is to protect victims' rights at all stages of the military justice process by providing legal advice and, when detailed, representation to victims of sexual assault and other crimes. The VLC safeguards victims' rights provided within the Manual for Courts-Martial, including the Military Rules of Evidence (MRE), Rules for Courts-Martial (RCM), and Uniform Code of Military Justice (UCMJ). Since the decision by the Court of Appeals for the Armed Forces in L.R.M. v. Kastenberg (CAAF Jul 2013), victims have had the right to be heard "through counsel." Among the rights VLC assert on behalf of their clients are:

1. Rights under Article 6b, UCMJ;
2. Right to attend and be heard at legal proceedings per MRE 412, 513, or 514;
3. Right to be present at all legal proceedings per MRE 615;
4. Right to provide "Victim's View as to Disposition" of the case to the convening authority per RCM 306;
5. Right to confidential communication with victim advocate per MRE 514;
6. Right to receive copy of record of trial upon completion of the case per Article 54(e), UCMJ; and
7. Any other victim rights provided by law, regulation, or Service policy.

The Marine Corps expanded the eligibility of VLC beyond only victims of sexual assault to victims of all crimes in violation of the UCMJ, as permitted by 10 USC §§ 1044, 1044e, and 1565b, including both adult and minor dependents. Additionally, eligible victims who file restricted or unrestricted reports, or are still undecided, are entitled to VLCO services.

The Marine Corps set high standards for judge advocates selected for assignment to VLCO: they must have military justice experience, pass sensitive position screening, and complete a specialized victims' legal counsel course offered by one of the Judge Advocate General's schools. Ultimately, VLC are certified by the Judge Advocate General of the Navy per 10 U.S.C. § 1044e(c).

VLC and the VLCO supervisory chain are autonomous from, and independent of, any other legal organization or chain of command within the Marine Corps. The SJA to CMC establishes and oversees the VLCO, while an OIC leads the VLCO and is responsible for the professional supervision of VLC and the delivery of victims' legal services. The initial personnel structure approved for the VLCO at initial operating capability was 15 active duty Marine Corps judge advocates, supported by nine (9) enlisted legal services specialists, plus four (4) part-time active duty O-3 judge advocates as Auxiliary Victims' Legal Counsel (AVLC). AVLC have a separate primary duty assignment and serves as VLC only when needed to handle conflict cases or high case volume. The VLCO mission continues to expand to meet the high demand for victim services. Since initial operating capability, most VLCO billets have been staffed, with further structure needed as awareness of and demand for services increases.

Since the establishment of the VLCO, extensive efforts have been made to increase awareness of legal services available to victims. Between October 2013 and February 2014, the OIC, VLCO traveled extensively across all Marine Corps regions to provide briefs about this program, meeting with Commanders, SARCs, VAs, family advocacy program personnel, victim-witness assistance program personnel, military criminal investigators (such as NCIS and USMC CID), and all Marine Corps judge advocates. On 24 January 2014, the OIC, VLCO briefed all the Marine Corps 3- and 4-star Generals at the Executive Offsite (EOS) meeting in Arlington, VA. The Deputy OIC, VLCO spoke at the TCAP training events, conducted at Camp Lejeune, NC on 14 January 2014 and at Camp Pendleton, CA on 4 February 2014, to educate trial counsel on the role of VLC. During the FY14 SJA to CMC Legal Community Training, 25–27 February 2014, the OIC, VLCO briefed all the senior judge advocates, including Marine Corps military judges.

Since November 2013, the VLCO has also made use of media platforms to advertise the availability of services. Information about VLCO has been included in monthly Marine Corps Public Affairs updates read by Commanders and others. Additionally, several military newspapers have featured articles about VLCO, including the *Marine Corps Times* and base newspapers at Camp Lejeune, MCAS Beaufort, and MCB Quantico. Finally, the VLCO established a public website with essential information about the program and VLC contact information.

VLCO Training

Certification Training

All attorneys and paralegals assigned to VLCO attend specialized initial training at one of the Judge Advocate General's Schools. The Air Force offers The Special Victims' Counsel Course (SVCC) twice per year at Maxwell Air Force Base, Montgomery, AL.

The Army Special Victims' Counsel Course offered at TJAGLCS in Charlottesville, VA, has been offered three times to date. NJS has offered one similar course to date. All of these courses include instruction on substantive military law, victim behavior, victim services, counseling techniques, and participation in practical scenario-driven exercises.

Continuing Legal Education
VLC attend additional specialized training offered by organizations outside the military as available. Some of the courses attended by VLC since 1 November 2013 are Preventing, Assessing, and Treating Child, Adolescent, and Adult Trauma offered by the Institute on Violence, Abuse and Trauma; Equal Justice for Children sponsored by the National District Attorneys Association; and the 2014 Crime Victim Law Conference sponsored by the National Crime Victim Law Institute.

Annual VLCO Training Event
The first annual VLCO-wide training event is scheduled to take place in September 2014. This event will feature several classes by prominent victims' legal rights experts, and provide an opportunity to share lessons learned and further develop best practices.

Positive Trends

Since the implementation of the legal reorganization, the Marine Corps has seen numerous successes with the new model for delivering legal services. The Marine Corps trial services are no longer isolated within individual legal offices and are all overseen by experienced O-5 litigators, under the supervision of an O-6, at regional LSSSs. As cited by the RSP, the HQEs have greatly enhanced the transparency, experience, and continuity of knowledge within the Marine Corps and aided in the trial strategy in over 100 sexual assault cases. Marine Corps TCAP and DCAP have greatly expanded the availability of litigation training and coordination among the Services. Statutory changes to the authority of the SJA to CMC, as well as numerous process improvements and training upgrades have solidified these gains for long-term sustainment. Last year, the Marine Corps legal community upgraded its service to victims of sexual assault through the establishment of the VLCO, which has already represented hundreds of victims, protected victims' rights, and increased their confidence in the system that places the right counsel for the right case. These efforts have improved the capability of the Marine Corps legal system to confront sexual assault.

VLCO
Between 1 November 2013 and 15 August 2014, VLCO provided legal services to 602 victims of crime, including 336 (55%) for sexual assault, 115 for domestic violence (19%) and 32 (5%) for assault in violations of Article 128, UCMJ. Twenty clients were under the age of 18, and 331 of the 602 cases (55%) required VLC to be detailed to actively represent the victim and advocate for their legal interests during the investigative and military justice process. VLC have filed over 30 motions in courts-martial to safeguard victim rights.

Victim Confidence

Legal services provided by VLC have had a significant positive impact for victims engaging the military justice process. Listed by category below are some narrative descriptions of assistance VLC provided to victims of both sexual assault and domestic violence since the establishment of the program:

1. Helping Victims Understand Options: A VLC assisted a teenage child victim and her parents in fully understanding the military justice process, victim rights, and options going forward. The parents wanted the accused prosecuted, while the teenage victim did not. The VLC was able to bring all family members together to understand the process and options. After consulting with the VLC, the victim and parents were able to agree on their desired disposition of the case, which they communicated to the Convening Authority, who agreed.
2. VLC Assistance with Separations and Characterization of Service: A male victim that was sexually assaulted by a male assailant became so distraught and embarrassed by what happened that he left his unit without permission, followed by 10 months of Unauthorized Absence (UA). When he returned, he contacted a VLC that assisted him request voluntary separation under the Best Interests of the Service immediately after the victim testified in a general court-martial. His characterization of service was approved as Honorable.
3. Safeguarding Victim Privacy Rights. VLC Motion to Exclude Prior Sexual History at an Article 32 Proceeding: During an Article 32 pretrial proceeding a VLC successfully argued to the Article 32 Investigation Officer (IO) that prior sexual history of the victim was not relevant to the case before him, and therefore should not be introduced by the defense. The IO concurred. This decision kept the focus of the hearing on the case at hand rather than previous sexual history of the victim, giving the victim the confidence to continue to stay engaged in the military justice process.
4. Courts-Martial – Facilitating Testimony of Child Victim: A VLC represented a 6-year-old dependent victim accompanied by her parents. The VLC assisted the child to participate in the military justice process by accompanying her throughout the court-martial proceeding, including when the child had to testify. By persistence of both the VLC and Trial Counsel, the military judge ruled that the child's testimony would be conducted by closed-circuit television rather than in the presence of the accused. This comforted the child and the family, and gave them confidence in the military justice system.
5. Coordinating with External Organizations: VLC Liaison with Domestic Abuse Shelter. A VLC had a client that fled her abusive husband and was residing in a domestic abuse shelter with her two minor children. She was concerned that she could only stay there for a few weeks before she would have to find a new place to live. The VLC contacted the shelter and they agreed to allow her to stay as long as she needed. Additionally, the VLC put together a package to HQMC requesting orders to relocate her and her children due to personal safety.
6. Increased Satisfaction with Military Justice Process: A VLC had a client that, on

the last day before her EAS, came to his office and told him that if it was not for the VLC then she did not think she would have made it through the court-martial process. As a result of her participation, a former Gunnery Sergeant was sentenced to reduction to E-1, 9 months confinement, and a bad-conduct discharge.

Way Ahead

The Marine Corps legal community will continue to lead the accountability line of effort in the fight against sexual assault. In the upcoming years, key initiatives will include solidifying changes to law and policy through implementing regulations; evaluating and executing recommendations from the RSP, Judicial Proceedings Panel (JPP), and the Military Justice Review Group (MJRG); refining military justice management tools and processes; and ensuring the Marine Corps maintains the judge advocate structure required to support these developments.

Congress's landmark 2013 military justice legislation dramatically changed how we investigate and, where appropriate, prosecute of sexual assault cases and requires service implementation. The FY14 NDAA provided new rights for victims of crime to participate in the military justice process, mandated minimum sentences for certain sexual assault offenses, and amended post-trial processing including the ability of the Commander to grant clemency. In the coming years, the Marine Corps will continue to implement these changes, working with the Joint Service Committee on Military Justice to rewrite portions of the Manual for Courts-Martial. The SJA to CMC will similarly oversee the update of the Marine Corps Legal Services Administration Manual (LSAM) and provide assistance to the Department of the Navy (OJAG) in updating the Manual of the Judge Advocate General (JAGMAN).

The RSP made 132 recommendations for improvements to DoD SAPR policies along all lines of effort and more recommendations are expected from the JPP and the MJRG. The Marine Corps legal community will evaluate and execute those recommendations pertaining to military justice and victims' counsel that would further enhance the ability of the Marine Corps to hold offenders appropriately accountable while upholding the rights of the accused.

Under the leadership of the SJA to CMC, the legal community will use improved management tools and processes to evaluate best practices, identify shortfalls in our practice, and develop new standards for the legal community. Our forthcoming initiatives include increased standardization of sexual assault disposition processes and development of training for Article 32 Preliminary Hearing Officers to ensure competent, thorough, and fair evaluation of allegations under the new Article 32 rules. In addition, the Judge Advocate Division will publish guidance and training for SJAs to help them understand the numerous policy and legislative changes affecting military justice and sexual assault response.

The SJA to CMC will ensure that as the Marine Corps implements these new policies and practices, the judge advocate community maintains sufficient structure to avoid

degradation of previous gains. For example, when the Marine Corps established the VLCO, judge advocates had to be reassigned to fill the new VLC billets. At the request of the SJA to CMC, the Commandant ordered a review of the Marine Corps judge advocate structure, to ensure personnel policies matched the legal support policies. Continued engagement on legal structure will ensure the Marine Corps can maintain the highest standards of military justice practice.

The Marine Corps judge advocate community will continue to enhance our proficiency in the accountability line of effort. The initiatives discussed above will solidify current gains, maximize recent changes, and extend them into the future.

4. LOE 4—Advocacy/Victim Assistance

While the primary goal of the SAPR Campaign Plan is to prevent—with the goal to eliminate—sexual assault, the Marine Corps SAPR Program remains focused on providing care, advocacy, and supportive services to victims. All Marine Corps SAPR personnel, to include Sexual Assault Response Coordinators (SARCs), civilian Victim Advocates (VAs), and Uniformed Victim Advocates (UVAs), must have a wide repertoire of knowledge, skills, and tools to successfully provide culturally sensitive, high-quality, and victim-centered response and care. From the time a victim of sexual assault contacts an advocate and chooses to file a report until the time the victim decides that services are no longer needed, our SAPR advocates dedicate themselves to a process that is not only multi-faceted but also requires an innovative and deft ability to navigate effectively: building rapport with victims; lending a compassionate, nonjudgmental ear; performing nonclinical safety assessments; accurately informing victims of their options and carrying out their decisions; referring victims to and helping them access the desired medical, counseling, legal, investigative, and other services; accompanying them to appointments as requested; providing victims with case status updates; and staffing the 24/7 Installation Helplines.

In addition, our SAPR advocates are responsible for serving as a knowledge base for Marines at large, conducting the required annual training and proficiently addressing any questions or concerns presented to them. As a result, our SARCs, civilian VAs, and UVAs must maintain both a comprehensive understanding of the Marine Corps SAPR Program and the skill set to properly provide quality victim assistance. In order to supply our SAPR advocates with an apt arsenal of knowledge and skills, the Marine Corps successfully developed, provided, and enhanced training since 2011 that has continually improved the capacity and ability of our SARCs, civilian VAs, and UVAs. Our goal has always been to support the overall Marine Corps mission as well as each unit's Commander with well-trained, reliable, and standardized community-based resources. These enhanced training initiatives are outlined below.

Training Enhancements

DoD Sexual Assault Advocate Certification Program (D-SAACP)

DoDI 6495.02 requires that all SAPR personnel in the field obtain credentialing through the DoD Sexual Assault Advocate Certification Program (D-SAACP). The Marine Corps thus enhanced its advocacy training curriculum to include the prerequisite 40 hours of

victim advocacy training. In 2011, the Marine Corps received approval by the National Advocacy Credentialing Program to develop victim advocacy training for SARCs, UVAs, and civilian VAs. In June 2012, the Marine Corps implemented its new training, initially for SARCs at the first Marine Corps-sponsored Annual SAPR Training Event (described below). The SARCs then executed this training requirement for the UVAs. As a result, the Marine Corps was able to satisfy its requirement to have 100% of SAPR personnel in the field credentialed by October 2013.

In order to maintain D-SAACP credentials, SAPR advocates must complete 32 hours of continuing education every two years. SARCs and many civilian VAs are able to complete this requirement at the Annual SAPR Training Event. UVAs are able to maintain their D-SAACP credentials through the Continuing Education Guidance and Course Catalog, which the Marine Corps assembled in June 2013. This guidance features a list of accessible online courses that have been approved by HQMC SAPR and include content designed to hone the skills and knowledge of a UVA. In addition, this publication also contains quizzes that must be completed by the UVAs after they take each course; this enables SARCs to gauge the progress and knowledge of each UVA, and the results must be submitted to D-SAACP as proof of completion of the credit hours. The Continuing Education Guidance and Course Catalog was recently updated in April 2014 to ensure that all courses listed were still available, relevant, and appropriate.

Annual SAPR Training Event

Prior to 2012, Marine Corps SARCs attended an Annual Training Conference that was hosted and sponsored by DoD. In June 2012, however, the Marine Corps stood up and hosted its first Annual Training Event at MCB Quantico. This week-long event has been held every year since and includes external speakers who provide SME lectures and presentations all designed to keep SARCs up to date not only on Marine Corps policy but also on the current research in the field. These events help to ensure the consistency and continuity of the SAPR mission and vision and also enable our personnel to receive current training to refine their abilities to provide quality victim supportive services. The below chart lists the training and lecture topics presented at the Annual Training Events for the last three years.

SAPR ANNUAL TRAINING EVENTS, 2012–2014		
2012	**2013**	**2014**
• Defense Sexual Assault Incident Database (DSAID) • Marine Corps SAPR Policy Overview and Updates • MRE 514 • Article 120 of the UCMJ • UVA Training • NCIS • Command Team Training	• Department of Veteran Affairs Health Care Services & Military Sexual Trauma • 24/7 Sexual Assault Helplines • Sexual Assault Forensic Examination (SAFEs) • Legislative Process • Crime Victim Compensation: How to Access Financial Help for Victims • Best Practices/Common Pitfalls • DSAID • Legal Reorganization • Alcohol Abuse • Trainer's Boot Camp • Courtroom Advocacy • Sexual Assault Response Teams (SARTs) • Overcoming the Consent Defense • Victim Witness Assistance Program • Ordinary or Outstanding? A Motivational Journey for Victim Service Professionals • "Real-time" case study with mock CMG meeting and court-martial	• DoD Initiatives • DSAID • Functional Area Checklist 963 (IGMC Inspections) • From the Inside: What We Can Learn from Sexual Violence Survivors • Assisting Victims with Reprisal • Secondary Trauma • Victim Legal Counsel Organization • Creating and Executing a Successful Budget • Safety Planning • DoD Safe Helpline and HelpRoom • Behavioral Health Initiatives • Ethical Discussion Groups Preview • Working the Victims of Sexual Assault • Case Management Groups • Judicial Proceedings • Legal Services Support Section • Understanding Men Who Were Sexual Abused or Assaulted • Stop and Breathe!

Additional Training for SAPR Personnel

In addition to our standard, recurring training curriculum, we provide ancillary training to our advocates as needed to ensure that they are kept current with changes in policy, process, and other areas that will impact how they execute their duties. For example, before the new version of Marine Corps Order (MCO) 1752.5B was scheduled for release, we conducted HQMC SAPR Regional Roadshows in February and March 2012 at Camp Pendleton, Hawaii, MCB Quantico, and Lejeune to train SARCs on the new policy, so that our ability to provide compliant victim care in accordance with DoD and Marine Corps regulations remained unaffected.

After the release of MARADMIN 509/11 on 7 September 2011 and in preparation for the release of MARADMIN 048/12 on 25 January 2012, both of which outlined and updated the protocols for responding to victims of sexual assault via the Installation 24/7 Sexual Assault Helplines, the Marine Corps provided specific training in October 2011 for the personnel supporting the helplines to standardize how all UVAs, civilian VAs, and SARCs provide helpline support, ensuring that victims of sexual assault will receive quality, consistent services regardless of which advocate happens to be on call. The Marine Corps will continue to enhance its training for our SAPR advocates in order to provide ever-improving services to both Marines in general and to victims of sexual assault.

DSAID Training
All Marine Corps SARCs receive training on the Defense Sexual Assault Incident Database (DSAID) and use DSAID as a case management system, entering information within 48 hours of a report of sexual assault (96 hours in deployed locations presenting internet connectivity issues). DSAID collects available information about the nature of assaults, the victim, services offered to the victim, the offender, and disposition of reports associated with the assault. NCIS uploads final case disposition weekly into DSAID. DSAID training consists of four modules that cover all functions of DSAID, including establishing initial SARC profiles, creating and converting cases, transferring and closing cases, and business and administrative functions. Refresher DSAID training is ongoing.

Medical Personnel Training
Military Treatment Facilities (MTFs) around the globe have trained a total of 400 Navy MTF SAFE providers, which serve Marine Corps victims. The Fleet and Expeditionary Forces can state that 535 SAFE-trained providers stand ready to meet the SAPR mission. Training for these 935 personnel included 14.5 hours of standardized DVD teaching. This interactive DVD training was mapped against the Department of Justice National Protocol for Sexual Assault Medical Forensic Examination and helps ensure that all providers receive an industry-standard quality training product. Program managers at the regional and MTF level are actively engaged in sustaining proficient, confident, caring SAFE providers to meet the needs of victims of sexual assault 24/7. In addition, gender-based sensitivity lectures are included in SAFE orientation classes at MTFs in Navy Medicine West and Navy Medicine East (efforts to standardize this practice for all MTFs are being reviewed).

To better understand sexual assault data, BUMED is currently working with the fleet, systems commands, and installations to align sexual assault data throughout DON. This will help to identify trends by locality as well as share best practices in training, administrative requirements, and resources. In addition, in coordination with the BUMED Equal Opportunity Advisor (EOA), BUMED is currently revising training vignettes that focus on the continuum of harm, and help staff members identify and stop behaviors that may lead to sexual assault.

Chaplain Training
Understanding and Responding to Sexual Assault: Training for Chaplains and Religious Program Specialists Serving with Marines
Released in June 2012 and April 2013, this training course provides an overview of sexual assault and its impact on victims; outlines the purpose and key tenets of the SAPR program; and identifies the roles and responsibilities of Chaplains and Religious Program Specialists. The training includes instruction regarding the unique capacities Chaplains offer in caring for victims and alleged offenders and how Religious Ministry Teams (RMTs) can serve as agents of prevention. The annual course also provides an in depth review of Chaplain confidentiality and how confidentiality can be leveraged in breaking down barriers to care.

Pastoral Response to Military Sexual Assault
This FY14 Chaplain Corps Professional Development Training Course provides the essential knowledge, skills, and abilities to develop core competencies for Chaplains and Religious Program Specialists to provide effective ministry and pastoral care to those involved in circumstances of military sexual trauma. In addition to caregiving competencies, the course includes an overview of the physiological and psychological impact of sexual trauma and a synopsis of the military justice process in circumstances of sexual assault. As a result of this training, Chaplains and Religious Program Specialists are better prepared to:

- Identify physiological and psychological insights into sexual trauma including key concepts in brain neurobiology and the psycho-social impact of sexual trauma.
- Understand the overall military judicial process in sexual assault cases and its impact on victims, the accused, and the extended military community.
- Identify, understand, and address the needs of those impacted by sexual assault.
- Provide pastoral care in circumstances of sexual assault.
- Utilize through referral the vast array of religious, mental health, and legal resources available for those impacted by sexual assault.

Process/Procedural Upgrades and Efficiencies

Since 2011, the processes by which the Marine Corps provides assistance to victims of sexual assault have undergone a significant amount of upgrades. We continually strive to provide culturally sensitive services, expeditious services, and comprehensive services, and we have improved our processes and procedures in order to make this goal a reality. Ranging from simple handouts to complex, multidisciplinary policies, these efficiencies all were designed to ensure that victims of sexual assault are receiving the support they need, when they need it.

Marine Corps Order (MCO) 1752.5B
The updated MCO 1752.5B was published 1 March 2013 and aligned the Marine Corps SAPR Program with the DoD Directive 6495.01 and incorporated recommendations from the Defense Task Force on Sexual Assault in the Military Services, the Government Accountability Office, NDAA, and the Inspector General of the Marine Corps (IGMC). The purpose of the MCO is to standardize the SAPR program across the Marine Corps. Significant changes contained in the MCO include the establishment of multidisciplinary CMG meetings on a monthly basis. Chaired by the Installation Commander, the CMGs review all open unrestricted cases, direct system coordination, facilitate monthly victim updates, and assess victim services.

Expedited Transfer Requests
Prior to 2012, there was little recourse for victims of sexual assault to separate themselves from the offenders. In February 2012, in compliance with Directive Type Memorandum 11-063, the Marine Corps released MARADMIN 227/12 and corresponding Letter of Instruction (LOI) that establishes a process for victims who file unrestricted reports to request an expedited transfer. According to the MARADMIN and

LOI, UVAs must inform victims of sexual assault of their right to request an expedited transfer if they decide to file an unrestricted report. The request will then proceed to the victim's Commanding Officer, who must either deny or approve the request within 72 hours. If denied, the request is elevated to the next General Officer in the chain of command, who again must execute a decision within 72 hours. This process has been recently improved to allow provisions for the accused to be transferred, vice the victim.

SAPR 8-Day Briefs

In October 2012, the Marine Corps implemented procedures to formally establish leadership engagement at the onset of each unrestricted report and to provide another layer of checks and balances that ensure that all victims are receiving timely access to the wide range of services available. This Commander toolkit, called the SAPR 8-Day Brief, comprises a comprehensive checklist that must be completed within eight days after an unrestricted report is filed. During a face-to-face meeting with the victim, the Commanding Officer thoroughly reviews all the options and services available, recording the date that each was originally offered to the victim (by the UVA, SARC, or other first responder), as indicated by the victim. After completing the SAPR 8-Day Brief with the victim, the Commanding Officer then briefs the first General Officer in the chain of command, who provides yet another layer of checks to ensure that all victim services were offered in a timely and supportive manner. The SAPR 8-Day Brief has been refined for increased efficiency since its initial implementation in October 2012. For example, the victim's Commander must now ensure that victims are informed of their right to request an Expedited Transfer Request and a Military Protection Order, and that victims are referred to a VLC, all of which are requirements that were not originally part of the procedure. The Marine Corps will continue to upgrade this process as required to provide optimal victim assistance. The SAPR 8-Day Brief has been recognized for its effectiveness and similar oversight mechanisms are being developed by the DoD for standardized use across all Service branches. The following table outlines the primary requirements of the SAPR 8-Day Brief:

SAPR 8-Day Brief Requirements				
Victim Information	**Alleged Offender Information**	**Incident Details**	**SARC Responsibilities**	**Commander Responsibilities**
☐ Grade ☐ Gender ☐ Age ☐ Unit ☐ MOS ☐ Date of Entry into Service ☐ Date Current Tour Began	☐ Grade ☐ Gender ☐ Age ☐ Unit ☐ SA-IDA Notification	☐ Date of Incident ☐ Time of Incident ☐ Location of Incident ☐ Was Alcohol Involved?	☐ Commander Notification ☐ UVA/VA Assignment ☐ DSAID Entry ☐ Medical, Chaplain, counseling, and VLC referrals ☐ Sexual Assault Forensic Exam ☐ DD 2701 (Information for Victims) ☐ DD 2910 (signed) (Victim Preference Reporting Statement)	☐ SARC Notification ☐ SIR Submission ☐ NCIS Notification ☐ MPO Issuance ☐ Expedited Transfer Request ☐ Date of first CMG meeting ☐ Provided first O-6 and General Officer with SAPR 8-Day Brief

Sexual Assault Response Teams (SARTs)
SARTs are multi-disciplinary teams that consist of key stakeholders at the installation level—such as NCIS, advocates, medical personnel, and counselors—who meet regularly to address systematic and procedural issues and trends (e.g., the need to change lighting on base where attacks have been occurring). The SART Standard Operating Procedures (SOP) were released in August 2013. SARTs are coordinated by the Installation SARC, who also serves as the chair of the SART meetings and is responsible for the administrative portion of each meeting (i.e., agenda and minutes).

Sexual Assault Advisory Group (SAAG)
The SAAG meets quarterly at the headquarters level to address systemic issues raised via installation SARTs and SAAG members for the purpose of informing policy. Core members include: SARCs, NCIS, staff judge advocate, family advocacy program, Chaplain, BUMED/health services, HQMC SAPR, and Plans, Policies & Operations (law enforcement).

High-Risk Response Teams
Policy for High-Risk Response Teams is being developed for the purpose of assessing sexual assault cases with a high likelihood of danger or violence. Chaired by the victim's Commander when activated, the team will consist of the suspect's Commander, SARC, VA, MCIO, judge advocate, Victim–Witness Assistance Program (VWAP) personnel, healthcare provider, and mental health/counseling services provider.

Chaplain Liaison with HQMC SAPR
In 2011, HQMC REL (Chaplain of the Marine Corps) assigned a Chaplain to liaise with HQMC SAPR in order to increase communication and cooperation of effort against sexual assault. In 2012, the Chaplain Corps established a permanent Chaplain billet within Marine and Family Programs and assigned a Chaplain to the billet to solidify this effort and ensure continuity.

Improvements to Victim/Survivor Services and Resources Available

The Marine Corps offers comprehensive services to victims of sexual assault, from even before a report is filed until the victim decides that services are no longer required. In addition to the new policies and training policies outlined above, the initiatives listed below have also been implemented in the last three years for the purposes of improving services and resources available to victims:

Upstaffing and Screening of SAPR Personnel
In FY13, the Marine Corps added 22 full-time SARCs and 22 full-time civilian VAs. This upstaffing enabled the Marine Corps to establish compliance with NDAA provisions and effectively operationalize its program and ensure quality care throughout the Operational Forces. The Marine Corps model places one full-time SARC at each of the Marine Expeditionary Forces (MEFs), the Marine Logistics Groups (MLGs), the Marine Divisions (MARDIV), the Marine Aircraft Wings (MAWs), and select Military Occupational Specialty (MOS) schools. In addition, full-time civilian VAs are placed at the installation level and are responsible for responding and providing emotional support to victims in crisis,

instructing victims of their options and rights, directing victims to appropriate supportive resources, addressing any other immediate needs, and liaising between victims and other responders. Civilian VAs also provide administrative support to SARCs. A minimum of two UVAs are appointed at every battalion, squadron, and equivalent size command, including MEUs, ensuring full SAPR response capability. UVAs work directly with their Command SARC and Installation SARC to ensure thorough victim response and that all reporting measures are met.

All Marine Corps SAPR personnel are subject to a rigorous selection and training process, which involves hand-selection by Commanding Officers, local background checks, compliance with the national advocacy ethical standards, as well as the credentialing and training requirements highlighted above. All SAPR personnel must have no prior history of court-martial, sexual assault or sexual harassment allegations, drug-related incidents, or domestic violence. The SAPR selection criteria used by Commanding Officers requires that the individual possess the specialized abilities necessary for effective crisis management, and victim care and advocacy that is nonjudgmental, compassionate, and discreet. UVAs are appointed from the grade of Sergeant or higher and perform victim advocacy as a collateral duty.

Continued Enhancement of the 24/7 Sexual Assault Helplines

The Marine Corps offers 24/7 access to victim advocacy services through the Sexual Assault Helplines established at every installation in July–August 2010. These helplines are staffed by credentialed SARCs and civilian VAs trained to administer advocacy and crisis response services. The following improvements have been made to the 24/7 SAPR Helplines since their establishment: in September 2011, the Marine Corps standardized 24/7 Helpline Information on command websites to facilitate access; also in September 2011, First Responder Voicemail Protocols were standardized; throughout 2012, the Marine Corps facilitated heavy promotion of the helplines, including posters, to ensure awareness of the service; and in February 2014, the DSTRESS Line was implemented as a backup to ensure that anyone calling the helpline would reach a live operator, thereby increasing the chance that services could be rendered. Calls initiated to the 24/7 SAPR Helplines and not answered within five rings are automatically forwarded to the DSTRESS Line. DSTRESS staff do not assume the victim advocate role for the Marine Corps but provide support and crisis intervention until a warm handoff is made to the 24/7 SAPR Helpline or the local Sexual Assault Crisis Center.

SAFE Accessibility

BUMED, which provides health care services for both the Navy and Marine Corps, established a comprehensive program in FY13 to provide victims of sexual assault access to SAFEs at both 24/7 MTFs and non-24/7 MTFs. As of 1 July 2014, 97 Navy MTFs are now capable of conducting SAFEs. The efforts and scope of this program extended to our Navy Medicine partners at U.S. Fleet Forces, U.S. Pacific Fleet, and Fleet Marine Forces to provide the same level of training and care in maritime and expeditionary environments for victims of sexual assault.

Since October 1, 2013, Navy Medicine has performed 287 SAFE exams including 9 exams performed underway on deployment. Navy Medicine is ready to provide forensic exams around the globe and will coordinate a team response to caring for and preventing sexual assault in the military.

The following BUMED initiatives have been implemented in the last three years:

- Creation, implementation, and testing of Victim Care Protocols (VCP) at 96 of 97 SAFE-capable MTFs have been achieved through regional program efforts. VCPs ensure standardized and coordinated SAPR/SAFE responses to victims of sexual assault.
- All Navy SAFE kits submitted by Navy SAFE providers to U.S. Army Criminal Investigation Laboratory (USACIL) will undergo quality assurance review. Feedback results will be shared with the provider submitting forensic evidence and trends will be shared with all.
- BUMED representatives are currently participating in the Psychological Health Council for the Office of the Assistant Secretary of Defense for Health Affairs (OASD/HA) and supporting the GAO Male Sexual Assault committees.
- MTFs work to have both male and female SAFE providers available to perform exams, as well as having both sexes available as assistants for the exams if needed.

Victim Assistance Response Kit (VARK)
After intensive review of civilian best practices, DoD SAPRO implemented the Victim Assistance Response Kit (VARK), which is designed to help restore dignity to victims by providing them with new clothes, toiletry items, and food to provide comfort immediately following the completion of a SAFE.

Mental Health/Counseling Services
BUMED, M9 (Wounded, Ill and Injured), HQMC Behavioral Health, and Marine Corps Health Services (HS) have established a comprehensive system of psychological health care for Marines, attached Sailors, and their families, from education and prevention, through all levels of care, including aftercare and/or continuing care. This collaboration clarified the full continuum of care between BUMED, HS, and USMC ensuring that all commands understood there is no wrong door for referring individuals to care, outlined a comprehensive system of care, reduced redundancies/gaps, and developed a seamless coordinated case management protocol for individuals seeking help.

Community Counseling Program
Every Marine Corps installation provides non-medical counseling services to victims of sexual assault through installation Marine and Family Programs (MF) Community Counseling Program (CCP). CCP also provides education, care, and case management of victims of sexual assault who seek services.

CCP provides diagnostic screening and assessments for the purpose of determining appropriate referrals and care of victims of sexual assault. CCP provides community based counseling and clinical case management services for victims of sexual assault whose diagnosis is sub-clinical in nature and not potentially disabling. All appropriate resources available within the community are utilized to leverage protective factors while mitigating risk factors for the victim. Coordinated care occurs when the victim is a client with CCP or when the victim is identified as a high risk. CCP is an integral member of the High-Risk Response Team and works to ensure the care and safety of each victim.

VAs can refer victims to both CCP and the Substance Abuse Program to address concerns resulting from victimization. All interventions offered to victims of sexual assault are evidence based and delivered in a trauma informed manner. Interventions include evidence based models and therapies such as, Seeking Safety, Cognitive Behavioral Therapy techniques, and Narrative Therapy.

CCP counselors, Substance Abuse Counseling Centers (SACC) counselors, and Family Advocacy Program (FAP) counselors have been trained in Seeking Safety, an evidence-based treatment model that can provide consistency and uniformity when treating victims of sexual assault. Seeking Safety is a present-focused treatment for clients with a history of trauma and substance abuse and focuses on coping skills and psycho-education. It is a flexible model that can be used with both genders and in individual or group treatment settings. Seeking Safety is an early-stage treatment designed to stabilize clients and can be used at the start of treatment. It is present focused, addresses current issues and does not delve into detailed exploration of the past. Seeking Safety teaches coping skills to help build resilience and increase safety.

When a victim of sexual assault is referred to CCP a number of services are available. Initially the client is seen for an intake that assists the CCP Counselor in determining appropriate services or referrals. This first visit focuses on ensuring support is available for continued emotional growth, safety issues are addressed, basic psychoeducational information is offered, and the client is provided with options for care.

Should the client request ongoing services, an assessment is completed. This assessment utilizes interviews and assessment measures such as the Columbia Suicide Severity Rating Scale (C-SSRS), the Posttraumatic Stress Disorder (PTSD) Checklist (PCL), and the biopsychosocial which is inclusive of social, emotional, spiritual, and physical needs. An individualized service plan is created utilizing the assessment information to identify and prioritize the victim's needs and provide information to initiate services. At all stages, the client is actively involved in the development of the service plan and the care offered.

CCP counselors may make referrals which require a "warm hand-off" and appropriate follow-up. This ensures follow-up care is monitored through care coordination. Services are integrated or coordinated within the installation MCCS Behavioral Health to avoid duplication. CCP counselors collaborate, as needed, with other service providers to facilitate comprehensive treatment. Victims are offered individual counseling, group

counseling and/or skills training. CCP counselors provide short term, solution-focused non-medical individual counseling. Skill building groups are facilitated by CCP Counselors as well to enhance client's basic life skills.

Clinical case management services provide coordination of services between multiple care settings; ensuring the victim does not "fall through cracks". All services are provided by licensed clinical staff, credentialed by the USMC.

Military Family Life Consultant (MFLC) Program
Military and Family Life Consultants (MFLCs) are contracted, licensed clinicians with at least two years of experience in social work, counseling, or related clinical disciplines. All MFLCs have undergone credentials review/verification by the contractor for experience and licensure prior to being assigned to the Marine Corps.

MFLCs provide confidential, non-medical, short-term, situational problem-solving counseling to Marines and their families. MLFC support is provided in a variety of settings that best meet the needs of the Marines and their families. They are assigned to installations, embedded within units, work in the schools and within the Child Development Centers and Teen Centers.

Across the USMC, there are currently 263 contracted MFLCs. MFLCs are not authorized to receive sexual assault (restricted or unrestricted) reports. In those instances, the MFLC will initiate an immediate referral and warm hand-off to the appropriate reporting services.

Chaplain Services – Confidentiality Campaign
Launched in 2013, this campaign sought to educate Sea Service personnel about confidentiality. Preliminary surveys indicated a minority understood that members have complete confidentiality when speaking to a Chaplain. The majority thought Chaplains were either mandatory reporters or would report some things to the command. The purpose of the campaign was to better inform members that they have complete confidentiality when speaking to Chaplains about religious matters or matters of conscience. Through a fleet-wide push to educate about confidentiality, awareness was increased as post survey data indicated greater awareness of member rights to confidential communications with Chaplains. The initiative resulted in an expansion of knowledge for both Chaplains and members concerning l confidentiality regardless of religious preference. Service members became aware that the Chaplain is a completely confidential resource when discussing religious matters or matters of conscience. FY13 data showed 1,157 cases of confidential counseling by Chaplains where sexual assault victims chose not to report and sought only the confidential care from a Chaplain.

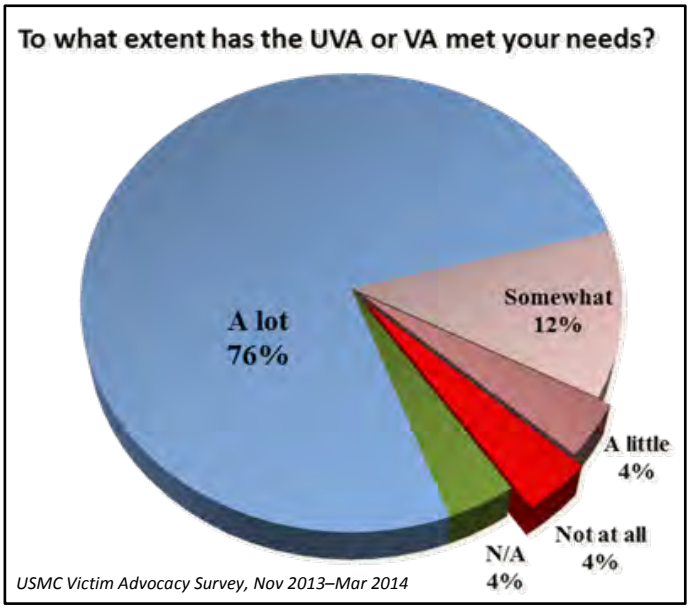
Indicators of Victim Satisfaction and Confidence in the System

Given the underreported nature of sexual assault, the continued rise in reporting over the last three years within the Marine Corps is our greatest indicator of victim satisfaction and confidence in the system. However, other indicators have suggested that our efforts to improve the response system have worked and are making a real difference in the

lives of victims. The Marine Corps victim advocacy survey, fielded between November 2013 and March 2014, indicated that 88% of victims felt that all of their supportive services needs were met. The below statistics from this survey also illustrate victim satisfaction with the following specific aspects of the response system:

SARCs/VAs/UVAs

Victims were largely satisfied with the services provided by SARCs and UVAs/VAs, who scored between 84% and 95% in the following areas: believing the victim, supporting the victim's decisions, and providing emotional support.



Support from SAPR personnel was largely positive, with victims indicating that:

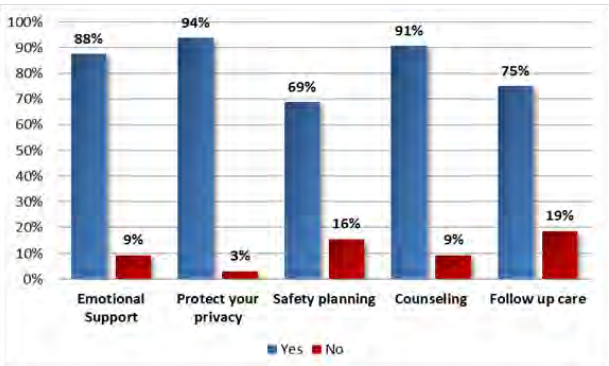
- They were believed by:
  - SARC: **91%**
  - UVA/VA: **84%**
- Their decisions were supported by:
  - SARC: **95%**
  - UVA/VA: **87%**
- They were contacted regarding their well-being by:
  - SARC: **95%**
  - UVA/VA: **84%**
- They were provided written information on sexual assault by:
  - SARC: **84%**
  - UVA/VA: **77%**

USMC Victim Advocacy Survey Nov 2013–Mar 2014

Medical and Mental Health Services

Victims were largely satisfied with the privacy and sensitivity of the services. They expressed confidence that their privacy was protected by medical (78%) and mental health (94%).

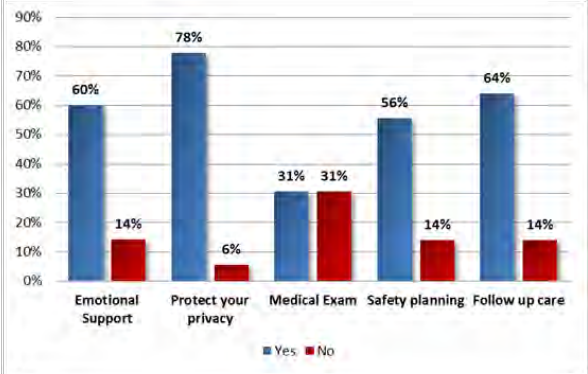
Did your Mental Health services provide:



Mental health responses were very positive, scoring highest in the areas of: Confidentiality (Protect Your Privacy) and Counseling.

USMC Victim Advocacy Survey, Nov 2013–Mar 2014

Did your Medical services provide:



Medical services responses were generally positive, scoring 78% in the area of Confidentiality (Protect Your Privacy).

USMC Victim Advocacy Survey, Nov 2013–Mar 2014

FINAL: 19 NOV 14

Quotes from the Victim Advocacy Survey

- "I think that the services have been very helpful and have helped me to improve on my conditions since the sexual assault occurred. The UVAs I have worked were key to my emotional well-being, and they did an amazing job."
- "I am so thankful for all the help I received and am forever grateful to have had such a strong support system being so far away from home."
- "Both my UVA and my CVA [civilian victim advocate] have been extremely helpful through all of this. They have helped me tremendously."
- "Victim Advocate Services was invaluable. Previously, I had no experience with legal or law enforcement. My Victim Advocate was completely supportive throughout the process of prosecution and my recovery. My Victim Advocate contacted legal, law enforcement, and my command to address all my questions and concerns. I credit Victim Advocate Services with my ability to complete the prosecution and return to full duty."

Best Practices/Innovations

SAPR 8-Day Brief

The SAPR 8-Day Brief was implemented 31 October 2012 as a key initiative in Phase I of the Commandant's SAPR Campaign Plan and has proven to be an invaluable tool for Commanders. The briefs were designed to establish leadership engagement at the onset of each unrestricted report of sexual assault, for the purpose of ensuring proper and immediate victim care and response. The SAPR 8-Day Brief functions essentially as a comprehensive victim care checklist that includes responsibilities of both the Commander and the SARC to inform and refer victims to all available services and resources (see "SAPR 8-Day Brief Requirements" table in the "Process/Procedural Upgrades and Efficiencies" section above). In addition to standardizing victim response, the SAPR 8-Day Brief has proven to be a critical oversight mechanism that allows Commanders greater visibility and insight into subordinate commands. The SAPR 8-Day Brief has served as the prototype for the Sexual Assault Incident Response Oversight (SAIRO), a similar mechanism currently in development by the DoD for use by all Service branches.

Inspector General of the Marine Corps (IGMC) Inspections

The Marine Corps SAPR Program is subject to "regular and no-notice inspections" by the IGMC. These are conducted by the IG team with the use of an extensive Functional Area checklist developed by HQMC SAPR. The IG team is also accompanied by a HQMC SAPR program and policy specialist. The Functional Area checklist includes over 40 requirements, over half of which are the responsibility of the SARC. Other SAPR-specific requirements on the checklist are charged to the Commanding General; the battalion, squadron, or equivalent command; the staff judge advocate; and the provost marshal's office.

Behavioral Health Quality Assurance Team

Behavioral Health programs maintain a state of continual readiness crucial to supporting

Marine Corps SAPR efforts. HQMC Behavioral Health recently deployed a Quality Assurance Team whose mission is to ensure all Behavioral Health programs are functioning at peak level by facilitating a three-tiered accreditation approach. The approach ensures services are evidence-based, compliant with policies and procedures, and create conditions that promote wellness and optimal functioning. The Quality Assurance Team works quickly with programs to identify and correct deficiencies and to implement best practices across all installations.

BUMED Policies

BUMED is examining existing policy in regard to sexual assault response, with the goal to ensure that all victims of sexual assault are able to achieve maximum benefit from participation in the healing services available through our Primary Care Medical Homes and Behavioral Health Services. To that end, execution of that policy must be victim-centered and actively work to eliminate arbitrary barriers to care to include seamless transition from care-team member to care-team member without compromising victim reporting restrictions. Moreover, the goal of helping victims achieve maximal recovery means also being sensitive to the notion that healing is a on a continuum and is most successful with a comprehensive team-based approach that incorporates the SARC, health care team-member, VA, etc., and the needs of the victim to help re-establish the locus of control that is so important for victim empowerment.

Positive Trends

24/7 Helpline Audits

HQMC SAPR continues to conduct monthly audits of all 24/7 Sexual Assault Helplines, measuring response proficiency of SARCs, civilian VAs, and UVAs responsible for answering inquiries and providing information pertinent to victim options and resources. In 2014 to date, the audits of the 24/7 Sexual Assault Helplines have never scored below a 90% success rate (success being defined as calls handled according to protocol). Between January and March, the helplines averaged a 90% success rate. In April and May, only 2 of 38 audits calls were not handled properly—a 95% success rate. In both June and July, the audits yielded a 100% success rate for all Marine Corps 24/7 Installation Helplines.

In addition, as part of the DoD Safe Helpline Database, the 24/7 Sexual Assault Helplines, along with other contact phone numbers for other responders, such as PMOs, Chaplains, and medical personnel, are subject to biannual audits conducted by the Rape, Abuse and Incest National Network (RAINN). These audits are conducted for all Service branches. The Marine Corps has consistently scored above average, consistently reaching a 100 percent success rate during these audits.

Way Ahead

The implementation of these many victim response initiatives has made the Marine Corps a much different institution than it was three years ago. While this progress is encouraging, further improving these response services is one of the top priorities of the Marine Corps, so that more victims get the help they need and stay engaged in the process, which will result in more offenders being held appropriately accountable.

The Marine Corps will continue to implement that tasks outlined in the SAPR Campaign Plan Addendum, which includes the evaluation of supportive SAPR services available for Marines, recruits, and members of the DEP who disclose they were prior victims of sexual assault to identify potential gaps in services. In addition, the Marine Corps is working toward ensuring services for victims in transition. This entails the sustainment of victim response capabilities when victims transfer, deploy, or end active service.

5. LOE 5—Assessment

While many of the positive trends and metrics have been discussed in their appropriate sections above, the following section discusses Marine Corps initiatives specifically designed to assess and measure the effectiveness of SAPR progress to date. These initiatives supplement and inform the annual SAPR Campaign Plan Review, which entails the reconvening of the Commandant's SAPR OPT to determine whether existing and current initiatives have or haven't worked and to direct the way ahead accordingly.

The initiatives discussed below provide valuable supplementary information pertaining to command climate, perceptions of leadership engagement, bystander intervention, victim satisfaction, knowledge of SAPR reporting options and resources, and other case data, demographics, and trends.

Process/Procedural Upgrades and Efficiencies

CMC Command Climate Survey

In May 2013, the Commandant published CMC White Letter 3-13 "Command Climate," in which he stated, "There is no more visible aspect of leadership than the climate a Commanding Officer establishes for the Marines in his or her charge." In order to assist COs in gaining the insight necessary to address potential areas of concern and hold Marines to the highest personal, professional and unit standards, General Amos directed the development of the CMC Command Climate Survey which was implemented Corps-wide on 1 July 2013.

The survey was developed with input from dozens of Commanders, former Commanders and senior enlisted advisors. It was specifically designed to be short and focused on the most important areas that contribute to command climate. The survey is composed of 33 items, takes an average of 7.5 minutes to complete and is focused on areas such as trust, leadership, cohesion and organizational effectiveness. COs receive a personalized debrief from the survey administrator and are required to inform the next higher Commander of the results within fourteen days. Unlike some DOD surveys, the Commandant has the flexibility to quickly adapt the CMC Command Climate Survey based on trends observed or anticipated. Since July 2013, he has done so twice and has placed additional emphasis on coaching, counseling and the unique role of the CO.

As of 11 July 2014, the CMC Command Climate Survey has been taken by 162,145 respondents. Mandatory for all Lieutenant Colonel and Colonel Commanders, leaders in remote units and higher headquarters have also requested to take the survey because of

its perceived value. Though not required, many COs are briefing their subordinates on the results and following up with concrete steps to improve the morale and professionalism of their units. 112 COs have shared their action plans with CMC; they include measures such as the creation of Non-Commissioned Officer Symposiums, a Battalion Leadership Campaign Plan and Professional Military Education programs. They have placed increased emphasis on regular home visits, coaching and counseling in order to better understand the concerns and needs of the most junior Marines and Sailors in their units.

While the CMC Command Climate Survey was primarily designed as a tool for COs, the Marine Corps has begun to analyze Corps-wide trends to modify existing programs and shape new initiatives. For example, the top-five responses to the survey clearly reveal that COs have made it clear that sexual assault and sexual harassment are criminally unacceptable behavior and are committed to creating safe environments. While there is much work to be done, the survey reveals that the message of the CMC SAPR Campaign Plan is being heard and understood. The bottom-five responses to the CMC Command Climate Survey reveal that COs need to place additional emphasis on building trust and cohesion through engaged leadership and regular coaching and counseling. This input has helped sharpen the focus of Marine Corps Leadership Development (MCLD), a CMC-directed initiative designed to strengthen unit cohesion and the personal and professional development of Marines and assigned Sailors. MCLD has been piloted by a number of commands over the past year and will be implemented Corps-wide in coming months.

DEOMI Organizational Climate Survey (DEOCS)

This survey, which measures organizational climate dimensions, is conducted within 90 days after a Commander assumes command and at least annually thereafter. The DEOMI Survey has included questions that measure the climate associated with SAPR since March 2012. MARADMIN 464/13 was released in September 2013 that requires all survey results to be briefed to the next higher level Commander in the chain of command within 30 days of receipt. To ensure this requirement is being met, the next level Commander's information is entered on the DEOCS request and once the request has been approved, the next level Commander will receive an email notification (from the system) that a command climate survey has been requested by the subordinate Commander. This notification is in addition to the standard Commander's notification and administrator approval/account information email. Upon survey completion and the generation of the report, the next level Commander, requesting Commander, and survey administrator will all receive a notification email stating the survey has been completed and the report has been generated. This email will also include the administrator's account information so both the next level Commander and requesting Commander can access the system and retrieve the PDF survey report. All Commanders shall develop an action plan to address concerns identified in the DEOCS report. This action plan must also identify periodic evaluations to assess its effectiveness. The Commander will brief the results, analysis, and action plan to the next higher level Commander. The next level Commander will approve the action plan prior to implementation.

Updates to the Marine Corps Fitness Report

The Marine Corps Fitness Report, the official evaluation and record of an officer's performance, assesses the Commander's ability to set the example, communicate effectively, provide direction, and motivate, as well as their ability to develop, lead, and ensure the well-being of subordinates. As part of our SAPR Campaign Plan, the Marine Corps is in the process of updating the Performance Evaluation System (PES) Manual, which currently states: "Leaders set the tone and must foster a climate of 'equal opportunity' within their units by optimally integrating all members of the team to accomplish the mission regardless of race, religion, ethnic background, or gender." New language will be added and is currently in routing through HQMC: "Evaluate a Commander's ability to set a command climate that is non-permissive of misconduct, especially sexual assault."

Best Practices/Innovations

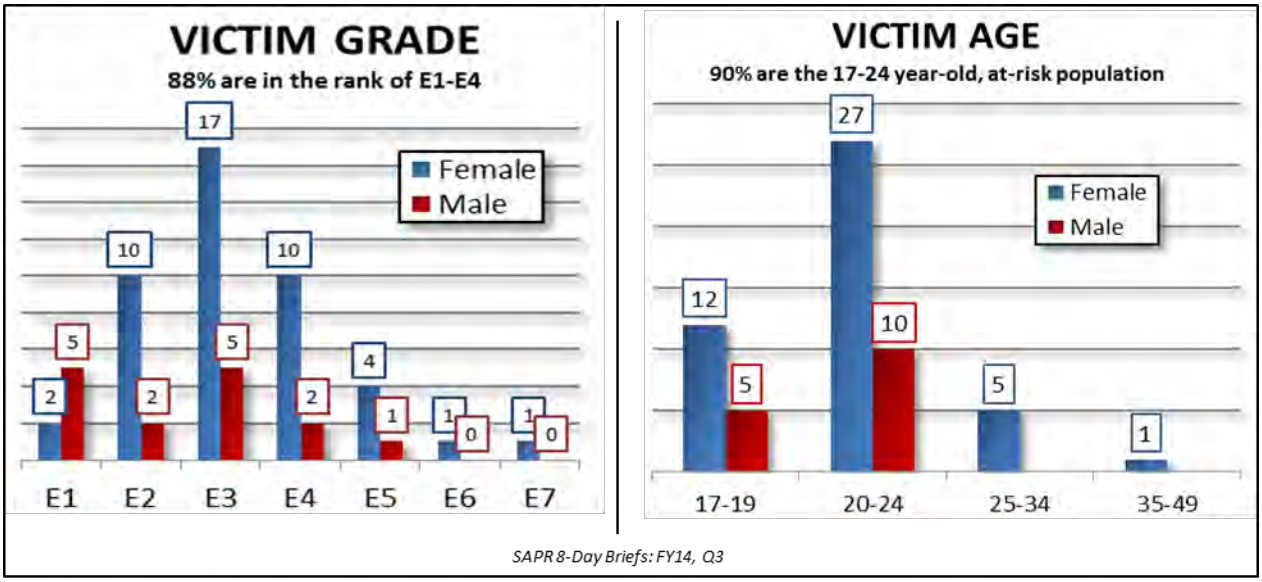
SAPR 8-Day Briefs

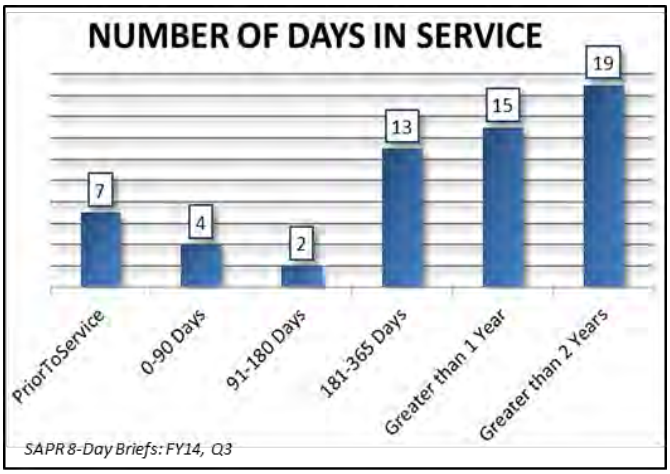
While the SAPR 8-Day Brief was designed primarily to enhance victim care, it has also been used as a valuable tool in data collection and assessment, compiling statistics that help identify trends regarding sexual assault in the Marine Corps. These trends include important information pertaining to sexual assault cases, including alcohol involvement, victim age and grade, latency of reports, issuance of Military Protective Orders (MPOs), location of incidents, and offender information. Every quarter, these statistics are compiled by HQMC SAPR and briefed to the Assistant Commandant of the Marine Corps (ACMC). The following information has been taken from the ACMC's quarterly brief for third quarter FY14 (consisting of 60 SAPR 8-Day Briefs):

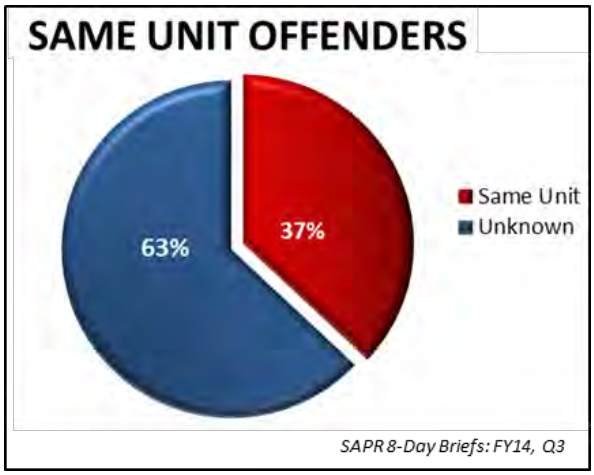
Case Demographics:

The SAPR 8-Day Briefs allow the Marine Corps to collect useful demographic information, which in turn help to pinpoint future prevention, training, and victim care initiatives. According to our latest data, sexual assault continues to affect mostly our junior enlisted Marines. Recent prevention and training efforts—including the Commandant's Reawakening Campaign and the "Step Up" bystander intervention training program—have accordingly focused on junior enlisted Marines in their first two years of service. Furthermore, a significant number of sexual assaults occur between two Marines in the same unit, reinforcing the fact that victims and offenders are often acquainted, a finding that was echoed by the Commandant in May 2012: "Sexual assaults … are mostly occurring in situations where the victims know their attacker. Sexual assaults are happening in our barracks, in the work place, on dates, and at parties." The following charts from third quarter FY14 illustrate the latest available sexual assault case demographics:

	SUBJECTS			
VICTIMS	**FEMALE**	**MALE**	**UNKNOWN**	**TOTAL**
FEMALE	1	40	4	45
MALE	1	11	3	15
TOTAL	2	51	7	60

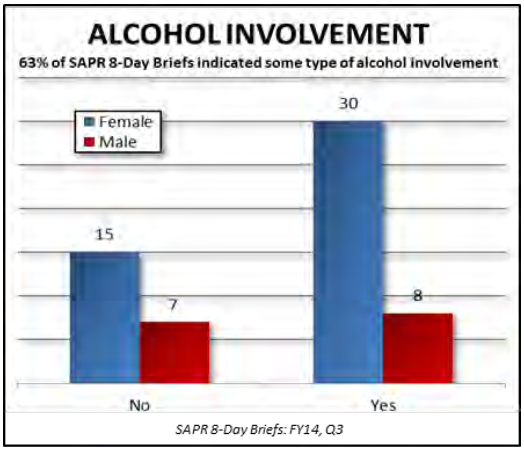


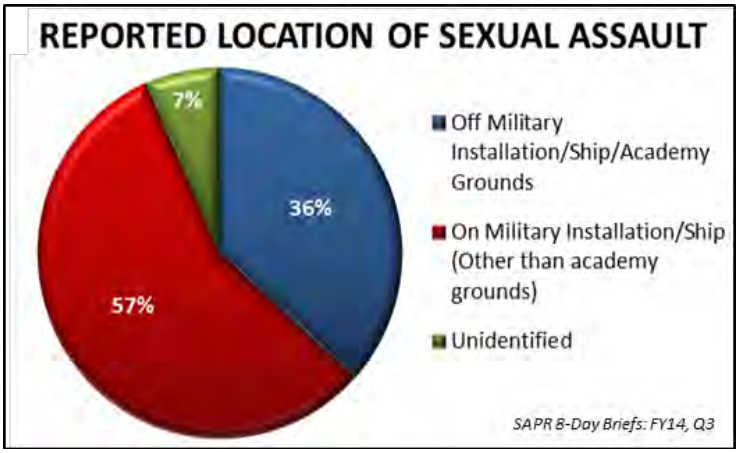


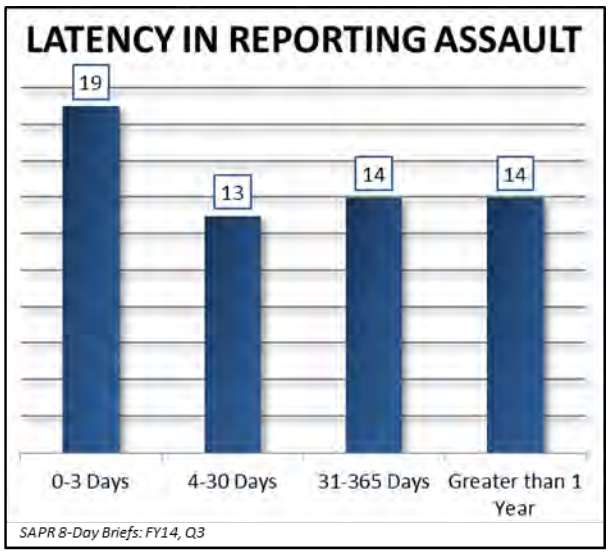


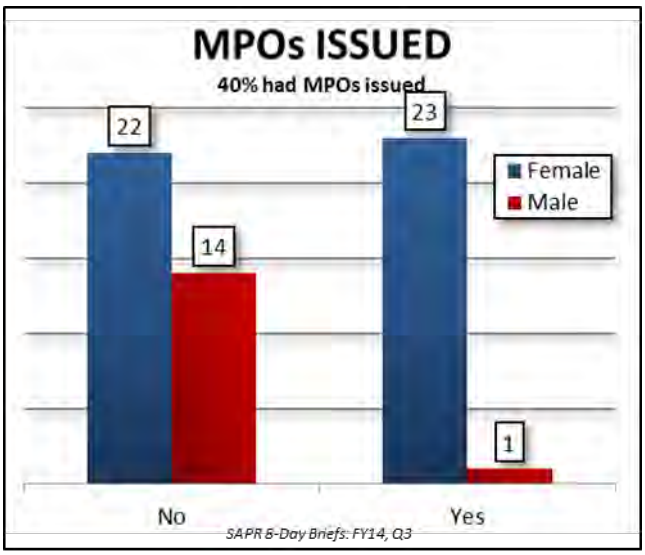
Case Details:

The SAPR 8-Day Briefs also reveal important case details that allow , such as alcohol involvement, location of incident, whether an MPO was necessary, and how much time has passed between the incident and the report (latency, which is further discussed below under “Positive Trends”). The following charts from third quarter FY14 present the latest SAPR 8-Day Brief information regarding important case trends, which will continue to help the Marine Corps refine its efforts to enhance sexual assault prevention and response.









Victim Advocacy Survey

Fielded between November 2013 and May 2014, the Victim Advocacy Survey was designed to examine the effectiveness of services provided by the Marine Corps SAPR Program to victims of sexual assault. In order to achieve and maintain world-class victim care, it is imperative that Marine Corps leadership understand the impact SAPR services has on victims; the opinions, knowledge, and attitude regarding these services; the level of coordination and communication during response; and the overall satisfaction with the services provided. The survey revealed whether victims find the provided services useful and effective, and whether the effectiveness of services is enhanced by the level of coordination and communication among agencies that influence outcomes for sexual assault victims.

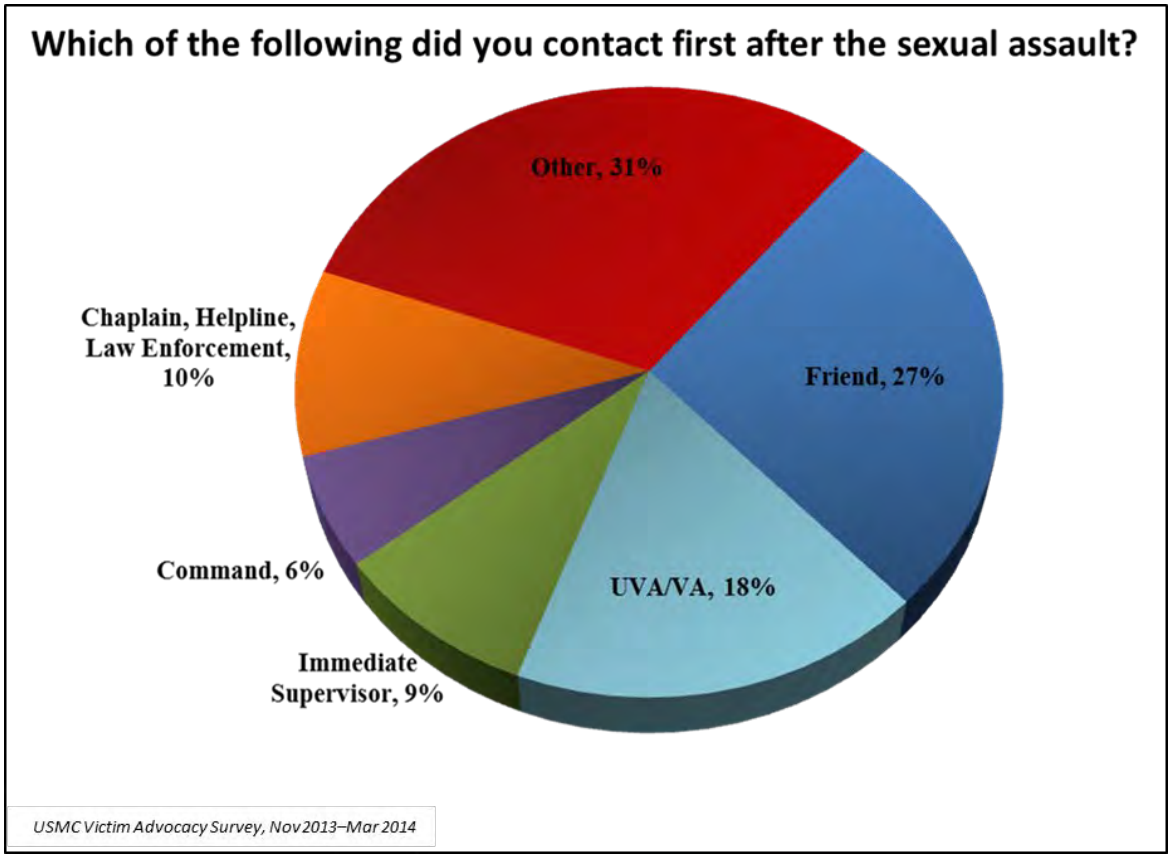
In addition, this survey aimed to identify what factors increase knowledge about SAPR services to target outreach and risk reduction activities, as well as understand which services are helpful and effective for good service planning, coordination, and follow-through. The survey data provided the Marine Corps with valuable, direct feedback from victims that we have been working to incorporate into our current service and future

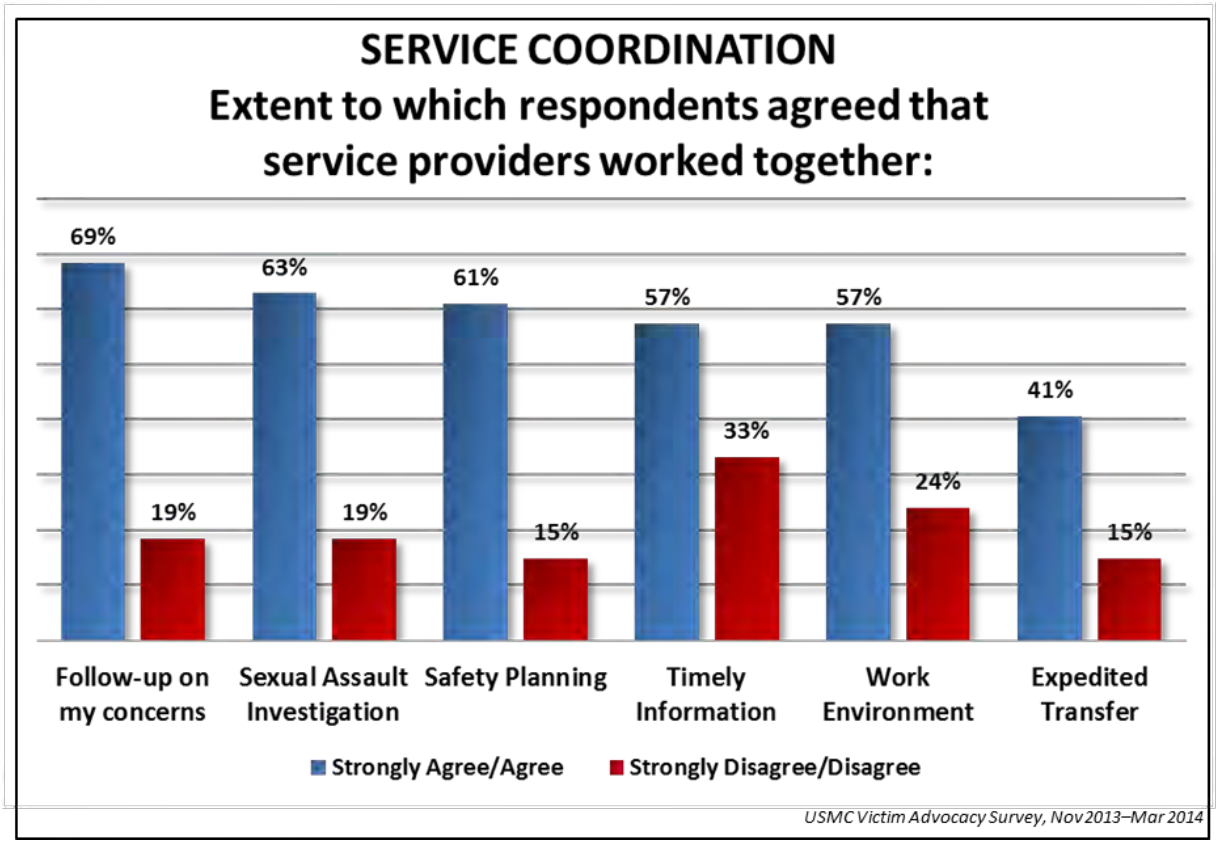
initiatives. The Survivor Experience Survey (SES), adopted for use by the entire Department of Defense, was largely based on the Marine Corps Victim Advocacy Survey.

The following findings were derived from data collected by the Victim Advocacy Survey, providing the Marine Corps with valuable insight into the perspective of the victim:

- The majority of survey respondents (61%) fall between the ages of 18 and 24, the highest at-risk demographic in the Marine Corps; 35% were between the ages of 25 and 34.
- The average length of time that victims received advocacy services was 7 months, with the longest being 41 months and the shortest being less than 1 month.
- Victims were largely satisfied with the services provided by SARCs and UVAs/VAs, who scored between 84% and 95% in the following areas: believing the victim, supporting the victim's decisions, and providing emotional support.
- Victims were satisfied with the privacy and sensitivity of the services. They expressed confidence that their privacy was protected by medical (78%) and mental health (94%), and that their cases were handled with sensitivity by law enforcement (71%) and legal (83%).
- Victims learned about UVA or VA support mostly through: Training (78%), Command (58%), and Fliers (36%).
- The greatest area for improvement based off victim feedback is providing follow-up information from law enforcement and legal services. Several victims expressed concerns about not always knowing the status of their cases.

In addition, the following charts were derived from data collected by the Victim Advocacy Survey:


Which of the following did you contact first after the sexual assault?
Other, 31%
Friend, 27%
UVA/VA, 18%
Immediate Supervisor, 9%
Command, 6%
Chaplain, Helpline, Law Enforcement, 10%
USMC Victim Advocacy Survey, Nov 2013–Mar 2014


SERVICE COORDINATION
Extent to which respondents agreed that service providers worked together:
69%
19%
63%
19%
61%
15%
57%
33%
57%
24%
41%
15%
Follow-up on my concerns
Sexual Assault Investigation
Safety Planning
Timely Information
Work Environment
Expedited Transfer
Strongly Agree/Agree
Strongly Disagree/Disagree
USMC Victim Advocacy Survey, Nov 2013–Mar 2014

Positive Trends

Increased Reporting

Between FY11 and FY14, victims in unrestricted and restricted reports increased by 147%. Between FY11 and FY12, the Marine Corps there was a 31% increase in victims in reports, coinciding with pre- and early-SAPR Campaign Plan initiatives "Take A Stand" training for NCOs, and All Hands training for every Marine. In FY13, there was a 93% increase in victims in reports from FY12, which included a 62% increase in unrestricted reports and a 201% increase in restricted reports. While FY14 saw a slight decrease (2.4%) in victims in reports, those in restricted reports continued to increase by another 21%. Another positive trend in FY14 is the high percentage of unrestricted reports made within three days of the assault, which increased by 9% over FY13. The overall increase since FY11, however, suggests that Marine Corps efforts are working to decrease perceptions of barriers to reporting (including shame, stigma, and fear of retribution), reaching victims who may have otherwise never reported at all.

Prior-to-Service Reporting

Prior-to-Service reporting data includes Marine Corps victims who file a report for sexual assaults that occurred prior to their joining the Marine Corps. The number of prior-to-service sexual assault reports have increased 53% between FY13 and FY14, which is tied to an increase in the number of restricted reports during that same period. This is due to the fact that the large majority of victims who report prior-to-service incidents are reporting to receive victim care services, rather than to initiate an investigation for incidents that have often occurred long ago.

That the majority (57%) of victims in restricted reports for FY13 and FY14 concern incidents that occurred prior to service is additional evidence that significant numbers of once-silent victims are coming forward to receive supportive services in the Marine Corps. While the Marine Corps encourages all victims to report an incident immediately, leadership fully understands the many barriers to reporting that victims face and has concentrated its efforts toward eliminating these perceived barriers. These barriers include a wide range of beliefs, including the fear of being punished, ostracized, or not being believed or supported.

Decrease in Prevalence of Marines Experiencing Unwanted Sexual Contact

Provisional analysis provided by the RAND Corporation of the 2014 Military Workplace Study, which measured the number of Marines experiencing unwanted sexual contact, suggests that in FY14, 8.44 percent of active duty Marine women and 0.66 percent of active duty Marine men experienced some form of Unwanted Sexual Contact in the year prior to being surveyed. This is a welcome downward development from USC rates observed in FY12 (10.1 percent for Marine women; 1.1 percent for Marine men). As the November 2014 RAND Military Workplace Study report states, much more analysis needs to be performed in order to understand how Marine Corps policy and cultural factors impact the data. For example, in-depth analyses of the demographic makeup of the Marine Corps, including factors such as age, number of first-time enlistees, education level, marital status, and seniority, may present a better understanding of how

the composition of the Marine Corps force affects survey results. However, the decrease in unwanted sexual contact prevalence in FY14 is encouraging, especially when taken together with other supporting indicators since FY12—to include positive developments in perception of leadership engagement, victim satisfaction with services, and willingness to intervene in high-risk situations.

CMC Command Climate Survey & DEOMI Organization Climate Survey

Marine Corps leadership engagement and accountability initiatives appear to have had a measurable impact in FY13 and FY14. According to the DEOMI Organizational Climate Survey, between third quarter FY13, fourth quarter FY13, and first quarter FY14, a continually increasing percentage of Marine respondents believe that their leadership promotes a climate that is free of sexual assault and would respond appropriately to a reported sexual assault. The CMC Command Climate Surveys since fourth quarter FY13 mirror the DEOMI findings:

CMC Command Climate Surveys **– Percentage of respondents who agreed or strongly agreed with the following statement:**			
	FY13, Q4	**FY14, Q1**	**FY14, Q2**
My unit provides a safe environment against sexual assault	87%	88.7%	89.8%
My unit provides a retaliation-free environment for those who report misconduct	75.9%	78.5%	78.2%
Leaders/Supervisors in my unit have made it clear that sexual assault is criminally unacceptable behavior.	88.9%	89.9%	90.9%
Leaders/Supervisors in my unit have set a command climate wherein sexual harassment is not tolerated.	87.2%	88.5%	89.1%

**Between FY12 and FY13, the percentage of victims who converted their initially restricted reports to unrestricted reports increased from 7% to 12%.*

The following table contains other findings from the DEOMI Organizational Climate Surveys between FY13 Q3 and FY14 Q1, including perceptions of leadership, bystander intervention, and knowledge of the restricted reporting option.

DEOMI Organizational Climate Surveys			
	FY13, Q3	**FY13, Q4**	**FY14, Q1**
My leadership promotes a climate that is free of sexual assault.	**4.24** / 5.0	**4.30** / 5.0	**4.34** / 5.0
My leadership would respond appropriately in the event a sexual assault was reported.	**4.32** / 5.0	**4.34** / 5.0	**4.41** / 5.0

Bystander Intervention: Moderate to Strong Likelihood that they would take action to intervene in a high-risk scenario.	**3.79** / 5.0	**3.85** / 5.0	**3.9** / 5.0
True/False: A restricted report allows a Service member to report a sexual assault and get help, but without notifying command or criminal investigators.	88% correct	89% correct	90% correct

Additional Highlights

Workplace and Gender Relations Survey (WGRS) 2012

The 2012 WGRS showed an increase in awareness of SAPR initiatives across the Corps, which corresponded with the launch of the SAPR Campaign Plan. The survey confirmed our efforts to reach all Marines, with 97% of Marines indicating that they received SAPR training within the previous 12 months. The survey also reports the following positive trends:

- The 2012 WGRS indicated that 93% of female Marines and 88% of male Marines indicated they would intervene in a potential sexual assault situation—up from 91% and 77% indicated in the 2010 WGRS.
- Between 2010 and 2012, the percentage of Marines who would feel free to report sexual assault without fear of reprisals to a large or very large extent increased from 54% to 64% for Marine Corps women and from 69% to 83% for Marine Corps men.
- Marine Corps women are more likely than women in other Services to indicate awareness of VAs present on their installation, the DoD Safe Helpline, restricted reports (confidentiality from command), and expedited transfers. Most Marine Corps women (84–93%) and Marine Corps men (85–91%) indicated there was a VA and a SARC on their installation.
- Marine Corps women were more likely than women in the other Services to indicate they were satisfied with the quality of sexual assault advocacy services and quality of counseling services (77% and 75% respectively indicated they were satisfied).

Site Visits to Initial Military Training Environments

At the direction of the Secretary of the Navy, DON SAPRO conducted site visits to 23 entry-level military training locations across the Navy and Marine Corps from October 2012 to January 2013. HQMC SAPR accompanied DON SAPRO to the following Marine Corps sites: Marine Corps Recruit Depot (MCRD) San Diego; MCRD Parris Island; School of Infantry-West (Camp Pendleton, CA); School of Infantry-East (Camp Geiger, NC); Marine Corps Combat Service Support Schools (Camp Johnson, NC); Marine Corps Communication-Electronics School; and The Basic School (Quantico, VA). The site visits focused on observing the following two areas: the professionalism and oversight of instructors and the overall command climate with respect to gender issues and sexual assault in particular.

The findings from DON SAPRO's resulting report, published 7 February 2013, included the following "best practices":

- *Command Leadership:* The best settings involve spectrums of effort led by COs who are passionate about mentoring students, instilling core values, and holding offenders appropriately accountable. They are highly visible within their schools. Their approach encompasses sexual assault, alcohol incidents, hazing and harassment, and instructor integrity. They express personal responsibility for service communities. Their zeal is obvious to subordinates.
- *Commandant's Campaign Plan:* The Commandant in 2012 implemented a formal "Campaign Plan" against sexual assault. The document and strategy are noteworthy in their own right, but the Commandant's personal involvement has been especially powerful. Every Marine leader knew about dedicated General Officer meetings on sexual assault and stand-down training led by senior regional Commanders. Within the unique culture of the Marine Corps, the Commandant's intent is well understood.
- *Force Preservation Council:* Individual Marine Corps commands utilize a structured and multi-disciplinary approach to raise command-level awareness of any "at-risk" Marines, including but not limited to sexual assault victims, and to coordinate support or other action as necessary. The council meets monthly to keep Commanding Officers informed of those who are struggling with various issues. The emphasis is on safety and helping Marines maintain performance.
- *Chaplains:* Several schools make especially prominent use of Chaplains as student resources for protected conversations, and simultaneously as command assets in actively monitoring command climate. At many Marine Corps locations, Chaplains join young Marines in various activities and exercises, and leaders encourage students (even if they are not religious) to utilize Chaplains as a sounding board for personal issues. All Chaplains assigned to the Marine Corps have received specialized community training as sexual assault first responders.

Way Ahead

In an effort to maintain transparency of data trends and recent developments, as well as to keep lines of communication open with the fleet, HQMC SAPR has developed an internal communication strategy that includes a SAPR Roadshow, a monthly snapshot of SAPR status and reported incidents, "virtual" town hall meetings (video and written conversations posted online), and a social media campaign.

This three-pronged communication strategy comprises face-to-face engagements, traditional print media, and social media platforms. Spurred by Summer 2014 Roadshow of the SAPR Branch Head and enabled by the restructure of the SAPR Branch at the headquarters level, an increase in travel (face-to-face engagements between HQMC SAPR and installation Marines) is planned for FY15 that will help accomplish the following objectives:

- Serve as a model of engaged leadership that emphasizes every Marine's inherent duty to step up and step in to prevent sexual assault;

- Enhance and expand communications between HQMC SAPR and Marines of all levels
- Provide Marines with the status of their SAPR efforts;
- Provide HQMC SAPR with situational awareness of how Marines perceive the SAPR Program and efforts;
- Enable HQMC SAPR to measure the tempo of ground operations; and
- Enable HQMC SAPR to provide assistance with installation-level SAPR programs.

Starting in August 2014, the Marine Corps began the electronic distribution of a SAPR Monthly Snapshot, which is designed to provide Marines with an understanding of the ground situation of sexual assault in the Corps. The SAPR Monthly Snapshot enumerates the total number of reports filed each month and in the fiscal year to date. The document also provides metrics that detail SAPR progress in terms of command climate, response and accountability, and the demographics of sexual assault. Each of these topics will be addressed once per quarter, with the goal of tracking development over the long term. HQMC also produces brochures, newsletters, and other print media throughout the year to communicate with different audiences about SAPR efforts and progress.

In addition, the Marine Corps planned social media campaign will primarily utilize Facebook, Twitter, and YouTube. We anticipate developing the following types of material for social media: SAPR posts that are predominately visually-based "posters" with general messaging content, announcements (of new training, for example), or infographics for more detailed data; live "town hall" meetings done via Facebook; live "tweets" during briefs, speeches, or other events; and SAPR "commercials" with well-regarded Marines talking about SAPR. These and other communications efforts will help keep open the lines of communication with the fleet, enhancing our assessment efforts with first-hand accounts and direct feedback from the Marines.

Regarding the progress and data trends outlined above, the 36th Commandant of the Marine Corps, who assumed command in October 2014, has renewed the Marine Corps commitment to continuing and advancing SAPR efforts: “I see positive progress and indicators that the Marine Corps SAPR Program is going in the right direction. However, I also believe that there is still much work to do. We must continue to increase reporting and decrease prevalence. We need to emphasize prevention to include focusing on potential offenders, implore all Marines to be active and responsible bystanders, and integrate the SAPR Program with other aspects of behavioral health. Marines must all work together to create an environment in which crimes of misconduct are not tolerated in any form.”

1. Analytic Discussion

Background: DSAID

In accordance with the National Defense Authorization Act (NDAA) for 2009, section 593, the Department of Defense (DoD) was tasked to develop a centralized, case-level database for the collection and maintenance of information regarding sexual assaults involving members or the Armed Forces. As a result, the Defense Sexual Assault Incident Database (DSAID) was created for Service-wide implementation.

As discussed in the FY13 DoD Annual Report on Sexual Assault in the military, beginning with FY14, the Department is using DSAID as the system of record to populate the DoD Annual Report on Sexual Assault in the Military, as well as to inform the DoD's Progress Report to the President of the United States (POTUS). The Department is producing this information in two phases:

- ***Phase One:*** Provisional data about USMC reports of sexual assault the Department received in FY14 are being published in this POTUS report. This data are intended to produce top-line numbers and limited analyses of sexual assaults reported to DoD.

- ***Phase Two:*** Finalized data about USMC reports of sexual assault the Department received in FY14 will be published in the DoD's Annual Report to Congress. This data will provide an in-depth analysis of sexual assaults reported to DoD as mandated by Congress, as well as the Department's plans for program improvement. This report is due to the Congressional Committees on the Armed Services no later than 30 April 2015.

In order to produce relevant reports, DSAID relies on data from multiple sources, including Sexual Assault Response Coordinators (SARCs), Headquarters Marine Corps (HQMC) Sexual Assault Prevention and Response (SAPR), HQMC Military Justice Branch legal officers, Naval Criminal Investigative Service (NCIS) agents, and the proper interface between DSAID and NCIS' Consolidated Law Enforcement Operations Center. As the source for victim, subject, incident, and legal disposition information for sexual assaults in the Marine Corps in FY14, DSAID was used to calculate the provisional information reported herein.

Number of Reports vs. Number of Victims

With the implementation of DSAID came new guidelines for the accounting of Unrestricted Reports. Prior to the implementation of DSAID, Unrestricted Reports were recorded as the number of sexual assault cases, as reported by NCIS, the Military Criminal Investigation Organization (MCIO) for the Marine Corps. Thus, one Unrestricted Report or open investigation of sexual assault did not always equate to one victim of sexual assault, because one report or investigation may involve multiple victims. Therefore, the number of Unrestricted Reports has historically been lower than the number of known victims. Starting in FY14, however, each and every victim identified in an open investigation or in an Unrestricted Report is counted within DSAID as an individual report, regardless of whether that victim elects to formally file an

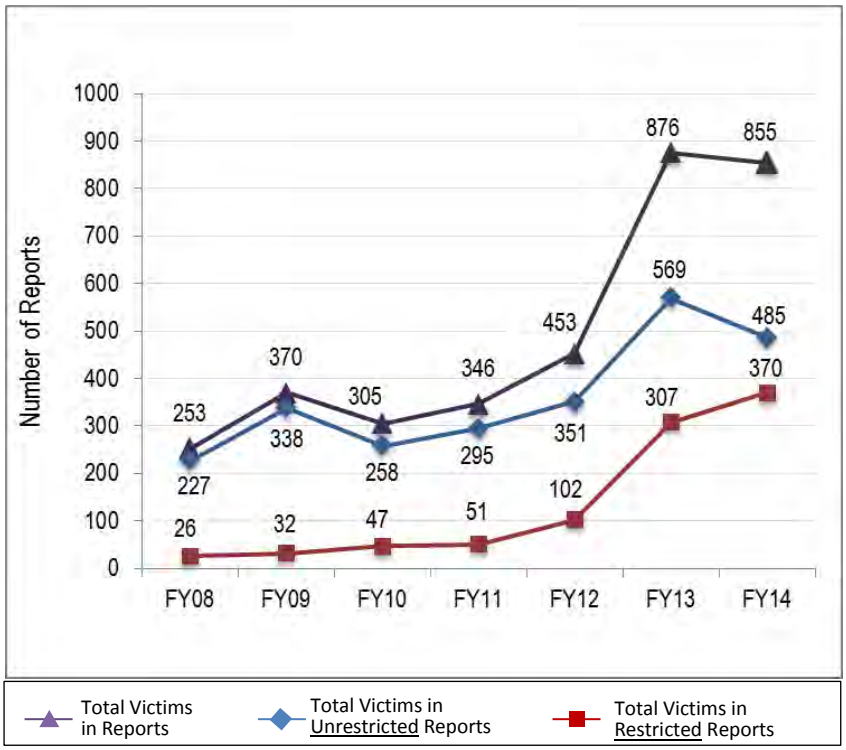
Unrestricted or Restricted report. Restricted Reports have always involved one victim per reported incident.

Effective FY14, the Office of the Secretary of Defense (OSD) has mandated that Annual Reports emphasize the number of victims, vice reports, in the reporting data. This POTUS report will also use the number of victims in reporting data between FY08 and FY14. As a result, comparing other findings across years (i.e., demographics, alcohol involvement, etc.) proves challenging, as the only readily available data for FY08 through FY13 is that found in the DoD Annual Reports, which again is based on the number of reports, not victims. Thus, developments and trends extended to FY14 are not perfect continuations of like data, but the best possible approximations based on what is available.

Reports of Sexual Assault: FY08–FY14

The Marine Corps has maintained its high rate of reporting, despite seeing an overall decrease of 2.4% in the number of victims in FY14 reporting data compared to FY13, which had a 93% increase from FY12. As shown in Figure 1 below, the 855 victims in FY14 reports of sexual assault include 485 victims in Unrestricted Reports and 370 victims in Restricted Reports.

Figure 1: Number of USMC Sexual Assault Victims in Reporting Data (FY08–FY14)



Note: 11 of the 485 victims in FY14 Unrestricted Reports were victims who filed a Restricted Report in a previous year, but who converted that report to an Unrestricted Report in FY14. All relevant FY14 data discussed herein centers on the remaining 474 victims in Unrestricted Reports filed in FY14.

Between FY13 and FY14, the number of victims in Unrestricted Reports decreased by 15%, while the number of victims in Restricted Reports increased by 21%. This increase in Restricted Reports is largely a result of reports made for incidents that occurred prior to joining the Marine Corps. These and other trends are discussed in the following section.

Estimated Prevalence vs. Reporting

The 2014 RAND Military Workplace Study is the latest iteration of a confidential survey fielded biennially used to estimate the number of service members experiencing sexual assault in the Marine Corps. According to this study, the Marine Corps saw a decrease in the estimated prevalence of unwanted sexual contact between FY12 and FY14. As shown in Table 1, the provisional analysis provided by the RAND Corporation suggests that in FY14, approximately 8.44 percent of active duty Marine women and 0.66 percent of active duty Marine men experienced some form of Unwanted Sexual Contact in the year prior to being surveyed. This is a welcome downward development from unwanted sexual contact rates observed in FY12 (10.1 percent for Marine women; 1.1 percent for Marine men).

Table 1: Marines Experiencing Unwanted Sexual Contact Using WGRA Methodology

Year	Overall	% Females in Total Active-Duty Force	% Males in Total Active-Duty Force
CY06	~3,700	11.9	1.4
FY10	~3,100	6.6	1.2
FY12	~3,300	10.1	1.1
FY14	**~2,300**	**8.44**	**0.66**

WGRA: Workplace & Gender Relations Survey for Active Duty Members

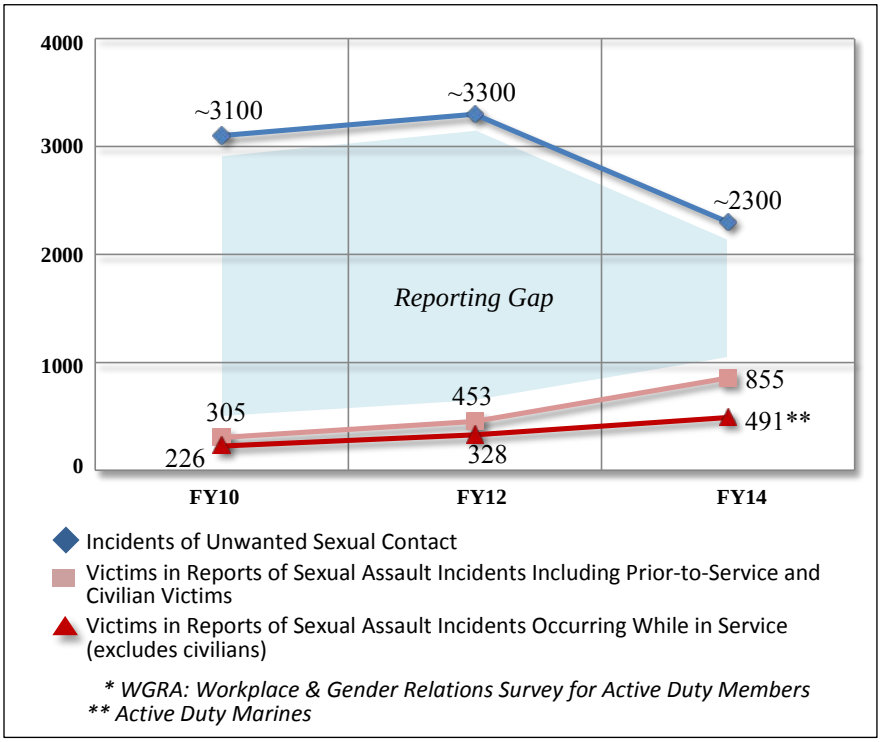
This decrease does not yet establish a stable trend line. Large-scale Marine Corps prevention initiatives need more time to be further integrated. In addition, as the November 2014 RAND Military Workplace Study report states, much more analysis needs to be performed in order to understand how Marine Corps policy and cultural factors impact the data. For example, in-depth analyses of the demographic makeup of the Marine Corps, including factors such as age, number of first-time enlistees, education level, marital status, and seniority, may present a better understanding of how the composition of the Marine Corps force affects survey results.
However, the decrease in unwanted sexual contact prevalence in FY14 is encouraging, especially when taken together with other supporting indicators since FY12—to include positive developments in perception of leadership engagement, victim satisfaction with services, and willingness to intervene in high-risk situations. The continuation of Marine Corps SAPR initiatives should lead to further promising results.

Reporting Gap:

The FY12 reporting gap—that is, the difference between the approximate number of unwanted sexual contact incidents and those *in-service* incidents that were reported—was approximately 90%. The equivalent statistic for FY14 is 79%, suggesting that the reporting gap is closing, as shown in Figure 2.

Ultimately, the Marine Corps wants the reporting data to match the number of incidents experienced, which would mean that all victims are receiving access to advocacy services. The Marine Corps will continue to use the survey results to assess progress in closing the reporting gap, both from the perspective of reducing incidents and increasing reporting.

Figure 2: Reporting vs. Marines Who Experienced Unwanted Sexual Contact Using WGRA Methodology*



Eliminating sexual assault completely from the Corps remains our ultimate goal, but our efforts must also continue to focus on creating an environment in which victims feel safe in coming forward.

Explanation and Implications of the Data

Given the highly underreported nature of sexual assault, the Marine Corps is encouraged by the overall positive reporting trend since FY11. Victims continue to come forward, following the implementation of large-scale efforts to raise awareness of the definition of sexual assault and available SAPR resources, as well as to increase confidence and trust in the Marine Corps response system.

Demographics

Female Marines between the ages of 18 and 24 and between the ranks of E1 and E4 continue to be the highest at-risk demographic, comprising the majority of victims in both Unrestricted and Restricted Reports. However, the number of male victims in reporting data, especially junior enlisted males, has increased every year since FY12. Increased reporting is a positive indicator, as the Marine Corps recognizes the stigma associated with all reporting, especially pertaining to males, and is dedicated to eliminating all barriers to reporting.

Given this the identified at-risk demographics, Marine Corps prevention efforts have focused on these critical periods within a Marine's career. The Marine Corps "Step Up" training program, designed specifically for junior enlisted Marines (E1 to E3), was released in June 2014, focusing on bystander intervention but including lessons pertaining to healthy relationships and reporting options. In addition, since the launch of

the SAPR Campaign Plan in June 2012, the Marine Corps has implemented its "Whole of Character" training for enlistees in the Delayed Entry Program; updated its SAPR training at the Recruit Depots; and mandated all newly promoted noncommissioned officers (NCOs) (E4 and E5) to complete the "Take A Stand" bystander intervention training as an annual training requirement.

The Marine Corps has begun to enhance our existing support to male victims of sexual assault and is developing initiatives designed to identify and dispel myths surrounding male sexual assault and mitigate stereotypes surrounding male victimization. One example of our recent efforts is an inter-Service working group arranged and hosted by HQMC on 30 September 2014 that included SAPR representatives from each Service and DoD SAPRO, as well as representatives from NCIS and the HQMC Behavioral Health Program. The speaker was Dr. James Hopper, an independent consultant, therapist, researcher, and clinical instructor of psychology at Harvard Medical School. His presentation was titled *Outreach to Males Sexually Assaulted in the Service: Foundations, Basics, Next Steps.*

Prior-to-Service Reporting

Prior-to-Service reporting data includes Marine Corps victims who file a report for sexual assaults that occurred prior to their joining the Marine Corps. The number of prior-to-service sexual assault reports has increased between FY13 and FY14, which is tied to an increase in the number of Restricted Reports during that same period. This is due to the fact that the large majority of victims who report prior-to-service incidents are reporting to receive victim care services, rather than to initiate an investigation for incidents that have often occurred long ago. Thus, about half of all Restricted Reports in FY14 involved female Marines being victimized—under the age of 18 and prior to becoming a Marine—by non-Service member offenders. Female Marines in the pay grade of E1 comprise the majority of these Marines making prior-to-service reports. For many, the Marine Corps affords them the first opportunity to discuss their previous sexual assaults. For some, it is their first time away from their offender.

Of the 855 victims in FY14 reports for the Marine Corps, 270 were for prior-to-service incidents, including 230 victims in Restricted Reports and 40 victims in Unrestricted Reports. Of the 876 FY13 victims, 177 were for prior-to-service incidents, including 158 Restricted Reports and 19 Unrestricted Reports. Without counting prior-to-service incidents, victims in reports decreased from FY13 to FY14 from 699 to 585.

The increase in prior-to-service reporting within the Marine Corps can be attributed to the increase in SAPR initiatives being implemented at the Marine Corps Recruit Depots (MCRD). All Marine Corps recruits, both male and female, receive four separate SAPR-related trainings during recruit training. SAPR training is conducted by a Uniformed Victim Advocate (UVA) on the first day of arrival to recruit training. The second is a brief given by the MCRD academics department on Training Day 10. The third is a foot locker discussion with their Senior Drill Instructor, which occurs at Training Day 50. The fourth occurs at the end of recruit training and consists of the Marine Corps *Lost Honor* video, which includes interviews with four Marines convicted of sexual assault, each

recounting the various circumstances and decisions leading up to the incident. Each of these training sessions covers supportive services available to all victims of sexual assault, regardless of when the incident occurred.

Location and Time

Regarding the location of sexual assaults in FY14, incidents in Unrestricted Reports occurred predominately on base, with the majority of assaults taking place in a residence, which includes apartments, condominiums, quarters, and barracks. For Restricted Reports, sexual assaults were more likely to occur off base rather than on base, which again is influenced by the large percentage of prior-to-service reports.

Regarding when sexual assaults are most likely to occur, FY14 data shows that most Unrestricted Reports were filed for incidents that occurred between Friday and Sunday between the hours of 1800 and 0600. This data is consistent with information recorded for Unrestricted Reports in FY12 and FY13. No conclusions can be made regarding the day or time for Restricted Reports, as a significant number of victims provided limited information.

Given these trends, the Marine Corps has recently taken measures to enhance oversight and increase watchstanders in the barracks. These include the return of NCOs to the barracks to provide leadership to the maximum extent possible; increased presence of senior officers and staff NCOs (SNCOs) at the barracks, especially between 2000 and 0400; and the assignment of company-grade officers as officers on duty and SNCOs as staff officers on duty at the barracks. In addition, television and video games are not allowed in the watchstander's place of duty. In addition to sexual assault prevention, these enhancements were implemented to reduce several behavioral problems, including hazing, fraternization, and alcohol misuse.

Alcohol

In FY14 as recorded in DSAID, alcohol continued to be a contributing factor for Unrestricted Reports of sexual assaults. Just under half of all FY14 Unrestricted Reports involved alcohol use by the victim, subject, or both, which is consistent with FY13 Unrestricted Report data. In addition, approximately 30% of all FY14 Restricted Reports involved alcohol use.

Recent Marine Corps efforts to improve safety and reduce the risks posed by alcohol include revisions and updates of policy pertaining to the proper training of alcohol providers, the enforcement of responsible sales practices, awareness efforts including public service announcements, and "Whole of Character" training programs for new Marines that address alcohol misuse directly and emphasize responsible and ethical behavior. Regarding alcohol sales policies specifically, the Marine Corps Order on Alcoholic Beverage Control is being updated to reflect, among other changes, new restrictions of on-base retail alcoholic beverage sales being limited to the hours of 0800 to 2200, as well as the complete removal of distilled spirit products from sites adjacent to barracks.

Way Ahead

Overall, the FY14 reporting data for the Marine Corps reinforces the findings of FY12 and FY13 data, on which most of the recent Marine Corps SAPR initiatives have been based. One positive finding that stands out in FY14 is the high percentage of Unrestricted Reports made within three days of the assault, which increased by 9% over FY13. The sooner reports are filed, the sooner the Marine Corps can provide supportive services to victims and the sooner evidence can be collected. A decrease in the latency of filed reports also suggests that command climates continue to shift in positive ways; with more Marines willing to report incidents earlier, barriers to reporting (such as the fear of loss of privacy or the fear of negative impact to career) appear to be slowly declining. These factors all speak to the large-scale efforts undertaken since FY12 to not only increase the awareness of and confidence in the response system, but to implement initiatives that enhance all aspects of the response system. In the last three years, these initiatives have included improvements to the following capacities: access to 24/7 crisis intervention, nationally accredited first responder credentialing requirements, discrete medical and mental health accessibility, surge-style investigative processes, specially trained prosecution teams, and multidisciplinary coordination.

The USMC SAPR Campaign Plan is currently in Phase II, which was expanded in April 2014 to build upon the energy and momentum of our efforts thus far, while addressing and exploring newfound gaps and areas of improvement. Based on new and continued data trends, more initiatives will be developed in support of the SAPR Campaign Plan. For example, the SAPR Program will expand its ability to drill down into specific data to better understand the parameters surrounding each incident of sexual assault, including the effect across different demographics, such as gender, rank, and age. By identifying overarching trends—including why Marines choose not to report (barriers to reporting) and the experiences of Marines who do report—the Marine Corps can evaluate the impact and effectiveness of all aspects of our SAPR program, from victim services to command climate. From these factual-based analyses, we will leverage best-of-class initiatives to effectively help high-risk individuals (both potential victims and potential offenders) from actually becoming victims and offenders.

Ultimately, the third and final phase of the SAPR Campaign Plan must ensure the lasting sustainment of our progress to date. While the Marine Corps has increased its ability to respond to sexual assaults, the larger mission of getting further left of this problem remains. Ultimately, the goal is to stop sexual assaults before they occur. To this end, the Marine Corps will continue to assess trends in its reporting data, as well as survey findings pertaining to victim satisfaction, command climate, bystander intervention, and leadership engagement, so that further programmatic gaps can be identified and areas of focus can be effectively addressed. The data presented herein offers a snapshot of an ongoing fight, and will be used to develop future strategies to further advance our progress.

2. Unrestricted Reporting

In FY14, the Marine Corps reported 485 victims via Unrestricted Reports, compared to 569 in FY13, marking a 15% decrease. Note: 11 of the 485 victims in FY14 Unrestricted Reports were victims who filed a Restricted Report in a previous year, but who converted that report to an Unrestricted Report in FY14. All relevant FY14 data discussed herein centers on the remaining 474 victims in Unrestricted Reports filed in FY14.

Type of Offenses

Of the 474 reports based on data reported via DSAID, approximately 47% (223) were categorized as penetrating offenses, 25% (119) as contact offenses, and 28% (132) currently could not be categorized. With assistance from DoD SAPRO, HQMC SAPR is analyzing the factor(s) contributing to this uncategorized percentage, which would alter current percentages for both offense types and provide better FY13 comparisons.

A penetrating crime is defined by the Uniform Code of Military Justice (UCMJ) as Rape, Aggravated Sexual Assault (pre-June 2012 UCMJ wording), Sexual Assault (post June 2012 UCMJ wording), Forcible Sodomy and Attempts to Commit these Offenses. A non-penetrating crime as defined by the UCMJ is Abusive Sexual Contact, Wrongful Sexual Contact, Indecent Assault, and Attempts to Commit these Offenses.

2.1. Victim Data Discussion and Analysis

Victim Gender and Age For All Victims

In FY14, the genders of the 474 Unrestricted Report victims were categorized as follows:

- 67% (317) female
- 25% (119) male. FY13 recorded 110 male victims and 37 in FY12.
- 8% (38) not recorded

For age, a large majority of male and female victims were age 18 to 24. This data remains consistent with FY13 and FY12 data for gender and age of victims.

Victim Type For All Victims

Of the 474 total victims, 82% (387) were military, 10% (49) were non-service members, and 8% (38) were not classified. Of the 387 military victims, 70% (269) were females and 30% (118) males. As in FY12 and FY13, the largest percentages of victims in FY14 were military members.

Subject-Victim Categorization For All Victims

Of the 474 total victims, DSAID breaks down the subject/victim classification in one of four ways: Service member on Service member; Service member on non-Service member; non-Service member on Service member; unidentified subject on Service member. Approximately, 43% (202) of the Unrestricted Reports are categorized as Service member victimizing another Service member, but this data is provisional preventing comparison to past FYs. Additional research is required between DoD and HQMC SAPR to categorize the remaining victims.

Military Victim Age, Rank, and Duty Status
Of the 387 Service member victims, 269 (70%) were female and 118 (30%) were male victims, who were predominantly between the ages of 18 and 24 in the pay grades of E1 to E4. The most common pay grade for both males and females was E3. The large majority of military victims were active duty Service members.

Victims Declining to Participate in the Military Justice Process: Metric #8
The number of victims declining to participate in the military justice process has decreased from 16% in FY11 down to 8% in FY14, This steady drop in victim declinations corresponds with the Marine Corps increased efforts to support victims. Since 2011, the Marine Corps established several initiatives to improve services to victims and increase their willingness to participate in the military justice process including the establishment of Sexual Assault Response Teams (SARTs), multidisciplinary first responders who coordinate and provide compassionate victim care; implemented a Victim Assessment Survey to measure victim satisfaction with medical, legal, advocacy, counseling, and related services in order to address any shortfalls; implemented 24/7 Helplines at every Marine Corps installation to provide victims with immediate access to support; and increased staffing of SAPR personnel, including additional SARCs and VAs. In addition, continued emphasis on special victims' investigation and prosecution and the establishment of the Victims' Legal Counsel Organization show the Marine Corps' commitment to ensuring victims are treated with the utmost dignity and respect throughout the military justice process.

Combat Areas of Interest (CAI)
As recorded by DSAID, the Marine Corps documented only one Unrestricted Report and one Restricted Report of sexual assault in the defined CAI during FY14. The Unrestricted Report was an off-base incident that was reported in Afghanistan by a female Marine, pay grade E3 and age 20. The Restricted Report occurred in Iraq in 2008 but was not reported until September 2014. The victim was a female Marine who at the time of the incident was an E4 age 27. This is a noticeable decrease from the 12 sexual assaults reported in CAIs in FY13 and 9 in FY12.

Military Protective Orders
A Military Protective Order (MPO) can be issued by the Commander through DoD Form 2873, which orders two or more persons to discontinue any future contact or communication in person, via technology, or through a third party until a specified date. MPOs are most useful in situations in which the named parties are in close proximity, such as stationed on the same installation or housed in the same dwelling, and in situations where interaction may disrupt good order and discipline. For FY14, Commanders issued 123 MPOs at the request of the victim or on behalf of the victim's protection. Only one report of an MPO violation by the subject was recorded. A total of 231 MPOs were issued in FY13 and 222 in FY12.

Expedited Transfers
In FY14, DSAID recorded 35 expedited transfer requests, 31 of which requested a change of installation, frequently called Permanent Change of Station (PCS) orders.

Four were requests for a unit change within or near the installation, commonly called Permanent Change of Address (PCA) orders. Internal records within HQMC SAPR recorded 58 expedited transfers, of which 41 were PCS orders and 17 were PCA orders. Additional reconciliation is required between HQMC SAPR and respective SARCs to accurately record transfers within DSAID. No PCS or PCA orders were denied. There were 56 expedited transfer requests recorded in FY13 and 34 in FY12.

2.2. Subject Data Discussion and Analysis

Demographic Trends for Subjects

Data analyzed in this section was compiled from investigations completed in FY14. These investigations may have been opened in current or prior FYs. There were a total of 540 subjects for investigations completed in FY14. Of these investigations, a vast majority were male, military subjects serving in the Marine Corps in the pay grade E1 to E4. This was in line with FY13 and FY12 subject data.

Disposition Trends, Command Actions for Military Subjects (Non-Metric #1) and Sexual Assault Court-Martial Outcomes (Non-Metric #2)

In FY14, there were approximately 348 subjects whose cases were presented to Commanders for disposition. Sufficient evidence supported Commander action against 69% (239) subjects or cases that were presented to Commanders. Of those cases, Commander action was not possible in 29% (101) of the cases. For the 101 cases where command action was not possible, 29% was due to the victim declining to participate and 71% due to insufficient evidence of any offense to prosecute. In the remaining 2% (8) of cases submitted to Commanders for possible action, these cases did not move forward due to the allegation being unfounded by command and legal review.

In the 239 cases where the Commander action was taken, the evidence supported sexual assault adjudication against approximately 75% (179) of the subjects and adjudication for other misconduct charges against approximately 25% (60) subjects. In the 60 cases where the evidence did not support sexual assault adjudication, the investigation identified other misconduct that was detrimental to good order and discipline. Of these 60 cases, court-martial charges were preferred against approximately 13 subjects, 28 subjects received non-judicial punishment, 5 received administrative separations and 14 received other adverse administrative action.

In the cases where Commander action supported adjudication for a sexual assault, the Marine Corps preferred sexual assault charges against 159 subjects. Of those cases, 65% (103) proceeded to trial. Of those 103 cases, 75 subjects were convicted of at least one charge at trial. Both the number of preferrals and courts-martial for sexual assaults in FY14 were an increase from FY13 when the Marine Corps preferred sexual assault charges against 113 subjects and 90 cases proceeded to trial.

Looking specifically at penetrating crimes, and excluding contact offenses, in FY14 63% (70) of penetrating cases proceeded to court-martial and approximately 70% (49) of those resulted in convictions. For non-penetrating crimes, 70% (33) of cases proceeded to trial and 79% (26) of those resulted in convictions.

Combat Areas of Interest (CAI)
As recorded by DSAID, the Marine Corps had one victim in an Unrestricted Report of sexual assault initiated in a CAI, which occurred in Afghanistan. The investigation for this sexual assault was completed in FY14. The subject was identified as a male foreign national, age 22, who was outside DoD UCMJ jurisdiction.

2.3. Reporting Data Discussion and Analysis

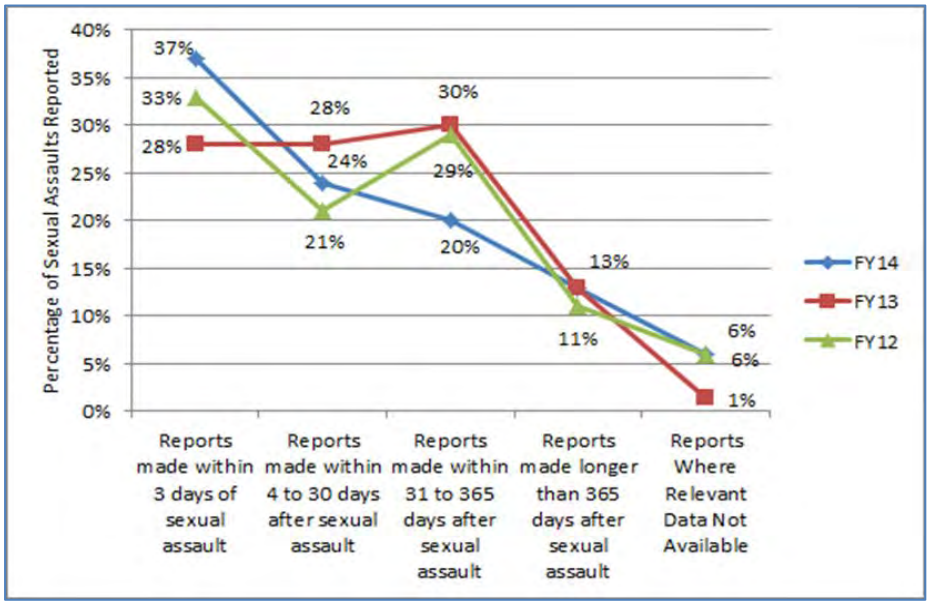
Incident Location
Of the 474 Unrestricted Reports of sexual assault in FY14, approximately 48% (226) occurred on base, 30% (144) occurred off base, and for 22% (104) of the reports victims did not record a location. In FY13, approximately 56% of the assaults occurred on base and 39% off base. For FY12, 55% occurred on base, and 40% off-base.

Location Type
Specifically for the 387 military members who made Unrestricted Reports, less than half of the assaults were classified in DSAID as occurring in a victim's home, apartment, condominium, quarters, barracks, BEQ, or BOQ.

Day and Time of Assault
For the 474 Unrestricted Reports of sexual assault, incidents occurred each day of the week, however, Fridays, Saturdays, and Sundays were the most reported accounting for 55% (262). Fifty-one percent of incidents in FY13 and 63% of incidents in FY12 occurred on Fridays, Saturdays, and Sundays. For time of incident, the 1800 to 2400 and the 2400 to 0600 timeframes accounted for 33% (155) and 32% (153) of the reports, respectively. In FY13, these same two timeframes, 1800 to 2400 and 2400 to 0600, accounted for 26% and 27% of the reports, respectively.

Victim Reporting Latency
For victim reporting latency defined as the period of time from when a sexual assault occurred to the incident being reported, Figure 3 below shows FY14 with the highest percentage of reports recorded within three days of the incident.

Figure 3: Sexual Assault Victim Reporting Latency for Unrestricted Reports From FY12 to FY14



Alcohol and Drug Use

In regards to alcohol use for all Unrestricted Reports filed in FY14, just under half involved use by either the victim, subject, or both. For FY13 and FY12, 48% and 46% of the Unrestricted Reports involved alcohol. For illicit or prescriptive drug use, a very small number of incidents reported involved use by the victim, subject, or both. In FY13, illicit or prescriptive drug use was reported as a possible contributing factor for only two Unrestricted Reports. It is important to acknowledge that alcohol and drug use, as reported here, is not derived through empirical evidence such as toxicology reports but rather through self-reporting and therefore may reflect a reporting bias on behalf of the victim, subject, and collateral witnesses.

Investigations

NCIS was the predominant investigative authority for service members, however, a small number of service members were also investigated by Army CID, Air Force OSI, and civilian, or foreign law enforcement. In FY14 according to NCIS tracking information, NCIS initiated 443 investigations and completed 647, including investigations begun in previous years. In FY13, 501 investigations were initiated and 531 were completed. In FY12, 333 investigations were initiated and 334 were completed.

3. Restricted Reporting

Restricted reports are not reported to law enforcement or to a service member's chain of command. SARCs do not indicate the types of offenses for Restricted Reports, as they are self-reported and may or may not meet the definition and criteria of the UCMJ offenses. For all Restricted Reports, the SARC's focus is on support services (e.g., crisis intervention; referrals to advocacy, medical, counseling services; etc.) and case management.

For FY14, the Marine Corps reported 370 victims via Restricted Reports. This is a 21% increase in the number of victims filing a Restricted Report compared to FY13. The greatest contributor to this increase is the number of prior-to-service Restricted Reports made. In FY14, there were 230 prior-to-service reports compared to 158 in FY13, a 46% increase. For FY14, a large percentage of the prior-to-service reports were made by female recruits to SARCs or UVAs at the recruit training depot. The Marine Corps has made a concerted effort to engage with recruits about what constitutes a sexual assault, their reporting options, and services available.

3.1. Victim Data Discussion

Victim Gender and Age For all Victims

In FY14 for gender, the 370 victims were categorized as follows:

- 83% (308) female.
- 17% (62) male. FY13 recorded 59 male victims and 12 in FY12.

As with FY14, FY13 and FY12 also recorded a large percentage of female victims. For age, 63% (233) of the victims were under the age of 20. Due to the large percentage of victims reporting unknown for their age at the time of the incident in FY13, FY14 age comparison is not possible. For FY12, the majority of victims 52% (57) were between 20 and 24.

Victim Type For All Victims

Of the 370 Restricted Reports, 98% (363) were military and 2% (7) were non-Service members victims. Of the 363 military victims, approximately 83% (301) were females and 17% (62) males. As in FY12 and FY13, military members were the largest percentages of victims in FY14.

Subject-Victim Categorization for All Victims

Of the 370 total victims, DSAID breaks down the subject/victim classification in one of four ways: Service member on Service member; Service member on non-Service member; non-Service member on Service member; unidentified subject on Service member. FY14 data classified below:

- 53% (195) involved non-Service member victimizing a Service member
- 23% (85) Service member on Service member
- 14% (53) Unidentified subject on a service member
- 2% (7) Service member on non-service member
- 8% (30) were not categorized by DSAID

FY13 and FY14 both recorded more sexual assaults occurring between non-Service member and Service member. This is attributed to the large percentage of prior-to-service reports comprising total number of Restricted Reports for each year; therefore, more assaults were committed by non-service members. FY12 recorded more assaults between Service member on Service member.

Military Victim Age, Rank, and Duty Status

Of the 363 service member victims, female victims were predominantly under the age of 21. For male victims, no clustering of age groups was evident.

For pay grade, a vast majority of both male and female military victims were pay grade E1–E4 with the largest number for both genders in the pay grade of E1. This correlates to the high percentage of prior-to-service to service reports made at the recruit depots. Of the military victims, 99% (358) were active duty service members.

Combat Areas of Interest (CAI)
DSAID recorded one Marine Corps Restricted Report of sexual assault in the defined CAI during FY14, compared to four in FY13 and zero in FY12. FY14's sole Restricted Report occurred in Iraq in 2008 but was not reported until September 2014. The victim was a female Marine who at the time of the incident was an E4 age 27.

3.2. Reporting Data Discussion

Incident Location
Of the 370 Restricted Reports of sexual assault in FY14, approximately 58% (216) of the incidents occurred off base, 13% (49) occurred on base, 21% (76) of the victims did not identify the assault location, and 8% (30) could not be classified in DSAID. In FY13, approximately 46% occurred off base, 16% on base, and 38% in an unidentified location. In FY12, 41% occurred off base, 55% on base, and 4% in an unidentified location.

Location Type
For the 363 military members who made Restricted Reports, a majority of the assaults were classified as occurring in a victim's home, apartment, condominium, quarters, barracks, BEQ, or BOQ.

Day and Time of Assault
For the 370 Restricted Reports, assaults were recorded each day of the week, however, 56% (206) of the victims could not or did not provide a day the assault occurred. Additionally, 30% (111) of the victims could not or did not provide a time of sexual assault incident. Because of the large percentage of unknown for day of week and time of day for incident, a comparison is not feasible with FY13 or FY12 data.

Alcohol and Drug Use
Of the 370 Restricted Reports filed in FY14, approximately 30% involved the use of alcohol by the victim, subject, or both. For illicit or prescriptive drug use, a very small number of incidents reported involved use by the victim, subject, or both. It is important to acknowledge that alcohol and drug use, as reported here, is not derived through empirical evidence such as toxicology reports but rather through self-reporting and therefore may reflect a reporting bias on behalf of the victim, subject, and collateral witnesses.

Trends in Restricted Reporting Conversions
In FY14, 426 victims initially filed a Restricted Report, however, 56 victims chose to convert to an Unrestricted Report, a 51% increase from FY13 (37).

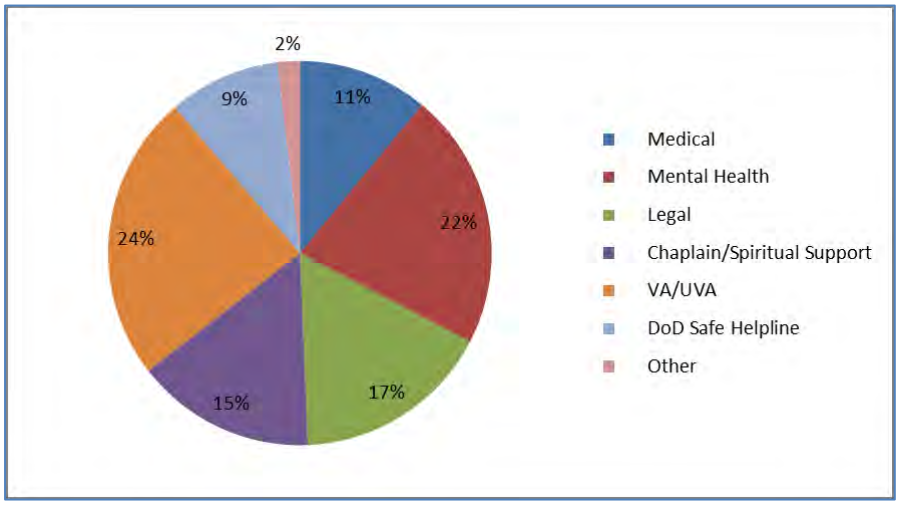
4. Service Referrals for Victims of Sexual Assault

4.1. Unrestricted Report Referral Data Discussion

Summary of Referral Data for Military Victims Filing Unrestricted Reports

Of the 387 military members who filed an Unrestricted Report, a total of 1,335 support service referrals were made, a ratio of 1 to 3.4 compared to FY13's ratio of 1 to 8.23 and FY12's ratio of 1 to 10.5. The decrease from previous FYs is attributed to the transition of data entry processes into DSAID. Referrals were provided by SARCs when the victim requested or conveyed a need for service, including military and/or civilian medical, military and/or civilian victim advocacy, mental health, legal, or chaplain services. Of the total 1,335 support service referrals in FY14, 1,220 (91%) were made to military support services, with 115 (9%) referrals made to civilian resources. Figure 4 breaks out the types of military referrals provided from the SARCs/UVAs/VAs to military victims who made an Unrestricted Report in FY14:

Figure 4: Type of Military Referrals for Unrestricted Report Victims in FY14



CAI for Military Victim Filing An Unrestricted Report

For the sole female Marine who made an Unrestricted Report for an assault that occurred in Afghanistan, the SARC followed proper protocol and recommended a referral to a UVA for further support and guidance.

Sexual Assault Forensics Exam (SAFE) Kits for Military Victims Filing Unrestricted Reports

In FY14, there were 66 Unrestricted Reports made to SARCs where a SAFE kit was conducted compared to 46 in FY13 and 84 in FY12. In all three FYs, SAFE kits were readily available at the time a victim requested an exam.

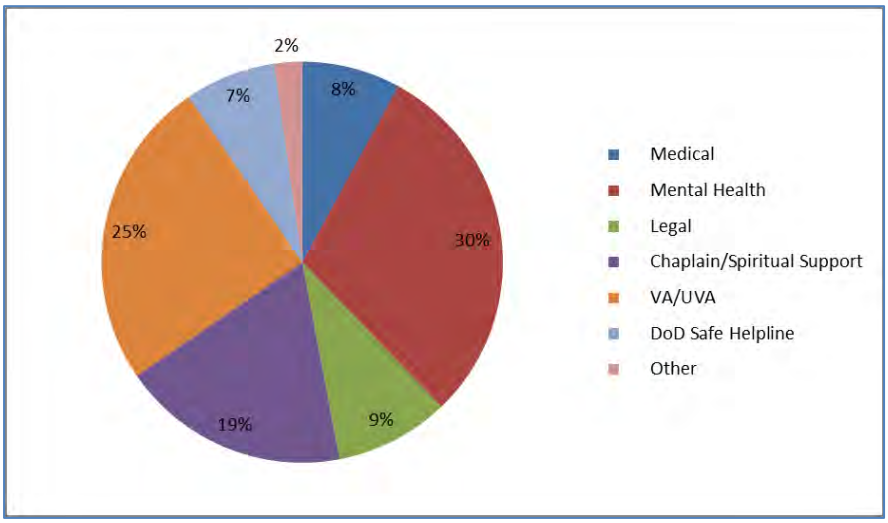
4.2. Restricted Report Referral Data Discussion

Summary of Referral Data for Military Victims filing Restricted Reports

In FY14, of the 363 military members who filed a Restricted Report, a total of 841 support service referrals were made, a ratio of 1 to 2.3 compared to FY13's ratio of 1 to

4.8 and FY12's ratio of 1 to 3.8. The differences between the FYs can again be attributed to the transition of data entry processes into DSAID. Of the total 841 support service referrals in this category for FY14, 804 (96%) were made to military support services with 37 (4%) receiving referrals to civilian resources. Figure 5 below delineates the type of military referrals given by the SARCs/UVAs/VAs to military victims who made a Restricted Report in FY14.

Figure 5: Type of Military Referrals for Restricted Report Victims in FY14



Combat Areas of Interest for Military Victims Filing Restricted Reports

For the sole Marine, female, E4 victim who made a Restricted Report for the assault that occurred in Iraq in 2008 and reported in FY14, the SARC recommended a referral to military medical, mental health, legal, chaplain support, and DoD Helpline.

SAFE Kits for Military Victims Filing Restricted Reports

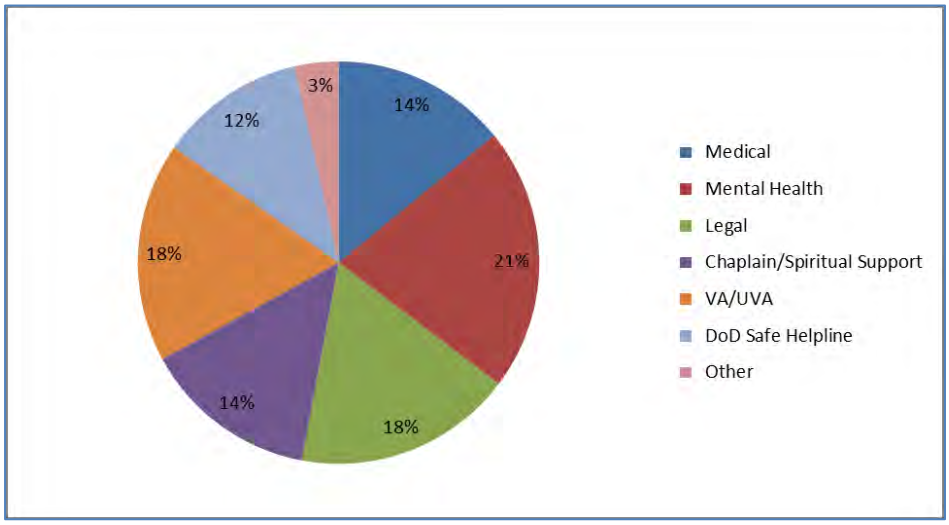
In FY14, medical personnel administered 16 SAFE kits for military victims filing a Restricted Report compared to 22 in FY13 and 11 in FY12. In all three FYs, SAFE kits were readily available at the time a victim requested an exam.

4.3. Service Referrals for Non-Military Victims Data Discussion

Summary of Referral Data for Non-Military Victims and Unrestricted Reports

In FY14, of the 67 non-military victims who filed Unrestricted Reports, a total of 109 support service referrals were made, a ratio of 1 to 1.6 compared to FY13's ratio of 1 to 7.34 and FY12's ratio of 1 to 9.6. Of the 109 support service referrals in this category for FY14, 85 (78%) were made to military support services (i.e., for those victims who were military dependents) and 24 (22%) were made to civilian resources. Figure 6 below breaks out the type of military referral given by the SARCs/UVAs/VAs to non-military victims who made an Unrestricted Report in F14.

Figure 6: Type of Military Referrals for Non-Military Victims filing an Unrestricted Report in FY14



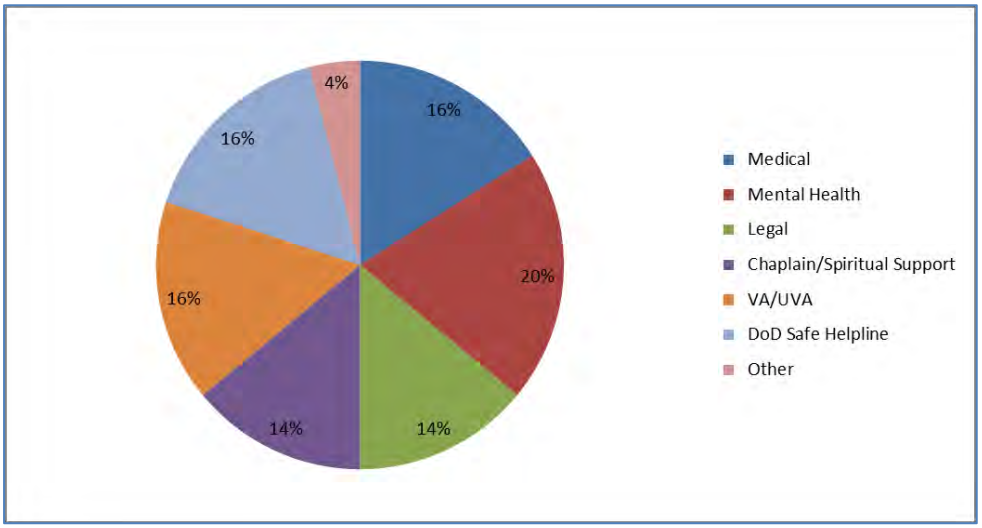
SAFE Kits for Non-Military Victims and Unrestricted Reports

In FY14, medical personnel administered 9 SAFE kits for non-military victims filing an Unrestricted Report compared to 8 in FY13 and 18 in FY12. In all three FYs, SAFE kits were readily available at the time a victim requested an exam.

Summary of Referral Data for Non-Military Victims and Restricted Reports

In FY14, of the 12 non-military victims who filed Restricted Reports, a total of 55 support service referrals were made, a ratio of 1 to 4.6, compared to FY13's ratio of 1 to 5.21. Of the 55 support service referrals in this category, 50 (91%) were made to military support services, with 5 (9%) referrals made to civilian resources. Figure 7 breaks out the type of military referrals given by the SARCs/UVAs/VAs to non-military victims who made a Restricted Report in F14.

Figure 7: Type of Military Referrals for Non-Military Victims filing an Restricted Report in FY14



SAFE Kits for Non-Military Victims and Restricted Reports
In FY14, medical personnel administered 3 SAFE kits for non-military victims filing a Restricted Report, compared to 2 in FY13 and 0 in FY12. In all three FYs, SAFE kits were readily available at the time a victim requested an exam.

5. Additional Items

5.1. Military Justice Process/Investigative Process Discussion

Non-Metric #3: Length of time from the date a victim signs a DD 2910 to the date that a sentence is imposed or accused is acquitted
For the Marine Corps, the time interval from report to court outcome averaged 345 days with a median of 324 days. Several processes occur between the time a victim signs a DD 2910 and the date a sentence is imposed:

- NCIS is notified of the victim's report;
- The report is investigated by NCIS in consultation with trial counsel;
- The Sexual Assault Initial Disposition Authority evaluates the investigation and, in consultation with a SJA, decides whether to request legal services for a court-martial or other disposition;
- If legal services are requested, a defense and trial counsel are formally detailed to the case;
- Charges are preferred;
- An Article 32 investigation is held;
- The Article 32 investigating officer provides a recommendation;
- The Commander and SJA review the report to decide whether to refer charges; and
- If charges are referred, an arraignment is held, motions hearings, and discovery are conducted, and the case proceedsto a court-martial.

Various factors may lengthen an investigation or military justice actions, such as the number of witnesses, the location of witnesses (one base or multiple locations around the world), forensic analysis of the evidence, the need for expert assistance, defense continuance requests, the need for subpoenas or judicial orders to obtain evidence, the number and type of motions litigated, and the availability of the witnesses. A well-executed investigation could take weeks or, in most cases, months to develop. While the UCMJ and Rule for Court-Martial 707 impose limits on the days until a case must proceed to trial, the numerous factors discussed above differ greatly among cases.

Non-Metric #4: Length of time from the date a victim signs a DD 2910 to the date that NJP process is concluded (e.g., punishment imposed or NJP not rendered)
The time interval from report to NJP outcome in the Marine Corps in FY14 was on average 160 days with a median of 134 days. The process for offering, accepting, and imposing NJP is faster than the court-martial process due to the numerous procedural safe guards and due process rights provided to an accused at a court-martial as described in Non-Metric #3. While a court-martial is a slower process, Commanders generally refer allegations of sexual assault to court-martial because of the serious

nature of the allegations. When the evidence does not support referral of the sexual assault allegations to court-martial, Commanders often address collateral misconduct and lesser offenses uncovered during the investigation at NJP when appropriate.

*Non-Metric 6: USMC Action in Sexual Assault Cases Declined By Civilians									
No.	Offense Alleged/ Investigated	Location	Subject Service	Subject Grade	Subject Gender	Victim Service	Victim Grade	Victim Gender	Narrative of the Crime
1	Sexual Assault (Pre 28 June 12)	CONUS	USMC	E-5	Male	Army	E-4	Female	Victim reported she was sexually assaulted at subject's off base residence on Christmas Day. Civilian prosecutors declined jurisdiction. Subject convicted of sexual assault and sentenced to 90 months confinement and a dishonorable discharge.
2	Sexual Assault (Post 28 June 12)	CONUS	USMC	E-8	Male	US Civilian	N/A	Female	Victim reported she was sexually assaulted at a Staff Non-Commissioned Officer club. Civilians declined jurisdiction. Subject convicted of indecent exposure, indecent language, and disorderly conduct. Received reduction and forfeitures.
3	Sexual Assault (Post 28 June 12)	CONUS	USMC	E-2	Male	USMC	E-2	Female	Victim reported she was sexually assaulted by the subject off-base. Civilians declined jurisdiction. Subject convicted of attempted sexual assault and abusive sexual contact. Received six months confinement, reduction, and a bad conduct discharge.
4	Sexual Assault (Post 28 June 12)	CONUS	USMC	E-4	Male	USMC	E-3	Female	Victim reported she was sexually assaulted by the subject off-base. Civilians declined jurisdiction. Subject convicted of sexual assault and adultery. Received one year confinement, reduction, and a bad conduct discharge.
5	Sexual Assault (Post 28 June 12)	CONUS	USMC	E-5	Male	US Civilian	N/A	Female	Victim reported she was sexually assaulted by the subject off-base. Civilians declined jurisdiction. Subject convicted of numerous orders violations. Received one year confinement, reduction, and a bad conduct discharge.
6	Sexual Assault (Post 28 June 12)	CONUS	USMC	E-2	Male	USMC	E-3	Female	Victim reported she was sexually assaulted by the subject off-base. Civilians declined jurisdiction. Subject convicted of violation of a general order. Received 45 days hard labor.
7	Sexual Assault (Post 28 June 12)	OCONUS	USMC	E-3	Male	Japanese Civilian	N/A	Female	While off base in Japan, subject reportedly grabbed crotch and breast of victim, as well as other unrelated sexual misconduct. Japan declined jurisdiction. Convicted of all charges, received six years confinement, reduction, and a dishonorable discharge.

*The above case synopses were chosen by the Marine Corps as anecdotal examples of situations where the military justice process was used to address allegations of sexual assault involving military members, when a civilian or foreign justice process did not or could not fully address the misconduct alleged. These cases were selected by the Service to demonstrate certain aspects of the military justice process and do not reflect the sum total of all such occurrences during Fiscal Year 2014.


DEPARTMENT OF THE AIR FORCE
UNITED STATES OF AMERICA
MCMXLVII

SECRETARY OF THE AIR FORCE
WASHINGTON

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MEMORANDUM FOR UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS

SUBJECT: Sexual Assault Prevention and Response Progress Report to the President of the United States

In response to your 26 June 2014 data call, I am forwarding the enclosed input to the Sexual Assault Prevention and Response Report to the President. We remain committed to eliminating sexual assault from the Air Force and continue to strengthen sexual assault prevention and response policies and programs.

Deborah Lee James

Attachments:
1. Air Force Progress Report to the President
2. Analysis of FY 2014 Sexual Assault Data and Sexual Assault Cases Synopses

United States Air Force Report on Sexual Assault Prevention and Response to the President of the United States: Narrative

Executive Summary

The Air Force has a long legacy of facing challenges head-on. The fight to eliminate sexual assault from our ranks is one such challenge that we will be engaged in until the Air Force is free from sexual assault. This challenge will take bold and persistent leadership, persistent focus, and persistent action to realize our vision of an Air Force free from sexual assault. We have no doubt that our Airmen will achieve this vision because there isn't a challenge that Airmen have accepted and failed to achieve. One of the keys to successfully addressing sexual assault is to ensure every Airman has the opportunity to live and work in a healthy environment where he or she is treated with dignity and respect. There is no place in that environment for the degradation of individuals through acts of sexual harassment or sexual assault. First and foremost, it is inconsistent with our Core Values: "*Integrity First*", *"Service Before Self",* and *"Excellence in All We Do."* And secondly, it goes against everything our mission espouses when protecting and defending democracy at home or abroad.

The Air Force educates officer, enlisted, and civilian Airmen on the continuum of harm so they can identify and eliminate behaviors that may lead to sexual assault. Starting from first contact with a recruiter and continuing through an Airman's professional military education, the Air Force builds upon established sexual assault prevention and response core competencies and learning objectives for all training. Air Force recruiters initiate this process by briefing new recruits on the definitions of sexual assault, sexual harassment, unprofessional relationships, and the requirement to report misconduct in the recruitment phase. The sexual assault prevention and response education continues at Basic Military Training, where 11.5-hours of core training focus on gender diversity, sexual harassment, and sexual assault. The building block approach strengthens our Airmen's Core Value development at Basic Military Training and is due in large part to the implementation of 43 recommendations from a 2012 review.

For future officers, the Air Force Academy now trains leaders using a sexual assault prevention and response philosophy that throughout the first year, the cadet is a follower; second year a role model; third year a worker/coach; and fourth year a leader. In addition, the Reserve Officer Training Corps and the Officer Training School curriculum includes three-hours of sexual assault prevention and response instruction covering the effects of sexual assault on a unit's trust and cohesion, the importance of victim empathy, and how gender relations and sexism can impact trust.

While every Airman is accountable for the climate where he or she lives and works, commanders have special accountability and authority to ensure good order and discipline in their unit and are held accountable for the climate they create. To help commanders with climate issues, in 2005, the Air Force placed a full-time sexual assault response coordinator at every installation to include deployed locations. Today, each installation now has at least one full-time sexual assault response coordinator and one full-time victim advocate and many installations have several more than two. The Air

Force thoroughly screens candidates using a national agency background check and only selects the highest qualified personnel. Sexual assault response coordinators and sexual assault prevention and response victim advocates are trained to provide commanders advice and counsel on climate issues in their unit and also to provide professional, respectful care to sexual assault victims. These individuals also lead the sexual assault prevention and response education and training at their installation and are skilled at providing programs that meet the needs of each individual installation.

Shortly after hiring its first sexual assault response coordinators, the Air Force stood-up a week-long in-residence course to provide training and education for this very critical position at the tip of the spear. In 2014, this course was revised and almost doubled in length to respond to feedback from sexual assault response coordinators in the field on areas that needed more discussion before a sexual assault response coordinator assumed his or her duties. We published our first sexual assault prevention and response policy document in 2008, which has been revised several times since then to provide current direction to the field. According to multiple studies, sexual assault is one of the most under reported crimes in our nation. Reasons often provided for not reporting include: self-blame or guilt, shame, or desire to keep the assault a private matter, fear of not being believed or of being accused of playing a role in the crime, and lack of trust in the criminal justice system.

To encourage victims to report, our early efforts to eliminate this crime focused on response and becoming experts at taking care of sexual assault victims. Our response efforts fell into three main efforts: taking care of the victims that report the crime, professionally investigating the reported crimes, and then professionally prosecuting the crimes as appropriate. It is well understood that we need experts in every part of the response system to appropriately provide justice to sexual assault victims. To provide this expertise we have systematically identified and provided additional resources and training for our response systems to develop a world-class response capability.

As mentioned above, sexual assault response coordinators offer vital support to commanders and manage a compassionate victim response program. To ensure unrivaled victim advocacy, the Air Force employs 118 nationally certified sexual assault response coordinators, and each one completes the 8-day qualification course and 32 hours of continuing education bi-annually. Our sexual assault response coordinators provide commanders with a unique 24/7 victim response and care capability and are the focal point for assuring services are provided to a sexual assault victim from the initial report through final disposition. Sexual assault response coordinator positions are filled predominately by civilians acting as the lifeblood of the Air Force Sexual Assault Prevention and Response Program, providing us with a highly skilled and stable workforce. Assisting our sexual assault response coordinators are 2,248 military and civilian volunteer victim advocates who comprise our unique Air Force capability to provide compassionate care for sexual assault victims.

Beyond the initial response, comprehensive medical care is critical to supporting victims. For each victim the Air Force Medical system provides and/or coordinates

medical care, mental health support, and completion of a sexual assault forensic examination at the victim's request. The Air Force Medical Service's goal is to support the victim while also ensuring credible evidence collection. To accomplish this goal the Air Force has assigned certified sexual assault forensic examiners at every 24-hour Air Force medical treatment facility. Additionally, at locations not serviced by a 24/7 military treatment facility the Air Force establishes memorandums of understanding with local community resources to ensure victim care and credible evidence collection.

In further pursuit of world-class victim advocacy, the Air Force introduced the Special Victims' Counsel Program in fiscal year 2013, which many consider to be one of the most significant advancements in the area of victim support. This program gives sexual assault victims a voice in the legal process and enables judge advocates to assert their clients' rights both in and out of court. The special victims' counsel is the first of its kind to provide Airmen and their family members who are victims of sexual assault with their own attorney, free of charge. Since the program's inception, special victims' counsel have represented more than 1,000 victims of sexual assault with 91% of victims who competed a survey indicating they were "extremely satisfied" and 8% "satisfied" with the support they received from their special victims' counsel.

The Air Force started focusing on a future free of sexual assault in 2003, stationing 10 DNA trace analysts at the United States Army Criminal Investigations Laboratory in an effort to decrease crime lab processing time. To continue the trend, the Air Force increased its investigative capacity in 2011, adding 24 dedicated sexual assault investigators to the Air Force Office of Special Investigations. These dedicated investigators ensure the highest quality criminal investigations. In support of this initiative and holding perpetrators appropriately accountable, we equipped our investigators with cutting-edge investigative equipment to preserve credibility of both dry and wet forensic evidence. In 2013, the Office of Special Investigations took the lead role in all sexual assault investigation efforts to provide a single point of contact for these cases. The Air Force also created cross-functional training programs between investigators, and judge advocates to foster better understanding and collaboration between these two organizations. This collaboration results in better investigations, which in turn, results in justice for both the victim and the accused.

Over the last three years, we continued to provide a fair and equitable justice system while making vast improvements to both judicial and non-judicial treatment of victims throughout the process. Our system promotes justice and contributes to maintaining good order and discipline within the military establishment. We introduced a special victim capability, comprised of specially trained judge advocates, victim witness assistance personnel, and paralegals who work collaboratively with Air Force Office of Special Investigations agents to ensure effective, timely, responsive worldwide victim support, and the capability to investigate sexual assault offenses in order to hold perpetrators appropriately accountable.

The special victims unit senior trial counsel that are part of the special victim capability are critical to successfully prosecuting sexual assault cases. Special victims unit senior

trial counsel are specially trained, experienced judge advocates responsible for prosecuting sexual assault, domestic violence, child abuse, and child sexual assault offenses. Victim witness assistance program personnel are appointed by staff judge advocates to assist victims during the military justice process.

Although effective investigation and response are important, we do not believe that solely prosecuting the offenders is the most effective way to prevent this crime. In March 2007, we started focusing on prevention by hosting a sexual assault prevention and risk reduction symposium. From this symposium, the Air Force developed a prevention methodology aimed at teaching Airmen how to protect one another from sexual assault. The methodology concentrated on combating the adverse effects of corroding unit trust and integrity resulting from sexual assault. In 2010, the Air Force launched its first bystander intervention training. This training was created by industry experts and aimed at preventing future sexual assaults. We spent two years training the entire force on bystander intervention and have now imbedded this training within our established training infrastructure. This campaign set the tone for the more recent evolution of prevention and response training and we continue our focus on prevention by operationalizing the latest research from the academic community on sexual violence prevention.

The impact of the Air Force's sexual assault prevention and response campaign is reflected in the reporting and estimated prevalence data trends over the last three fiscal years. Since fiscal year 2012, sexual assault reporting increased 61% with a shift to unrestricted reports, which went from 58% of the total reports to 69%. Similarly, the percentage of Airmen who indicated experiencing unwanted sexual contact in the preceding year dropped to its lowest level since 2006, when sexual assault prevalence was first measured. In fiscal year 2012, the prevalence rate among female Airmen was 3.1% and in fiscal year 2014 that rate dropped to 2.28%. A similar trend is shared among male Airmen. In fiscal year 2012, the unwanted sexual contact prevalence rate was 0.5%. In fiscal year 2014 the rate dropped to 0.43%. The decrease in prevalence and increase in reporting resulted in cutting the gap between incidence and reporting in half. In fiscal year 2012 approximately 1 in every 6 Airmen who experienced unwanted sexual contact reported it; in fiscal year 2014 approximately 1 in every 3 Airmen who experienced unwanted sexual contact reported it.

Over the last three years, we have solidified the foundation for executing the Sexual Assault Prevention and Response Program and demonstrated an unwavering commitment to eliminating sexual assault among our ranks. Despite many competing challenges, Air Force leadership remains personally and wholeheartedly engaged in exploring new frontiers and breaking down barriers to solve this complex and sensitive issue. Our Airmen will embrace this challenge and their vision will shape the Air Force's sexual assault prevention and response future. Whether they serve in the skies above or on the ground below, today's Airmen represent the best of America, and they will succeed in creating a future Air Force free of sexual assault.

Introduction

This report documents the work the United States Air Force has accomplished the past three years to eliminate sexual assault from our force. Our strategy to create a force free from sexual assault centers around two primary themes, prevention and response. Prevention stands on its own and reflects policies and programs in place focused on the Airmen who commit this crime and how to pre-empt the crime before it occurs. Response programs can be further broken down into three categories: Investigating sexual assault report allegations, prosecuting these cases, and taking care of the victims who report this crime. Underpinning both our prevention and response efforts is critical assessment of our success towards eliminating this crime. This report contains 2 sections; the first section is narrative with five chapters detailing our prevention, investigation, accountability, advocacy, and assessment efforts in that order. The second section is a statistical analysis on quantitative data analysis collected over the last three fiscal years.

The Air Force's focus on sexual assault took shape in 2005 with the creation of a Sexual Assault Prevention and Response Office that had four dedicated individuals managing the program. This office was organized under the Deputy Chief of Staff for Manpower and Personnel, with civilian oversight provided by the Assistant Secretary of the Air Force for Manpower and Reserve Affairs. In June 2013, the Air Force restructured the Sexual Assault Prevention and Response Office to provide a multi-disciplinary capability lead by a general officer. The Air Force also moved this restructured office directly under the Vice Chief of Staff to provide more direct oversight from the Secretary of the Air Force and the Chief of Staff of the Air Force.

Today, a Major General leads the Sexual Assault Prevention and Response office and is responsible for a multi-disciplinary team comprised of 34-members. Team members represent the legal, medical, investigative, legislative, public affairs, field operations, research, and assessment functional areas. This team gives the Air Force both the manpower and expertise to more adequately assess sexual assault prevention and response plans and programs. While the Air Force has made significant strides in the sexual assault area, it remains committed to a future force free of sexual assault.

Comprehensive Overview by Line of Effort

1. LINE OF EFFORT 1 – PREVENTION

Overview: Since its inception, the Air Force's Sexual Assault Prevention and Response Program has committed to delivering consistent and effective prevention methods and programs. It is critical the entire Air Force community work together to preclude criminal behavior from occurring and respond appropriately to incidents when they occur to prevent future incidents. Sustained emphasis by commanders and first line supervisors is critical to this effort. Continuous engagement is essential to establishing a climate of dignity and respect, as well as instituting environmental indicators to reduce and ultimately eliminate this crime. The United States Air Force builds upon established sexual assault prevention and response core competencies and learning objectives for all training, starting with accessions and continuing through an Airman's professional military education to ensure consistent learning and standardization throughout the force. The Air Force also collaborates with a variety of sexual assault prevention practitioners and researchers to discover the most effective prevention policies and programs. The Air Force desires an environment across the force that reinforces our imperatives of mutual respect and trust, professional values, and team commitment.

Populations Affected: All

Leadership Engagement: The role of effective leadership cannot be overstated. An effective prevention strategy requires Air Force leaders to deliver a persistent and consistent message that sexual assault and related behaviors will not be tolerated. To this end, the Air Force directs commanders to foster climates emphasizing the Air Force Core Values of "*Integrity First"*, *"Service Before Self",* and *"Excellence in All We Do."* Airmen who embody Air Force Core Values cultivate an environment of dignity and respect. To achieve this goal, Secretary of the Air Force, Deborah Lee James, Air Force Chief of Staff, General Mark A. Welsh III, and the Chief Master Sergeant of the Air Force, James Cody play an important and active leadership role in preventing sexual assault.

Secretary of the Air Force: Since taking office in late 2013, Secretary James has focused on improvements to the Air Force's prevention programs. In observation of Sexual Assault Awareness Month in April 2014, Secretary James released a video charging all Airmen to join senior leaders and take action against sexual assault. An excerpt follows: "General Welsh, Chief Cody, and I are committed to an Air Force where everyone is valued and treated with dignity and respect. We will continue to work hard on sexual assault prevention and our efforts to eliminate this problem, this terrible crime. Taking care of our people - uniformed and civilian Airmen - is my top priority, and I charge you in doing the same by taking care of each other. Be good wingmen!"

Secretary James travels frequently to bases throughout the world, always meeting with the local sexual assault response coordinator and Airmen to understand their perceptions of sexual assault and their assessment of the Sexual Assault Prevention

and Response Program. While speaking to a class at the Squadron Officer School at Maxwell Air Force Base, Alabama in May 2014, she emphasized individual responsibility to preventing sexual assault by explaining, "Being a good wingman is so important to our culture, but being a good wingman never means standing by and allowing people to (blame victims), so I say to you, please take it personally."

The Secretary takes advantage of opportunities to reach out to Airmen on their responsibilities to create an environment free from sexual assault. For example in her speech to a broad audience of Airmen and the public, at the Air Force Association conference in September 2014, the secretary stated: "Bold leadership from our Airmen means that we must bind ourselves to the common threads of dignity and respect. So let us build toward that future of a more inclusive environment, an environment free from sexual assault, an environment enriched by diversity of thought. Let us stand firm in the face of injustice for today's lieutenants and Airmen are tomorrow's generals and chiefs, and if we get it right now, if we properly develop and cultivate a respectful, diverse, and inclusive work force, one that stands firmly on the shoulders of our bedrock values of integrity, service and excellence, then tomorrow's Air Force will be even better than it is today. Better than it ever has been before."

Chief of Staff of the Air Force: In November 2012, Chief of Staff of the Air Force, General Mark A. Welsh III, brought together Air Force wing commanders, more than 160 senior colonels, and one-star generals for an unprecedented daylong face-to-face conversation about leadership. One of the primary topics he discussed at length was sexual assault prevention and response. This is the first time all wing commanders have met in a single place at a single time with the Chief of Staff of the Air Force on any topic in recent history. It was an extremely candid discussion. The Chief stressed that, as wing commanders and leaders, they must directly engage and aggressively address this issue. His message was clear, all leaders must redouble their efforts to combat sexual assault, and start by ensuring our work environments reflect respect for all Airmen. As part of this meeting, the Chief announced a Health and Welfare Inspection across the Air Force to reinforce expectations for the workplace environment, correct deficiencies, remove inappropriate materials, and deter conditions that may be detrimental to good order and discipline. Stated another way, it was a "reset", to ensure Air Force workplaces are free of offensive materials that might breed a lack of respect among Airmen.

In November 2012, the Secretary of the Air Force, Chief of Staff of the Air Force, and Chief Master Sergeant of the Air Force sent a letter implementing major initiatives in support of the prevention line of effort. The letter sent to all Airmen stated, "there is no place in the Air Force for sexual assault, and every Airman needs to take action and be part of the solution."

Immediately following this letter, the Air Force performed the aforementioned force-wide Health and Welfare Inspection during the first two weeks of December 2012. The intent of the inspection was to reinforce expectations for the workplace environment, correct deficiencies, and deter conditions that may be detrimental to good order and discipline. The inspections empowered every Airman to play a role in eliminating environments

conducive to sexual harassment or unprofessional relationships.

In January 2013, the Chief of Staff of the Air Force issued an inspection follow-up letter to all Airmen. His follow-up letter reinforced that images, songs, stories, or so-called "traditions" that are obscene, vulgar, or that denigrate or fail to show proper respect to all Airmen, are not part of Air Force heritage and will not be accepted as part of Air Force culture. In April 2013, the Chief of Staff and the Chief Master Sergeant of the Air Force released a video message to all Airmen echoing these sentiments. While the Chief of Staff of the Air Force-directed inspections are complete, the effort to promote a climate of dignity and respect for all Airmen continues.

In June 2013, the Air Force realigned oversight responsibilities of the Sexual Assault Prevention and Response Office under the Vice Chief of Staff Office. Vice Chief of Staff, General Larry Spencer, explained to Airmen in an Air Force blog response, "We need each and every one of you to get engaged in addressing this issue, this crime, and it is a crime. We need to know exactly where you feel the issues are, so we can address them with laser focus. I need every one of you helping us find ways to ensure dignity and respect are prevailing qualities in our daily relationships."

In December 2013, the Chief of Staff of the Air Force hosted a Sexual Assault Prevention and Response Summit as part of the Air Force's ongoing effort to provide education and training on the issue of prevention and to discuss the complex leadership concerns sexual assault presents. Co-chair of the House of Representatives Military Sexual Assault Prevention Caucus, Representative Michael Turner, spoke to the Air Force leaders, and reinforced the leadership's message on prevention. All wing commanders, sexual assault response coordinators, and command chiefs were invited to this event to promote a team-based approach to resolving the issue.

In April 2014, the Air Force Chief of Staff hosted a Three Star Summit. Secretary James conducted a special session during the summit and devoted an entire day to sexual assault prevention and response. The Secretary spoke about her effort to speak to local sexual assault response coordinators, special victim counsels and victim advocates during her travels. Experts from several fields, including law enforcement, legal, and behavioral science, gave their insight, and entertained questions. A male and a female survivor each provided moving accounts of their trauma and answered questions about their experiences. Open and candid discussion was the cornerstone of the day. Top Air Force leaders shared with each other the work they have done so far, and their continuing plans to make sexual assault prevention a top priority.

In May 2014, General Welsh thanked the broad spectrum of individuals involved in the special victim's capability. The Air Force worldwide special victim capability is primarily comprised of 24 sexual assault investigators, 28 special victims' counsel, and eight special victim unit senior trial counsel. In a video message to all Airmen: "You are working so hard to do the right things to help us eliminate this scourge (of sexual assault), the results are showing," he said, listing a number of efforts and programs implemented over the last year. General Welsh cautioned Airmen about celebrating

success too early. “There is no victory dance until we have victory," he said. "So when we hit zero sexual assaults for a year, we’ll celebrate. Until then, keep taking care of each other.”

Chief Master Sergeant of the Air Force: The Chief Master Sergeant of the Air Force travels frequently to bases throughout the world, always meeting with the local sexual assault response coordinator and Airmen to understand their perceptions of sexual assault and their assessment of the Sexual Assault Prevention and Response Program. In August 2014, Chief Master Sergeant of the Air Force, James Cody, spoke on the topic of sexual assault at Tinker Air Force Base. He said, “although the Air Force has taken steps to educate and bring awareness to the issue, no one should be satisfied until the crime is eliminated completely. We have made significant strides when you think about our special victim's counsel, the fidelity that we are putting behind the training and how we continue to adapt it in meaningful and purposeful ways. We are not going to allow ourselves to lose sight of the importance of creating an environment built on dignity and respect. We want it to be impossible for this crime to be perpetrated amongst the men and women who serve."

Commanders Prevention Role: On May 8, 2014, The Air Force published Air Force Instruction 1-2, *Commander’s Responsibilities,* establishing broad responsibilities and expectations for commanders. This instruction supports prevention efforts as it provides guidance to commanders to be morally and ethically above reproach and to exemplify Air Force Core Values and standards in their professional and personal lives. It directs commanders to establish and maintain a healthy command climate, which fosters good order and discipline, teamwork, cohesion and trust that ensures members are treated with dignity, respect and inclusion and does not tolerate harassment, assault or unlawful discrimination of any kind.

Air Force Guidance Memorandum Two to Air Force Instruction 36-2406, *Officer and Enlisted Evaluation Systems*, January 1, 2014, defines commanders and non-commissioned officers’ explicit responsibilities for creating climates of dignity and respect in support of sexual assault prevention. The guidance memorandum also sets forth expectations of fair and equal treatment to include an environment free of sexual harassment, unlawful discrimination, and sexual assault. The guidance memorandum charges commanders with the responsibility to create a healthy climate and adhere to Sexual Assault Prevention and Response Program principles. Additionally, every commander is responsible for, and will be held accountable for ensuring their unit has a healthy climate. These new requirements are critical to the prevention line of effort and assist Airmen in understanding their role in creating a healthy culture and environment.

Airmen: The Air Force expects every Airman to take on a key role in preventing sexual assault and provides education and training on bystander intervention and the role of all Airmen in affecting culture change. The Air Force recognizes that it takes all Airmen engaged in a continual collaborative effort to eliminate sexual assault from its ranks.

Sexual Assault Response Coordinators: Sexual assault response coordinators are

the primary point of contact at an installation, major command, or within a geographic area to oversee sexual assault awareness, prevention, and response training. They provide commanders with a 24/7 response capability, coordinate medical treatment and track services provided to a sexual assault victim from the initial report through final disposition. Sexual assault response coordinators ensure victims receive appropriate care, and understand reporting options, and available sexual assault response services. Education, training, awareness, and community involvement make up the foundation of the Sexual Assault Prevention and Response Program's prevention efforts.

Air Force sexual assault response coordinators are the key to full-time prevention endeavors. Coordinators work to create and maintain a positive and proactive prevention presence among Airmen on the installation. Furthermore, sexual assault response coordinators establish and maintain a proactive network in the surrounding community to increase awareness of trends, upcoming events, and potential changes in levels of safety. The sexual assault response coordinator communicates those findings with the installation population through leadership channels and public awareness campaigns. Annually in April, coordinators lead planning efforts to support nationally recognized Sexual Assault Awareness Month.

Sexual assault response coordinators continue educating themselves and others on sexual assault trends, local and national initiatives, and ways to improve support to victims. This information is shared with commanders and key leaders at appropriate venues such as staff meetings, conferences, and commanders' calls. This information is further integrated with the installation's Community Action Information Board or similar coordinating programs. The Community Action Information Board is a commander's tool, which allows the commander to assess the health of the community and to enact positive programs and services to foster resiliency.

Sexual Assault Prevention and Response Victim Advocates: Sexual assault prevention and response victim advocates are Department of the Air Force civilians whom are full-time victim advocates and report directly to a sexual assault response coordinator. They are trusted to provide non-clinical crisis intervention, referral, and ongoing non-clinical support to sexual assault victims. At the request of the victim, a sexual assault prevention and response victim advocate liaises with other organizations for victim care.

For example, a victim advocate may provide direct care during any administrative, medical, investigative, and legal procedure, ensuring a victim understands the processes involved. Victim advocates educate victims to make informed decisions regarding their health and well-being. Additionally, victim advocates establish a link between the local community and victim support agencies. This vital link facilitates cooperation in achieving support for victims of sexual assault and helps to promote the enhancement of the Sexual Assault Prevention and Response Program.

Sexual Assault Prevention and Response Volunteer Victim Advocates: The Air Force encourages military members and Department of the Air Force civilians to volunteer as victim advocates. On a part-time basis, these individuals perform the same duties as sexual assault prevention and response victim advocates and remain in

an on-call status until their services are needed.

Training Enhancements

Bystander Intervention Training: In 2010, as an effort to motivate and mobilize Airmen to intervene when they see or hear inappropriate or unsafe situations conducive to sexual assault, the Air Force Sexual Assault Prevention and Response Office introduced bystander intervention training. This 90-minute, gender-based training focused on helping Airmen recognize their individual responsibility to eliminate sexual assault and to assist victims or potential victims. In 2012, bystander intervention training was updated to use a dynamic, interactive model, moving students from knowledge to taking action. It was a definite improvement over previous PowerPoint-driven training, engaging the audience from the very beginning. The training challenged participants to move out of their comfort zone and required them to explore personal misconceptions and biases by "taking a stand". Additionally, it required small group interaction, separated by gender. Feedback from those who attended bystander intervention training was overall very positive and supported the notion that small discussion-based groups were well received and preferred. Bystander intervention training continues to be an important and reemphasized element within the Air Force's sexual assault prevention and response paradigm.

Sexual Assault Response Coordinator and Victim Advocate Course: From the program's inception in June 2005 through 2013, the Air Force offered a five-day Sexual Assault Prevention and Response Coordinator Course, twice a year. The course provided training to all newly assigned full-time, deputy, and alternate sexual assault response coordinators. The course provided a general overview and understanding of sexual assault response coordinator roles and responsibilities and demonstrated victim care through role-play scenarios. Sexual assault response coordinators were also taught how to recruit, manage, and train victim advocates. Additionally, the sexual assault response coordinators received subject matter expert presentations from the legal, special investigations, family advocacy, and sexual assault nurse examiner fields.

In March 2013, the Air Force initiated extensive review of all sexual assault prevention and response training, which began with a major overhaul of the Air Force Sexual Assault Response Coordinator Course, taught at Air University, Maxwell Air Force Base, Alabama. The revamped training course expanded from five to eight days and is currently offered to sexual assault response coordinators and full-time sexual assault prevention and response victim advocates.

The updated course employs adult learning theory (andragogy) with an emphasis on independent, self-directed, experiential learning, which shifts the focus of instruction to process based learning, through scenarios, role-plays, and group interaction. The entire course includes new learning objectives developed in partnership with the Air University Course Director. The new objectives aim to increase sexual assault response coordinators knowledge, skills, and abilities to effectively advocate for victims, serve as a key advisor to leadership, and strengthen collaboration. This revised course uses a pedagogical approach in modules such as budgeting, self-care, offender

dynamics, ethics, facilitating dynamic presentations, and effective communication with leaders. Breakout sessions are conducted to emphasize the key learning objectives. The course incorporates a pre- and post-assessment to evaluate student knowledge and enable feedback to faculty for course content. A formal Instructional Systems Design model is used to analyze, design, develop, implement, and evaluate instruction for the course, which allows for continued feedback and improvement. In April 2014, representatives from the Office of the Secretary of Defense evaluated the Air Force Sexual Assault Response Coordinator Course and found that indicate it met all Department of Defense core competencies. More importantly, the representatives noted numerous elements of the course as best practices in training sexual assault response coordinators.

Completion of the Sexual Assault Response Coordinators Course provides participants with the required initial training needed for certification. The nationally recognized and required certification allows sexual assault prevention and response personnel to work with victims. Since fiscal year 2012, the Air Force has trained and certified 256 sexual assault response coordinators, and 2,248 victim advocates including those in deployed locations.

Enlisted Recruiting: In April 2013, the Air Force instituted improved protections that begin as soon as an Air Force applicant meets with a recruiter. Recruiters brief new recruits on the definitions of sexual assault, sexual harassment, unprofessional relationships, maltreatment, poor training, and the requirement to report misconduct in the recruitment phase. The recruiter's goal is to ensure applicants understand that the Air Force does not and will not tolerate these negative behaviors. The recruiters also ensure new recruits understand the Air Force Sexual Assault Prevention and Response Program reporting procedures should they happen to be subjected to or witness anyone carrying out these offenses. To guarantee the message is received, the Air Force gives the same briefing again after the recruits arrive at Basic Military Training.

As a means to enhance recruiter quality, the Air Force is screening applicants for duty. As approved by Secretary of Defense in June 2014, with actions on track for implementation no later than January 5, 2015, mandated evaluations for recruiters will also include three screening measures for criminal history information, military records checks, and whole-person assessments by someone in the members' chain of command. Initial screening will be run on all recruiters at time of application/selection for recruiting duty. Additional screens will be accomplished when a recruiter changes duty station or every three years, whichever is less. Maintaining only professional relationships is "The Cardinal Rule" of recruiting and remains the most briefed and trained topic to Air Force recruiters; briefed 5 times in initial recruiting schoolhouse training and approximately 14 times prior to certification."

Enlisted Accessions Training: In September 2012, the Secretary of Defense directed the military services to implement training on preventing sexual assault and other misconduct in initial military training. The Air Force improved and continues to improve training throughout the development of an Airman. In 2013, Air Education and Training Command enacted the "Rights and Duties of an Air Force Trainee" (Attachment Two).

The Air Force emphasizes the "Rights and Duties" starting with the recruiter, continuing at the military entrance processing station, Basic Military Training, and technical training. All new enlisted recruits must acknowledge the principles highlighted in the "Rights and Duties" which include: a community free of unlawful discrimination, harassment, intimidation and threats; professional conduct by leaders at all levels; equal opportunity, professional relationships with all leaders with prohibited activity described in great detail; and a duty to report inappropriate behavior. The enactment of the "Rights and Duties of an Air Force Trainee" was a significant training enhancement as it ensures Airmen within the accessions pipeline understand the Air Force's commitment to sexual assault prevention and response.

Basic Military Training: Basic Military Training is the Air Force's 8.5-week accessions program for every enlisted Airman. In the fall of 2012, a Secretary of Defense directive mandated the services to perform a comprehensive assessment of initial military training. At the same time, an Air Education and Training Command Commander-Directed Investigation was nearing completion. These reviews noted an insufficient focus in the sexual assault prevention and response training area and highlighted the fact that a majority of the training used PowerPoint with very little trainee discussion, crosstalk, or feedback on material presented. In May 2013, to address these deficiencies, the Air Force updated the Basic Military Training Sexual Assault Prevention and Response Curriculum to include scenario-based training and trainee discussion and crosstalk. Additionally, the Air Force mandated sexual assault response coordinators become the primary course instructors for the material, rather than depend on military training instructors. To improve assessment, prevention, and response efforts, the improved curriculum incorporated enhanced assessment mechanisms, such as critique boxes, survey mechanisms, and hotline phones with a direct link to the installation sexual assault response coordinator. Improvements throughout Basic Military Training directly support the prevention strategy efforts of both the Department of Defense and the Air Force.

Since May 2013, the Air Force curriculum now includes 11.5-hours of core training covering topics on gender diversity, sexual harassment, and sexual assault. The training goal is to provide graduates a solid foundation in sexual assault prevention and response and build a culture that embraces dignity and respect where Airmen have complete trust and confidence in one another. The emphasis areas and breakdown of training is shown below.

- Human Relations I. This course provides two and a half training hours dedicated to understanding the Department of Defense and Air Force vision regarding: equal opportunity policy; professional and unprofessional relationships and what constitutes fraternization; building positive relationships; resolving conflicts; and understanding religious diversity and sensitivity with other cultures.

- Human Relations II. This course provides five training hours dedicated to understanding barriers to respectful human relationships such as

stereotyping, prejudice, disparaging terms, discrimination, hazing, and sexual harassment. The course enhances skills to develop positive human relationships, understanding the definition of forbidden relationships and what constitutes unprofessional relationships and why they are inappropriate, how they occur, and how to prevent them. Lastly, it explores sexual predator risk indicators and methods to protect against them.

- Sexual Assault Prevention and Response Course. This course provides four training hours dedicated to defining sexual assault and understanding the definitions of consent and prevention; the Air Force zero tolerance policy; the four common sexual assault roles - perpetrator, facilitator, passive bystander and victim; the culture of responsible choices; the victim response process and victim sensitivity and reporting procedures; and the expedited transfer program.

Commander-Directed Investigation at Basic Military Training: In 2012, the Commander, Air Education and Training Command, directed an investigation in response to misconduct discovered at Basic Military Training and to understand how the problem developed. In November 2012, the team led by Major General Woodward completed the investigation and submitted a report containing 22 findings categorized into five major areas: (1) leadership-insufficient leadership oversight and poor accountability were hindrances to effective deterrence of misconduct; (2) the military training Instructor selection and manning process-the military training instructor corps suffered from a lack of maturity and minimal leadership experience, while at the same time endowing individual military training instructors with excessive power for their positions; (3) the military training instructor training and development process-military training instructor culture and training did not emphasize non-commissioned officer responsibilities adequately; (4) reporting and detection-there are barriers to reporting that exist for both military training instructors and trainees; and (5) policy and guidance-determining the necessary and enduring institutional safeguards. The report identified 46 recommendations to the commander for implementation. Air Education and Training Command took aggressive action to ensure the safety and well-being of the trainees. Implementation is complete on 43 of 46 recommendations with the remaining three culture-related recommendations closing out by mid-2015. We improved physical and technical detection measures including increasing the rank, quality, and experience of officer and senior non-commissioned officer leadership. Additionally, Air Education and Training Command doubled the amount of female military training instructors, increased military training instructor manning by 25 percent, tripled the amount of high-fidelity camera systems, embedded Behavioral Psychologists monitoring for behavioral drift, provided 24/7 sexual assault hotlines, increased trainee access to cell phones, and hired additional sexual assault response coordinators and chaplains. The Air Force also implemented a developmental special duty process increasing the rank, quality factors, and psychological aptitude to perform as an military training instructor. Air Education and Training Command implemented policy mandating strict duties on reporting allegations and reduced military training instructor tour lengths. Furthermore, Air Education and Training Command gained man-power positions and hired additional

trained investigators.

The Basic Military Training investigation revealed deficiencies in training relating to sexual assault, sexual harassment, unprofessional relationships, and the ability for trainees to identify when they are being mistreated. The Air Force increased both the duration and frequency of sexual assault prevention and response training during enlisted accessions and concluded that subject matter experts should provide the training for both trainees and military training instructors. Additionally, the Air Force added scenario-based training to week four with a test administered specifically to assess retention and provide immediate feedback on results.

While addressing the leadership recommendations, the Air Force studied the environment looking for areas where abuse of power was present and subsequently initiated corrective measures to eliminate it. To guard against other misconduct, the Air Force ensured top quality commanders are assigned to serve at Basic Military Training. Additionally the Air Force incorporated additional military training instructor education, reporting requirements, and removal guidelines to dissuade, deter, detect, and hold accountable individuals who engage in unprofessional conduct. Beginning in early 2012, the Air Force took action by placing emphasis on leadership to engage in maintaining an effective, safe, and secure training environment. The Air Force filled squadron commander positions within basic military training with high potential, high-performance officers. The Air Force also increased the number of leadership positions within the squadrons by adding operations officers and flight commanders to the rosters. The Air Force increased the experience level of leaders by upgrading the squadron first sergeant positions from master sergeant to senior master sergeant and the squadron superintendent positions from senior master sergeant to chief master sergeant.

The Air Force also strengthened leadership preparation considerably through an expanded orientation course that places additional emphasis on the potential for abuse of power, sexual assault, unprofessional relationships, and trainee maltreatment or improper training. Finally, the Air Force instituted a series of policy changes to ensure leadership receives timely notification of potential misconduct, that credible allegations of misconduct result in immediate removal from the training environment, and set appropriate thresholds for the temporary or permanent removal of an instructor. The recruiting, education, and training environments present unique challenges in maintaining good order and discipline, particularly in the areas of sexual misconduct, unprofessional relationships, trainee abuse, hazing, and academic integrity. Commanders must be particularly vigilant in order to successfully dissuade, deter, and detect these threats. These additional actions were formally institutionalized in December 2013 when published in Air Education and Training Command Instruction 36-2909, *Recruiting, Education and Training Standards of Conduct*.

In accordance with Secretary of Defense Memorandum, “Withholding Initial Disposition Authority Under the Uniform Code of Military Justice in Certain Sexual Assault Cases,” 20 April 2012, initial disposition authority is withheld from all commanders who do not

possess at least special court-martial convening authority for certain Article 120 and Article 125, Uniform code of Military Justice, offenses.

In the recruiting, education and training environment, initial disposition authority for misconduct allegations is withheld to wing commanders (or equivalent) and group commanders (or equivalent) who report directly to a general court-martial convening authority or higher for the following alleged offenses: (1) unprofessional relationships between faculty, staff, recruiters and applicants, recruits, Recruiter Assistance Program participants, trainees, cadets, students, and entry-level status Airmen; (2) fraternization and (3) any attempts to commit such offenses. This initial disposition authority applies to all other alleged offenses arising from, or relating to, the same incident(s), whether committed by the alleged perpetrator or initiated by the alleged victim. This withholding was initially effected via memorandum dated August 2012, and later published in Air Education and Training Command Instruction 36-2909, dated December 2013.

Additionally, policy requires recruiters, faculty, and staff members with knowledge of an alleged violation, or attempted violation, of this instruction shall immediately report the allegation to an appropriate authority, unless otherwise exempted by operation of law, regulation, or policy. Personnel receiving such reports will forward the report through appropriate channels to the alleged violator's squadron/detachment commander. Failure to observe the provisions of this paragraph and its subparagraphs by military personnel is a violation of Article 92, Uniform Code of Military Justice. Violations by civilian personnel may result in administrative action or other action as appropriate.

Furthermore, policy requires commanders of education, training, and recruiting units to ensure all personnel - including faculty and staff, trainees, cadets, students, entry level status Airmen and recruiters are briefed on the relevant provisions of this instruction upon their arrival, and at least annually thereafter. These actions strengthened the leadership team while ensuring the force has the necessary tools and appropriate attitudes to develop Airmen who understand and live by Air Force Core Values.

To create institutional safeguards the trainees are empowered through additional training, reporting tools, and better access to sexual assault response coordinators and chaplains. These steps improved the effectiveness, safety, and security of the training environment. In July 2012, the Air Force further improved trainee safety with the expansion of the wingman policy, which requires trainees to have a fellow trainee beside them any time they are outside a group setting. Additional safeguards implemented include limiting military training instructor access to trainee private information, improving investigation capabilities, and maintaining a 24/7 hotline.

Furthermore, the culture and environment in which training occurs required improvement. The Air Force chose to reduce the military training instructor duty day which had grown to over the years to as much as 16-hour days, for weeks at a time. To address this issue, the Air Force added instructors to each flight, reducing the instructor work day. In an effort to bring more experience and maturity to the military training instructor corps, the Air Force increased the required grade level for military training

instructor duty from senior Airman to technical sergeant. The Air Force also improved initial instructor qualification and supplemental training through changes to the qualification-training course and the establishment of a deliberate development program.

Finally, the Air Force created assessment mechanisms to measure the implementation of the investigation team's recommendations. This effort formally transitioned on January 5, 2013 when the command established the Recruiting, Education, and Training Oversight Council. In the council's charter, the commander directed the establishment of an oversight council to "review the progress and effectiveness of previously implemented actions, provide an expanded perspective on future actions, and advise the commander on strategic issues affecting Airmen safety, good order, and discipline within the recruiting, education, and training environments." Currently, the commander continually assesses the implementation status and effectiveness of the 46 commander-directed investigation recommendations related to Basic Military Training, examines applicable initiatives in recruiting, technical training, flying training and education environments.

In October 2012, the command commissioned RAND to conduct a Project Air Force initiative to help detect incidents of abuse and sexual misconduct in the training environment and provide metrics to help leaders understand what actions to take to reduce these behaviors. This effort resulted in the development of an integrated survey for Basic Military Training trainees and military training instructors to obtain sophisticated feedback on incidents of misconduct and perceptions about misconduct, leadership attitudes, and culture. The Basic Military Training Survey System was piloted in June 2013 and implemented in October 2013. The survey asks trainees if they experienced, witnessed, or heard about sexual assault or other misconduct from their military training instructors or other trainees, addressing topics such as sexual harassment, unprofessional relationships, and sexual assault. Additionally, the survey asks respondents about their comfort in reporting allegations of sexual assault or misconduct, their familiarity with different sexual assault resources, as well as why they would or would not report a sexual assault or other misconduct. These surveys are the first administered anonymously on the network and provide unfiltered views from our trainees. All trainees are administered this survey in the seventh week of training. This is a critical prevention tool, providing ground truth from the perspectives of our trainees. We measure the engagement of our leaders, conduct trend analysis on access to support services and cross-reference with the RAND survey to make actionable policy changes.

Basic Military Training Capstone Week: The Air Force is developing a transition week at the end of Basic Military Training. The purpose of this new program is to bring the Air Force's newest Airmen together outside the rigorous Basic Military Training environment and reemphasize some of the most critical aspects of the training while also providing for a smooth transition between the basic and technical training environments. During this period, the Airmen will learn to take greater responsibility for their personal behavior by better understanding their true goals in life as Airmen; gain

deeper respect for and skills in working with and caring for all fellow Airmen, regardless of differences; and learn practices to promote their own personal and professional growth as resilient Airmen. The Capstone Week should strengthen the respect and dignity Airmen have in themselves and for others, increase their respect for the diversity we have in the Air Force, and reinforce their commitment to our Air Force core values. The Air Force expects to implement Basic Military Training Capstone Week in 2015.

Technical Training: Technical training adapts enlisted and officer students to military life and provides the Air Force with highly trained, motivated, self-disciplined, and physically fit Airmen with exceptional military bearing. During technical training, Airmen are provided with the technical skills needed to perform their career field specialties. Airmen transition from a strictly controlled Basic Military Training environment into a structured technical training atmosphere of military discipline and academics. Airmen are expected to continue disciplined performance, and appearance. They require continued reinforcement of the standards and are held accountable for their actions. Leaders in the technical training environment continue to emphasize Air Force Core Values as Airmen progress in the profession of arms.

In May 2013, technical training added two-hours of scenario-based, sexual assault response coordinator-led discussions to the initial 2008 sexual assault prevention and response content, bringing total hours of technical training instruction to six. Sexual assault response coordinator-led discussions also include technical training-specific scenarios to generate discussion and crosstalk for situations that Airmen will face while in the community, classroom, dormitory, and elsewhere. Additionally, students are now tested on content and procedures prior to advancing from Initial transition period (limited liberties upon arrival from Basic Military Training to technical training) to advanced transition period with more liberties granted as an advanced student.
During technical training leadership training, the Judge Advocate provides information on analysis of the technical training environment, emphasizes the policies and cases of unprofessional relationships and sexual assault to enhance key leader awareness of the subtleties of the technical training milieu.

Second Air Force also conducted an independent review of sexual assault issues in the technical training environment following the November 2012 Basic Military Training commander-directed inspection report. While sexual assault in technical training were primarily student-on-student, Second Air Force adopted 26 of the Basic Military Training recommendations as applicable to technical training and consolidated them into 10 initiatives. All of the initiatives are complete, with one requiring ongoing monitoring. Second Air Force also provided detailed guidance on regulating instructor and student interaction, currently implemented in Air Education and Training Command Instruction 26-2909 and Second Air Force Guidance Memorandum 36-01. As for student-on-student sexual assault, Second Air Force conducted a qualitative review of this issue which was completed in March 2013. That report developed 24 recommendations in three areas or centers of gravity to address student-on-student assault.

Every trainee must review the Second Air Force Commanders and Command Chiefs

video on their rights and duties of a United States Air Force trainee in Basic Military Training as well as a similar one in technical training.

The Second Air Force Abuse Hotline is also used in technical training along with drop boxes, end of course surveys, and random surveys, similar to Basic Military Training.

First Term Airman Center: Upon arrival at their first duty station, enlisted Airmen attend a course of instruction at the First Term Airman's Center. The course facilitates an Airman's transition from the training environment to their first duty station. At the First Term Airman Center, Airmen learn about a wide variety of installation-specific topics to include the installation's Sexual Assault Prevention and Response Program. Airmen are introduced to the installation sexual assault response coordinator and given his or her contact information and receive a minimum of one-hour of sexual assault prevention and response training. The sexual assault prevention and response training concentrates on specific services offered by the installation, reporting avenues, first responder and local law enforcement contact information, and ongoing awareness campaigns.

Officer Accessions Training: Officers in the United States Air Force join the Air Force through one of three avenues; The United States Air Force Academy, Reserve Officers Training Corps, or Officer Training School.

United States Air Force Academy Preparatory School Training: The Academy Preparatory School focuses on preparing young men and women who are not quite ready academically to enter the United States Air Force Academy as a first-year cadet and has approximately 240 cadet candidates. The United States Air Force Academy Sexual Assault Prevention and Response Office provides prevention education and response to the cadet candidates and prep school permanent party. During week one of basic training, the cadet candidates receive their sexual assault prevention and response training from the sexual assault prevention and response staff and trained facilitators.

The training begins with gender-specific modules taught in small groups of 20 or less, and focuses on effective, respectful communication, healthy relationships, and personal boundaries. These modules form the foundation for subsequent modules that focus on what to do when personal boundaries are violated. A second training course currently under development provides two separate Healthy Communication in Dating and Relationships Seminars, one for males and one for females. Following the seminars is a mock speed dating exercise that allows cadet candidates to practice the respectful, healthy communication strategies they just learned real time. The United States Air Force Academy Preparatory School plans to implement the second training initiative in 2015.

United States Air Force Academy: The Air Force Academy is committed to the advancement of values and behaviors required of military officers. The Air Force Academy is also dedicated to increasing sexual assault prevention and response

education, victim confidence associated with reporting and victim support. The Air Force Academy makes specific efforts to heighten cadets' social sensitivity and respect for human dignity as part of a holistic approach to officer preparation. These efforts deliver training and education experiences to the right audience at the right time to develop a sense of personal responsibility as leaders, followers, and peers.

During the 2012-2013 timeframe, the Superintendent of the Air Force Academy created the position of Director for Culture, Climate, and Diversity. The academy developed the position to chart a strategy that leverages resources and expertise to shape a climate of dignity and respect. The director works directly for the Superintendent and serves as the institutional focal point for today's climate, culture, diversity, and inclusion challenges.

The new director assumed responsibility of the Air Force Academy Sexual Assault Response Coordinator and the Sexual Assault Prevention and Response Program. The Air Force Academy remains committed to eliminating sexual assault and harassment through an inclusive climate that respects human dignity within a diverse fighting force.

To ensure a continuum of sexual assault training throughout the four-year degree program at the academy, the curriculum was enhanced in 2013 with a philosophy that within the first year, the cadet is a follower; second year a role model; third year a worker/coach; and fourth year a leader.

- As a follower, three and a half-hours are dedicated to content focusing on addressing definitions, roles, policies, gender issues, safety measures and bystander intervention.

- As a role model, two and a half-hours are dedicated to address content covering consequences along with verbal and nonverbal communication sexual cues.

- As a worker/coach, four-hours are dedicated to address prevention behaviors, victim psychology, holding peers appropriately accountable, victim empathy, and helping behaviors.

- Finally, as a leader, two and a half-hours are dedicated to focusing on legal implications and leadership roles in preventing sexual assaults.

The academy conducts sexual assault prevention and response training via large group briefings, small group facilitation, and leadership panels along with peer facilitated scenario discussions.

Air University Holm Center: Annually, 80 percent of the Air Force officer accessions come through the Air Force Reserve Officer Training Corps or Officer Training School Program. The Air University Holm Center manages these Air Force Officer Commissioning Programs. The center sets the parameters within which Air Force officers must function for good order and discipline, clearly establishes differences between acceptable and unacceptable behavior, and emphasizes the consequences of

not adhering to stated policies regarding acceptable behavior. Special emphasis is placed on ensuring faculty members and newly commissioned second lieutenants are fully aware and accepting of the Department of Defense standards on sexual assault prevention and response. The Air Force Reserve Officer Training Corps and Officer Training School Programs lay the foundation for sexual assault prevention and response for these officers. The Department of Defense Instruction 6495.02, *Sexual Assault Prevention and Response Program Procedures*, Air Force Instruction 36-2014, *Commissioning Education Program*, and the *Defense Department Sexual Assault Prevention and Response Strategic Plan*, dated April 30, 2013, govern the curriculum content for these accessions programs.

Air Force Reserve Officer Training Corps: This officer accession source is a college program offered at more than 1,100 colleges and universities across the United States. The program recruits, educates, and commissions officer candidates through college campuses based on Air Force requirements. It prepares young men and women to become Air Force officers while earning a college degree.

Freshman and sophomore college students may enroll in the Air Force Reserve Officer Training Corps General Military Course. This initial course focuses on Air Force history and Air Force Core Values. College students who choose to continue in the general military course may compete as officer candidates during their sophomore year to attend a five-week field training encampment. Upon successful field training completion and at the start of their junior year, students enroll in the Air Force Reserve Officer Training Corps Professional Officer Course and commit to a four-year post-graduation service commitment with the Air Force. To ensure a continuum of sexual assault prevention training throughout the Air Force Reserve Officer Training Corps Program, the curriculum was enhanced in 2013 to include the following content in a three-hour block of instruction each semester.

- An explanation of the Sexual Assault Prevention and Response Program to include: definitions of sexual assault, consent, and confidentiality; risks associated with alcohol use; the roles of a perpetrator, facilitator, bystander and victim; the wingman concept; the effects sexual assault can have on a unit's trust and cohesion; the importance of empathy to a victim; and how gender relations and sexism can impact trust and mission accomplishment.

- A case study addressing how to handle a sexual assault from both the victim and leadership standpoints as well as inappropriate relationships among military members.

During a cadet's field training encampment, which occurs between their sophomore and junior year, cadets receive a visit from the Maxwell Air Force Base Sexual Assault Response Coordinator. The sexual assault response coordinator discusses his or her role and responsibilities during the encampment, and a victim advocate's role in supporting a sexual assault victim. The sexual assault response coordinator is available during the encampment to discuss sexual assault reporting options and to

answer cadet questions about the Sexual Assault Prevention and Response Program. In the summer of 2014, the field training encampment Sexual Assault Prevention and Response Curriculum incorporated “Sex Signals”, a traveling sexual assault awareness production. The inclusion of this production into field training enables the Air Force to educate future officers on dating, sex, and the core issue of understanding consent, which is vital to Air Force prevention efforts.

Officer Training School: Officer Training School is a rigorous, nine-week program designed to challenge a person both mentally and physically. Its purpose is to develop a person into a world-class officer of character who possesses the American warrior ethos, embodies the Air Force Core Values, and is prepared to lead Airmen. Upon graduation, a candidate is commissioned as a second lieutenant in the United States Air Force.

Similar to the Air Force Reserve Officer Training Corps, Officer Training School candidates receive Air University Holm Center-developed training. Officer candidates receive three hours of dedicated sexual assault prevention and response training, primarily taught during the introductory phase of the course and reemphasized throughout. The sexual assault prevention block of instruction is similar to the Air Force Reserve Officer Training Corps semester training. A summary of the curriculum is shown below.

- The sexual assault response coordinator responsibilities and availability while in training and the role of the victim advocate.

- A visit by the Maxwell Air Force Base Sexual Assault Response Coordinator to further discuss the sexual assault program to include restricted and unrestricted reporting as well as to answer questions.

- An explanation of the Sexual Assault Prevention and Response Program to include definitions of sexual assault; consent; confidentiality; risks associated with alcohol use; the roles of a perpetrator, facilitator, bystander and victim; the wingman concept; the effects sexual assault can have on a unit’s trust and cohesion; the importance of empathy to a victim; and how gender relations and sexism can impact trust and mission accomplishment.

- A case study addressing how to handle a sexual assault from both the victim and leadership standpoints as well as inappropriate relationships among military members.

- A student assessment completed at the end of Officer Training School.

Professional Military Education: Professional military education courses reinforce the competencies taught in accessions training while building leadership traits. Three levels of professional military education for both officers and enlisted Airmen build upon each other and prepare them for the next level of leadership in their career. Enlisted

professional military education includes Airman Leadership School, Non-commissioned Officer Academy, and Senior Non-commissioned Officer Academy. Officer professional military education includes Squadron Officer School, Air Command and Staff College, and Air War College. Today's professional military education curriculum includes rank appropriate sexual assault prevention and response education for both commissioned officers and enlisted Airmen.

- Airman Leadership School: The Airman Leadership School is the first level of the enlisted professional military education continuum and prepares senior Airmen to be professional, war-fighting Airmen who can supervise and lead Air Force work teams to support the employment of air, space, and cyberspace power. Currently, there are 68 Airman Leadership School Programs worldwide. Airman Leadership School provides students with 60 minutes of sexual assault prevention and response content focusing on addressing definitions, roles, policies, gender issues, safety measures, and bystander intervention to new supervisors at the senior Airman level.

- Non-commissioned Officer Academy: The Non-commissioned Officer Academy is the second level of enlisted professional military education and prepares technical sergeants to be professional, warfighting Airmen who can manage and lead Air Force units in the employment of air, space, and cyberspace power. Currently, there are 11 Non-commissioned Officer Academies worldwide. The Non-commissioned Officer Academy provides 50 minutes of sexual assault prevention and response content focusing on professional relationships, a professional environment free of sexual assault, offender accountability as appropriate, and victim empathy to junior enlisted leaders at the technical sergeant level.

- Senior Non-commissioned Officer Academy: The Senior Non-commissioned Officer Academy is the third level of enlisted professional military education. The Senior Non-commissioned Officer Academy prepares senior non-commissioned officers to lead the enlisted force in the employment of air, space, and cyberspace power in support of the United States national security objectives. The Senior Non-commissioned Officer Academy is located at the Maxwell-Gunter Annex, Alabama. Senior Non-commissioned Officer Academy provides 60 minutes of sexual assault prevention and response content focusing on fostering an environment of dignity and respect, victim psychology, and the impact of sexual assault on readiness to senior enlisted leaders at the master sergeant level and above.

- Squadron Officer School: Squadron Officer School builds upon knowledge and skills imparted through pre-commissioning and professional experience to provide the Air Force with captains who comprehend and internalize the service's core values and the ethics and principles of officership that are so distinct to the profession of arms and service in the Air Force. The Squadron Officer School produces graduates who are able to: 1) lead at the tactical level employing the

full range of leadership behaviors necessary to achieve success; 2) exercise leadership that reflects the Air Force Core Values and employs concepts of accountability, diversity, and coaching/mentoring to facilitate effective mission execution; 3) employ problem-solving, decision-making, and process improvement tools to meet mission challenges at the tactical level; 4) explain the broad capabilities and roles airpower plays in joint and coalition operations to achieve national objectives; and 5) forge professional relationships to facilitate teamwork at the tactical level.

The Squadron Officer School Program incorporates sexual assault prevention and response content into two "Profession of Arms" lessons that discuss the dimensions of wellness and commanding well. Both lessons are integrated within the broader leadership context that is central to the Squadron Officer School mission. The "Wellness" lesson covers the impact of sexual assault on the individual, the unit, and the Air Force and includes General Welsh's August 2012 video in which he discusses his priorities and focuses specifically on ending sexual assaults. Also discussed in the context of leadership, wellness, and helping victims are the restricted and unrestricted reporting options, and supporting victims of sexual assault as a leader charged with executing an Air Force mission. The "Commanding Well" lesson includes graduated wing/group commanders who provide students a snapshot of how they commanded successfully and then allows students an extended question and answer period. The topic of sexual assault arises in nearly every discussion and panel member responses reflect their command experience with combatting sexual assault. Four more "Profession of Arms" lessons (Officer and the Law, Core Values and Airmanship, Ethical Warrior, and Professional Relations) reinforce the accomplishment of the above objectives by emphasizing the officer's responsibility to protect Airmen and provide freedom from all forms of abuse.

- Air Command And Staff College: Air Command and Staff College is the Air Force's intermediate officer professional military education institution, prepares field-grade officers of all services (primarily majors), international officers, and United States government civilians for positions of higher responsibility within the military and other government arenas. The Air Command and Staff College Program produces graduates who are able to: 1) lead and command in complex, dynamic, and ambiguous operational environments; 2) apply military theory in general and airpower theory in particular to the development of operational-level strategies; 3) plan for the integration and employment of joint forces at the operational level in whole-of-government operations across the spectrum of war and conflict; 4) articulate capabilities and limitations of service and joint organizations in the conduct of war at the operational level; 5) apply research methodologies and critical thinking skills to analyze issues of concern to the war fighter and/or broader defense community; and 6) forge professional relationships that facilitate efficient, effective, and collaborative accomplishment of assigned tasks.

The Air Command and Staff College Program explores the ethical, moral and legal implications of sexual assault prevention and response in its capstone leadership course, the practice of command. For example, mid-career professionals play the role of a squadron commander addressing their squadrons on a variety of real world scenarios including cases of possible sexual harassment in the workplace and alleged date rape in the dormitory. In another lesson, seminars explore the effects of sexual assault prevention and response on good order and discipline and morale in discussions with serving first sergeants from Maxwell and Gunter.

- Air War College: Air War College, the Air Force's senior officer professional military education institution, prepares officers from each United States military service (lieutenant colonels and colonels), senior civilian employees of federal government agencies, and officers from the international community. The Air War College Program produces graduates who are able to: 1) lead successfully at the strategic level in a joint and coalition environment, exhibiting the traits essential to the profession of arms and promoting the proper strategic employment of airpower; 2) develop military strategies that, in concert with other instruments of national power, achieve the goals of national security strategy; 3) analyze complex political-military situations and clearly articulate strategic thought, orally and in writing, from a joint perspective; and 4) capitalize, as senior leaders, upon diverse personal and professional relationships forged from the broader education.

  In Air War College students learn about the latest data regarding sexual assault prevalence, reporting, and convictions. The Air Force has placed an emphasis on the critical need for leaders to understand and take the lead on this problem. In addition, these future leaders are guided through learning materials on the neurobiology of trauma to increase their understanding of victim response and behaviors that may seem to contradict normal expectations of victims (e.g. not fighting back, continuing to date offender, reporting months later, laughing, joking, etc.). The course addresses offender dynamics and cultural indicators of higher risks for sexual assault. The training includes interactive exercises, discussions, and thought provoking videos.

Specialized Leadership Training: Within the Air Force, there are some positions that require specialized training such as commanders, first sergeants, and command chiefs. Commanders, first sergeants, and command chiefs interact with every single Airman through direct leadership and management at all levels throughout the Air Force. In addition to their professional military education, senior leaders accepting these roles and responsibilities receive additional specialized training in preparation for their new assignment.

Command positions come with great authority and responsibility. Therefore, Air Force officers selected to command attend a dedicated course with specialized training focused on a wide variety of areas in which commanders bear responsibility, to include

sexual assault prevention and response. Commanders are charged and held accountable for creating and fostering a culture of dignity and respect along with a climate free of sexual assault.

Commanders' specialized training focuses on sexual assault prevention, supporting victims, and setting the standard for dignity and respect for all. To achieve this goal, commanders receive three and a half hours of sexual assault prevention and response training. They learn about the latest data regarding sexual assault prevalence, reporting, and convictions. Similar to Air War College, these leaders are guided through learning materials on the neurobiology of trauma to increase their understanding of victim response and behaviors that may seem to contradict normal expectations of victims (e.g. not fighting back, continuing to date offender, reporting months later, laughing, joking, etc.). The course addresses offender dynamics and cultural indicators of higher risks to sexual assault. The training includes interactive exercises, discussions, and thought provoking videos. The course incorporates a pre- and post-assessment of learning objectives. The pre-test is scored prior to the class to allow facilitators to emphasize weak areas of required knowledge later in class and it allows for personalization of the content for each class. Since their inception, the assessment of post-test scores has shown an improvement in knowledge for each class and students have indicated an increase in confidence in their ability to lead on sexual assault prevention and response issues.

In 2012, the Air Force added sexual assault prevention and response training to the Command Chief Master Sergeant Orientation Course. Command chief master sergeants are the enlisted liaisons between commanders and enlisted Airmen at the wing, numbered Air Force, and major command levels. Command chiefs constantly assess their respective environments, provide critical advice to senior commanders on trending issues, and recommended improvement strategies. Today, the Command Chief Orientation Course dedicates three-hours of instruction to sexual assault prevention and response education; two from a subject matter expert and one from the Director, Air Force Sexual Assault Prevention and Response. Additionally, in 2014 the course added another three-hour block of instruction on ethics, which incorporates sexual assault prevention and response concepts.

The first sergeant is a commander's enlisted liaison and is critical to readiness, health, morale, welfare, and quality of life at the unit level. In addition to their professional military education, first sergeants get specialized leadership training in a wide variety of areas to include sexual assault prevention and response. In 2014, the Air Force enhanced first sergeants training by ensuring candidates receive a two-hour block of instruction from the installation Sexual Assault Response Coordinator at Maxwell Air Force Base. The comprehensive training at the First Sergeant Academy focuses on prevention, response, investigation, prosecution, and adjudication of sexual assault crimes.

Annual Refresher Training: Initiated in 2012, annual and refresher sexual assault prevention and response training reiterated the definitions of sexual assault and

distinguished between sexual harassment and sexual assault. The prevention curriculum continues to evolve, incorporating adult learning theory and allowing for discussion and personalization of materials. This includes more interactive scenarios and personal stories in order to improve knowledge and understanding of key issues such as consent and communication. The Air Force continues to emphasize bystander intervention in its formal training and small group discussions as an effective prevention strategy that all Airmen can practice. The Air Force also launched mentorship programs designed to provide mentors to Airmen younger than 26 years old to help them understand measures for preventing sexual assault and alcohol-related incidents. This training supports the prevention lines of effort by cultivating a force that is more responsive to victims and dedicated to stopping criminals.

Deployment Training: Since 2012**,** pre-deployment sexual assault prevention and response training has been approximately 30 minutes in duration and accomplished via a computer-based training website. This training reminds Airmen getting ready to deploy of: what constitutes a sexual assault; why sexual assault is a crime; Uniform Code of Military Justice violations; the distinction between sexual assault and sexual harassment; reporting options; and resources and support available to victims. Training also addresses prevention strategies and behaviors that may reduce sexual assault such as bystander intervention, risk reduction, and obtaining affirmative consent.

Since 2012, the Air Force has been conducting post-deployment training by the sexual assault response coordinator in the deployed area via exit briefings that reemphasize support resources available to sexual assault victims upon return to their home installation. This exit briefing informs Airmen on available counseling services, medical services, legal services, and reporting options. This training is accomplished in conjunction with the Equal Opportunity Office and other wing staff agencies. Post-deployment training is approximately 15 to 30 minutes.

Starting in 2013 and 2014, Sexual Assault Prevention and Response Stand Down Days, which had previously only been conducted at home duty stations, were also conducted in the combat area of interest. All six deployed Air Expeditionary Wings completed a temporary stoppage to combat operations to ensure Air Force deployed Airmen continued to receive sexual assault training. Airmen not deployed within the standard Air Force structure received the training by viewing a video produced by, and featuring, the Commander, Air Force Central Command. The video was 15 minutes in length and spoke specifically about being an Airman in the combat environment and continuing to uphold the climate of fairness, dignity, and respect.

Annual Refresher Training: Initiated in 2012, annual and refresher sexual assault prevention and response training reiterates the definitions of sexual assault and distinguishes between sexual harassment and sexual assault. The prevention curriculum continues to evolve, incorporating adult learning theory and allowing for discussion and personalization of materials. The refresher training includes more interactive scenarios and personal stories in order to improve knowledge and understanding of key issues such as consent and communication. The Air Force

continues to emphasize bystander intervention in its formal training and small group discussions as an effective prevention strategy that all Airmen can practice. The Air Force also launched mentorship programs designed to provide mentors to Airmen younger than 26 years old to help them understand measures for preventing sexual assault and alcohol-related incidents. This training supports the prevention lines of effort by cultivating a force that is more responsive to victims and dedicated to stopping criminals.

In August 2014, Major Command and installation sexual assault response coordinators attended Air Force annual refresher training. This training was held in Pittsburgh, Pennsylvania in collaboration with the National Sexual Assault Conference so attendees could participate in both events. The two days of Air Force specific training enabled sexual assault response coordinators to receive key updates to Air Force policies and procedures, while attendance at the conference facilitated continued collaboration with the civilian prevention and victim advocacy communities.

Best practices/innovations specific to the Air Force

Sexual Assault Prevention and Response Stand Down Day: Stand down days occur when Air Force members step away from their daily tasks and take part in activities related specifically to sexual assault education, prevention, and awareness. In December 2012, the Air Force began exploring concepts and developing curriculum to support stand down days focusing on prevention and victim advocacy.

In late spring 2013, the Air Force held its first stand down day that began with a kickoff event, followed by an installation commander's call, a squadron commander seminar, and concluded with small group discussions on sexual assault topics. The stand down day objectives focused on embracing a culture of dignity and respect and disseminating bystander intervention awareness across the force to prevent future sexual assaults. This stand down was successful, creating opportunities for numerous small group discussions and information sharing, enabling Airmen to engage directly with commanders in a non-retribution setting.

In early summer 2014, the Air Force executed a second stand down day, with a new curriculum. Small working groups created the curriculum and were comprised of a civilian subject matter expert, wing-level sexual assault response coordinator, victim advocate, major command program manager, and headquarters training analyst. Training packages complete with a commander guide, slide presentation, train-the-trainer facilitator guide, and small group discussion scenarios provided direction and guidance for the training. The training focused on preparing bystanders to intervene based on a premise that increasing knowledge about offender behaviors and grooming patterns may affect the likelihood of an Airman recognizing a potentially dangerous situation. By recognizing a continuum of behaviors that increase the likelihood of sexual violence, Airmen can potentially intervene before a crime occurs. The training helped to develop a force that is more responsive to potential victims and dedicated to stopping criminals. The curriculum provided an outline for commanders to present data and

known facts about offenders. The stand down day allowed leadership to add their personal message about sexual assault prevention and response. All Airmen transitioned into small groups to discuss offender dynamics. The facilitators for this interactive activity were peers from within each unit ensuring that facilitators had an insider's view of the culture of the respective group members. Facilitators received eight-hours of specialized training before meeting with their small groups. The Air Force piloted a pre- and post-assessment to measure the level of learning attained.

Every Airman Counts Blog: Proactive and constant senior leader engagement is imperative to the prevention campaign. At the request of the Vice Chief of Staff of the Air Force, the Air Force Sexual Assault Prevention and Response Public Affairs team with the help of the Air Force Public Affairs Agency developed and launched the "Every Airman Counts" Campaign. This initiative sought innovative ideas that were the most beneficial to tackling the issue of sexual assault through a public-facing blog. Since its inception in July of 2013, the blog has received more than 156,000 visits and in excess of 1,100 comments. The blog is and will continue to be a key interfacing platform that constantly keeps Airmen engaged on the issue of sexual assault prevention.

To supplement the "Every Airman Counts" Campaign, Sexual Assault Prevention and Response Public Affairs launched senior leader web chats with bases from across the Air Force. Senior leader web chats have been and continue to be personally hosted by the Vice Chief of Staff and allow Airmen of all ranks and their installation sexual assault response coordinators the ability to ask questions and share concerns on sexual assault. During fiscal year 2013, one web chat was conducted with Airmen from Holloman Air Force Base, New Mexico and another with all major commands and installation sexual assault response coordinators. In 2014, the web chats were expanded to include Little Rock Air Force Base, Arkansas, Sheppard Air Force Base, Texas, and Barksdale Air Force Base, Louisiana.

Public Affairs/Strategic Communication: Public Affairs officers have been dedicated to the Air Force Sexual Assault Prevention and Response Office to help ensure that Airmen understand and communicate concise messages on the sexual assault prevention and response vision, mission, initiatives, and efforts aimed at preventing future assaults within the ranks. The Public Affairs officers have created tools to reinforce key senior leader messages and definitions to help shape a culture of dignity and respect that embrace prevention measures.

Chronological Highlights:

- During the last three years, the Air Force has become a thought leader in sexual assault prevention and response through internal research and assessment as well as by consulting outside subject matter experts. Subject matter experts, including Dr. David Lisak, Anne Munch, esquire, and Dr. Rebecca Campbell, have presented to all levels of Air Force leadership, from summits for three-and four-star generals, to courses designed for sexual assault response coordinators and unit commanders. The past and present Director of the Air Force Sexual

Assault Prevention and Response Office have consulted with university professors, the Center for Disease Control, and advocacy group leaders. Frequent engagement with legislators and their staff, the Senate and House Armed Services Committees, and the House Military Sexual Assault Prevention Caucus ensures the Air Force understands the diverse viewpoints and concerns of members of Congress and the constituents they represent. Furthermore, the office has employed a subject matter expert with a background in law enforcement. This expert, Mr. Dave Thomas, uses his background as an award-winning law enforcement leader, special advisor to the Maryland Governor's Office of Crime Control and Prevention, and faculty member at Johns Hopkins University to develop policies, goals, and education material.

- In Fall 2013, to further organize prevention and response efforts across the force, the Vice Chief of Staff established the Sexual Assault Prevention and Response Council. This leadership engagement is chaired by the Undersecretary of the Air Force and the Air Force Vice Chief of Staff, and pairs the major command sexual assault prevention and response program manager with their major command vice commander to discuss Air Force sexual assault prevent and response issues. Normally, 30-60 minutes in length, subjects discussed among senior leaders included: risk reduction, bystander intervention, and prevention techniques.

- In December 2013, the Air Force established an additional 91 civilian full-time victim advocate positions. This initiative ensured the Air Force has at least one full-time sexual assault victim advocate per base, to meet the fiscal year 2012 National Defense Authorization Act requirement. Additionally, some bases are allocated more than one sexual assault prevention and response victim advocate to ensure a seamless 24/7 victim response. These new positions provide oversight for recruiting, training, certification, and assignment of volunteer victim advocates, ensuring victims are provided the most professional level of response and support available.

- In 2014, the Air Force increased the number of full-time sexual assault response coordinator positions from 89 to 121, giving every Airman at the installation level easy access to a sexual assault response coordinator. Futhermore, adding full-time sexual assault response coordinators facilitates the education and training element within the Air Force's prevention line of effort.

- In 2014, training courses for wing commanders, vice wing commanders, group commanders, and senior non-commissioned officers were revamped to reflect an emphasis on a climate of dignity and respect.

- In April 2014, and in support of Sexual Assault Awareness Month, the Air Force Academy athletes in conjunction with the Academy public affairs office developed a video taking a stance against sexual assault. They also used the video to

promote a culture of respect and dignity. The video was played for the whole Academy to see, then was shared with the rest of the Air Force through the Air Force's BlueTube and the Air Force Sexual Assault Prevention and Response website; watch the video here http://www.youtube.com/watch?v=VYzy6gsCqnE.

- In July 2014, the Air Force Sexual Assault Prevention and Response Office developed and implemented a Microsoft SharePoint site for centralized control and sharing of sexual assault prevention and response material. Major commands and installation sexual assault response coordinators and victim advocates now enjoy access and rights to create a sexual assault prevention and response sharing community. As a result, sexual assault response coordinators around the Air Force are sharing information and best practices. Additionally, a wide variety of sexual assault prevention and response material is now available for immediate download.

- In August 2014, the Air Force wrote a performance work statement to hire a highly qualified prevention expert to provide direction for the entire Air Force Sexual Assault Prevention and Response Program. The prevention expert will establish strategies, plans, and policies for continued improvement of the program and maintain oversight of field prevention activities. The office anticipates the position will be filled in early fiscal year 2015.

Outreach: In 2014, the Air Force Sexual Assault Prevention and Response Office teamed up with the United States Department of Agriculture Cooperative Extension Program regarding a collaborative effort to identify and develop an empirically-based intervention program designed to reduce re-victimization of sexual assault victims. The request for applicants interested in conducting this research is ongoing and should be complete in 2015. This is a continuous effort to stay abreast of research trends and ensures the Air Force remains engaged with current prevention strategies. Air Force senior leaders encouraged subordinate commanders to reach out to non-military experts in the sexual assault arena in order to obtain fresh perspectives and a deeper understanding of this issue.

Harmonizing Equal Opportunity and Sexual Assault Prevention and Response Efforts: All Airmen deserve to serve our Nation in an environment free from sexual harassment and sexual assault. While there are distinct legal differences between sexual harassment and sexual assault, the prevention efforts are complementary and reinforce a culture of dignity and respect. Research shows environments conducive to sexual harassment often correlate to higher sexual assault rates; this is referred to as the continuum of harm. A unit that permits inappropriate comments, crude jokes, and sexist behavior is at a higher risk for a sexual assault to occur. In an effort to foster better synergy and provide better service to our Airmen reporting sexual assault and sexual harassment, the Secretary of the Air Force directed new initiatives to harmonize our equal opportunity and sexual assault care for commanders and victims.

In August 2014, the Secretary of the Air Force directed the Air Force Sexual Assault

Prevention and Response and Equal Opportunity Offices to develop a timeline and policies to establish more effective collaborative efforts between these two programs. To foster better synergy and to provide better service to Airmen reporting sexual harassment or sexual assault, commanders were directed to ensure that the Equal Opportunity and Sexual Assault Prevention and Response Offices are located in close proximity to one another, while maintaining the facilities required to provide private victim support.

Second, the equal opportunity and sexual assault prevention and response teams were directed to create and implement plans to begin building a cadre of professionals who have the core competencies required to provide responses in both critical areas. To that end, the equal opportunity and sexual assault prevention and response teams are currently developing a plan to send equal opportunity advisors to the eight-day Sexual Assault Response Coordinator Course taught at Air University, Maxwell Air Force Base, Alabama. The teams are also developing a plan to send some of the sexual assault prevention and response professionals to equal opportunity training at the Department of Defense Equal Opportunity Management Institute, Patrick Air Force Base Florida.

Policy Initiatives: In an effort to prevent future sexual assaults and deter perpetrators, the Air Force has stated sexual assault is incompatible with military service. Amended Air Force Instructions now specifically affirm this fact. In July 2013, the Air Force updated its policy to mandate the initiation of administrative discharge proceedings for Air Force members who commit sexual assault (including contact offenses), sexual assault of a child, or attempt to commit these offenses. A waiver of this requirement is only authorized when certain narrow criteria are met, including a finding that the continued presence of the member in the Air Force is consistent with the Air Force's interest in maintaining proper discipline, good order, leadership, and morale.

To reaffirm the Air Force's commitment to respond and prevent sexual assault, the Under Secretary of the Air Force signed Air Force Policy Directive 90-60, *Sexual Assault Prevention and Response Program*, in September 2014. This directive provided additional policy guidance, assigned responsibility for the prevention and response to sexual assault, and established command relationships, authorities, and responsibilities in support of the policy. The policy applies to all levels of command and all Air Force organizations including Active Duty, Air Force government civilian employees, United States Air Force Academy cadets, Air National Guard, and Air Force Reserve components while in federal service.

Positive trends (qualitative & quantitative)

Positive trends are evident and one of the best examples came in April of 2014 when Secretary James spoke about the challenges she faced during her first 100 days. She explained, "My overall take, after the first 100 days, is that we are making good progress. I think victims are more comfortable nowadays coming forward and making reports, than they were years back. So we are getting there. But we have a ways to go and can't give up our focus. Sexual assault is a crime, less about sex and more about power and control. Where we need to go, is to stop it. We need to eliminate it. That is

the vision and of course, it is a journey to get there. It may be a never-ending journey, but that's where we have to aim and we have to try our best to get as close to that end point as possible."

In July 2014, the Air Force presented the inaugural Sexual Assault Prevention Innovation award to Major Daniel Giannavola and First Lieutenant Poonsak Kajonpong from the 8th Fighter Wing, Kunsan Air Base, Republic of Korea. This duo's innovative yearlong prevention campaign involved the Kunsan Sexual Assault Prevention and Response Office collaborating with the Wing's Public Affairs Office, American Armed Forces Network Pacific, and the Defense Media Activity. The collaboration created a massive media blitz aimed at preventing sexual assault, helping survivors, and promoting reporting within the Department of Defense. At the partnership's conclusion over a dozen commercials were produced and aired throughout the Pacific Rim reaching more than 1.8 million viewers. The fact that Kunsan's Airmen were inspired to undertake proactive and innovative prevention campaign is a proof positive indication that the Air Force's Sexual Assault Prevention and Response Program influences cultural change.

Workplace and Gender Relations Survey (Prevalence Surveys): A key metric for the prevention line of effort is the estimated prevalence of sexual assault in the Air Force. Since fiscal year 2006, the Department of Defense has conducted the Workplace and Gender Relations Survey on Active Duty and Reserve personnel to provide sexual assault prevalence estimates on the level of "unwanted sexual contact" occurring to those populations for Department of Defense leadership. The "unwanted sexual contact" that was measured, approximated, but did not equate to the criminal elements of sexual assault offenses under the Uniform Code of Military Justice. Historically, the Defense Manpower Data Center has administered two versions of this survey. One version sampled the Active Duty military population in fiscal years 2006, 2010, and 2012 with the sample sizes large enough to breakout results for each service. The second version sampled Reserve and Guard military populations in fiscal years 2008 and 2012, once again with break-out results for each service. In fiscal year 2014, the Department of Defense contracted RAND corporation to conduct an updated Military Workplace Study to sample Active Duty, Guard, and Reserve personnel. Some participants responded to questions identical to those in previous surveys regarding unwanted sexual contact. In addition, other respondents were asked questions that more closely relate to the criminal elements of sexual assault as defined in the Uniform Code of Military Justice.

Finally, in 2010 the Air Force contracted the Gallup Corporation to conduct a similar, but more detailed prevalence survey.

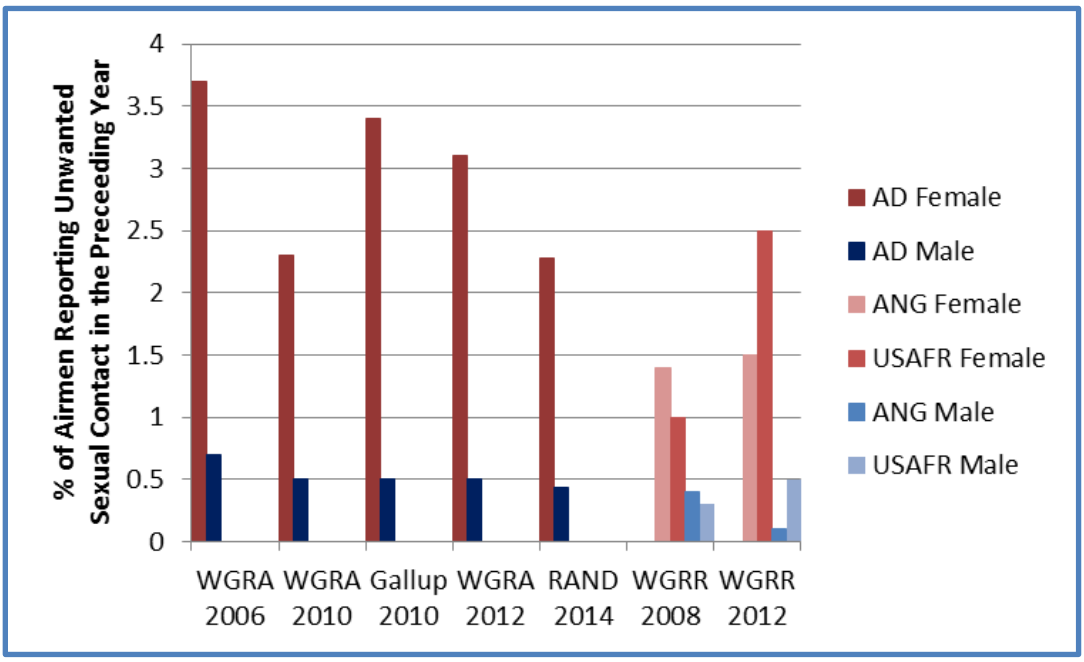


Chart 1.1 – Air Force Active Duty, Guard and Reserve Past Years Estimated Prevalence of Unwanted Sexual Contact

Chart 1.1 provides the estimated Air Force prevalence rates from those surveys. With the exception of the results on the fiscal year 2010 Workplace Gender Relations Survey, which differed slightly from the results on the Gallup Survey done the same year, there had been little significant change in the rate of "unwanted sexual contact" reported by either Active Duty or Reserve members over time through fiscal year 2012.

The fiscal year 2014 RAND Military Workplace Study survey results indicate a slight decrease in the prevalence rate reported for sexual assault within the Air Force. On the 2012 Workplace and Gender Relations Survey 3.1% of Active Duty Air Force women and 0.5% of Active Duty Air Force men reported experiencing unwanted sexual contact. In the 2014 RAND Workplace Study, 2.28% of Active Duty Air Force women and 0.43% of Active Duty Air Force men reported experiencing unwanted sexual contact. This decrease may indicate positive progress for the prevention of sexual assault within the Air Force. However, the Air Force will continue to monitor follow-on data to confirm the trend and will continue to stress all aspects of the sexual assault prevention campaign.

Based upon the Uniform Code of Military Justice-based questions first presented in fiscal year 2014, 2.9% of Active Duty Air Force women and 0.29% of Active Duty Air Force men reported experiencing sexual assault in the past year.

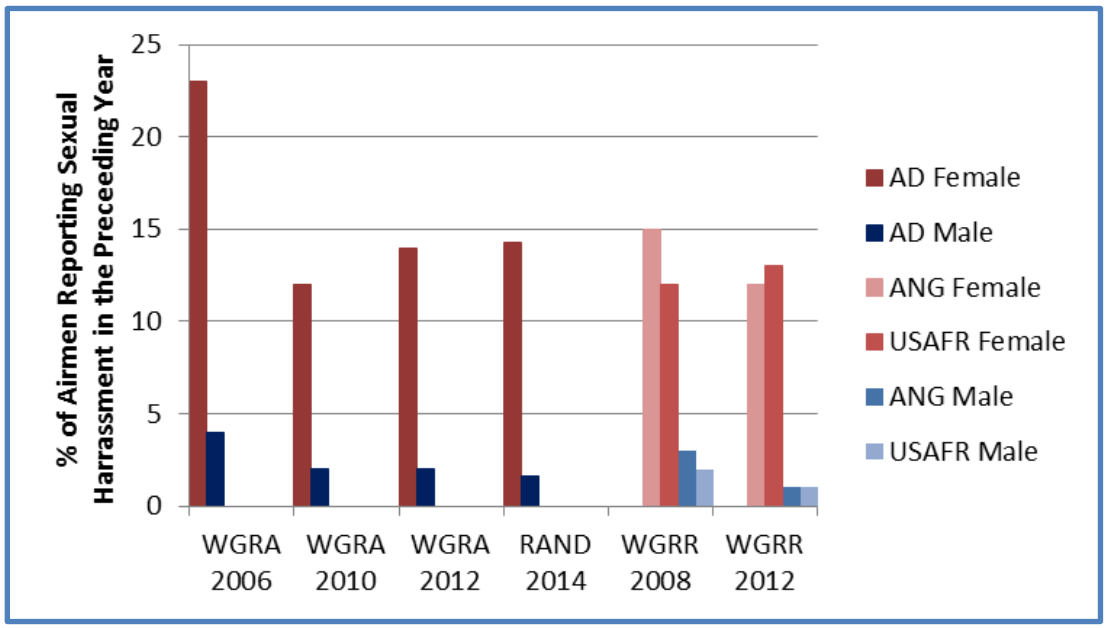


Chart 1.2 – Air Force Active Duty, Guard and Reserve Past Years Estimated Prevalence of Sexual Harassment

Since fiscal year 2006 surveys have also often asked respondents to indicate if they had experienced sexual harassment during the preceding year. Chart 1.2 provides the estimated response rate for Active Duty, Reserve and Guard Airmen. Prevalence rates for sexual harassment for Air Force women fell from a high in fiscal year 2006 of 23% and has remained constant at between 12 and 15% for Air Force Active Duty, Guard and Reserve women since fiscal year 2008. Similarly, in fiscal year 2006 a high of 4% of Active Duty Air Force men reported sexual harassment; since fiscal year 2008 response rates for Air Force Active Duty, Guard and Reserve Airmen have consistently fallen between 1 and 3%.

Defense Equal Opportunity Management Institute Organizational Climate Survey: This survey is designed to measure command climate and the confidence of Airmen in the appropriate execution of the Sexual Assault Prevention and Response Program. Beginning in January 2014, the Air Force mandated the use of the Defense Equal Opportunity Management Institute Organizational Climate Survey. Prior to the use of the Defense Equal Opportunity Management Organizational Climate Survey, the Air Force used a Unit Climate Assessment tool to survey and focus on potential equal opportunity and harassment issues within Air Force organizations. In February 2012, the Air Force added six sexual assault questions to the Air Force Unit Climate Assessment. These questions were added because a work environment and/or a commander that permits sexual harassment could create an environment tolerant of sexual assault. Historically, this survey was administered 180 days or more into a commander's command and then every two to three years thereafter. In 2012, the Air Force updated policy to combat sexual assault and began fielding the survey to unit members within 120 days of a commander assuming command of a new unit and

annually thereafter. The results from these surveys are not only provided to the commander, but also to members under the commander's command and the commander's leadership. Since the surveys are completed annually, commanders are able to identify improvement areas and issues that need to be addressed during their tenure.

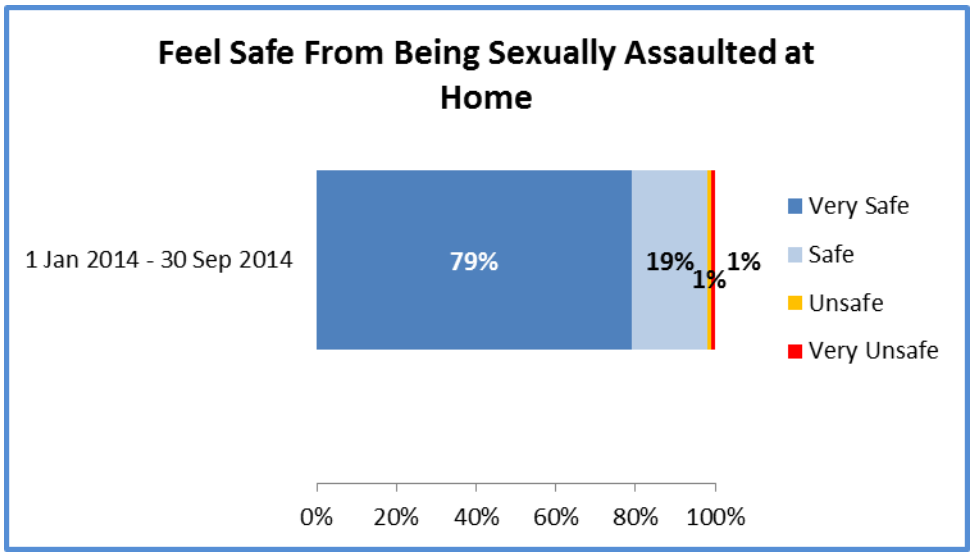


Chart 1.3 – Responses to Home Safety Question

Based upon responses to this question posed on the Defense Equal Opportunity Management Institute Organizational Climate Survey the vast majority of Airmen (98%) indicate that they feel safe from sexual assault at home. The Air Force has established support systems for the small subset of the force (approximately 2%) that feels they are either "unsafe" or "very unsafe" at home or those who may be the target of any type of domestic violence (to include sexual assault). The Air Force remains committed to ensuring that every Airman feels safe and/or knows where to receive support if necessary/required.

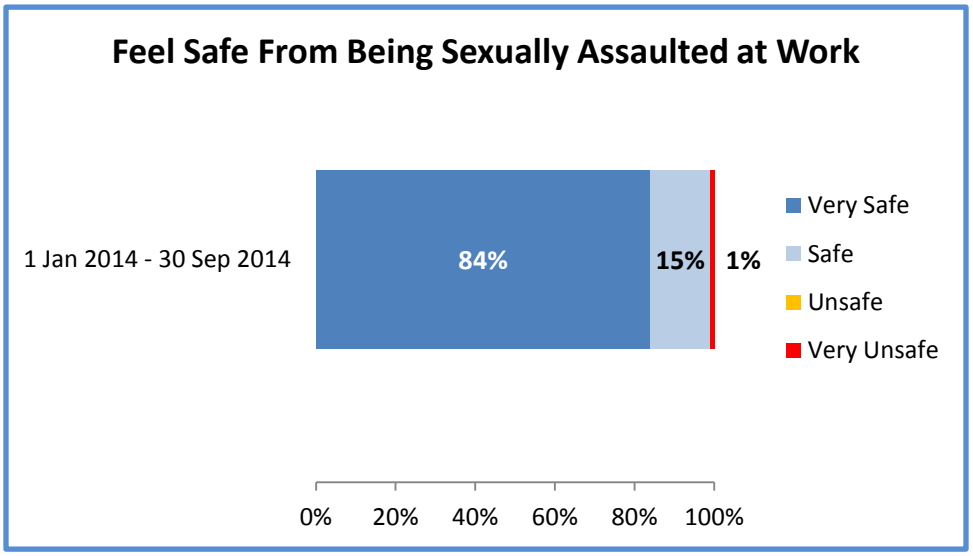


Chart 1.4 – Responses to Work Safety Question

According to responses on the Defense Equal Opportunity Management Institute Organizational Climate Survey, approximately 99% of Airmen are confident that they are safe from any type of sexual assault in their professional work environment. Reportedly, approximately 84% feel they are "very safe," while an average of 15% feel "safe" from being sexually assaulted while at work. While no Airmen have reported they feel "unsafe" from experiencing sexual assault in the work place, approximately 1% (or less) of Airmen have reported that they feel "very unsafe" at work. The data results in Charts 1.4 and 1.5 are similar to the level of prevalence reported on previous Workplace Gender Relations Surveys (Chart 1.1). It is interesting to note that by a small margin more Airmen report feeling safer at work than they do at home.

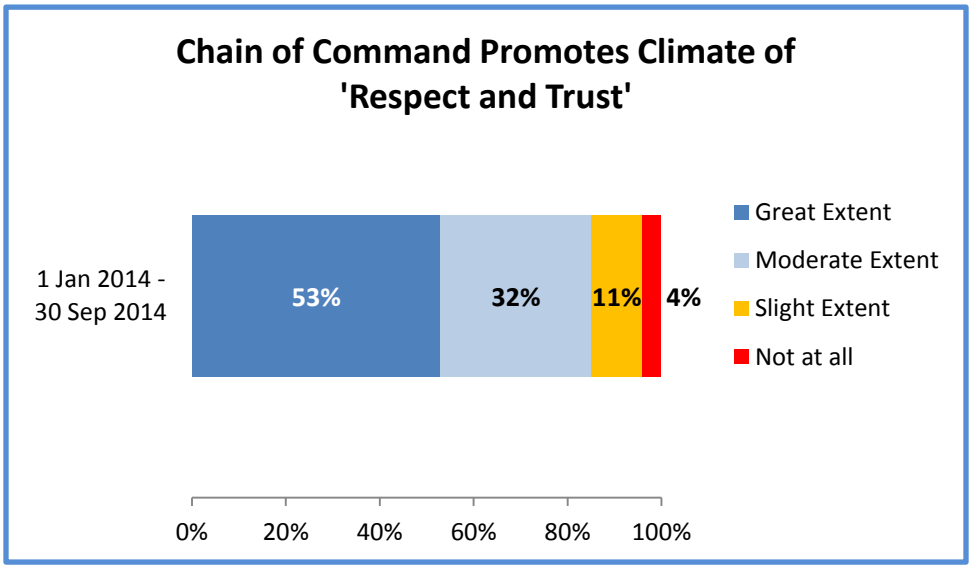


Chart 1.5 – Responses to Command Climate Question

The results of the Defense Equal Opportunity Management Institute Organizational Climate Survey presented in Chart 1.5 indicate that the majority of Airmen believe their chain of command promotes a climate consistent with "respect and trust." Over half (53%) of Airmen feel this is accomplished to a "great extent," while 32% believe it is accomplished at a "moderate extent." From these results, it can be concluded that approximately 85% of the Airmen population believe "respect and trust" are prominent factors in their command climate. 11% of Airmen population believe their command promotes a climate of "respect and trust" to a "slight extent".

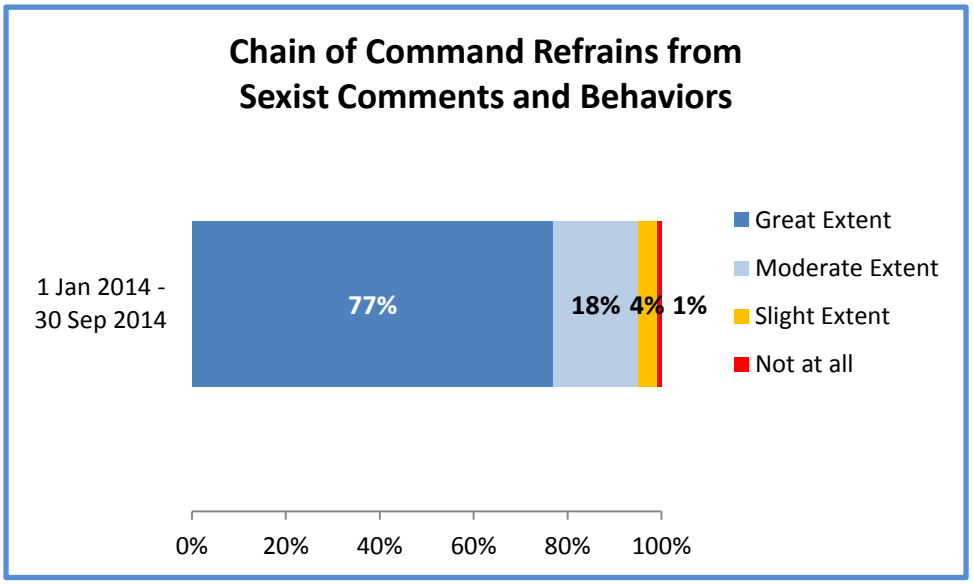


Chart 1.6 – Responses to Chain of Command Refraining from Sexist Comments and Behaviors Question

The above chart reflects that, based upon responses to the Defense Equal Opportunity Management Institute Organizational Climate Survey, approximately 95% of the Airmen believe that their chain of command refrains from sexist comments and behaviors. Another 5% of Airmen believe their chain of command to a "slight extent" or "not at all" refrain from sexist comments and behaviors. Focus group findings have revealed that small pockets of "crude cultures" still do exist. The Air Force is tailoring future communications and training to deliver messages relevant to those subsets of the population that have been resistant to change.

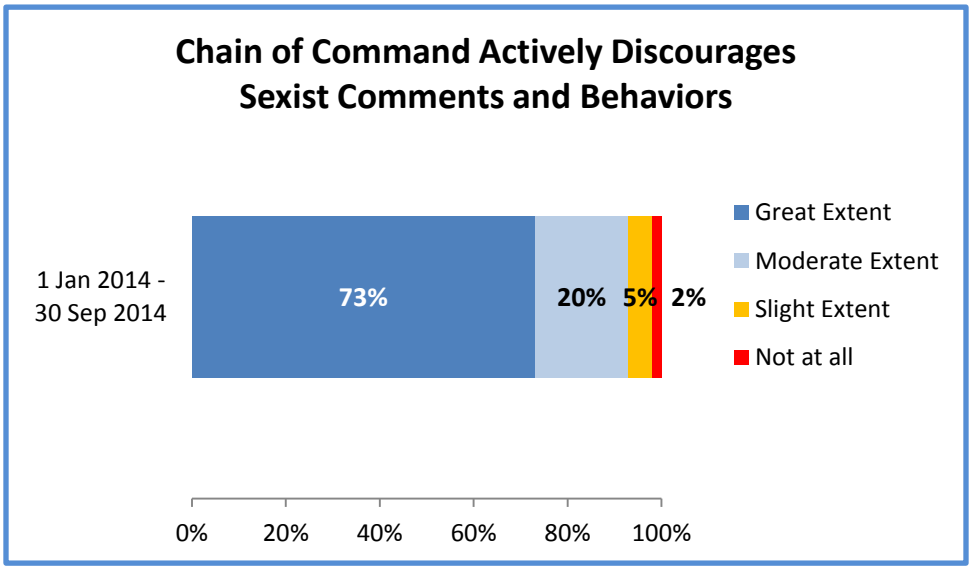


Chart 1.7 – Responses to Chain of Command Actively Discourages Sexist Comments and Behaviors Question

This chart of Defense Equal Opportunity Management Institute Organizational Climate Survey response rates indicates that while a majority of Airmen are confident that their leaders will actively discourage sexist comments and behaviors, the numbers are slightly weaker than those provided in Chart 1.5. 93% believe that the chain of command either to a "great" or "moderate" extent will actively discourage such comments and behaviors. An overall 7% of the Airmen population believes that their chain of command will either "slightly" or "not at all" actively discourage sexist comments and behaviors.

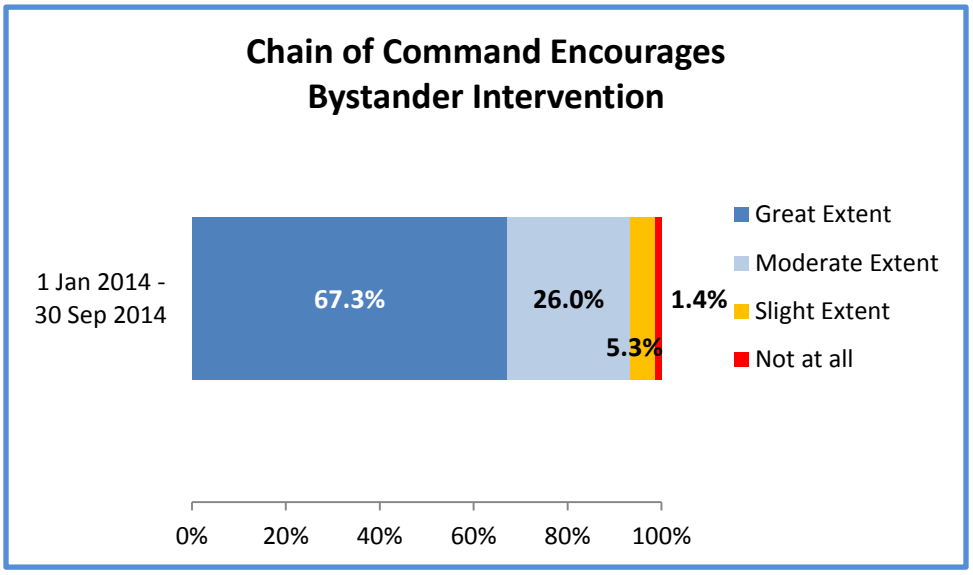


Chart 1.8 – Responses to Chain of Command Encourages Bystander Intervention

In response to this question on the Defense Equal Opportunity Management Institute Organizational Climate Survey a majority of Airmen indicated that their chain of command to either a “great” or “moderate” extent encourage Airmen to participate in bystander Intervention.

2. LINE OF EFFORT 2 – INVESTIGATION

Overview: The Air Force is committed to achieving high competence in every investigation of sexual assault, which begins with an unrestricted report and an independent and professional investigation by the Air Force Office of Special Investigations. The Air Force's investigative resources are structured to yield timely and accurate results based on scientifically informed techniques to maximize the recovery of physical and testimonial evidence while minimizing the potential for victim re-traumatization. The Air Force has developed and implemented specialized investigative capabilities that enable professional, responsive, and accurate investigations that are independent from the chain of command. Understanding the complexity of sex crime cases, the Air Force established a worldwide special victim capability, primarily comprised of 24 sexual assault investigators. The special victim's capability is comprised of a distinct, recognizable group of professionals who collaborate to ensure effective, timely, responsive worldwide victim support, and a capability to investigate and address sexual assault offenses in order to hold perpetrators appropriately accountable.

Populations Affected: Military Law Enforcement Organizations

Air Force Law Enforcement Responsibilities: The Air Force has law enforcement personnel assigned to both Air Force Security Forces and the Air Force Office of Special Investigations, and both units are responsible for investigating crimes committed on assigned federal jurisdictions. Investigations are divided between the two federal law enforcement agencies based on the nature and seriousness of the crime. Anyone may report a sex crime to either Air Force Security Forces or to the Air Force Office of Special Investigations, as two of the many reporting options available to Airmen. The Air Force has directed that the Air Force Office of Special Investigations bear sole responsibility for investigating all sex crimes as defined by the Uniform Code of Military Justice.

Air Force Security Forces: Air Force Security Forces are responsible for protection of personnel, property, and resources at installations both in the continental United States and abroad. Installation Security Forces across the Air Force serve as the primary law enforcement first response agency. As such, they maintain responsibility for the Law Enforcement Desk, which includes the installation emergency response line. As the intake point for emergency and criminal reports, Security Forces may receive a report of sexual assault; however, once received, Security Forces will immediately turn the report over to the Air Force Office of Special Investigations for a complete investigation.

Air Force Office of Special Investigations: The Air Force Office of Special Investigation is a field operating agency under direction and guidance of the Air Force Inspector General. Operating worldwide, the Air Force Office of Special Investigations provides independent criminal investigative, counterintelligence, and protective service operations outside of the traditional military chain of command. One of the primary responsibilities of the Air Force Office of Special Investigations is to identify and investigate serious crimes within their assigned federal jurisdiction. Serious crimes

include all sex crimes as defined by the Uniform Code of Military Justice. Investigations completed by the Air Force Office of Special investigations are free of command influence. In accordance with federal law, the Commander Air Force Office of Special Investigation is given the authority to independently open and conduct criminal investigations. Only the Secretary of the Air Force may direct the closing of an investigation.

Training Enhancements

Air Force Office of Special Investigations recruits receive their entry-level investigative training at the United States Air Force Special Investigations Academy at the Federal Law Enforcement Training Center in Glynco, Georgia. The Air Force Special Investigations Academy is charged with converting Air Force Office of Special Investigations training requirements into fielded capabilities. The Academy's reach encompasses basic agent training and credentialing, as well as advanced investigation and wartime mission training. New Air Force Office of Special Investigations special agent recruits begin training at the Federal Law Enforcement Training Center with an 11.5-week course called the Criminal Investigator Training Program. Trainees attend this course from almost all federal investigative agencies. The Criminal Investigator Training Program provides basic investigative training in law, interviewing, handling informants, evidence processing, search and seizure, arrest techniques, report writing, testifying, and surveillance. These skills are all applicable to conducting sexual assault investigations.

Following the completion of the Criminal Investigator Training Program, Air Force Office of Special Investigations special agent recruits enter seven and half weeks of training in the Air Force Office of Special Investigations-specific Basic Special Investigations Course. Topics of instruction taught in Basic Special Investigations Course include: Air Force Office of Special Investigations organization and mission; ethics; investigative responsibility and jurisdiction; interrogations; military law; crimes against persons (physical and sexual); liaison with other law enforcement agencies; the role of investigative experts; computer crimes; and forensic sciences. Like the Criminal Investigator Training Program, the curriculum taught in Basic Special Investigations Course is the foundation for running all sexual assault investigations. Basic Special Investigations Course has received accreditation from both the Federal Law Enforcement Training Center and the Community College of the Air Force.

Most Air Force Office of Special Investigations sex offense investigations training techniques are taught in five blocks of instruction in the Air Force Office of Special Investigations Basic Special Investigations Course. More than 30 hours of classroom training are provided in these five blocks of instruction that specifically relate to conducting sex offense investigations. Below is a summary of each of the five blocks of instruction and a continuing mock sexual assault case (practical exercise).

- **Characteristics of Evidence (Eight hours: Four-hour lecture and four-hour lab):** This block of instruction provides an overview of the types of evidence and

familiarization with class and individual characteristics identifiable in various types of physical and biological evidences. This information is the basis for developing deductive reasoning skills, as well as a greater appreciation of the probative and perishable nature of physical and biological evidence. It introduces requisite concepts (ex: Locard's Theory of Evidence Transfer) that are later built upon in the crime scene processing block of instruction.

- **Crime Scene Processing (Six hours: Two-hour lecture and four-hour lab):** This course builds upon the basic crime scene skills the students learned during the Federal Law Enforcement Training Center Criminal Investigator Training Program and the Air Force Office of Special Investigations Basic Special Investigations Course, characteristics of evidence block of instruction (above). The instruction familiarizes students with the contents and use of Air Force Office of Special Investigation's crime scene handbook. It also introduces students to the basics of crime scene management and organization.

- **Sexual Assault Investigations (Four and Half hours: Four-hour lecture and 30-minute lab):** This block of instruction identifies various issues encountered when investigating sexual assault in the Air Force. Article 120 of the Uniform Code of Military Justice, which includes the offenses of rape, sexual assault, aggravated sexual contact, and abusive sexual contact, is explained. The Air Force Office of Special Investigation's policies pertaining to other offenses of a sexual nature are covered in detail. Department of Defense definitions and policy for sexual assaults are explained as is the Department of Defense restricted reporting policy and its impact on investigative activity. Students are exposed to the components of a sexual assault forensic examination and are taught the procedures used when collecting evidence from this examination.

- **Difficult Sexual Assault Cases (One-hour lecture):** This training topic addresses the various issues encountered during difficult sexual assault investigations, such as alcohol impairment, drug-facilitated sex offenses, and the special challenges posed by cases involving multiple suspects.

- **Interviews and Interrogations (12 hours: Four-hour lecture and eight-hour lab):** This block of instruction introduces students to the proper methods for preparing for interviews and interrogations. The training teaches students the proper way to provide rights advisements to suspects under Article 31, Uniform Code of Military Justice, and how to develop "themes" in suspect interrogations. It also emphasizes the need to carefully listen to information provided by victims, witnesses and suspects, and presents the procedures for documenting the results of interviews in written statements and investigative reports.

- **Practical Exercise (30 hours):** This is a mock case that is executed for the duration of the course. All aspects of an investigation are used to complete the investigation to include: victim interview(s), crime scene processing, medical staff interviews, consultations with forensic science consultants, consultations

with staff judge advocates, consultation with other members of the special victim capability, working with sexual assault response coordinators, records checks, request for assistance from other agencies, witness interview(s), subject interview(s), briefing military leadership (commanders and first sergeants).

The Air Force Office of Special Investigations established a Basic Extension Program in March 2012 to provide newly credentialed agents with enhanced knowledge and capabilities in core mission areas at the start of their careers by systematically building upon basic skills provided at Criminal Investigator Training Program and Basic Special Investigations Course using fully interactive distance learning courses. The Basic Extension Program is formal on-the-job training that provides recently-credentialed agents with supervised training during their first fifteen months as a new special agent. The curriculum includes 70 hours of training directly related to sexual assault investigations. The Basic Extension Program covers areas related to sexual assault investigations including: interviews, interrogations, evidence, liaison, investigative writing, testifying, and operational planning. The Basic Extension Program has received Federal Law Enforcement Training Center accreditation.

Air Force Office of Special Investigations established sexual assault response refresher training for all agents annually through computer-based training system. This is an on-line web-based refresher-training course developed by Headquarters Air Force Office of Special Investigations specifically for its agents. The course is designed to fulfill the Department of Defense requirement for periodic refresher training related to sexual assaults. Topics covered in the self-paced course include: sexual assault response policies, victimology, understanding sex offenders, crime scene management, interview techniques, investigating difficult cases, recantation and false information, working with victim advocates and sexual assault response coordinators. All Air Force Office of Special Investigations agents are required to complete this course annually.

All Air Force Office of Special Investigations agents receive more than 225 hours of training directly related to conducting sexual assault investigations through the courses outlined above and are in compliance with the training requirements outlined in Section 585 of Public Law 112-81, Department of Defense Instruction 6495.02, *Sexual Assault Prevention and Response Program Procedures*, and Department of Defense Instruction 5505.18, *Investigation of Adult Sexual Assault in the Department of Defense*.

Experienced agents routinely attend a variety of advance courses. The courses pertain to, or contain information specifically related to sex offense investigations and include the following.

Air Force Office of Special Investigations Forensic Science Consultants Training Program: The Forensic Science Consultants Program is a one-year Air Force Institute of Technology Training Program for competitively selected special agents. Between two and four Air Force Office of Special Investigations special agents go through this program each year. Graduates receive a 36-hour Master of Forensic Sciences Degree from The George Washington University. Students also complete a concurrent one-

year fellowship in forensic medicine at the Office of the Armed Forces Medical Examiner. Course work includes extensive training in the recognition and assessment of physical, biological, and medical evidence to resolve complex violent crimes, including sex offenses. Graduates from this program frequently assist field investigators with the forensic science aspects of major crimes of violence, including all rape and serious sexual assault cases. Additionally, they frequently provide training to field investigators on varied topics related to investigating violent crime, including sexual assaults.

Air Force Office of Special Investigations Advanced General Criminal Investigations Course: The Advanced General Criminal Investigations Course is an in-residence two-week course held at the Federal Law Enforcement Training Center that is conducted by Air Force Office of Special Investigation's Academy faculty. It encompasses a wide variety of topics relating to criminal investigations, including interviewing, photographing, and processing crime scenes and sexual assault investigations (victim sensitivity, handling reports with inconsistencies, etc.). The target audience for this course is agents in supervisory positions. Students are provided 49 hours of instruction specifically related to sexual assault investigations.

Special Agent Laboratory Training Course: This is a one-week in-residence course taught at the United States Army Criminal Investigations Laboratory located within the Defense Forensic Science Center at the Gillem Enclave in Forest Park, Georgia. The course is taught by laboratory experts assigned to United States Army Criminal Investigations Laboratory. The course consists of both lecture and hands-on training to acquaint experienced investigators with more advanced topics related to evidence recognition, evidence handling and preservation, as well as the state-of-the-art of the forensic sciences used to analyze physical and biological evidence. Several blocks of instruction pertain specifically to biological and physical evidence encountered with sexual offense investigations, including hair and fibers, blood, semen, sexual assault examinations, etc. The course is held about two times per year, specifically for Air Force Office of Special Investigations' agents who supervise major criminal investigations, and is open to all experienced criminal investigators in the Air Force Office of Special Investigations. The course size is limited to 18 agents.

Sexual Crime Investigations Training Program: In August 2012, the Air Force Office of Special Investigations established a new Sexual Crime Investigations Training Program to train both the Air Force Office of Special Investigations special agents and Air Force prosecutors in advance sexual assault investigation topics and techniques. The Sexual Crime Investigations Training Program serves as a robust platform to develop the cross-disciplinary skills necessary to establish the Air Force special victim capability required by fiscal year 2013 National Defense Authorization Act Section 573. The program is an eight-day, 64-hour course designed to provide advance specialized training for criminal investigators and prosecutors. The advance topics taught at the program include cognitive bias, cognitive interviewing, topics on better understanding and treatment of victims of sexual assault, advanced topics on predatory behaviors of sexual assault perpetrators, advance crime scene processing, special investigative

techniques, domestic violence, and other topics. Investigators who have successfully completed the Sexual Crime Investigations Training Program will be identified in the Air Force personnel system with a special experience identifier designated for special victim capability.

Each Sexual Crime Investigations Training Program class is comprised of 30 students (24 special agents and six judge advocates). The intermixing of agents and judge advocates fosters collaboration, enables students to discuss Air Force-specific policies, procedures and challenges throughout the course, and has proven critical to building the special victim capability across the Air Force. The Air Force Office of Special Investigations and Air Force Office of the Judge Advocate General have conducted eight iterations of their joint Sexual Crimes Investigation Training Program since summer 2012; 204 students (155 agents, 2 Security Forces, and 47 judge advocates) have graduated from the program. The Air Force Office of Special Investigations plans to conduct five iterations of Sexual Crime Investigations Training Program in fiscal year 2015 to provide advanced sexual assault training to an additional 30 Air Force judge advocates and 120 Air Force investigators. The Sexual Crime Investigations Training Program is now in the process of receiving Federal Law Enforcement Training Accreditation. The Sexual Crime Investigations Training Program regularly receives some of the best student critiques of any of the Air Force Office of Special Investigations training course.

An Air Force Office of Special Investigations Operational Psychologist and Sexual Crimes Investigation Consultant provide both classroom instruction and practical training to each Sexual Crime Investigations Training Program class on the cognitive interview technique. This technique is a more open, less direct style of eliciting information, designed to empower victims and improve their ability to provide detailed information. This technique was developed by Dr. Ronald Fisher, a Professor of Psychology at Florida International University, and has proven through years of peer-reviewed scientific research to significantly increase both the quantity and quality of information received from victims and witnesses. Beginning July 2014, the Air Force Office of Special Investigations has incorporated cognitive interviewing into the Basic Special Investigations Course entry-level instruction provided to Air Force Office of Special Investigations agent trainees at the Federal Law Enforcement Training Center in Glynco, Georgia.

Headquarters Air Force Office of Special Investigations staff personnel reviewed the agency's basic and advanced training programs in 2012 to identify opportunities to improve agents' handling of sexual assault cases. The assessment team recommended instructors increase their emphasis on sexual assault investigations in several advanced courses to enhance our investigators' ability to incorporate a variety of advanced skills/techniques in resolving these crimes. The Air Force Office of Special Investigations subsequently expanded the sexual assault-specific blocks of instruction in its Advanced General Crimes Investigation Course from eight to 16 hours. The Advanced General Crimes Investigation Course is a train-the-trainer course for superintendents and criminal investigations branch chiefs. Instruction is geared towards

preparing leaders to supervise investigations and provide on-the-job training to junior agents. This advanced training incorporates the essential task requirements identified in Department of Defense Instruction 5505.18 and incorporates judge advocates, forensic scientists, and clinical psychologists as course instructors. The Air Force Office of Special Investigations also increased the quantity of sexual assault investigations curriculum in its leadership challenge forum for unit leaders.

The Air Force Judge Advocate General's School established the Advanced Sexual Assault Litigation Course in 2013, incorporating course material focused on sexual assault, domestic violence, and child abuse. In order to foster a collaborative approach to special victims' capability investigations and prosecutions, agents and judge advocates jointly attend the Advanced Sexual Assault Litigation Course at The Air Force Judge Advocate General's School. Since the courses inception in 2013, 12 Air Force Office of Special Investigations agents have attended the Advanced Sexual Assault Litigation Course.

Air Force Medical Service Sexual Assault Forensic Exams: The Air Force Medical Service in addition to providing comprehensive medical care to victims also supports them by directly providing or coordinating the completion of a sexual assault forensic examination. In many Air Force locations, highly trained community assets are more readily available. If civilian facilities are used then the Air Force military treatment facility completes a coordinated memorandum of understanding. The minimum initial training requirement for Air Force medical personnel who perform sexual assault forensic exams is attendance at a 40-hour forensic sexual assault examination-training course and five case/mock exams reviewed by a competent sexual assault examiner. To meet annual refresher requirements, personnel who perform sexual assault forensic exams must accurately complete five cases/mock exams a year as reviewed by a competent sexual assault examiner. In addition, Air Force personnel who perform forensic exams must repeat initial training every five years. These high standards in the collection of forensic evidence greatly support the investigatory process. The goal of the Air Force Medical Service is to support the victim while ensuring evidence collection credibility by using the most highly trained available resources, be they in the local community, or through our Air Force trained assets. Trained Sexual Assault Forensic Examiners including Sexual Assault Nurse Examiners are available at all Air Force Emergency Departments.

Process/procedural upgrades and efficiencies

The Air Force Office of Special Investigations is responsible for investigating all rape, sexual assault, non-consensual sodomy, aggravated sexual contact, and abusive sexual contact allegations over which the Air Force has investigative jurisdiction. Numerous changes have been made over the last three years to improve agents' abilities to investigate sexual crimes. The Air Force Office of Special Investigations began leveraging the Department of Defense Inspector General's ability to provide administrative subpoenas in support of criminal cases in 2011. Department of Defense Inspector General subpoenas have since been utilized to obtain evidence in support of multiple sexual assault investigations. Between 2010 and 2013, Headquarters Air

Force Office of Special Investigations purchased and distributed state-of-the-art alternate lighting source equipment to greatly enhance field agents' capabilities to detect the presence of forensic evidence at sexual assault crime scenes, new video cameras and digital single-lens reflex cameras, and crime scene sketching software in support of crime scene processing at 150 units worldwide.

A multitude of improvements were made in 2012. The Air Force Office of Special Investigations' Commander published two notices to Airmen stressing to all agents the importance of conducting thorough and timely investigations into all sexual offense allegations. One of the two notices mandated Air Force Office of Special Investigations seven intermediate headquarters conduct 100% reviews of sex crimes investigations conducted by subordinate units. This requirement was implemented to ensure more attention, planning, and due diligence to sex assault investigations with a focus on urgency and sufficiency. In 2012, Headquarters Air Force Office of Special Investigations began randomly selecting and reviewing between 10 and 15 percent of all criminal investigations closed each month. In 2014, the rate of randomly selected cases was increased to 25 percent. These comprehensive reviews, which include sexual offense investigations, focus on ensuring cases are of high quality. Cases with deficiencies are returned to the appropriate field unit for additional investigative work. Headquarters Air Force Office of Special Investigations' random case review results are briefed monthly to senior Air Force Office of Special Investigations' leaders, including the region commanders responsible for field investigations. Agency senior leaders also receive regular data pertaining to the timeliness of investigations. Case assessment information, together with timeliness data, helps Air Force Office of Special Investigations' commanders maintain the oversight needed to ensure investigations are both high quality and timely.

Headquarters Air Force Office of Special Investigations mandated command-wide use of a newly developed Sexual Assault Investigative Plan Worksheet and Sufficiency Assessment Tool in 2012 to draft written investigative plans. The tool was designed to focus collaboration between agents and military justice judge advocates, as it integrates legal sufficiency (Manual for Courts Martial Articles 120 and 80 elements of proof) with investigative sufficiency (i.e., investigative activities apt to reveal information probative to the elements of the crimes). Headquarters Air Force Office of Special Investigations also increased the number of forensic science consultants/technicians from 14 to 19. The reason for this increase was, in part, to better assist with sexual assault cases. Policy mandates agents contact a forensic science consultant for input on all rape and sexual assault investigations. Headquarters Air Force Office of Special Investigations also developed and fielded new cyber tools in 2012 to enable limited field processing of digital and multimedia evidence. This capability enables agents to image both hard drives and cell phones, quickly collect probative information, and identify additional investigative leads. Once acquired, the Air Force Special Investigations Academy faculty immediately began training entry-level agents on these new cyber tools.

The Air Force Office of Special Investigations established a Forensic Science Consultant position at the United States Army Criminal Investigation Laboratory in 2013 to help facilitate the processing of forensic evidence collected in support of Air Force

investigations. Headquarters Air Force Office of Special Investigations also sought and obtained funding through the Air Staff Installation Support Panel to increase field-level evidence room storage capacity in 2015. This upgrade will enable all units to comply with the National Defense Authorization Act for fiscal year 2012 Section 586 requirement to maintain sexual assault evidence at least five years. The Air Force Office of Special Investigations is purchasing evidence drying chambers in 2014 for 74 field units with significant numbers of sex assault investigations to facilitate the timely and thorough processing of forensic evidence. Drying chambers are used to dry and preserve bloodstained or wet biological evidence.

Best practices/innovations specific to the United States Air Force

The Inspector General, the Judge Advocate General, and the Air Force Office of Special Investigations Commander signed a Memorandum of Agreement in 2009 mandating investigators and trial counsel at every installation work closely on violent crime cases from inception to investigative completion. The requirement to collaborate early and often on all major criminal cases, including sexual assault, domestic violence and child abuse, has since been codified in both Air Force Office of Special Investigations and judge advocate policy instructions. Field units notify their servicing legal office when substantive criminal investigations are initiated. The staff judge advocate then designates an investigative support team as early as practicable in the investigative process. The team is comprised of attorneys, and paralegals when appropriate, who provide legal support to the case agent during the active investigation phase. Staff judge advocates provide initial counsel, coordinate on subject interviews, assist in developing an investigative plan, identify potential criminal offenses for investigation, and compare evidence in the case with the elements of proof for a given offense. The elements of proof are individual facts that must be proven to successfully convict the alleged perpetrator for the crime. The team also reviews and updates the initial proof analysis crafted by trial counsel to address the elements, evidence, anticipated objections, and potential defenses for each specification. The judge advocate assigned to the team will discuss the results of the analysis with the Air Force Office of Special Investigations. As appropriate, investigative support team members or judge advocate staff members attend case review meetings and Air Force Office of Special Investigations personnel attend relevant judge advocate military justice meetings. Within 30 days of the conclusion of trial, the staff judge advocate and members of the trial team conduct case reviews with the Air Force Office of Special Investigations to review lessons learned. Finally, the Sexual Assault Investigations and Operations Consultant and The Judge Advocate General's Corps Special Victims Unit Chief of Policy and Coordination collaborate to help ensure productive integration between the Air Force Office of Special Investigations and judge advocate personnel across the Air Force.

The Air Force has successfully established a worldwide special victim capability over the last three years, primarily comprised of 24 sexual assault investigators and eight special victim unit senior trial counsel. The 24 sexual assault investigators have been stationed at locations with high sexual offense caseloads, where they serve as the Air

Force Office of Special Investigations' primary special victim capability investigators and sexual assault investigation subject-matter experts. To the greatest extent possible, these investigators are the lead agents on sexual assault investigations within their units. All specially designated sexual assault investigators are required to complete the Air Force Office of Special Investigations' Sexual Crime Investigations Training Program within 180 days of assuming their duties.

One of the 24 sexual assault investigator billets has been designated as the Air Force Office of Special Investigations and Operations Consultant Sexual and is located at Joint Base Andrews, Maryland. The individual assigned to this billet is available to provide all Air Force Office of Special Investigations' units with guidance on sexual assault investigation tools, techniques, and best practices. This agent also serves as the command's focal point for special victim capabilities and services and works closely with The Air Force Judge Advocate's Special Victims Unit Chief of Policy and Coordination. This agent may review recently opened, high-interest sexual assault cases to determine whether the owning unit's investigative plan is sufficiently scoped to address all pertinent aspects of the allegation. The agent may also provide detailed advice and on-scene assistance for particularly complicated cases (e.g., those with serial offenders) or especially serious sexual assault allegations. The Air Force Office of Special Investigations has other operational consultants who assist field agents in conducting violent crime investigations, to include sexual assault cases. However, the sexual assault investigation and operations consultant serves as the primary Air Force Office of Special Investigations' subject-matter expert for sexual offenses and focuses his or her field assistance on those investigative activities most likely to result in probative information or evidence for these sexual cases.

Another sexual assault investigator was assigned to the Air Force Special Investigations Academy, Federal Law Enforcement Training Center, and provides both basic and advanced sexual assault investigations training to Air Force Office of Special Investigations and judge advocate personnel. The remaining 22 sexual assault investigators are assigned to units based on the rate of annual sexual assault case openings over the preceding five years, agent manning levels at the supported installations, and investigative timeliness trends at the respective Air Force Office of Special Investigations unit. The installations with assigned sexual assault investigators include Lackland/Randolph AFB, TX (3 agents); Tinker AFB, OK (2 agents); Ramstein AB, Germany (2 agents); Peterson AFB/USAF Academy, CO (2 agents); Eglin AFB/Hurlburt Field, FL (2 agents); Sheppard AFB, TX (1 agent); Keesler AFB, MS (1 agent) Lakenheath AB, United Kingdom (1 agent); Kadena AB, Japan (1 agent); FE Warren AFB, WY (1 agent); Nellis AFB, NV (1 agent); Barksdale AFB, LA (1 agent); Andrews AFB/Bolling AFB/Fort Meade (1 agent); Davis-Monthan AFB, AZ (1 agent); Travis AFB, CA (1 agent) and Minot AFB, ND (1 agent). The locations are adjusted as needed, based upon recent sexual assault case trend. Sexual assault investigators are supported by specialists (psychologists, forensic science consultants, polygraph examiners, criminal analysts, technical services, etc.) assigned to various Air Force Office of Special Investigations specialty centers throughout the world.

The Air Force developed and then became the first service to officially implement the

Joint Sexual Assault Team Concept in 2014. Joint sexual assault teams are a cooperative law enforcement initiative in which special agents and Security Forces investigators serve jointly on adult victim sexual assault investigation teams, working under direct supervision of Air Force Office of Special Investigations agents. These teams are force multipliers when combating sexual assault worldwide. Security Forces investigators assigned to joint sexual assault teams have been attending the Sexual Crime Investigations Training Program. The concept was approved by the Department of Defense Inspector General for adoption by all military services.

Positive trends (qualitative & quantitative)

Headquarters Air Force Office of Special Investigations redoubled its emphasis on the importance of conducting thorough sex crimes investigations to its agents in early 2012. Headquarters Air Force Office of Special Investigations implemented a number of measures to ensure agents met or exceeded both the Department of Defense and the Air Force Office of Special Investigations standards when investigating sexual assault allegations at that time. Specifically, Headquarters Air Force Office of Special Investigations developed a Sexual Assault Investigative Plan Worksheet and Sufficiency Assessment Tool and required its use in all sex crimes investigations, then established the process in the Sexual Crime Investigations Training Program. In addition, Air Force Office of Special Investigations mandated its seven intermediate headquarters conduct 100% reviews of sex crimes investigations conducted by subordinate units, and directed a team at Headquarters Air Force Office of Special Investigations to randomly review between 10% and 15% of the cases closed each month across the command. The focus on investigative thoroughness has paid huge dividends over the last three years.

The Department of Defense Inspector General reviewed a random sample of sexual assault cases closed in 2010 and published a report titled, *Evaluation of the Military Criminal Investigative Organizations Sexual Assault Investigations*, on July 9, 2013. The published report concluded 89% of the investigations reviewed had met or exceeded its investigative standards. In 2013, the Department of Defense Inspector General recently completed a random review of sexual assault cases closed by the Air Force Office of Special Investigations in 2013 but identified none of the cases as having major deficiencies; no cases were returned for additional investigation activity. A direct comparison of the two Department of Defense Inspector General assessments clearly demonstrates an improvement in the quality of the Air Force Office of Special Investigations sexual assault investigations over the last three years. Headquarters Air Force Office of Special Investigations is now emphasizing investigative timeliness without any reduction in the thoroughness and quality of investigations.

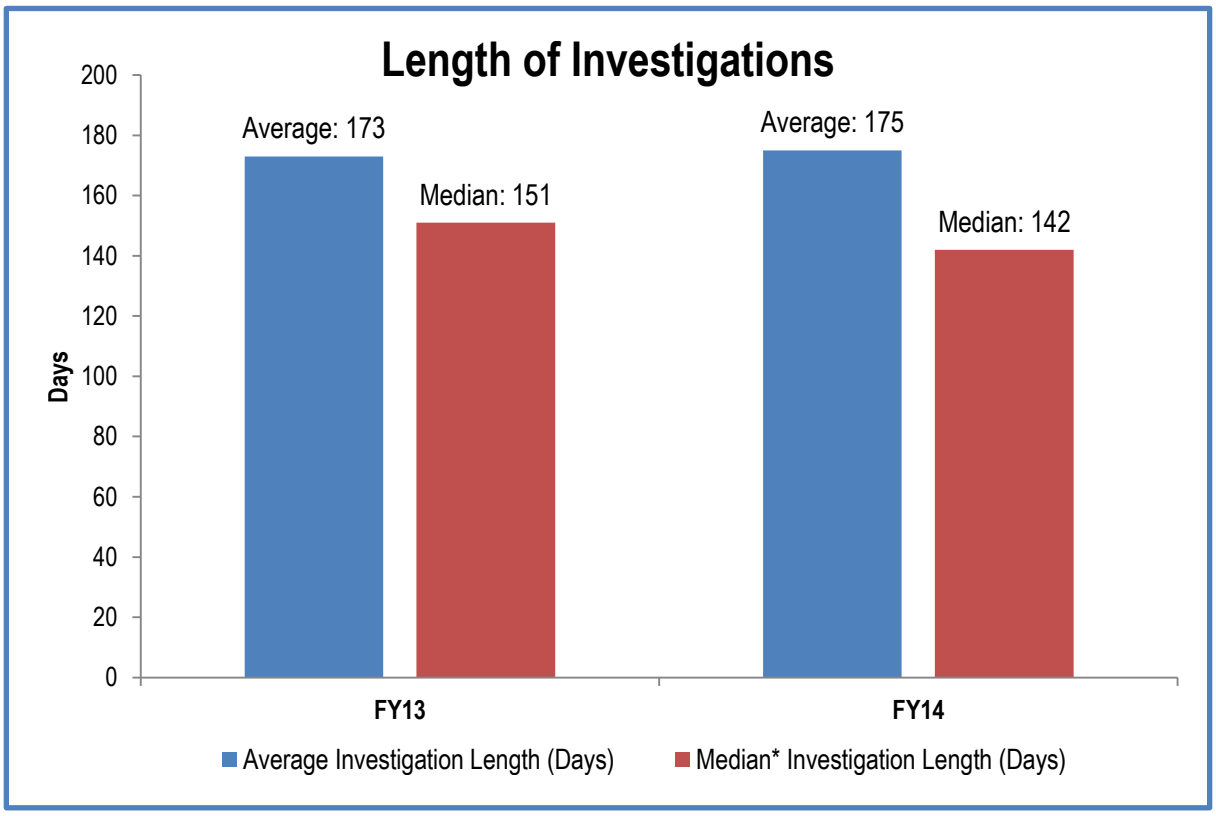


Chart 2.1 – Investigation Length

In 2013, the Air Force began using investigation length to help set expectations for victims of sexual assault. The measurement provides an indication of Air Force resourcing within the response system. It is imperative to note sexual assault investigations are independent and unique from one another, and quality of the investigations remains paramount. However, length of investigation may impact victim participation and command accountability of the accused. Chart 2.1 shows data by fiscal year, which is sourced directly from fiscal year military criminal investigation office reports.

In July 2014, the Commander, Air Force Office of Special Investigations established new expectations and timeliness targets for completing all but the most complex sexual assault cases. These new expectations and targets improved timeliness for adult sex offense investigations to a median of 98 days during September 2014, the first month of measure. This bodes well for fiscal year 2015, a positive indication that future investigations will be both high quality and more timely than in past years.

Defense Equal Opportunity Management Organizational Climate Survey:
This survey is designed to measure command climate and the confidence of Airmen in the appropriate execution of the Sexual Assault Prevention and Response Program. Beginning in January 2014, the Air Force mandated the use of the Defense Equal

Opportunity Management Institute Organizational Climate Survey. Prior to the use of the Defense Equal Opportunity Management Organizational Climate Survey, the Air Force used a Unit Climate Assessment tool to survey and focus on potential equal opportunity and harassment issues within Air Force organizations. In February 2012, the Air Force added six sexual assault questions to the Air Force Unit Climate Assessment. These questions were added because a work environment and/or a commander that permits sexual harassment could create an environment tolerant of sexual assault. Historically, this survey was administered 180 days or more into a commander's command and then every two to three years thereafter. In 2012, the Air Force updated policy to combat sexual assault and began fielding the survey to unit members within 120 days of a commander assuming command of a new unit and annually thereafter. The results from these surveys are not only provided to the commander, but also to members under the commander's command and the commander's leadership. Since the surveys are completed annually, commanders are able to identify improvement areas and issues that need to be addressed during their tenure.

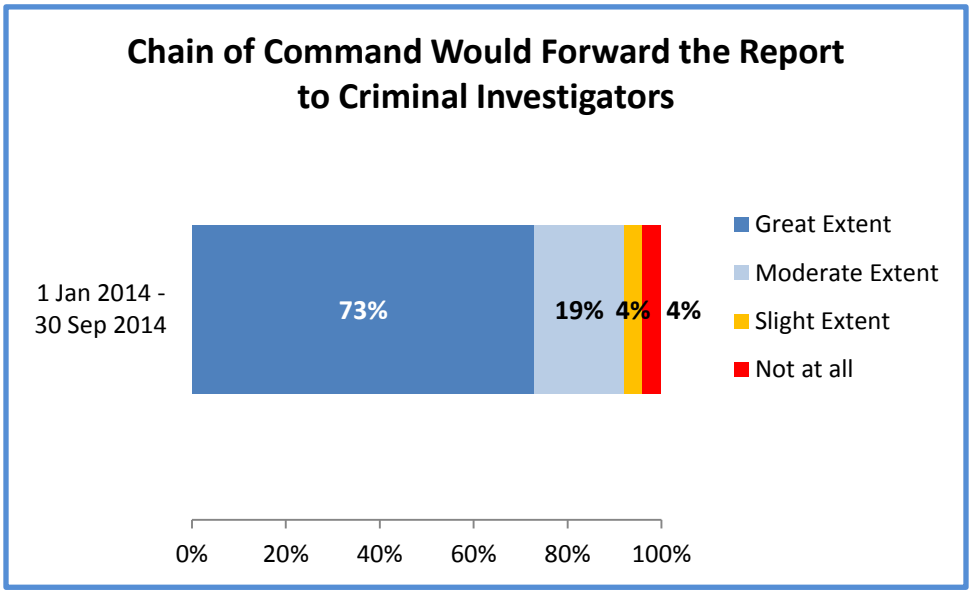


Chart 2.2 – Responses to Chain of Command Would Forward a Sexual Assault Report to Criminal Investigators

The responses to this question on the Defense Equal Opportunity Management Institute Organizational Climate Survey suggest that approximately 92% of Airmen trust that their chain of command would forward sexual assault reports to criminal investigators. 8% of Airmen believed their chain of command would make either a "slight" or "no effort at all" in forwarding reports to criminal investigators. Maintaining this confidence is important in order to give Airmen who wish to make an unrestricted report confidence in the investigation and accountability process.

3. LINE OF EFFORT 3 – ACCOUNTABILITY

Overview: Holding offenders appropriately accountable is the objective in the accountability line of effort. Over the last three years, the Air Force has provided a fair and equitable system of accountability. The system promotes justice, assists in maintaining good order and discipline, and promotes efficiency and effectiveness in the military establishment, thereby strengthening national security. Commanders are a critical part of this justice system. The Air Force innovated enhancements to the capacity within the special victims capability, providing specially trained attorneys, victim witness assistance personnel, domestic abuse and sexual assault victim advocates, and paralegals. The special victim capability is comprised of a distinct, recognizable group of professionals who collaborate to ensure effective, timely, responsive worldwide victim support, and a capability to investigate and address sexual assault offenses in order to hold perpetrators appropriately accountable.

Populations Affected: Commanders, Office of the Judge Advocate General, Special Victim Unit - Senior Trial Counsel, Special Victims' Counsel, Other First Responders

Commanders: Commanders at all levels are responsible for good order and discipline within their units, holding perpetrators appropriately accountable for their actions, and establishing a climate within the unit that does not tolerate sexual harassment and other behaviors that have the potential to give rise to sexual assault.

A subset of commanders is special and general court-martial convening authorities. These are senior commanders who have the authority to convene courts-martial. On June 17, 2013, the acting Secretary of the Air Force directed that special court-martial convening authorities provide their general court-martial convening authority (in the grade of brigadier general or higher) written notice of the initial disposition action taken within 30 days of taking such action in all cases involving rape, sexual assault, forcible sodomy, and attempts thereof under Articles 120(a), 120(b), 125, and 80 respectively of the Uniform Code of Military Justice. This policy ensures general court-martial convening authorities are notified of the initial disposition of these cases by their subordinate commanders.

Office of The Judge Advocate General: The Judge Advocate General of the Air Force is responsible for the legal training and assignment of all judge advocates and paralegals in the Air Force. The Judge Advocate General establishes training programs for sexual assault litigation and prioritizes resources to ensure such training is widely available, as appropriate. In January 2013, the Air Force Special Victims' Counsel Program was established at the Judge Advocate General's direction.

Special Victim Unit – Senior Trial Counsel: Initially established in fiscal year 2012, special victim unit senior trial counsel are specially trained, experienced prosecutors responsible for prosecuting special victim crimes, such as sexual assault, domestic violence offenses, and crimes against children. These judge advocates prosecute or

assist with the prosecution of special victim cases and provide advisory support to Air Force Office of Special Investigations sexual assault investigators.

Special Victims' Counsel: Special victims' counsel are Active Duty judge advocates who provide legal assistance and representation to sexual assault victims who are eligible for military legal assistance. Special victims' counsel represent victims in an attorney-client privileged relationship throughout the investigation and military justice processes.

In January 2013, the Air Force began offering special victims' counsel to adult sexual assault victims who were eligible for military legal assistance. This pilot program was later expanded to the other military services through a Secretary of Defense directive. In June 2014, the Air Force Special Victims' Counsel Program expanded to include representation of child victims of sexual assault who are eligible for military legal assistance.

Other First Responders: The actions of first responders play a vitally important role in the Air Force's ability to hold offenders appropriately accountable. First responders to a sexual assault can be judge advocates, sexual assault response coordinators, victim advocates, healthcare personnel, criminal investigators, Security Forces law enforcement personnel, chaplains, firefighters, emergency medical personnel, Victim Witness Assistance Program personnel, and commanders. First responders receive annual training to ensure they are prepared to act when faced with a sexual assault allegation.

Training Enhancements

Since the inception of the Sexual Assault Prevention and Response Program, the Judge Advocate General's Corps began incorporating sexual assault-based training into the Judge Advocate General's School curriculum. In fiscal year 2012, the school, located at Maxwell Air Force Base, Alabama increased the number and type of training opportunities involving sexual assault litigation. During that period, the training has evolved both in scope and target audience. The school has included sexual-assault case scenarios at the initial training all new Air Force judge advocates receive to ensure they are exposed to sexual-assault litigation issues from the very outset of their military careers. The Judge Advocate General's School has also introduced the Advanced Sexual Assault Litigation Course, which - in conjunction with the Intermediate Sexual Assault Litigation Course - provides judge advocates with opportunities to sharpen their skills in this complex field of practice. The school has also expanded the population it serves by training special victims' counsel - both from the Air Force and sister services - and Air Force Office of Special Investigations investigators. Additionally, fiscal year 2014 saw the introduction of specialized training for Victim Witness Assistance Program personnel and the introduction of specialized, targeted training for special victims' counsel on topics related to representing child victims of sexual assault.

Even prior to fiscal year 2012, The Judge Advocate General made training in the area of

sexual assault litigation a top priority. In addition to the increasing number of in-residence courses, a number of distance education courses and webinars were added in 2014, which were designed to quickly provide information on sexual assault topics and changes in the law to attorneys and paralegals in the field.

Attorney and/or Paralegal Training: For attorneys, the Air Force litigation-training roadmap begins with foundational courses offered by The Judge Advocate General's School and continues with advanced litigation and military justice courses for judge advocates responsible for courtroom litigation. These courses include the ones described below.

Judge Advocate Staff Officer Orientation Course: As they begin their careers in the Air Force, all judge advocates must attend this initial nine-week training course, taught at The Judge Advocate General's School at Maxwell Air Force Base, Alabama. Last year, 152 judge advocates took this course upon their entry into The Judge Advocate General's Corps. The Judge Advocate Staff Officer Orientation Course provides 130 hours of military justice instruction, including a court-martial case scenario based on a sexual assault case. A judge advocate must graduate from the Judge Advocate Staff Officer Orientation Course, serve effectively as a trial counsel, and be recommended by his or her Staff Judge Advocate and a military judge in order to become certified as trial and defense counsel. Judge advocates cannot sit alone or as lead counsel on a general court-martial or serve as defense counsel until they are certified. The Judge Advocate Staff Officer Orientation Course provides new judge advocates trial advocacy experience in realistic courtroom-based exercises.

Trial and Defense Advocacy Course: This is a two-week course taught at The Judge Advocate General's School that allows judge advocates to develop their trial advocacy skills through practical demonstrations and moot court exercises. Experts from both within and outside the Department of Defense teach students how to overcome the challenges of litigating sexual assault cases, to include addressing a case with an intoxicated victim, working with expert witnesses, and cross-examining an accused. In fiscal year 2014, 25 judge advocates received this vital training.

Training by Reservists in Advocacy and Litigation Skills: The Judge Advocate General's School also provides continuing litigation training through its Training by Reservists in Advocacy and Litigation Skills Program, which visits multiple Air Force legal offices each year providing on-site advocacy training. In fiscal year 2014, training was held at 5 bases, honing the skills of 25 judge advocates. The Training by Reservists in Advocacy and Litigation Skills Team is comprised of experienced Reserve judge advocates, The Judge Advocate General's School faculty members, and a sitting military judge. The team offers a two and one half-day intensive advocacy training program using a fact pattern involving a sexual assault case.

Intermediate Sexual Assault Litigation Course: This one-week course is taught several times each year at the Judge Advocate General's School and at various base locations throughout the world. In fiscal year 2014, 33 judge advocates attended this

training. This course provides trial and defense counsel and special victims' counsel updates on: evolving aspects of military trial practice; practical lessons on securing and using evidence and experts; litigating Military Rule of Evidence 412 "rape shield" provisions and exceptions, Military Rule of Evidence 513 psychotherapist-patient privilege, and Military Rule of Evidence 514 victim advocate-victim privilege; and courtroom skills practice for sexual assault cases. A forensic psychologist teaches a block of instruction to prosecutors, and one to defense counsel. Students hear from senior leaders, receive instruction from experienced litigators, and network with other counsel.

Advanced Sexual Assault Litigation Course: This one-week course, initially introduced in fiscal year 2013, is offered to special victims' unit senior trial counsel and senior defense counsel and includes Air Force Office of Special Investigations agents who have been designated to investigate sexual assault cases. This course fosters a collaborative approach to special victims' capability investigations and prosecutions with its joint approach to training. Training focuses on use of expert witnesses at trial, the victim interview process and victim testimony at trial, and overarching concepts related to sexual assault investigations. The Judge Advocate General's School brings in two forensic psychologists for this course and a full day of instruction is dedicated to this topic with students conducting mock direct and cross-examinations of the experts. Similarly, one day of instruction is dedicated to sexual assault nurse examiners, and two forensic sexual assault nurse examiners provide instruction, with students conducting mock direct and cross-examinations of the experts.

This course saw the addition of special victims' counsel as participants in the curriculum, with more participating in fiscal year 2014. In fiscal year 2014, 60 special victims unit senior trial counsel, 54 senior defense counsel, and 50 special victims' counsel attended this training.

Sex Crimes Investigation Training Program: Judge advocates attend the eight-day Sex Crimes Investigation Training Program jointly with Air Force Office of Special Investigations agents at the Federal Law Enforcement Training Center at Glynco, Georgia. This course was originally developed by the Air Force Office of Special Investigations in fiscal year 2012, but has evolved through fiscal years 2013 and 2014 to now include both Air Force Office of Special investigators and judge advocates. This course provides Air Force Office of Special Investigations agents and judge advocates training on cognitive biases in sexual assault cases, the psychology of victims and offenders, advanced victim and suspect interviewing techniques, advanced crime scene processing, information related to drug and alcohol facilitated sexual assaults, working with sexual assault nurse examiners, working with sexual assault response coordinators, and working with special victims' counsel.

In fiscal year 2013, approximately 30 judge advocates attended three Sexual Crimes Investigations Training Program courses. This level of attendance continued in fiscal year 2014. Joint Judge Advocate/Air Force Office of Special Investigations attendance at this course has led to better communication between investigators and judge

advocates.

The Military Justice Administration Course: This one-week course provides training in the management of base legal offices' military justice sections to judge advocates and paralegals who are currently or soon will be the Chief of Military Justice (attorney) or the Non-commissioned Officer in Charge of Military Justice (paralegal). In fiscal year 2014, 149 students learned to manage a base level military justice section, including how to administratively process a case from initial stages of investigation through post-trial. Since at least 2010, the course has included components of sexual assault education including understanding the role of Sexual Assault Prevention and Response, Special Victims' Counsel roles, Article 120 updates and Office of Special Investigations and Judge Advocate coordination.

The Staff Judge Advocate Course: This two-week course provides a refresher in military law and a study of Air Force leadership principles for judge advocates who are newly assigned to staff judge advocate positions. This course is designed to facilitate the transition of judge advocates to the position of staff judge advocate - the senior legal advisor to Air Force commanders, most of whom serve as either special or general court-martial convening authorities.

Other Courses: The Judge Advocate General's School periodically offers webcasts and distance education modules on sexual assault topics available to all judge advocates and paralegals. This technology allows The Judge Advocate General's School to train the entire Judge Advocate General's Corps on changes in the law and updates relevant legal issues almost immediately after the changes are put into effect. Recent training topics offered in 2014 include a special victims' counsel update on child representation, annual response responder training, prosecuting sexual assault cases, expert witnesses, a webcast on navigating Article 120, Uniform Code of Military Justice, and an appellate update.

In addition to the courses discussed above, a number of trial counsel and senior trial counsel take advantage of the advanced training courses offered by the other military departments. Examples include the Navy's Prosecuting Alcohol-Facilitated Sexual Assault Course, and the Army's Special Victims Unit Investigations Course. Additionally, trial counsel at all levels endeavor to take advantage of training offered by non-federal entities such as the National District Attorney's Association Prosecution of Sexual Assault Course. In addition, a few each year attend in-residence and distance-learning courses offered by AEQuitas, which is an organization receiving funding from the U.S. Department of Justice, Office on Violence Against Women. Special victims unit senior trial counsel maximize training costs by cross-pollenating their expertise and providing on-site sexual assault litigation training to junior trial counsel while assisting with prosecution of sexual assault cases at the base level. Special victims' unit senior trial counsel are also available for reach-back support to base level trial counsel.

The Special Victims' Counsel Course is a one-week Judge Advocate Generals' School Course, first offered in fiscal year 2013, which provides training to special victims'

counsel and special victims' paralegals, who are required to successfully complete the course in order to serve in those positions. The course focuses on unique aspects of being a victim's attorney and specialty areas involved in representation of sexual assault victims specifically. Students receive instruction on: the Special Victims' Counsel Rules of Practice and Procedure; professional responsibility; the Sexual Assault Prevention and Response Program; the Victim and Witness Assistance Program; Military Rule of Evidence 412 "rape shield" provisions and exceptions, Military Rule of Evidence 513 psychotherapist-patient privilege, and Military Rule of Evidence 514 victim advocate-victim privilege; access to information; and representing victims facing ancillary disciplinary matters. Two key parts of the curriculum are the advocacy exercises that require special victims' counsel to conduct an intake interview with a mock client and to argue Military Rules of Evidence 412 or 513 motions on behalf of a mock client. Training is provided by The Judge Advocate General's School personnel, as well as outside experts on victims' rights. The latest iteration of the course also included a panel of survivors who had been represented by Special Victims' Counsel. This training at the Air Force Judge Advocate General's School is provided to special victims' counsel from all military services.

The Special Victims' Counsel Program expanded to represent eligible dependent child victims of sexual assault on June 24, 2014. Training for "child-certified" special victims' counsel included a separate two-day in-depth training course at The Judge Advocate General's School taught by experts affiliated with the National Children's Advocacy Center, focusing on child forensic interviewing, using age appropriate communication, an overview of state dependency and neglect process, and resolving ethical conflicts.

In addition to the formal courses discussed above, special victims' counsel training is continuously supplemented through internal training, other formal courses within the Air Force, and with external training opportunities such as the International Conference on Sexual Assault, Domestic Violence, and Trafficking; the Crime Victim Law Conference; the National Sexual Assault Conference; and the National Symposium on Child Abuse.

Victim and Witness Assistance Program Training: Currently judge advocates and paralegals receive Victim and Witness Assistance Program training through their respective military justice courses. In fiscal year 2013, The Judge Advocate General's School began developing a Victim and Witness Assistance Program distance education course due to go online in September 2014. This five-week course focuses on the following: teaching Victim and Witness Assistance Program representatives how to discuss the military justice process with victims; enhances students' understanding of the neurobiology of trauma and counterintuitive behavior; helps students understand their role in the special victim capability; and helps ensure every victim liaison is familiar with Air Force and civilian resources available to crime victims. The training will supplement first responder training, as required by the fiscal year 2012 National Defense Authorization Act. The Victim and Witness Assistance Program distance education course will be offered multiple times a year, enhancing the installation level training and reach-back support for judge advocates and paralegals who serve as victim liaisons in base legal offices so that they will be prepared to support victims throughout

the military justice process. Additionally, the Victim and Witness Assistance Program will work with Sexual Assault Prevention and Response and Family Advocacy Program personnel and special victims' counsel to help ensure victims have access to the support and resources they need as they move through the military justice process and work towards recovery.

First Responder Training: The Judge Advocate General's School provides annual training for judge advocates, Victim and Witness Assistance Program personnel, legal assistance attorneys, and trial counsel. This training is mandatory for all Active Duty and Reserve judge advocates who provide military justice advice, legal assistance, or who serve as trial counsel; Active Duty and Reserve paralegals that provide legal assistance support or directly contribute to a Victim and Witness Assistance Program; and civilian employees who work in military justice, legal assistance, or contribute to a Victim and Witness Assistance Program.

To effectively accomplish this training, The Judge Advocate General's School created a two-part distance learning course. The first part of this course covers reporting options, the roles of the sexual assault response coordinator, victim advocate, special victims' counsel, Case Management Group, Military Rule of Evidence 514, deployment issues, the Victim and Witness Assistance Program, investigations, sex offender registration, and commander actions. The second part covers the prosecution of sexual assault cases and discusses topics such as drug and alcohol facilitated sexual assault, rules of evidence and evolving case law, victim privacy matters, and working with special victims' counsel.

Military Judges' Training: The Army conducts the Military Judge Course. Once selected, military judges from all military services attend the three-week Military Judge Course at The United States Army Judge Advocate General's Legal Center and School, Charlottesville, Virginia. All military judges must complete this course before they can be certified as military judges. Moreover, all Air Force judges returning to the bench from another assignment must take the entire course again. This course covers judicial philosophy, case management, specific case scenarios, and relevant updates to ensure rapid implementation of National Defense Authorization Act and Executive Order requirements. The course includes substantive criminal law and procedure, practical exercises, and scenarios focused on factors to consider in reaching an appropriate sentence. The course emphasizes sexual assault issues and scenarios are designed around a sexual assault case.

Joint Military Judge's Annual Training: This one-week course brings together military trial judges from all military services to review recent developments in military criminal law and discuss the most effective techniques of judicial management. Seminar topics include discussion and analysis of the judge's responsibilities at trial, courtroom procedures, Military Rules of Evidence, and recent court decisions and changes in the law impacting military justice practice.

Other Training of Judge Advocate General Corps Personnel: The Judge Advocate

General conducted a two-day Sexual Assault Prevention and Response Summit in December 2013 at Maxwell-Gunter Annex, Alabama. The training included every staff judge advocate and senior Judge Advocate General's Corps leader in the Air Force, to include the acting Air Force General Counsel and members of his staff. At this summit, experts from the civilian and military sexual assault prevention and response communities educated Judge Advocate General's Corps leaders on victim care, victim legal issues, the neurobiology of trauma, cognitive interviewing biases, the current status of the Air Force Sexual Assault Prevention and Response Program, civilian victim care laws, and policy changes impacting military justice practice and the processing of sexual assault cases.

Process/procedural upgrades and efficiencies

Fiscal year 2012 saw the introduction of two innovations in sexual assault investigations and prosecutions: the passage of Military Rule of Evidence 514 and implementation of the Special Victims' Counsel Program. Military Rule of Evidence 514, the Victim Advocate-Victim Privilege, provided additional protections to victims by granting an evidentiary privilege to confidential communications victims make to their victim advocate. This privilege gives victims the ability to have confidential communications with a victim advocate throughout the investigation and military justice process of a case. Prior to this rule, victim advocates had to tailor their interaction with victims to minimize the chance the victim advocate would be called to testify about things the victim said to the advocate. As a result, victims did not have the ability to have full, candid discussions with victim advocates, resulting in frustration and feelings of isolation on the part of victims. With Military Rule of Evidence 514 in place, victims have an improved support structure, contributing to victim decisions to remain engaged in the legal justice process.

While Air Force judge advocates and Air Force Office of Special Investigations agents had already developed collaborative working relationships prior to fiscal year 2012, the introduction of the special victim capability formalized these relationships to a greater extent, leading to more open communication between The Judge Advocate General's Corps and the Air Force Office of Special Investigations. This capability also focused on identifying and training specialists with expertise in investigating and prosecuting sexual assault cases where appropriate.

In fiscal year 2013, the Air Force introduced the Special Victims' Counsel Program; which many consider to be one of the most significant advancements in the area of victim support. This program, described more in depth below, gives sexual assault victims a voice, and enables judge advocates to assert their clients' rights both in and out of court. This program expanded in fiscal year 2014 to include child victims of sexual assault in accordance with the fiscal year 2014 National Defense Authorization Act.

More recently, the Air Force has increased the ability of the victims to provide input at clemency by providing victim impact statements for convening authority consideration,

required heightened command oversight in sexual assault cases, and ensured commanders understand their responsibility for unit climate

Military Rule of Evidence 514, Victim Advocate-Victim Privilege: In December 2011, the President signed Executive Order 13593, amending the Manual for Courts-Martial to add Military Rule of Evidence 514, Victim Advocate-Victim Privilege, in cases arising under the Uniform Code of Military Justice. This Military Rule of Evidence provides that a victim has a privilege to refuse to disclose and to prevent any other person from disclosing a confidential communication made between the victim and a victim advocate, in a case arising under the Uniform Code of Military Justice, if such communication was made for the purpose of facilitating advice or supportive assistance to the victim. The Air Force teaches a block of instruction on Military Rule of Evidence 514 at the Air Force Sexual Assault Response Coordinator Course, which is required for all new sexual assault response coordinators, deputy/assistant sexual assault response coordinators, and full-time victim advocates. Military Rule of Evidence 514 issues are also taught at judge advocate training courses, as noted in the training enhancements section. The implementation of Military Rule of Evidence 514 facilitated more open discussion between sexual assault victims and their victim advocates. Communications between victims and their Special Victims' Counsel are covered under a different evidentiary privilege, Military Rule of Evidence 502, Lawyer-client privilege.

Special Victim Capability: The Air Force began developing its special victim capability in fiscal year 2012, increasing collaboration between the Air Force Office of Special Investigations and the Judge Advocate General's Corps in the investigation and prosecution of sexual assault cases. In fiscal year 2012, the Air Force Office of Special Investigations and the Judge Advocate General's Corps established a new reach-back capability located at Joint Base Andrews, Maryland, which routinely consults with investigators and judge advocates at the installation level on sexual assault cases. This reach-back capability consists of the Air Force Office of Special Investigations' Sexual Assault Investigations and Operations Consultant and the Special Victims Unit-Senior Trial Counsel Chief of Policy and Coordination and provides assistance on particularly difficult or high interest sexual assault cases.

Special Victims Unit-Senior Trial Counsel: All Air Force judge advocates receive significant trial advocacy training and preparatory moot court experience during the Judge Advocate Staff Officer Course, the initial training course to become judge advocates. To become certified as trial and defense counsel, judge advocates must graduate from the course, serve effectively as trial or assistant trial counsel at courts-martial, and be recommended for certification by his or her supervisory staff judge advocate and by a military judge.

These counsel specialize in prosecuting complex cases and typically serve in the position for a three-year period in which their responsibilities entail assisting local counsel with reviewing evidence and drafting charges, consulting with investigators, and serving as lead counsel in court. There are currently 17 Senior Trial Counsel postured

around the world to provide expert litigation support.

In fiscal year 2012, The Judge Advocate General's Corps established a special victims unit within the senior trial counsel cadre (referred to as special victims unit senior trial counsel). Of 17 senior trial counsel, a team of seven is part of the special victims unit senior trial counsel, specializing in the prosecution of particularly complex cases such as sexual assaults, crimes against children, and homicides. Two of these judge advocates serve additional roles. One acts as a liaison to the Defense Computer Forensics Laboratory, ensuring expeditious analysis of forensic evidence and providing expert consultation to base level trial counsel on issues of digital evidence. The other, the Chief of Policy and Coordination, liaises with Headquarters Office of Special Investigations to improve judge advocate - investigator teaming at the headquarters and base level; provide expert reach-back capability to local judge advocate offices prosecuting cases; and provide training to judge advocates in all aspects of sexual assault prosecution.

The Chief, Government Trial and Appellate Counsel Division makes the final decision as to which senior trial counsel will be designated as a special victims unit senior trial counsel, taking into account completion of one year as either a senior trial or senior defense counsel. Additionally, selection requires attendance at two or more advanced litigation skills-focused courses, specialized training in prosecuting sexual assaults, and demonstrated ability to prosecute a variety of sexual assault and/or complex cases.

Integration of the Air Force Office of Special Investigations and Judge Advocate Capabilities: At the installation level, Air Force Office of Special Investigations investigators and trial counsel work together from the start of a case through completion. Although general requirements for judge advocate and investigator coordination are found in Air Force Instruction 51-201*, Administration of Military Justice*, staff judge advocates at the installation level develop local procedures with their servicing Air Force Office of Special Investigations detachment commander to coordinate with agents as early as possible in the investigative stages of a case. The Air Force Office of Special Investigations notifies the legal office when criminal investigations are initiated. As soon as practicable after being notified of an open investigation, the Staff Judge Advocate designates an investigative support team, composed of an attorney and paralegal, when appropriate, to provide initial counsel to the Air Force Office of Special Investigations case agent on the new investigation. The Air Force Office of Special Investigations briefs the designated judge advocate on initial investigative steps.

The collaborative process continues during the development of an investigative plan and the investigative support team works with the Air Force Office of Special Investigations case agent in identifying potential criminal offenses for investigation and comparing evidence in the case with the elements of proof for a given offense. The judge advocate also coordinates with the Air Force Office of Special Investigations case agent on subject interviews.

As appropriate, investigative support team members or judge advocate staff members attend the Air Force Office of Special Investigations case review meetings and the investigators attend relevant judge advocate military justice meetings. The investigative support team reviews and updates the initial proof analysis crafted by trial counsel to address the elements of suspected offenses, evidence, anticipated objections, and potential defenses for each specification. The judge advocate assigned to the team will discuss the results of the analysis with the Air Force Office of Special Investigations case agents.

Within 30 days of the conclusion of trial, the Staff Judge Advocate and members of the trial team conduct case reviews with the Air Force Office of Special Investigations case agents to review lessons learned. This local process is facilitated by the Air Force special victim reach-back capability located at Joint Base Andrews, Maryland. This team consists of Air Force Office of Special Investigations' Sexual Assault Investigation and Operations Consultant and the Judge Advocate General's Corps Special Victims Unit Chief of Policy and Coordination. These two positions collaborate to ensure productive integration between the Air Force Office of Special Investigations and judge advocate personnel working at the base level. The Air Force Office of Special Investigations and judge advocates use the reach-back capability as needed to access specific expertise.

Paralegal Support Personnel: Air Force special victim capability paralegal support personnel are selected from assigned legal personnel by the local Staff Judge Advocate. Special victim capability paralegals provide support to special victim units and trial counsel in all sexual assault cases arising in their jurisdiction. Paralegals selected for special victim capability duties have completed the nine-week Paralegal Apprentice Course and/or the 11-week Paralegal Craftsman Course at The Judge Advocate General's School. These intensive courses are designed to prepare paralegals to provide military justice support, while providing them additional training in legal research and writing, as well as witness interviewing skills. In addition to these courses' training requirements, paralegals who are selected to serve as a non-commissioned officer in charge of a military justice section in a base legal office will also attend the Military Justice Administration Course offered at The Judge Advocate General's School.

Paralegals may also receive distance education and on-the-job training on topics such as post-traumatic stress disorder, counterintuitive behavior, sex offender registration, expedited transfer, Department of Defense victim service standards, rights of crime victims, victim support agencies, the Sexual Assault Prevention and Response Program, and sexual assault response coordinator and sexual assault prevention and response victim advocate privileges. Paralegals assigned to special victim capability positions are capable of providing a full spectrum of pretrial and trial support for the special victims unit senior trial counsel, including interviewing witnesses, preparing courts-martial documents, drafting charges and specifications, managing military justice actions, providing technical and administrative support, and recording and transcribing judicial and administrative proceedings and investigations, as required. Paralegals also

facilitate witness and court member appearance, and coordinate and provide logistical support for all legal proceedings and hearings.

Victim and Witness Assistance Program Personnel: Each base legal office has a Victim and Witness Assistance Program Coordinator and at least one victim witness liaison appointed by the Staff Judge Advocate to assist victims during the military justice process. The victim liaison assigned to the victim case will be a member of the special victim capability for purposes of that case.

Currently, judge advocates and paralegals receive Victim and Witness Assistance Program training through the respective military justice courses they attend. However, as noted in the training enhancements section, the Air Force Judge Advocate General's School will begin offering a five-week distance education course for Victim and Witness Assistance Program personnel beginning in September 2014. The curriculum for this course includes specialized training in working with victims of sexual assault.

Special Victims' Counsel - Program Development: On January 28, 2013, the Air Force established the federal government's first, large-scale Special Victims' Counsel Program as a pilot program for the Department of Defense to provide independent judge advocates to represent sexual assault victims eligible for legal assistance under 10 United States Code sections 1044 and 1565b, since statutorily required by the fiscal year 2014 National Defense Authorization Act under 10 United States Code section 1044e. The Air Force Judge Advocate General directed the creation of the Special Victims' Counsel Program to provide legal assistance to victims of sexual assault, help them better understand the investigation and legal process, ensure their rights are protected, and their voices heard.

On June 1, 2013, the Special Victims' Counsel Program transitioned from 60 judge advocates serving as part-time special victims' counsel, to 24 judge advocates serving as full-time special victims' counsel under an independent chain of command in the Air Force Legal Operations Agency, Special Victims' Counsel Division.

On August 14, 2013, the Secretary of Defense directed the Secretaries of the Military Departments to "establish a special victim's advocacy program best suited for that Service that provides legal advice and representation to the victim throughout the justice process." The Air Force's Special Victims' Counsel Program was already in full compliance with that directive and had been since its inception in January 2013.

Under the provisions of the fiscal year 2014 National Defense Authorization Act, beginning June 24, 2014, the Special Victims' Counsel Program began representing child victims of sexual assault who are eligible to receive military legal assistance.

As of summer 2014, the Division now includes a headquarters staff with a colonel division chief, a General Schedule-14 associate chief, a Master Sergeant Special Victims' Paralegal Manager; and 28 special victims' counsel and 10 special victims' paralegals at 19 locations worldwide. Since the program's inception, special victims'

counsel have represented more than 1000 eligible victims of sexual assault.

To measure the effectiveness of the Special Victims' Counsel Program, in March 2013 the Air Force began offering clients whose case had concluded an anonymous Victim Impact Survey. Over the 18 months that the survey has been used, the results show that an overwhelming majority (91% of those responding) are "extremely satisfied" with the advice and support of the special victims' counsel during the Article 32 hearing and court-martial process. Of the remainder, eight percent were "satisfied" and one percent was "dissatisfied." Ninety-eight percent of those surveyed would recommend other victims request a special victims' counsel.

Guidance Documents: The Special Victims' Counsel Rules of Practice and Procedure, Charter, and Air Force Guidance Memorandum to Air Force Instruction 51-504, *Legal Assistance, Notary, and Preventive Law Program,* support and guide Special Victims' Counsel Program implementation. Moreover, these documents were updated to reflect fiscal year 2014 National Defense Authorization Act changes covering representation of child victims of sexual assault.

Notifying Victims of the Availability of Special Victims' Counsel Services: The first individual to make contact with the victim, such as a sexual assault response coordinator, victim advocate, family advocacy representative, investigator, Victim Witness Assistance Program liaison or trial counsel, is required to inform the victim of the availability of special victims' counsel services using a modified version of the Department of Defense Form 2701, *Initial Information for Victims/Witnesses of Crime*. Victims may contact a special victims' counsel directly or may request special victims' counsel representation from any of the agencies noted above.

Scope of Special Victims' Counsel Services: Special victims' counsel provide holistic legal representation to victims, ranging from advising victims on all aspects of the military justice process to traditional legal assistance. The special victims' counsel's role includes: advocacy to participants in the military justice process, including commanders and convening authorities; attending interviews with investigators, trial counsel, and defense counsel; providing in-court representation; representing victims on collateral misconduct issues; advocacy to other Air Force and Department of Defense agencies as appropriate; and advocacy to civilian prosecutors and agencies. Special Victims' Counsel may not formally appear civilian court proceedings because although they are licensed attorneys, they are frequently not licensed in the jurisdiction in which they are stationed with the Air Force. However, they may advocate to civilian prosecutors and law enforcement agencies on their clients' behalf.

Eligibility for Special Victims' Counsel Representation: Victims of sexual assault, stalking, and other sexual misconduct are eligible for special victims' counsel representation based on authorization to provide legal assistance under 10 United States Code sections 1044, 1044e, and 1565b.

- Air Force members (Active Duty and Reserve/Guard in Title 10 status at

time of offense) (note: additional eligibility for Reserve component members is being developed).

- Dependents of Air Force members if the alleged perpetrator is a military member subject to the Uniform Code of Military Justice.

- Other service members and their dependents if the alleged perpetrator is a military member subject to the Uniform Code of Military Justice (individuals will be referred to their respective service's special victims' counsel or Victims Legal Counsel Programs).

- Other categories eligible for legal assistance from the Air Force (e.g., retirees and others listed in 10 United States Code section 1044) if the alleged perpetrator is a military member subject to the Uniform Code of Military Justice.

Coordination between the Services: The Special Victims' Counsel Program chiefs/managers of all the military services regularly communicate/coordinate with one another via email, telephone, and face-to-face meetings to discuss special victims' counsel issues, exchange lessons learned, and share best practices. The Air Force provided the other services with lessons learned, subject matter expertise, its rules of practice and procedure, and standard document templates, as they stood up their respective programs. The services' special victims' counsel and victims' legal counsel chiefs/program managers collaborate on potential appellate issues and extend opportunities for each program to file amicus briefs in support of a particular issue. On a more formal basis, the chiefs/program managers meet monthly to address Special Victims' Counsel Program issues of common applicability, to include forming a working group to develop the framework for child representation. Individual special victims' counsel at the installation level routinely collaborate with special victims' counsel/victims' legal counsel from the other services who also serve within their geographic region. The Air Force hosted two Joint Service Special Victims' Counsel/Victims' Legal Counsel Training Courses to train personnel from the Navy, Marine Corps, Army, Air National Guard, and Coast Guard. Air Force special victims' counsels have also provided training at the Army's Special Victims' Counsel Course and shared lessons learned.

Victim Impact Statements in Clemency: On June 6, 2013, Air Force Instruction 51-201, *Administration of Military Justice*, was updated to require that the convening authority's staff judge advocate provide a letter to the victim inviting them to provide input as to whether the convening authority should approve or disapprove court-martial findings and sentence or grant clemency. This requirement has greatly increased the convening authority's visibility on the victim desires on matters of clemency giving the victim a voice in this determination. Congress legislated this requirement as part of the fiscal year 2014 National Defense Authorization Act through an amendment to Article 60, Uniform Code of Military Justice. On June 13, 2014 the President signed Executive

Order 13669 adding a new Rule for Court-Martial 1105A to implement the amendment to Article 60 pertaining to victim impact statements at clemency. Air Force Instruction 51-201, *Administration of Military Justice*, was then further updated on September 25, 2014 to incorporate this change and the slight changes the National Defense Authorization Act and Rule for Court-Martial 1105A made to the year old Air Force policy.

Article 32 Investigating Officers: Since the 1980s, as a matter of custom, the Air Force has exclusively utilized judge advocates as Article 32 Investigating Officers. This custom was formalized in Air Force Guidance Memorandum to Air Force Instruction 51-201, *Administration of Military Justice*, on November 25, 2013, as required by a Secretary of Defense directive dated 14 August 2013. The Guidance Memorandum requires investigating officers to be a designated judge advocate. In practice this does not change who is and will be appointed as an investigating officer as the Air Force was already using judge advocates, but it does formalize the Air Force commitment to ensure convening authorities receive thorough and well-reasoned reports in order to make proper disposition decisions. Additionally, amendments to Article 32, Uniform Code of Military Justice, the fiscal year 2014 National Defense Authorization Act required that a judge advocate serve as the preliminary hearing officer whenever practicable.

Command Oversight of Sexual Assault Cases: On June 17, 2013, the acting Secretary of the Air Force directed that, in all cases involving rape under Article 120(a) of the Uniform Code of Military Justice, sexual assault (Article 120(b)), forcible sodomy (Article 125) and attempts to commit those offenses (Article 80), the special court-martial convening authority is required to provide the general court-martial convening authority (in the grade of brigadier general or higher) written notice of the initial disposition action taken within 30 days of taking such action. This notification increases the visibility of actions taken on sexual assault offenses by ensuring the general court-martial convening authorities are notified of the initial disposition of these cases by their subordinate commanders.

On June 28, 2012, the Air Force implemented the requirement to elevate initial disposition authority for the most serious sexual assault offenses (rape, sexual assault, forcible sodomy, and attempts to commit these offenses) to a special court martial convening authority who is a commander serving at the colonel level or higher. This notification in addition to the notification requirement above greatly increases the visibility of actions taken on sexual assault offenses by ensuring a review of the disposition in sexual assault cases is made at the appropriate level. This additional level of oversight contributes to holding perpetrators appropriately accountable.

Additionally, the acting Secretary of the Air Force also directed on June 17, 2013, that the Air Force Office of Special Investigations may not close out investigative files in cases of sexual assault until the general court-martial convening authority has signed a written memorandum of command action for these cases. This ensures that all sexual assault investigations are appropriately reviewed at all levels. As an enhancement to

command oversight policies already in place at the direction of the Secretary of Defense and Secretary of the Air Force for sexual assault cases, section 1744 of the fiscal year 2014 National Defense Authorization Act required additional high level review by the superior general court-martial convening authority (usually the Air Force Major Command commander) or Secretary of the Air Force in certain sexual assault cases not referred to a court-martial. The Air Force has implemented this change through an Air Force Guidance Memorandum to Air Force Instruction 51-201, *Administration of Military Justice*, webcast training available to all judge advocates and paralegals, and new training included in military justice courses taught at the Judge Advocate General's School.

Administrative Discharge Policy: Section 572 of the fiscal year 2013 National Defense Authorization Act requires administrative discharge processing for anyone convicted, but who did not receive a punitive discharge at trial, under the Uniform Code of Military Justice of rape (Article 120(a)), sexual assault (Article 120(b)), forcible sodomy (Article 125), or attempts to commit these offenses (Article 80). On July 2, 2013, the Air Force adopted a more aggressive discharge policy than that required by the National Defense Authorization Act. Air Force Instruction 36-3206, *Administrative Discharge Procedures for Commissioned Officers*, and Air Force Instruction 36-3208, *Administrative Separation of Airmen*, now both require mandatory discharge processing for any Airman who commits a sexual assault offense, regardless of whether that person was tried by court-martial. Under this change, administrative action or non-judicial punishment for these offenses will trigger automatic discharge processing, and this change will also account for cases prosecuted in civilian courts. Previous policy permitted, but did not require, initiation of administrative separation proceedings for civilian convictions. Additionally, by Air Force policy the range of offenses that will trigger the automatic discharge processing is broader than the four provisions listed in the National Defense Authorization Act, and will include "touching" offenses of aggravated sexual contact and abusive sexual contact.

The fiscal year 2014 National Defense Authorization Act made unprecedented changes to the Uniform Code of Military Justice and military justice practice in the services, which have been implemented or are in the process of implementation through changes to Department of Defense and Air Force regulations and proposals to the President on amendments to the Manual for Courts-Martial.

Victims' Rights: Victims of crime previously had rights provided by Department of Defense and Air Force policy, implemented through the Victim and Witness Assistance Program under Air Force Instruction 51-201, *Administration of Military Justice*. Section 1701 of the fiscal year 2014 National Defense Authorization Act made many of the rights afforded by policy statutory and provided additional rights to victims through Article 6b of the Uniform Code of Military Justice in cases arising under the Uniform Code of Military Justice. The eight substantive rights that victims have under Article 6b are: 1) the right to be reasonably protected from the accused; 2) the right to reasonable, accurate, and timely notice of preliminary hearings, courts-martial, clemency and parole hearings, and release or escape of the accused from confinement;

3) the right not to be excluded from a public hearing or proceeding; 4) the right to be reasonably heard at a pretrial confinement, sentencing, or clemency and parole board hearing; 5) the right to confer with trial counsel; 6) the right to restitution as provided in law; 7) the right to proceedings free from unreasonable delay; and 8) the right to be treated with fairness and respect for their dignity and privacy.

Victim Interviews with Defense Counsel: Another 2014 policy change is the process by which defense counsel interviews with victims are conducted. Since establishment of the Sexual Assault Prevention and Response and Special Victims' Counsel Programs, victims of sexual assault have had the option of requesting their victim advocate or special victims' counsel attend all interviews investigators, trial counsel, and defense counsel with them. Section 1704 of the fiscal year 2014 National Defense Authorization Act amended Article 46 of the Uniform Code of Military Justice to require defense counsel to make requests to interview sexual assault victims (as well as victims of certain other offenses) through trial counsel and, at the request of the victim, requires that either the trial counsel, special victims' counsel, or victim advocate be present during the defense interview. This change is intended to maximize the support victims have from their victim advocate and special victims' counsel during interviews with defense counsel.

The Air Force has implemented both of these changes to the Uniform Code of Military Justice through an Air Force Guidance Memorandum to Air Force Instruction 51-201, *Administration of Military Justice*, webcast training available to all judge advocates and paralegals, and new training included in military justice courses taught at the Judge Advocate General's School.

Commander's Accountability for Unit Culture: On May 8, 2014, The Air Force published Air Force Instruction 1-2, *Commander's Responsibilities,* establishing broad responsibilities and expectations for commanders. This instruction includes guidance to commanders to be morally and ethically above reproach and to exemplify Air Force Core Values and standards in their professional and personal lives. It directs commanders to establish and maintain a healthy command climate which fosters good order and discipline, teamwork, cohesion and trust that ensures members are treated with dignity, respect and inclusion and does not tolerate harassment, assault or unlawful discrimination of any kind.

Air Force Guidance Memorandum Two to Air Force Instruction 36-2406, *Officer and Enlisted Evaluation Systems*, January 1, 2014, defines commanders and non-commissioned officers' explicit responsibilities for creating climates of dignity and respect. The Guidance memorandum sets forth expectations of fair and equal treatment to include an environment free of sexual harassment, unlawful discrimination, and sexual assault. The Guidance Memorandum charges commanders with the responsibility to create a healthy climate and adhere to Sexual Assault Prevention and Response Program principles. Raters are also required to evaluate their subordinates on what the member did to ensure a healthy organizational climate. Air Force Guidance Memorandum Three to the same Air Force Instruction dated July 1, 2014, further

mandate raters to ensure Airmen up the grade of Senior Airman know they are expected to contribute to a healthy organizational climate while all non-commissioned officers and officers are accountable for creating healthy organizational climates. Additionally, every commander is responsible for, and will be held accountable for ensuring their unit has a healthy climate. Raters at every level are required to discuss these areas with Airmen through the new Airman Comprehensive Assessment. This assessment is a conversation, accompanied by a form, between the rater and Airman discussing all aspects of duty performance, career development and personal accountability. These new requirements are critical to ensuring that Airmen understand their role in creating a healthy culture and environment.

Additionally, the Air Force published Air Force Guidance Memorandum Four to Air Force Instruction 36-2406, *Officer and Enlisted Evaluation Systems*, on September 17, 2014. This memorandum requires sexual related offenses to be annotated in officer and enlisted performance reports as required by the fiscal year 2014 National Defense Authorization Act. The National Defense Authorization Act and memorandum also requires a complete commander's review of personnel service records for all members of the unit, regardless of grade. Additionally, a complete records review is required within 30 days of arrival for Airmen reassigned to the unit. These actions ensure offenses are properly documented in officer and enlisted evaluations and given proper consideration during promotion boards and other career opportunities.

Finally, in May 2014, the Air Force completed a thorough review of Air Force Instruction 36-2909, *Professional and Unprofessional Relationships* (May 1, 1999), and its Air Education and Training Command supplement Instruction 36-2909, *Recruiting, Education and Training Standards of Conduct* (December 2, 2013). These instructions define unprofessional relationships, fraternization and are punishable under the Uniformed Code of Military Justice. Air Education and Training Instruction 36-2909 further prescribes negative actions, reporting and consequences of hazing, standards of recruiting and enumerates dozens of specific prohibited acts between faculty, staff, and recruiters and applicants, recruits, trainees, cadets, students, entry-level status airman, and their immediate family members. The Department of Defense's Report on Protections for Prospective and New Members of the Armed Forces During Entry-Level Processing and Training determined that Air Force policy and the Uniform Code of Military Justice have adequate legal tools to address this type of misconduct.

Policy on Preventing Retaliation: Section 1709 of the fiscal year 2014 National Defense Authorization Act required the services to prescribe regulations prohibiting retaliation against any victim or other member of the armed forces who reports a criminal offense and to state that any such retaliation is punishable under Article 92 of the Uniform Code of Military Justice. The regulation must define retaliation to include "taking or threatening to take an adverse personnel action, or withholding or threatening to withhold a favorable personnel action" as well as "ostracism and such acts of maltreatment" committed because the member reported a criminal offense. The Air Force has implemented this provision through an Air Force Guidance Memorandum to Air Force Instruction 36-2909, *Professional and Unprofessional Relationships*. This

policy is intended to remove one of the barriers to reporting sexual assault by providing enhanced protection for victims and their peers from retaliation after making a report.

Best practices/innovations specific to the United States Air Force

Joint Air Force Office of Special Investigations /Judge Advocate Courses: In fiscal year 2012, the Air Force Office of Special Investigations developed the eight-day Sexual Crimes Investigations Training Program, jointly attended by judge advocates and Air Force Office of Special Investigations investigators. In fiscal year 2013, nearly 30 judge advocates attended three Sexual Crimes Investigations Training Program courses. This level of attendance continued in fiscal year 2014.

Special Victims Unit-Senior Trial Counsel: As discussed in the previous section, the Air Force has created two positions within the special victims unit senior trial counsel infrastructure to better leverage the skills and experience of various stakeholders in the process of prosecuting sexual assault cases. With the first position, the Air Force became the only service to dedicate one full-time attorney co-located as a liaison to the Defense Computer Forensics Laboratory. This Defense Computer Forensics Laboratory-Senior Trial Counsel, trained in laboratory procedure and with in-person access to the examiners and leadership of Defense Computer Forensics Laboratory, ensures expeditious analysis of forensic evidence, eliminates the seams in the provision of services between these two entities, and provides expert consultation to local trial counsel on issues of digital evidence. The second billet established a special victims' unit senior trial counsel designated as the Special Victims Unit Chief of Policy and Coordination to serve a multi-purpose role. This attorney, essentially an active-duty highly qualified expert, besides maintaining a litigation portfolio, liaises with Headquarters Air Force Office of Special Investigations to improve Judge Advocate General - Air Force Office of Special Investigations teaming at the headquarters and local level; provides expert reach-back capability to local judge advocate offices; and leads training of judge advocates worldwide in all aspects of sexual assault prosecution.

The Judge Advocate General of the Air Force has encouraged local legal offices solicit the input of this attorney on all sexual-assault cases. The Special Victims' Unit Chief of Policy and Coordination is able to better ensure uniformity in the prosecution of these cases, and provide local, often inexperienced trial counsel, guidance on the prosecution of a sexual assault case from the very earliest of stages, well before preferral of charges and often before the victim is even interviewed by a judge advocate.

Special Victims' Counsel Program: As discussed earlier, in January 2013, the Air Force "piloted" the Special Victims' Counsel Program to expand the availability of legal assistance to victims of sexual assault. This Air Force pilot program led the way for the Department of Defense's requirement that all military services establish similar programs by November 2013.

Continuing into 2014, the Air Force has continued to expand the ground-breaking Special Victims' Counsel Program providing counsel to more than 1,000 (past and

present) victims of sexual assault, including child sexual assault victims. Special victims' counsel have participated in 156 courts-martial, 184 Article 32 hearings; attended 1,546 interviews with investigators, trial counsel, or defense counsel; engaged in 37,329 telephone consultations, written correspondence, or in-person meetings with clients; engaged in 360 representations for collateral misconduct, referral to defense counsel, or discussions regarding immunity; filed 328 motions, answered or argued; requested 120 expedited transfers; and provided 171 items of legal assistance.

Special victims' counsel have developed templates to guide victims through the investigation and military justice processes. Best practices are continuously shared within the Air Force special victims' counsel community via webcast training and the use of a collaborative "cohort" website, and desk book.

The Air Force Special Victims' Counsel Program filed the first appeal of a military judge's ruling that denied a victim standing to have her Special victims' counsel argue in court during evidentiary hearings where a victim has the right to be heard under the Military Rules of Evidence. The case resulted in a seminal ruling from the Court of Appeals of the Armed Forces that recognizes a "reasonable opportunity to be heard at a hearing [under Military Rules of Evidence 412 and 513] includes the right to present facts and legal argument, and that a victim or patient who is represented by counsel can be heard by counsel." *LRM v. Kastenberg*, 72 M.J. 364 (C.A.A.F. July 18, 2013).

Sexual Assault Mock Trials to Educate Airmen: In an effort to teach junior enlisted Airmen about the consequences of sexual assault, a number of Air Force installations are participating in the "Got Consent?" program in which judge advocates team with sexual assault response coordinators to hold mock trials in which first term Airmen participate. The "Got Consent?" program began in fiscal year 2013 and is based on an actual sexual assault fact pattern (while also maintaining anonymity). This program was designed to promote awareness, discussion, and training about ways people communicate and the criminal and human consequences when consent is not given for a sexual encounter. The scenario involves a sexual encounter between a male and female Airman who were close friends living in the base dormitory. After hearing the case and deliberating on the evidence presented, the Airmen reach a verdict and give their opinions about what they would have done if they were in a similar circumstance. The "Got Consent?" program has been used at a number of Air Force installations since 2013 to educate young Airmen about the military justice process and sexual assault by providing a realistic interactive case scenario.

Publication of Trial Results: Beginning in fiscal year 2013, the Air Force began publishing synopses of sexual assault convictions both on a publicly available website (http://www.afjag.af.mil/sexualassaultprosecution/index.asp) and through the Air Force Times on a monthly basis. The synopses identify convicted perpetrators by name and base, providing a deterrent for other Airmen.

Legal Support to the Sexual Assault Prevention and Response Office: Beginning in July 2013, The Judge Advocate General's Corps assigned an Active Duty lieutenant

colonel judge advocate and chief master sergeant paralegal to the Headquarters Sexual Assault Prevention and Response Office. In July 2014, The Judge Advocate General's Corps assigned a lieutenant colonel judge advocate reservist to the office. These additions have enabled the Air Force Sexual Assault Prevention and Response Office to have real-time legal advice on all sexual assault prevention and response related issues. This judge advocate team provides legal counsel to the Director of the Air Force Sexual Assault Prevention and Response Office and also serves as a liaison between the Judge Advocate General and the Sexual Assault Prevention and Response Office, enabling the office to move forward quickly on new initiatives.

Additionally, in July 2014, the Air Force Judge Advocate General's Corps hired a full-time, senior civilian military justice attorney specializing in sexual assault crimes, domestic violence offenses, and crimes against children. This attorney provides expert legal counsel and services to the Air Force judiciary, The Judge Advocate General of the Air Force, and Air Force legal offices worldwide, as well as to the Director of the Air Force Sexual Assault Prevention and Response Office. This attorney is tasked with implementing and coordinating execution of Air Force Judge Advocate General's Corps initiatives and serves as a focal point for coordination between sexual assault prevention and response policy, military justice legal policy, and the Special Victims' Counsel Program.

Judge Advocate and Air Force Office of Special Investigations Sexual Assault Prevention and Response Teaming: In July 2014, The Judge Advocate General of the Air Force, the Commander of Air Force Office of Special Investigations, and the Director of the Air Force Sexual Assault Prevention and Response Office co-signed a memo to the field encouraging the collaboration and sharing of information between their offices at the installation level. The memo establishes a partnership among installation offices and ensures accurate accounting of sexual assault cases in the Defense Sexual Assault Incident Database, the Department of Defense's centralized tool for collecting and maintaining information about reports of sexual assault involving Armed Forces members. This information-sharing policy builds upon the already successful collaboration between Judge Advocate and Air Force Office of Special Investigations providing accurate data regarding sexual assault in the Air Force. The teaming will also enhance the Air Force's ability to analyze trends and issues in the future regarding sexual assault, ultimately ensuring offenders are held appropriately accountable.

Positive trends (qualitative & quantitative)

Program Recognition and Outreach: In April 2014, the Department of Justice awarded the Air Force Special Victims' Counsel Program the Federal Service Award for providing victims with free legal representation and guiding them through the military justice process. In a press release announcing the award Attorney General Eric Holder stated, "Through their courage and critical contributions to assist and empower victims, these individuals and organizations have given hope to countless Americans victimized by crime—even under the most difficult circumstances." Additionally, the Special

Victims' Counsel Program was the only section to receive a "superior team" award during the Air Force Legal Operations Agency Unit Effectiveness Inspection. Colonel Dawn Hankins, Special Victims' Counsel Division Chief, was the first Air Force recipient in the 15-year history of the Burton Award, which is presented to the individual demonstrating the highest degree of professionalism and integrity employed in the executive branch of government.

In 2014, members of the Air Force Special Victims' Counsel Program and Military Justice Division provided presentations at the American Bar Association Mid-Year and Annual Conferences and the National Sexual Assault Conference. Additionally, they provided the opening address at the 2014 National Crime Victims' Law Conference.

Support to Sexual Assault and Military Justice Review Commissions: Since July 2013, The Judge Advocate General's Corps has provided continuous support to several commissions and boards reviewing sexual assault in the military or military justice issues. The Air Force provided two highly experienced judge advocates to serve as staff members to the Congressionally-mandated Response Systems to Adult Sexual Assault Crimes Panel. These judge advocates worked with the nine Response Systems Panel members and subcommittee members to arrange hearings, produce witnesses, and assist in the completion of the final reports for the Response Systems Panel and its subcommittees. Additionally, another judge advocate was appointed as the Air Force liaison to the Response Systems Panel, providing them with a large volume of requested information. The Judge Advocate General's Corps also provided numerous witnesses, to include The Judge Advocate General of the Air Force, to testify at the Response Systems Panel and subcommittee hearings about our military justice program and sexual assault litigation.

In fiscal year 2014, the Air Force Judge Advocate General's Corps is also providing similar support to the Response Systems Panel's follow-on panel, the Judicial Proceedings Panel, and the Military Justice Review Group.

The Judge Advocate General's Sexual Assault Prevention and Response Summit: In December 2013, over 230 Air Force staff judge advocates, law office managers and other senior judge advocates and paralegals gathered together at Maxwell-Gunter Annex, Alabama, for the first Air Force Judge Advocate General's Corps Sexual Assault Prevention and Response Summit. During the two-day summit, experts from civilian and military sexual assault prevention and response communities educated Judge Advocate General's Corps leaders on victim care, victim legal issues, and other important issues, as discussed above in training enhancements. During the summit, speakers emphasized the importance of improving victim "voice and choice," recognizing that victims must feel they have a voice and the ability to choose whether to participate in the military justice process, in order to encourage more reporting.

Department of Defense Action in Sexual Assault Cases Declined by Civilians: In these cases, Air Force commanders with the advice of the Staff Judge Advocate analyze the reasons the civilians declined to take action, speak to witnesses when

required and review evidence to determine if action should be taken by the Air Force. The following case synopses were chosen by the Air Force as anecdotal examples of situations where the military justice process was used to address allegations of sexual assault involving military members, when a civilian or foreign justice process did not or could not fully address the misconduct alleged. These cases were selected by the Service to demonstrate certain aspects of the military justice process and do not reflect the sum total of all such occurrences during fiscal year 2014

1. Victim (an Airman first class training student) reported that she and Subject (also an Airman first class training student) checked into a hotel after a day of shopping in another town. Later, the victim fell asleep in bed with the subject while watching television. She later awoke to discover the subject had sexually assaulted her while she was asleep. Victim reported the sexual assault to the Air Force Office of Special Investigations. She stated neither she nor the subject had consumed alcohol the night of the sexual assault and she had not taken any kind of medication. The subject confessed, in a statement, to performing oral sex on victim and having vaginal intercourse with her while knowing she was asleep. The Air Force Office of Special Investigations provided a copy of their report to the local police department, but the local sheriff did not express an interest in investigating the case. The local district attorney's office was unwilling to discuss jurisdiction of the case as he had not received a police report. The base chief of military justice sent the district attorney's office a fax stating the Air Force was moving forward with the prosecution of the case. Subject was found guilty of sexual assault at a general court-martial. He was sentenced to reduction to E-1, a dishonorable discharge, confinement for three years, and total forfeitures.

2. Victim (civilian) reported to the local police that subject (Airman first class) had digitally penetrated her and orally sodomized her against her will while at a party. Victim reported that she told the subject "no" and struggled to avoid the acts. A witness who attended the party reported that the victim acted normally and did not appear to be intoxicated. The local police department requested investigative assistance from the Air Force Office of Special Investigations. The local prosecutor informed the base chief of military justice that he would make a decision on whether to prosecute the case after interviewing the victim the following week. The prosecutor later notified the chief of military justice that they would not prosecute the case and the Air Force could have jurisdiction. Subject was found guilty of sexual assault at a general court-martial. He was sentenced to reduction to E-1, a bad conduct discharge, confinement for 60 days, and total forfeitures.

3. Subject (Airman first class) volunteered at a Junior ROTC event at a high school camp. Subject played truth or dare with some of the students, kissed a female student, looked down a female student's blouse, and exposed his penis to several students. While the Air Force Office of Special Investigations was assisting with the investigation of this incident, they were notified of two rape allegations against subject. The victim was a 19-year-old civilian who reported to local police that she and subject took a trip together and ended up sleeping in subject's car. The victim woke up to subject sexually assaulting her. When she tried to get away, subject slammed the car door into victim's

head multiple times. Victim said she went camping with a larger group of people, to include subject, a month after this incident. After becoming intoxicated, victim was chased by subject and taken to his car, where he sexually assaulted her. The local district attorney's office declined to prosecute the case and the Air Force asked for and received jurisdiction of the case. Subject was found guilty of abusive sexual contact, indecent exposure, sexual abuse of a child, simple assault, and disorderly conduct at a general court-martial. He was sentenced to reduction to E-1, a dishonorable discharge, confinement for two years, and total forfeitures.

4. Victim 1 (senior Airman) reported to local law enforcement that she, subject (staff sergeant), and two other friends went out to a club and consumed alcohol. She stated that she fell asleep in the car on the way back to base and she awoke to find subject touching her vagina. She immediately jumped into the back seat and told both friends what subject had done to her. Victim 2 (civilian) reported to the base sexual assault response coordinator that while she was dating subject, he sexually assaulted her on several occasions. The local district attorney's office released jurisdiction of the case involving Victim 1 to the Air Force, but has retained jurisdiction of the case involving Victim 2. Subject was found guilty of sexual assault at a general court-martial. He was sentenced to reduction to E-1, a dishonorable discharge, confinement for two years, and total forfeitures.

5. Victim (senior Airman) was in a dating relationship with subject (senior Airman) and went over to his apartment to break up with him. At the apartment, victim and subject began engaging in consensual sexual intercourse. While having sex, victim told subject to stop because he was hurting her. Subject continued to have sex with victim. Victim returned home and asked a friend to drive her to the hospital where she completed a sexual assault nurse examiner kit. The next day, subject sent victim a text message apologizing for hurting victim and for not stopping when she asked him to. The local district attorney's office released jurisdiction to the Air Force, per the Air Force's request. Subject was found guilty of sexual assault at a general court-martial. He was sentenced to reduction to E-1, a dishonorable discharge, confinement for 18 months, and total forfeitures.

6. Victim (civilian) contacted local police to report that subject (staff sergeant) sexually assaulted her. Victim reported that she went to a party at subject's house, where both consumed alcohol. Subject offered to let victim sleep in his room. Victim remained clothed, but subject stripped down to his boxer shorts. Subject attempted to kiss victim, but victim told him "no" and pushed him away. Subject engaged in sexual intercourse with victim even after victim told him to stop. Victim left subject's house and a friend took her to the local police. Per the Air Force's request, the local district attorney's office released jurisdiction to the Air Force and Air Force Office of Special Investigations took over the investigation. Subject was tried for forcible sodomy, rape, abusive sexual contact, and aggravated sexual contact at a general court-martial, but was acquitted of all charges.

7. Victim (civilian) traveled to New York City to meet a former boyfriend and her cousin

at a hotel. During the evening victim went to a club and consumed alcohol before returning to the hotel. She and her former boyfriend engaged in consensual sexual intercourse in the hotel bedroom, while subject (senior Airman), victim's cousin, and another Airman remained in the living room. Victim fell asleep and awoke to someone touching her vaginal area and breasts. She turned around and discovered that subject was in bed, naked, and was the one touching her. She yelled and jumped out of bed. Victim's former boyfriend and a security guard forced subject to leave the hotel. Per the Air Force's request, the local district attorney's office released jurisdiction to the Air Force. Subject was tried for abusive sexual contact at a general court-martial, but was acquitted.

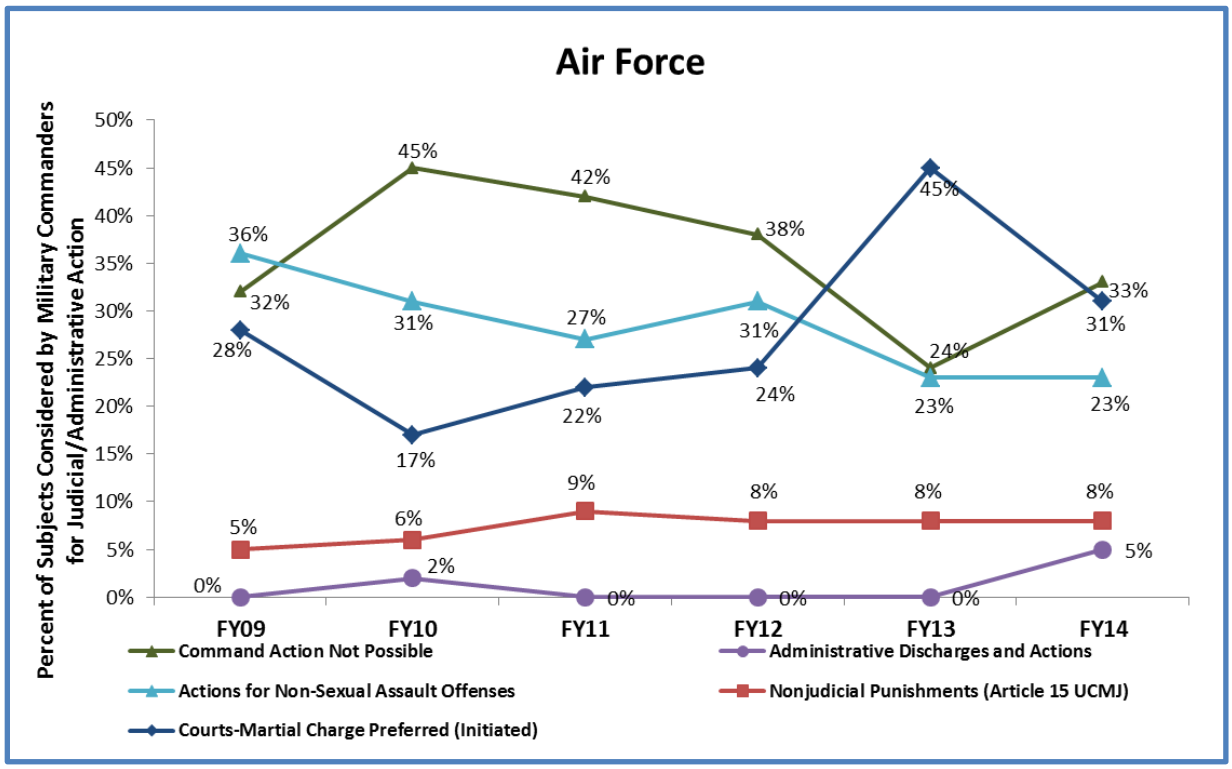


Chart 3.1 – Command Action for Alleged Military Offenders Under Department of Defense Legal Authority

In fiscal year 2014 commanders considered 409 cases. 133 of those cases were precluded from command action. 81 cases were precluded from command action due to lack of evidence or that the allegations were unfounded by command. 52 of the cases were precluded from action due to the victim's decision to not participate in the military justice process. Of the cases presented for command action the percentage of cases receiving non-judicial punishment or administrative action remains consistent with the fiscal year 2013 rates. The rate of cases where court-martial charges were preferred decreased from fiscal year 2013. However when looked at over the whole five year period there has been a steady increase in cases where charges were preferred. There is also an increase in the number of administrative discharge actions for sexual assault offenses. This is likely a direct result of the new mandatory administrative discharge

processing policy for sexual assault offenses. In fiscal year 2014 there were numerous discharges initiated where victims declined to participate in the court-martial process but supported an administrative separation.

It should be noted that the administrative separations portion of this chart only shows those cases where Airmen only received an administrative separation. Cases where an Airman received non-judicial punishment or a court-martial and were then administratively separated are not included in the administrative separation percentage.

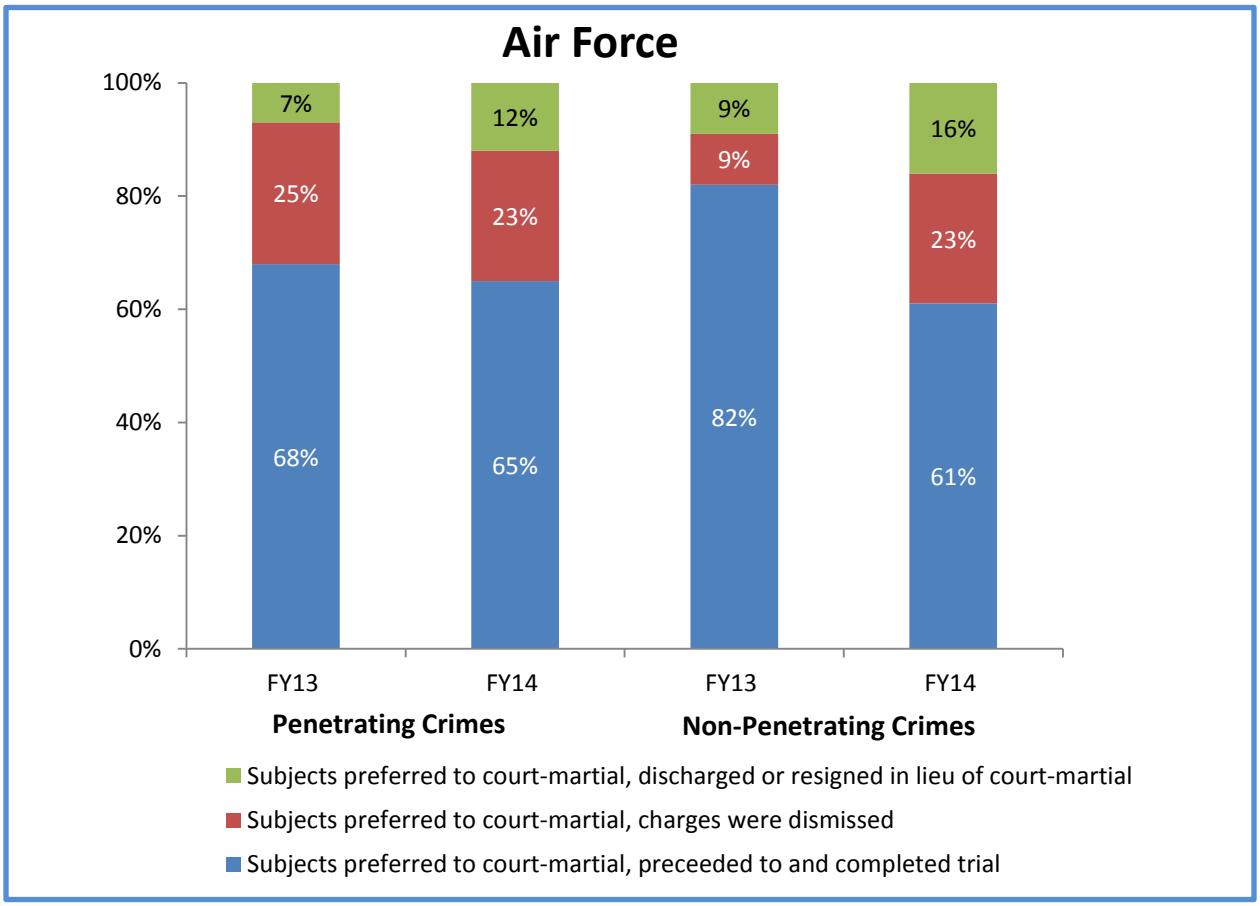


Chart 3.2 – Court-Martial Outcomes for Penetrating vs. Non-Penetrating Crimes

This data shows the percentage of cases where charges were preferred that result in trial by court-martial. Penetrating crimes include rape and sexual assault under Article 120 of the Uniform Code of Military Justice while non-penetrating crimes include abusive sexual contact and aggravated sexual contact under Article 120. After charges were preferred we are seeing an increase in the number of cases where charges were dismissed prior to trial. Slightly over 50% of the cases dismissed were due to the desire of the victim not to continue with the military justice process. Regardless of the government's desire to prosecute these cases, if the victim declines to participate the Air Force will not compel the victim to testify. Often without the victim's testimony there is not sufficient evidence to prosecute the case. In addition, a majority of the cases

were dismissed upon the recommendation of the independent review of the charges by an Article 32 investigating officer. The Article 32 investigating officer is critical in making recommendations regarding legal issues and the strength of the evidence if the case is taken to court-martial.

Defense Equal Opportunity Management Organizational Climate Survey:
This survey is designed to measure command climate and Airmen's confidence in the appropriate execution of the Sexual Assault Prevention and Response Program. Beginning in January 2014, the Air Force mandated the use of the Defense Equal Opportunity Management Institute Organizational Climate Survey. Prior to the use of the Defense Equal Opportunity Management Organizational Climate Survey, the Air Force used a Unit Climate Assessment tool to survey and focus on potential equal opportunity and harassment issues within Air Force organizations. In February 2012, the Air Force added six sexual assault questions to the Air Force Unit Climate Assessment. These questions were added because a work environment and/or a commander that permits sexual harassment creates an environment tolerant of sexual assault. Historically, this survey was administered 180 days or more into command and then every two to three years thereafter. In 2012, the Air Force updated policy to combat sexual assault and began fielding the survey to unit members within 120 days of a commander assuming command of a new unit and annually thereafter. The results from these surveys are not only provided to the commander, but also to the members of the units and the commander's leadership. Since the surveys are completed on an annual basis, it allows commanders to identify improvement areas and issues that need to be addressed during their tenure.

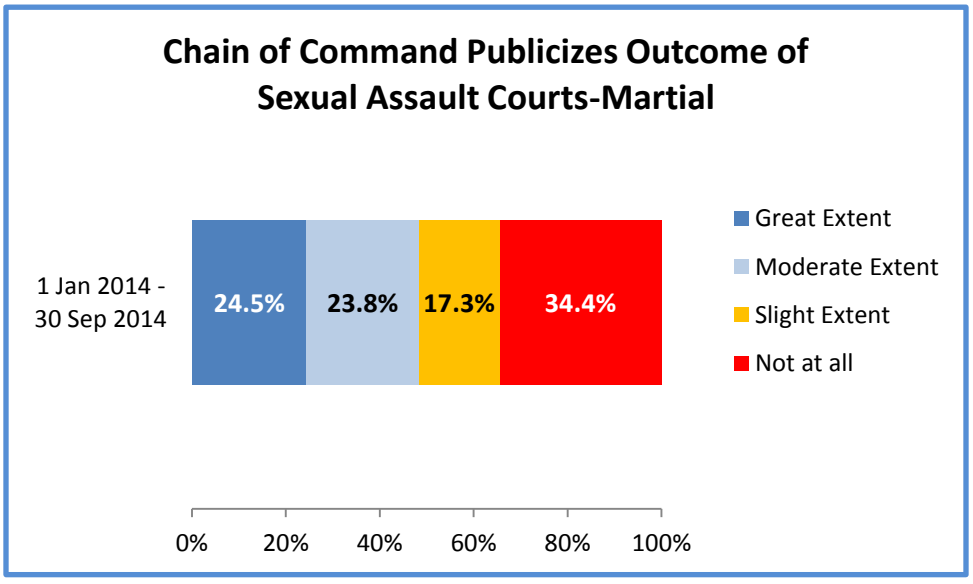


Chart 3.3 – Responses to Chain of Command Publicizes Outcome of Sexual Assault Courts-Martial

Based upon responses to the Defense Equal Opportunity Management Institute Organizational Climate Survey less than half of Airmen indicated that the chain of

command made a moderate or better effort to publicize the outcome of sexual assault courts-martials. While the Air Force has a public website that publishes all outcomes of any court-martial, it is clear that in general, Airmen are not aware and/or informed of its availability. In addition, this chart suggests that leaders should do more in making outcomes of court-martials available so Airmen can understand and gain trust in the military justice system.

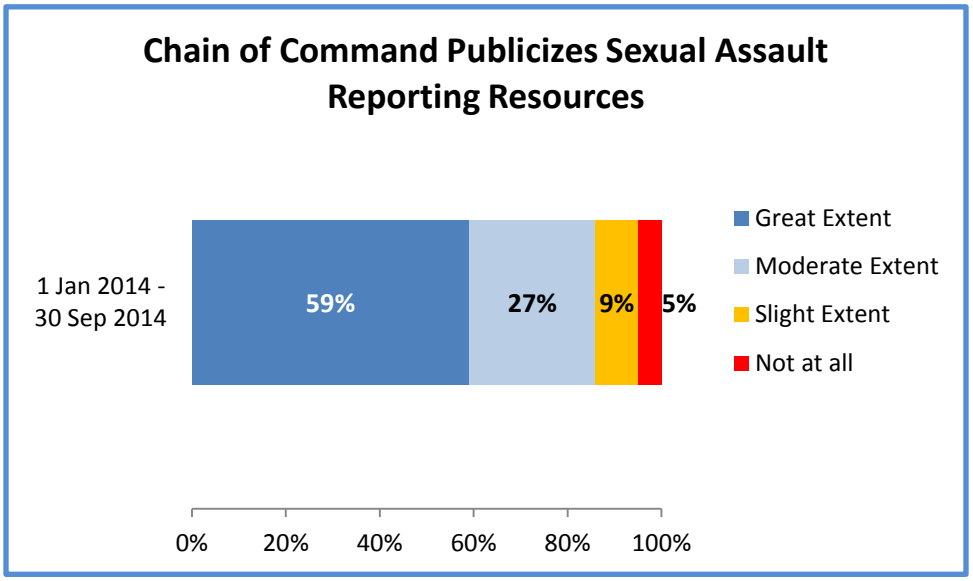


Chart 3.4 – Responses to Chain of Command Publicizes Sexual Assault Reporting Sources

In response to this question on the Defense Equal Opportunity Management Institute Organizational Climate Survey the majority of Airmen indicate that either to a "great" or "moderate" extent their chain of command publicizes sexual assault reporting resources. Improved reporting is a key to increased accountability and therefore it is important for commands to make Airmen aware of the means available for them to make reports of sexual assault.

4. LINE OF EFFORT 4 – ADVOCACY/VICTIM ASSISTANCE

Overview: Over the last three years, the Air Force Sexual Assault Prevention and Response Program delivered effective support, response, and reporting options to Air Force victims. During this period, victim confidence and trust were strengthened; inspiring Airmen to report sexual assaults through either restricted or unrestricted avenues. The Air Force delivered focused, competent, and compassionate care for its victims from the initiation of a sexual assault report through case disposition. When victims report sexual assault, the Air Force provides a safe environment, offers medical care, mental health counseling, legal counsel and victim witness assistance. The Department of Justice and civilian experts believe that sexual assault is one of the most underreported crimes. Reasons often provided for not reporting include; self-blame or guilt, shame, or desire to keep the assault a private matter, fear of not being believed or of being accused of playing a role in the crime, and lack of trust in the criminal justice system. Therefore, the Air Force Sexual Assault Prevention and Response Program aims to cultivate a culture which instills victim's confidence and trust in the response process, creating a necessary bridge to greater victim care and offender accountability. The Air Force sexual assault response coordinators and victim advocates are the critical capability employed to achieve these objectives. The Department of Defense has established, and the Air Force has implemented, a certification program to align their training and qualifications with the National Victim Advocate Certification Program. This ensures a higher level of competence and improves the delivery of victim advocacy and assistance.

In June 2013, as a testament to the Air Force's sustained commitment to Sexual Assault Prevention and Response, the Air Force realigned and restructured the program, designating a major general as the program director. Major General Gina Grosso is the current Director, Sexual Assault Prevention and Response and reports to the Vice Chief of Staff of the Air Force. She leads a 34-person cross-functional team of experts located within the Pentagon, Washington DC, and is responsible for policy, operational guidance, force-wide training, and program development that will result in an Air Force free from sexual assault. This team includes trained and experienced sexual assault response coordinators, curriculum developers, and victim advocates. The Air Force Sexual Assault Prevention and Response Office employs advisors from the Air Force Office of Special Investigations, Surgeon General, Judge Advocate General's Corps, Public Affairs, and Legislative Liaison, as well as a subject matter experts with a civilian law enforcement background. This multi-disciplinary team collaborates on policy and program development to create an Air Force free from sexual assault.

All major commands have a sexual assault prevention and response program manager who acts as a key advisor to command leaders and liaisons with installation level sexual assault prevention and response offices and the Air Force Sexual Assault Prevention and Response Office. Each installation has a full-time sexual assault response coordinator and a sexual assault prevention and response victim advocate. Many installations also have a military deputy sexual assault response coordinator whose role

is crucial to the sexual assault prevention and response mission. These full-time employees are responsible for sexual assault training, prevention, and response. Volunteer victim advocates are critical to the success of the Sexual Assault Prevention and Response Program; they not only take care of victims but they also assist with training and victim support. The volunteer victim advocates are key assets within the sexual assault prevention and response construct as they work within the force as change agents to prevent sexual assault, advocate for victims, and support a culture of dignity and respect.

Populations Affected: Commanders, Victims/Survivor, Sexual Assault Response Coordinator, Victim Advocate, Volunteer Victim Advocate, medical personnel, other responders

Commanders Role in Victim Advocacy: Commanders must not condone sexual assault and they are required to cultivate a command climate that encourages victims of these traumatic crimes to seek care. To codify that requirement, on May 8, 2014, the Air Force published Air Force Instruction 1-2, *Commander's Responsibilities,* establishing broad responsibilities and expectations for commanders. This instruction includes guidance to commanders to be morally and ethically above reproach and to exemplify Air Force Core Values and standards in their professional and personal lives. It directs commanders to establish and maintain a healthy command climate that fosters good order and discipline, teamwork, cohesion and trust that ensures members are treated with dignity, respect and inclusion and does not tolerate harassment, assault or unlawful discrimination of any kind.

Air Force Guidance Memorandum Two to Air Force Instruction 36-2406, *Officer and Enlisted Evaluation Systems*, January 1, 2014, defines commanders and non-commissioned officers' explicit responsibilities for creating climates of dignity and respect. The guidance memorandum sets forth expectations of fair and equal treatment to include an environment free of sexual harassment, unlawful discrimination, and sexual assault. The guidance memorandum charges commanders with the responsibility to create a healthy climate and adhere to Sexual Assault Prevention and Response Program principles. Raters are also required to evaluate their subordinates on what the member did to ensure a healthy organizational climate.

Air Force Guidance Memorandum Three to the same Air Force Instruction dated July 1, 2014, further mandated raters to ensure Airmen up to the grade of senior Airman know they are expected to contribute to a healthy organizational climate while all non-commissioned officers and officers are accountable for creating healthy organizational climates. This memorandum further documented a commander's responsibility for ensuring their unit has a healthy climate. Raters at every level are required to discuss these areas with Airmen through the new Airman comprehensive assessment. This assessment is a formal conversation, accompanied by a form, between the rater and Airman discussing all aspects of duty performance, career development, and personal accountability. These new requirements are critical to ensuring that Airmen understand their role in creating a healthy culture and environment.

Airmen: All Airmen are responsible for eliminating sexual assault and supporting survivors. The Air Force recognizes that it takes all Airmen engaged in a continual collaborative effort to eliminate sexual assault from its ranks.

Victims/Survivor: A critical aspect of advocacy is to provide education and support to victims of sexual assault. Advocates provide information and referrals for critical resources to allow the victim the support necessary to transition from a victim to a survivor. Each person may transition through this process on his or her own timeline, healing physically, emotionally, mentally and spiritually. The healing process can be a life-changing event of empowerment, choice, and self-determination. Sexual assault response initiatives that follow assist Airmen in this process.

Sexual Assault Response Coordinators: Sexual assault response coordinators are the single point of contact at an installation, major command, or within a geographic area to oversee sexual assault awareness, prevention, and response training. They provide commanders with a 24/7 response capability and coordinate medical treatment and track services provided to a sexual assault victim from the initial report through final disposition. Sexual assault response coordinators ensure victims receive appropriate care, understand reporting options, and available sexual assault prevention and response services. Education, training, awareness, and community involvement make up the foundation of the Sexual Assault Prevention and Response Program's prevention efforts.

Air Force sexual assault response coordinators are the key to the full-time prevention endeavors. Coordinators work to create and maintain a positive and proactive presence among Airmen on the installation. This presence consistently conveys the need for Airmen to look out for one another and to intervene in ways that affect the outcome positively.

Furthermore, sexual assault response coordinators establish and maintain a proactive network in the surrounding community to increase awareness of trends, upcoming events, and potential changes in levels of safety. The sexual assault response coordinator communicates those findings with the installation population through leadership channels and public awareness campaigns. Annually in April, coordinators lead planning efforts to support nationally recognized Sexual Assault Awareness Month.

Sexual assault response coordinators continue educating themselves and others on sexual assault trends, local and national initiatives, and ways to improve support to victims. This information is shared with commanders and key leaders at appropriate venues such as staff meetings, conferences, and commander's calls. This information is further integrated with the installation's Community Action Information Board or similar coordinating programs. The Community Action Information Board is a commander's tool, which allows the commander to assess the health of the community and to enact positive programs and services to foster resiliency.

Victim Advocates: Victim advocates provide direct victim care and support, advocacy, liaison, education, and referral services. The full-time victim advocate provides crisis

intervention, safety planning, referral, and ongoing non-clinical support for victims of sexual assault. They also manage and train volunteer victim advocates. Full-time victim advocates provide direct victim care during administrative, medical, investigative, and legal procedures, ensuring that a victim understands the processes involved. Victim advocates educate victims so they are able to make informed decisions regarding their health and wellbeing. Victim advocates also establish a link between the local community and victim support agencies. This helps to gain cooperation in achieving support for victims of sexual assault and enhances the Sexual Assault Prevention and Response Program.

Volunteer Victim Advocates: Volunteer victim advocates provide initial and on-going support to victims of sexual assault. This support includes engaging with victims at the crisis intervention level, accompanying them to medical appointments, escorting them to military investigations (when they elect to make an unrestricted report) linking them to other community resources, and providing advocacy for specific individual needs. Volunteer victim advocates serve as the link between the victim, Sexual Assault Prevention and Response Office and the chain of command. They may also assist with Sexual Assault Prevention and Response Office training, awareness, and prevention initiatives.

Other First Responders: In addition to sexual assault response coordinators and victim advocates, first responders encompass personnel in the following disciplines or positions; healthcare providers, security forces, special investigators, legal professionals, chaplains, firefighters, emergency medical technicians, commanders and Victim Witness Assistance Program personnel. Of these other responders, medical personnel and chaplains maintain confidential privileges; the rest are mandated reporters of sexual assault. They are a vital first point of contact for victims and the sexual assault prevention and response program. First responders must understand victims' needs and protect their privileges.

- Healthcare Personnel: The Air Force focuses on ensuring compassionate, quality care for victims of sexual assault. Comprehensive medical care to victims may begin with initial emergency response and involve completion of a sexual assault forensic examination and mental health services. At many Air Force installations, local community resources may be readily available. When military resources are not available, the Air Force collaborates with civilian agencies to establish memorandums of understanding. The goal of the Air Force Medical System is to support the victim while ensuring evidence collection credibility by using the most highly trained resources.

- Air Force Law Enforcement Personnel: Air Force Law Enforcement actively and aggressively investigates all incidences of sexual assault reported to them. With the implementation of the special victim capability, established in 2012, Air Force Law Enforcement along with the judge advocates work collaboratively in the investigation and prosecution of sexual assault cases. They are a vital link in the response to sexual assault and must understand the need to protect dignity of health of each victim during the investigatory process.

- Chaplain Corps: The Air Force Chaplain Corps plays a significant role in supporting all Airmen. They are a resource for any Airman who is a victim of sexual assault as they provide counseling and spiritual support. Air Force chaplains are trusted counselors, teachers, and confidants. Additionally, their exemption from reporting requirements allows chaplains to maintain absolute victim confidentiality. Chaplains educate victims on their privileges and referral resources, to include the services offered by a sexual assault response coordinator.

Training Enhancements

Sexual Assault Response Coordinator Training: From the program's inception in June 2005 through 2013, the Air Force offered a five-day Sexual Assault Prevention and Response Coordinator Course, twice a year. The course provided training to all newly assigned full-time, deputy, and alternate sexual assault response coordinators. The course provided a general overview and understanding of sexual assault response coordinator roles and responsibilities and demonstrated victim care through role-play scenarios. Sexual assault response coordinators were also taught how to recruit, manage, and train victim advocates. Additionally, the sexual assault response coordinators received subject matter expert presentations from the legal, special investigations, family advocacy, and sexual assault nurse examiner fields.

In March 2013, the Air Force began an extensive review of all sexual assault prevention and response training, which began with a major overhaul of the Air Force Sexual Assault Response Coordinator Course, taught at Air University, Maxwell Air Force Base, Alabama. The revised course incorporated Department of Defense core competencies and learning objectives. The revamped training course expanded from five to eight days and is currently offered to full-time sexual assault prevention and response victim advocates.

The updated course employs adult learning theory with an emphasis on andragogy, independent, self-directed, experiential learning, which shifted the focus of instruction to process based learning, through scenarios, role-plays, and group interaction. The entire course includes new learning objectives developed in partnership with the Air University Course Director. The new objectives increase the knowledge, skills, and abilities of sexual assault response coordinators to effectively advocate for victims, serve as a key advisor to leadership, and strengthen collaboration. This revised course uses a pedagogical approach in modules such as budgeting, self-care, offender dynamics, ethics, facilitating dynamic presentations, and effective communication with leaders. Breakout sessions are conducted to emphasize the key learning objectives. The course incorporates a pre- and post-assessment to evaluate student knowledge and enable feedback to faculty for course content. A formal Instructional Systems Design model is used to analyze, design, develop, implement, and evaluate instruction for the course, which allows for continued feedback and improvement. In April 2014, representatives from the Office of the Secretary of Defense evaluated the Air Force Sexual Assault Response Course and their findings indicate it met all Department of

Defense core competencies. More importantly, the representatives noted numerous elements of the course as best practices in training sexual assault response coordinators.

Completion of the Sexual Assault Response Coordinators Course provides participants with the required initial training needed for certification. The nationally recognized and required certification allows sexual assault prevention and response personnel to work with victims.

Sexual Assault Prevention and Response Victim Advocate Training: Full-time sexual assault prevention and response victim advocates attend the Sexual Assault Response Coordinators Course at Maxwell Air Force Base, Alabama, with separate blocks designed specifically for them. In August 2013, the Air Force established a victim advocate curriculum, outlining education and training to provide students with information specifically related to their responsibilities as advocates. Installation sexual assault response coordinators from across the Air Force and Headquarters Sexual Assault Prevention and Response personnel facilitate the course. Students learn to process new information and apply concepts and skills based upon adult learning theory. The curriculum provides opportunities to practice completing forms, conducting initial victim meetings, completing Defense Sexual Assault Incidence Database entries, and conducting training. The training focuses on developing interpersonal communication and facilitation skills. The curriculum requires students to create and deliver a presentation for critique by course faculty and fellow students. Similar to the sexual assault response coordinator course, maximum student participation is key to successful completion of the course. Adding a full-time sexual assault prevention and response victim advocate has strengthened the prevention, response, and advocacy of the Air Force program. Full-time sexual assault prevention and response victim advocates help to coordinate a 24/7 victim response and maintain a ready list of volunteer victim advocates. They also share the responsibility of raising sexual assault awareness across their installation and assure volunteer victim advocates screening, training, and assignment to victims who choose those services. Since fiscal year 2012, the Air Force has trained and certified 256 sexual assault response coordinators, and 2,248 victim advocates including those in deployed locations.

Volunteer Victim Advocate Training: Air Force installation sexual assault prevention and response offices vigorously pursue recruitment of volunteer victim advocates to support the on-going needs of victims. Volunteer victim advocates must complete 40 hours of training. This training is based on the sexual assault response coordinator course and includes details about the Sexual Assault Prevention and Response Program, victimology, offender dynamics, response services, and best practices in victim advocacy. In October 2014, the Air Force launched a revised volunteer victim advocate course using the Instructional Systems Design model. The Department of Defense Sexual Assault Advocate Certification Program certifies volunteer victim advocates upon completion of the course. An advocate will not work directly with victims until they receive this national certification. Once certified they can be assigned, as appropriate, to work with victims, train installation personnel or su

pport outreach efforts. In addition, they must earn 32 continuing education units every two years and are further required to have undergone a National Agency background check.

Sexual Assault Prevention and Response Stand Down Day: In December 2012, the Air Force began exploring concepts and developing curriculum to support stand down days focusing on prevention and victim advocacy. Sexual assault prevention and response stand-downs are days when the Air Force members step away from their daily tasks and take part in activities related specifically to sexual assault education, prevention, and awareness.

In late spring 2013, the Air Force held its first stand down day that began with a kickoff event, followed by an installation commander's call, a squadron commander seminar, and concluded with small group discussions on sexual assault topics. The stand down day objectives focused on embracing a culture of dignity and respect and disseminating bystander intervention awareness across the force to prevent future sexual assaults. This stand down was successful, creating venues for numerous small group discussions and information sharing, enabling Airmen to engage directly with commanders in a non-retribution setting.

In early summer 2014, the Air Force executed a second stand down day, with a new curriculum. Small working groups comprised of a civilian subject matter expert, wing-level sexual assault response coordinator, victim advocate, major command program manager, and headquarters training analyst created the stand down day curriculum. Training packages complete with a commander guide, slide presentation, train-the-trainer facilitator guide, and small group discussion scenarios provided direction and guidance for the training. The training focused on preparing bystanders to intervene based on a premise that increasing knowledge about offender behaviors and grooming patterns may affect the likelihood of an Airman recognizing a potentially dangerous situation. By recognizing a continuum of behaviors that increase the likelihood of sexual violence, Airmen can potentially intervene before a crime occurs. The training helped to develop a force that is more responsive to potential victims and dedicated to stopping criminals. The stand down day was designed to begin with a commander's call, which also included a video about the importance of victim empathy. The curriculum provided an outline for commanders to present data and known facts about potential offenders. The curriculum further allowed leadership to add their personal message about sexual assault prevention and response. All Airmen transitioned into small groups to discuss offender dynamics. The facilitators for this interactive activity were peers from within each unit ensuring that facilitators had an insider's view of the culture of the respective group members. Facilitators received eight hours of specialized training before meeting with their small groups. The Air Force piloted a pre- and post-assessment to measure the level of learning attained.

Deployment and Victim Advocate Training: All deployed sexual assault response coordinators, as well as their victim advocates, are given additional training prior to deploying. Since the inception of Sexual Assault Prevention and Response Stand

Down Day, Airmen in the deployed locations have received and continue to receive annual sexual assault prevention and response training. Deployed sexual assault response coordinators and volunteer victim advocates provide a wide array of support in the deployed environment. Their responsibilities include data-collection, weekly activity reports, after-action reports, and gathering quarterly statistics while ensuring 24-hour victim response and care in the deployed environment. As resources allow, sexual assault victims in deployed locations receive the same services as victims in the continental United States. As desired, victims continue to receive these services upon return to their home station.

Wing and Group (Colonel) Commanders' Training: In July 2012, pre-command training was revised to include a two-hour instruction block specific to sexual assault and prevention as well as victim advocacy. This mandatory course for all wing and group commanders is conducted at Air University, Maxwell Air Force Base, Alabama. The sexual assault prevention and response instruction block was previously shared with the Office of Special Investigations and the Judge Advocate as co-presenters. However, in June 2013 the training block was expanded to include more interactive, scenario-based curriculum. To meet the intended goals of the course the sexual assault prevention and response-training block increased from two to three and half-hours.

In the training commanders learn about the latest data regarding prevalence, reporting, and convictions. The Air Force has placed emphasis on the critical need for commanders to understand and take the lead on this problem. More significantly, these leaders are guided through learning materials on the neurobiology of trauma to increase their understanding of victim response and behaviors that may seem to contradict normal expectations of victims (e.g. not fighting back, continuing to date offender, reporting months later, laughing, joking, etc.). The course addresses offender dynamics and cultural indicators of higher risks to sexual assault. The training allows for interactive exercises, discussions, and viewing thought provoking videos.

The commanders' course also incorporates a pre- and post-assessment of learning objectives. The pre-test is scored prior to the class to allow facilitators to emphasize weak areas of required knowledge later in class and it allows for personalization of the content for each class. Since their inception, the assessment of post-test scores has shown an improvement in knowledge for each class and students have indicated an increase in confidence in their ability to lead on sexual assault prevention and response issues. The foundation of this course is the role of commanders in supporting victims and setting the standard of dignity and respect for all.

First Responders Training:

- Training for Healthcare Personnel**:** Since fiscal year 2010, the Air Force has provided annual sexual assault training for health care personnel. In July 2013, revisions to the Department of Defense Instruction 6495.02 *Sexual Assault Prevention and Response Program Procedures,* prompted modifications to the existing training which included heightened emphasis on restricted reports, the

role of sexual assault response coordinators, and penalties for violation of patient confidentiality and privacy. The Air Force Medical System partnered with the Air Force Sexual Assault Prevention and Response Office and civilian experts to develop an enhanced computer-based training, complete with small group discussion for mental health staff (providers, technicians, and front desk staff) on the effects of sexual assault, understanding re-victimization, sexual assault biases, and providing compassionate care. Training dissemination across 75 military medical treatment facilities began on October 1, 2014, and became an annual training requirement.

- Chaplain Corps Training: Air Force Chaplain Corps First Responder Training was first launched in 2008 at the Chaplain Service Institute. In 2009, a training presentation was circulated and its viewing was tracked for Chaplain Corps compliance. Since 2012, both initial and refresher training has been delivered through a computer based training module located online. Air Force Chaplain Corps first responder training is accomplished on an annual basis in accordance with Department of Defense Instruction 6495.02, *Sexual Assault Prevention and Response Program Procedures.*

- Air Force Security Forces and Air Force Office of Special Investigations Training: The Air Force has law enforcement personnel assigned to both Air Force Security Forces and to the Air Force Office of Special Investigations. The Headquarters Office Special Investigations and the Security Forces Center both provide annual training to satisfy Sexual Assault Prevention and Response training requirements for all Special Agents and Security Forces' members in accordance with Department of Defense Directive 6495.02, *Sexual Assault Prevention and Response Program procedures*. Security Forces and Special Agents alike receive annual and refresher training at the unit level. The sexual assault prevention and response training was initially developed in 2008 and last updated 2013. The training emphasizes the vital role in communication between the sexual assault response coordinator and instructs the law enforcement team to assure victim awareness and safety.

Process/Procedural upgrades and efficiencies

Expedited Transfer: In December 2011, the Air Force established policies and procedures to allow victims to request a temporary or permanent change of station referred to as an expedited transfer. This move to another location is intended to provide victims another opportunity for additional support. Air Force sexual assault response coordinators will advise victims of the option to request an expedited transfer as part of the reporting process. In February 2014, the Air Force further established expedited transfer policies and procedures as directed by the Secretary of Defense to allow the administrative reassignment or transfer of a member who is accused of committing a sexual assault or related offense, balancing interests of the victim and accused. This policy change has been implemented through an Air Force Guidance Memorandum to Air Force Instruction 36-2110, *Assignments*, to enhance the

protections afforded to victims. Previously commanders had the authority to administratively reassign an accused, but it was not an express requirement that vice commanders consider this option when acting on a victim's expedited transfer request.

Expedited Transfer Rapid Improvement Event: Based on victim and special victims counsel inputs regarding recent experience with the entire expedited transfer process, the Air Force Sexual Assault Prevention and Response Office hosted an Air Force Smart Operations rapid improvement event to streamline the victim transfer process. Particular attention was focused on the process and time period leading up to the commander's decision on an expedited transfer request, and the process and time period after the Air Force Personnel Center receives an approved expedited transfer request. Further decisions addressed standardized out-processing procedures at the base or installation level for continuity and predictability in planning while protecting the privacy and confidentiality aspects of the assignment request. In addition, discussion was initiated to consider this process for restricted reports as well as unrestricted reports, as it applies currently in the Air Force Guidance Memorandum to Instruction 36-6001 *Sexual Assault Prevention and Response Program.* Once codified and approved through policy channels, the results will be incorporated in the new Instruction 90-6001 *Sexual Assault Prevention and Response Program Procedures.*

Expanded Victim Advocacy Services: In June 2013, the Air Force expanded advocacy services to include Department of Defense civilian employees, their family dependents (18 years and older), and Department of Defense contractors in support of overseas contingency operations who are victims of sexual assault. These efforts provide limited emergency care medical services at a medical treatment facility for personnel otherwise not authorized to receive such care. However, all victims of sexual assault in deployed locations are transported as quickly as possible to an appropriate evaluation site, evaluated, treated for injuries (if any), and offered sexual assault response coordinator and victim advocate assistance, along with the option of a sexual assault forensic exam. It is Air Force policy to respond to sexual assault victims not otherwise entitled to care services at a standard equal to that allowed by law in response to any medical emergency.

Sexual Assault Prevention and Response Outreach: During the past three years, sexual assault response coordinators, victim advocates, leaders, and community agencies have launched a number of activities to educate Air Force personnel about sexual assault prevention and available services. Sexual assault response coordinators, victim advocates, and commanders use these outreach and awareness activities as an opportunity to build relationships and couple them with sexual assault prevention and response training. Outreach venues used for raising awareness include manned informational booths, static displays, and on-base health fairs. Wing level sexual assault prevention and response programs also partner with other events to raise awareness (i.e. Breast Cancer Awareness Month, Armed Forces Day, holiday runs), which target junior enlisted and single airman, civilians and dependents. This has not only increased knowledge and awareness but it has also provided leaders with a deeper understanding of the impact of sexual assault on the mission and their critical

role in establishing a climate, which will not tolerate this crime. Some installations established a memorandum of understanding with local rape crisis centers (when available in their communities) to establish links between the Air Force and local agencies. This allows victim advocates to attend local rape crisis center training where they gain the opportunity to volunteer and obtain additional experience and further develop skillsets.

Sexual Assault Prevention and Response Reporting: Over the last three years, the ways in which the Air Force responds to and supports victims of sexual assault has continued to improve. In June 2013, the Department of Defense revised policies to ensure dependents of military members 18 years of age and older are now eligible for treatment in the military healthcare system. This is true at installations worldwide. Adult dependents that are victims of sexual assault perpetrated by someone other than a spouse or intimate partner may make a restricted or unrestricted report. The restricted reporting option allows sexual assault victims to confidentially disclose their assault to specified individuals (i.e., sexual assault response coordinator, sexual assault prevention and response victim advocate, chaplain or healthcare personnel). In doing so, they qualify for medical treatment, including emergency care, counseling, and assignment of a sexual assault response coordinator and sexual assault prevention and response victim advocate, without triggering an official investigation with a few legally based exceptions. If a sexual assault happens within a family, then the victim will be supported by protocols under the Family Advocacy Program.

Air Force Operational Reporting: During 2013, the Air Force revised its operational reporting matrix to include “Alleged Sexual Assault Reports” with specific criteria. An operational report is used to immediately notify higher headquarters of any significant event or incident of sexual assault reporting. When a victim makes a sexual assault report (restricted or unrestricted), the installation commander generates an operational report of the incident within 24 hours (exception: 48 hours for deployed environments). This revision to operational reporting requirements ensures senior leaders have real time insight on when and where sexual assault allegations are made in the Air Force.

Harmonizing Equal Opportunity and Sexual Assault Prevention and Response Efforts: The Secretary of the Air Force recognizes that creating an environment free from sexual harassment and sexual assault will take a collaborative and coordinated effort from the Equal Opportunity and Sexual Assault Prevention and Response Offices to reinforce a culture of dignity and respect for all Airmen. On August 4, 2014, the Secretary of the Air Force signed a memorandum directing the Equal Opportunity and the Sexual Assault Prevention and Response Offices to begin harmonizing operations. Those offices are exploring synchronized options to create a cross-trained cadre of professionals. This complimentary relationship will provide both staff and commanders with additional resources to respond to reports of both sexual assault and harassment.

Healthcare Improvements: Several medical initiatives providing impetus for better victim care and coordination have been codified in Air Force Instruction 44-102, *Medical Care Management*. These initiatives include a memorandum of understanding with civilian victim exam services performed by a registered nurse or healthcare provider

whose training meets the standards in "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents." This training requirement is initially and periodically verified and requires coordination with the installation sexual assault response coordinator to ensure sexual assault prevention and response services and restricted reporting options are made available where possible. Additional changes include the requirement for military treatment facilities to ensure sexual assault medical response plans are gender responsive, culturally sensitive, and recovery oriented. These plans will address the provision, documentation, and follow-up of medical and mental health care for a victim of sexual assault. In addition, military treatment facilities undergo inspection by the Air Force Surgeon General's policy team and require designated executive level oversight. During 2014, several policies in support of sexual assault victim awareness and knowledge of services were added to existing Air Force Instructions. The Air Force Medical Operations Agency, in partnership with the Air Force Sexual Assault Prevention and Response Office, revised Air Force Instruction 44-172, *Mental Health*, updating the patient informed consent document to clearly inform patients about the option of obtaining a second opinion regarding diagnosis or treatment recommendations (this policy already exists in Air Force Instruction 10-203, *Duty Limiting Conditions*). A statement was added further clarifying how mental health records are maintained in an effort to better communicate to sexual assault victims their rights while undergoing care and treatment. In some rare instances, there is a requirement to disclose a mental health record in response to a court order, or other lawful demand, if an exception to the rule of confidentiality applies.

Another initiative that directly supports sexual assault victims is a required higher level review when the conditions are met for an administrative discharge. Policy guidance is scheduled for a November 2014 release.

Since fall 2013, the director of psychological health is a required member at monthly case management group meetings to improve consistency and include psychological health expertise at the base level meeting. The inclusion of mental health into the case management group has improved communication and coordination with the Air Force Surgeon General community and greatly benefits the psychological health care coordination for sexual assault victims.

In fall 2013, the Air Force Family Advocacy Program and Air Force Sexual Assault Prevention and Response Office revised existing 2008 triage guidelines distinguishing the differences between acquaintance, unmarried intimate partner, and spouse sexual assault case. The revised guidelines improved coordination between the Air Force family advocacy and sexual assault prevention and response personnel.

Improvements to victim/survivor services and resources available

Deployments: All deploying Airmen receive 30-minutes of pre-deployment sexual assault prevention and response training, prior to departure. An Air Expeditionary Wing sexual assault response coordinator will meet and brief Airmen upon arrival at their deployed location and provide additional installation-specific training. The Airmen are provided with the sexual assault response coordinator's name, office location, and a

detailed description of care services available at the respective deployed location. Airmen deploying in support of joint operations are provided the same information via email and telephone when they are at locations where the Air Force is not the lead service.

Beginning in fiscal year 2013, the Air Force Medical Service augmented staffing at six remote sites in the Central Command Area of Responsibility with sexual assault forensic examiners, trained to Department of Justice standards. Stationing examiners in deployed environments worldwide improves victim advocacy and expedites care to victims.

Air Force Aid Society: The Air Force Sexual Assault Prevention and Response Office has partnered with the Air Force Aid Society to provide victim support. Since the partnership began in 2013, the Air Force Aid Society has provided financial assistance to 20 victims defraying the travel cost for family members to support victims and replacing items confiscated by investigators (such as phones, laptops, bed linens, and similar items). The Air Force has established a process by which the Air Force Aid Society can provide support to victims through the installation sexual assault response coordinator, allowing the victim to maximize his or her privacy and minimize the dissemination of personally identifying information.

Indicators of victim satisfaction and confidence in the system

Special Victims' Counsel Program Victim Impact Survey: The Air Force, as the first service to implement the Special Victims' Counsel Program, proactively initiated a victim impact survey. The anonymous survey was developed in consultation with several civilian subject matter experts and fielded in March 2013 in order to measure program effectiveness as a whole. The survey measured whether special victims' counsel were effectively assisting their clients with various military justice matters, including assisting victims with understanding the investigative and courts-martial processes, their rights as crime victims, and whether they felt they were able to exercise their rights as crime victims. The survey also measured victims' subjective feelings on whether they felt supported throughout the military justice process. The survey is now provided to all sexual assault victims involved in the military justice process.

Results of the survey after 18 months of operation include:

- 91% "extremely satisfied" with the advice and support the special victims' counsel provided during the Article 32 hearing and court-martial (8% "satisfied"; 1% "dissatisfied");
- 98% would recommend other victims request special victims' counsel;
- 94% indicated their special victims' counsel advocated effectively on their behalf;
- 96% indicated their special victims' counsel helped them understand the investigation and court-martial processes

Survey results are used to shape special victims' counsel policy and training. Additionally, the Air Force Special Victims' Counsel Program regularly shares the responses with Air Force leadership to enable them to assess victims' perception of the support they received throughout the military justice process. Victims have the option of providing their name when they fill out the survey. When victims include their name, their feedback is shared with their special victims' counsel, providing them with a great sense of accomplishment and renewed motivation.

A sample of victim feedback regarding their special victims' counsel:

"I am eternally grateful for Capt XX's representation. Capt XX literally (probably unknowingly) saved my life. He is my hero. During the most stressful, most discouraging, most painful time in my life, Capt XX was there to guide me. I spoke to Capt XX nearly every day, if not weekly, until my case was finally closed. I fully understood and supported all of the decisions made in my case. Capt XX is the epitome of a Special Victim's Counselor. He does not just file the paperwork and make phone calls; he holds you up when everything around you is crumbling down. He always knows the best move to make, and always says things in exactly the right way. This case was an emotional rollercoaster, and it seemed like every day something new and terrible came up. For over a year, I felt like there were only two people I could trust; my husband and Capt XX. I owe him my life and my sanity. Thank you Capt XX."

Best practices/innovations specific to the United States Air Force

Survivor Stories: Since July 17, 2013, the Air Force collaborated with survivors of sexual assault to produce short videos about their experiences. The videos were posted on the "Every Airman Counts" Blog. Some of these survivors also volunteered to speak at leadership summits and other locations throughout the Air Force. The videos, plus survivors' stories sends an empowering message to other victims/survivors encouraging them to come forward to receive the emotional, medical and legal support they may need. Currently the Air Force has three survivor videos and one survivor article posted on the blog. These videos plus the article had 15,304 hits on the day of their release and over 1,200,000 hits since the inception. In one video, a survivor recounts being raped and shares her experience with a message to empower other survivors to come forward and obtain the emotional, medical, and legal support they need. In the other two videos, the survivors' message stressed the importance of educating Airmen on the impact of sexual assault and how to recognize it. A survivor article, written by an anonymous survivor, conveyed the message that regardless of when the assault occurred, recovery and support services are available through the sexual assault prevention and response office.

Focus Groups: The Air Force conducted focus groups during the summer of 2013 and again in fiscal year 2014 to gain feedback on the Sexual Assault Prevention and Response Program. Over the two-year period, twenty-two installations (including overseas locations) were visited to assess attitudes and experiences regarding sexual assault in the Air Force. The focus group teams met with more than 2,000 Airmen from

a broad range of demographics, to include survivors. Focus group members included Active Duty, Reserve component, and civilian Airmen. The process used to select participants was a combination of volunteers or random selection. Survivors had the option to meet in a group, or individually with a focus group facilitator. Meeting with Airmen face-to-face demonstrated the Air Force's high-level of focus and commitment to eliminating the crime of sexual assault. These small group discussions provided a forum to capture attitudes and beliefs surrounding the crime of sexual assault as well as helping to inform Airmen on specific initiatives that strengthen personal resilience and encourage victims' to report.

Leadership Summit: In April 2012, the Air Force leveraged its annual leader summit as an opportunity to reemphasize the role of leaders in sexual assault prevention. The summit included a segment focused on continued prevention through community empowerment and senior leader emphasis. Leading experts in the field of sexual assault prevention and Department of Defense leaders presented information about offender behavior, bullying and hazing, false reporting and consent. Ms. Mary Lauterbach, the mother of a Marine killed by the man who sexually assaulted her, gave a moving speech emphasizing the importance of leaders in supporting and believing victims. The Vice Chief of Staff of the Air Force, the Secretary of the Air Force, and the Director, Department of Defense Sexual Assault Prevention and Response Office spoke with the attendees to emphasize the Air Force's commitment to eliminating sexual assault.

In December 2013, the Air Force conducted a senior leader's summit for wing commanders and command chiefs with a full day dedicated to sexual assault training and discussion. That year, major command and installation sexual assault response coordinators were invited to participate. Leading subject matter experts in the field of sexual assault prevention spoke directly to every Air Force wing commander. The summit provided blocks of instruction that covered topics, such as, victim trauma and recovery, offender behaviors, and offered the victim perspective of this crime. Dr. Leslie Lebowitz, a clinical psychologist who has worked for decades with sexual assault survivors, presented facts about the neurobiology of trauma and how commanders can provide a more informed response to sexual assault victims. Commanders also learned about societal myths that allow potential sex offenders to maneuver effectively among us without suspicion and detection from Mr. David Markel, the U.S. Army Military Police School expert. Ms. Anne Munch, a twenty-seven year criminal prosecutor shared information about grooming behaviors of offenders and discussed how they capitalize on victim vulnerabilities. Attendees also received legal and policy updates from a panel of Air Force attorneys. The summit culminated with two survivors, one male, and one female, sharing their sexual assault stories. They also highlighted the supportive services provided by the sexual assault response office and the benefits of effective leadership engagement. These powerful presentations raised awareness and emphasized the importance of command involvement, empathy, and their ability to recognize the dynamics of offender behaviors. This summit provided clarity and a greater appreciation of this very complex issue and laid the groundwork for future policies and practices that reinforce core values and mutual respect.

Major Command Teleconference: Since June of 2010, the Air Force sexual assault prevention and response leadership has conducted a monthly teleconference with all of the major command sexual assault prevention and response program managers. These teleconferences serve as an open communication forum and enable the Director, Sexual Assault Prevention and Response an opportunity to answer questions and share timely information with program managers. The teleconferences also serve as a communication medium for the Sexual Assault Prevention and Response Office to discuss plans, policies, and future training course dates. Furthermore, the teleconference is a critical feedback venue as it provides an opportunity for major command sexual assault response coordinators to comment on the effectiveness of past initiatives and discuss challenges unique to their installations and respective command. The participants have repeatedly expressed the tremendous value of this teleconference in maintaining situational awareness.

Deployed Sexual Assault Response Coordinator Teleconference: Beginning in spring of 2011, the Air Force Sexual Assault Prevention and Response Operations Branch, working in conjunction with Air Force Central Command, began a monthly teleconference with the seven sexual assault response coordinators deployed at the time in the area of responsibility. The teleconference covered the following topics; medical treatment and the availability of sexual assault nurse examiners, continued enhancement of pre-deployment training, collaboration with the theater's Army Criminal Investigative Division, and alcohol policies unique to the Air Force's Central Command. Similar to the major command teleconference, it provides deployed sexual assault response coordinators a critical communication forum to comment on the effectiveness of initiatives and discuss challenges associated with the deployed environment. By implementing this teleconference, the deployed sexual assault response coordinators' performance and confidence increased significantly. Indirectly, the teleconference enhanced headquarters situational awareness about the challenges associated with sexual assault prevention and response unique to a deployed environment. In May 2013, with increased operations levied on the deployed sexual assault response coordinators, Sexual Assault Prevention and Response Operations increased these teleconferences to once a week with continued appreciation expressed by sexual assault response coordinators deployed to Central Command Area of Responsibility.

Air Force Sexual Assault Prevention and Response Council: During fall 2013, Headquarters Air Force established a monthly Sexual Assault Prevention and Response Council. The council is chaired by the Undersecretary of the Air Force and the Air Force Vice Chief of Staff, and brings in the major command vice commanders with their sexual assault prevention and response program managers to discuss sexual assault prevention and response issues. Normally, 30-60 minutes in length and issues discussed include challenges with civilian volunteer victim advocates, assessing military training instructors and screening process, challenges with states not recognizing restricted reporting for our Airmen and state licensure for medical professionals.

Web Chats: Since October 2013, the Vice Chief of Staff has hosted "senior leader web chats" with Airmen in the field. This real-time, two-way broadcast allows him to not only communicate Air Force vision and initiatives to Airmen, but also take questions from the

field. The Vice Chief of Staff conducts these web chats every two months to gain firsthand knowledge directly from Airmen about their experiences and thoughts regarding sexual assault prevention and response and the Air Force climate. The web chats serve as a critical communication venue in keeping senior leadership constantly aware of evolving Air Force culture and their efforts to promote victim advocacy.

Positive trends (qualitative & quantitative)

Stand Down Day Assessments: In May 2014, the Air Force Sexual Assault Prevention and Response Program administered an online pre- and post-test for its stand down training. 25,446 members took the pre-assessment and 10,732 took the post-assessment. Though this assessment was not scientifically developed lacking checks for reliability and validity, it was the first time an attempt was made across the force to assess advocacy information delivered during sexual assault prevention and response stand down events. Most of the questions tested specific factual knowledge related to offenders and perpetrator behavior that was the focus of the training. The most significant increase in knowledge was the fact that most offenders premeditate their crime; before the test only 78.31% of respondents answered correctly while after the down day 91.59% of respondents answered this fact correctly. Another area of increased knowledge where test scores rose from 83.62% to 92.72% was the fact that most offenders will victimize again. An opinion question asked about the effectiveness of sexual assault prevention and response training. Before the stand down day, 49.99% of respondents stated that sexual assault training was either effective or highly effective. After the stand down day, 65.34% indicated that the training was effective or highly effective. The aforementioned changes in training are now creating “buy-in” from the field and clearly demonstrate a positive trend that the Air Force is succeeding in creating Airmen who understand victim advocacy and embrace a future free of sexual assault.

Installations were given the opportunity to provide qualitative feedback on the Sexual Assault Prevention and Response Stand Down Day. Their reports provided valuable information about the positives and negatives of the training as well as suggestions for improvements. Key findings were that participants preferred the use of small groups because it provided the most effective way to encourage open discussions. Other recommendations for improvements included a need for more varied scenarios, specifically more “gray” area scenarios and information about what happens after a victim makes a report. The Air Force Sexual Assault Prevention and Response Office also sent out teams to observe units conducting sexual assault prevention and response stand down events. These observers reported that there was a great deal of open dialogue and sharing of personal experiences. In addition, they highlighted that the skill set of the facilitators is critical to the success of sexual assault prevention and response training.

Defense Sexual Assault Incident Database: During fiscal year 2014, as the Defense Sexual Assault Incident Database became the database of record the Air Force focused increased resources on the accuracy of that data source. As the main source of information on sexual assaults used by both the Department of Defense and the Air

Force to track sexual assault cases, it is vital that the information in the Defense Sexual Assault Incident Database retain a precise record of each year's activity. As part of the data integrity effort, the Judge Advocate General of the Air Force, the Commander of Air Force Office of Special Investigations, and the Director of the Air Force Sexual Assault Prevention and Response Office co-signed a memorandum in July 2014, encouraging information sharing, and collaboration of the three offices at the installation level.

The Defense Sexual Assault Incident Database is primarily victim-focused. However, for unrestricted reports the database includes subject information along with investigation and disposition information. Based on the July 2014 memorandum, the Headquarters Sexual Assault Prevention and Response Office developed a collaboration process to work with major command and installation sexual assault response coordinators to identify and gather needed subject, investigation, and disposition information. At the installation level, the sexual assault response coordinators reach out to the installation Air Force Office of Special Investigations detachments and legal offices to obtain the remaining information. The Air Force continues to work alongside the other services to provide data for the Department of Defense sexual assault-related metrics, which include reporting, military justice, and investigative process data.

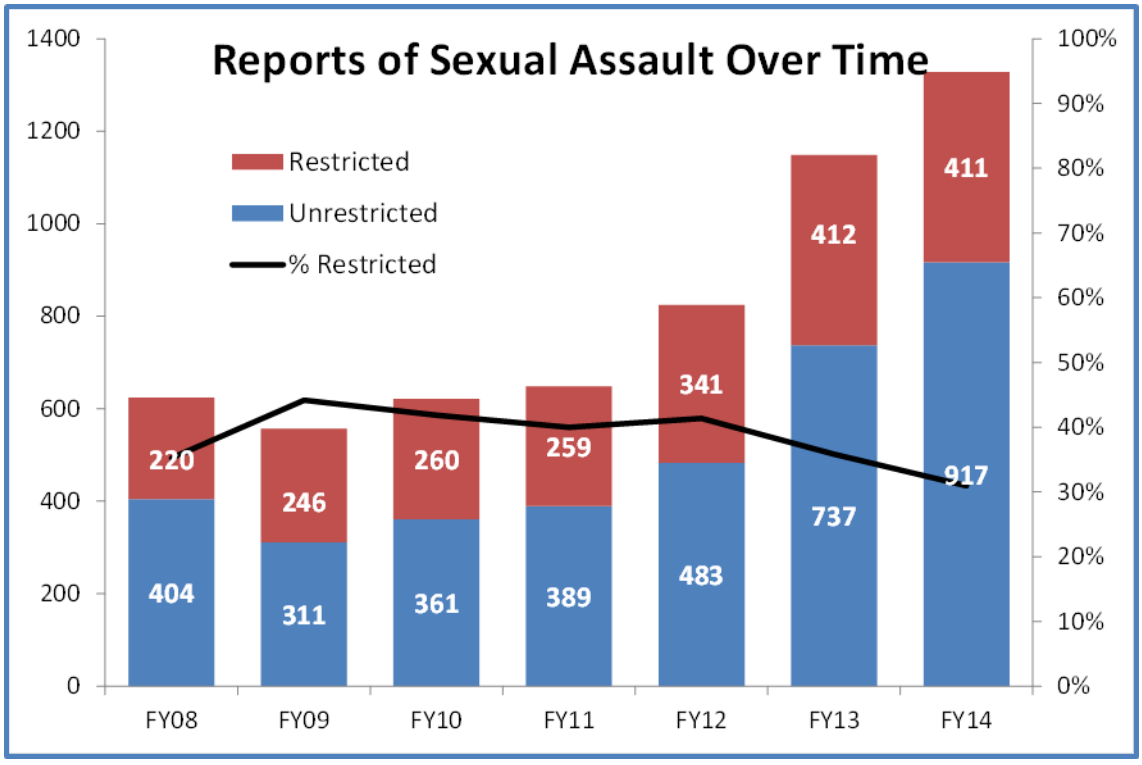


Chart 4.1 – Annual Reports of Sexual Assault

As displayed on Chart 4.1, since fiscal year 2010 the Air Force has experienced a steady increase in the number of reports, both restricted and unrestricted. That trend continued in fiscal year 2014. The Defense Sexual Assault Incident Database showed

an increase in the number of cases reported to the Air Force. The Air Force is cautiously optimistic that this is an indication that members of the Air Force have more trust in the Sexual Assault Prevention and Response Program. Chart 4.1 provides a breakout of the total cases by unrestricted and restricted reports in addition to the ratio of restricted to unrestricted reports. Since fiscal year 2012, the ratio of restricted to unrestricted reports has steadily declined. This is a trend worth following because it may be another indicator of increased victim confidence in the Air Force program.

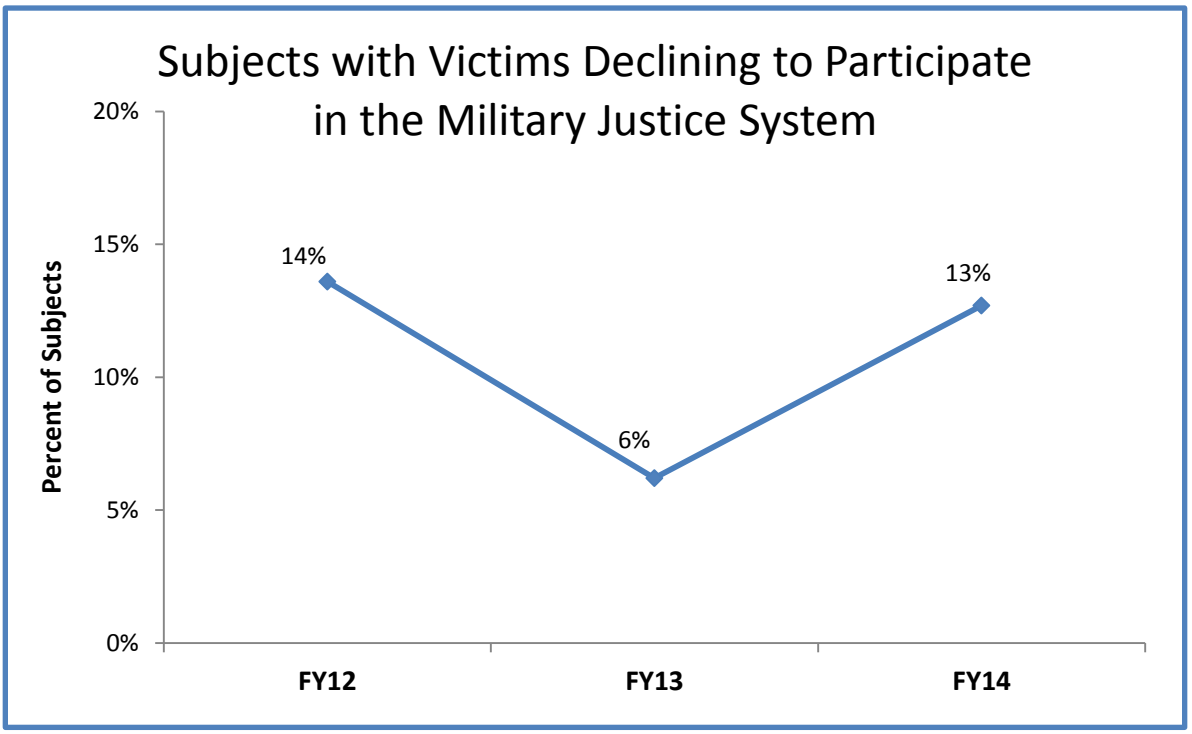


Chart 4.2 - Victims Declining to Participate in the Military Justice Process

The percentage of Air Force victims of sexual assault declining to participate in the military justice process has varied since 2012. Though not all victims who make an unrestricted report of sexual assault want to participate in the investigative and legal process, the Air Force's goal is to support victims in any of the choices they make and reduce any barriers to services provided.

Defense Equal Opportunity Management Organizational Climate Survey:
This survey is designed to measure command climate and Airmen's confidence in the appropriate execution of the Sexual Assault Prevention and Response Program. Beginning in January 2014, the Air Force mandated the use of the Defense Equal Opportunity Management Institute Organizational Climate Survey. Prior to the use of the Defense Equal Opportunity Management Organizational Climate Survey, the Air Force used a Unit Climate Assessment tool to survey and focus on potential equal opportunity and harassment issues within Air Force organizations. In February 2012, the Air Force added six sexual assault questions to the Air Force Unit Climate Assessment. These questions were added because a work environment and/or a

commander that permits sexual harassment creates an environment tolerant of sexual assault. Historically, this survey was administered 180 days or more into command and then every two to three years thereafter. In 2012, the Air Force updated policy to combat sexual assault and began fielding the survey to unit members within 120 days of a commander assuming command of a new unit and annually thereafter. The results from these surveys are not only provided to the commander, but also to the members of the units and the commander's leadership. Since the surveys are completed on an annual basis, it allows commanders to identify improvement areas and issues that need to be addressed during their tenure.

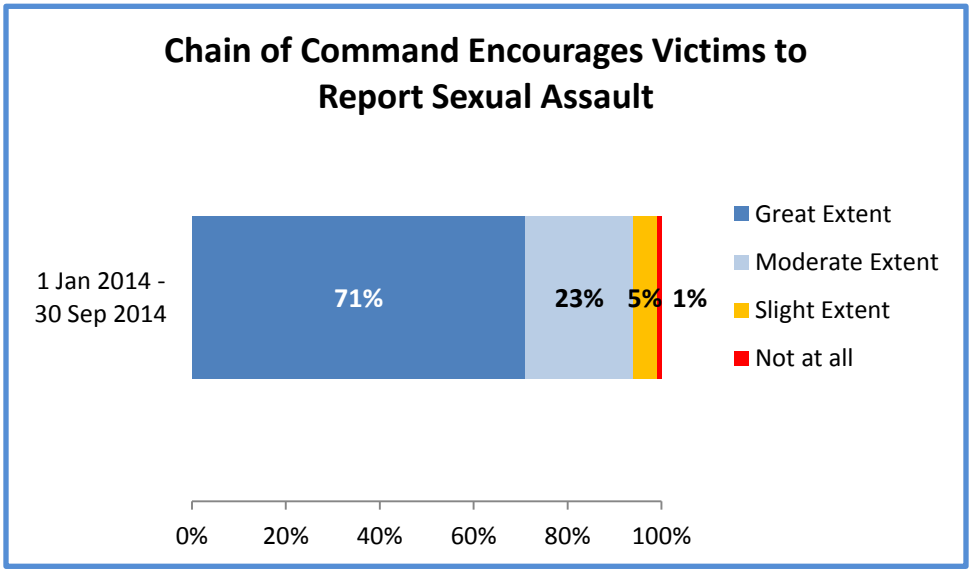


Chart 4.3 – Responses to Chain of Command Encourages Victims to Report Sexual Assault

In response to this question on the Defense Equal Opportunity Management Institute Organizational Climate Survey the majority of Airmen indicate that either to a "great" or "moderate" extent their chain of command encourages victims to report the crime of sexual assault.

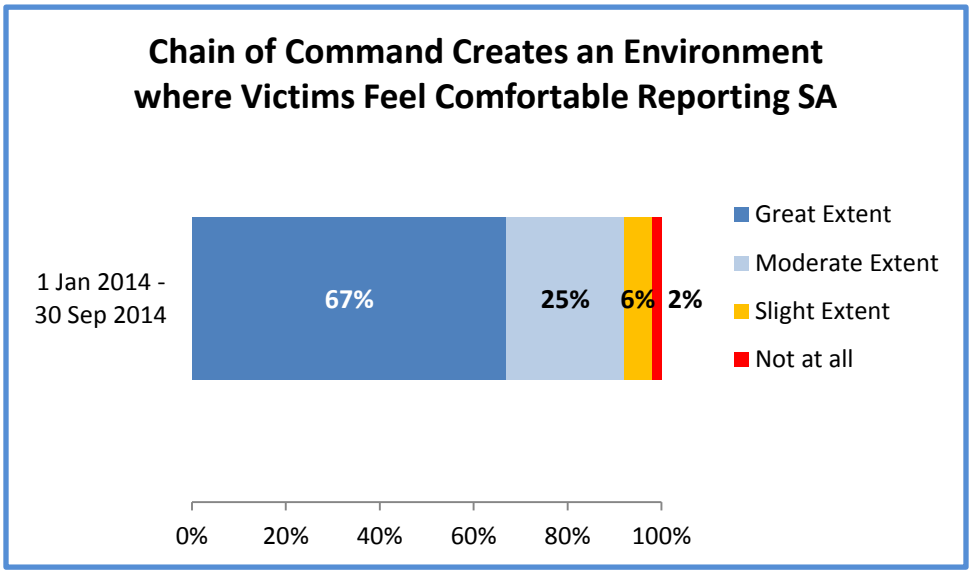


Chart 4.4 – Responses to Chain of Command Encourages Victims to Report Sexual Assault

Based upon responses to the Defense Equal Opportunity Management Institute Organizational Climate Survey most Airmen felt confident that to a "great extent" their chain of command encouraged victims to report a sexual assault. More than 90% of the population stated that their chain of command makes a noticeable effort to create an environment that would support victims coming forward.

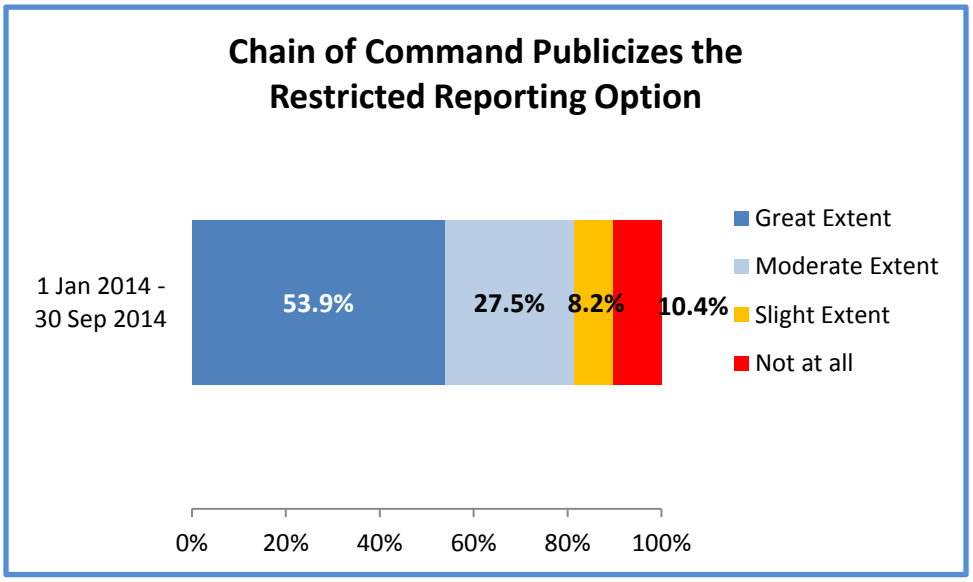


Chart 4.5 – Responses to Chain of Command Publicizes the Restricted Reporting Option

In response to this question on the Defense Equal Opportunity Management Institute Organizational Climate Survey, the majority of Airmen indicate that either to a "great" or "moderate extent" their chain of command publicizes the restricted reporting. Nevertheless, it is clear that there is a need to improve Airmen understanding of the Restricted Reporting Option.

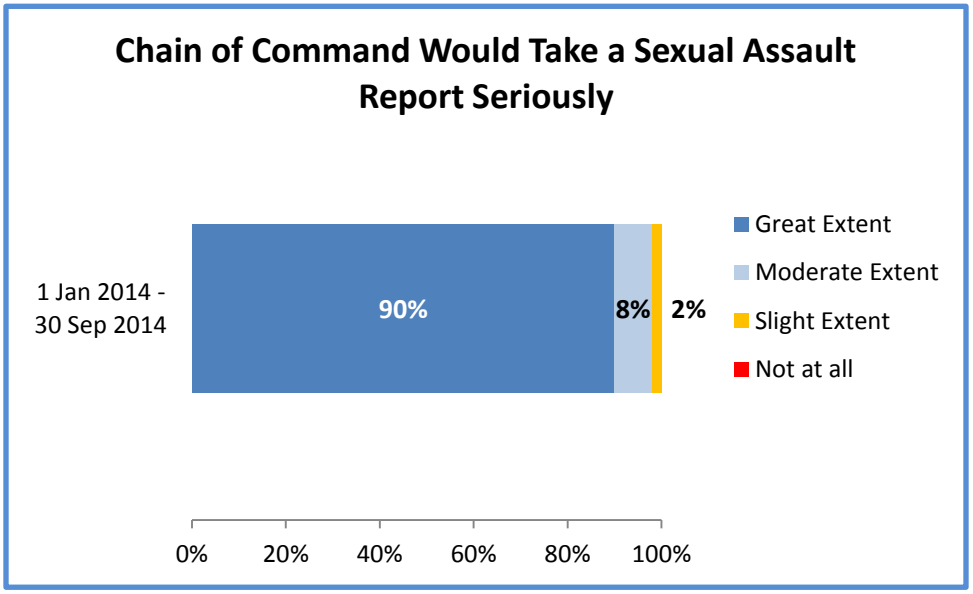


Chart 4.6 – Responses to Chain of Command Would Take a Sexual Assault Report Seriously

This chart of Defense Equal Opportunity Management Institute Organizational Climate

Survey response rates indicate that 90% of the Airman population has absolute confidence that their chain of command to the “greatest” extent would take a sexual assault report seriously.

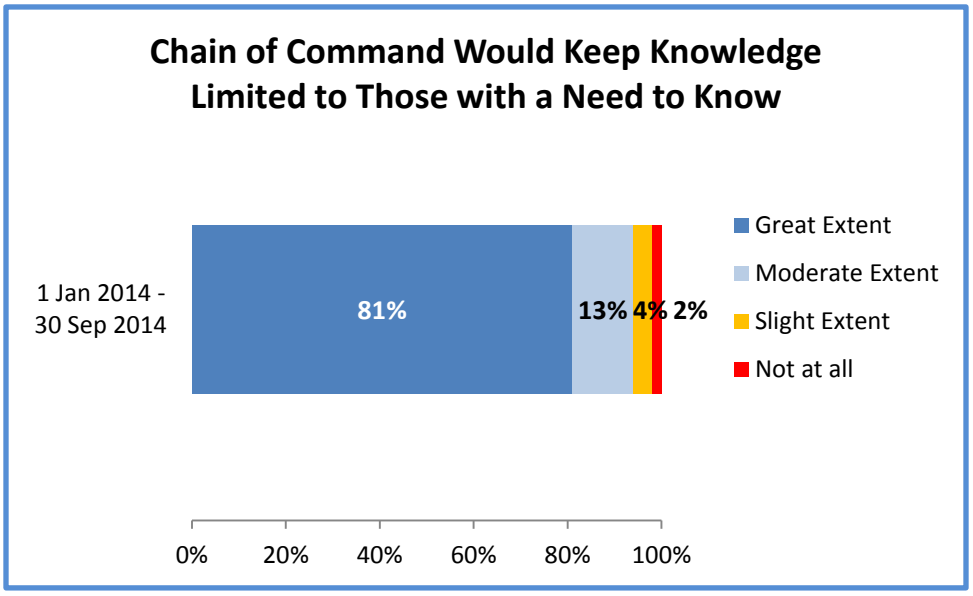


Chart 4.7 – Responses to Chain of Command Would Keep Knowledge Limited to Those with a Need to Know

The response to this question on the Defense Equal Opportunity Management Institute Organizational Climate Survey suggest that Airmen have a resounding trust in their leadership to keep knowledge limited to those with a need to know. This trust is vitally important to convincing victims to come forward to seek care and support accountability.

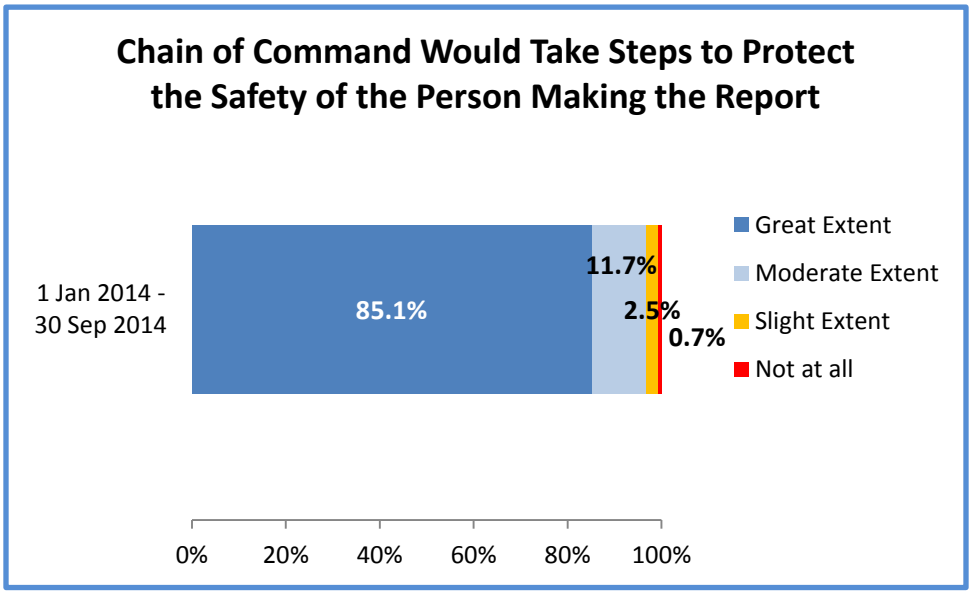


Chart 4.8 – Responses to Chain of Command Would Take Steps to Protect the Safety of the Person Making a Report

Based upon responses to the Defense Equal Opportunity Management Institute Organizational Climate Survey Airmen resoundingly trust their chain of command to take the necessary steps to protect the safety of the person making the report. The Air Force leadership has been very proactive in ensuring a victim of sexual assault is provided the opportunity to remove themselves from any situation that may present potential concern and/or danger. Leadership uses tools such as local permanent change of assignments, assigning victims to new dorms and/or expedited transfers to ensure the safety of any person reporting an allegation of sexual assault.

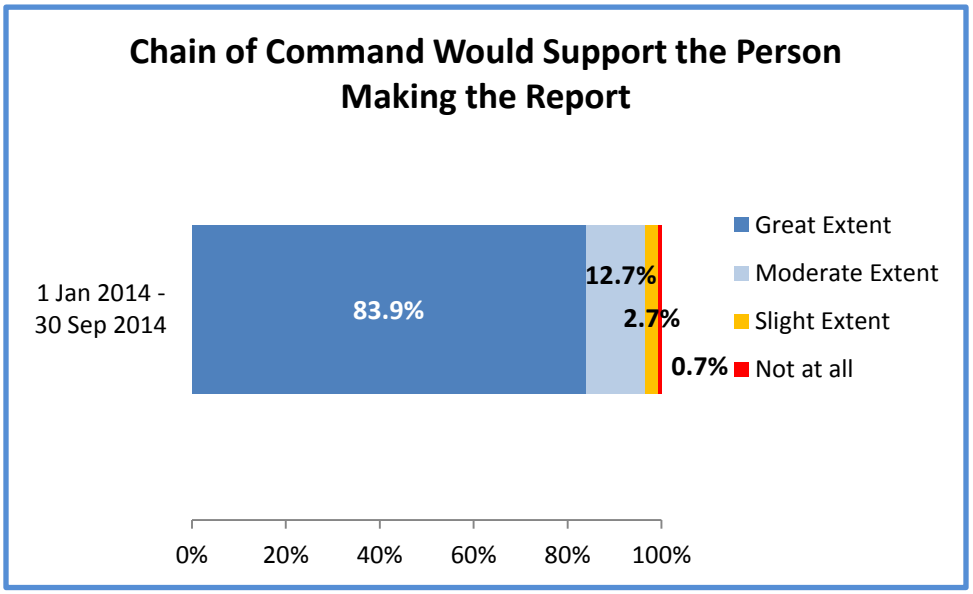


Chart 4.9 – Responses to Chain of Command Would Support the Person Making a Report

The responses to this question on the Defense Equal Opportunity Management Institute Organizational Climate Survey suggest that Airmen trust their chain of command to protect the person making a report. This has been a key point of emphasis in recent training.

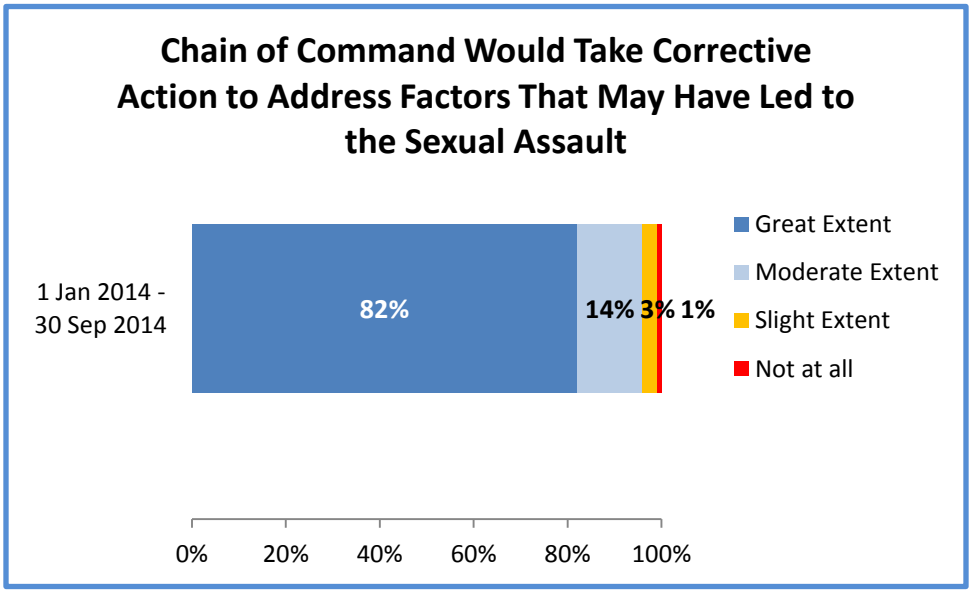


Chart 4.10 – Responses to Chain of Command Would Take the Appropriate Corrective Actions to Address Factors that May have Led to the Sexual Assault

The responses to this question on the Defense Equal Opportunity Management Institute Organizational Climate Survey suggest that more than 95% of Airmen have confidence

that the chain of command would take the appropriate corrective actions to address factors that may have led to the sexual assault. The Air Force has made great efforts to educate and advise commanders on the importance of the appropriate level and timing of corrective actions and/or punishment for misconduct, but specifically that which occurs during a sexual assault report. It is important that leaders create a balance as to be mindful that corrective actions at the inappropriate time can lead to mistrust in the system.

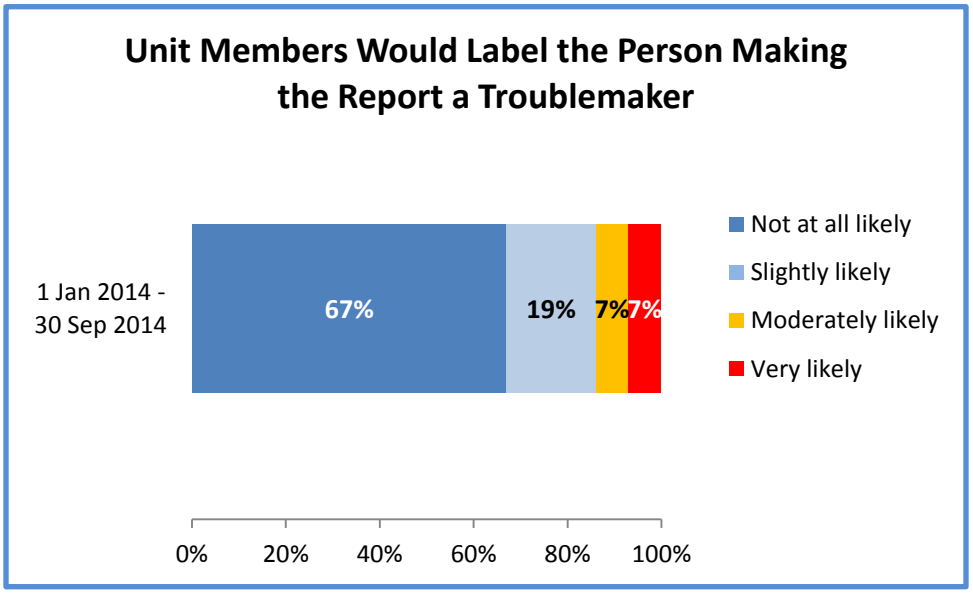


Chart 4.11 – Responses to the Unit Would Label the Person Making the Report a Troublemaker

Based upon responses to the Defense Equal Opportunity Management Institute Organizational Climate Survey two-thirds of Airmen indicated that unit members would not label the person making a report a troublemaker. While 67% of the population believe this is not an issue, the other 33% believe that to a "slight," "moderate," and/or "great" extent unit members would label the person making the report a trouble maker. The Air Force has provided extensive training and education on the effects of victim blaming and how this issue can create barriers to reporting. The Air Force is committed to providing the necessary support to any person coming forward to report a sexual assault.

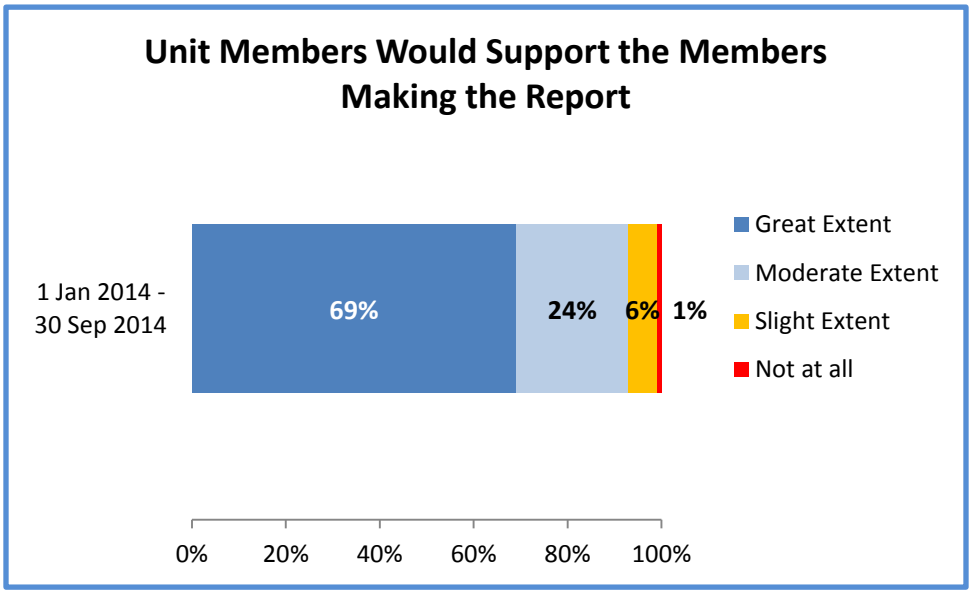


Chart 4.12 – Responses to the Unit Would Support the Members Making the Report

The responses to this question on the Defense Equal Opportunity Management Institute Organizational Climate Survey suggest to a large degree, that most Airmen trust their unit peers and would support victims making a report. While there is approximately 7% of the population that believes unit members would not significantly support individuals who come forward, the Air Force continues to improve training to increase understanding of victims and each Airman's responsibility to ensuring they are helping to create a culture of "dignity and respect."

5. LINE OF EFFORT 5 – ASSESSMENT

Overview: Over the last three years, the Air Force has worked hard to standardize assessment methodologies and to effectively measure, analyze, assess, and report the progress of the Sexual Assault Prevention and Response Program. Assessment is an enduring process of data collection and analytics designed to improve program effectiveness and is embedded within each of the other four lines of effort. This effort includes surveys and verbal feedback from commanders, victims, victim advocates, and Airmen across all echelons within the Air Force. The Air Force incorporates a responsive, meaningful, and accurate measurement and evaluation system to determine its impact on eliminating sexual assault. The Sexual Assault Prevention and Response Office serves as the single point of authority, accountability, and oversight for Air Force Sexual Assault Prevention and Response Program policy. As the program lead, this office uses a variety of tools such as the Defense Sexual Assault Incident Database, focus groups and other survey instruments to assess the Sexual Assault Prevention and Response Program in order to determine the progress we are making in our efforts to eliminate sexual assault in the Air Force.

Populations Affected: All

The Air Force Sexual Assault Prevention and Response Office serves as the principal advisor to the Secretary of the Air Force, Chief of Staff of the Air Force, and members of Congress for the Air Force Sexual Assault Prevention and Response Program. The Air Force Sexual Assault Prevention and Response Office provides both policy and operational oversight for the Air Force Sexual Assault Prevention and Response Program through policy, programs, training, research, and analysis. It maintains functional oversight of Sexual Assault Prevention and Response Program execution and related Air Force sponsored analysis, assessments, and research.

The Air Force Sexual Assault Prevention and Response Program Office is responsible for policies including; service coordination with the Office of Secretary of Defense Sexual Assault Prevention and Response Office; budgeting, manpower, and resources for program execution; Air University Sexual Assault Response Coordinator and Sexual Assault Victim Advocate Course oversight. Other responsibilities include; the Sexual Assault Advocate Certification Program, annual training curriculum development, expedited transfer policy and oversight, Safe Helpline administration, sexual assault response coordinator deployment management, Defense Sexual Assault Incident Database oversight, Sexual Assault Prevention and Response records management guidance and disposition, and sexual assault Congressional reporting.

The Air Force has committed to effectively analyzing and assessing our Sexual Assault Prevention and Response Program's processes and procedures to ensure leaders are provided with tools that create an environment that cultivates a culture of dignity and respect. Since the conception of the Sexual Assault Prevention and Response Program, the Air Force has grown significantly in understanding the complexity of this issue. Recent assessment initiatives have helped commanders and senior leaders

better understand the continuum of harm and how behaviors and/or actions can escalate into events of harassment and assault. The Air Force has generally taken a "response-centric" approach to understanding and solving this issue; however, within recent years, the focus has shifted to improve our understanding of prevention related approaches that eliminate predator and predatory behaviors. For example, in 2010 the Air Force solicited the assistance of Gallup to conduct research and analysis on prevalence as it relates to this crime. Research hypothesis suggested that understanding the characteristics and dynamics of predators would help Airmen at every level become active bystanders while helping leaders establish boundaries and standards by which Airmen could be held appropriately accountable. Over the past three years, assessment methods have increased to provide insights into how the Air Force is accomplishing its goals. The key tools used to assess the impact of progress on the population include, surveys, focus groups, training, and the Defense Sexual Assault Incident Database.

Surveys: Surveys are one of the most effective tools used to provide leaders specific statistical information to tell a story about the health and welfare of a large population or environment. The Air Force uses several surveys to provide commanders and leaders with relevant and necessary information. The following surveys were fielded to expand the understanding of sexual assault prevention and response related issues.

- **Prevalence Surveys:** Since fiscal year 2006, the Department of Defense has conducted Workplace and Gender Relations Surveys on Active Duty and Reserve personnel to provide sexual assault prevalence estimates on the level of "unwanted sexual contact" occurring to those populations for Department of Defense leadership. The activity "unwanted sexual contact" that was measured, approximated, but did not equate to the criminal elements of the sexual assault spectrum as defined by law. Historically the Defense Manpower Data Center has administered two versions of these surveys. One version sampled the Active Duty military population in fiscal years 2006, 2010, and 2012 with the sample sizes large enough to breakout results for each service. The second version sampled Reserve and Guard military populations in fiscal years 2008 and 2012, once again with breakout results for each service. In fiscal year 2014, the Department of Defense contracted RAND corporation to conduct an updated Military Workplace Study to sample Active Duty, Guard and Reserve personnel. The questions used on the RAND Military Workplace study provide more detail on the type of crime occurring within the services.

- In addition, in fiscal year 2010, the Air Force contracted with Gallup to conduct a more detailed prevalence survey.

- **Defense Equal Opportunity Management Organizational Climate Survey:** This survey identifies the climate of organizations related to several different aspects. Beginning in January 2014, six questions pertaining to four dimensions of the sexual assault prevention and response climate factors were included into this survey to provide additional insight into the various aspects of culture and

climate. The climate factors included confidence in the chain of command, willingness to intervene, and work environment safety. Prior to the inclusion of the sexual assault questions, the climate survey focused on potential equal opportunity and harassment issues. The sexual assault questions were added because a work environment and/or a commander that permits sexual harassment is an environment tolerant of sexual assault. Historically, this survey was administered 180 days or more into command and then every two to three years thereafter. In 2012, the Air Force updated policy to combat sexual assault and began fielding the survey to unit members within 120 days of a commander assuming command of a new unit and annually thereafter. The results from these surveys are not only provided to the commander, but also to the members of the units and the commander's leadership. Since the surveys are completed on an annual basis, it allows commanders to identify improvement areas and issues that need to be addressed during their tenure.

- **Internal Communication Assessment Group Sexual Assault Prevention and Response Survey:** The purpose of Internal Communication Assessment Group surveys are to assess the effectiveness of communications to members of the Air Force. The Group Sexual Assault Prevention and Response Survey was updated in 2013 to include questions to assess the communication effectiveness of sexual assault prevention and response training initiatives and communication opportunities.

- **Victim Impact Survey:** Beginning in 2013, this survey was designed to measure a victim's subjective feelings on whether they felt supported throughout the military justice process. The survey is provided to all sexual assault victims involved in the military justice process, and is primarily used to assess effectiveness and shape the future for the Special Victims Counsel Program.

- **Victim Experiences Survey:** This survey, developed in fiscal year 2014, is geared toward understanding the quality of all response services provided to victims. While not yet fielded, it was the genesis of the Defense Department's Survivor Experiences Survey.

- **Pre- and Post-Training Surveys:** These surveys help assess the effectiveness of Air Force Sexual Assault and Prevention Office training efforts. These surveys were administered in fiscal year 2014 at a number of Sexual Assault Prevention and Response Courses with plans for future expansion.

Focus Groups: Since the inception of the Air Force Sexual Assault Prevention and Response Office, focus groups have been a vital link connecting Air Force senior leaders with the force-wide perceptions of the Sexual Assault Prevention and Response Program. The primary benefit of focus groups is to provide qualitative data to corroborate other quantitative assessment products. In the summer of 2013, the Air Force conducted focus groups at 14 bases from across the Air Force discussing sexual assault topics with a wide spectrum of ranks. The primary focus of the focus groups

was to provide insights on the perceptions of sexual assault in the Air Force, on the effectiveness of training, and potential improvements that the Air Force could make in the sexual assault program. Focus groups were again conducted during the summer of 2014. In 2014, focus groups were held at 10 bases across the Air Force. The purpose of the fiscal year 2014 focus groups was to gather feedback on the climate, culture, potential explanation of restricted reporting and training as it relates to sexual assault.

Training Assessments: Providing assessment tools to determine if Air Force training programs deliver the course content effectively is critical to program development. In January 2014, assessments were improved in each course update to monitor the training program progress as part of an ongoing training review.

- **Air Force Stand Down Day:** With the fiscal year 2014 Sexual Assault Prevention and Response Stand Down Day, the Air Force implemented training program pre- and post-assessments. The Air Force conducted Sexual Assault Prevention and Response Stand Down Day training to all Air Force members in May and June 2014. Airmen were provided a link to take a pre-assessment prior to the stand down day. After the Sexual Assault Prevention and Response Stand Down-Day, members were directed to a second link to take a post-assessment. The results of the assessments allowed the Air Force to identify what training objectives were met and potential areas for improvement.

- **Commanders' Training:** All Air Force Wing and Group Commanders must take a Pre-Command Course prior to assumption of command. The course traditionally included a three-hour segment of this course focused on sexual assault prevention and response training. Based on participant feedback, in fiscal year 2014 this was extended to four hours. Airmen assigned to the Air Force Sexual Assault Prevention and Response Office conduct the training to the 70-90 course participants. Starting with the April 2014 Pre-Command Course, the Air Force implemented the pre- and post-assessment process. The pre-assessments are completed by participants the day prior to the sexual assault prevention and response training and informs' facilitators on which portions of the curriculum to emphasize. The post assessments done in 2014 indicate that the intended training and message were well articulated and show increases in knowledge following the required block of training.

- **Sexual Assault Response Coordinator Training:** In fiscal year 2013, pre- and post-tests were administered during the sexual assault response coordinator training. These tests assessed the knowledge of personnel who were selectively chosen to fill this critical billet and the post-tests provided a tangible way to analyze whether or not the training provided was retained.

Training assessment tests allow for the sexual assault prevention and response training to be tailored specifically for each class. The post-assessments are conducted after the training and provide immediate feedback on the training efficacy. The Air Force is expanding the use of these pre- and post-assessments to other sexual assault

prevention and response training courses, such as the Squadron Commander's Course.

Defense Sexual Assault Incident Database: While all of the survey efforts focused on obtaining information from Air Force members, the Air Force also relies on the Defense Sexual Assault Incident Database and the accuracy of its information. As the official source of information on sexual assaults used by the Department of Defense and the military services to track sexual assault cases, the Air Force is committed to maintaining a high level of database accuracy. In August 2014, in order to enhance the accuracy of information the Air Force hired two contract personnel to ensure data quality assurance. This will remain a continuing endeavor to uphold the highest fidelity possible of the Defense Sexual Assault Incident Database information.

Process/procedural upgrades and efficiencies (other than the Department Sexual Assault Incident Database)

Several changes were made to the Air Force Sexual Assault Prevention and Response Program to improve the systematic assessment of sexual assault prevention and response related issues and initiatives. These changes include, the Air Force Sexual Assault Prevention and Response Office reorganization and realignment, Tri-Letter agreement, leadership kneeboard and the creation of a new Sexual Assault Prevention and Response Program inspection checklist

Air Force Sexual Assault Prevention and Response Office Reorganization and Realignment: Assessing Sexual Assault Prevention and Response Programs require manpower and technical expertise. Prior to fiscal year 2013, the Sexual Assault Prevention and Response program was led by a General Schedule-14 program manager with a staff of four personnel, residing within Headquarters Air Force Deputy Chief of Staff for Manpower, Personnel, and Services.

In June 2013, the Air Force restructured the Sexual Assault Prevention and Response Program to ensure key functional expertise in developing policies, programs, and assessments to shape Air Force culture. Today, the Sexual Assault Prevention and Response Program is led by a major general who leads a multi-disciplinary team that reports directly to the Vice Chief of Staff of the Air Force.

The Air Force program grew from a four-person office to a 34-person cross-functional team of experts. The members of this team represent the legal, medical, investigative, legislative, public affairs, operational, research, and analytic functional areas. In addition, there are sexual assault prevention and response experts who develop policy and assist in the operational oversight and assessment of program effectiveness. This team gives the Air Force both the manpower and expertise to more adequately assess plans and programs.

Tri-letter Agreement: One of the historical assessment challenges was the lack of consistent communication between the various organizations involved in sexual assault prevention and response. The available information was inconsistent and disjointed,

making assessment difficult. In July 2014, The Judge Advocate General of the Air Force, the Commander of the Air Force Office of Special Investigations, and the Director of the Air Force Sexual Assault Prevention and Response Office co-signed a memo to the field encouraging collaboration and information sharing between their respective offices at the installation level. This initiative will help to ensure accurate accounting of sexual assault cases, which will increase the fidelity and amount of information on sexual assaults occurring in the Air Force. Based on this memorandum, the Air Force Sexual Assault Prevention and Response Office now provides a listing of unrestricted reports that are missing relevant information relative to subject, investigation, and disposition to the installation sexual assault response coordinators. The sexual assault response coordinators are then asked to coordinate with the installation Air Force Office of Special Investigations and Judge Advocate Offices to obtain the missing information.

Leadership Kneeboard: Following the standup of the Air Force Sexual Assault Prevention and Response Office, kneeboard presentations of the information from the various data sources are created to inform leadership decisions. Furthermore, these kneeboards provide leaders a snapshot of sexual assault prevention and response metrics and trends. This allows the Director, Sexual Assault Prevention and Response to change program initiatives and emphasis as required. Furthermore, this kneeboard provides the Director with near real-time statistics and talking points when interacting with Air Force and Department of Defense senior leaders.

Sexual Assault Prevention and Response Program Inspection Checklist: In 2013, the Air Force Sexual Assault Prevention and Response Office developed a Sexual Assault Prevention and Response Program inspection checklist for incorporation into the newly created Air Force Inspection System. The inspection checklist provides commanders a comprehensive assessment tool to measure installation compliance with Air Force Sexual Assault Prevention and Response Program policies and procedures.

Best Practices/Innovations specific to the United States Air Force

The Air Force is dedicated to continuous research and analysis that aid in process improvement techniques. In fiscal year 2013 and 2014, several initiatives were implemented to ensure commanders and leaders have trustworthy quantitative and qualitative data to manage the morale and welfare of their Airmen.

Prevalence Survey: The Air Force recognized the need to gain a better understanding of sexual assault prevalence and decided to execute the first Air Force specific prevalence survey with Gallup in 2010. Since 2010, the Air Force has undergone major organizational and policy changes that impacted the sexual assault analysis. In prior years, the focus of sexual assault reporting was on how many reports were made, what type of reports were made (restricted versus unrestricted) and whether or not other factors were involved (i.e. alcohol, drugs, etc.). In fiscal year 2013, it became apparent that sexual assault reports were indeed going up, but what was not clear was whether or not it was due to trust in the system or, simply more Airmen being sexually assaulted. Was sexual assault prevalence going up or down? This would provide a clear

understanding of whether or not the Air Force was headed in the right direction in terms of combating this issue. As a result, the Air Force decided to implement a prevalence survey to be conducted biennially to offset the Defense Department's workplace and gender relations survey efforts. The Air Force would have relevant prevalence data every year to support a more consistent trend on how sexual assault is within the Air Force. Due to Department of Defense's decision to complete a prevalence survey in fiscal year 2014, the Air Force cancelled work on a 2014 survey.

Internal Communication Assessment Group: The Secretary of the Air Force Public Affairs, Research and Assessment Branch has conducted surveys for the Sexual Assault Prevention and Response Office via the Internal Communication Assessment Group. This standing survey panel is unique to the Air Force in that it comprises approximately 3,100 Active Duty, Guard, Reserve, and civilian volunteer members of the Air Force, drawn from a variety of occupational specialties. Internal Communication Assessment Group members agree to participate in the survey group for at least a year, to maintain a consistent panel of respondents, enhancing longitudinal analysis. Internal Communication Assessment Group members participate voluntarily in surveys roughly every month, without any prior knowledge of a given survey's topic. In fiscal year 2013, the Internal Communication Assessment Group survey on sexual assault prevention and response yielded a 62% response rate (1,923 respondents), while the fiscal year 2014 Internal Assessment Group sexual assault prevention and response survey yielded a 45% response rate (1,406 respondents). The 2013 survey's goal was to evaluate the effectiveness of the Air Force's communication regarding sexual assault prevention and response outreach and training efforts, and results from this survey provided leaders a baseline understanding of how well the sexual assault message was being taught and received by Airmen. Based on those findings, the survey was repeated in 2014, with some additional, new questions, and focused on examining the messaging and audience comprehension of new training and policy efforts planned by the Air Force Sexual Assault Prevention and Response Office.

Focus Groups: Prior to the re-organization of the Sexual Assault Prevention and Response Office, focus groups were not a primary tool for assessment purposes, due to manpower challenges and limited technical expertise. Following the re-organization in fiscal year 2013, the Air Force Sexual Assault Prevention and Response Office recognized the need and importance of gaining an understanding through the "eyes of Airmen" in order to shape policy and procedures that would have a viable impact to eradicating this crime from the military. As a result, a team of Air Force subject-matter experts conducted focus groups to obtain a better sense of how Airmen felt Sexual Assault Prevention and Response Programs were impacting the community around them. Between 2013 and 2014, the focus group process was improved by developing a standard set of questions with assessment criteria. Facilitators used five questions to target focus group discussion among participants and gather data.

- Do you feel commanders/leaders pressure (or create an environment that pressures) victims to file unrestricted reports? Are you getting the message from Commanders/leaders that victims who file restricted reports are weak/cowardly?

- At this time, who can take a restricted report? What are your thoughts on expanding who can take a restricted report? What are the pros and cons of allowing individuals in one's chain of command to take restricted reports?

- What are your perceptions of sexual assault and sexual harassment? Do you think there is fear of retaliation? Do you think there is a fear of retaliation if you were to seek mental health due to sexual assault?

- What are your perceptions of culture change in the Air Force? Have you seen any change in your unit? In the Air Force as a whole? What are your perceptions of Air Force prevention training? Do you think it's working?

- Do you have any recommendations for the Headquarters Sexual Assault Prevention and Response Office? For the Air Force? Is there anything else you would like to discuss?

The 2013 and 2014 focus group campaigns were successful as Air Force Airmen provided invaluable feedback.

Defense Sexual Assault Incident Database: The Air Force increased its focus on data accuracy within the Defense Sexual Assault Incident Database. As the official information source for sexual assaults and used by the Department of Defense and the military services to track sexual assault cases, it is vital that the information in the Defense Sexual Assault Incident Database maintains a high accuracy level. Sexual assault response coordinators are required to input the victim data. The Air Force Sexual Assault Prevention and Response Office generates a monthly report to verify data fields are accurate. In addition, much like the Tri-letter agreement, in July 2014, the Judge Advocate General of the Air Force, the Commander of the Air Force Office of Special Investigations, and the Director of the Air Force Sexual Assault Prevention and Response Office co-signed a memorandum encouraging the collaboration and sharing of information between their offices in the field.

This memorandum facilitated a partnership between these organizations to create a seamless collaboration in maintaining data integrity captured in Defense Sexual Assault Incident Database. The Defense Sexual Assault Incident Database is primarily victim-focused, and relies on the efforts of the Air Force Office of Special Investigations and Air Force Judge Advocate to maintain accuracy and completeness. For example, unrestricted reports include subject information along with investigation and disposition information. Based on the above-mentioned memorandum, the Air Force Sexual Assault Prevention and Response Office provided a listing of unrestricted reports that were missing relevant subject, investigation, and disposition information along with a tracking sheet of the information required to the installation sexual assault response coordinators. The sexual assault response coordinators were asked to complete the information they had and then coordinate with the installation Air Force Office of Special Investigations and Judge Advocates Offices to obtain the remaining information. The

Air Force continues to work alongside the other services to provide data for the Department of Defense sexual assault-related metrics, which include reporting, military justice, and investigative data.

Victim Experiences Survey: Based on the success of the special victims' counsel survey, in fiscal year 2014, the Air Force constructed a victim experiences survey, for survivors to comment about their interaction with any advocacy services they received. The survey included a variety of questions on service by the sexual assault response coordinator, victim advocate, medical services, special victims' counsel, Air Force Office of Special Investigations, and/or Judge Advocate. The Air Force intended to ask volunteers to provide feedback regarding both the service quality and desired services. However, prior to Air Force implementation, the Department of Defense Sexual Assault Prevention and Response Office decided to use a smaller subset of questions as the survivor experience survey in fiscal year 2014. To avoid excessive surveying of survivors the Air Force agreed to delay the implementation of its survey until fiscal year 2015.

Positive trends (qualitative and quantitative)

As it relates to sexual assault prevention and response, assessment tools are used to identify sexual assault offender prevalence trends; evaluate reporting and military justice process; and to evaluate and the effectiveness of prevention and response programs and initiatives. For this reason, various assessment tools have been incorporated into the positive trends section of each line of effort. For a view of these trends, the reader is directed to those respective sections. Commenting on the positive assessment trends itself is simply identifying the changes that the Air Force made by investing in the resources to gather pertinent information, to effectively and efficiently analyze the data, and to prudently incorporate the findings into future program efforts. In this regard, the main points to identify are the standup of the expanded Air Force Sexual Assault Prevention and Response Office and the expansion of data gathering efforts.

Highlights over the last 3 years

Focus Groups: The improvements made to the Air Force focus group process have increased their value as an assessment tool. Creating standardized questions with assessment criteria provide leadership with a means to learn qualitative information from disparate groups without inhibiting the dialogue of the small group sessions. Airmen stated that they like the focus group format and the Air Force will continue its use in the future. Initial results from the fiscal year 2014 focus groups suggest that Airmen like the bystander intervention training and that they believe the climate and culture are starting to change in a positive direction.

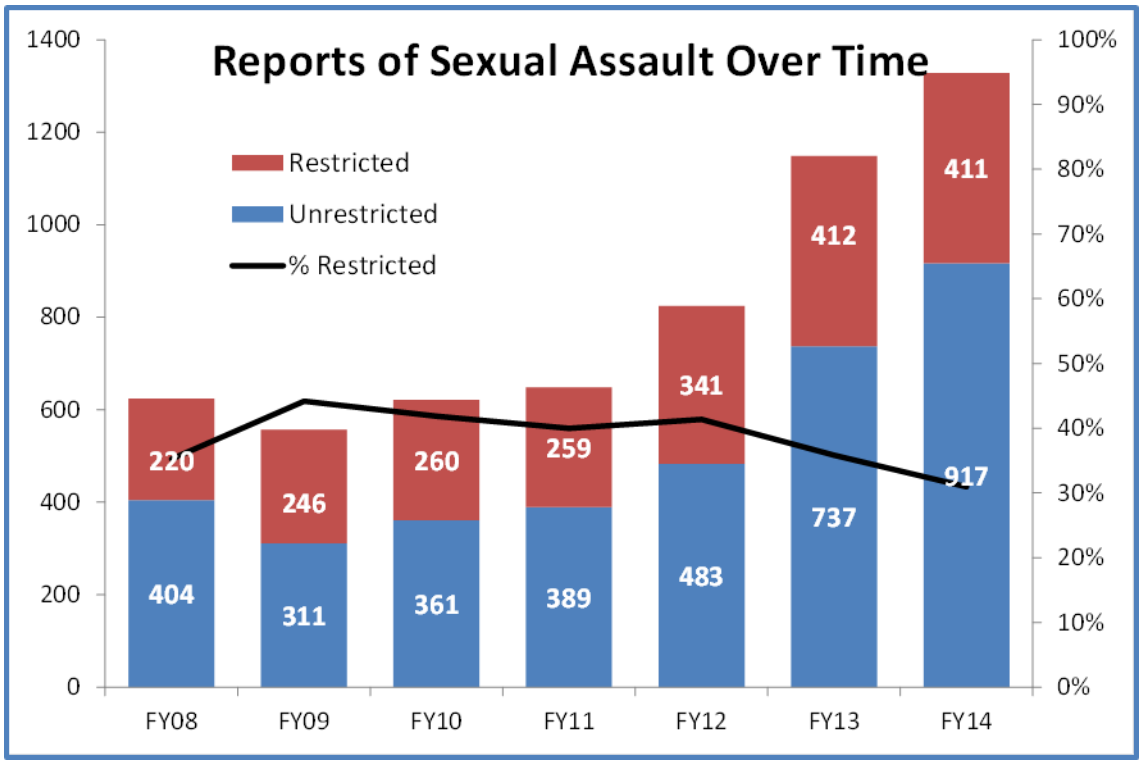


Chart 5.1 – Annual Reports of Sexual Assault

As displayed on Chart 5.1, since fiscal year 2010 the Air Force has experienced a steady increase in the number of reports, both restricted and unrestricted. That trend continued in fiscal year 2014. The Defense Sexual Assault Incident Database showed an increase in the number of cases reported to the Air Force. Based on survey results indicating constant or slightly decreasing rates of sexual assault incidents within the Air Force the increase in reporting suggests that members of the Air Force have more trust in the Sexual Assault Prevention and Response Program. Chart 5.1 provides a breakout of the total cases by unrestricted and restricted reports in addition to the ratio of restricted to unrestricted reports. Since fiscal year 2012, the ratio of restricted to unrestricted reports has steadily declined. This is a trend worth following because it may be another indicator of increased victim confidence in the Air Force program.

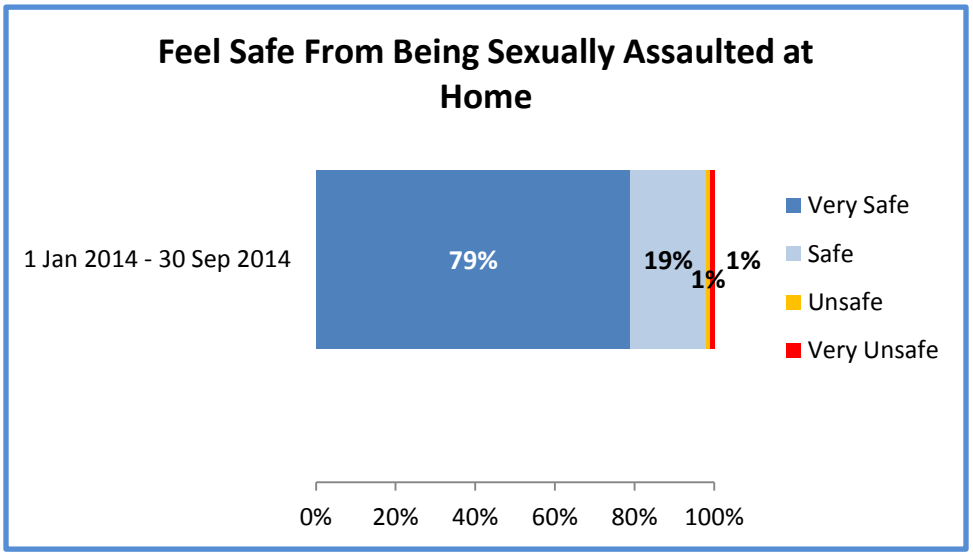


Chart 5.2 – Responses to Home Safety Question

Based upon responses to this question posed on the Defense Equal Opportunity Management Institute Organizational Climate Survey the vast majority of Airmen (98%) indicate that they feel safe from sexual assault at home. The Air Force has established support systems for the small subset of the force (approximately 2%) that feels they are either "unsafe" or "very unsafe" at home or those who may be the target of any type of domestic violence (to include sexual assault). The Air Force remains committed to ensuring that every Airman feels safe and/or knows where to receive support if necessary/required.

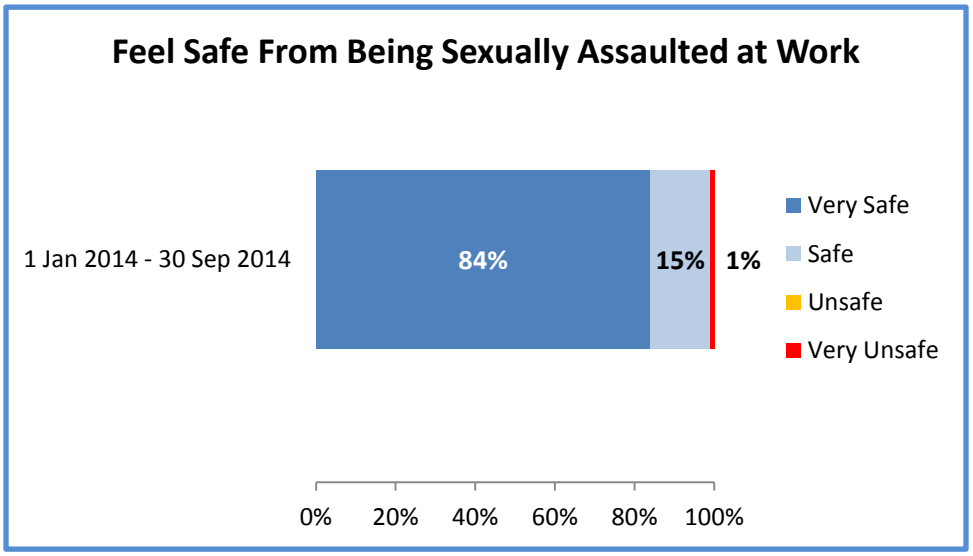


Chart 5.3 – Responses to Work Safety Question

According to responses on the Defense Equal Opportunity Management Institute Organizational Climate Survey, approximately 99% of Airmen are confident that they are safe from any type of sexual assault in their professional work environment. Reportedly, approximately 84% feel they are "very safe," while an average of 15% feel "safe" from being sexually assaulted while at work. While no Airmen have reported they feel "unsafe" from experiencing sexual assault in the work place, approximately 1% (or less) of Airmen have reported that they feel "very unsafe" at work.

Attachment One:
Sexual Assault Response Coordinator and Victim Advocate Laydown
Based Data September 30, 2014 data

MAJOR COMMAND/ DIRECT REPORTING UNIT				
AIR COMBAT COMMAND	**INSTALLATIONS**	**NUMBER OF AUTHORIZED SARC BILLETS**	**NUMBER AUTHORIZED SAPR VA BILLETS**	**NUMBER OF VOLUNTEER VAs**
	BEALE AFB, CA	1	1	24
	DAVIS-MONTHAN AFB, AZ	2	1	31
	DYESS AFB, TX	1	1	30
	ELLSWORTH AFB, SD	1	1	34
	HOLLOMAN AFB, NM	1	1	25
	JOINT BASE LANGLEY-EUSTIS AFB, VA	2	1	65
	MOODY AFB, GA	1	1	
	MOUNTAIN HOME AFB, ID	1	1	15
	NELLIS AFB, NV	2	1	
	OFFUTT AFB, NE	2	1	28
	SEYMOUR JOHNSON AFB, NC	1	1	33
	SHAW AFB, SC	2	1	31
	TYNDALL AFB, FL	1	1	38
AIR EDUCATION AND TRAINING COMMAND	**INSTALLATIONS**	**NUMBER OF AUTHORIZED SARC BILLETS**	**NUMBER AUTHORIZED SAPR VA BILLETS**	**NUMBER OF VOLUNTEER VAs**
	ALTUS AFB, OK	1	1	25
	COLUMBUS AFB, MS	1	1	10
	GOODFELLOW AFB, TX	2	2	34
	JOINT BASE SAN ANTONIO, (RANDOLPH, LACKLAND, SAN ANTONIO), TX	3	4	78
	KEESLER AFB, MS	2	1	61
	LAUGHLIN AFB, TX	1	1	24
	LUKE AFB, AZ	1	1	9
	MAXWELL AFB, AL	2	2	42
	PRESIDIO OF MONTEREY, CA	1	1	12

	SHEPPARD AFB, TX	2	2	36
	VANCE AFB, OK	1	1	8
AIR FORCE DISTRICT OF WASHINGTON	**INSTALLATIONS**	**NUMBER OF AUTHORIZED SARC BILLETS**	**NUMBER AUTHORIZED SAPR VA BILLETS**	**NUMBER OF VOLUNTEER VAs**
	JOINT BASE ANDREWS AFB, MD	1	1	24
	JOINT BASE ANACOSTIA-BOLLING, DC	1	1	36
	PENTAGON, WASHINGTON DC	0	1	9
AIR FORCE GLOBAL STRIKE COMMAND	**INSTALLATIONS**	**NUMBER OF AUTHORIZED SARC BILLETS**	**NUMBER AUTHORIZED SAPR VA BILLETS**	**NUMBER OF VOLUNTEER VAs**
	BARKSDALE AFB, LA	2	1	31
	F E WARREN AFB, WY	1	1	7
	MALMSTROM AFB, MT	1	1	41
	MINOT AFB, ND	2	1	40
	WHITEMAN AFB, MO	1	1	21
AIR FORCE INTELLIGENCE, SURVEILLANCE AND RECONNAISSANCE AGENCY	**INSTALLATIONS**	**NUMBER OF AUTHORIZED SARC BILLETS**	**NUMBER AUTHORIZED SAPR VA BILLETS**	**NUMBER OF VOLUNTEER VAs**
	FORT MEADE	1	1	60
AIR FORCE MATERIAL COMMAND	**INSTALLATIONS**	**NUMBER OF AUTHORIZED SARC BILLETS**	**NUMBER AUTHORIZED SAPR VA BILLETS**	**NUMBER OF VOLUNTEER VAs**
	EDWARDS AFB, CA	1	1	17
	EGLIN AFB, FL	2	2	45
	HANSCOM AFB, MA	1	1	16
	HILL AFB, UT	2	3	24
	KIRTLAND AFB, NM	1	2	12
	ROBINS AFB, GA	3	2	34
	TINKER AFB, OK	3	2	42
	WRIGHT PATTERSON AFB, OH	2	2	35
AIR FORCE RESERVE COMMAND	**INSTALLATIONS**	**NUMBER OF AUTHORIZED SARC BILLETS**	**NUMBER AUTHORIZED SAPR VA BILLETS**	**NUMBER OF VOLUNTEER VAs**
	DOBBINS ARB, GA	1	0	**3**
	GRISSOM ARB, IN	1	0	**2**
	HOMESTEAD ARB, FL	1	0	**1**
	MARCH ARB, CA	1	1	**2**
	MINNEAPOLIS-ST PAUL, ARS, MN	1	0	**1**
	JOINT RESERVE BASE FORT WORTH, TX	1	0	**2**
	NIAGARA FALL ARS, NY	1	0	**2**

	PITTSBURGH ARS, PA	1	1	**2**
	POPE AFB, NC	1	1	**15**
	WESTOVER ARB, MA	1	0	**2**
	YOUNGSTOWN ARS, OH	1	1	5
AIR FORCE SPECIAL OPERATION COMMAND	**INSTALLATIONS**	**NUMBER OF AUTHORIZED SARC BILLETS**	**NUMBER AUTHORIZED SAPR VA BILLETS**	**NUMBER OF VOLUNTEER VAs**
	CANNON AFB, NM	1	1	24
	HURLBURT FIELD ABS, FL	2	1	41
AIR FORCE SPACE COMMAND	**INSTALLATIONS**	**NUMBER OF AUTHORIZED SARC BILLETS**	**NUMBER AUTHORIZED SAPR VA BILLETS**	**NUMBER OF VOLUNTEER VAs**
	BUCKLEY AFB, CO	1	1	17
	LOS ANGELES AFB, CA	1	1	14
	PATRICK AFB, FL	1	1	6
	PETERSON AFB, CO	2	1	27
	SCHRIEVER AFB, CO	1	1	11
	VANDENBERG AFB, CA	1	2	9
AIR MOBILITY COMMAND	**INSTALLATIONS**	**NUMBER OF AUTHORIZED SARC BILLETS**	**NUMBER AUTHORIZED SAPR VA BILLETS**	**NUMBER OF VOLUNTEER VAs**
	DOVER AFB, DE	1	1	8
	FAIRCHILD AFB, WA	1	1	25
	GRAND FORKS AFB, ND	1	1	6
	JOINT BASE CHARLESTON AFB, SC	1	1	16
	JOINT BASE LEWIS-MCCHORD, WA	1	1	21
	LITTLE ROCK AFB, AR	1	1	26
	MACDILL AFB, FL	2	1	12
	MC CONNELL AFB, KS	1	1	31
	JOINT BASE MCGUIRE-DIX-LAKEHURST AFB, NJ	2	1	21
	SCOTT AFB, IL	2	1	32
	TRAVIS AFB, CA	2	1	59

	INSTALLATIONS	NUMBER OF AUTHORIZED SARC BILLETS	NUMBER AUTHORIZED SAPR VA BILLETS	NUMBER OF VOLUNTEER VAs
UNITED STATES AIR FORCE EUROPEAN COMMAND	ROYAL AIR FORCE ALCONBURY, UNITED KINGDOM	1	1	23
	AVIANO ABS, ITALY	2	1	16
	INCIRLIK ABS, TURKEY	1	1	43
	LAJES FIELD, PORTUGAL	1	1	12
	ROYAL AIR FORCE LAKENHEATH, UNITED KINGDOM	1	1	27
	ROYAL AIR FORCE MILDENHALL, UNITED KINGDOM	1	1	33
	RAMSTEIN ABS, GERMANY	3	1	65
	SPANGDAHLEM ABS, GERMANY	2	1	49
UNITED STATES AIR FORCE PACIFIC COMMAND	**INSTALLATIONS**	**NUMBER OF AUTHORIZED SARC BILLETS**	**NUMBER AUTHORIZED SAPR VA BILLETS**	**NUMBER OF VOLUNTEER VAs**
	ANDERSEN AFB, GUAM	1	1	7
	EIELSON AFB, AK	1	1	13
	JOINT BASE ELMENDORF-RICHARDSON, AK	2	1	6
	JOINT BASE PEARL HARBOR-HICKMAN, HI	2	1	25
	KADENA ABS, JAPAN	2	1	46
	KUNSAN ABS, SKORE	1	1	18
	MISAWA ABS, JAPAN	2	1	10
	OSAN AB ABS, SKORE	1	1	18
	YOKOTA ABS, JAPAN	2	1	27
UNITED STATES AIR FORCE ACADEMY	**INSTALLATIONS**	**NUMBER OF AUTHORIZED SARC BILLETS**	**NUMBER AUTHORIZED SAPR VA BILLETS**	**NUMBER OF VOLUNTEER VAs**
	USAFA	2	2	4

	LOCATION/COUNTRY	NUMBER OF AUTHORIZED SARC BILLETS	NUMBER AUTHORIZED SAPR VA BILLETS	NUMBER OF VOLUNTEER VAs
UNITED STATES AIR FORCE CENTRAL COMMAND	AL DHAFRA, UNITED ARAB EMIRATES	1	0	13
	AL UDEID, QATAR	1	0	18
	ALI AL SALEM, KUWAIT	1	0	10
	BAGRAM, AFGHANISTAN	1	0	10
	MUWAFFAQ SALTI, AZRAQ, ZARQU GOVERNORATE	1	0	4
	466 AIR EXPEDITIONARY GROUP, AL UDEID, QATAR	1	0	7

Attachment Two:
Rights and Duties of a United States Air Force Trainee

As an U.S. Air Force Trainee, you should understand and embrace the following Rights and Responsibilities. The Air Force can only accomplish its mission if the following principles are embraced:	Military Entrance Processing Station	Basic Military Training	Technical Training
Our community must be utterly free of unlawful discrimination, harassment, intimidation, or threats based on race, color, religion, national origin, or gender. Any conduct that creates an intimidating, hostile, or offensive environment should be reported – and action will be taken to eliminate the behavior.	Member's Initials:	Member's Initials:	Member's initials:
	Briefer's initials:	Briefer's Initials:	Briefer's initials:
We insist on impartial and professional conduct by leaders at every level. We do not tolerate the use of rank or position to threaten or pressure you or the promise of favorable treatment in return for personal favors. We are determined that your relationship with your leadership be completely and solely professional	Member's initials:	Member's Initials:	Member's Initials:
	Briefer's initials:	Briefer' initials:	Briefer's Initials:
We expect all Airmen to promote the principles of equal opportunity and impartial leadership at home and abroad. Living up to these principles is integral to our core values. We are personally committed to this endeavor, and expect the same commitment from you.	Member's initials:	Member's Initials:	Member's initials:
	Briefer's initials:	Briefer's initials:	Briefer's initials:
As a trainee in the United States Air Force, you will be expected to share these values and to maintain a professional relationship throughout the training process. This is a professional military training environment. You cannot engage or attempt to engage in anything other than a professional relationship with any member of the military training cadre. This includes military training instructors, military training leaders, and any other member of the training squadron staff, civilian or military.	Members initials:	Member's initials:	Member's initials:
	Briefer's Initials:	Briefer's initials:	Briefer's initials:
Air Education and Training Command (AETC} has a set of rules, AETC Instruction 36-2909, that governs professional and unprofessional relationships. Based on this regulation, you may NOT do the following with Department of Defense training personnel (faculty & staff):	Member's Initials:	Member's Initials:	Member's Initials:
	Briefer's Initials:	Briefer's initials :	Briefer's Initials:
Engage in any social contact of a personal nature while in a training environment.	Member's initials:	Member's Initials:	Member's Initials:

	kissing, hand holding, embracing, caressing, and engaging in sexual activities.			
	Social contacts or personal relationships are prohibited whether conducted face-to-face or via cards, letters, emails, telephone calls, instant messages, video, online media such as Facebook, photographs or by any other means.	Member's Initials:	Member's Initials:	Member's Initials:
	Make, seek, or accept sexual advances or favors	Member's Initials:	Member's Initials:	Member's Initials:
	Gamble	Member's Initials:	Member's Initials:	Member's Initials:
	Lend or borrow money	Member's Initials:	Member's Initials:	Member's Initials:
	Establish a common household (share the same living area) unless required by military operations	Member's Initials:	Member's Initials:	Member's Initials:
	Attend social gatherings or frequent clubs, bars, or theaters together	Member's Initials:	Member's Initials:	Member's Initials:
	Accept or consume alcohol	Member's Initials:	Member's Initials:	Member's Initials:
	You should never feel that submission to such conduct is required or a condition of completing your Basic Military Training, Technical Training, or award of your Specialty Code. Immediately report any inappropriate conduct by any Air Force member. The phone numbers to report inappropriate or possibly inappropriate conduct are included on the card you will be provided.	Member's Initials: Briefer's Initials:	Member's Initials: Briefer's Initials:	Member's Initials: Briefer's Initials:

By signing below, I acknowledge that I understand the information in this form.

Sign _____ Print _____

Trainee Name MEPS Briefer Date

Upon entering Basic Military Training, I have been re-briefed on the principles above, watched the commander's video, and received an AF abuse hotline card.

Print _____
Sign _____

Trainee Name BMT Briefer Date

Upon entering Technical Training, I have been re-briefed on the principles above, watched the commander's video, and received an AF abuse hotline card if I did not have one.

Print _____ Print _____
Sign _____

Trainee Name BMT Briefer Date

United States Air Force Report on Sexual Assault Prevention and Response to the President of the United States: Statistical Analysis

1. Analytic Discussion

All fiscal year 2014 data provided in this analytic discussion tabulation are based upon data available in the Defense Sexual Assault Incident Database as of 21 October 2014. Final data for fiscal year 2014 will be provided in the Air Force Annual Report to Congress.

The numbers of restricted and unrestricted reports made to the Air Force for fiscal years 2007 through 2014 are shown in Chart 1.1.

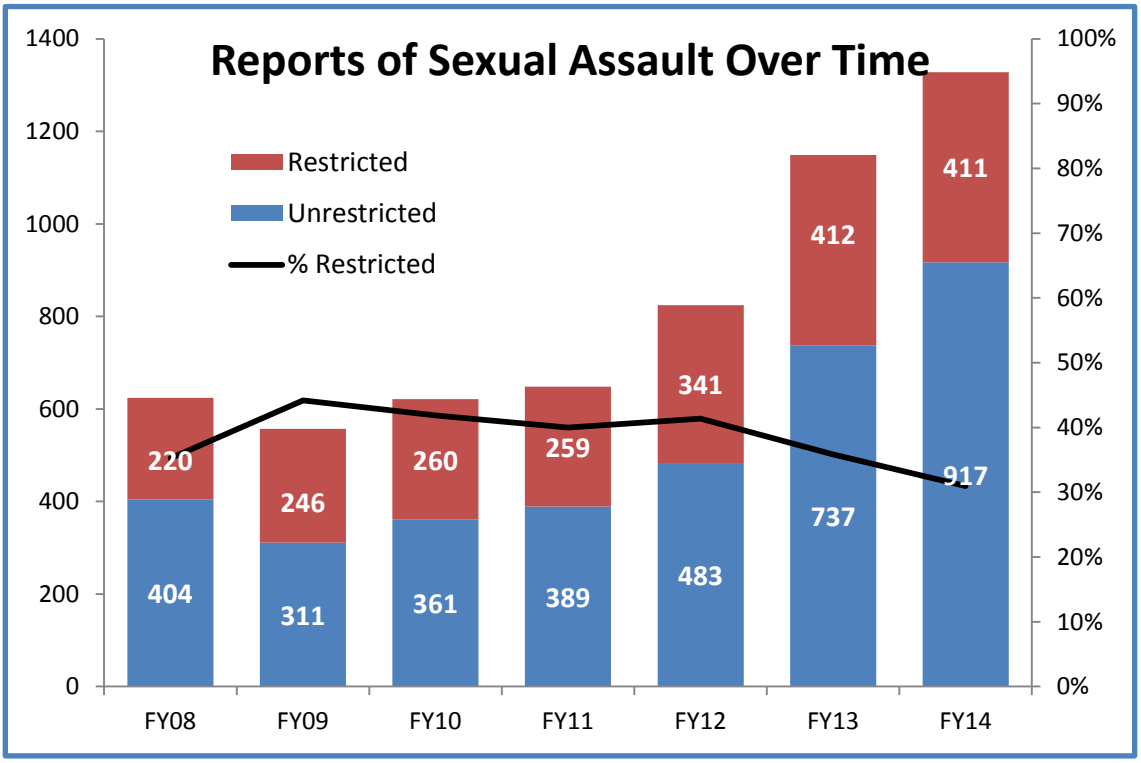


Chart 1.1 – Annual Reports of Sexual Assault

The number of reports made (both restricted and unrestricted) started increasing noticeably in fiscal year 2012. The percentage increases over the previous year for fiscal years 2012, 2013, and 2014 are 27%, 39%, and 16%, respectively. Of further note is the decreased proportion of restricted reporting. The percentage of total reports that are restricted for fiscal years 2012, 2013, and 2014 are 41%, 35%, and 30%, respectively. Although the Air Force fully supports the restricted reporting option, this proportional decrease in restricted reporting may indicate increased confidence in the military justice system and the overall Sexual Assault Prevention and Response Program.

The Air Force believes that the increase in reporting is an indication that a larger

percentage of victims are coming forward to receive victim care and to report the crime so that an investigation can take place and commanders can hold assailants appropriately accountable.

The only way to understand the prevalence of this crime is through surveys because it is so underreported. The past Workplace and Gender Relations Surveys and the fiscal year 2014 RAND Military Workplace Study provides a basis for making an estimate of the number of unwanted sexual contact incidents experienced by active duty Airmen in the year prior to the survey. Chart 1.2 shows the total number of reports represented as a bar graph under the estimated prevalence of the crime based on reporting rates for unwanted sexual contact made on the surveys taken in the same year as the reports for active duty Air Force personnel (Air National Guard and Reserve data were not yet available for fiscal year 2014). It is obvious from this figure that reporting still falls far below the prevalence estimates for this crime.

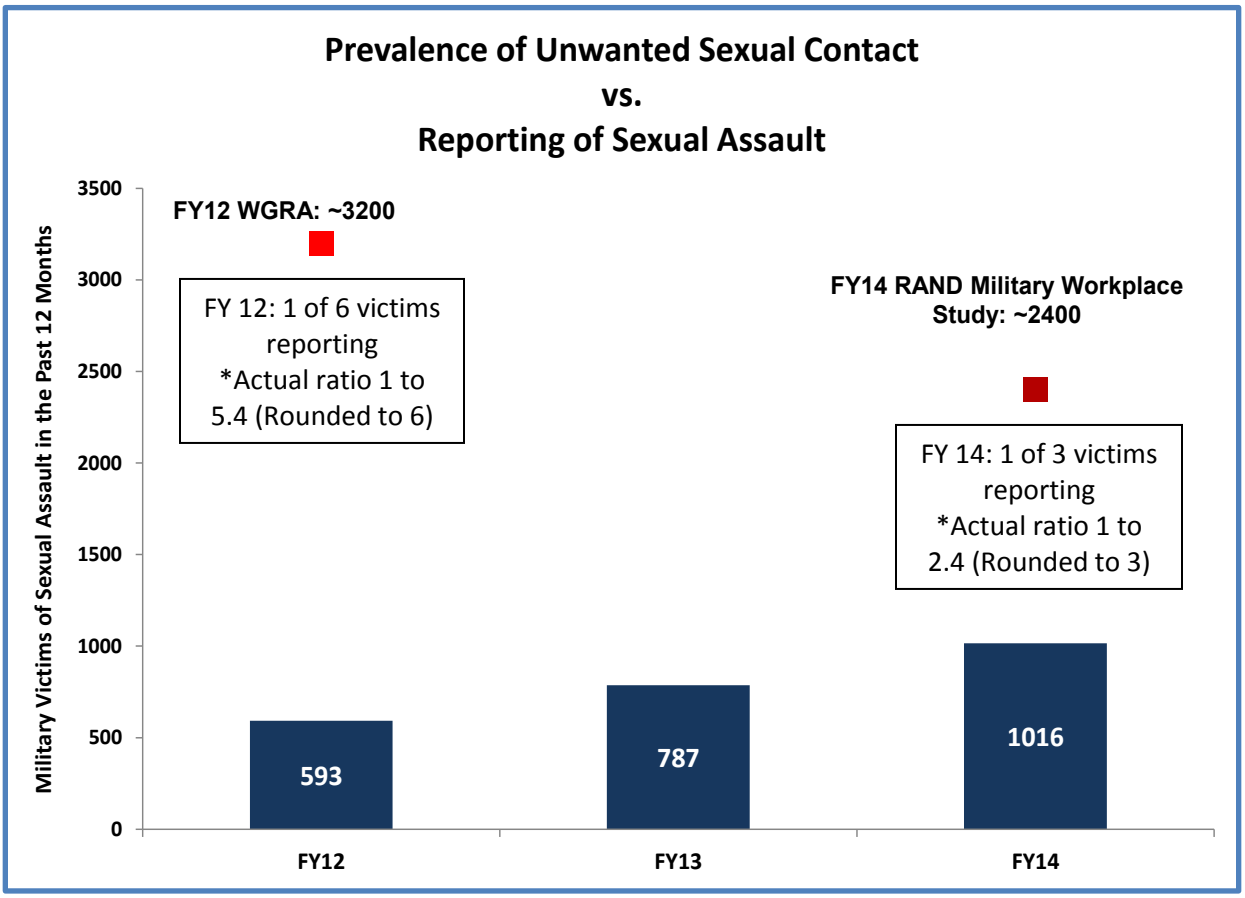


Chart 1.2 – Prevalence vs. Reporting of Sexual Assault

On the 2012 Workplace and Gender Relations Survey 3.1% of Active Duty Air Force women and 0.5% of Active Duty Air Force men reported experiencing unwanted sexual contact. In the 2014 RAND Workplace Study, 2.28% of Active Duty Air Force women and 0.43% of Active Duty Air Force men reported experiencing unwanted sexual

contact. Therefore, based on those reporting rates, the estimated total number of Airmen reporting that they experienced unwanted sexual contact decreased from approximately 3,200 based upon the fiscal year 2012 Workplace Gender Relations Survey to 2,400 based upon the fiscal year 2014 RAND Military Workplace Study Survey. This decrease may indicate positive progress for the prevention of sexual assault within the Air Force. The Air Force will monitor follow-on data to confirm the trend and will continue to stress all aspects of the sexual assault prevention campaign.

On the fiscal year 2014 RAND Military Workplace Study Survey some respondents were asked questions that more closely relate to the criminal elements of sexual assault as defined in the Uniform Code of Military Justice. Based upon those questions first presented in fiscal year 2014, 2.9% of Active Duty Air Force women and 0.29% of Active Duty Air Force men reported experiencing sexual assault in the past year.

Detailed analysis regarding data on various parts of the Sexual Assault Prevention and Response Program are presented in the following sections.

2. Unrestricted Reporting

2.1 Victim Data Discussion and Analysis

This section summarizes statistical data specific to sexual assault victims associated with investigations that completed in the given fiscal year. For example, the number of fiscal year 2013 victims are those associated with fiscal year 2013 reports whose investigations concluded before the end of the year combined with those associated with investigations from previous fiscal years which concluded during fiscal year 2013. The number of investigations completed and the break out by type of offense are shown in Table 2.1.1.

	FY12	%	FY13	%	FY14	%
Total Victims	403	-	521	-	740	-
Type of Offense						
Penetrating Offenses	255	63.3%	298	57.2%	361	48.8%
Contact Offenses	145	36.0%	217	41.7%	320	43.2%
Attempts to Commit Offenses	3	0.7%	6	1.2%	33	4.5%
Unknown Type	0	0.0%	0	0.0%	26	3.5%

Table 2.1.1 – Type of Sexual Assault Offenses for Unrestricted Reports

From fiscal year 2012 to 2014, the percentage of reports associated with penetrating offenses decreased from 63.3% to 48.8%, while the percentage of reports associated with non-penetrating offenses increased. This shift in reporting may indicate that victims are coming forward to report sexual assaults earlier in the continuum of harm.

A demographic breakout of victims in completed investigations is provided in Table 2.1.2.

	FY12	%	FY13	%	FY14	%
Total Victims	403	-	521	-	740	-
Gender						
Male	28	6.9%	65	12.5%	77	10.4%
Female	375	93.1%	456	87.5%	586	79.2%
Unknown	0	0.0%	0	0.0%	77	10.4%
Military Affiliation						
Military	280	69.5%	408	78.3%	565	76.4%
Non-military	123	30.5%	113	21.7%	96	13.0%
Unknown	0	0.0%	0	0.0%	79	10.7%
Duty Status (Military Victims)						
Active Duty	235	83.9%	378	92.6%	541	95.8%
Reserve	18	6.4%	18	4.4%	14	2.5%
National Guard	7	2.5%	12	2.9%	4	0.7%
Cadet/Prep School Student	19	6.8%	0	0.0%	6	1.1%
Unknown	1	0.4%	0	0.0%	0	0.0%
Rank (Military Victims)						
C-1 to C-4 & Prep School	19	6.8%	7	1.7%	6	1.1%
E-1 to E-4	208	74.3%	288	70.6%	429	75.9%
E-5 to E-9	36	12.9%	85	20.8%	97	17.2%
O-1 to O-3	17	6.1%	19	4.7%	27	4.8%
O-4 to O-10	0	0.0%	3	0.7%	6	1.1%
Unknown	0	0.0%	6	1.5%	0	0.0%

Table 2.1.2 – Victim Demographics for Unrestricted Reports

Women consistently represent a disproportionate majority of victims making unrestricted reports of sexual assault during the reporting period. While male victims are still the minority, there may be a slow increase occurring in the proportion of reports coming from male victims since fiscal year 2012. If this trend continues and becomes more pronounced it may suggest that the social barriers for reporting among male victims are beginning to come down. It is a trend that will be monitored. The increase in overall unrestricted reporting among military members is primarily from the active duty component, which grew from 83.9% to 95.8%. The majority of Air Force victims are disproportionately enlisted members, making up roughly 87% - 93%, while the enlisted corps represented approximately 80% of the total force during fiscal years 2012 through 2014.

Victim data for completed investigations occurring in combat areas of interest are summarized in Table 2.1.3.

	FY12	%	FY13	%	FY14	%
Total Victims	8	-	27	-	8	-
Gender						
Male	1	12.5%	8	29.6%	0	0.0%
Female	7	87.5%	19	70.4%	8	100.0%
Unknown	0	0.0%	0	0.0%	0	0.0%

Table 2.1.3 - Victims in Combat Areas of Interest for Unrestricted Reports

During fiscal year 2013, in the combat areas of interest there was a spike in male victim reporting, accounting for 30% of unrestricted reports. However, there are too few unrestricted reports in this population to make any statistically relevant observations.

A summary of military protective orders is provided in Table 2.1.4.

	FY12	%	FY13	%	FY14	%
Military Protective Orders Issued	124	-	14	-	136	-
Military Protective Orders Violated	9	6.8%	12	85.7%	2	1.5%

Table 2.1.4 - Military Protective Orders for Unrestricted Reports

Prior to fiscal year 2014 there was not a consistent mechanism for capturing the number of military protective orders issued and/or violated. Therefore, the values in Table 2.1.4 represent the best data available at the time; however it may not reflect the actual numbers of military protective orders issued and/or violated in those years.

A summary of expedited transfers is provided in Table 2.1.5.

	FY12	%	FY13	%	FY14	%
Expedited Transfer Requested	40	-	118	-	119	-
Expedited Transfer Approved	40	100.0%	109	92.4%	113	95.0%
Expedited Transfer Denied	0	0.0%	9	7.6%	6	5.0%

Table 2.1.5 - Expedited Transfers for Unrestricted Reports

The number of expedited transfer requests grew 195% from fiscal year 2012 to 2013 and remained stable through 2014. In fiscal year 2014 there were a total of 6 requests that were denied. The reasons for these denials are summarized below:

- In three cases, it was determined that the health services available at the local installation were best suited to care for the victim.
- In two cases, the victim was facing a medical evaluation board with the potential for separation.
- In one case, the victim was also a subject in a separate sexual assault case.

A summary of victim participation in the military justice process is provided in Table 2.1.6.

	FY12	%	FY13	%	FY14	%
Victims Eligibile to Participate	177	-	371	-	409	-
Victims Declining to Participate	24	13.6%	23	6.2%	52	12.7%

Table 2.1.6 – Victim Participation in the Military Justice Process

The proportion of subjects where the victim, both represented and unrepresented, that declined to participate in the military justice process increased in fiscal year 2014 to

12.7%.

2.2. Subject Data Discussion and Analysis

This section summarized statistical data specific to the subjects (i.e. assailants) of sexual assault for those cases where investigations occurred. NOTE: The number of subjects is based on the number associated with investigations that completed in the given fiscal year. For example, the number of fiscal year 2013 subjects are those associated with fiscal year 2013 reports whose investigations concluded before the end of the year combined with those associated with investigations from previous fiscal years which concluded during fiscal year 2013. Therefore, the number of subjects will not necessarily match the number of cases reported during a given year. The demographic breakout of subjects in completed investigations is summarized in Table 2.2.1.

	FY12	%	FY13	%	FY14	%
Total Subjects	399	-	521	-	772	-
Gender						
Male	373	93.5%	482	92.5%	652	84.5%
Female	8	2.0%	18	3.5%	36	4.7%
Unknown	18	4.5%	21	4.0%	84	10.9%
Military Affiliation						
Military	348	87.2%	452	86.8%	554	71.8%
Non-military	24	6.0%	34	6.5%	29	3.8%
Unknown	27	6.8%	35	6.7%	189	24.5%
Duty Status (Military Subjects)						
Active Duty	311	89.4%	415	91.8%	520	93.9%
Reserve	13	3.7%	22	4.9%	23	4.2%
National Guard	7	2.0%	15	3.3%	0	0.0%
Cadet/Prep School Student	16	4.6%	0	0.0%	0	0.0%
Unknown	1	0.3%	0	0.0%	11	2.0%
Rank (Military Subjects)						
C-1 to C-4 & Prep School	16	4.6%	6	1.3%	0	0.0%
E-1 to E-4	211	60.6%	245	54.2%	350	63.2%
E-5 to E-9	94	27.0%	159	35.2%	146	26.4%
O-1 to O-3	17	4.9%	24	5.3%	26	4.7%
O-4 to O-6	8	2.3%	13	2.9%	20	3.6%
Unknown	2	0.6%	5	1.1%	12	2.2%

Table 2.2.1 – Subject Demographics for Unrestricted Reports

The majority of subjects were male. During the reporting period, the percentage of military subjects coming from the active duty component grew from 89.4% to 93.9%. Subjects of cases investigated based upon unrestricted reports of sexual assault disproportionately come for the enlisted ranks during the reporting period. Enlisted representation rose from 87.6% in fiscal year 2012 to 89.6% in fiscal year 2014 while enlisted personnel represented roughly 80% of the total force between fiscal years 2012 and 2014.

A summary of subject dispositions is provided in Table 2.2.2. NOTE: The percentages are based on the eligible pool of subjects. For example, the "% Command Action

Initiated" is in reference to those subjects that are subject to military justice.

	FY12	%	FY13	%	FY14	%
Total Subjects	399	-	508	-	763	-
Subject to Military Justice	356	89.2%	411	80.9%	409	53.6%
Command Action Initiated	289	81.2%	322	78.3%	276	67.5%
Command Action Completed	110	38.1%	283	87.9%	276	100.0%
Type of Command Action						
Courts-Martial (Sexual Assault Offense)	42	38.2%	169	59.7%	125	45.3%
Proceeded to Trial	23	54.8%	121	71.6%	80	64.0%
Convicted of any Charge	20	87.0%	74	61.2%	45	56.3%
Received Confinement	16	80.0%	62	83.8%	37	82.2%
Non-Judicial Punishment (Sexual Assault Offense)	14	12.7%	29	10.2%	34	12.3%
Courts-Martial (Non-Sexual Assault Offense)	4	3.6%	2	0.7%	2	0.7%
Proceeded to Trial	3	75.0%	1	50.0%	0	0.0%
Convicted of any Charge	3	100.0%	1	100.0%	0	-
Received Confinement	2	66.7%	1	100.0%	0	-
Non-Judicial Punishment (Non-Sexual Assault Offense)	24	21.8%	36	12.7%	52	18.8%
Other Adverse Administrative Action	26	23.6%	47	16.6%	57	20.7%
Discharged (via any Command Action)	17	15.5%	83	29.3%	71	25.7%

Table 2.2.2 – Subject Disposition for Unrestricted Reports

Subject dispositions for unrestricted reports made in combat areas of interest are summarized in Table 2.2.3. NOTE: Courts-martial outcomes are not available for these cases.

	FY12	%	FY13	%	FY14	%
Total Subjects	8	-	20	-	9	-
Subject to Military Justice	8	100.0%	17	85.0%	9	100.0%
Command Action Initiated	8	100.0%	17	100.0%	7	77.8%
Command Action Completed	6	75.0%	13	76.5%	3	42.9%
Type of Command Action						
Courts-Martial (Sexual Assault Offense)	0	0.0%	5	38.5%	0	0.0%
Non-Judicial Punishment (Sexual Assault Offense)	2	33.3%	4	30.8%	1	33.3%
Courts-Martial (Non-Sexual Assault Offense)	0	0.0%	0	0.0%	0	0.0%
Non-Judicial Punishment (Non-Sexual Assault Offense)	1	16.7%	0	0.0%	0	0.0%
Other Adverse Administrative Action	3	50.0%	4	30.8%	2	66.7%

Table 2.2.3 - Subject Dispositions for Unrestricted Reports in Combat Areas of Interest

Subject dispositions for unrestricted reports made in combat areas of interest show that a smaller percentage of subjects faced courts-martial. However, the small number of subjects in this population make it impossible to draw meaningful statistical conclusions.

2.3. Reporting Data Discussion and Analysis

This section summarizes descriptive information surrounding the incidents involved in ALL unrestricted reports made within each given fiscal year. NOTE: In some cases where investigations have not yet occurred the incident details are based upon the report provided by the victim. Descriptive information about all unrestricted reports is summarized in Table 2.3.1.

	FY12	%	FY13	%	FY14	%
Total Reports	449	-	635	-	917	-
Assault Location						
On-Base	207	46.1%	299	47.1%	461	50.3%
Off-Base	238	53.0%	286	45.0%	391	42.6%
Unidentified	4	0.9%	50	7.9%	65	7.1%
Subject-Victim Service Affiliation						
Member on Member	267	59.5%	416	65.5%	451	49.2%
Member on Non-Member	131	29.2%	144	22.7%	159	17.3%
Non-Member on Member	21	4.7%	36	5.7%	36	3.9%
Unidentified on Member	30	6.7%	39	6.1%	271	29.6%
Unknown	0	0.0%	0	0.0%	0	0.0%
Subject-Victim Gender						
Male on Female	390	86.9%	531	83.6%	575	62.7%
Male on Male	20	4.5%	50	7.9%	57	6.2%
Female on Male	7	1.6%	21	3.3%	16	1.7%
Female on Female	2	0.4%	6	0.9%	7	0.8%
Unknown on Male	2	0.4%	4	0.6%	60	6.5%
Unknown on Female	20	4.5%	18	2.8%	163	17.8%
Mutiple Mixed Gender	8	1.8%	5	0.8%	16	1.7%
Unknown	0	0.0%	0	0.0%	23	2.5%
Reporting Delay						
Within 3 days	163	36.3%	183	28.8%	280	30.5%
4-30 days	115	25.6%	117	18.4%	176	19.2%
31-365 days	115	25.6%	172	27.1%	239	26.1%
> 1 year	55	12.2%	75	11.8%	179	19.5%
Unknown	1	0.2%	88	13.9%	43	4.7%
Occurred Prior to Military Service	11	2.4%	5	0.8%	54	5.9%
Assault Time of Day						
6AM - 6PM	53	11.8%	52	8.2%	153	16.7%
6PM - Midnight	102	22.7%	153	24.1%	243	26.5%
Midnight - 6AM	224	49.9%	178	28.0%	446	48.6%
Unknown	70	15.6%	252	39.7%	75	8.2%
Assault Day of Week						
Weekend (Fri-Sun)	272	60.6%	293	46.1%	499	54.4%
Weekday (Mon-Thur)	134	29.8%	153	24.1%	375	40.9%
Unknown	43	9.6%	189	29.8%	43	4.7%

Table 2.3.1 – Incident Details for Unrestricted Reports

The majority of reported incidents occur between 6PM-6AM. The proportion of assaults reported to have occurred on a weekday increased from 29.8% in fiscal year 2012 to 40.9% in fiscal year 2014. This may coincide with the shift in the types of assaults being reported from penetrating to non-penetrating types of crime.

Descriptive information about unrestricted reports in combat areas of interest is summarized in Table 2.3.2.

	FY12	%	FY13	%	FY14	%
Total Reports	10	-	19	-	25	-
Assault Location						
On-Base	7	70.0%	19	100.0%	20	80.0%
Off-Base	3	30.0%	0	0.0%	5	20.0%
Unidentified	0	0.0%	0	0.0%	0	0.0%
Subject-Victim Military Affiliation						
Member on Member	10	100.0%	16	84.2%	12	48.0%
Member on Non-Member	0	0.0%	0	0.0%	1	4.0%
Non-Member on Member	0	0.0%	2	10.5%	2	8.0%
Unidentified on Member	0	0.0%	1	5.3%	10	40.0%
Unknown	0	0.0%	0	0.0%	0	0.0%
Subject-Victim Gender						
Male on Female	9	90.0%	14	73.7%	15	60.0%
Male on Male	0	0.0%	3	15.8%	2	8.0%
Female on Male	1	10.0%	1	5.3%	0	0.0%
Female on Female	0	0.0%	0	0.0%	0	0.0%
Unknown on Male	0	0.0%	0	0.0%	2	8.0%
Unknown on Female	0	0.0%	0	0.0%	5	20.0%
Mutiple Mixed Gender	0	0.0%	1	5.3%	0	0.0%
Unknown	0	0.0%	0	0.0%	1	4.0%
Reporting Delay						
Within 3 days	3	30.0%	4	21.1%	9	36.0%
4-30 days	1	10.0%	6	31.6%	9	36.0%
31-365 days	5	50.0%	5	26.3%	4	16.0%
> 1 year	1	10.0%	2	10.5%	2	8.0%
Unknown	0	0.0%	2	10.5%	1	4.0%
Occurred Prior to Military Service	0	0.0%	1	5.3%	1	4.0%
Assault Time of Day						
6AM - 6PM	2	20.0%	2	10.5%	10	40.0%
6PM - Midnight	5	50.0%	3	15.8%	5	20.0%
Midnight - 6AM	1	10.0%	2	10.5%	8	32.0%
Unknown	2	20.0%	12	63.2%	2	8.0%
Assault Day of Week						
Weekend (Fri-Sun)	4	40.0%	6	31.6%	15	60.0%
Weekday (Mon-Thur)	5	50.0%	7	36.8%	9	36.0%
Unknown	1	10.0%	6	31.6%	1	4.0%

Table 2.3.2 – Incident Details for Unrestricted Reports in Combat Areas of Interest

Of the unrestricted reports made in combat areas of interest a notable difference from the larger population is in incident location. In combat areas of interest, a larger proportion of sexual assaults occur on-base (between 70-100% in the combat areas of interest vs. 46%-50% for the full population of unrestricted reports). This is not surprising since the amount of time spent off the military installation is limited.

3. Restricted Reporting

3.1. Victim Data Discussion

This section summarizes statistical data specific to the victims of sexual assault who made restricted reports. NOTE: Since there are no investigations with restricted reports, the numbers of victims associated with a given fiscal year are based on the number of reports made in that year. The demographic breakout of victims in restricted reports is summarized in Table 3.1.1.

	FY12	%	FY13	%	FY14	%
Total Victims	399	-	488	-	411	-
Gender						
Male	49	12.3%	60	12.3%	69	16.8%
Female	350	87.7%	407	83.4%	340	82.7%
Unknown	0	0.0%	21	4.3%	2	0.5%
Military Affiliation						
Military	380	95.2%	453	92.8%	399	97.1%
Non-military	19	4.8%	34	7.0%	10	2.4%
Unknown	0	0.0%	1	0.2%	2	0.5%
Duty Status (Military Victims)						
Active Duty	310	81.6%	400	88.3%	362	90.7%
Reserve	21	5.5%	22	4.9%	16	4.0%
National Guard	10	2.6%	4	0.9%	7	1.8%
Cadet/Prep School Student	39	10.3%	24	5.3%	14	3.5%
Unknown	0	0.0%	3	0.7%	0	0.0%
Rank (Military Victims)						
C-1 to C-4 & Prep School	39	10.3%	25	5.6%	14	3.5%
E-1 to E-4	249	65.5%	309	69.3%	255	63.9%
E-5 to E-9	61	16.1%	56	12.6%	95	23.8%
O-1 to O-3	22	5.8%	29	6.5%	32	8.0%
O-4 to O-10	7	1.8%	5	1.1%	3	0.8%
Unknown	2	0.5%	22	4.9%	0	0.0%

Table 3.1.1 – Victim Demographics for Restricted Reports

As with unrestricted reports, women disproportionately compose the majority of victims making restricted reports. Of military victims making restricted reports, the active duty component make up the majority, accounting for a rising 81.6% - 90.7% of reports.

A summary of victims in restricted reports occurring in combat areas of interest is provided in Table 3.1.2.

	FY12	%	FY13	%	FY14	%
Total Victims	14	-	13	-	8	-
Gender						
Male	0	0.0%	5	38.5%	3	37.5%
Female	14	100.0%	8	61.5%	5	62.5%
Unknown	0	0.0%	0	0.0%	0	0.0%

Table 3.1.2 – Victims for Restricted Reports in Combat Areas of Interest

Due to the small number of total victims, statistically relevant conclusions cannot be made.

3.2. Reporting Data Discussion

This section summarizes descriptive information surrounding the incidents involved in restricted reports. NOTE: The numbers associated with incident details are based on the report given by the victim. Therefore, the totals match the number of restricted reports made for each fiscal year. Descriptive information about restricted reports is summarized in Table 3.2.1.

	FY12	%	FY13	%	FY14	%
Total Reports	399	-	488	-	411	-
Incident Location						
On-Base	134	33.6%	141	28.9%	117	28.5%
Off-Base	260	65.2%	275	56.4%	233	56.7%
Unidentified	5	1.3%	72	14.8%	61	14.8%
Subject-Victim Military Affiliation						
Member on Member	252	63.2%	303	62.1%	165	40.3%
Member on Non-Member	19	4.8%	35	7.2%	10	2.4%
Non-Member on Member	126	31.6%	69	14.1%	103	25.2%
Unidentified on Member	2	0.5%	81	16.6%	131	32.0%
Unknown	0	0.0%	0	0.0%	2	0.5%
Reporting Delay						
Within 3 days	127	31.8%	94	19.3%	82	20.0%
4-30 days	78	19.5%	96	19.7%	68	16.5%
31-365 days	92	23.1%	93	19.1%	66	16.1%
> 1 year	89	22.3%	148	30.3%	96	23.4%
Unknown	13	3.3%	57	11.7%	99	24.1%
Occurred Prior to Military Service	66	16.5%	122	25.0%	89	21.7%
Assault Time of Day						
6AM - 6PM	43	10.8%	70	14.3%	56	13.6%
6PM - Midnight	162	40.6%	165	33.8%	123	29.9%
Midnight - 6AM	147	36.8%	162	33.2%	162	39.4%
Unknown	47	11.8%	91	18.6%	70	17.0%
Assault Day of Week						
Weekend (Fri-Sun)	239	59.9%	170	34.8%	201	48.9%
Weekday (Mon-Thur)	108	27.1%	57	11.7%	114	27.7%
Unknown	52	13.0%	261	53.5%	96	23.4%

Table 3.2.1 – Incident Details for Restricted Reports

The incident details show that a larger percentage of victims make restricted reports compared to unrestricted reports when the incident occurred prior to military service (between 16.5 - 25% for restricted reports vs. 0.8 – 5.9% for unrestricted reports from table 2.3.1). This may also explain the increased percentage of reports being made more than one year after the incident (22.3-30.3% for restricted reports vs. 11.8-19.5% for unrestricted reports from table 2.3.1). NOTE: the large number of "unknown" values for reporting delay associated with restricted reports may accentuate this difference.

Descriptive information about restricted reports occurring in combat areas of interest is

summarized in Table 3.2.2.

	FY12	%	FY13	%	FY14	%
Total Reports	14	-	13	-	8	-
Incident Location						
On-Base	12	85.7%	10	76.9%	5	62.5%
Off-Base	2	14.3%	3	23.1%	2	25.0%
Unidentified	0	0.0%	0	0.0%	1	12.5%
Subject-Victim Military Affiliation						
Member on Member	12	85.7%	10	76.9%	4	50.0%
Member on Non-Member	0	0.0%	0	0.0%	0	0.0%
Non-Member on Member	2	14.3%	2	15.4%	3	37.5%
Unidentified on Member	0	0.0%	1	7.7%	1	12.5%
Unknown	0	0.0%	0	0.0%	0	0.0%
Reporting Delay						
Within 3 days	2	14.3%	1	7.7%	1	12.5%
4-30 days	4	28.6%	5	38.5%	2	25.0%
31-365 days	7	50.0%	3	23.1%	1	12.5%
> 1 year	1	7.1%	4	30.8%	1	12.5%
Unknown	0	0.0%	0	0.0%	3	37.5%
Occurred Prior to Military Service	0	0.0%	3	23.1%	0	0.0%
Assault Time of Day						
6AM - 6PM	4	28.6%	2	15.4%	0	0.0%
6PM - Midnight	9	64.3%	5	38.5%	3	37.5%
Midnight - 6AM	1	7.1%	4	30.8%	2	25.0%
Unknown	0	0.0%	2	15.4%	3	37.5%
Assault Day of Week						
Weekend (Fri-Sun)	6	42.9%	1	7.7%	4	50.0%
Weekday (Mon-Thur)	5	35.7%	3	23.1%	1	12.5%
Unknown	3	21.4%	9	69.2%	3	37.5%

Table 3.2.2 – Incident Details for Restricted Reports in Combat Areas of Interest

As with unrestricted reports, experiences in combat areas of interest show that the majority of incidents occurred on-base, which is a notable difference from the larger population. However, the population of victims is too small too small to draw conclusive statistical inferences.

The number of restricted reports that were converted to unrestricted reports are summarized in Table 3.2.3.

	FY12	%	FY13	%	FY14	%
Total Reports	824	-	1,149	-	1,328	-
Initially Restricted	399	48.4%	488	42.5%	502	37.8%
Converted to Unrestricted	58	14.5%	76	15.6%	91	18.1%

Table 3.2.3 – Conversions of Restricted Reports

From fiscal year 2012 to 2014 the percentage of reports that are initiated as restricted reports out of the total number of reports decreased from 48.4% to 37.8%. In addition, the percentage of converted cases out of initially restricted has increased slightly from

14.5% to 18.1%. This results in the ratio of restricted to unrestricted reports decreasing over the reporting period as seen in Chart 1.1. These results may be indicative of growing confidence on the part of victims coming forward to make unrestricted reports.

The number of restricted reports that were converted to unrestricted reports in combat areas of interest are summarized in Table 3.2.4.

	FY12	%	FY13	%	FY14	%
Total Reports	24	-	32	-	33	-
Initially Restricted	14	58.3%	13	40.6%	9	27.3%
Converted to Unrestricted	0	0.0%	2	15.4%	1	11.1%

Table 3.2.4 – Conversions of Restricted Reports in Combat Areas of Interest

With the exception of fiscal year 2012, the conversion rate in combat areas of interest tracks closely with those of the overall population of restricted reports.

4. Service Referrals for Victims of Sexual Assault

This section summarizes data specific to the number and type of referrals given by the Sexual Assault Response Coordinator to the victims of sexual assault. It gives data for: 1) victims in unrestricted reports; 2) victims in restricted reports; and 3) non-military victims. NOTE: A change in counting methods occurred in fiscal year 2014. Prior to this year, every time a victim received a referral to receive services, the tally for that particular service type was increased. However, starting in fiscal year 2014, the tally was based simply on whether or not a victim received a certain type of referral. For example, if a victim received 5 referrals to see a mental health provider, it would have counted as 5 referrals in fiscal year 2013 but only as 1 referral in fiscal year 2014. For this reason, the percentages may be somewhat skewed in the following analysis.

	FY12	%	FY13	%	FY14	%
Total Service Referrals	1,556	-	2,741	-	1,035	-
Type of Service						
Medical	349	22.4%	332	12.1%	92	8.9%
Mental Health	741	47.6%	598	21.8%	258	24.9%
Legal	327	21.0%	460	16.8%	192	18.6%
Chaplain/Spiritual Support	32	2.1%	246	9.0%	138	13.3%
Rape Crisis Center	33	2.1%	139	5.1%	16	1.5%
Victim Advocate	65	4.2%	672	24.5%	206	19.9%
DoD Safe Helpline	4	0.3%	212	7.7%	60	5.8%
Other	5	0.3%	82	3.0%	73	7.1%

Table 4.1 – Service Referrals for Unrestricted Reports

The main service referrals for unrestricted reports during fiscal years 2012 – 2014 were mental health (22%-48%), medical (9% - 22%), victim advocate (4% - 25%), and legal (17% - 21%). The number of service referrals for unrestricted reports are summarized in Table 4.1.

	FY12	%	FY13	%	FY14	%
Total Service Referrals	14	-	92	-	32	-
Type of Service						
Medical	5	35.7%	16	17.4%	1	3.1%
Mental Health	8	57.1%	18	19.6%	6	18.8%
Legal	1	7.1%	12	13.0%	7	21.9%
Chaplain/Spiritual Support	0	0.0%	12	13.0%	4	12.5%
Rape Crisis Center	0	0.0%	6	6.5%	2	6.3%
Victim Advocate	0	0.0%	20	21.7%	7	21.9%
DoD Safe Helpline	0	0.0%	6	6.5%	2	6.3%
Other	0	0.0%	2	2.2%	3	9.4%

Table 4.2 Service Referrals for Unrestricted Reports in Combat Areas of Interest

The main service referrals for unrestricted reports in combat areas of interest during fiscal year 2012 - 2014 were mental health (20% - 57%), medical (3% - 36%), victim advocates (22%), legal (7% - 22%). The number of service referrals for unrestricted reports in combat areas of interest are summarized in Table 4.2.

	FY12	%	FY13	%	FY14	%
Total Service Referrals	940	-	2,741	-	587	-
Type of Service						
Medical	259	27.6%	332	12.1%	51	8.7%
Mental Health	386	41.1%	598	21.8%	179	30.5%
Legal	60	6.4%	460	16.8%	51	8.7%
Chaplain/Spiritual Support	73	7.8%	246	9.0%	121	20.6%
Rape Crisis Center	8	0.9%	139	5.1%	26	4.4%
Victim Advocate	118	12.6%	672	24.5%	92	15.7%
DoD Safe Helpline	24	2.6%	212	7.7%	33	5.6%
Other	12	1.3%	82	3.0%	34	5.8%

Table 4.3 – Service Referrals for Restricted Reports

The main service referrals for restricted reports during fiscal years 2012 - 2014 were mental health (22% - 41%), medical (9% - 28%), legal (6% - 17%), chaplain/spiritual support (8% - 21%), victim advocate (13% - 25%). The number of service referrals for restricted reports are summarized in Table 4.3.

	FY12	%	FY13	%	FY14	%
Total Service Referrals	14	-	18	-	19	-
Type of Service						
Medical	5	35.7%	5	27.8%	2	10.5%
Mental Health	8	57.1%	5	27.8%	9	47.4%
Legal	1	7.1%	1	5.6%	2	10.5%
Chaplain/Spiritual Support	0	0.0%	3	16.7%	2	10.5%
Rape Crisis Center	0	0.0%	0	0.0%	0	0.0%
Victim Advocate	0	0.0%	3	16.7%	4	21.1%
DoD Safe Helpline	0	0.0%	1	5.6%	0	0.0%
Other	0	0.0%	0	0.0%	0	0.0%

Table 4.4 – Service Referrals for Restricted Reports in Combat Areas of Interest

The main service referrals for restricted reports in combat areas of interest during fiscal years 2012 - 2014 were mental health (28% - 57%), medical (11% - 36%), legal (6% - 11%), chaplain/spiritual support (11% - 17%), and victim advocate (17% - 21%). The number of service referrals for restricted reports in combat areas of interest are summarized in Table 4.4.

	FY12	%	FY13	%	FY14	%
Total Service Referrals	705	-	494	-	193	-
Type of Service						
Medical	145	20.6%	96	19.4%	20	10.4%
Mental Health	299	42.4%	89	18.0%	37	19.2%
Legal	122	17.3%	61	12.3%	25	13.0%
Chaplain/Spiritual Support	32	4.5%	52	10.5%	18	9.3%
Rape Crisis Center	33	4.7%	35	7.1%	10	5.2%
Victim Advocate	65	9.2%	123	24.9%	43	22.3%
DoD Safe Helpline	4	0.6%	21	4.3%	8	4.1%
Other	5	0.7%	17	3.4%	32	16.6%

Table 4.5 – Service Referrals for Non-Military Victims

The main service referrals for non-military victims during fiscal years 2012 – 2014 were in mental health (18% - 42%), medical (10% - 21%), victim advocate (9% - 25%). The number of service referrals for non-military victims are summarized in Table 4.5.

	FY12	%	FY13	%	FY14	%
Total Service Referrals	0	-	58	-	2	-
Type of Service						
Medical	0	-	7	12.1%	0	0.0%
Mental Health	0	-	12	20.7%	1	50.0%
Legal	0	-	5	8.6%	0	0.0%
Chaplain/Spiritual Support	0	-	9	15.5%	1	50.0%
Rape Crisis Center	0	-	6	10.3%	0	0.0%
Victim Advocate	0	-	12	20.7%	0	0.0%
DoD Safe Helpline	0	-	6	10.3%	0	0.0%
Other	0	-	1	1.7%	0	0.0%

Table 4.6 – Service Referrals for Non-Military Victims in Combat Areas of Interest

The numbers for the service referrals for non-military victims in combat areas of interest are too low to draw statistical conclusions. The number of service referrals for non-military victims in combat areas of interest are summarized in Table 4.6.

5. Additional Items

5.1. Military Justice Process/Investigative Process Discussion

This section summarizes data associated with the timeline involved in the military justice process. Chart 5.1 shows the time from when a victim makes an unrestricted report (i.e. signs the DD 2910) to the completion of the courts-martial process, sentence or acquittal. NOTE: This measure was first developed in fiscal year 2014 so there is no trend data available to assess. Of the cases that went to courts-martial, the average was 227 days and the median was 218 days from report to court outcome.

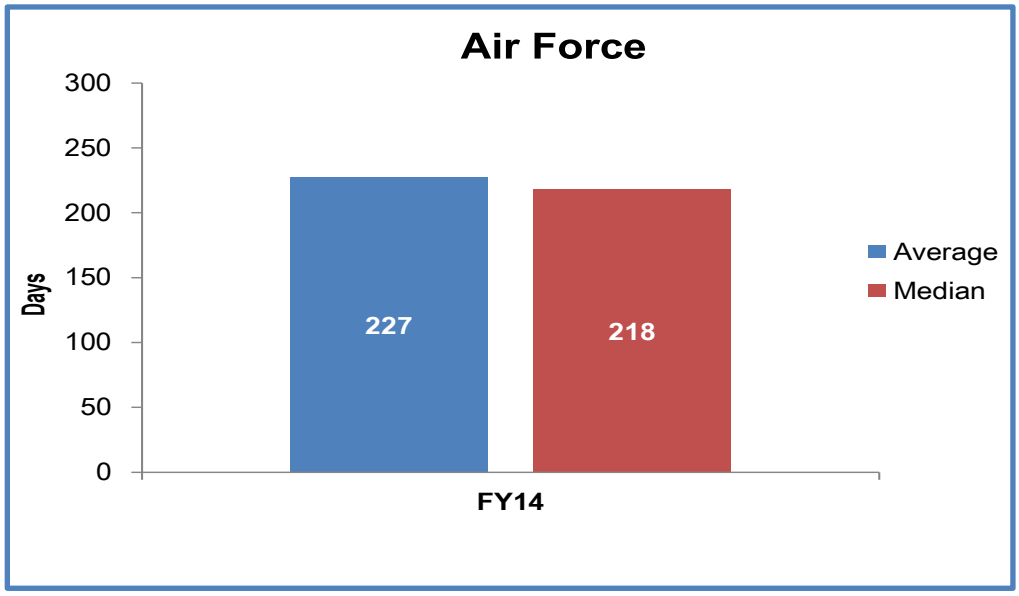


Chart 5.1 – Days from Report to Court Outcome

Chart 5.2 shows the average time period between victim reporting and completion of non-judicial punishment action. NOTE: this was also a new measure for fiscal year 2014.

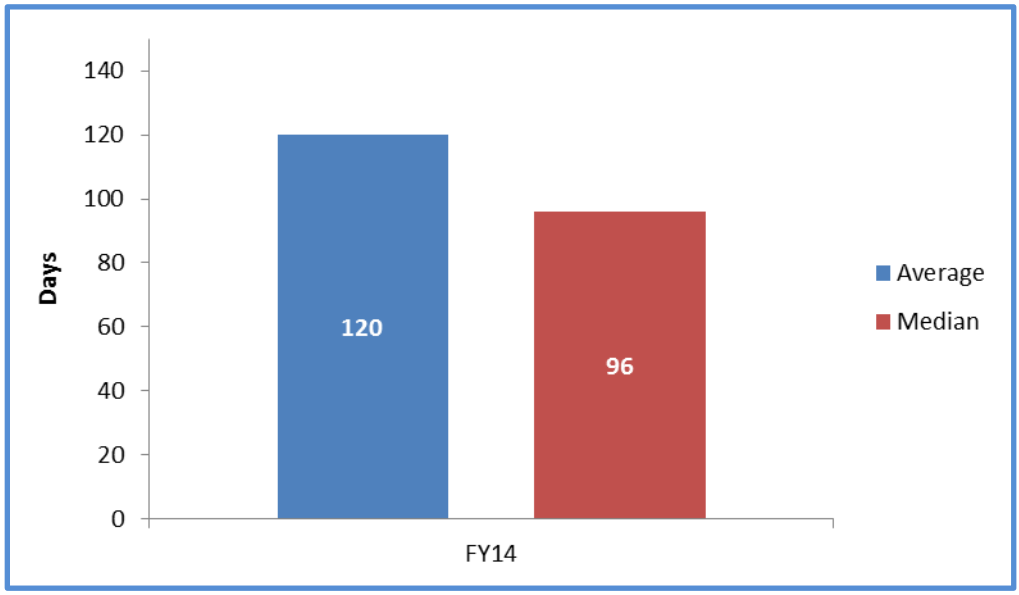


Chart 5.2 – Days from Report to Non-Judicial Punishment Outcome


DEPARTMENT OF DEFENSE
NATIONAL GUARD BUREAU

NATIONAL GUARD BUREAU
1636 DEFENSE PENTAGON
WASHINGTON DC 20301-1636

MEMORANDUM FOR UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS

SUBJECT: National Guard Sexual Assault Prevention and Response (SAPR) Progress Report

Enclosed is a comprehensive progress report detailing the National Guard's major initiatives and improvements in its efforts to prevent and respond to sexual assault since December 2011.

The National Guard Bureau, in collaboration with the Adjutants General of the fifty states and three territories, and the Commanding General of the District of Columbia National Guard, removed barriers to deliver a multi-dimensional SAPR program that is dynamic and responsive. Each state took deliberate steps to prevent and strengthen its response to sexual assault along each of the SAPR program's five lines of efforts: prevention, accountability, investigation, victim advocacy support, and assessment. Commanders at every level enhanced prevention efforts to create and sustain a climate intolerant of destructive behaviors. They are holding individuals across our military community responsible for upholding core values and appropriate standards of behavior.

As we continue our preparation to fight our Nation's wars, protect the homeland, and build partnerships around the world and here in our communities, we do so with a steadfast devotion to nurture and protect the men and women who serve.

Your point of contact is Brigadier General Ivan E. Denton, Director of Manpower and Personnel, National Guard Joint Staff, at (703) 604-9540.

FRANK J. GRASS
General, USA
Chief, National Guard Bureau

Attachment:
As stated

SAPR PROGRESS REPORT to the PRESIDENT

NATIONAL GUARD BUREAU













NATIONAL GUARD BUREAU

SAPR PROGRESS REPORT to the PRESIDENT



"The crime of sexual assault is counter to our core values and profoundly destructive to our units. As leaders, we are responsible to do everything in our power to protect our most valuable asset – our people"

GEN Frank J. Grass, CHIEF, National Guard Bureau

EXECUTIVE SUMMARY

Just as members of the National Guard (NG) fought side-by-side in combat with the active military Services, the same is true in the fight to combat sexual assault. The Chief of the National Guard Bureau (CNGB), as a member of the Joint Chiefs of Staff (JCS), is tasked with similar responsibilities as the Service Chiefs for program development and implementation. In addition to executing the Federal policies and directives mandated by Headquarters, Department of Army (HQDA) and the United States Air Force (USAF) for Title 10 (T10) Guardsmen, the NG incorporated the Services' guidance concurrently into its own Sexual Assault Prevention and Response (SAPR) program for members in Title 32 (T32) status.

The NG has executed a stand-alone SAPR program since 2005, the only Reserve Component (RC) to do so. Each of the fifty states, three territories, and the District of Columbia (the "States") operates a T32 SAPR program under the authority of the Governor and The Adjutant General (TAG), who serves as the Commanding General of the Army and Air NG units.

To advance the mission to educate, heighten awareness, and empower individuals to take action, the NG implemented a number of T32-specific trainings, programs, initiatives, policies, and activities. This multi-dimensional approach is shared across the States to strengthen commander accountability, command climate, and victim advocacy. To aid in shifting the focus of the SAPR program on leadership involvement, the SAPR Leadership Summits were conducted in Fiscal Year (FY) 2011 and FY 2012. These summits helped to establish an understanding of senior leaders' responsibilities for the care and treatment of sexual assault victims, and for their role in creating a climate of dignity and respect. The summits evolved into regularly scheduled engagements, such as the annual Joint Senior and quarterly Guard Senior Leadership conferences (GSLC), bi-monthly Guard Senior Leader Updates (GLSU), and Senior Enlisted Leader Forums. At these events, senior leaders hear of best practices from national subject matter experts (SMEs), such as Dr. Gail Stern of *Sex Signals*, clinical psychologist Dr. David Lisak, United States Army (USA) Military Police School Chief Russell Strand, and attorney Anne Munch. These events amplify the importance and seriousness of sexual assault and provide a forum for state leaders to engage each other on challenges unique to T32.

To empower individuals further at all ranks, the NG developed the first Bystander Intervention Training (BIT) tool within the Armed Services. Complete with videos, scenarios, and guided discussions, the BIT is only one piece of the NG's prevention efforts. Understanding individual roles, being active participants, and honoring a top-down, bottom-up personal commitment to combat sexual assault are primary messages in our prevention strategy. First responders attend a 40-hour Initial Sexual Assault Response Coordinator (SARC) and SAPR Victim Advocate (SAPR VA) course specific for T32. The National Advocate Credential Program and Department of Defense (DoD) SAPR Office (SAPRO) approved this course, which received accolades for its innovative approaches and inclusion of training blocks on healthy sexuality and male victimization. A T32-specific SARC Refresher Course is conducted annually to provide SAPR personnel with a comprehensive and cost-effective means to obtain the required 32 hours of training every two years. Nationally recognized SMEs, such as Debby Tucker, Executive Director of the National Center on Domestic and Sexual Violence, Simon Weinberg of *Big Voice Pictures*, and Alan Berkowitz, Bystander Intervention

specialist, provide training on best practices for SAPR. At the unit level, senior leaders use small group instruction and open discussion during training, and incorporate SAPR messages at other unit events.

With Soldiers and Airmen in over 3,000 communities, the NG has leveraged this unique position to forge collaborative relationships at the state and local levels, and to secure valuable resources that are gender-responsive and focused on victim recovery. Additionally, States collaborate with community organizations and local colleges and universities to support prevention and awareness activities and events. The NG provides victims with timely access to one of 383 certified SARCs or 3,439 SAPR VAs for support and possible referral to civilian resources, regardless of their status at the time of an incident. In addition, all reported cases of sexual assault are captured in the Defense Sexual Assault Incident Database (DSAID). Currently, 94 specially trained Special Victims' Counsels (SVC) are available to aid NG members with legal issues arising from a reported sexual assault. Since the National Guard Bureau (NGB) joint-service SVC program became operational in May 2014, the number of its monthly cases has increased 47 percent. The quality of victim care and confidence in command is evident by the 80 percent rate of "Unrestricted" reporting in the NG over the last three years.

As a T32 entity, the NG does not operate a Military Criminal Investigation Organization (MCIO). To fill the gap when Civilian Law Enforcement (CLE) declines to investigate T32 cases, the CNGB directed the NGB Chief Counsel (NGB-JA) to create the NGB Office of Complex Administrative Investigation (NGB-JA/OCI) as an investigatory resource for TAGs. One-hundred and six specially recruited NGB-JA/OCI investigators have been trained at the Special Victim Unit Investigator Course at the U.S. Army Military Police School at Fort Leonard Wood, Missouri. Over the past two years, the average number of cases investigated by NGB-JA/OCI increased from 2.5 to 3.75 per month. The NG responded to the growing caseload by increasing the full-time staff from 3 to 20. To further accountability and assess organizational climate dimensions, commanders conduct a climate assessment within 120 days of assuming responsibility, and an annual assessment thereafter. In addition, TAGs and their SAPR personnel enhanced relationships with state legislatures to affect changes to State Codes of Military Justice (CMJ) relevant to sexual assault. These efforts included the 2013 Wisconsin Act 201, California Military Sexual Assault Legislation Senate Bill 1422, and Iowa Bill SF232.

The NG is a full-partner in the DoD's continuous maturation of, and reporting on, SAPR metrics to advance ongoing assessments. States report T32-specific metrics quarterly and display them in individual "Dashboards" on a secure Web site. They are working with the NGB on developing metrics to track the process and disposition of T32 cases. In addition, weekly, monthly, and quarterly reports keep NG leaders abreast of sexual assault incidents and trends.

Throughout our history, the overwhelming majority of our Soldiers and Airmen have upheld the core values that define our profession of arms. Our efforts are not relegated to this program alone, but to a coordinated campaign that emphasizes our collective responsibility to combat sexual assault. The enclosed report demonstrates that the NG is fully committed to reducing the prevalence of this crime until it is eradicated from our ranks.

INTRODUCTION

The citizen-military duality of the NG is the essence of who they are and the foundation for our success. Consequently, the complexities and intricacies of managing a dual civilian-military force and the scope of operations, coupled with the challenges of navigating federal and state military justice regulations, provide the backdrop for the respect the NG has earned across the DoD. This report reflects our resolve and commitment in establishing NG SAPR policy and procedures, developing specific training for Guard members on T32 duty, and encouraging the collaboration and cooperation with appropriate partners from the local to national level. The prevention of sexual assault within our ranks and our response to victims of this heinous crime is a responsibility for every member of the NG.

TABLE OF CONTENTS

Section 1: Background and History of the NG SAPR Program

This section provides a brief glimpse at the background of the NG SAPR Program and the NG's involvement in DoD efforts to respond and support victims of sexual assault followed by a historical overview of the significant policies, procedures, and events that occurred from 2005 through 2011.

2014 National Guard by the Numbers

Section 2: Comprehensive Review of each Line of Effort (LOE) from December 2011 through September 2014

1 – Prevention

2 – Investigation

3 – Accountability

4 – Advocacy/Victim Assistance

5 – Assessment

Section 3: National Guard FY12 - FY14 Analytic Discussion, Data Trends, and Statistical Reports of Sexual Assault

Section 4: Acronym List

BACKGROUND AND HISTORY OF THE NATIONAL GUARD SAPR PROGRAM

BACKGROUND

The year 2005 was the inception of the NG SAPR Program. The subsequent program from 2005 to today reflects the evolution, growth, and uniqueness of the nation's militia, and demonstrates its balanced capacity to fight America's wars, protect the homeland, and build community and global partnerships. Sexual assault prevention and response is an integral part of NG's overall mission efforts to support soldiers and airmen to make available a healthy force in defense of our nation. The NG is committed to eliminating incidents of sexual assault by increasing awareness through education and prevention efforts and also aim to provide intimidation free reporting, victim centered support, thorough investigations, and accountability for those who commit sexual crimes.

DoD recognition and efforts in examining and understanding the problems of sexual assault in the military provided detailed guidance to the combined armed forces in April 2004 after the release of the Task Force Report on Sexual Assault. The recommendations from the Task Force included the establishment of the Joint Task Force (JTF) for Sexual Assault Prevention and Response and the development of a comprehensive policy on prevention and response to sexual assault by January 2005. In addition, the JTF set out to train sexual assault response coordinators, chaplains, lawyers, and law enforcement to make a cadre of 1,200 first responders available across the military force. Within the same year, the military Services also trained over one million Service members and established SAPR offices at all military facilities.

The NG was a part of DoD's joint effort to establish a system to respond to and support victims of sexual assault. In 2004, the Army National Guard (ARNG) and Air National Guard (ANG) were included in their Services' working groups to begin planning for program implementation across the total force in anticipation of the release of the recommendations and policy from the JTF. The ARNG and ANG worked throughout 2005 to establish a modified program that could meet the intent of the DoD, USA, and USAF, and be in compliance with the Services' plans. The task was challenging as the resources and authorities for the part-time military/civilian NG were very different from the active component's resources for personnel and accountability set by the Uniform Code of Military Justice (UCMJ). Both the Army and the Air Force (AF) directed their reserve forces to have a SARC and SAPR VA available to their component members to respond to incidents of sexual assault. However, there were no additional resources allocated to the ARNG and ANG for personnel to serve as dedicated full time SARCs or SAPR VAs. The NG was faced with devising a plan to meet the Services' requirement.

In February of 2005, the DoD announced funding to support a SARC position. A SARC was placed at the NGB to oversee the SARCs and development of the State SAPR program across the States. In March 2005, NGB hired a contractor as the SAPR Program Coordinator to manage the program for both the ARNG and ANG.

Background And History Of The National Guard SAPR Program

Following the hiring of the SAPR Program Coordinator, NGB established a Joint Service Sexual Assault Working Group (SAWG) on 30 March 2005. The NGB SAWG met weekly during the 2005-2006 time period to stand up a NG SAPR program. During that time, the NGB SAWG's primary focus was on training enough SARCs across the States to enable response capability within the States. Since the initial emphasis of the program was victim focused, a large portion of the program concentrated on the care and support of victims who desired to disclose a sexual assault. DoD provided the funding for the NG SAPR Program Coordinator position and offered to provide financial assistance to train SARCs across the military Services. With the funding riddle solved, the NGB SAWG formulated a plan to train NG SARCs.

The Directorate of Manpower and Personnel, National Guard Joint Staff (NG J1) published a memorandum on 19 July 2005 to the state J1 Manpower and Personnel Directors that established the collateral duty SARC position at the Joint Force Headquarters - State (JFHQ-State) and detailed the duties, background and selection criteria for individuals recommended to serve as the state Joint ARNG and ANG SARC. The selection guidelines, roles, and responsibilities are very different for personnel currently assigned to perform as a SARC.

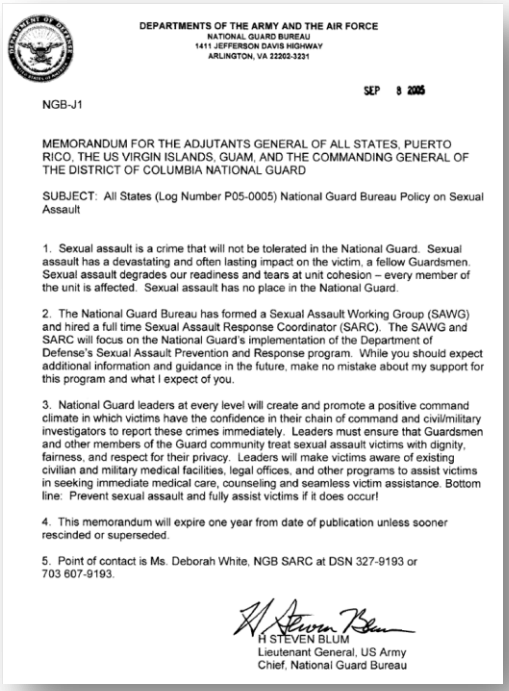
The NG sent 65 personnel to Atlanta, Georgia, from 29 September to 1 October 2005 for a Joint 32-hour SAPR training. This Joint Forces initial training included new SARCs from all Services and both the active component (AC) and reserve component (RC). As a result of the DoD SARC training, 42 of the States and territories qualified personnel to oversee their SAPR program and respond to incidents of sexual assault. The DoD Joint SARC training served as a huge eye-opener to those overseeing the development of the NG SAPR program and brought to the forefront the recognition of the monumental challenges that laid ahead for the NG.

The DoD SAPR program policy and procedures were designed for federal, T10 implementation. Further, the authorities and resources to investigate crimes and guarantee victim care were only available to AC military members. The NGB SAWG members recognized that the intent of the DoD SAPR program could be met by NG members while serving under the authority of the governor. It was clear that adjustments in policy development, legal authority, and response capabilities were required. NG soldiers and airmen were to obtain training on the differences between program resources and processes while serving in T32 versus T10. Additional focus was to be given to other relevant information unique to the Guard, such as connectivity to their local communities and civilian employers when serving in the civilian/military roles in their state.

HISTORY 2005

Chief of the National Guard Bureau - Lieutenant General H Steven Blum
Director of the Air National Guard - Lieutenant General Daniel James III
Director of the Army National Guard - Lieutenant General Roger C. Schultz
Director of the Army National Guard - Lieutenant General Clyde A. Vaughn
Director of Manpower and Personnel, J1 - Major General Ronald G. Young

The NGB SAWG established program goals and directed their initial focus on creating guidance to the States to address DoD requirements set in several Directive Type Memoranda (DTM) published in 2004. Lieutenant General (LTG) H Steven Blum, CNGB, signed the first NGB SAPR All States Memorandum Policy Letter to the States on 8 September 2005. This policy memorandum officially established the NG SAPR program and highlighted the importance of leaders creating and promoting a positive command climate to elevate victims' confidence in their chain of command to respond appropriately to reports of sexual assault. In the initial policy letter, LTG Blum pointed out that victims must be aware of existing civilian and military resources for medical, legal, and support programs for victim assistance.



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
NATIONAL GUARD BUREAU
1411 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202-3231

NGB-J1

SEP 8 2005

MEMORANDUM FOR THE ADJUTANTS GENERAL OF ALL STATES, PUERTO RICO, THE US VIRGIN ISLANDS, GUAM, AND THE COMMANDING GENERAL OF THE DISTRICT OF COLUMBIA NATIONAL GUARD

SUBJECT: All States (Log Number P05-0005) National Guard Bureau Policy on Sexual Assault

1. Sexual assault is a crime that will not be tolerated in the National Guard. Sexual assault has a devastating and often lasting impact on the victim, a fellow Guardsmen. Sexual assault degrades our readiness and tears at unit cohesion – every member of the unit is affected. Sexual assault has no place in the National Guard.

2. The National Guard Bureau has formed a Sexual Assault Working Group (SAWG) and hired a full time Sexual Assault Response Coordinator (SARC). The SAWG and SARC will focus on the National Guard's implementation of the Department of Defense's Sexual Assault Prevention and Response program. While you should expect additional information and guidance in the future, make no mistake about my support for this program and what I expect of you.

3. National Guard leaders at every level will create and promote a positive command climate in which victims have the confidence in their chain of command and civil/military investigators to report these crimes immediately. Leaders must ensure that Guardsmen and other members of the Guard community treat sexual assault victims with dignity, fairness, and respect for their privacy. Leaders will make victims aware of existing civilian and military medical facilities, legal offices, and other programs to assist victims in seeking immediate medical care, counseling and seamless victim assistance. Bottom line: Prevent sexual assault and fully assist victims if it does occur!

4. This memorandum will expire one year from date of publication unless sooner rescinded or superseded.

5. Point of contact is Ms. Deborah White, NGB SARC at DSN 327-9193 or 703 607-9193.

H STEVEN BLUM
Lieutenant General, US Army
Chief, National Guard Bureau

The NGB SAWG provided additional program guidance for the States by creating and distributing two memoranda: "*NGB Sexual Assault Victim Resources Guide*," published on 15 June 2005, and the "*Selection and Appointment of Sexual Assault Response Coordinators*," published on 29 August 2005.

Immediately after the DoD Initial Training for SARCs was completed in October 2005, the NG recognized the necessity for ongoing SARC and SAPR VA training to meet the need for trained SARCs and SAPR VAs for the war effort, and to provide timely response within T32 state operations. Therefore, the NGB SAWG began an action plan to tackle these requirements. The need to establish full time permanent positions also became evident. The looming question was the designation of the position-- contractors, dual and non-dual status military technician, Active Duty for Special Work or Active Guard Reserve (AGR). Determining the status of the position was elementary compared to resolving how to resource the position from existing allocations. Although there was early recognition of how to resource the SAPR position in the States, this issue intensified as manpower resources began to shrink and requirements continued to increase.

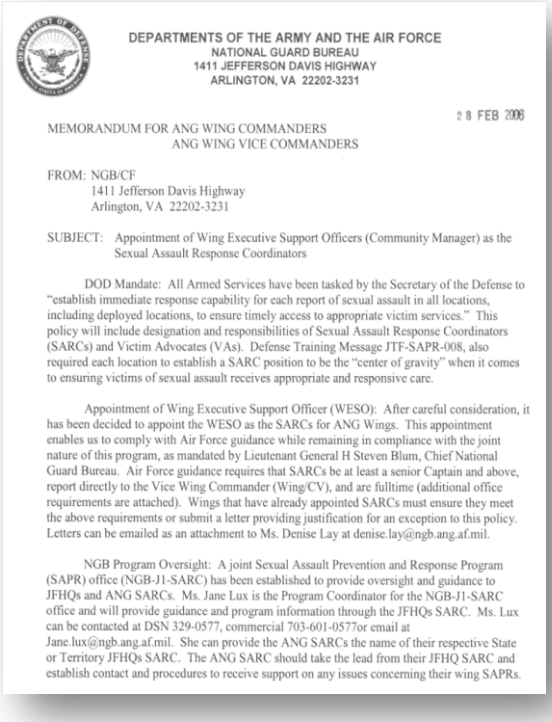
History 2006

Chief of the National Guard Bureau - Lieutenant General H Steven Blum
Director of the Air National Guard - Lieutenant General Daniel James III
Director of the Air National Guard - Lieutenant General Craig R. McKinley
Director of the Army National Guard - Lieutenant General Clyde A. Vaughn
Director of Manpower and Personnel, J1 - Major General Ronald G. Young

In January 2006, a contractor with subject matter expertise in SAPR training was hired to serve as the SAPR SARC Program Coordinator. The SAWG's focus shifted to hosting more training events to meet the NG's growing need for trained SARCs and SAPR VAs to satisfy deployment requirements across the States.

The first NG Joint ARNG and ANG SARC and SAPR VA training was held in California in April 2006, for approximately 250 SARCs and SAPR VAs. The trainers were a combination of members of the active duty Army's contract training staff, and USAF active duty SAPR program staff. The difference in capabilities became clear to all ARNG and ANG members; however, exactly how to transfer the execution requirements to T32 was not evident.

To maximize limited state resources and accentuate the cross-service response capability, LTG Blum directed the creation of a joint NG SARC and SAPR VA training for the T32 force. The Army and AF created SARC and SAPR VA training materials to guide the training for the active duty force. The two curricula were delivered differently; where Army only required 8 initial hours of training, with follow-on 32 hours after deployment, the USAF required 40 hours up front training before being assigned any cases. LTG Blum directed the content be modified to meet the needs for T32 implementation and the more stringent requirement of 40 hours up front would be the standard for the NG



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
NATIONAL GUARD BUREAU
1411 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202-3231

28 FEB 2006

MEMORANDUM FOR ANG WING COMMANDERS
ANG WING VICE COMMANDERS

FROM: NGB/CF
1411 Jefferson Davis Highway
Arlington, VA 22202-3231

SUBJECT: Appointment of Wing Executive Support Officers (Community Manager) as the Sexual Assault Response Coordinators

DOD Mandate: All Armed Services have been tasked by the Secretary of the Defense to "establish immediate response capability for each report of sexual assault in all locations, including deployed locations, to ensure timely access to appropriate victim services." This policy will include designation and responsibilities of Sexual Assault Response Coordinators (SARCs) and Victim Advocates (VAs). Defense Training Message JTF-SAPR-008, also required each location to establish a SARC position to be the "center of gravity" when it comes to ensuring victims of sexual assault receives appropriate and responsive care.

Appointment of Wing Executive Support Officer (WESO): After careful consideration, it has been decided to appoint the WESO as the SARCs for ANG Wings. This appointment enables us to comply with Air Force guidance while remaining in compliance with the joint nature of this program, as mandated by Lieutenant General H Steven Blum, Chief National Guard Bureau. Air Force guidance requires that SARCs be at least a senior Captain and above, report directly to the Vice Wing Commander (Wing/CV), and are fulltime (additional office requirements are attached). Wings that have already appointed SARCs must ensure they meet the above requirements or submit a letter providing justification for an exception to this policy. Letters can be emailed as an attachment to Ms. Denise Lay at denise.lay@ngb.ang.af.mil.

NGB Program Oversight: A joint Sexual Assault Prevention and Response Program (SAPR) office (NGB-J1-SARC) has been established to provide oversight and guidance to JFHQs and ANG SARCs. Ms. Jane Lux is the Program Coordinator for the NGB-J1-SARC office and will provide guidance and program information through the JFHQs SARC. Ms. Lux can be contacted at DSN 329-0577, commercial 703-601-0577or email at Jane.lux@ngb.ang.af.mil. She can provide the ANG SARCs the name of their respective State or Territory JFHQs SARC. The ANG SARC should take the lead from their JFHQ SARC and establish contact and procedures to receive support on any issues concerning their wing SAPRs.

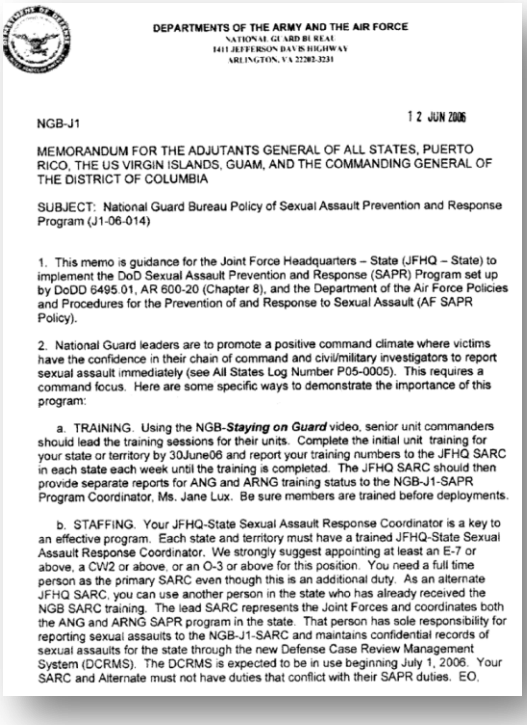
The USAF released policy that required the Wing SARC to be an officer, (a captain or above) or a Government civilian, (General Schedule (GS)12 or above), be full time, answer to the Vice Wing Commander, and to have no conflicts of interest with duties contrary to SARC responsibilities. For the ANG, the Wing Executive Support Officer (WESO) was selected as the most viable option at the time. This position is filled by a GS12 technician or Captain and above. The position description required modification

to include SARC duties. This additional duty was added to the existing seven duties and published in a memorandum on 28 February 2006.

On 21 February 2006, NG-J1 issued another memorandum to all state JFHQ-J1 on "Fielding of Sexual Assault Prevention and Response Training Materials and Training Reporting Requirements." Attached to this memorandum were guidelines and training materials with guidance to complete training by June 2006. The NGB SAWG contracted for the production of a video, "*Staying on Guard*" as the overall NG T32 training video. ANG members were expected to also view the AF initial training video, "Targeting Sexual Assault." Data indicating the number of personnel trained were submitted to the NGB SAPR Program Coordinators monthly and subsequently to NG leadership. The initial training data provided a glimpse of future challenges for the NG.

The availability of training hours during Drill or Unit Training Assembly (UTA) weekends are limited, therefore NG units schedule training events a year in advance. Throughout the process of creating training plans, it became apparent that DoD and active duty Service directives failed to allot an adequate amount of time for the T32 force to accomplish training requirements. An extension request was submitted and approved to allow an additional six months for the States to complete their training by December 2006.

The first full year of the NG SAPR program was in 2006. There were a total of four SARC and SAPR VA trainings conducted during this year with over 600 ARNG and ANG members trained to serve as SARCs and SAPR VAs. The trainings provided instructions and skills for victim advocacy, and an understanding of trauma and response to sexual assault. However, there was a crucial need for policy to provide guidance specific to the NG and the unique challenges brought about by the various statuses under which a member of the Guard could serve. As the NG worked to solidify the program and identify the specific services for which Guard members would qualify, the focus on training and attention given to victim care continued.



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
NATIONAL GUARD BUREAU
1411 JEFFERSON DAVIS HIGHWAY
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NGB-J1

12 JUN 2006

MEMORANDUM FOR THE ADJUTANTS GENERAL OF ALL STATES, PUERTO RICO, THE US VIRGIN ISLANDS, GUAM, AND THE COMMANDING GENERAL OF THE DISTRICT OF COLUMBIA

SUBJECT: National Guard Bureau Policy of Sexual Assault Prevention and Response Program (J1-06-014)

1. This memo is guidance for the Joint Force Headquarters – State (JFHQ – State) to implement the DoD Sexual Assault Prevention and Response (SAPR) Program set up by DoDD 6495.01, AR 600-20 (Chapter 8), and the Department of the Air Force Policies and Procedures for the Prevention of and Response to Sexual Assault (AF SAPR Policy).

2. National Guard leaders are to promote a positive command climate where victims have the confidence in their chain of command and civil/military investigators to report sexual assault immediately (see All States Log Number P05-0005). This requires a command focus. Here are some specific ways to demonstrate the importance of this program:

a. TRAINING. Using the NGB-***Staying on Guard*** video, senior unit commanders should lead the training sessions for their units. Complete the initial unit training for your state or territory by 30June06 and report your training numbers to the JFHQ SARC in each state each week until the training is completed. The JFHQ SARC should then provide separate reports for ANG and ARNG training status to the NGB-J1-SAPR Program Coordinator, Ms. Jane Lux. Be sure members are trained before deployments.

b. STAFFING. Your JFHQ-State Sexual Assault Response Coordinator is a key to an effective program. Each state and territory must have a trained JFHQ-State Sexual Assault Response Coordinator. We strongly suggest appointing at least an E-7 or above, a CW2 or above, or an O-3 or above for this position. You need a full time person as the primary SARC even though this is an additional duty. As an alternate JFHQ SARC, you can use another person in the state who has already received the NGB SARC training. The lead SARC represents the Joint Forces and coordinates both the ANG and ARNG SAPR program in the state. That person has sole responsibility for reporting sexual assaults to the NGB-J1-SARC and maintains confidential records of sexual assaults for the state through the new Defense Case Review Management System (DCRMS). The DCRMS is expected to be in use beginning July 1, 2006. Your SARC and Alternate must not have duties that conflict with their SAPR duties. EO.

On June 12, 2006, LTG Blum signed the next major SAPR policy issuance to TAGs, *"National Guard Bureau Policy of Sexual Assault Prevention and Response Program" (J1-06-014).* This All States Memorandum included guidance on:

(1) Annual unit level training requirements.

(2) Staffing at the JFHQ-State SARC position.

(3) Options for the States to provide limited restricted reporting when not in conflict with state laws.

(4) Establishment of partnerships with state and local coalitions and agencies for additional victim services.

(5) Maintaining confidentiality and limiting reports of sexual assaults to those with an official need to know.

(6) Requirement to establish and hold monthly Sexual Assault Review Board (SARB) meetings at the JFHQ-State for program review and development.

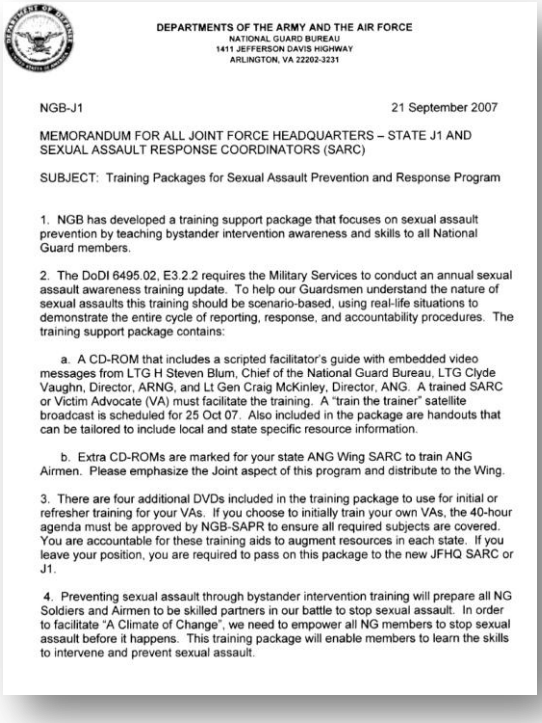
The NG encountered a setback as the right of a Guard member to file a Restricted Report was challenged in states with mandatory reporting laws. A Guard member's ability to obtain a Line of Duty (LOD) determination when filing a Restricted Report was also an unresolved issue. To qualify for a LOD determination, a Guard member was faced with having to disclose details of the incident to individuals without an official need-to-know and individuals outside the protected sphere. Additionally, a command-directed investigation was required to validate victims' qualification for a LOD determination. In September 2006, an Information Paper was written to inform DoD SAPRO of the inconsistency in the services available to AC versus RC members. A resolution to the LOD determination inequities was addressed in the reissuance of the DoD Instruction (DoDI) 6495.02 in November 2008. Although deficiencies still exist, NG members can file a Restricted Report and receive an LOD determination to cover counseling and medical services.

HISTORY 2007

Chief of the National Guard Bureau - Lieutenant General H Steven Blum
Director of the Air National Guard - Lieutenant General Craig R. McKinley
Director of the Army National Guard - Lieutenant General Clyde A. Vaughn
Director of Manpower and Personnel, J1 - Major General Ronald G. Young

The NG SAPR program took several important steps forward in 2007 which demonstrated that the program was no longer in the initial awareness phase. Once the requirement to meet the December 2006 unit level training was met, the NG-J1 directed the NG SAPR program staff to develop the next level of training for the T32 force within the States. Since the DoDI 6495.02 required annual refresher training on SAPR, with scenario based, real life situations, NG SAPR began developing the next training support packet on prevention of sexual assault through bystander intervention prevention methods.

In 2007, the NG SAPR Program was the first to develop and distribute a BIT tool to the field. The lesson plan included two video scenarios accompanied with a guided interactive discussion. The training videos featured separate video messages from the CNGB and the NGB Senior Enlisted Advisor (SEA), the Director of the ARNG (DARNG), and Director of the ANG (DANG) to serve as leadership guidance on the importance of preventing sexual assault within the NG. The video scenarios included a depiction of a male-on-female sexual assault, and a depiction of a potential physical and sexual assault by a male peer group on a single male. The male-on-male assault also included information by a SME, Patrick Lemmon, from the DC Rape Crisis Center on male victimization. The lesson plan for BIT incorporated skill development for recognizing potential sexual assaults, early intervention skills to aid in preventing an assault or protecting a victim, and recognition of specific types of sexual assault as defined by DoD. The training tool allowed the SARCs to tailor resource handouts for their participants that listed local military and civilian resources within their own individual community.



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
NATIONAL GUARD BUREAU
1411 JEFFERSON DAVIS HIGHWAY
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NGB-J1 21 September 2007

MEMORANDUM FOR ALL JOINT FORCE HEADQUARTERS – STATE J1 AND SEXUAL ASSAULT RESPONSE COORDINATORS (SARC)

SUBJECT: Training Packages for Sexual Assault Prevention and Response Program

1. NGB has developed a training support package that focuses on sexual assault prevention by teaching bystander intervention awareness and skills to all National Guard members.

2. The DoDI 6495.02, E3.2.2 requires the Military Services to conduct an annual sexual assault awareness training update. To help our Guardsmen understand the nature of sexual assaults this training should be scenario-based, using real-life situations to demonstrate the entire cycle of reporting, response, and accountability procedures. The training support package contains:

a. A CD-ROM that includes a scripted facilitator's guide with embedded video messages from LTG H Steven Blum, Chief of the National Guard Bureau, LTG Clyde Vaughn, Director, ARNG, and Lt Gen Craig McKinley, Director, ANG. A trained SARC or Victim Advocate (VA) must facilitate the training. A "train the trainer" satellite broadcast is scheduled for 25 Oct 07. Also included in the package are handouts that can be tailored to include local and state specific resource information.

b. Extra CD-ROMs are marked for your state ANG Wing SARC to train ANG Airmen. Please emphasize the Joint aspect of this program and distribute to the Wing.

3. There are four additional DVDs included in the training package to use for initial or refresher training for your VAs. If you choose to initially train your own VAs, the 40-hour agenda must be approved by NGB-SAPR to ensure all required subjects are covered. You are accountable for these training aids to augment resources in each state. If you leave your position, you are required to pass on this package to the new JFHQ SARC or J1.

4. Preventing sexual assault through bystander intervention training will prepare all NG Soldiers and Airmen to be skilled partners in our battle to stop sexual assault. In order to facilitate "A Climate of Change", we need to empower all NG members to stop sexual assault before it happens. This training package will enable members to learn the skills to intervene and prevent sexual assault.

To develop facilitation skills for all SARCs and SAPR VAs to present the BIT tool at unit level trainings, a "train-the-trainer" session was included at all initial SARC and SAPR VA trainings. Additionally, for existing SARCs and SAPR VAs, the NG SAPR

staff utilized the ANG's Warrior Network at McGee Tyson ANG Wing, to record a two-hour broadcast that was viewed across the nation and available through the network's saved broadcast capabilities. The NGB BIT tool was used for unit level training for several years to meet the requirement for annual refresher training.

Since the NGB SARC and SAPR VA initial training was first offered in 2005 and 2006, it became apparent that due to the many changes and updates to the SAPR program, instituting refresher training for NG SARCs who were trained in the early years under the initial DoD SAPRO active duty centric training was necessary. The first NG SARC refresher training was developed and held in May 2007 at the ARNG Professional Education Center (PEC) and was attended by 47 JFHQ-State SARCs. Since the LOD determination process was not clearly defined, the LOD process was a key training block.

Throughout 2007, the NG SAPR Program provided joint ARNG and ANG SARC and SAPR VA trainings three times. The operational tempo for deployment training remained high. The average attendance for initial trainings exceeded 100 members. Due to the large number of participants, support from ARNG, ANG, and Joint SAPR staff members was required to hold breakout sessions, including a T10 specific session, and facilitate small group discussions.

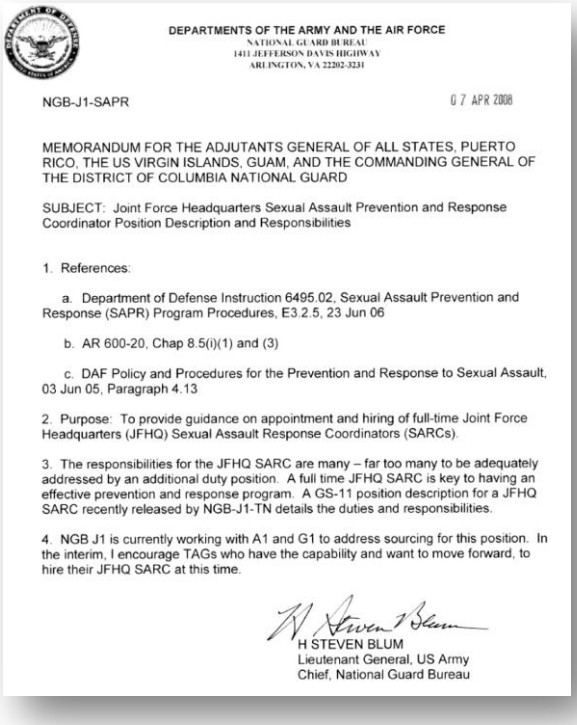
HISTORY 2008

Chief of the National Guard Bureau - Lieutenant General H Steven Blum
Director of the Air National Guard - Lieutenant General Craig R. McKinley
Director of the Army National Guard - Lieutenant General Clyde A. Vaughn
Director of Manpower and Personnel, J1 - Major General Ronald G. Young

The realization of the need for specific T32 operational guidance led the NG-J1 to task the SAPR staff with forming a council of members to represent the State SAPR Programs and to act as an oversight and policy development group. A Charter for a Sexual Assault Prevention and Response Advisory Council (SAPRAC) was developed and signed by LTG Blum in 2008. Once the regional representatives were determined, this group of JFHQ-State SARCs elected a chair person and began working on a T32 military technician JFHQ-State SARC position description.

The SAPRAC members travelled to Washington, D.C., to complete their work on the position description for the JFHQ-State SARC position. They met with the CNGB, where he communicated his support to continue the establishment of the full-time JFHQ-State SARC position as it was critical to maintaining efficient and comprehensive prevention and response services within the States.

The chartered SAPRAC completed the directions from the CNGB and a position description for the hiring of either a dual or non-dual status military technician was published and released through a CNGB All States Memorandum on 7 April 2008. This memorandum, "*Joint Force Headquarters Sexual Assault Response Coordinator Position Description and Responsibilities*," included selection criteria for the Human Resources Officers (HROs) to use as a guide to hire qualified personnel. However, the states were not provided additional technician allocations and have continued to fill the JFHQ-State SARC from existing technician allocations.



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
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NGB-J1-SAPR

07 APR 2008

MEMORANDUM FOR THE ADJUTANTS GENERAL OF ALL STATES, PUERTO RICO, THE US VIRGIN ISLANDS, GUAM, AND THE COMMANDING GENERAL OF THE DISTRICT OF COLUMBIA NATIONAL GUARD

SUBJECT: Joint Force Headquarters Sexual Assault Prevention and Response Coordinator Position Description and Responsibilities

1. References:

a. Department of Defense Instruction 6495.02, Sexual Assault Prevention and Response (SAPR) Program Procedures, E3.2.5, 23 Jun 06

b. AR 600-20, Chap 8.5(i)(1) and (3)

c. DAF Policy and Procedures for the Prevention and Response to Sexual Assault, 03 Jun 05, Paragraph 4.13

2. Purpose: To provide guidance on appointment and hiring of full-time Joint Force Headquarters (JFHQ) Sexual Assault Response Coordinators (SARCs).

3. The responsibilities for the JFHQ SARC are many – far too many to be adequately addressed by an additional duty position. A full time JFHQ SARC is key to having an effective prevention and response program. A GS-11 position description for a JFHQ SARC recently released by NGB-J1-TN details the duties and responsibilities.

4. NGB J1 is currently working with A1 and G1 to address sourcing for this position. In the interim, I encourage TAGs who have the capability and want to move forward, to hire their JFHQ SARC at this time.

H STEVEN BLUM
Lieutenant General, US Army
Chief, National Guard Bureau

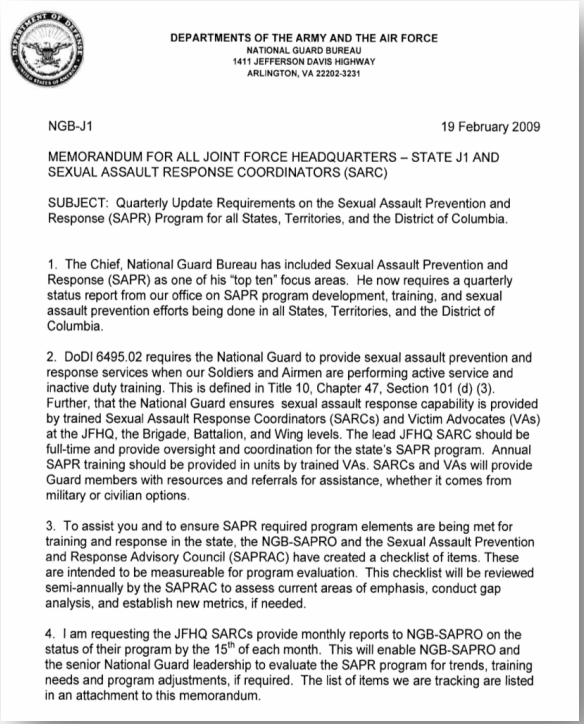
HISTORY 2009

Chief of the National Guard Bureau - Lieutenant General H Steven Blum
Chief of the National Guard Bureau - General Craig R. McKinley
Acting Director of the Air National Guard - Major General Emmett R. Titshaw Jr
Director of the Air National Guard - Lieutenant General Harry M. "Bud" Wyatt III
Director of the Army National Guard - Lieutenant General Clyde A. Vaughn
Acting Director of the Army National Guard - Major General Raymond W. Carpenter
Director of Manpower and Personnel, J1 - Major General Myles L. Deering
Director of Manpower and Personnel, J1 - Major General Lawrence H. Ross

Most states began hiring military technician JFHQ-State SARCs under the dedicated GS11 position description that was published in 2008. Since the workload was moderate for SARCs in some states, they were assigned additional duties such as suicide prevention manager or Human Resource (HR) specialist.

In 2009, the NGB SAPR staffs were brought together as a joint entity within the NG-J1 to enhance collaboration and unity of effort across the NG. The Chief position for the Sexual Assault Prevention and Response Office (NG-J1-SAPR) was designated as a Colonel on T10 duty.

With the SAPRAC in place to provide input from the field, the NG SAPR staff coordinated with the regional representatives to establish metrics as a means to gather data to determine trends, training, and other program needs. States tracked and reported unit level training numbers for both ARNG and ANG, status of agenda and minutes from the states' monthly Case Management Group (CMG) meetings, and the number of assigned full-time SARCs at each JFHQ-State. This data was submitted monthly and a "red, yellow, green" status map was developed and used to provide the quarterly progress reports to the CNGB, NG Senior Leadership, and TAGs. A CNGB All States Memorandum, "*Quarterly Update Requirements on the SAPR Program*," was distributed to JFHQ-State J1s and SARCs on 19 February 2009. This memo established the requirement for JFHQ-State SARCs to submit monthly status updates to NG-J1-SAPR on the measureable program elements set by the SAPRAC to evaluate the SAPR program for trends, training needs and program adjustments, if required.



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
NATIONAL GUARD BUREAU
1411 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202-3231

NGB-J1 19 February 2009

MEMORANDUM FOR ALL JOINT FORCE HEADQUARTERS – STATE J1 AND SEXUAL ASSAULT RESPONSE COORDINATORS (SARC)

SUBJECT: Quarterly Update Requirements on the Sexual Assault Prevention and Response (SAPR) Program for all States, Territories, and the District of Columbia.

1. The Chief, National Guard Bureau has included Sexual Assault Prevention and Response (SAPR) as one of his "top ten" focus areas. He now requires a quarterly status report from our office on SAPR program development, training, and sexual assault prevention efforts being done in all States, Territories, and the District of Columbia.

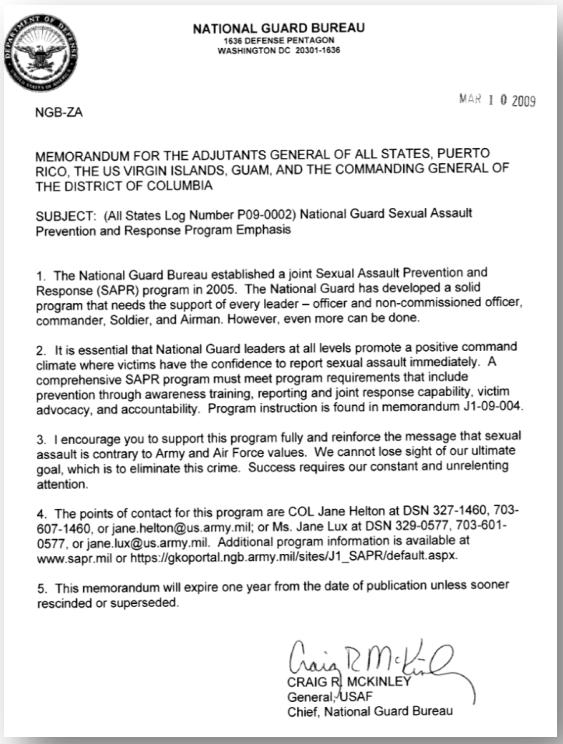
2. DoDI 6495.02 requires the National Guard to provide sexual assault prevention and response services when our Soldiers and Airmen are performing active service and inactive duty training. This is defined in Title 10, Chapter 47, Section 101 (d) (3). Further, that the National Guard ensures sexual assault response capability is provided by trained Sexual Assault Response Coordinators (SARCs) and Victim Advocates (VAs) at the JFHQ, the Brigade, Battalion, and Wing levels. The lead JFHQ SARC should be full-time and provide oversight and coordination for the state's SAPR program. Annual SAPR training should be provided in units by trained VAs. SARCs and VAs will provide Guard members with resources and referrals for assistance, whether it comes from military or civilian options.

3. To assist you and to ensure SAPR required program elements are being met for training and response in the state, the NGB-SAPRO and the Sexual Assault Prevention and Response Advisory Council (SAPRAC) have created a checklist of items. These are intended to be measureable for program evaluation. This checklist will be reviewed semi-annually by the SAPRAC to assess current areas of emphasis, conduct gap analysis, and establish new metrics, if needed.

4. I am requesting the JFHQ SARCs provide monthly reports to NGB-SAPRO on the status of their program by the 15th of each month. This will enable NGB-SAPRO and the senior National Guard leadership to evaluate the SAPR program for trends, training needs and program adjustments, if required. The list of items we are tracking are listed in an attachment to this memorandum.

Background And History Of The National Guard SAPR Program

The military leadership in the NG-J1-SAPR office allowed for more extensive program development. General Craig R. McKinley, the first four-star general appointed as the CNGB, signed his first SAPR All States Memorandum, "*National Guard Sexual Assault Prevention and Response Program Emphasis*" on 10 March 2009. This guidance included clarification on:



NATIONAL GUARD BUREAU
1636 DEFENSE PENTAGON
WASHINGTON DC 20301-1636

NGB-ZA

MAR 10 2009

MEMORANDUM FOR THE ADJUTANTS GENERAL OF ALL STATES, PUERTO RICO, THE US VIRGIN ISLANDS, GUAM, AND THE COMMANDING GENERAL OF THE DISTRICT OF COLUMBIA

SUBJECT: (All States Log Number P09-0002) National Guard Sexual Assault Prevention and Response Program Emphasis

1. The National Guard Bureau established a joint Sexual Assault Prevention and Response (SAPR) program in 2005. The National Guard has developed a solid program that needs the support of every leader – officer and non-commissioned officer, commander, Soldier, and Airman. However, even more can be done.

2. It is essential that National Guard leaders at all levels promote a positive command climate where victims have the confidence to report sexual assault immediately. A comprehensive SAPR program must meet program requirements that include prevention through awareness training, reporting and joint response capability, victim advocacy, and accountability. Program instruction is found in memorandum J1-09-004.

3. I encourage you to support this program fully and reinforce the message that sexual assault is contrary to Army and Air Force values. We cannot lose sight of our ultimate goal, which is to eliminate this crime. Success requires our constant and unrelenting attention.

4. The points of contact for this program are COL Jane Helton at DSN 327-1460, 703-607-1460, or jane.helton@us.army.mil; or Ms. Jane Lux at DSN 329-0577, 703-601-0577, or jane.lux@us.army.mil. Additional program information is available at www.sapr.mil or https://gkoportal.ngb.army.mil/sites/J1_SAPR/default.aspx.

5. This memorandum will expire one year from the date of publication unless sooner rescinded or superseded.

CRAIG R. MCKINLEY
General, USAF
Chief, National Guard Bureau

(1) DoD SAPR policy applicability to T32 operability.

(2) Staffing requirements at the Wing and JFHQ-State.

(3) Annual unit training, refresher training and use of the BIT curriculum.

(4) Requirement to report all sexual assaults to NGB.

(5) The importance of maintaining victim privacy by notifying only those with a legitimate need to know.

(6) Requirement to hold monthly CMG meetings within each state.

(7) The importance of establishing a command climate that is sensitive and encourages victims to report sexual assault.

NG-J1- SAPR and the SAPRAC members updated the Commander's Checklist that was published on 5 October 2009 as a guide and reminder for commanders of the specific procedures to follow when notified of a sexual assault.

The partnership between NGB and DoD SAPRO grew between 2008-2009. The Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS) included seven locations in their 2008 congressionally mandated visits for SAPR program review. The December 2009 report from the DTF-SAMS included recommendations for the overall DoD SAPR program and highlighted several recommendations for the NG. When DoD SAPRO held an all-Service off-site conference in 2008 to develop a DoD-wide Strategic Plan, the NG was included in the two-day strategic planning working group. The first DoD SAPR Strategic Plan was published in 2009 and was the basis for the Annual Report on SAPR to Congress until 2013 when the report changed to reflect the updated DoD SAPR 2013 Strategic Plan.

The NG continued to hold joint initial SARC and SAPR VA trainings through 2009. However, NG SAPR identified funding constraints that prohibited them from continuing this joint training effort for both newly assigned SARCs and SAPR VAs. The decision was made to have SARCs train their own SAPR VAs. Recognized SMEs on the SAPRAC and the NG SAPR staff developed and conducted a "train-the-trainer" program for three days in April 2009, during a Professional Development Seminar (PDS) in Atlanta, Georgia (GA). This training was provided to help SARCs strengthen presentation skills and become familiar with the curriculum required to meet the training standards for NG SAPR VAs. In addition to using SMEs from within the states to conduct their training, a Standard Operating Procedure (SOP) was created to request assistance from NG SAPR staff. This paradigm promoted collaboration among the states within a region to pull together SMEs, both military and civilian, to conduct high quality training.

HISTORY 2010

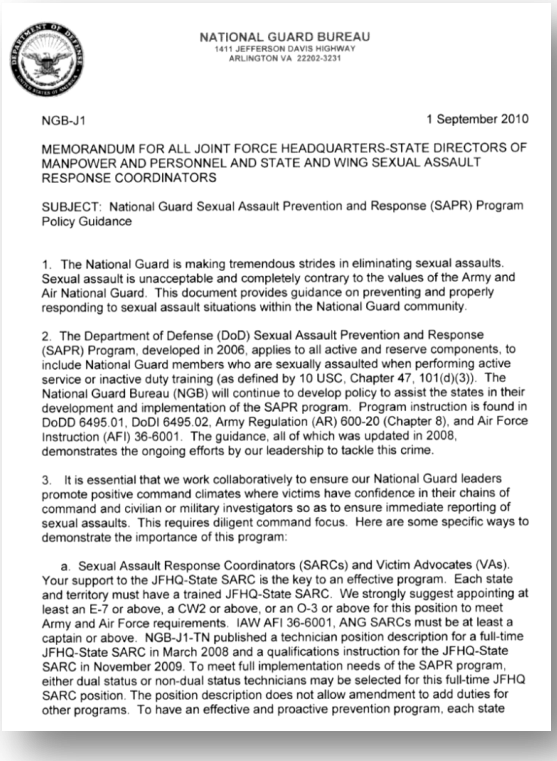
Chief of the National Guard Bureau - General Craig R. McKinley
Director of the Air National Guard - Lieutenant General Harry M. "Bud" Wyatt III
Acting Director of the Army National Guard - Major General Raymond W. Carpenter
Director of Manpower and Personnel, J1 - Major General Lawrence H. Ross

The NG-J1-SAPR program made great strides during 2010. This was the first year the NG was allocated dedicated funding from DoD SAPRO for the SAPR program. The funds were divided among the States to support in-state training efforts, increase response capability, and to secure the assistance needed to meet the state reporting requirements established in 2009.

The funding also allowed the NG to hold its first two-day SAPR Leadership Summit for state leaders and their Wing and JFHQ-State SARCs. This summit featured seven nationally recognized civilian and military SMEs. They specialized in sexual assault victimization, offenders, legal proceedings, and prevention through bystander intervention. The overall evaluation rating of 95 percent, assessed by the more than 200 participants, was a clear indicator of the success of the Leadership Summit.

As DoD SAPRO revised and updated SAPR requirements and procedures, the NG continued to advance its SAPR Program. Without a secure means to track reports of sexual assault, the NG developed a secure site on the Guard Knowledge Online (GKO) website. This site made it possible for each JFHQ-State SARC to enter non-personally identifying information (PII).

NGB SAPR guidance, "*National Guard Sexual Assault Prevention and Response Program Policy Guidance*," dated 1 September 2010, directed the use of the GKO SAPR restricted website to document all reports of sexual assault that occurred within the States. This website permitted states to track and analyze data related to their reported incidents and NG-J1-SAPR to report victim demographic information to NG Senior Leadership. The practice of capturing reports of sexual assault prepared SARCs for the future requirement to document reports in the DoD-wide system that is used today, the DSAID.



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NGB-J1 1 September 2010

MEMORANDUM FOR ALL JOINT FORCE HEADQUARTERS-STATE DIRECTORS OF MANPOWER AND PERSONNEL AND STATE AND WING SEXUAL ASSAULT RESPONSE COORDINATORS

SUBJECT: National Guard Sexual Assault Prevention and Response (SAPR) Program Policy Guidance

1. The National Guard is making tremendous strides in eliminating sexual assaults. Sexual assault is unacceptable and completely contrary to the values of the Army and Air National Guard. This document provides guidance on preventing and properly responding to sexual assault situations within the National Guard community.

2. The Department of Defense (DoD) Sexual Assault Prevention and Response (SAPR) Program, developed in 2006, applies to all active and reserve components, to include National Guard members who are sexually assaulted when performing active service or inactive duty training (as defined by 10 USC, Chapter 47, 101(d)(3)). The National Guard Bureau (NGB) will continue to develop policy to assist the states in their development and implementation of the SAPR program. Program instruction is found in DoDD 6495.01, DoDI 6495.02, Army Regulation (AR) 600-20 (Chapter 8), and Air Force Instruction (AFI) 36-6001. The guidance, all of which was updated in 2008, demonstrates the ongoing efforts by our leadership to tackle this crime.

3. It is essential that we work collaboratively to ensure our National Guard leaders promote positive command climates where victims have confidence in their chains of command and civilian or military investigators so as to ensure immediate reporting of sexual assaults. This requires diligent command focus. Here are some specific ways to demonstrate the importance of this program:

a. Sexual Assault Response Coordinators (SARCs) and Victim Advocates (VAs). Your support to the JFHQ-State SARC is the key to an effective program. Each state and territory must have a trained JFHQ-State SARC. We strongly suggest appointing at least an E-7 or above, a CW2 or above, or an O-3 or above for this position to meet Army and Air Force requirements. IAW AFI 36-6001, ANG SARCs must be at least a captain or above. NGB-J1-TN published a technician position description for a full-time JFHQ-State SARC in March 2008 and a qualifications instruction for the JFHQ-State SARC in November 2009. To meet full implementation needs of the SAPR program, either dual status or non-dual status technicians may be selected for this full-time JFHQ SARC position. The position description does not allow amendment to add duties for other programs. To have an effective and proactive prevention program, each state

HISTORY 2011

Chief of the National Guard Bureau - General Craig R. McKinley
Director of the Air National Guard - Lieutenant General Harry M. "Bud" Wyatt III
Acting Director of the Army National Guard - Major General Raymond W. Carpenter
Director of the Army National Guard - Lieutenant General William E. Ingram, Jr.
Director of Manpower and Personnel, J1 - Major General Lawrence H. Ross
Director of Manpower and Personnel, J1 - Brigadier General Marianne E. Watson

In 2011 the NG SAPR program experienced a number of program changes, challenges and validations of the CNGB's SAPR responsibility for T32 policy, procedures, and oversight with the reissuance of the DoDI 6495.02.

Prior to 2011, the NG SAPR Program was a joint office under the J1 Directorate. In the initial months of 2011, the NG-J1, ARNG G1, and ANG/A1 Directorates made the decision to move their Program Managers (PMs) for the ARNG and ANG from the J1 office to the ARNG Soldier and Family Division and the ANG /A1 Services Division respectively. In July 2010, the ANG Program Manager position became vacant. However, since the program responsibilities now resided with the ARNG and ANG Directorates, and the ANG program was without a PM, the NG-J1-SAPR represented the interest of the ANG until an Active Duty Operational Support (ADOS) military person was acquired in May 2011 to manage the ANG program responsibilities.

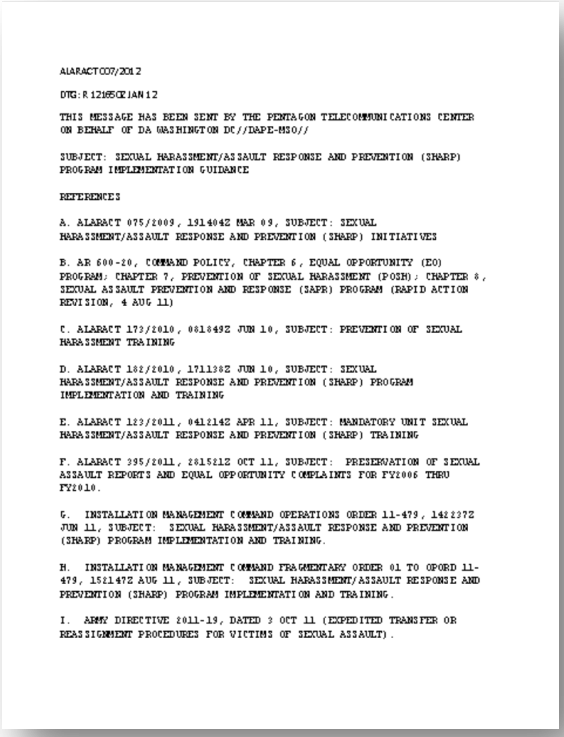
The ANG continued to implement the USAF BIT facilitator course that was mandated in February 2009 by Lt Gen Richard Newton, III, AF Manpower and Personnel Director. The training was executed in Gulfport, Mississippi at the Combat Readiness Training Center to train SARCs and SAPR VAs to conduct AF BIT sessions, and was approved by DoD SAPRO to meet the annual refresher training requirements for FY10 and FY11.

The BIT required facilitators to attend a three day train-the-facilitator course before they were able to conduct the BIT. The classes also had to be conducted in small groups, no larger than 25 people, men and women separated, and divided by rank structure. The interactive training did not use PowerPoint slides and was a totally new process compared to how the military usually conducted training. With the ANG's limited training hours on drill weekends, and SARCs who had eight other duties in the positions descriptions, the ANG initially anticipated that it would not be possible to complete the small group training by the end of the suspense.

However, ANG put together a plan that would work for the Guard. In order to train all SARCs and SAPR VAs as facilitators, three ANG SARCs were selected to train all the facilitators needed for the ANG. This plan would not require ANG to wait to have space allocated to them in the active duty's facilitator classes. Additionally, as a show of support and joint capability in the NG's SAPR program, many JFHQ-State SARCs and full time ARNG SAPR VAs also attended the facilitator classes so they could help conduct the small group classes at the Wings to maximize state personnel and

resources. The ANG BIT training was deemed so positive and effective that some of the ARNG JFHQ-State SARCs also used the BIT training with soldiers in unit level training.

In April 2011, through the release of the All Army Activities 123/2011, HQDA mandated the discontinuation of all unit sexual assault prevention and response and prevention of sexual harassment annual training, to be replaced by the new Sexual Harassment/Assault Response and Prevention (SHARP) training support package for the entire force. Although challenges to complete the SHARP training within the T32 structure of the ARNG existed, unit level, leadership, and online individual training curricula were to be completed through the Army's Three Tier SHARP training materials. The unit level training requirement was designed to be conducted by commanders. The online training required approximately 2-3 hours to complete, therefore, the ARNG was faced with overcoming the challenges posed by limited training hours and the availability of computers needed to accommodate traditional Soldiers during a drill weekend. Although initial guidance required the ARNG to complete the Three Tiers by the end of the FY11, considering the factors above, completing the training requirements took significantly more time.



ALARACT007/2012

DTG:R 121650ZJAN12

THIS MESSAGE HAS BEEN SENT BY THE PENTAGON TELECOMMUNICATIONS CENTER ON BEHALF OF DA WASHINGTON DC//DAPE-MSO//

SUBJECT: SEXUAL HARASSMENT/ASSAULT RESPONSE AND PREVENTION (SHARP) PROGRAM IMPLEMENTATION GUIDANCE

REFERENCES

A. ALARACT 075/2009, 191404Z MAR 09, SUBJECT: SEXUAL HARASSMENT/ASSAULT RESPONSE AND PREVENTION (SHARP) INITIATIVES

B. AR 600-20, COMMAND POLICY, CHAPTER 6, EQUAL OPPORTUNITY (EO) PROGRAM; CHAPTER 7, PREVENTION OF SEXUAL HARASSMENT (POSH); CHAPTER 8, SEXUAL ASSAULT PREVENTION AND RESPONSE (SAPR) PROGRAM (RAPID ACTION REVISION, 4 AUG 11)

C. ALARACT 173/2010, 081849Z JUN 10, SUBJECT: PREVENTION OF SEXUAL HARASSMENT TRAINING

D. ALARACT 182/2010, 171138Z JUN 10, SUBJECT: SEXUAL HARASSMENT/ASSAULT RESPONSE AND PREVENTION (SHARP) PROGRAM IMPLEMENTATION AND TRAINING

E. ALARACT 123/2011, 041214Z APR 11, SUBJECT: MANDATORY UNIT SEXUAL HARASSMENT/ASSAULT RESPONSE AND PREVENTION (SHARP) TRAINING

F. ALARACT 295/2011, 281521Z OCT 11, SUBJECT: PRESERVATION OF SEXUAL ASSAULT REPORTS AND EQUAL OPPORTUNITY COMPLAINTS FOR FY2006 THRU FY2010.

G. INSTALLATION MANAGEMENT COMMAND OPERATIONS ORDER 11-479, 142237Z JUN 11, SUBJECT: SEXUAL HARASSMENT/ASSAULT RESPONSE AND PREVENTION (SHARP) PROGRAM IMPLEMENTATION AND TRAINING.

H. INSTALLATION MANAGEMENT COMMAND FRAGMENTARY ORDER 01 TO OPORD 11-479, 152147Z AUG 11, SUBJECT: SEXUAL HARASSMENT/ASSAULT RESPONSE AND PREVENTION (SHARP) PROGRAM IMPLEMENTATION AND TRAINING.

I. ARMY DIRECTIVE 2011-19, DATED 3 OCT 11 (EXPEDITED TRANSFER OR REASSIGNMENT PROCEDURES FOR VICTIMS OF SEXUAL ASSAULT).

In 2011 the focus was on training and disseminating sexual assault awareness information and messages to the entire DoD. From the DoD SAPRO level, the theme of "Hurts One. Affects All." emphasized prevention of sexual assault through better use and understanding of bystander intervention methods. DoD SAPRO contracted to develop Service and NGB specific posters with messages that were intended to use the Service culture in developing themes to be applicable to each Service. The NG prevention theme was "Hurts One. Affects All – Don't Let Your Guard Down."

The DoD Safe Helpline was also released in 2011 to meet one of DTF-SAMS 2010 recommendations to have a 24/7 telephone response system available to military survivors of sexual assault. This system would offer trained sexual assault counselors to provide confidential crisis intervention and referrals for military members. The NG collaborated with DoD SAPRO in developing training materials for the Helpline counselors to assist in their understanding and referral process for NG survivors who may call the Helpline. NG-J1-SAPR also coordinated with the Office of the NGB Public

Affairs and Strategic Communications (NGB-PA) to publicize the availability of the new Helpline resource to all state NG forces through state Public Affairs Offices (PAOs) with the final release in April 2011.

The DTF-SAMS report to Congress established the need for law to bring credibility and professionalism to the role of all SARCs and SAPR VAs by requiring training and certification equivalent to recognized civilian victim advocate standards. As a result of that recommendation, DoD SAPRO convened a working group of Service and NGB representatives to decide which existing civilian certification or credentialing programs best met the military's needs. In January 2011, the National Organization of Victim Assistance (NOVA) was selected. NOVA reviewed NGB's 40-hour SARC training course and approved it for its content as meeting their pre-certification standards. This allowed all NG SARCs and SAPR VAs who were trained prior to 2011 to be grandfathered in for certification as a military SARC or SAPR VA.

With standardized SARC and SAPR VA training looming in the future for certification, NG-J1-SAPR wanted to ensure all state conducted SAPR VA training met the course that was approved for certification by NOVA. To meet training oversight requirements, NG held a train-the-trainer course for state JFHQ-State SARCs and ANG SARCs at the PDS in January 2011. This train-the-trainer engaged all participants in practical application of planning, conducting, and learning all portions of the standard NG 40-hr NOVA-approved course so each state could hold in-state trainings that met certification requirements.

DoD SAPRO had the task set by the National Defense Authorization Act (NDAA) in 2011 to update and revise the DoD Directive (DoDD) 6495.01 and DoDI 6495.02. Since the CNGB was now a member of the JCS, tasked with advising the Secretary of Defense (SecDef) on T32 operations, DoD SAPRO designated specific responsibilities to the CNGB, separate from those assigned to the Military Secretaries. CNGB was tasked to develop policy, procedures, and training, and provide oversight of the T32 program for members serving under the State Governors with TAG as the senior military officer. Additional changes to the applicability section included coverage of the NG when performing Inactive Duty Training (IDT), since those drills focused on preparation for federal missions. The reissuance of the DoDD and DoDI took several years to accomplish, but the initial work to include the unique responsibilities for the CNGB began with SAPRO and NG in 2011. With new requirements from Congress for instituting Expedited Transfer Requests from sexual assault victims, the authority for T32 policy development by the CNGB was especially valuable. This authority allowed NGB to tailor CNGB Instructions for expedited policy to state structure and options without the need to interpret T10 guidance to fit unique T32 situations.

DoD SAPRO, the Services, and NGB working groups made significant progress in 2011 in the design and operations of the NDAA mandated sexual assault data collection system, later named DSAID. This development was significant for NGB because there was full participation and inclusion by DoD SAPRO to allow and support NG capability to use DSAID for capturing and documenting T32 sexual assault reports. The NGB,

represented by the SAPR PM, was included as a charter member of the DoD Change Control Board.

The attention on and compliance with SAPR training grew in importance throughout 2011. In June 2011, the ARNG Medical Command Sexual Assault Medical Management made the first request to NG-J1-SAPR to support training of ARNG personnel on responsibilities for sexual assault victims and considerations when the restricted reporting option is selected. A JFHQ-State SARC provided training to those in attendance at the conference held in June in Seattle, Washington (WA). Additional teleconferences were provided to enable Directors of Psychological Health to increase their understanding of reporting options, the responsibilities of medical personnel and providers regarding sexual assault treatment, and resources for NG victims of sexual assault.

While ARNG and ANG moved forward to meet SHARP Tier Training and BIT mandates, the Annual Refresher Training for SARCs was held in April in conjunction with the joint program's Annual Health Promotion and Prevention Training Workshop. This training provided training on policy, procedures, and refresher victim advocacy skills with all JFHQ-State and ANG Wing SARCs. To keep the CNGB informed of the NG's progress in meeting the training mandates, NG-J1-SAPR collected training data and reported metrics on each state as part of the quarterly update.

Congressional attention increased during 2011 due to additional advocacy and activism among veterans, to include NG members. Consequently, the NG-J1-SAPR program personnel began to field requests from Congressional staffs to provide briefings and information about the NG SAPR program. One significant meeting occurred in March 2011 between the NG-J1 Deputy Director and SAPR Program Manager, and the staff of Senator Kristin Gillibrand. Due to the Senator's interest in SAPR and a congressional inquiry about sexual assault in the NG, her staffers requested a meeting to increase their understanding about the differences between T10 and T32 investigations and challenges faced by NG when local authorities conduct investigations. The Senator's staff asked for details on the staffing of SARCs and SAPR Vas, and if other needs beyond appropriations existed. NG-J1-SAPR provided follow up information as requested.

Since substantial efforts were being made during the year to hold annual and BIT training for prevention of sexual assault training, NG leadership turned its focus toward assessment of investigative and accountability actions taken by states for unrestricted reports of sexual assault. The NG-J1 tasked NG-J1-SAPR to review and report on the status and outcome of case dispositions for unrestricted sexual assaults reported during FY10 through FY11.

NG-J1-SAPR quickly recognized the huge challenge in tracking and recording these metrics. With no NGB authority in place to gather information from civilian law enforcement or courts, it was difficult to capture how state authorities investigated and disposed of sexual assault reports. If the sexual assault was never reported to CLE or

they declined to investigate the report, no other resource was available to the States other than for leadership to direct a command directed investigation (CDI). The investigating officer usually was untrained in sexual assault investigations. This process was not specifically prohibited in the DoDI 6495.02 until FY13, so state NGs responded to investigative needs by using the CDI process.

The data NG-J1-SAPR put together for NG-J1 to brief the CNGB at the time indicated that there were many cracks in the investigative accountability process. A significant number of unrestricted reports were not investigated by CLE and an additional number of reports had no record for how subjects of the sexual assault investigations were held accountable by either criminal or administrative means.

As a result of this negative finding, the CNGB tasked NGB-JA to create a team of trained sexual assault investigators at the NGB level to resolve the resource issue for states when or if CLE or AC MCIOs did not claim jurisdiction. After extensive coordination and collaboration, DoD SAPRO was able to assist with resourcing seats for NGB at the Army Criminal Investigation Division (CID) Special Investigators' School at Fort Leonard Wood, Missouri. NGB-JA began to develop a CNGB Instruction that established a process, guidance, and manual for states to utilize the team of state and NGB trained personnel for unrestricted reports of sexual assaults that otherwise would not have been referred for investigation to law enforcement.

Over a period of approximately six months beginning at the end of FY11, NGB-JA established the NGB-JA/ OCI to meet the state need to provide skilled and expert sexual assault investigators to the States to address accountability metrics and for unrestricted reports of sexual assault.

The culmination of a very challenging and busy 2011 calendar year was the opportunity to hold a second SAPR Leadership Summit for state ARNG and ANG senior leaders and their SARCs. There were over 200 personnel who attended, to include the CNGB, 16 TAGs, the Director of Joint Staff, and senior representatives from the ARNG-G1 and ANG/A1. The CNGB and the Director of DoD SAPRO, Major General Mary Kay Hertog, provided the opening welcome, with a personal story from Mrs. Mary Lauterbach, mother of slain Marine Corporal (Cpl) and sexual assault victim, Cpl Maria Lauterbach. As with the first SAPR Summit held in November 2010, the feedback evaluations indicated a 95 percent positive satisfaction level among those in attendance.

2014 National Guard by the Numbers

354,200/105,400

Number of Army and Air National Guard members trained to be active participants to reduce risk and to intervene when appropriate to address inappropriate behaviors

3,000+

Number of communities National Guard sexual assault prevention and response personnel have engaged in the prevention of and response to sexual assault

362

Number of full-time National Guard Sexual Assault Response Coordinators fully certified and trained to ensure victims of sexual assault receive appropriate and responsive care

50

Number of states, territories, and the District of Columbia fully engaged in the fight to prevent sexual assault in the National Guard

3

1

3,440

Number of National Guard Victim Advocates fully certified and trained to assist victims of sexual assault regardless of Service affiliation

Number of specially selected, fully trained and available investigators to investigate sexual assaults and provide State National Guard leadership with actionable findings and evidence

1

0

6

Number of full-time Victim Advocate Coordinators to assist Sexual Assault Response Coordinators with executing

35

National Guard State programs and to help elevate prevention and response awareness within the community

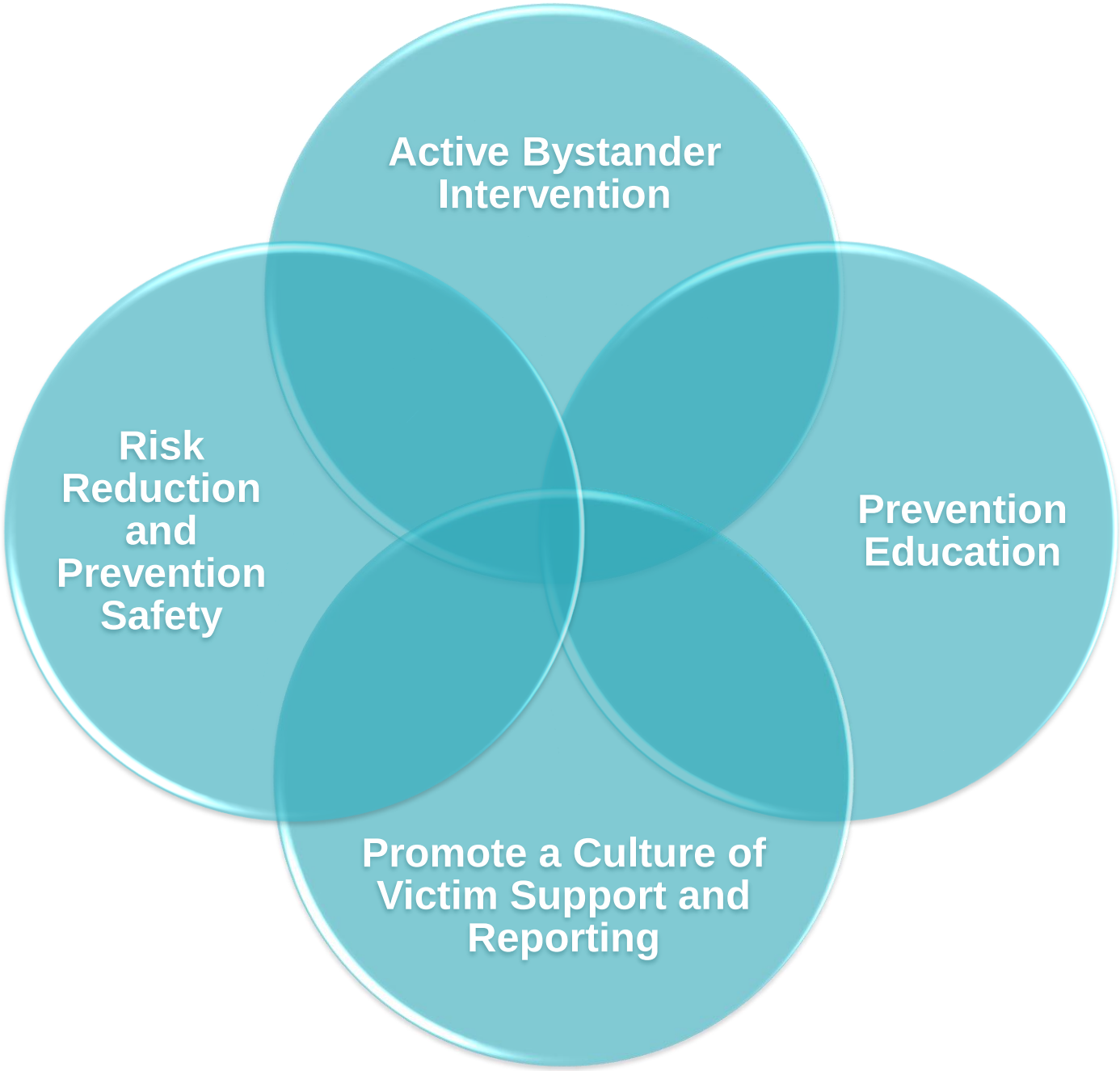
25

Number of status' under which a National Guard member would be eligible to receive services for a report of sexual assault

94

Number of specially trained National Guard Special Victims Councils trained to provide legal representation and advice to National Guard members facing legal issues arising out of a reported sexual assault

PREVENTION
Line of Effort
Comprehensive Overview



Populations Affected - All

By virtue of the NG's organization and authorities, the NG SAPR program has a degree of complexity unlike any Military Service or other RC. All NG members and civilians performing duty in a status listed below are represented under the NG SAPR program.

Traditional Guard Member, Title 32

Non-drill and non-duty status

- Includes Inactive NG (ING) member (ARNG only)

On drill status

- Unit Training Period or Assembly and Multiple Unit Training Period or Assembly
- Equivalent Training Period
- Rescheduled Training Period
- Additional Training Period
- Additional Flying and Flight Training Period
- Readiness Management Period
- ING on Muster Duty

Active Duty Status (less than 30 days)

- Annual Training
- ADOS – RC
- ADOS – AC
- Active Duty for Training
- Funerals Honors Duty
- Full Time NG Duty (FTNGD) - Operational Support (OS)
- FTNGD - Training

Active Duty Status (greater than 30 days)

- Active Guard and Reserve
  - T10
  - T32
- FTNGD – OS (Counter-Drug) (T32)
- FTNGD – Mobilization Augmentee (T32)
- Government Service Civilian
- Initial Active Duty Training
- Active Federal Military Service (T10)
- Regular Retired
- Dependents at least 18 years of age if eligible for TRICARE

Special Cases

- State Active Duty
- Dual and Non-Dual Status Technician
- Veterans, Return From Active Duty to T32

Training Enhancements

The emphasis on sexual assault prevention and awareness within the NG is both top-down and bottom-up driven, and has been since the inception of the NG SAPR program. The NG fully supports the premise that education and training are essential factors in the prevention of sexual assault and endeavor to:

- Enhance the understanding of sexual assault.
- Maximize prevention efforts to reduce and eliminate incidences of sexual assault.
- Train Guard members to use safe bystander intervention techniques to help stop offenders from committing assaults.
- Provide victim centered support to lead survivors down the path to recovery.
- Assign trained sexual assault investigators to conduct T32 investigations.
- Hold those who commit sexual assault appropriately accountable for their crime.

To meet program goals, the NG focused efforts on unit and leadership prevention training, first responder (SARC, JFHQ-State Victim Advocate Coordinator (VAC), and SAPR VA) training and curriculum development, and establishing coalitions and networks with active Military Services, and civilian agencies and organizations. Some of the most significant enhancements made as a result of these efforts are described below.

- *NG T32-specific 40-hour Initial SARC and SAPR VA Training* was submitted to the National Advocate Credentialing Program and DoD SAPRO in FY12 for review to determine if the curriculum met pre-credentialing requirements. The training was approved and a process was established to begin credentialing approval in FY13. The training program was last reviewed and approved in May 2014.

  Basis: This training program was developed to provide NG SARCs and SAPR VAs with the unique T32 specific implementation requirements necessary to satisfy the training core competencies established by NOVA.

Outcome: The primary outcome of the NGB T32-specific training was SARCs and SAPR VAs are trained on how to meet requirements of the DoD SAPR program in a T32 environment. A few of the benefits are listed below and reach across all LOEs.

- Better support to the victim of a sexual assault based on an understanding of resources available, and benefits for which victims are eligible based on the status of the Guard member at the time of incident. A thorough understanding of the importance of community outreach to provide additional resources and support to the victim.

- Improved "marketing" of the NG SAPR program. With an understanding of the challenges of reaching NG members who perform duty just one weekend a month, SARCs took different approaches to ensure messaging was distributed using numerous forms of media.

- Improved investigative procedures with the knowledge of the jurisdictional requirements based on the location in which the sexual assault occurred, the military or civilian status of the victim and subject, and the duty status of the victim and subject at the time of the sexual assault.

- Improved legal support for the victim of sexual assault during the investigation process, and judicial proceedings with the help of the SVC specific to T32 NG members.

- Establishment of the JFHQ-State VAC position

Basis: With the increased emphasis on sexual assault prevention and response, the manpower dedicated to this effort within the States was insufficient to accomplish all the duties and responsibilities required to provide a program that could adequately fulfill program requirement. In February 2013, the position of JFHQ-State VAC was established to assist the JFHQ-State SARC in a number of duties.

Outcome: Although this position serves as the designated specialist in victim support services, a secondary role is to work with the JFHQ-State SARC to assist State NG units in completing required trainings. Through collaborative training and awareness events with local civilian agencies, they also help to elevate prevention and response awareness within the community.

- NG Leaders, members, SAPR personnel, and other professional support staff (first responders) are compliant with training requirements.

- Increased support of NG victims of sexual assault by community agencies in both prevention and response.

- Increased Senior Leader engagement through NG SAPR Summits, Joint Senior Leadership Conferences, GSLCs, GSLUs, and Senior Enlisted Leader Forums.

  Basis: NG senior leaders did not have a forum where they could engage each other on ideas to address the unique SAPR program implementation challenges that face NG members in a T32 status.

  Outcome: The first NG SAPR summit held in FY11, attended by nearly 100 SARCs and 200 state leaders, reinforced senior leaders responsibility for creating a command climate of dignity and respect and to establish and sustain an environment where victims feel empowered to report sexual assaults. Since that first summit, NG senior leader engagements have continued to:

  - Serve as a venue for DoD and non-DoD subject matter experts to present National best practices on sexual assault prevention and intervention methods to decrease incidents of sexual assault.

  - Provide a forum to present strategies to meet the goals and training requirements for the ARNG and ANG.

  - Offer opportunities to promote SAPR social marketing and media initiatives, and community education.

  - Foster prevention-related coalitions and networks resulting in Memorandums of Agreement (MOAs) and Memorandums of Understanding (MOUs) for interaction, resources, and response capabilities in an attempt to cover all regions within the States.

  - Stimulate the States to conduct their own senior leader and commander engagements.



Major General Titshaw, Florida TAG addressing an 80-hr SHARP class.

- Annual First Responder Training. In July 2013, NG-J1-SAPR conducted the Annual First Responder training for medical personnel, which included military, civilian, and contractors. A total of 234 personnel attended the training. A breakdown of the personnel included: five medical administrators; 37 case managers; 29 Registered Nurse case managers; 67 Directors of Psychological Health; 14 Deputy State Surgeons; six medical personnel; and, 76 unspecified positions.

Process/Procedural Upgrades and Efficiencies

With the signing of the FY12 NDAA on 31 December 2011, the CNGB became a statutory member of the JCS. As a member of the JCS, the CNGB has the

responsibility of addressing matters involving non-Federalized NG forces in support of homeland defense and civil support missions. This responsibility includes responding to the initiatives and requirements as mandated by the President of the United States, Congress, SecDef and DoD SAPRO.

The CNGB was first tasked by the Undersecretary of Defense, Personnel and Readiness to provide a NG T32 program review for the FY12 DoD SAPR Annual Report to Congress that was separate from the parent Services' annual report. The review addressed the overall combined efforts for the Joint National Guard, and spoke to the T32 program operations. This procedure continues to remain in effect for the NG and its requirement to provide the Annual Report to Congress on the NG T32 SAPR program.

To cement the role and responsibilities of the CNGB, these functions were established and defined in DoDI 6495.02, 28 March 2013, "*Sexual Assault Prevention and Response (SAPR) Program Procedures*." As stated, "CNGB, on behalf of the Secretaries of the Army and Air Force, in coordination with DoD SAPRO and the State Adjutants General, establishes and implements SAPR policy and procedures, and develops dedicated SAPR training for NG members on duty pursuant to T32, USC."

This is not to say that the CNGB did not establish policies or procedures for T32 members prior to membership on the JCS. Many of the SAPR responsibilities for NG personnel were relegated to the CNGB through HQDA and USAF publications.

However, the DoDI identified above, assigns the responsibility for developing T32 specific policies, procedures and training as a NG function, which helps to remove the ambiguity of T10 focused policies, procedures and training for T32 personnel. CNGB policies, procedures and instructions for the Prevention LOE include:

- CNGB Memorandum, 15 May 2013, "*Sexual Assault Prevention and Response (SAPR)*"

  Basis: SecDef press release concerning rescreening, retraining, and recertification of all military recruiters and SAPR personnel in preparation for a SAPR Stand Down.

  Outcome: Provided information to TAGs on the ensuing SAPR Stand Down and reinforced that sexual assault is a crime counter to the Guard core values and profoundly divisive and disruptive to our units.

- CNGB Information Memorandum, 23 May 2013, "*National Guard Sexual Assault Prevention and Response Stand-Down*"

  Basis: Office of the Secretary of Defense (OSD) Memorandum, 17 May 2013, "*Sexual Assault Prevention and Response Stand Down,*" mandating a proposed plan on the execution of the SAPR Stand-Down.

Outcome: Outlined the NG plan for executing the SecDef mandated SAPR Stand-Down.

- CNGB Memorandum, 26 June 2013, "*SAPRO Guidance*"

  Basis: OSD Memorandum, 17 May 2013, "*Sexual Assault Prevention and Response Stand Down*"

  Outcome: Provided additional guidance and direction on the responsibilities for completion of the SAPR Stand-Down.

- CNGB Information Memorandum, 01 August 2013, "*Visual Workplace Inspection for Offensive or Inappropriate Material"*

  Basis: OSD Memorandum, 06 May 2013, "*Sexual Assault Prevention and Response,*" directing the comprehensive and regular visual inspections of all DoD workplaces to ensure appropriate command climate.

  Outcome: Informed the SecDef of the NG's compliance with the directed visual workplace inspection for offensive and inappropriate material and the outcome of the inspection.

- CNGB Information Memorandum, 30 September 2013, "*Assessment of Recruiting Responsibilities for Sexual Assault Prevention and Response (SAPR)"*

  Basis: OSD Memorandum, 06 May 2013, "*Sexual Assault Prevention and Response*" directing the assessment of the recruiting community to ensure the awareness and safety of our newest and aspiring Service members.

  Outcome: Informed the SecDef of the NG's compliance with the directed assessments on

  (1) Selection, SAPR training, and oversight of recruiters.

  (2) Dissemination of SAPR program information to potential and actual recruits.

  (3) Prevention and education programs in Reserve Officer Training Course environments and curricula.

- SAPR Communications Plan, 19 February 2014

  Basis: This communication plan directly supports the 2013 DoD SAPR Strategic Plan and the SecDef SAPR initiatives.

  Outcome: Provides an engagement strategy and consistent messages for the NG's SAPR program.

- CNGB Notice 1004, 08 July 2014, "*2013 Sexual Assault Prevention and Response (SAPR) Strategic Plan*"

  Basis: "*DoD Sexual Assault Prevention and Response Strategic Plan,*" dated 30 April 2013.

  Outcome: Aligned the NGB SAPR Strategic Plan with the DoD SAPR Strategic Plan and provided plan guidance for accomplishing the tasks assigned to the NG.

- CNGB Information Memorandum, 02 September 2014, "*National Guard Implementation of 2014-2016 Sexual Assault Prevention Strategy*"

  Basis: SecDef Strategy outlining many of the steps taken toward the integration of accountability, community involvement, communication, deterrence, incentives, training, education, and harm reduction.

  Outcome: Identified the steps taken toward integration of accountability, community involvement, communication, deterrence, incentives, training, education, and harm reduction within the NG SA prevention strategy.

  - *Dedicating* a NGB-level SAPR staff member to review and update the Guard's Sexual Assault Prevention Strategy to align the Guard's prevention approach to the DoD Prevention Strategy.

  - *Improving* training delivered to NG leaders, SAPR and SHARP personnel. The NG is in the process of developing T32-specific Commander SAPR training for its Brigade, Battalion and Company level commanders for the ARNG and Wing, Group and Squadron for ANG personnel. Specific prevention training is also being reviewed and updated for presentation at the quarterly GLSCs.

  - *Training* all Guardsmen on bystander intervention techniques, tactics, and procedures. The NG is in the process of reviewing and updating its BIT taught originally as a part of the NG T32 Initial SARC and SAPR VA course. This training will be incorporated into policy as required annual training for all Guard members.

  - *Improving* Male Victimization-Prevention and Response. NG SAPR has engaged contracted SMEs to create prevention and outreach materials targeting male victims of military sexual trauma to increase reporting and reduce incidents. The total support package will include public service announcements, training material and command messaging. The ultimate goal is to compile and share current best practices for messaging and outreach to men, regarding sexual assault victimization.

- *Increasing* the dissemination of NG "best prevention practices" across the States. The NG is engaging the States regularly, through the use of the SAPRAC, located at the regional and national levels, to identify sexual assault prevention best practices for elevation to the Federal level for Nation-wide implementation. Other avenues to share these practices are being explored.

- *Improving* NG investigation and accountability LOEs. The NG is developing Guard-specific investigation metrics to provide State-level visibility on offender accountability with the intent to deter the occurrence of incidents through accountability actions. Through coordinated efforts with TAGs, key state leaders, NGB-JA staffs, and State Staff Judge Advocates (SJAs), the NG is developing a process to capture the outcome of sexual assault cases involving Guard members. GKO is the venue that will be utilized to capture and provide visibility of investigative measures.

- *Soliciting* and *incorporating* professional civilian and military expertise into the development of unique research-based prevention methods and program enhancements. The NG Prevention Lead will be the point of contact for this effort.

- *Analyzing* data on SAPR program effectiveness to target areas for improvement. The NG will continue the detailed analysis of the multiple data sources to better identify SAPR related trends, inform the effectiveness of their efforts, and to serve as a guide to target areas for improvement.

- *Addressing* sexual assault issues in a holistic approach, relying less on isolated training events and moving toward adapting SAPR messages into other organizational programs and areas of responsibilities.

- *Partnering* with local and county agencies and organizations, and institutes of higher education to lead SAPR initiatives in our communities. The SAPRAC will be the vehicle to compile and disseminate the best practices regarding partnerships, memorandums of understanding and memorandums of agreement with community agencies, and colleges and universities in the States. They will operate through its regional representatives to identify trends and elevate best practices regarding college engagements. The goal is to strengthen the NG leadership role in their communities and encourage partnership with colleges and universities to reduce, with the goal of eliminating, incidents of sexual assault.

- *Reviewing* policies regarding alcohol use and other substance abuse issues.

- In Staffing – CNGB Instruction, "*Sexual Assault Prevention and Response Program*"

  Basis: DoD Directive 6495.01 and DoD Instruction 6495.02, "*Sexual Assault Prevention and Response*"

Outcome: To establish the NG SAPR program policy for NG members on duty in T32 Status and to assign responsibilities, provide general SAPR program guidance and establish eligibility criteria for NG SAPR services.

- Under development - CNGB Manual, "*Sexual Assault Prevention and Response Program Procedures*"

Basis: DoD Instruction 6495.02, "*Sexual Assault Prevention and Response*"

Outcome: To establish and implement NGB SAPR procedures, and addresses NG requirements as predicated by its unique authorities, personnel statuses and state laws.

Best Practices/Innovations Specific to the NG

As expressed earlier, NG emphasis on sexual assault awareness and prevention is both top-down and bottom-up driven. The NG's greatest innovators are located within the States, where the bulk of our SAPR staff resides as SARCs, JFHQ-State VACs and SAPR VAs. These are the Guard members who establish the close community ties, foster coalitions, and networks with their AC counterparts and civilian sexual assault prevention and advocacy resources. Out of these relationships, the NG reaps some of its most significant contributions, best practices and innovations in support of our Guard members. Considering that over 80 percent of our members are civilians most of the time, the efforts and relationships built at the community level are not only good for the program, they are critical in providing essential support and services to the sexual assault victim. Identified below are a few National and State level initiatives:

- Recipient of the 2014 National Guard Bureau Sexual Assault Prevention Innovation Award.



The California Military Department (CMD) Sexual Assault Review Board

This organization not only excelled at meeting the requirements according to regulation, but through innovative ideas and collaborative efforts with the civilian community and throughout the State Military Department, they expanded prevention efforts, assured compassionate victim response, and ensured perpetrators faced justice. These efforts, along with their Sexual Assault Awareness Month (SAAM) events, resulted in a 69 percent drop in reported assaults, with reports in the last nine months involving cases older than seven years. This indicates the program's prevention successes and demonstrates the trust inspired by the members of the CMD. Listed below are some of the initiatives they established.

- Appointment of a full-time, trained sexual assault investigator in the Provost Marshall's Office (PMO) to track cases, expedite civil investigations, and obtain timely and accurate updates for victims.

- The PMO is instituting Live Scan for the SAPR VAs and SARCs. This system will provide continuous monitoring for persons in positions of trust, expanding the current process of checking for past improprieties.

- The team strengthened program services by producing a confidential client evaluation and incorporated a member feedback system as an essential element for program improvement.

- To increase victim support, three SJAs completed the SVC training and are now fully qualified and prepared to fulfill this role.

- The SARB mapped the geographical locations of the more than 115 credentialed SAPR VAs and developed an area coverage methodology to ensure border-to-border, cross component advocacy.

- Upon appointment, State SAPR VAs are provided response kits containing references, resources, checklists, and forms necessary for a rapid response.

- Working hand-in-hand with the California state legislative liaison and participating in hearings, the SARB helped to educate the state legislature on Military Sexual Trauma (MST). The team also collaborated on Senate Bill 1422 language, which was recently signed into law by the governor. This bill mandates the referral of sexual assault allegations for investigation to the civilian law enforcement.

- Implemented a state award program to recognize the dedicated service of SAPR VAs.

- Training

  - NGB T32-specific Initial SARC and SAPR VA training contained a segment on Male Victimization lauded by DoD SAPRO as a DoD best practice.

  - Both ANG and ARNG enhance training to support sexual assault prevention strategies. Rather than relying on State SAPR Staff to conduct annual refresher training, this training is now facilitated by Senior Leadership using small group instruction and open discussion based training. Emphasis is placed on commander led sexual assault prevention training, while using the SARC, JFHQ-State VAC, and SAPR VAs as SMEs.

  - The "*Strive to Thrive in Your College Years*" event was an effort coordinated by the Department of Social Services (Youth and Family Services), with the support of the Town of East Hampton, Connecticut Board of Education, the Connecticut NG

State Equal Employment Manager (SEEM), the East Hampton Chief of Police, and the Connecticut JFHQ-State SARC, Maj Maine.

Invitations were extended to all male and female students graduating from East Hampton High School. The event was attended by 15 female students preparing to attend different colleges/universities throughout Connecticut. Their parents' were also invited to attend; consequently, between 30 and 40 individuals took part in the event. The "*Strive to Thrive*" initiative was created to promote awareness among incoming freshmen. Maj Maine's presentation emphasized that the individuals most at risk for sexual assault are young people between the ages of 18 and 24, and over 80 percent of sexual assaults are committed by someone known to the victim. She underscored the fact that the ability to make good decisions diminish more quickly when drinking, and in addition communicated some common sense approaches to preventing a sexual assault. The Town of East Hampton is in the process of submitting a formal request through the Connecticut Guard Community Action Committee to authorize their SAPR personnel to teach while representing the Connecticut NG. If approved, sexual assault prevention training will be presented to 12th grade classes as a part of their mandatory Health Instruction during the year. School districts in Portland and Newfield; University of Connecticut, Quinnipiac University and Southern Connecticut State have all requested Maj Maines to present a similar presentation to their students. Once finalized, to cement the partnership, a MOU or MOA with East Hampton and the local colleges and universities will be developed. Some of the topics discussed during the SAPR presentation included:



- Getting comfortable about having uncomfortable conversations.
- Those most at risk are young people between the ages of 18 and 24.
- The prevalent use of alcohol in sexual assaults.
- Most sexual assaults are committed by someone you know.
- The Five "I's'" of sexual assault - Invasion, Ignoring, Intoxication, Instincts and Isolation.
- Barriers to intervening, pluralistic ignorance, diffusion of responsibility, the importance of stepping up, the use of a buddy system and having an exit plan.

- The effect of a sexual assault on the victim and recovery process, which can be a lifelong process.

- Innovated Approaches to Training in Alaska

Over the past year, the JFHQ-State SARC modified the presentation style of SAPR training in the state to make it into lively educational events with willing audience participation. Using what typically is thought of as a child's game, the participants are actively engaged in the training process. Each student is asked to express how sexual assault has impacted their lives by writing it on a piece of paper. The paper is then crumbled into a ball and tossed randomly in the air to maintain anonymity. Each student is then asked to pick-up a piece of paper. As each piece of paper is read out loud, the participants display more empathy and are more willing to discuss their feelings and the topic of sexual assault.

- Enhanced SAPR VA training in Colorado (CO)

The JFHQ-State SARC added the following elements to their SAPR VA training:

- Offender behavior.
- Victim response to trauma.
- Cultural and societal beliefs of sexual assault.
- Medical evaluation.
- Investigative and legal procedures.

This training help to better prepare the SAPR VAs in responding effectively to different situations. The State SAPR staff also partnered with CO Coalitions Against Sexual Assault (CASA) and conducted a 2-day course, "*Strengthening Military/Civilian Partnerships*" for more than 12 CO community organizations responsible for dealing with elements of sexual assault.

- Maine (ME) NG 11th Weapons of Mass Destruction - Civil Support Team (CST) SAPR VA takes initiative and incorporates a number of different and unique approaches to training his unit.

By coordinating with an array of specialists such as social workers, law enforcement officers, and medical professionals, the 11th CST SAPR VA built a training program focused on victim care, evidentiary procedures, legal prosecution and post-traumatic event counseling. In December 2013, he reached out to a registered nurse with over 100 hours of specialized training in care of sexual assault victims and who had knowledge of topics such as, techniques to gather forensic

evidence from a victim, methods to aid victims who experience sexual trauma coping with the associated physical and psychological issues of sexual assault, and navigating legal and privacy concerns. The SAPR VA also reached out to the Executive Director of Sexual Assault Support Services of Mid Coast Maine and a Captain from the New Brunswick Police Department. Both persons discussed the individual and societal factors that can lead to sexual assault and current strategies employed by healthcare and law enforcement professionals to mitigate these factors.

- 2/75th Recruiting and Retention Battalion Steps Up

On June 2013, an 18 year old female Kentucky (KY) NG applicant was sexually assaulted after returning to her hotel from the Nashville Military Entrance Processing Station (MEPS). Although the focus of the 2/75th Recruiting and Retention Battalion is always on putting the needs of the Soldier first, this event prompted the recruiting station Executive Officer (XO) to increase the safety and raise sexual assault awareness for future KYNG soldiers.

The XO created a Self-Defense Safety Video for new recruits to augment the existing service training program. The video is designed to instruct new recruits on the behaviors of perpetrators, techniques to defend themselves, and sexual assault reporting options. While the intent of the video is to educate future soldiers, it also demonstrates the command's desire to not only protect potential members but also to protect and care for all members and of the KYNG.

The video is shown to all applicants prior to staying at the local MEPS contracted hotel. Copies are made available for distribution to brigades across the state and recruiting and retention battalions across the country. This is but one effort the battalion uses to raise awareness of sexual assault.

- Ohio (OH) ARNG, Assistant Adjutant General (AAG), takes some major steps toward eliminating sexual assault

There are currently more than 120 trained and deployable SHARP personnel, three times the state's requirement, available to the 11,400 members of the OHARNG. Being fully vested in fostering command climates based on mutual trust and respect, and intolerant of behaviors that lead to sexual harassment and sexual assault, the OH AAG developed an aggressive training curriculum to address the issues at each leadership echelon. The result was the "*OHARNG Sexual Assault Prevention and Response 2-Day Leader Course"*.

Since its inception in 2013, over 200 military commanders and their leadership teams (command sergeant majors, first sergeants, platoon leaders, and platoon sergeants) have received the training and resources to help them cultivate healthy command climates and culture. The primary learning objectives of the course include:

- *"Live our Army Values*" – it's not complicated, it's every leaders' responsibility to live these values as well as expect all others to do the same.

- Military culture and sexual assault.

- Sexual innuendo, sexual harassment, and sexual assault.

- Phenomenology of sexual assault "Victimology"

- Offenders - Why do they do it, how are they empowered, and why can't we always see them?

- How to use your SAPR VA effectively.

- What to do if a report of sexual assault or harassment is received.

The instructors are a mix of civilian and military sexual assault prevention and response experts, senior leadership, former company commanders, judge advocate (JA) general officers, and harassment and assault survivors. The training is interactive, video and scenario-based, and structured to facilitate discussion rather than dictate and download policy. With the strong emphasis of the OHARNG AAG, attendance in every scheduled course has been maximized. Due to its effectiveness, other battalions have requested this course be taught to their command teams.

What has this course produced? Leaders from the highest to the lowest levels engaged in discussions about sexual assault and doing their part to build command climates of mutual trust and respect, and taking actions against behaviors inconsistent with the Army and organizational values.

- Iowa (IA) State NG lauds its JFHQ-State SARC for his detailed and innovative Sexual Assault Training and Prevention Programs

The program includes Officer Evaluation Report and Non-Commissioned Officer Evaluation Report policies, a 'position of special trust" screening process, a state sexual assault SOP, and a policy tracker that provides IA ARNG leadership with an operational picture of the evolving enforcement strategies within the DoD, Headquarters Department of Army, NGB and IA ARNG. These efforts are in direct support of the Iowa TAG Campaign Plan, "*Care for Soldiers, Families and Survivors*". In developing the SOP, the SARC analyzed historical data from the Defense Equal Opportunity Management Institute (DEOMI) Organizational Climate Surveys (DEOCS) and from Unit Risk Inventory Surveys. He then assembled a Prevention Team of practitioners from the Equal Opportunity and Substance Abuse Offices. The team assessed units based on the results for the survey analyses, looking for patterns or overlapping issues. With this information and the help from

the unit SARCs, the team engineered strategies to avert sexual harassment, sexual assault, and substance abuse. This team met with unit commanders, SARCs and SAPR VAs, to present their course of action and implementation plan. This partnership with State Brigade and Battalion SAPR/SHARP personnel allowed commanders to utilize all available assets. It empowered commanders to be confident in their prevention plans based on real data from unit members, and not personal perceptions.

- Illinois SAPR Staff supports the Health and Disabilities Advocate sponsored MST Behavioral Health Workshops

In FY12 two workshops were presented, while in FY14, they helped to conduct three workshops in the Chicago area, Shiloh Armory and Camp Lincoln. These workshops are open to everyone and military attend free. Coordination is in underway to conduct three workshops in the upcoming FY, to include one at Camp Lincoln on 3 April 2015 in conjunction with SAAM.

- Massachusetts (MA) Hanscom Air Force Base (AFB) SAPR Program gets a Make-Over

After having served as the MANG JFHQ-State Alternate SARC and years of experience at the joint level, the newly hired VAC at the 66th Air Base Group immediately established new written policy to professionalize victim advocacy roles of the SARC and SAPR VA assigned to Hanscom AFB. The result was standardized sexual assault response to victims, which improved the management and facilitated the coordination of care process for at-risk Service members. The base also saw an increase in VAs by 200 percent by increasing the availability of the 40-hour mandatory initial training courses. The VAC delivers a constant and effective prevention program by hiring six new facilitators to provide annual prevention training and mandatory training. The VAC also integrated community resources into the SAPR program, including Home Base Program, Jane Doe, Inc., and Project New Hope. These partnerships help to offer additional services to the victims of sexual assault.

Improvements were also made in the area of awareness. The Hanscom SAPR website was established, along with a SAPR distribution email, and a Hanscom SAPR logo was created. A prevention training, “In Her Words,” was provided for all E-7s and above to help create the sense of urgency for prevention and to increase risk identification and mitigation. Nationally recognized SMEs were invited to speak at the base on sexual assault. Every effort has been made by the SAPR staff to offer a number of initiatives to engage the five SAPR LOEs.

- 148th Fighter Wing, Minnesota ANG steps up its Prevention Activities

Coordinating efforts with local guest speakers from the Superior Police Department and Program for Aid to Victims of Sexual Assault Duluth Office, the airmen were provided valuable information during the 2013 SAPR Stand Down. The

Wing populace was broken into smaller groups to better facilitate a question and answer session and commander interaction break-out sessions. The format afforded the airmen the opportunity to talk on a more personal level on how to prevent sexual assault. As a result of the Stand Down, six personnel sought out support from the Wing's Director of Psychological Health to discuss past experiences of sexual assault. Of the six airmen, two filed restricted reports, and all of them were provided measures to help bring peace and calm into their lives. SAPR messaging is also included in day-long training events for the entire wing populace in excess of 1,054.

- SAPRAC Region I Recognizes Collaboration as a Key to Information and Best Practice Sharing

The combined States of Connecticut, Massachusetts, Maine, New Hampshire, New Jersey, New York, Rhode Island, and Vermont, make up SAPRAC, Region I. In 2010, the JFHQ-State and Wing SARCs, JFHQ-State VACs and community partners combined efforts to start regional teleconferences to share information on the prevention of sexual assault. Invitations are extended to community partners, and "other service" SARCs (AC and RC) to participate in these teleconference calls. Another venue used to share information and best practices are the Annual Workshops, which include all States within the region. Taking it a step further, to help meet the training requirements for their SAPR personnel, the States within Region I pool their resources to conduct the 40-hour SARC and SAPR VA training. Each year, three states within the region volunteer to conduct the training. All the JFHQ-State SARCs within the region take part in these events to assist in the training.

- Awareness

  - Public Service Announcements (PSAs)

The NGB and States have their own public affairs office, which assist in developing a NGB or state specific SAPR communication plan. Although each plan may differ, many produce PSAs throughout the year, with particular emphasis during SAAM in April. In an effort to build confidence and reduce stigma associated with reporting sexual assault, the NG-J1 SAPR office worked with NGB-PA to develop public service announcements for the CNGB, the DANG, DARNG and SEA to further publicize the availability of the new DoD Safe Helpline in April 2012 in association with SAAM.

Below are samples of PSAs produced during 2012 through 2014.

2012 (4)

National Guard Sexual Assault Helpline PSA – Gen Craig R. McKinley, April 3, 2012
http://www.youtube.com/watch?v=BxBIFVQYAn8

National Guard Sexual Assault Helpline PSA – CMSgt Denise Jelinski-Hall, April 3, 2012
http://www.youtube.com/watch?v=Uf8UjN_A6wQ

National Guard Sexual Assault Helpline PSA – Lt Gen Harry M. Wyatt III, April 4, 2012
http://www.youtube.com/watch?v=TBoYgKTyL6g

National Guard Sexual Assault Helpline PSA - Lieutenant General William E. Ingram, Jr., Apr 12, 2012
http://www.youtube.com/watch?v=JOxKGIpk3mI

2013 (11)

Georgia TAG Addresses Sexual Harassment, Assault, January 24, 2013
http://www.youtube.com/watch?v=EqKjQ0QioS8

KRCG: McCaskill Met With Missouri National Guard on Combating Sexual Assault in the Military, April 4, 2013
http://www.youtube.com/watch?v=i41Iqtacv8w

Sexual assault: A message from the Adjutant General of Wisconsin, April 5, 2013
http://www.youtube.com/watch?v=Y3xIsGd4GQw

Indiana Guardsman, Sexual Assault Stand Down, April 14, 2013
http://www.youtube.com/watch?v=eWwfecSl_YU

Louisiana National Guard Sexual Harassment/Assault Awareness Month 2013, April 23, 2013
http://www.youtube.com/watch?v=X_LKAgT0XDM

The Adjutant General of South Carolina's Sexual Assault Prevention Message 2013, July 10, 2013
http://www.youtube.com/watch?v=fNX6kYdaLfE

Air National Guard Director, "Sexual assault is a crime and is counter to our Air Force core values", July 10, 2013
http://www.youtube.com/watch?v=QtYMy4XZrqk

Maryland Military Department Sexual Harassment & Assault Awareness, June 3, 2013
http://www.youtube.com/watch?v=O7dXG9oREfc

Pennsylvania National Guard SAPR Stand Down, July 16, 2013
http://www.youtube.com/watch?v=kg68iu-bkpI

108th Wing, NJ Air National Guard Sexual Assault Prevention and Response, August 11, 2013
http://www.youtube.com/watch?v=pcfJY5fbXFE
Minnesota National Guard Sexual Assault & Harassment | Mentorship Moment, November 1, 2013
http://www.youtube.com/watch?v=6KoC9du9qRs

2014 (13)

Make It Safe, 108th Wing, New Jersey Air National Guard, February 22, 2014
http://www.youtube.com/watch?v=tsJLnpm_Orw

Alaska Adjutant General Tom Katkus Address the Alaska National Guard on Sexual Assault, March 4, 2014
http://www.youtube.com/watch?v=SodXjXWmrmk

Army National Guard Command Sergeant Major on the new SHARP card, March 4, 2014
http://www.youtube.com/watch?v=l6oqdYUXmMo

North Dakota National Guard We Believe You, March 10, 2014
http://www.youtube.com/watch?v=JOXfSNw4seQ

North Dakota National Guard Sexual Assault & Harassment Awareness, March 20, 2014
http://www.youtube.com/watch?v=z9wvM1Yv3YA

Nebraska National Guard Sexual Assault Awareness Month, April 1, 2014
http://www.youtube.com/watch?v=Uf8UjN_A6wQ

NGB - On Every Front (Episode 15) – Sexual Assault Prevention and Response program, April 2, 2014
http://www.youtube.com/watch?v=jxS18WK5YyI

Army NG Sexual Assault Awareness Month kickoff event, April 3, 2014
http://www.youtube.com/watch?v=cZTUkIYevXQ

Delaware Air National Guard SAPR 2014 Stand Down Day, September 7, 2014
http://www.youtube.com/watch?v=Y4bDy6tjnSk

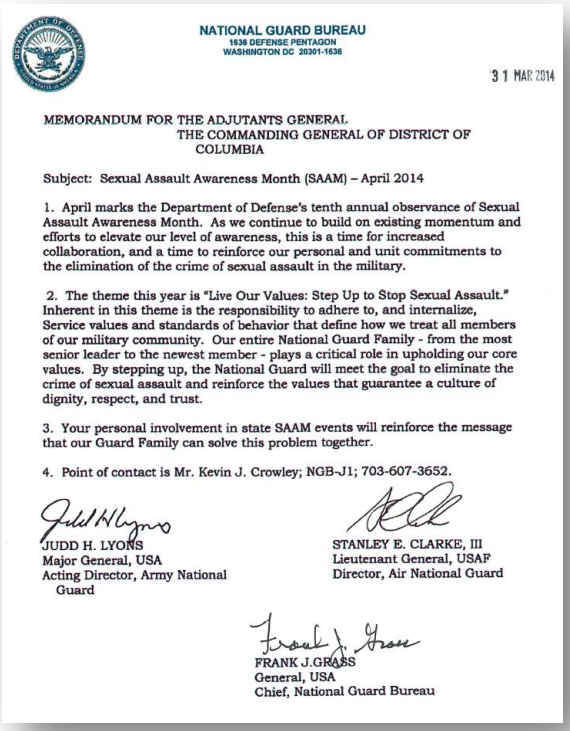
NG SAPR Program Chief Recognizes Sexual Assault Awareness Month, April 16, 2014
http://www.youtube.com/watch?v=ix7ye7aIUqQ

South Carolina TAG SAPR Message, April 23, 2014
http://www.youtube.com/watch?v=z3zKgg4fXgw#t=16

Walk a mile in her shoes, National Guard Soldiers, attached to the 218th Maneuver Enhancement Brigade, put on a "Walk a mile in her shoes" event, July 19, 2014
http://www.youtube.com/watch?v=ZAqOeVazCyE

108th Wing, New Jersey, Sexual Assault Prevention and Response Training, August 2, 2014
http://www.youtube.com/watch?v=OJNTb46gQqk

- NGB and State SAAM Initiatives



NATIONAL GUARD BUREAU
1636 DEFENSE PENTAGON
WASHINGTON DC 20301-1636

31 MAR 2014

MEMORANDUM FOR THE ADJUTANTS GENERAL
THE COMMANDING GENERAL OF DISTRICT OF COLUMBIA

Subject: Sexual Assault Awareness Month (SAAM) – April 2014

1. April marks the Department of Defense's tenth annual observance of Sexual Assault Awareness Month. As we continue to build on existing momentum and efforts to elevate our level of awareness, this is a time for increased collaboration, and a time to reinforce our personal and unit commitments to the elimination of the crime of sexual assault in the military.

2. The theme this year is "Live Our Values: Step Up to Stop Sexual Assault." Inherent in this theme is the responsibility to adhere to, and internalize, Service values and standards of behavior that define how we treat all members of our military community. Our entire National Guard Family - from the most senior leader to the newest member - plays a critical role in upholding our core values. By stepping up, the National Guard will meet the goal to eliminate the crime of sexual assault and reinforce the values that guarantee a culture of dignity, respect, and trust.

3. Your personal involvement in state SAAM events will reinforce the message that our Guard Family can solve this problem together.

4. Point of contact is Mr. Kevin J. Crowley; NGB-J1; 703-607-3652.

JUDD H. LYONS
Major General, USA
Acting Director, Army National Guard

STANLEY E. CLARKE, III
Lieutenant General, USAF
Director, Air National Guard

FRANK J. GRASS
General, USA
Chief, National Guard Bureau

As part of the National initiative for creating sexual assault awareness, the NG has participated fully in the annual SAAM campaigns. In FY12, the campaign began with the signing of a CNGB Memorandum, "Sexual Assault Awareness Month (SAAM) – April 2012," declaring the month of April, SAAM. CNGB gave his endorsement of the DoD theme for that year and encouraged personal involvement by every member of the Guard. The NG senior leadership, CNGB, DANG, DARNG, and Senior Enlisted Leader, also created PSAs to bring awareness to all Soldiers and Airmen about the availability of the resource for 24/7 sexual assault response from the DoD Safe Helpline. The PSA videos were distributed to State PAOs for broadcast on installation public access systems, and broadcast on the Pentagon Channel during the month of April. In FY13 and FY14, to show solidarity in the goal to eliminate sexual assault within the Guard, the SAAM memorandum was signed by the CNGB, DANG and DARNG. Both memorandums provided the DoD theme for that particular year and expressed to the entire NG Family, from the most senior leader to the newest member, the critical role each one plays in upholding the NG core values and in achieving the goal of eliminating sexual assault in the Guard. The ARNG-G1 SHARP and ANG/A1 SAPR programs developed their own Service-specific initiatives to support SAAM. However, the SAPR personnel at the unit and wing level within the States design the overwhelming majority of activities and special events raise awareness and promote the prevention of sexual violence.

Although each state coordinates its own activities and program for SAAM, many states routinely participate in activities such as National Denim Day, Clothing Drives,

(in many states, the clothing and toiletry items are donated to the Rape Crisis Centers throughout the States), SAAM proclamation signing by the Governor, SAAM Awareness Banners (displayed at various locations, to include state Capital Buildings), “Walk a Mile in her Shoes,” and 5K Race to Eliminate Sexual Violence, among many other activities and special events. Some of the more unique and innovative engagements are identified below.

- Kentucky SAPR/SHARP Office coordinated with J6 (Communication and Information Systems) Automation to promote SAAM and the DoD Safe Helpline using screensavers throughout the month of March and April. The DoD Safe Helpline staff recognized the KYNG SAPR/SHARP Office on their SAAM Blog for their innovative idea of placing the DoD Safe Helpline advertisement as the screensaver and for the coordination efforts with each office in the KYNG and other agencies across the state.

- CMD SARB recognition of SAAM. The team blanketed the state with events to promote awareness of sexual assault and to cement the CMD’s relationship with community stakeholders. Some of the events included:



  - ✓ A SAAM “kickoff” with state legislator participation.

  - ✓ A tandem skydiving event entitled “*Fall for the C.A.U.S.E. (Combating Assault and Unwanted Sexual Encounters)”.*

- Rhode Island (RI) NG SAAM Annual Obstacle Course Competition.

Since 2009, the RING has conducted an Obstacle Course Competition every year during SAAM. This event attracts both soldiers and airman within the state, and the venue is used to get their prevention message out. They included:



- ✓ A survivor who talked about their journey and the valuable asset the SAPR program was in her healing process.

- ✓ Community partners, who are introduced to all in attendance and a short explanation of what their organizations provide.

- ✓ The Senior Staff in attendance to award trophies to the top 3 teams.

The trophy is a miniature Emmy – to make the point that they always need to "act" according to their core values. The course is set up with 8 course elements and between each element is a stop where each participant must answer questions about the SAPR Program. Questions may include: Name of their unit victim advocate, statistics, and Safe Helpline information. They use the concept of both physical and mental attitudes and training, whether they are male or female, Army or Air; they all need to take part in eradicating sexual assault from our military. We are all in this together.

- Delaware (DE) SARC becomes a member of the Sexual Assault Network of Delaware (SAND)

Coordinating with local, state and federal agencies, the DE SARC, MAJ Estelle Murray, provides uniformed training, resources and support for survivors of sexual assault. As a member of SAND, she works with other agencies such as the Sexual Assault Nurse Examiner committee, Criminal Justice Council, Delaware Department of Justice, Delaware Department of Corrections, Delaware Police Departments, local crisis organizations and other public and private organizations whose collaborative efforts help to raise awareness of sexual assault.

- Wisconsin (WI) SAPR Service Dog initiative

In October 2013, the Wisconsin SAPRO, JFHQ-State SARC and SAPR VA approached the JFHQ J1 and TAG to request approval of a new concept for their State SAPR program. This was an idea that would increase outreach, approachability, awareness and bring attention to the SAPR program within the WI NG. 2LT Garfoot became aware of a local non-profit organization that specialized in raising and training service and therapy dogs. She immediately saw application in the use of a service dog in her duties as SAPR VA. With their approval, the SAPR VA participated in a training program with a trained service dog named Falcon.



Falcon, a black Labrador Retriever, trained as a Post Traumatic Stress Disorder service dog was placed on loan from Custom Canines Service Dog Academy (CCSDA), a nationally known 501(c)3 not-for-profit organization. A MOA was established with CCSDA to provide a fully credentialed service dog to be placed in the full-time handle of WING VAC to benefit Guard members who were victims of sexual assault and their families.

Falcon's primary strength lies in his ability to put Guard members at ease and allow them to approach the SAPR VA team in a non-threatening manner to discuss real or perceived issues. Falcon serves as a good will ambassador between the State SAPR personnel and the Soldiers and Airmen of the WING. Actual benefits include:

Outreach	Advocacy	Joining Community Forces
✓ The WING SAPR program interacts with all Service Members as part of its mission of outreach and education. Falcon's presence creates an avenue for service members to interact with the WING SAPR staff in a more informal manner, and creates the opportunity for meaningful discussions about the program, which otherwise, might not have occurred. Falcon has accompanied 2LT Garfoot on site visits and community events, to include a NG Youth Foundation event. The number of Service Member inquiries regarding the SAPR program increased dramatically with the addition of Falcon to the team.	✓ Falcon has provided direct advocacy on numerous occasions, to include direct support to victims during initial meetings and law enforcement interviews. Having a trained service animal and qualified victim advocate as the handler reduces anxiety and stress on the part of the victim, reduces the risk of re-victimization from the investigative process and increases buy-in from other first responders.	✓ The WING SAPR office heavily relies on partnerships developed within the WI sexual assault prevention and response community. Animal use for the purpose of service and therapy is a professionally recognized practice, and implementing this resource increases the legitimacy of the WING SAPR program with civilian service providers.

- Kentucky Collaboration with Universities, Colleges and agencies

The KY NG SAPR office is one of the most active programs in its collaboration with universities and colleges throughout the state. The KYNG currently has Memorandums of Understanding with the University of Louisville, University of Kentucky, and Morehead State University. Some of the specific SAPR events are identified below.

- At Asbury University, presented a 90 minute workshop entitled "*Sexual Trauma Impacting Military Families: Programs, Services, Challenges and Considerations*" for the inaugural "*Collaborations Impacting Traumatized Youth*" (CITY) conference sponsored by Kentucky Association of Sexual Assault Program.

- Provided training to future service providers in a class at the University of Kentucky, Lexington, KY at the request of the professor.

- Participated in the Murray State University, Murray, KY, SAAM event. A briefing was presented on the NG SAPR program, revealing differences between the Guard and AC models.

- Provided a guest speaker for the Lindsey Wilson College "*Take Back the Night*" event in Columbia, KY, for two years in conjunction with SAAM.

- Provided the plenary speaker at the 2nd Annual Prevention Conference in Morehead, KY, discussing the KYNG SAPR program initiatives for improved services for military survivors of sexual assault and their family members.

- Ohio NG SAPR Staff and Greene County Family Violence Prevention Center Staff team up to engage Congressman Mike Turner in a discussion on his efforts for helping military victims of sexual assault and to get new legislation for the DoD SAPR program included the FY12 NDAA.



- ANG Recruiters implement "D3" (Deter, Dissuade, and Detect) Initiative

ANG Recruiters created and disseminated their policy on professionalism and adapted the AF professionalism model to implement their "D3" Initiative. The "Deter, Dissuade, and Detect" initiative is designed to ensure all interactions with the general public and potential recruits are professional in nature at all times. **Deter** to decrease the likelihood to engage in behavior by increasing risk-to-reward calculus, **Dissuade** to sustain an environment that eliminates any conduct that is not conducive to professional behavior and relationships, and **Detect** to find and deal with violators via all means. Recruiter's brief each applicant on ethical recruiter-applicant relationships. Following the brief both the recruiter and applicant sign the *ANG Statement of Conduct Form*. At the end of the brief the applicant is provided a Recruiter Reporting Card that displays a national toll-free number for reporting unethical behaviors without fear of reprisal. Lastly, prior to Basic Military Training and/or Technical School (non-prior service), a briefing on the Rights and Duties of an ANG Trainee is required and is a part of the out-processing activities.

Positive Trends (qualitative and quantitative)

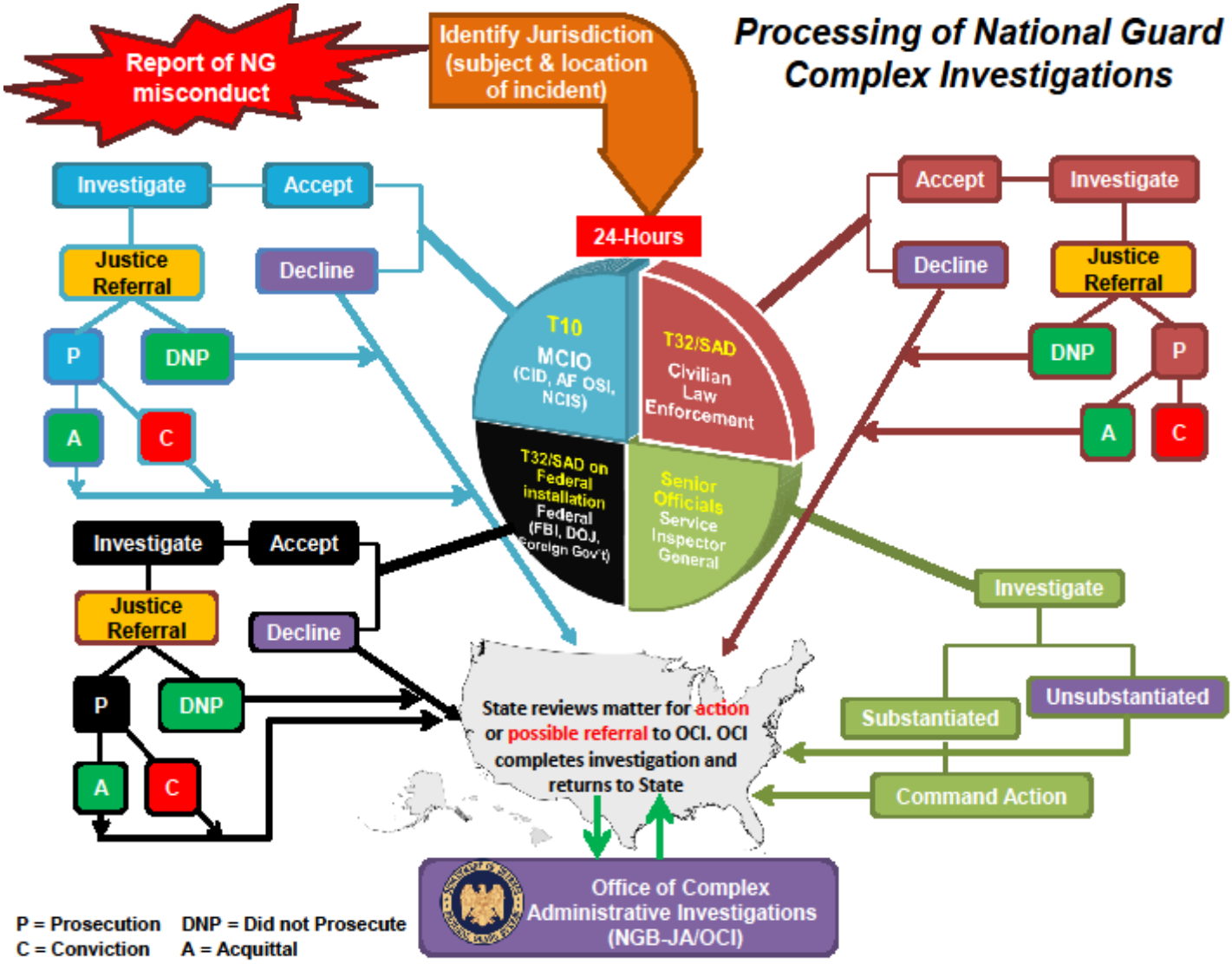
- Senior leader training, engagements and overall emphasis on sexual assault prevention and response increased as a result of the CNGB's GSLCs, GSLUs and Open Letter to TAGs.

- The NG T32 Initial SARC and SAPR VA training increased the level of proficiency of the State SAPR personnel to administer the JFHQ-State SAPR program; provided an increased awareness of the impact of sexual assault on victims; improved the response

to reports of sexual assault; enhanced crisis management effectiveness; and improved the overall support to victims.

- Additional positive trends over the past three years include:
    - Increase in # of SAPR trained personnel: SARCs, VACs, and SAPR VAs.
    - Increase in # of personnel trained in the specialty areas: JAs, Chaplains, and Medical personnel.
    - Increase in # of policies and procedures on high-risk management.
    - Increase in # of climate surveys in compliance with mandate.
    - Increase in # of workplace inspections for materials that degrade or cause an offensive work environment.
    - Increase in # of unit trainings
    - Increase in personal reports of bystander interventions

INVESTIGATION
Line of Effort
Comprehensive Review



Important Note - The National Guard does not possess a MCIO, such as the U.S. Army's CID, or the U. S. Air Force's Office of Special Investigations.

Populations Affected - CLE, NGB-JA, NGB-JA/OCI, State JA, MCIO, Department of Justice, Federal Bureau of Investigation, Military Senior officers, and other first responders

Training Enhancements

- All NGB-JA/OCI (hereinafter referred to as "OCI") investigators are required to complete core training at the Sexual Assault Unit Investigations Course at the US Army Military Police School at Ft Leonard Wood, MO, and attend annual refresher training conducted at NGB. The annual refresher training incorporates lessons learned from the field, policy updates, and other timely topics to help ensure current best practices are utilized.

- During the December 2013 GSLC, NGB Chief Counsel presented information on the OCI.

- OCI has also been providing increased training on its program and policies to individual State NG legal and other offices (subject to resource availability).

Process/Procedural Upgrades and Efficiencies

- "*Open Letter to The Adjutants General and the Commanding General of the District of Columbia*" 11 April 2013

  Basis: To inform TAGs of the need to improve investigation of reports of sexual assault and track case disposition; a reminder of the valuable resources provided by the NGB-JA/OCI; to encourage TAGs to engage governors/mayors in discussions about prosecution of sexual assault offensives committed by NG members.

  Outcome: Increased focus and top-level attention on and engagement in assuring the investigation of reports of sexual assault.

- CNGB Instruction 0400.01, 30 July 2012, "*Chief, National Guard Bureau Office of Complex Administrative Investigations*"

  Basis: Institutes policy by which the NGB-JA will establish OCI to provide a capacity to perform complex administrative investigations regarding reports of sexual assault made by and against members of the NG, at the request of TAGs.

Outcome: Specially trained investigators available at the request of TAGs to investigate reports of sexual assault with a NG nexus, and for other matters on a case-by-case basis, including those affecting NG good order and discipline.

- CNGB Manual 0400.01, 8 November 2012, "*Chief, National Guard Bureau Office of Complex Administrative Investigations*"

Basis: To set guidelines for the management, operation, and training of the NGB-JA/OCI under the NGB-JA.

Outcome: An established procedure by which a TAG can request the services of OCI and inform the responsibilities of all stakeholders.

- CNGB Notice 0400, 16 April 2014, "*Interim Revision to CNGB Series 0400.01*"

Basis: Mandated referral of all Unrestricted Reports of sexual assault involving non-federalized members of the NG to the appropriate law enforcement investigating agency. If the law enforcement agency in which jurisdiction resides declines to investigate, the case must be referred to OCI for consideration – Commanders cannot conduct an internal investigation into allegations of sexual assault.

Outcome: Significant increase in the scope of operations for the OCI. Increase in the number of cases of sexual assault being investigated and offenders being held appropriately accountable for their crime.

- ***Establishment of NGB Office of Complex Administrative Investigations***

In July 2012, NGB established the OCI under the NGB-JA specifically to provide State NGs with a capability to investigate sexual assaults. OCI's primary mission is to investigate sexual assaults with a nexus to the NG, which are outside the jurisdiction of MCIOs and are not or not sufficiently investigated by law enforcement. Since program instruction does not permit NG commands to conduct their own administrative investigations into sexual assaults, OCI was created as a gap-filler. This program is very well-received by the States, who would otherwise have to rely solely on CLE, who may decline to investigate and prosecute such cases due to evidentiary, resource, or other issues.

OCI investigations are conducted pursuant to TAG requests for assistance. Investigations are conducted as soon as possible and are based partly on the availability of witnesses and investigators. OCI investigations are typically conducted by three-person investigative teams, which includes at least one lawyer. The resulting investigations yield thorough reports and provide State NG leadership with actionable findings and evidence. State NG leadership, SARCs, legal counsel and case witnesses have noted the professionalism of OCI investigators. To improve reporting and handling of reports of sexual assaults, NGB mandated the referral of all Unrestricted Reports of

sexual assault involving non-federalized members of the NG to outside the chain of command in April 2014. This policy requires NG commanders to first refer such reports to law enforcement with jurisdiction over the crime, and if law enforcement declines to investigate, then to the OCI. The policy also allows referrals of cases to OCI, which law enforcement did investigate, but not sufficiently for the Command's purposes (for example, law enforcement did not prosecute and/or did not conduct a thorough enough investigation for the State Command to use for appropriate administrative action).

OCI has experienced a substantial increase in requests for assistance each year. While an increase in reporting and referrals can be attributed to a number of factors, improvements and clarifications in policy (such as the mandatory referral policy) and training about OCI's mission and capacities are certainly among them. As relayed by State JAs during the discussion of cases with OCI, some of this increase was clearly due in part to an increased confidence and understanding in how OCI handles cases and how OCI could assist Commands in addressing reports of sexual assault.

In its first 12 months of full operation (August 2012 - August 2013), OCI was requested for (and conducted) 18 investigations, thus averaging 1.5 cases per month. In the following 8 months (between August 2013 - April 2014, before the mandatory referral policy was published), OCI was requested for 20 additional cases (average of 2.5 cases/month). In the four months since publication of the mandatory referral policy (from April to August 2014), OCI has received 15 requests (average of 3.75 cases/month).

Starting with only three full-time personnel, who both administered the program and conducted investigations, OCI relied mainly on investigators from a pool of traditional (part-time) Guard members and certain JAs within the Chief Counsel's office. The traditional Guard members were placed on temporary orders as needed, while the JAs from the NGB-JA's office conducted investigations as an extra duty, as available. Within the first year, OCI trained approximately 75 part-time investigators from the States and grew to 7 full-time personnel at NGB.

To meet its increasing mission demands over the last two years, OCI has been rapidly recruiting experienced investigators and legal personnel as well as building technical capacity. Notably, the OCI only recruits investigators with relevant legal or investigative backgrounds, including civilian prosecutors and defense counsel or those with significant investigative experience, including law enforcement professionals. Thus, OCI leverages expertise inherent in the NG by selecting investigators who already have well-suited civilian or prior military experiences before training them to OCI standards. Aside from being individually recommended by their States and vetted by the NGB-JA, OCI investigators must complete core training at the Sexual Assault Unit Investigations Course at the US Army Military Police School at Ft Leonard Wood, MO, and attend annual refresher training conducted at NGB. Today, OCI has over 106 specially trained and available investigators from 50 different States. Most significantly, over the last year, OCI grew to 20 full-time personnel, including 15 full-time investigators who routinely travel throughout the country to conduct investigations.

LOE 2 – Investigation

In the last year, OCI's physical expansion, along with a new investigative SOP and refined report writing guidance, has enabled OCI to become more responsive to State requests for assistance, and ultimately provide more thorough investigations. NGB-JA and OCI leadership have noted an increase in the quality and comprehensiveness of the investigative reports, and State JAs frequently comment on the quality of the investigations and reports in enabling appropriate action and accountability. Current plans to further improve investigations, which are expected to be implemented by the end of FY14, include:

- A significant restructure of the organization that involves dividing investigators into closely managed and permanent teams with senior/experienced officer oversight.

- Purchasing advanced investigative equipment similar to that used by MCIOs.

- Revising the CNGB Manual 0400.01 to incorporate the latest relevant policies and procedures and publishing the revised guidance to the States.

Best Practices/Innovations Specific to the NG

- The CMD SARB was instituted in June 2003. Its purpose is to review sexual assault cases, analyze the process, ensure system accountability and ensure quality services are provided to survivors of sexual assault. However, the SARB's efforts didn't stop there, but took steps to expand prevention efforts, assure compassionate victim response and ensure offenders face justice. One such innovation implemented was the appointment of a full-time sexual assault investigator in the PMO to track cases, expedite civil investigations, and obtain timely and accurate updates for victims. Additionally, the PMO is instituting Live Scan for the SAPR VAs and SARCs, which provides continuous monitoring for persons in positions of trust.

Positive Trends (qualitative and quantitative)

- The investigation of sexual assaults of T32 Guard members increased significantly with the establishment of the NGB-JA/OCI. The ability to investigate sexual assaults of T32 Guard members significantly increased accountability measures.

ACCOUNTABILITY
Line of Effort
Comprehensive Review



Important Note: The National Guard does not fall under the UCMJ. Each State has its own State CMJ.

Populations Affected - Civilian Judicial System, State SJAs, Commanders, and other first responders

Training Enhancements

- NG T32 Initial SARC and SAPR VA training contains segments that address the unique requirements of the T32 Guard member under the Accountability LOE.
  - The NG in each state falls under the State CMJ. NG SAPR personnel are presented with information and resources to help them navigate through and understand the differences between the UCMJ and how the States operate. Each state contains a section within the course that addresses the uniqueness of each state as it pertains to holding subjects of sexual assault accountable. Information is provided for the SAPR personnel to further investigate and become familiar with their specific State CMJ.
  - Strengths of NGB training identified by DoD training evaluation on practices and methods
    - Includes separate tracks for SARCs and SAPR VAs focusing on the unique roles and responsibilities
    - Incorporates training best practices and adult learning theory
    - Separate breakout sessions for line of duty determination processes for ARNG and ANG
    - Included powerful videos to help participants correlate a topic to real-life situations and experiences
    - Instructed by experienced SARCs and SMEs
    - Training manual and training DVD for each participant
    - Daily training evaluation for participants to offer constructive criticism and feedback
  - Strengths of NGB training identified by DoD training evaluation on content
    - Training curriculum focused on T32 unique complexities and challenges

- Updated and relevant training course materials
- Differentiated reporting options and eligibility based on the victim's duty status
- Overview of the complex legal procedures for investigating and processing sexual assaults in a T32 status
- NG SVC role explained and eligibility to use this service as T10 or T32 status
- Presentation on SAPR VAs boundaries and conflicts of interest
- Block of instruction on male victimology

Process/Procedural Upgrades and Efficiencies

- CNGB Info Memorandum,13 November 2013, "*Enhancing Commander Accountability"*

  Basis: OSD Memorandum, 06 May 2013, "*Sexual Assault Prevention and Response*" directing the Service Chiefs to develop methods to assess the performance of military commanders in establishing command climates of dignity and respect and incorporating SAPR prevention and victim care principles in their commands, and hold them accountable.

  Outcome: Informed the SecDef of the NG's compliance with the initiative by executing the directives as set by the HQDA and the USAF, and implementation of its own program initiatives developed to meet the requirements.

- CNGB Memorandum, 9 November 2013, "*National Guard Command Climate Assessment Policy*"

  Basis: Public Law (PL)112-239, Subtitle H, section 572, "*Additional Elements In Comprehensive Department Of Defense Policy On Sexual Assault Prevention And Response*"

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  Outcome: This policy established the requirement for commanders and leaders of units with 50 or more Guard personnel to complete a command climate assessment within 120 days of assuming command or responsibility and an annual assessment thereafter.

- CNGBI 6400.01, 14 November 2013, "*Use of Defense Sexual Assault Incident Database (DSAID)*"

Basis: Public Law 110-417, "The Duncan Hunter National Defense Authorization Act for Fiscal Year 2009," 14 October 2008, Subtitle G, Section 563, "*Implementation of Information Database on Sexual Assault Incidents in the Armed Forces*"

Outcome: DSAID provides the NG SARCs a centralized, case-level database for uniform collection of data regarding incidence of sexual assaults involving Guard members. It also provides a vehicle to make certain NG data is maintained and tracked consistent with all Military Services.

- CNGB Notice 0401, 24 April 2014, "*National Guard Implementation of Defense Sexual Assault Advocate Certification Program*"

Basis: Directive Type Memorandum (DTM) 14-001, 14 January 2014, "*Defense Sexual Assault Advocate Certification Program (D-SAACP)*" and PL 112-81, Title 5, Subtitle H, § 584, "*Sexual Assault Response Coordinators and Sexual Assault Victim Advocates*"

Outcome: Provides interim guidance to implement DTM 14-001and provides the procedures for meeting Defense-Sexual Assault Advocate Credentialing Program requirements by all SAPR personnel.

Positive Trends (qualitative and quantitative)

- Leaders on every level are fully invested in their role to lead the charge in our effort to combat sexual assault. They realize that resolving this issue is not only a strategic imperative, but an operational necessity, as it impacts our combat capability. As Brig. Gen. Michael R. Taheri, commander of the Air National Guard Readiness Center stated in a recent SAPR Stand-down, "We, the military, have always been a leader on the forefront of national issues. We are not going to stamp out sexual harassment and sexual assault in America. However, we must do our part to stamp out sexual harassment and sexual assault in our house. How do we do that? We make it a very uncomfortable place for offenders to hang their hats. Offenders will not find comfort in an environment that does not tolerate sexist remarks; they won't find comfort in an environment that does not condone victim blaming; they will be uncomfortable in an environment that does not ignore unprofessional behaviors. The end-state depends on you...!"

- **2013 Wisconsin Act 201 Amends CMJ to enhance Article 120**

State of WI modification to CMJ, updates sexual assault provisions. WI Governor Scott Walker signed Assembly Bill 641 on 8 April 2014. The 2013 WI Act 201 amends the limiting offenses of "rape or carnal knowledge" by replacing them with "rape and sexual assault generally; 120a, stalking; 120b, rape and sexual assault of a child; 120c, sexual misconduct". WI is the first state in the nation to amend its state code specifically to provide enhanced Article 120, Sexual Assault Punitive Article. This article

aligns closely with the federal Uniform Code of Military Justice. This updated code will hold perpetrators accountable and protect victims in our ranks.

- **California Military Sexual Assault Legislation Senate Bill 1422**

The CMD SARB worked with state legislative liaisons and participated in hearings to help educate the state legislature on MST. The team collaborated on California Military Sexual Assault legislation Senate Bill 1422, signed by Governor Edmund G. "Jerry" Brown Jr. on 21 August 2014. This bill:

- Removes investigations and prosecutions of military sexual assault cases from the Chain of Command and requires cases of sexual assault of a service member of the CMD be subject to the jurisdiction of local civilian authorities. The CMD includes the NG, State Military Reserve, the California Cadet Corps, and the Naval Militia.

- Prohibits a convening authority from overturning a conviction for a qualifying sexual assault offense issued by a general court-martial.

- Requires the convening authority to dispose of cases on appeal in accordance with the decision of the Courts-Martial Appellate Panel. Under the bill, no statute of limitations would apply for a member of the active militia to be charged with a qualifying sexual assault offense when subject to the jurisdiction of the military court.

- Requires the punishment for a conviction of any of the specified offenses to be issued as directed by the general court-martial, and to include, at a minimum, dismissal or dishonorable discharge.

- Requires the CMD to report on or before 1July of each year to the Governor, the Legislature the Senate Committee on Veterans Affairs, the Assembly Committee on Veterans Affairs, the Attorney General, and the United States Attorneys in California regarding the federal government's activities relating to sexual assault prevention and response.

With the passage of this bill, which becomes effective on 1 January 2015, and the collaborative efforts, there is enhanced transparency and increased confidence in the reporting process.

- **Iowa Governor Signs Bill SF2321 (Effective 1 July 2014)**

The Iowa state Legislature passed a bill that prohibits IANG commanders from interfering with sexual assault victims' right to report incidents involving members of the Guard to civilian law enforcement officials. After passing the Senate on a 47-0 vote and the House on a 94-0 vote, the bill was signed by Iowa Governor Terry E. Branstad on 3 April 2014. This bill:

- Makes it a state court-martial offense if a member of the state military interferes with or retaliates against a member who makes or intends to make a report of

certain serious crimes (murder, robbery, sex abuse, etc.) that are under the exclusive jurisdiction of civilian courts to civilian law enforcement. This offense takes place if the accused and victim were subject to the IACMJ at the time of the offense.

- Makes it a court-martial offense if a member of the state military fails to cooperate with or obstructs a civilian law enforcement investigation based upon a report of an offense mentioned above.

- Requires a commander who is made aware of an allegation that a crime the civilian courts have exclusive jurisdiction over has been committed by a member of the state military forces against another member to report it without delay to civilian law enforcement. In a case of an allegation of sexual abuse-the commander's obligation to make this report to civilian law enforcement does not apply in the case of a restricted report as defined by federal military regulations.

- Details that if the allegation is of sexual abuse, the commander is required to provide the person making the allegation with written notice of the person's right to notify local civilian law enforcement independently (but the commander is still required to notify civilian law enforcement if the report was unrestricted).

- States military members retain the right to notify civilian law enforcement of crimes that civilian courts have primary or exclusive jurisdiction over.

- Requires TAG to submit an annual report to the Governor and the Veterans' committees in each chamber of the number of offenses that are under the primary or exclusive jurisdiction of civilian courts that were reported to civilian authorities.

- **Maine Revised Statutes - Title 37B**: Defense, Veterans and Emergency Management – Chapter 5: Maine Code of Military Justice – added subsection on Sexual Assault.

In 2012, the MENG identified the need for sexual assault offenses to be specifically included in Title 37-B Chapter 5, the MECMJ. Language similar to Articles 120, 125 and 134 of the UCMJ were drafted for submission and enacted by the legislature in 2013. Unrestricted Reports of sexual assault are referred to the civil authorities for investigation and adjudication; however, the MENG maintains capabilities in addition to or in lieu of a District Attorney's actions.

- **Maine Chapter 66, Legislative Document 1504**, 126th Maine State Legislature, Resolve, Directing TAG of the State to Ensure the MECMJ Addresses Sexual Trauma in the Military.

As requested in Legislative Document 1504, TAG's Office conducted an assessment of the MECMJ and the provisions of the FY13 NDAA in order to determine if there are gaps in adequate prosecution and proper treatment of sexual assault victims.

The MENG is currently complying with many of the 14 discussion points as outlined in the FY13 NDAA and subsequent policies or regulations at the national level. Key program elements are detailed in TAG Policy 13-2, "*Maine National Guard Sexual Assault Program Policy.*"

- **Review of Kentucky Code of Military Justice**

During a review of the KYCMJ, it was identified that all statutes pertaining to sexual assault within Title V – Military Affairs, Chapter 35, Military Justice were repealed in 1970. The JFHQ-State SAPR Office worked with the State JAG office to add new statutes covering this during an update of the KYCMJ. Two sections, 681 and 690, "*Rape and sexual assault generally*" and "*Other sexual misconduct*" respectively, were introduced into the legislative process and approved with zero dissenting votes and became effective on 25 June 2013. Section 681 clearly defines the act of each type of sexual assault, removing any possible ambiguity. It also defines "consent" and the conditions under which it can or cannot be given.

ADVOCACY/VICTIM ASSISTANCE
Line of Effort
Exceptional SARCS of the Year



2009 - SGM Donald Werts
JFHQ-SARC, Pennsylvania



2010 - 1st Lt Lori Alix,
JFHQ-SARC, Massachusetts



2011 - CMSgt Kelly Wilkinson
JFHQ-SARC, Minnesota



2012 - MAJ Alisa M. Englert
JFHQ-SARC, Colorado



2013 - CPT Jennifer Hunt
JFHQ-SARC, Florida



2014 - Maj Katherine Maines
JFHQ SARC, Connecticut

Populations Affected

Survivors/victims, SARCs, JFHQ-State VACs, SAPR VAs, NGB-JA, SVCs, TAGs, State SJAs, Commanders, medical personnel, and other first responders

Training Enhancements

- During the December 2013 GSLC, NGB Chief Counsel briefed senior leaders on the Special Victims Counsel Program available in the AC. This program provides legal representation and advice to Service members facing legal issues arising out of reported sexual assault. As this program is unavailable for NG on T32 duty status, Chief Counsel presented information on the NGB SVC Program that was under development. His briefing included a discussion on the requirement to establish this capability in the NG as mandated by the National Defense Authorization Act for FY 13 and the 14 August 2013, SecDef Memorandum, "*Sexual Assault Prevention and Response.*" The ideal construct, SVC requirements and qualifications, and scope of responsibilities were also reviewed. Further, senior leaders were briefed that the Joint NGB SVC representation will be available to all NG victims of sexual assault. At the time of this presentation, Minnesota (MN) and WI were in the process of developing their state's SVC program.

- In order to obtain D-SAACP certification, all NG SAPR personnel within the States are required to complete the 40-hour NG T32-specific Initial SARC and SAPR VA training. As mentioned in LOE 1, this course was designed to provide SARCs, JFHQ-State VACs and SAPR VAs with information needed to provide the appropriate support and resources to NG sexual assault victims. Unlike the AC, which has many resources available on the installation, the NG must rely almost solely upon the resources available within the local community, county and state.

- Idaho (ID) Coalition Against Sexual and Domestic Violence and the ID Victim Assistance Academy.

    - Members of the ID SAPR Office frequently partner with the Coalition to provide training, outreach and project collaboration. The Coalition coordinates and organizes services and resources throughout the state in order to provide comprehensive care to victims.

    - Members of the ID SAPR team are trained members of the Academy. The Academy is a unique academic opportunity involving multi-disciplinary professionals learning and leading together to better serve the needs of ID crime victims and is held every two years.

- KY conducted a 90 minute workshop titled "Sexual Trauma Impacting Military Families: Programs, Services, Challenges and Considerations" for the Inaugural "Collaborations Impacting Traumatized Youth" conference.

Process/Procedural Upgrades and Efficiencies

- By virtue of its unique structure consisting of both Army and Air NG entities, the NG SAPR program within each state operates on a cross-service joint response capability. In order to maximize the ability to respond to the needs of a sexual assault victim and survivor, the victim advocate assigned to respond may be based on location rather than service affiliation.

- Safe Helpline Certification Process, 18 October 2012

Through an MOU between the NGB and DoD SAPRO, a process was established to:

  - Provide NGB SARC and responder information for the Safe Helpline database.

  - Conduct warm hand-off referrals by Safe helpline staff for callers to NGB SARCS and by NGB SARCs when referring callers to the Safe Helpline.

  - Track the number of referrals received by NGB SARCs from the Safe Helpline and made by NGB SARCs to the Safe Helpline.

  - Respond in a timely manner to complaints from callers using the Safe Helpline and NG-J1-SAPR services.

  - Provide NG-J1-SAPR and headquarters level personnel to access the Safe Helpline reporting portal.

  - Provide NG-J1-SAPR headquarters level personnel Safe Helpline communications updates and materials for Safe Helpline outreach efforts and materials distribution to NG SARCS.

- CNGB Info Memorandum, 13 November 2013, *"Improving Response and Victim Treatment"*

  Basis: OSD Memorandum, 06 May 2013, "*Sexual Assault Prevention and Response,*" directing the Secretaries of the Military Services to implement and monitor methods to improve victim treatment by their peers, co-workers, and chains of command.

  Outcome: Informed the SecDef of the NG's compliance with the initiative by directing the ARNG and ANG to follow Service directives.

- In Staffing – CNGB Notice, *"National Guard Implementation of Sexual Assault Incident Response Oversight (SAIRO) Report"*

  Basis: Directive-type Memorandum 14-007, 30 September 2014, "*Sexual Assault Incident Response Oversight (SAIRO) Report"*

  Outcome: To provide general level commanders with visibility and transparency of the local response to the sexual assault within eight calendar days from the report of the Unrestricted Report of sexual assault to assure appropriate victim care is provided.

- **Wisconsin National Guard Special Victims' Counsel Program, October 2013**

Wisconsin's Adjutant General, Major General Donald P. Dunbar, was determined to make the message clear, "There is no place for sexual assault in the Wisconsin NG." The WI TAG was also adamant about extending the services and support provided to WING members serving on T32 or state active duty who are sexually assaulted by another service member. Based on a program that was piloted by the AF, WI became the first state in the nation to implement the SVC program for Guard members. The program provides a JA licensed to practice law in WI to help the victims, who file an Unrestricted Report, navigate the investigatory and military justice processes. Both the WI Army and Air NG assigned a senior JA to serve as a SVC. The SVC advocates for the victim's best interests, and as such, may help empower the victim to continue cooperating with the investigation and prosecution of the alleged assailant.

- **Minnesota National Guard Special Victims' Counsel Program, December 2013**

The MNNG became the second state NG to provide special legal counsel for victims of sexual assault. The MNNG hired a JA to serve as an SVC. The individual possessed experience in both military and civilian trial practice to help guide victims through the often time long and difficult process to bring an offender to justice.

- Technician Memorandum, 10 March 2014, "*Leave for Sexual Assault Victims*"

  Basis: 5 United States Code, Chapter 63, "*Leave*", and Office of Personnel Management, "*Guidance for Agency-Specific Domestic Violence, Sexual Assault, and Stalking Polices*", February 2013

  Outcome: TAG has the discretion to grant Dual and Non-Dual status Technicians administrative leave from their duties without loss of pay or charge to leave for brief periods, when in the best interest of the State. This leave may be granted for the following situations:

  - Filing a police report about a sexual assault.

- Seeking medical treatment, including mental health counseling resulting from the sexual assault.

- Participating in civil or criminal court proceedings related to the sexual assault.

- Participation with an advocacy program, such as a rape crisis center resulting from a sexual assault.

- Other actions needed to protect the victim's safety and well being.

- Establishment of NG Special Victims' Counsel Program, May 2014

  Basis: NDAA FY12 and FY13 mandated a provision of legal assistance to victims of sexual assault. 14 Aug 13 SecDef memorandum required Services to establish a SVC program. FY14 NDAA specifically mandated the establishment of a SVC program by the Service Secretaries.

  Outcome: Although the establishment of a SVC program was a mandate for the Military Services, the CNGB directed, like services, to be available to Guard members who were victims of sexual assault. NG SVCs are now available to eligible victims of sexual assault to provide confidential legal representation related to issues that may arise as a result of being sexually assaulted. A "*Notification of National Guard Special Victims' Counsel Services*" was developed to inform the victim of the following services the SVC may provide:

  - Legal representation and advocacy on issues related to the military criminal or administrative disposition of the sexual assault, such as attending interviews with military investigators and military trial and defense counsels, participating in courts martial and assisting with drafting victim impact statements.

  - Referral to Trial Defense Service or Area Defense Counsel for collateral misconduct, if necessary.

  - Advice to client on personal civil legal affairs that have a direct nexus to the sexual assault.

  - Advice to client on filing an expedited transfer requests, requesting military and/or civilian protection orders and obtaining records related to the sexual assault investigation or case disposition.

  - Traditional legal assistance services.

  - Individuals eligible for NG SVC assistance include: NG members on T10 or T32 duty status, on SAD with a NG Nexus, not in a duty status but with a NG Nexus, Dual-Status Technician with a NG Nexus, and dependents of NG members if either the Service or the NG has jurisdiction over the alleged perpetrator.

- NG Special Victims' Counsel Program Overview

The SVC Program was developed to strengthen the legal support provided to NG victims of sexual assault. Per FY14 NDAA, eligibility to receive SVC services was limited to NG members sexually assaulted while in a federalized status. Consequently, most NG members and eligible dependents did not meet the requirements to receive SVC services from active Service SVC Programs.

CNGB recognized this inequity and in November 2013, implemented the NG SVC Program. The SVC program consists of a cadre of specially-trained JAs, who will zealously represent a client's interests on issues arising out of the sexual assault.

The SVC division within NGB-JA (NGB-JA/SVC) was quickly tasked with the responsibility to stand up the NG SVC Program. In light of the complexity of establishing a national SVC program to support NG sexual assault victims in the States, they developed a phased approach. This approach allowed the program to immediately respond to existing SVC requests, and to design a sustainable plan to gradually grow the NG SVC Program.

The NG SVC Program reached its operational status on15 May 2014. Since then, NGB-JA/SVC has received positive feedback from many senior leaders, military prosecutors and investigators, and clients. The Regional SVCs were commended on their excellent legal acumen, quality of legal representation, and professional, yet unyielding, legal advocacy. Since becoming fully operational, the NG SVC Program has experienced a 47 percent monthly case increase, equating to 20 new cases per month. This rate of increase is indicative of the strong confidence in the legal services provided by Regional NG SVCs and their positive reputation.



Special Victims Counsels

As discussed below, the NG SVC Program is keenly aware of the financial and human resource programmatic challenges that lie ahead, and is implementing measures to ensure sustainable expansion of the program. A continuous evaluation of the health and use of the NG SVC Program will ensure:

(1) Regional NG SVCs have ready access to TDY and training funding, and professional development opportunities.

(2) All NG Service members and eligible dependents have easy access to unfettered SVC legal representation.

(3) Policy and legal practice environments are conducive to victim representation.

- Building Program Infrastructure

In order to build the appropriate program infrastructure, NGB-JA/SVC conducted a series of assessments. To project the manpower needs for the phased approach, they evaluated the number and characteristics of NG sexual assault reports from FY09 to FY13, against Army and Air NG force strength. Based on information gleaned from the assessments, it was determined that a regional breakdown of the States, comparable to the Federal Emergency Management Agency and defense counsel regions, would support the most effective use of human and financial resources. These regions include Northwest, West, Midwest, South-Central, Upper Midwest, Southeast, East and Northeast.



NGB-JA/SVC studied the characteristics of the NG sexual assault cases, focusing on the duration and intensity of legal support required, lessons learned and best practices reported by Service SVC programs, and feedback from the NG JA community. Based on this information, a centralized SVC program, similar to the AF SVC program structure, was developed to serve the States. In this structure, the full-time NG Regional SVC is situated within a state of the assigned region under the direction of the NGB-JA/SVC. This program infrastructure properly addressed potential challenges in resource support, SVC service accessibility, utilization, and programmatic accountability, as well as preserving the independence of the SVC legal representation.

- Policy Development

During Phase I and II of program development, spanning from December 2013 to June 2014, one of NGB-JA/SVC's priorities was to develop SVC policy and practice documents that addressed the unique challenges facing NG members and NG SVC. They closely coordinated its training, policy and programmatic development with the Service SVC Programs and The Judge Adjutant Generals (TJAGs) throughout the phases of program development. Through this coordination, the Services modified policy to ensure NG Service members and eligible dependents who are victims of sexual assault could receive SVC services provided by NG SVCs.

The CNGB Instruction and CNGB Manual for the NG SVC Program, providing fundamental policy statements and SVC rules of practices, respectively, are currently undergoing internal review. Until their approval, NGB-JA/SVC continues to provide policy guidance to practicing NG SVCs with SOPs on areas such as client consultation,

legal trainings, and template documents on issues concerning privacy protection, record requests, and requests for expedited transfer. They also host weekly conference calls with Regional NG SVCs as a forum for peer-to-peer learning, professional development, and accountability check.

- Manpower Development

NGB-JA/SVC coordinated and met its training requirements by partnering with the Army and AF SVC certification courses. To address the NG policies and unique challenges facing the T32 Guard member, they provided an NG curriculum and instructors for the NG JAs participating in the certification course. Following successful completion of this course, NGB-JA/SVC coordinates with the Army or AF SVC PM to ensure the Service TJAG properly certifies the NG JAs as SVCs.

To date, 94 trained NG SVC are present in 43 of the States. Of the 94 trained SVC, 11 were selected to serve as NG Regional SVCs on full-time, NG duty (T10, and ADOS-RC orders). The full-time Regional NG SVCs provide sustained legal support to allow sexual assault clients to focus on recovery. NGB-JA/SVC was able to recruit NG Regional SVCs by leveraging expertise and diverse legal experiences within the NG SVC community. NG Regional SVCs are seasoned attorneys who have served as civil litigators, state prosecutors, or civilian defense attorneys, in addition to being NG JAs. Additionally, NG Regional SVCs have extensive experience in advising individual clients or executive-level leadership in military or civilian settings.

Since the inception of the NG SVC program, NG Regional SVCs have experienced a high volume of cases laden with complicated legal issues. The amount of work to resolve these cases would require an attorney to invest work hours extending well beyond a normal drill schedule and annual training days.



Special Victims Counsels

Within two months after the program reached its operational status, NG Regional SVCs were collectively representing 43 cases addressing a myriad of cross-cutting legal issues, such as military criminal investigation and prosecution (court martial), administrative investigation and case disposition, line of duty determination for NG victims of sexual assault, expedited transfer requests, and protection of privacy. NG SVC program staff was also monitoring seven NG cases supported by Army and AF SVCs.

- Current Program Evaluation and SVC Professional Development

NGB-JA/SVC continually assesses the health and utilization of the NG SVC program. Regional NG SVCs submit a monthly manpower tracking report that provides a quantitative means for NGB-JA/SVC to evaluate legal challenges facing our clients, identify subject matters that require advance legal training, and pinpoint shared-concerns that require systematic resolution. Since May 2014, the majority of the work hours spent on providing direct client services by Regional SVCs were focused on initial client intakes, protection of privacy, and ensuring access to LOD determination.

Driven by the manpower tracking results and feedback from the Regional NG SVCs, NGB-JA/SVC hosted the inaugural annual legal training for the Regional NG SVCs in August 2014. The three-day, advanced legal training focused on victimology and serving as a victim's attorney, LODs, incapacitation pay, and the medical separation process to include the disability evaluation system, and protection of medical and mental health records.

Additionally, during the initial months of assuming their duties, Regional NG SVCs participated in the 40-hour NG T32-specific initial SARCs and SAPR VA training to become fluent with DoD and NGB SAPR policies, programs, and resources. Furthermore, they will be attending legal assistance training at the Army JA General's Legal Center and School. Regional NG SVCs are also provided with opportunities and funding to attend legal trainings conducted by State NG JAs, SARCs and SAPR/VAs, and regional trial defense counsels.



Special Victims Counsels

To ensure victims of sexual assault are aware of the SVC program and what it has to offer, NGB-JA/SVC established outreach efforts. These efforts include SAPR policy and SVC program briefings at commander's calls, annual training for SARCs and SAPR VAs, state JAs, regional defense counsels, and NGB-JA/OCI. They also coordinate with the Regional NG SVCs and state JA community to further advertise the availability and services offered by Regional NG SVCs.

Overall, the NG SVC Program has experienced a gradual increase in SVC utilization. Specifically, Regional NG SVCs are collectively reporting approximately 20 new cases per month, making a sum total of 43 cases for June and July 2014. Also for the months of June and July 2014, they spent:

- 117 hours meeting with clients for initial case intake and other follow-up issues
- 92.5 hours in assisting clients with correction of personnel records and privacy protections

- 75 hours in obtaining and reviewing client investigative, personnel, medical and mental health records

- 61 hours in issues concerning LOD.

Regional NG SVCs reported over 1200 hours in conducting legal research, drafting, and consultation in preparation for their legal representation and advocacy.

The NG SVC Program has witnessed an increase in the intensity of legal support required. Examples include:

(1) A case involving the sexual assault of a Guard member taking place over a long period of time with the victim in a T10, T32, and civilian status.

(2) A victim facing adverse administrative actions.



Special Victims Counsels

These types of cases require a greater degree of legal advocacy, research, and drafting to advocate for the client's interests and realize the client's rights and objectives.

- CNGBI 1303.01A, 06 August 2014, "*Expedited Transfer, Reassignment, or Removal of National Guard members Due to an Unrestricted Report of Sexual Assault*"

  Basis: Section 1713 of FY14 NDAA made it possible for maintaining good order and discipline.

  Outcome: Commanders can make a timely determination and take action to either expedite the transfer of a victim of sexual assault or to temporarily and administratively reassign or remove a T32 Guard member from a position of authority, who is accused of committing a sexual assault or related offense. The purpose of these actions is to ensure the safety of the victim and for the purpose of maintaining good order and discipline.

- State Specific
  - Idaho SAPR VA Tracker. Created by the JFHQ-State VAC, this Excel spreadsheet tracks all aspects of a SAPR VAs selection, screening, training, certification and continuing education. The tool has increased efficiency and accountability for the program.

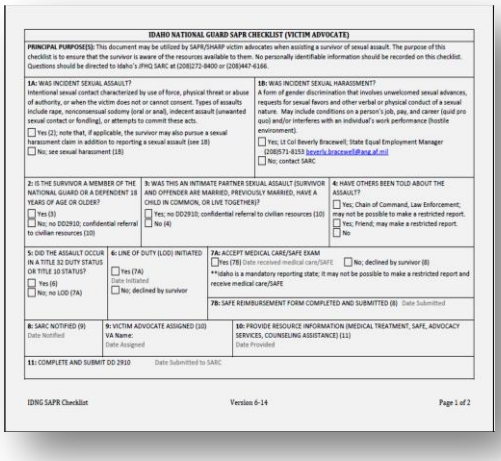
Improvements to Victim/Survivor Services and Resources Available

- One of the most significant improvements to the NG SAPR program to aid in the support provided to the sexual assault victim and survivor is the addition of the JFHQ-State VAC as mentioned in LOE 1. Since FY 12, the number of SAPR staff at the JFHQ-State has grown from 82, including SARCs and alternate SARCS, to 108 in FY14 including SARCs and JFHQ-State VACs. ANG SARCs have grown to 137.

- Colorado SARC created the Colorado NG Joint Services Sexual Assault Response Team (SART). This is a partnership between three DoD programs and include Buckley Air Force Base, the 140th Fighter Wing, Colorado Air NG and JFHQ-CO ARNG. Through this team, military members receive care and services of seven SARCs, Alternate SARCs, and JFHQ-State VAC and 75 (AC, NG and Res) D-SAACP certified civilian and military victim advocates.

- CMD SARB initiative: CMD SAPR VAs are provided support kits containing references, resources, checklists and forms necessary for a rapid response.

- State specific SA Response Checklist. Idaho developed a state specific checklist for the SARCs and SAPR VAs to use when working with a survivor of sexual assault.



IDAHO NATIONAL GUARD SAPR CHECKLIST (VICTIM ADVOCATE)

PRINCIPAL PURPOSE(S): This document may be utilized by SAPR/SHARP victim advocates when assisting a survivor of sexual assault. The purpose of this checklist is to ensure that the survivor is aware of the resources available to them. No personally identifiable information should be recorded on this checklist. Questions should be directed to Idaho's JFHQ SARC at (208)272-8400 or (208)447-6166.

1A: WAS INCIDENT SEXUAL ASSAULT?
Intentional sexual contact characterized by use of force, physical threat or abuse of authority, or when the victim does not or cannot consent. Types of assaults include rape, nonconsensual sodomy (oral or anal), indecent assault (unwanted sexual contact or fondling), or attempts to commit these acts.
☐ Yes (2); note that, if applicable, the survivor may also pursue a sexual harassment claim in addition to reporting a sexual assault (see 1B)
☐ No; see sexual harassment (1B)

1B: WAS INCIDENT SEXUAL HARASSMENT?
A form of gender discrimination that involves unwelcomed sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. May include conditions on a person's job, pay, and career (quid pro quo) and/or interferes with an individual's work performance (hostile environment).
☐ Yes; Lt Col Beverly Bracewell, State Equal Employment Manager (208)571-8153 beverly.bracewell@ang.af.mil
☐ No; contact SARC

2: IS THE SURVIVOR A MEMBER OF THE NATIONAL GUARD OR A DEPENDENT 18 YEARS OF AGE OR OLDER?
☐ Yes (3)
☐ No; no DD2910; confidential referral to civilian resources (10)

3: WAS THIS AN INTIMATE PARTNER SEXUAL ASSAULT (SURVIVOR AND OFFENDER ARE MARRIED, PREVIOUSLY MARRIED, HAVE A CHILD IN COMMON, OR LIVE TOGETHER)?
☐ Yes; no DD2910; confidential referral to civilian resources (10)
☐ No (4)

4: HAVE OTHERS BEEN TOLD ABOUT THE ASSAULT?
☐ Yes; Chain of Command, Law Enforcement; may not be possible to make a restricted report.
☐ Yes; Friend; may make a restricted report.
☐ No

5: DID THE ASSAULT OCCUR IN A TITLE 32 DUTY STATUS OR TITLE 10 STATUS?
☐ Yes (6)
☐ No; no LOD (7A)

6: LINE OF DUTY (LOD) INITIATED
☐ Yes (7A)
Date Initiated
☐ No; declined by survivor

7A: ACCEPT MEDICAL CARE/SAFE EXAM
☐ Yes (7B) Date received medical care/SAFE ☐ No; declined by survivor (8)
**Idaho is a mandatory reporting state; it may not be possible to make a restricted report and receive medical care/SAFE

7B: SAFE REIMBURSEMENT FORM COMPLETED AND SUBMITTED (8) Date Submitted

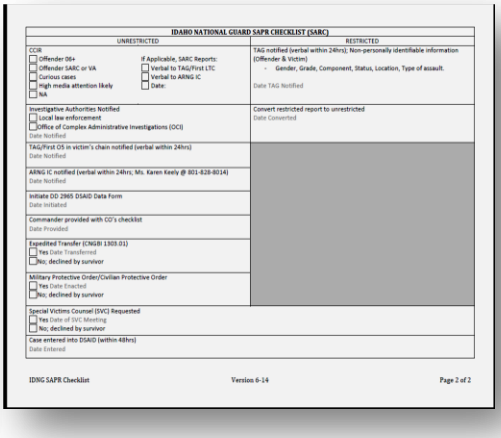
8: SARC NOTIFIED (9)
Date Notified

9: VICTIM ADVOCATE ASSIGNED (10)
VA Name:
Date Assigned

10: PROVIDE RESOURCE INFORMATION (MEDICAL TREATMENT, SAFE, ADVOCACY SERVICES, COUNSELING ASSISTANCE) (11)
Date Provided

11: COMPLETE AND SUBMIT DD 2910 Date Submitted to SARC

IDNG SAPR Checklist Version 6-14 Page 1 of 2



IDAHO NATIONAL GUARD SAPR CHECKLIST (SARC)

UNRESTRICTED	RESTRICTED
COR ☐ Offender 06+ ☐ Offender SARC or VA ☐ Curious cases ☐ High media attention likely ☐ NA If Applicable, SARC Reports: ☐ Verbal to TAG/First LTC ☐ Verbal to ARNG IC ☐ Date:	TAG notified (verbal within 24hrs); Non-personally identifiable information (Offender & Victim) - Gender, Grade, Component, Status, Location, Type of assault. Date TAG Notified
Investigative Authorities Notified ☐ Local law enforcement ☐ Office of Complex Administrative Investigations (OCI) Date Notified	Convert restricted report to unrestricted Date Converted
TAG/First O5 in victim's chain notified (verbal within 24hrs) Date Notified	
ARNG IC notified (verbal within 24hrs; Ms. Karen Keely @ 801-828-8014) Date Notified	
Initiate DD 2965 DSAID Data Form Date Initiated	
Commander provided with CO's checklist Date Provided	
Expedited Transfer (CNGBI 1303.01) ☐ Yes Date Transferred ☐ No; declined by survivor	
Military Protective Order/Civilian Protective Order ☐ Yes Date Enacted ☐ No; declined by survivor	
Special Victims Counsel (SVC) Requested ☐ Yes Date of SVC Meeting ☐ No; declined by survivor	
Case entered into DSAID (within 48hrs) Date Entered	

IDNG SAPR Checklist Version 6-14 Page 2 of 2

The checklist ensures survivors are provided the best care possible.

- SAPR VA Home of Record Map. A situation unique to the NG is having a Soldier or Airmen that drills away from his home of record, sometimes driving many hours on drill weekends. At least three states are addressing this situation to ensure sexual assault victims and survivors receive timely support.

- The CMD SARB mapped the geographical locations of over 115 credentialed VA's and developed an area coverage methodology to ensure border-to-border, cross component advocacy.

- The ID SAPR Office is developing a map of the state that documents the home of record of each of the SAPR VAs in order to ensure that there is good coverage throughout the state. This will help in assigning a victim advocate to a survivor, ensuring that they live in close proximity to each other.

- Nebraska NG posted a map of the state on their GKO website that identifies the locations of their victim advocates. It also includes the following disclaimer: "Although each SAPR VA is represented in a certain geographical or unit specific location, any SAPR VA is able to assist and refer a victim of sexual assault or domestic violence anywhere in the state to the appropriate resources."

Indicators of Victim Satisfaction and Confidence in the System

NG victims' satisfaction with and confidence in our response systems measured qualitatively through events like focus groups and one-on-one sessions. Quantitatively, we rely on measures such as the number of victims that file an unrestricted versus restricted report and those that report assaults that did not occur while on active military service. An in-depth analysis of these measures is included in the analytical discussion.

Best Practices/Innovations Specific to the NG

- Community Collaborations. The NG's greatest strength lies in our personnel. This strength is then enhanced through through the collaborative efforts of the numerous military, governmental and civilian agencies and organizations whose goal is to help support sexual assault victims. The state of Illinois is a prime example of the collaborative partnerships established between the NG and various organizations and agencies geared toward assisting the sexual assault victim in the recovery process. These include, but are not limited to, the following:

  - Michael Reese Health Trust
  - Health & Disability Advocates
  - Illinois Coalition Against Sexual Assault and its subsidiaries
  - Transitional Living Services Veterans
  - Lindenwood University (Belleville), Education and Counseling Division
  - The Chicago School of Professional Psychology
  - Illinois Family Violence Coordinating Council

- St Louis Veterans Affairs Medical Center (VAMC) (Suicide Prevention Coordinator, Operation Iraqi Freedom(OIF) and Operation Enduring Freedom (OEF) Coordinator, MST Coordinator)
- Hines VAMC (Suicide Prevention Coordinator, OIF/OEF Coordinator)
- Marion VAMC (Suicide Prevention Coordinator, OIF/OEF Coordinator, MST Coordinator)
- Captain James A. Lowell (Suicide Prevention Coordinator, MST Coordinator)
- E. St. Louis, Springfield, Chicago, and Peoria Vet centers
- United States Army, Air Force, Navy and Marine Corps
- NGB Psychological Health Program
- Illinois Connections for Families of the Fallen
- Braveheart Therapeutic Riding Center Lake and McHenry Veterans and Family Services
- McHenry County Mental Health Board
- National Able in Chicago
- Children Home + Aid in Granite City
- Chestnut Health Systems in Granite City

- Connecticut Victim Support Team.

In September 2013, the CTNG organized a Victim Support Team to provide military support in civilian courts to Guard members who are pursuing legal action against their assailants. The team consists of a JA, a Special Victims Investigator, JFHQ-State-SARC, SEEM, the JFHQ-State VAC, and the SAPR VA assigned to the case. The Team's intent is to demonstrate to their Guard members that they are committed to their well-being even when they are off duty. The team only provides moral support; they do not provide legal counsel. Since inception, this team has supported four of our Guard members.

- Collaborations with regional SART. A majority of the States have established a relationship with their SART. Listed below are several specific examples.

- KYNG teamed up with the KY SART development committee to develop an SOP for establishing SARTs and Sexual Assault Interagency Committees across the state to ensure a multidisciplinary standard response in each community when responding to a sexual assault. This document was completed in mid-2014 and is now available for use across the state. The goal is to improve services in underserved communities and improve services and response for those Service members who elect to pursue services outside the military in cases of sexual assault.

- SCNG has teamed up with the SART in the Columbia SC area, which is comprised of local agencies that serve survivors of sexual assault. It is composed of agencies such as Richland County Sheriff's Department, Columbia Police Department, Ft Jackson SHARP, Palmetto Richland Sexual Assault Nurse Examiners and Campus Police, among others.

- Illinois ARNG and ANG established MOUs to provide insight into the care and advocacy received by an Illinois Guard member. Through this increased communication, the intent is to better assess and support a sexual assault victim's needs. The basis of the MOU includes:

  - Illinois National Guard will:

    - Provide victims of sexual assault with basic referral information.

    - Notify the organization to arrange for free transportation of the sexual assault victim who agrees to receive support or services from that organization.

    - Provide a listing of resources available from the organization, to include telephone numbers and a general description of the services offered.



(Left) Cathy Byers, Growing Strong Sexual Assault Center, Decatur, Illinois, Illinois TAG, Maj. Gen. Daniel M. Krumrei and Catherine Walters from Prairie Center Against Sexual Assault, Springfield, Illinois, sign MOUs.

    - Provide information to the organization, as needed, on the resources available to victims of sexual assault provided by the ILNG, as well as other programs and agencies within the community.

  - Supporting Organizations (Growing Strong Sexual Assault Center, Safe Passage, Mutual Ground, Incorporated, and The Center for Prevention of Abuse) (The Vet Center Readjustment Counseling Services MOU and Prairie Center Against Sexual Assault are pending final review and signatures) will:

    - Participate in military competence training provided by the ILNG SARCs.

- Contact the JFHQ-State SARC immediately upon receiving an ILNG member referral and when a staff member identifies a victim of sexual assault as a member of the ILNG.

- Provide the same services to a NG member who is sexually assault as they would to all other clients, in accordance with the wishes and needs of the victim.

- Work with the JFHQ-State SARC, when needed, to train ILNG first responders on resources available and processes pertinent to the effective care and support of victims.

- Maine SAPR staff opened the doors for additional cooperation with Sexual Assault Nurse Examiners, CLE, District and US Attorney's Offices, Victim Witness Specialist and other Victim Advocates. They also collaborate with ME VAMC's MST program and Vet Center Staff.

- Inaugural Retreat for Survivors of MST in Georgia.

The Georgia NG in collaboration with Silver Lining Villages held a one-day retreat for 12 veterans of the Army, Army Reserve, ARNG, Navy, Air Force and Marine Corps. The women victims valued the Emotional Freedom Techniques or "tapping" sessions and the safe environment that was created. Recognizing that the stress of trauma from MST is a life-long battle, the retreat offered tools to reduce stress and a chance to interact with other survivors. The participants found the experience uplifting and life affirming. Receiving positive responses to a questionnaire, a second retreat is scheduled for two days based on recommendations from the participants. Demographics of those attending the first MST retreat:

Age:
Average = 44 years
Range = 23 – 52

Years of Service:
Average years = 10.7
Range = 3 – 26
With more than 10 years = 6

Served in War or Combat = 8

Branch of Service:
Army, Army Reserve, and Army NG = 9
Navy = 3
Air Force = 1*
Marine Corps = 1*
* Served in more than one branch of service



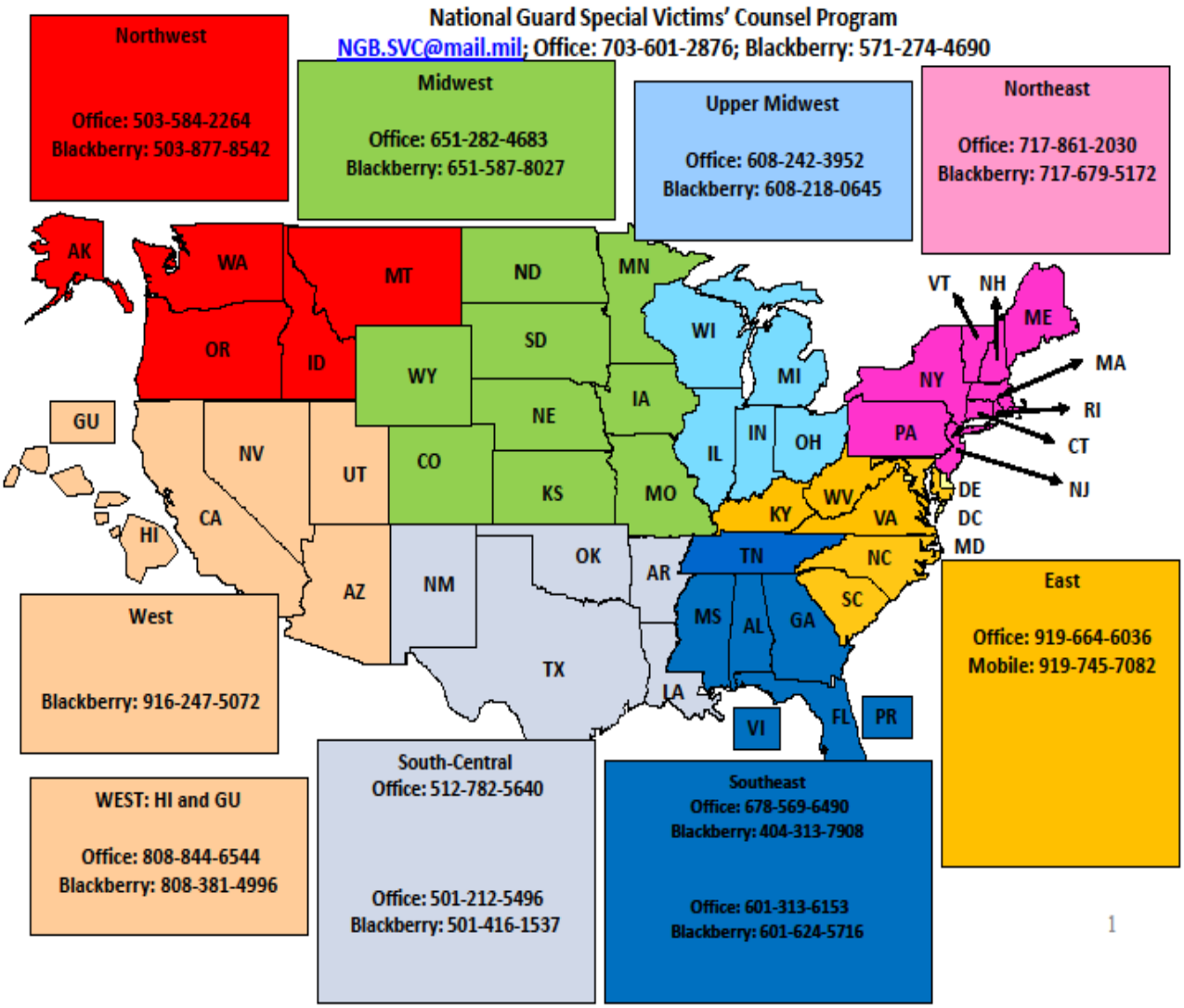
Participants at the inaugural MST Retreat

Positive Trends (qualitative and quantitative)

- The NG SVC Program has experienced a 47 percent monthly case increase since becoming fully operational, equating to 20 new cases per month. The number of SVCs assigned by region is based on the reports of sexual assault trend data.

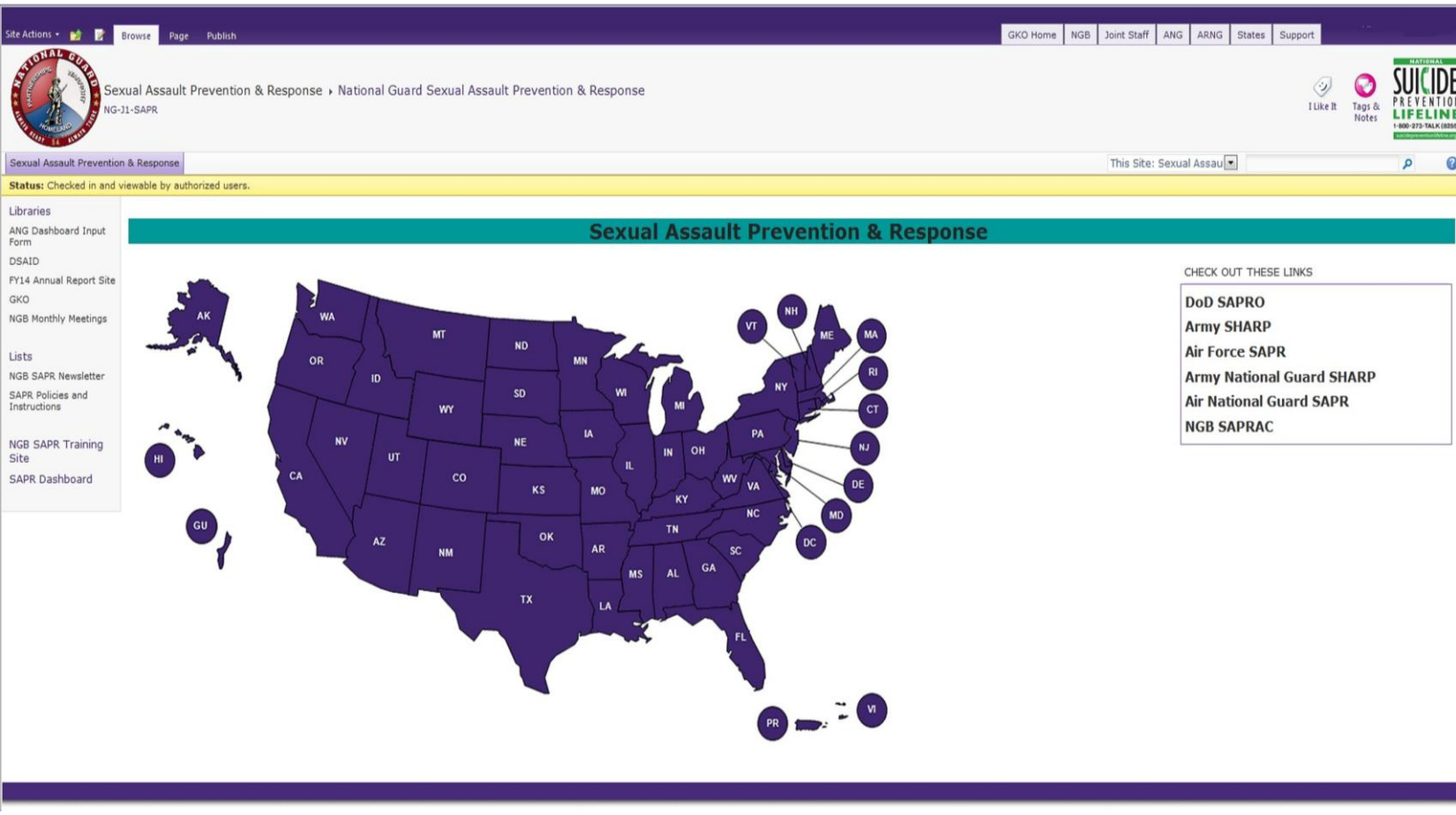
NATIONAL GUARD SPECIAL VICTIMS' COUNSEL PROGRAM

REGIONAL MAP



ASSESSMENT
Line Of Effort
Comprehensive Review

NATIONAL GUARD GKO SAPR DASHBOARD MAP





Populations Affected - All

Process/Procedural Upgrades and Efficiencies (other than DSAID)

- Investigation/Accountability Metrics

The NGB was tasked in the DoD 2013 SAPR Strategic Plan to, "Establish NGB measure for tracking referrals for investigation of Unrestricted Reports of sexual assault to either MCIOs, Civilian Law Enforcement, or NGB-JA/Office of Complex Investigations." To meet the intent of this assigned task, NG-J1-SAPR and NGB JA identified investigation and accountability measures. Once NGB leaders, Service components, and NG State leaders vetted these measures, the decision was made to leverage the GKO SAPR Dashboard to report and display the investigation and accountability metrics for the States. NG-J1-SAPR collaborated with the NGB Strategic Management Systems staff members to develop the system processes for these metrics. Additionally, process instructions are being established to ensure consistency in reporting. Once these processes are complete, the NG will begin collecting State investigation and accountability metrics. This will enable our ability to ensure all reports of sexual assault are being processed and followed through to their completion.

- GKO NG SAPR Dashboard

In FY13, the NG developed the series of metrics and measurements listed below to monitor and assess the NG SAPR program effectiveness. Collaborative work with the service directorates produced a dashboard of SAPR metrics with targeted thresholds and performance minimums. By analyzing the dashboard data NG is able to determine the states that are performing at optimal levels. NGB is able to share the information with the state leadership and support TAG efforts to have an effective program. Criteria are being developed to determine what remedial and corrective action will occur based on the degree of program dysfunction determined. Staff Assistance Visits (SAVs), additional training, or leadership engagement may be possible remedies. This information is collected and updated on a quarterly basis and is used to create the Quarterly Reports available to each TAG and instrumental in identifying trends within the program. The NG SAPR Dashboard Requirements include:

LOE- Prevention

- Annual SAPR/SHARP Training and Annual SAPR Training for Wings.
- Annual Leadership Training.
  - All training data for the ARNG is uploaded into The Digital Training Management System (DTMS), and ANG wings provide training data to ANG PM.

LOE – Investigation

- Number of Investigators on orders with OCI to conduct sexual assault investigations.*
- Investigators trained to conduct SA investigations.
  - Number of investigators who completed special sexual assault investigator training at Ft. Leonard Wood, MO.
- Number of OCI investigations conducted.*
- Number of cases vetted by OCI for investigation.*
- Timeline for investigations to be initiated.*
- Timeline for investigative report to be sent to the requesting state following collection of all evidence.*

Data points are tracked by NGB-JA/OCI and not included on the Dashboard

LOE – Accountability

- Unrestricted Cases Investigated.
  - Referral to Investigative Agency entered in DSAID by SARC.
- Unrestricted Cases Not Investigated.
  - No referral to Investigative Agency entered in DSAID by SARC.

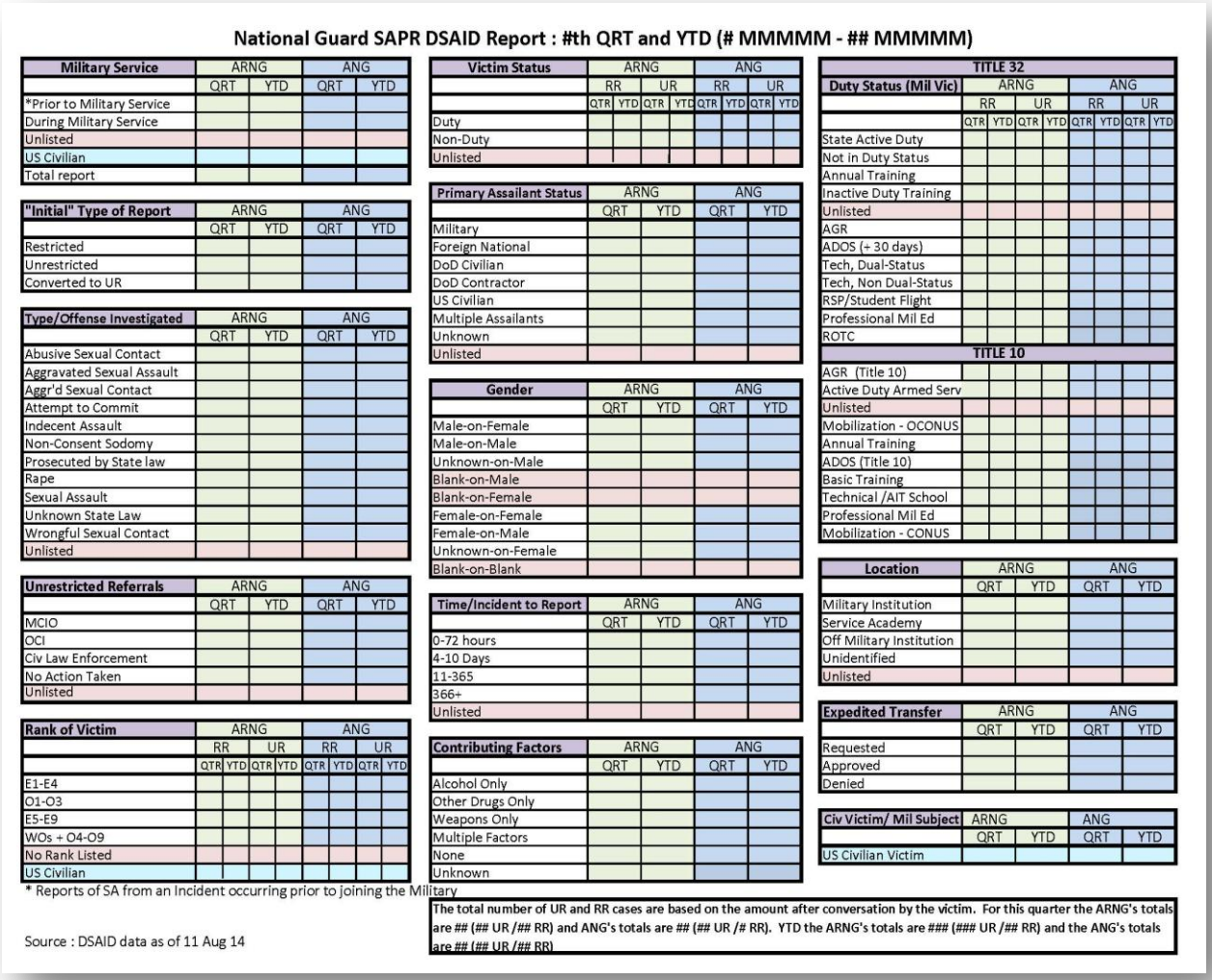
LOE – Advocacy

- All SARCs and SAPR VAs Certified.
  - All SARCs and SAPR VAs have applied for D-SAACP. PMs responsible for sorting NOVA listing by state.

LOE – Assessment

- Unrestricted Cases entered correctly in DSAID.
  - Cases entered within 48 hours of report in the appropriate tabs.
    - ✓ *Victim Demographics* include date of birth, gender, race, affiliation, duty status, pay grade, and whether the victim was in the military at time of assault.

- ✓ *Subject Data* include gender, subject type, and affiliation.
- ✓ *Incident Detail* complete with the exception of type of offense investigated.



National Guard SAPR DSAID Report : #th QRT and YTD (# MMMMM - ## MMMMM)

Military Service	ARNG		ANG	
	QRT	YTD	QRT	YTD
*Prior to Military Service				
During Military Service				
Unlisted				
US Civilian				
Total report				

"Initial" Type of Report	ARNG		ANG	
	QRT	YTD	QRT	YTD
Restricted				
Unrestricted				
Converted to UR				

Type/Offense Investigated	ARNG		ANG	
	QRT	YTD	QRT	YTD
Abusive Sexual Contact				
Aggravated Sexual Assault				
Aggr'd Sexual Contact				
Attempt to Commit				
Indecent Assault				
Non-Consent Sodomy				
Prosecuted by State law				
Rape				
Sexual Assault				
Unknown State Law				
Wrongful Sexual Contact				
Unlisted				

Unrestricted Referrals	ARNG		ANG	
	QRT	YTD	QRT	YTD
MCIO				
OCI				
Civ Law Enforcement				
No Action Taken				
Unlisted				

Rank of Victim	ARNG				ANG			
	RR		UR		RR		UR	
	QTR	YTD	QTR	YTD	QTR	YTD	QTR	YTD
E1-E4								
O1-O3								
E5-E9								
WOs + O4-O9								
No Rank Listed								
US Civilian								

Victim Status	ARNG				ANG			
	RR		UR		RR		UR	
	QTR	YTD	QTR	YTD	QTR	YTD	QTR	YTD
Duty								
Non-Duty								
Unlisted								

Primary Assailant Status	ARNG		ANG	
	QRT	YTD	QRT	YTD
Military				
Foreign National				
DoD Civilian				
DoD Contractor				
US Civilian				
Multiple Assailants				
Unknown				
Unlisted				

Gender	ARNG		ANG	
	QRT	YTD	QRT	YTD
Male-on-Female				
Male-on-Male				
Unknown-on-Male				
Blank-on-Male				
Blank-on-Female				
Female-on-Female				
Female-on-Male				
Unknown-on-Female				
Blank-on-Blank				

Time/Incident to Report	ARNG		ANG	
	QRT	YTD	QRT	YTD
0-72 hours				
4-10 Days				
11-365				
366+				
Unlisted				

Contributing Factors	ARNG		ANG	
	QRT	YTD	QRT	YTD
Alcohol Only				
Other Drugs Only				
Weapons Only				
Multiple Factors				
None				
Unknown				

TITLE 32								
Duty Status (Mil Vic)	ARNG				ANG			
	RR		UR		RR		UR	
	QTR	YTD	QTR	YTD	QTR	YTD	QTR	YTD
State Active Duty								
Not in Duty Status								
Annual Training								
Inactive Duty Training								
Unlisted								
AGR								
ADOS (+ 30 days)								
Tech, Dual-Status								
Tech, Non Dual-Status								
RSP/Student Flight								
Professional Mil Ed								
ROTC								
TITLE 10								
AGR (Title 10)								
Active Duty Armed Serv								
Unlisted								
Mobilization - OCONUS								
Annual Training								
ADOS (Title 10)								
Basic Training								
Technical /AIT School								
Professional Mil Ed								
Mobilization - CONUS								

Location	ARNG		ANG	
	QRT	YTD	QRT	YTD
Military Institution				
Service Academy				
Off Military Institution				
Unidentified				
Unlisted				

Expedited Transfer	ARNG		ANG	
	QRT	YTD	QRT	YTD
Requested				
Approved				
Denied				

Civ Victim/ Mil Subject	ARNG		ANG	
	QRT	YTD	QRT	YTD
US Civilian Victim				

* Reports of SA from an Incident occurring prior to joining the Military

Source : DSAID data as of 11 Aug 14

The total number of UR and RR cases are based on the amount after conversation by the victim. For this quarter the ARNG's totals are ## (## UR /## RR) and ANG's totals are ## (## UR /# RR). YTD the ARNG's totals are ### (### UR /## RR) and the ANG's totals are ## (## UR /## RR)

- JFHQ-State SARCs conduct monthly CMG
  - CMG Agenda and minutes are prepared in the proper format and uploaded into GKO Portal by the 15th of each month.

- Other important assessment activities include the regular monitoring of the D-SAACP certification requirements, the number of SAPR personnel assigned, and positions that are vacant due to deployments or turnover.
  - The ARNG continues to receive, analyze, and provide reports relating to the SHARP program. The is used as the primary database to track unit and

commander annual training requirements, Director's Personnel Readiness Overview to provide up-to-date assigned and available strength numbers, and DSAID to document and track reported cases of sexual assault. These three databases along with weekly and monthly reports from the States will provide metrics and data analysis on the overall success of the ARNG SHARP Program.

- Staff Assistance Visit (SAV). The NG SAPR program is only as effective as the SAPR programs that exist in the States. SAVs are strictly optional and are not viewed as inspections, compulsory, or punitive. The intent of the SAV is to provide the assistance and guidance well before the program becomes too dysfunctional or suffers a catastrophic situation. NGB works with the States to strengthen the weakest areas and implement best practice features that might be missing. Over the past three fiscal years, a total of five SAVs were requested and conducted to include one SAV in FY 2014 (Montana) and four SAVs in 2012 (Alaska, Puerto Rico, New Mexico, and Kentucky). The criteria for identifying when a SAV will be offered are as follows:

  - SAPR Personnel Vacancy

    - Any state that has the JFHQ SARC position vacant more than two months may be scheduled for a SAV.

    - Adverse SAPR incidents involving the JFHQ SARC or key SAPR personnel may initiate a SAV.

    - Any state which has not met the minimum requirements for SARC or VA appointments for more than three months.

  - SAPR Metrics Targets

    - States that are red in seven or more NG-J1-SAPR Dashboard measurements will be assessed for a SAV. The minimum activity will consist of the SAV Pre-Site Protocol.

    - States that are scoring below expectations on two or more of the DoD SAPR metrics will initiate SAV Pre-Site protocol.

  - Program Manager Initiated. The PMs of the Service Directorates may request the assistance of NG-J1-SAPR to conduct a SAV of a state or command. The PM making the request must identify the areas of distress or dysfunction that have been identified and expectations for the visit.

  - State Requests

    - TAG of any state or Commanding General of District of Columbia may request a SAV from NG-J1-SAPR. The identified issues will determine the length of the visit.

- The JFHQ SARC of a state may support from the NG-J1-SAPR but cannot initiate a SAV request. The state leadership must be aware of and in full support of the onsite activities of the SAV team.

- Wing SARCs must work through the ANG SAPR PM in order to request a SAV for the Wing. The PM will work with the SARC and the Wing leadership before initiating a request to NG-J1-SAPR. Wing leadership must be in full support of the SAV.

NG-J1-SAPR initiates and participates in all official NGB SAVs. The Service Directorate PMs are invited to participate in as many SAVs as possible. States may request specific activities that may not require PM involvement. To assist the States, NG-J1-SAPR developed a SARC Self-Inspection Checklist. This checklist is used to help assess the overall health of the state SAPR program, as well as identifying areas in compliance and those areas not in compliance with DoD, Service or NGB policy or procedures.

- NGB-JA/SVC Comparative Study

Periodically, NGB-JA/SVC conducts comparative studies on the following:

- Number of cases referred to Regional NG SVCs.

- Number of NG sexual assault cases reported through DSAID.

- Number of cases referred to MCIOs or NGB/JA/OCI.

Using these data, they are then able to determine usage of the SVC program by region or case characterization. With the goal of providing NG victims of sexual assault with every resource available to them, steps are then taken to determine why there may be low usage of the SVC. With this information, measures are taken to address the factors and to increase awareness of the SVC program and improve victim confidence in this assistance.

Best Practices/Innovations Specific to the NG

- Sexual Assault Prevention and Response Advisory Council

The SAPRAC provides a process to facilitate information flow of SAPR issues, recommendations, and resolutions generated from field representatives to the CNGB. The SAPRAC exists at both the National and Regional levels and serves in the following capacities:

(1) Serves as a channel of communication among stakeholders between the JFHQ-State and wings, the corresponding ARNG and ANG SAPR programs, and the NG-J1-SAPR Branch.

(2) Identifies problems and issues, gathers information, develops solutions and resolves issues and problems at the lowest level possible.

(3) Reviews information and issues from the field, working groups, and subject matter experts to verify functions, resources, and compliance with regulatory guidance in support of the DoD SAPRO.

(4) Service–specific issues are not addressed by the SAPRAC, but are referred to the specific Service Directorate SAPR program office.

National SAPRAC Representatives consist of one JFHQ-State SARC and one Wing SARC per region, and represent the views and concerns of their respective regions. The representatives organize, plan and conduct regional meetings; gather regional updates and non-service specific issues for submission to the National SAPRAC Chair for consideration; and, attend the National SAPRAC meetings.

Regional State SAPRAC Members consist of all JFHQ-State and Wing SARCs from the states within the region. There are seven designated regions across the country that includes all the States. The members act as the representatives for their state and wing to identify issues and concerns, and provide updates on resolutions for consolidation and submission to National SAPRAC for agenda consideration. Each region will nominate one JFHQ-State SARC and one Wing SARC plus alternates to serve as the National SAPRAC Representatives. SAPR related experience and training, availability to work issues and attend meetings, and leadership ability shall be considered when selecting National SAPRAC Representatives. The regions are as follows:

REGION I: CT, MA, ME, NH, NJ, NY, RI, VT

REGION II: DC, DE, MD, PA, VA, WV

REGION III: AL, FL, GA, KY, MS, NC, PR, SC, TN, VI

REGION IV: IA, IL, IN, MI, MN, WI, OH

REGION V: AR, KS, LA, MO, NE, OK, TX

REGION VI: AK, ID, MT, ND, SD, OR, WA, WY

REGION VII: AZ, CA, CO, GU, HI, NM, NV, UT

Positive trends (qualitative and quantitative)

- NG participation in the DoD Survivor Summit.

The NG participated in the DoD Survivor Summits and Forums from 2012 through 2014 with the help of the NG SARCs who reached out to sexual assault survivors within their state. In each of these years, the NG had two volunteers willing to share their experience with the Directors of DoD SAPRO. The purpose of these summits is to ensure the objectives of the SAPR program are accomplished by speaking to those who actually utilized the SAPR services. By receiving feedback directly from those who had a sexual assault experience and had gone through the reporting process, DoD SAPRO was better able to assess the impact the policy and program was having on individuals and evaluate possibilities for policy and program improvements.

- NG participation in DoD SARC Summit

Along with the Services, the NG was invited to participate in the March 2012 SARC Summit held by DoD SAPRO. The NG JFHQ-State SARCs selected to participate in the summit included CPT Jennifer Hunt, FL; CMSgt Kelly Wilkinson, MN; CMSgt Lori Ashness, RI; and SGM Henry Motley, VA. The purpose of the meeting was to hear first-hand what was and was not working out in the field for the SARCs, and how to best promote the new initiatives in the field. This forum offered the NG representatives an opportunity to discuss the unique requirements of the NG program and the challenges they faced in accomplishing their responsibilities. A particular concern raised by the NG SARCs was the importance of the interaction between the AC SARCs and NG SARCs to ensure a smooth continuum of care for guardsmen coming off of T10 orders and returning to their states. Through the open discussion on RC transfers grew the realization of the need to build more relationships between SARCs within and across the services. They also discussed the need to organize face-to-face visits in order to establish trust.

National Guard FY12 - FY14 Analytic Discussion, Data Trends, and Statistical Report of Sexual Assault

The prevention of sexual violence requires a multidisciplinary approach and is a responsibility that resides with all of us. Much of what we have learned and come to know about sexual violence has been as a result of research, collaboration with both civilian and military experts, and experience. As expressed by the Centers of Disease Control (CDC) National Center for Injury Prevention and Control, Division of Violence Prevention, our understanding of various forms of violence has grown substantially over the years; however, timely, ongoing, and comparable national and state-level data is lacking. What we do know is that the more than two decades of research has shown that sexual violence and intimate partner violence are major public health problems with serious long-term physical and mental health consequences, as well as significant social and public health costs.

The CDC's National Center for Injury Prevention and Control launched the National Intimate Partner and Sexual Violence Survey in 2010 with the support of the National Institute of Justice and DoD to address these information gaps. Although gaps remain, this and future surveys will inform of several types of violence that have not previously been measured in a national population-based survey. The results will have implications for DoD in its prevention and response efforts. Unfortunately, prior research has shown that experiencing these forms of violence during childhood and adolescence increases the likelihood of experiencing these forms of violence as an adult.

Although gaps remain, below are some of the key findings of the 2010 National Intimate Partner and Sexual Violence Survey by selected categories:

Sexual Violence by Any Perpetrator

- Nearly 1 in 5 women (18.3) and 1 in 71 men (1.4%) in the United States have been raped at some time in their lives.

- More than half (51.1%) of female victims of rape reported being raped by an intimate partner and 40.8% by an acquaintance; for male victims, more than half (52.4%) reported being raped by an acquaintance and 15.1% by a stranger.

- Approximately 1 in 21 men (4.8%) reported that they were made to penetrate someone else during their lifetime.

- An estimated 13% of women and 6% of men have experienced sexual coercion in their lifetime and 27.2% of women and 11.7% of men have experienced unwanted sexual contact.

- Most female victims of completed rape (79.6%) experienced their first rape before the age of 25; 42.2% experienced their first completed rape before the age of 18 years.

- More than one-quarter of male victims of completed rape (27.8%) experienced their first rape when they were 10 years of age or younger.

Violence by an Intimate Partner

- Nearly 1 in 10 women in the United States (9.4%) has been raped by an intimate partner in her lifetime, and an estimated 16.9% of women and 8.0% of men have experienced sexual violence other than rape by an intimate partner at some point in their lifetime.

- Most female and male victims of rape, physical violence, and/or stalking by an intimate partner (69% of female victims; 53% of male victims) experienced some form of intimate partner violence for the first time before 25 years of age.

Violence Experience by Race/Ethnicity

- Approximately 1 in 5 Black (22.0%) and White (18.8%) non-Hispanic women, and 1 in 7 Hispanic women (14.6%) in the United States have experienced rape at some point in their lives. More than one-quarter of women (26.9%) who identified as American Indian or as Alaska Native and 1 in 3 women (33.5%) who identified as multiracial non-Hispanic reported rape victimization in their lifetime.

- One out of 59 White non-Hispanic men (1.7%) has experienced rape at some point in his life. Nearly one-third of multiracial non-Hispanic men (31.6%) and over one-quarter of Hispanic men (26.2%) reported sexual violence other than rape in their lifetimes.

Number and Sex of Perpetrators

- Across all types of violence, the majority of both female and male victims reported experiencing violence from one perpetrator.

- Across all types of violence, the majority of female victims reported that their perpetrators were male.

- Male rape victims and male victims of non-contact unwanted sexual experiences reported predominantly male perpetrators.

Implications for Prevention and Response and for the Department of Defense

The findings in the 2010 National Intimate Partner and Sexual Violence Survey set a strong basis for data and research, underscore the work of DoD and in many ways validate the strategic direction of the Department, and provide the reason for focus on the following suggestions for collective action.

1) *Prevention efforts should start early by promoting healthy, respectful relationships in families by fostering healthy parent-child relationships and developing positive family dynamics and emotionally supportive environments***.**

Current and/or Potential NG Response: Opportunities exist for program development by Family Advocacy programs. Since we enlist members as both young adults and adults, the NG meet members where they are when they join our profession of arms. That said, the NG can promote the introduction of language and programming that promote healthy and supportive relationships when developing family readiness programs. Specifically, children programs are essential to ensure these behaviors and way of thinking becomes a part of their socialization process.

2) *It is equally important to continue addressing the beliefs, attitudes and messages that are deeply embedded in our social structures and that create a climate that condones sexual violence, stalking and intimate partner violence*.

Current and/or Potential NG Response: Without question, the issue of sexual violence and the aftermath of this type of violence transcend the military. DoD/Services/NGB have taken the lead in putting into practices actions that will move us closer to the ultimate goal to eliminate sexual assaults from among our ranks. Consistent with the promotion of healthy relations programming in the NG Family Program, attention can be given to the development and distribution of products and materials that encourage positive inter-personal development and gender-sensitive commentary. Further, the continued development of, and emphasis on, Strong Bonds, Ready 54, Wingman Project, and a host of other such programs and initiatives designed to reinforce positive social norms.

3) In addition to prevention efforts, survivors of sexual violence, stalking, and intimate partner violence need coordinated services to ensure healing and prevent recurrence of victimization.

Current and/or Potential NG Response: As the community-based force, the NG's ability to forge partnerships with state and local agencies and organizations has been a tremendous asset for securing resources and services for survivors. NG will continue to seek out and link survivors to services that facilitate their recovery and empowerment. NG SAPR personnel are encouraged to participate in the state sexual assault coalitions and on local sexual assault response teams.

4) An important part of any response to sexual violence, stalking, and intimate partner violence is to hold perpetrators accountable.

Current and/or Potential NG Response: The NG complies with the mandate to refer all Unrestricted Reports of sexual assault to the appropriate investigative agency. Since the vast majority of the NG cases are referred to civilian law enforcement (CLE), who can decline to investigate reports of sexual assault, the Chief of the National Guard took additional steps to ensure cases that are declined or not sufficiently investigated by CLE are referred to NGB-JA/OCI.

5) It is important to enhance training efforts within the criminal justice system to

better engage and support survivors and thus hold perpetrators accountable for their crimes.

Current and/or Potential NG Response: In collaboration with the Services and NGB, DoD mandated the demonstration of core competencies training for all first responders. NGB JA/OCI investigators are specially trained at the US Army Military Police School at Ft Leonard Wood, MO.

6) *Implementing strong data systems for the monitoring and evaluation of sexual violence, stalking, and intimate partner violence is critical to understand trends in these problems, to provide information on which to base development and evaluation of prevention and intervention programs, and to monitor and measure the effectiveness of these efforts.*

Current and/or Potential NG Response: NG will continue to use the data from the DSAID system to drive informed decision making. In addition, comprehensive review and statistical analysis of trend data is a powerful tool for assessing the progress of the program.

7) *Ongoing data collection and monitoring of these problems must lead to further research to develop and evaluate strategies to effectively prevent first-time perpetration of sexual violence, stalking, and intimate partner violence*.

Current and/or Potential NG Response: NG is committed to improving our knowledge and understanding of sexual violence. In our effort to implement effective prevention strategies, we will utilize the best available research-based practices to address the multiple levels of influence for sexual violence victimization and perpetration.

8) *This work should be complemented with efforts to monitor strategies being used by the field, to identify and rigorously evaluate these approaches and document their value*.

Current and/or Potential NG Response: The NG leverages the SAPRAC, a regionally based advisory group that provides recommendations to the leadership of the NG for promoting cultural change that leads to an environment free of sexual assault by focusing on a dynamic, victim-centered process for facilitating information flow throughout the 54 states, territories, and the District of Columbia.

Measure of performance to determine program impact is essential. Therefore, the NG has incorporated a metrics-based approach in evaluating the SAPR program. This approach is proving to be an effective means to identify opportunities and single out areas in need of focus and is being used to alert NG leaders of initiatives and policies necessary for improvements. The increase in our awareness and understanding of the complexities of sexual assault (SA) trauma has led to better victim care, targeted intervention and the retention of valued members.

Unless otherwise specified, all data points contained within this discussion are in reference to T32 NG members and depicts FY12 – FY14. Additionally, all FY14 data depicted in this discussion represent data captured in DSAID as of 1 October 2014 covering the period from **1 October 2013 – 30 September 2014**. Final FY14 data will be reported in the NG FY14 Annual Report to Congress as many data points are not final.

There were **239 T32 Unrestricted Reports and 61 Restricted Reports** of SA made by NG members during FY14. As of 31 August 2014, the total number of reports (Unrestricted and Restricted) increased 18% over the reported cases during FY13, compared to a 31% increase from FY12 to FY13, and a 21% increase from FY11 to FY12 (**Figure 1a**).

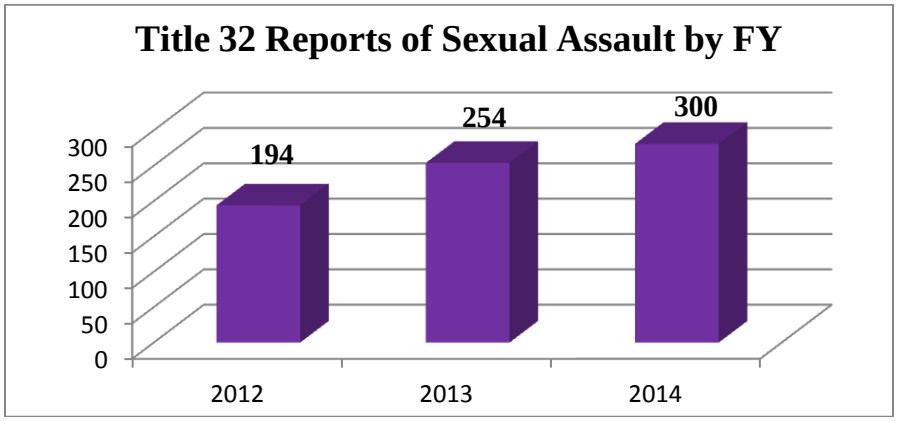


Figure 1a – T32 Reports of Sexual Assault

Table 1 shows the T32 report of Unrestricted Reports of SA by type of offense. The percentage of the total reports of SA that are considered the **most egregious** per the 2012 version of Article 120 of the UCMJ, specifically rape, sexual assault, and aggressive sexual assault were **approximately 37%** of the reports of SA since October 2011. In FY12, 55 (36%) of the 153 Unrestricted cases, in FY13, 75 (38%), of the 195 Unrestricted cases, and in FY14 89 (37%) of the 239 Unrestricted case were documented as one of these three types of offenses. **Note**: FY14 is the first year the DoD began to capture data in DSAID to document the number of civilians victimized by a military member.

TYPE OF SA	2012 (153)	Pct	2013 (195)	Pct	2014 (239)	Pct
Abusive Sexual Contact	5	3.3%	7	3.6%	37	15.5%
*Aggravated Sexual Assault	9	5.9%	9	4.6%	2	.84%
Aggravated Sexual Contact	6	3.9%	11	5.6%	27	11.3%
Attempt to Commit	9	5.9%	9	4.6%	6	2.5%
Indecent Assault	1	.65%	0	0%	2	.84%
Non-Consensual Sodomy	2	1.3%	1	.50%	2	.84%
Prosecuted by State Law	1	.65%	9	4.6%	12	5.0%
*Rape	42	27.5%	46	23.6%	74	31.0%
*Sexual Assault	4	2.6%	18	9.2%	13	5.4%
Unknown State Law	22	14.4%	27	13.8%	26	10.9%
Wrongful Sexual Contact	23	15.0%	10	5.1%	4	1.7%
Unlisted	29	19.0%	48	24.6%	34	14.2%

Table 1 – T32 Unrestricted Reports of Sexual Assault by Type

Not only does the NG track its T32 cases but also cases either transferred to the NG when the member returns from active duty Title 10 status, or those that are not reported until after the member returns from active duty. Although a MCIO may have the responsibility to investigate the case, the NG provides support and advocacy to the survivor until such time the survivor indicates support is no longer desired. **Figure 1b** below displays the number of SAs that occurred while the NG member was on active duty. 40 (17%) of the cases in FY12, 59 (19%) of the cases in FY13, and 68 (18%) of the cases in FY14 were managed by the NG but occurred while the member was on Title 10 status. Therefore, from FY12 – FY14, an average of **19% of the cases managed by the NG occurred while the member was in a T10, active duty status**.

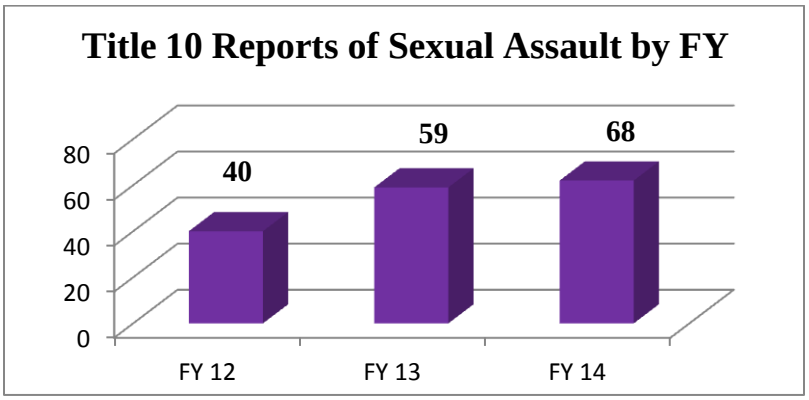


Figure 1b – T10 Reports of Sexual Assault

Table 2 shows the T10 report of Unrestricted Reports of SA by type of offense. The percentage of the Unrestricted reports of SA that are considered the **most egregious**

per the 2012 version of Article 120 of the Uniform Code of Military Justice (UCMJ), specifically rape, sexual assault, and aggressive sexual assault were **approximately 53%** of the T10 Unrestricted Reports of SA since October 2011. In FY12, 6 (55%), in FY13, 19 (54%), and in FY14 20 (51%) of the NG T10 cases of SA were documented as one of these three types of offenses.

TYPE OF SA	2012 (11)	Pct	2013 (35)	Pct	2014 (39)	Pct
Abusive Sexual Contact	1	9.1%	5	14.3%	8	20.5%
*Aggravated Sexual Assault	4	36.4%	1	2.9%	1	2.6%
Aggravated Sexual Contact	1	9.1%	1	2.9%	3	7.7%
Attempt to Commit	1	9.1%	0	0.0%	0	0.0%
Indecent Assault	0	0.0%	1	2.9%	1	2.6%
Non-Consensual Sodomy	2	18.2%	0	0.0%	1	2.6%
Prosecuted by State Law	0	0.0%	0	0.0%	0	0.0%
*Rape	2	18.2%	17	48.6%	15	38.5%
*Sexual Assault	0	0.0%	1	2.9%	4	10.3%
Unknown State Law	0	0.0%	1	2.9%	0	0.0%
Wrongful Sexual Contact	0	0.0%	0	0.0%	0	0.0%
Unlisted	0	0.0%	8	22.9%	6	15.4%

Table 2 – T10 Unrestricted Reports of Sexual Assault by Type

The **NG does not equate the rise in the number of reports of sexual assault as evidence of more crime, but as an increase in the level of confidence in our response system**. First and foremost, treating victims with dignity and respect when the crime is reported is of paramount importance. This singular factor has impacted victims' decision to report, thereby improving our ability to hold subjects appropriately accountable for their crime. We attribute the increase in victims confidence to: intense efforts and emphasis on sustained senior leader involvement and engagement; improved victim advocacy; support and services; targeted prevention and awareness training; a more culturally-aware and educated force; increased knowledge and understanding of our comprehensive victim resources; and enhanced administrative, investigative, and legal capabilities as critical contributors to victims making the decision to report incidents of SA.

A victim's rationale for not reporting an assault varies across the spectrum of reason and motivation. Although it's difficult to definitively qualify what we presume to be a rise in victims' confidence, there are indicators that have led us to this conclusion. Reviewed later in this discussion are the positive indicators from members' responses on climate surveys, which demonstrate the growing confidence in our ability to create and sustain a more open environment where members feel more comfortable in reporting a sexual assault. In addition to capturing our demographic picture, the more

immediate measures validate that our practices are having the desired impact of creating an environment that encourages the reporting of sexual assaults.

Reporting incidents that occurred prior to military service is one measure that demonstrates victims' confidence in our response system. In FY12, twelve reported incidents of SA occurred prior to military service. In FY13, thirteen incidents were reported to have occurred prior to service, and in FY14, six reported being sexually assaulted prior to military service. (**Figure 2**) Although the numbers of incidents reported to have occurred prior to military service are not extremely large, when compared to the total number of reports, it is not unreasonable to think that someone would reveal such a significant life-changing event like a sexual assault, to an organization, unless there was a sense of trust and confidence in their response. Therefore, **the NG is encouraged that members, no matter the number, demonstrate their confidence in our response capability enough to come forward and seek the support that will lead them down the path of recovery.**

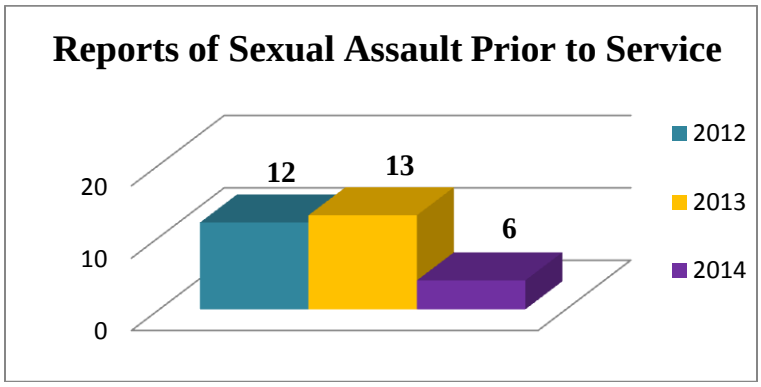


Figure 2 – Reports of Sexual Assault Occurring Prior to Service

Although the NG supports a victim's right to choose whether or not to report a sexual assault, a timely Unrestricted Report may strengthen the case for investigators. Regardless of this fact, it is never too late to report an assault or to seek help. Another indication of increased confidence is demonstrated through an evaluation of the metric which identifies when a military victim reports a SA versus when it occurred. With that said, In FY12, 22 (11%), FY13, 44 (17%), and in FY14, 47 (17%) of the incidents were reported more than two years after the incident occurred. Victims now see that reports of SA are taken seriously and that steps are being taken to protect and care for the victim. Consequently, **victims coming forward and reporting incidents after two years have elapse may indicate an increase in the service members' confidence in our response system.** (**Figure 3a)**

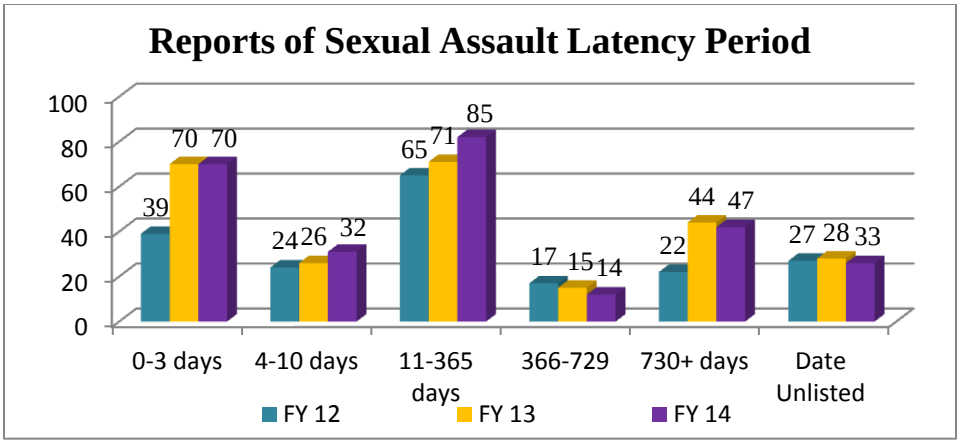


Figure 3a – Reports of Sexual Assault – Latency Period

As previously stated, a victim's rationale for reporting, delaying the decision to report, or not reporting a sexual assault at all, varies across the spectrum of reason and motivation. Whether or not to report a sexual assault is a difficult decision to make. However, early reporting increases the chance of forensic evidence being gathered; thereby increasing the chances the offender would be held appropriately accountable for the crime. When evaluating our trend data, while victims continue to report incidents that occurred more than two years prior to the time the report is made, the NG is beginning to see a **decrease** in the number of reports that occurred **between one to two years** (366 - 729 day) prior to when the incident occurred and an **increase** in the number of reports that occurred **within the first ten days**, as displayed in **Table 3**. This would suggest that victims are now **more comfortable reporting an incident when it occurs rather than delaying the decision to make a report**.

Fiscal Year	Day 0 - 10	Pct	Year 1 - 2	Pct	Year 2 +	Pct
FY12	63	32%	17	12%	22	11%
FY13	96	38%	15	8%	44	17%
FY14	102	36%	14	5%	47	17%

Table 3 – Reports of Sexual Assault – Latency Period

Figure 3b, 3c, and 3d demonstrate the number of incidents reported in FY 12, FY13, and FY14 respectively and inform of the number of incidents that were reported during the fiscal year by the interval of time between when the incident occurred and when it was reported.

In FY12, a total of 63 (32%) of the SA were reported in the first ten days after the date of the incident. 27 of the cases did not indicate a date of the incident. (**Figure 3b**)

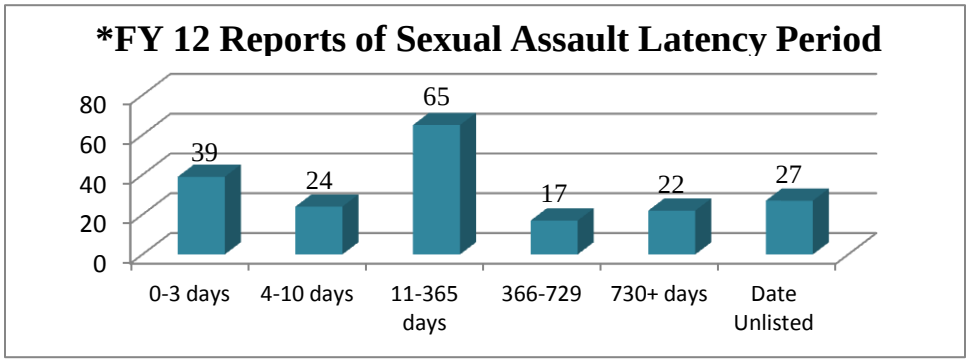


Figure 3b – FY12 Reports of Sexual Assault – Latency Period
*Representative of **military victims only**; incidents reported during the FY noted

In FY13, a total of 96 (38%) of the SA were reported in the first ten days after the date of the incident. 28 of the cases did not indicate a date of the incident. (**Figure 3c**)

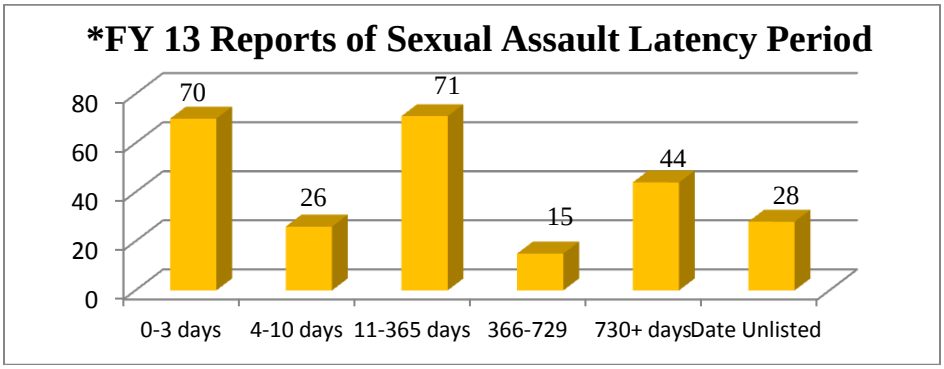


Figure 3c – FY13 Reports of Sexual Assault – Latency Period
*Representative of military victims only; incidents reported during the FY noted

In FY14, a total of 102 (36%) of the SA were reported in the first ten days after the date of the incident. 33 of the cases did not indicate a date of the incident. (**Figure 3d**)

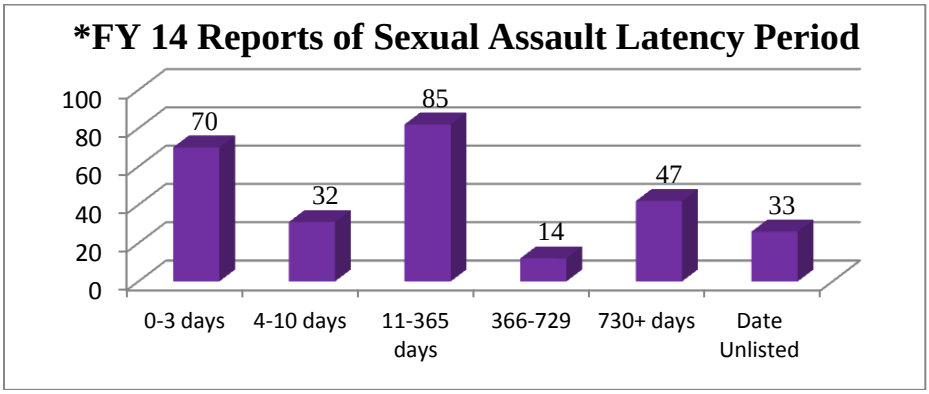


Figure 3d – FY14 Reports of Sexual Assault – Latency Period
*Representative of military victims only; incidents reported during the FY noted

An additional indicator of victims' confidence in our response system is related to the duty status of the NG member when the incident occurred. (**Figure 4**) From FY12 – FY14, approximately **28%** of the reported incidents of SA that occurred when **the NG member was not in a duty status**: 53 (27%) in FY12, 64 (25%) in FY13, and 86 (31%) in FY14. Not in a duty status is defined as a traditional guard member who is between drills--while they are not performing military duties. Yet, victims come forward to seek assistance from NG SARCs and SAPR VAs. Having SAPR personnel who are trained to provide responsive and caring support has encouraged reporting.

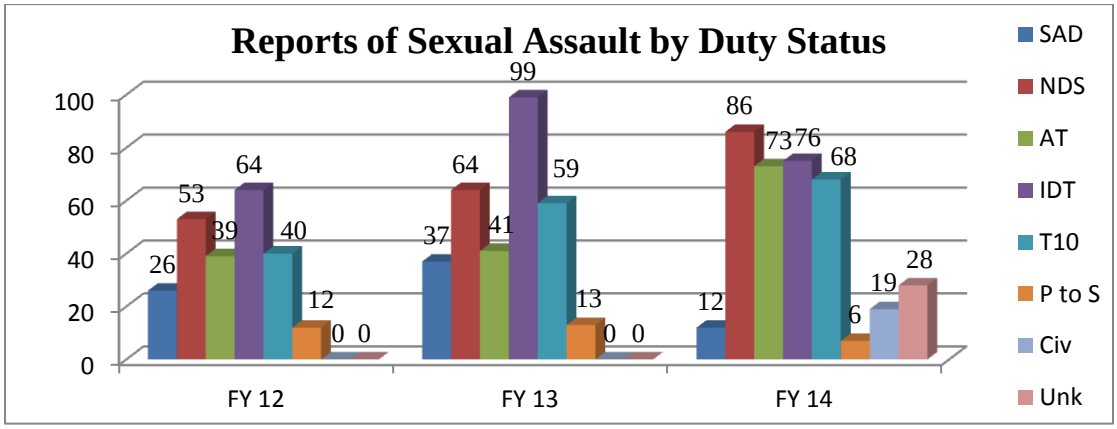


Figure 4 – Reports of Sexual Assault by Duty Status

SAD – State Active Duty
NDS – Non-Duty Status
AT – Annual Training
Civ – Civilian (not in the military)
IDT – Inactive Duty Training
T10 – Title 10
P to S – Prior to Service
Unk – Duty status is unknown

Historically, Unrestricted Reporting has been the initial option most often selected by NG members who report a SA. 79% of the 194 reported incidents in FY12, 77% of the reported incidents in FY13, and 85% of the 281 reports of SA in FY14, overall, **80% of the reports of SA were Unrestricted Reports**. The NG experienced a statistically significant increase of 8% (44) in the number of Unrestricted Reports of SA from FY13 to FY14. (**Figure 5**)

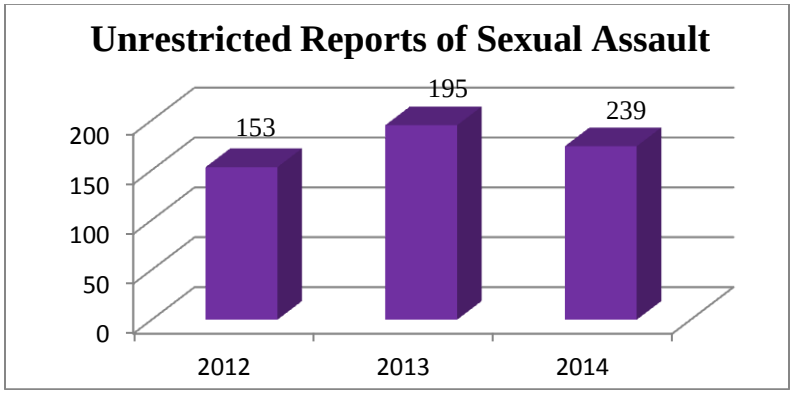


Figure 5 – Unrestricted Reports of Sexual Assault

Since a Restricted Report is confidential and covered communication, when a Restricted Report is filed, the SARC or SAPR VA only collect limited data about the victim and the allegation being made. This option permits the disclosure to specific individuals and allows access to medical treatment and other support. When converting from a Restricted to Unrestricted Report, the door opens to an official investigation, which begins the process that could lead to the alleged offender being held appropriately accountable for their crime. **The increase in the number of reports converted from a Restricted to an Unrestricted Report is a final indicator of victims' confidence in our response system**. There were 7 (15%) conversions from a Restricted to Unrestricted Report in FY12, 6 (9%) in FY13, and 13 (18%) in FY14, for an overall **14% conversion rate for FY12 – FY14**. (**Figure 6**) As mentioned earlier, although the number of reports converted from Restricted to Unrestricted is not extremely large, the NG is encouraged that 26 victims made the decision to convert from a Restricted to an Unrestricted Report.

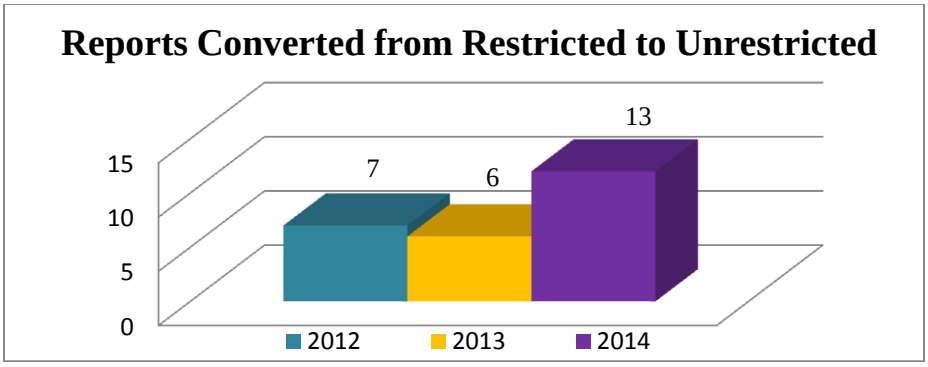


Figure 6 – Reports Converted from Restricted to Unrestricted by FY

The National Crime Victimization Survey, the nation's primary source of information on criminal victimization, and the Rape Abuse & Incest National Network (RAINN), the nation's largest anti-sexual assault organization, are two premier sources for information on sexual assault in the United States. Although the number of reports of rape and other forms of sexual violence vary each year, a number of statistical facts have remained consistent and corroborates the statistical findings of the more recent National Intimate Partner and Sexual Violence Survey reviewed earlier in this discussion. Among the trends that have not changed statistically are:

- Females are more likely to be victims of sexual assault (.01 per 1,000 males compared to a rate of 2.1 per 1,000 for females).

- Ages 12 – 34 are the highest risk years.

- Most acts of sexual violence committed against women (3 in 4) are committed by an intimate partner (spouse, boyfriend/girlfriend) or someone else they know (friend, family member, acquaintance).

- More than half of the incidence of sexual violence took place between 6PM and 6AM.

- Every two minutes, another American is sexually assaulted

When considering the population of the NG, from FY12 - FY14, **1 in 339 NG female service members** and **1 in 17,149 NG male service members** have reported a sexual assault. Consistent with National trends, females make up the greatest percentage of NG reported incidents of SA; In FY12, 18 (9%) of men and 176 (91%) of women, in FY13, 18 (7%) of men and 236 (93%) of women, and in FY14, 32 (11%) of men and 248 (89%) of women make up the NG reported incidents of SA. Over the **last three fiscal years**, **91% of the SAs were reported by female** NG service members compared to **9% of SAs reported by male** NG service members. (**Figure 7a**)

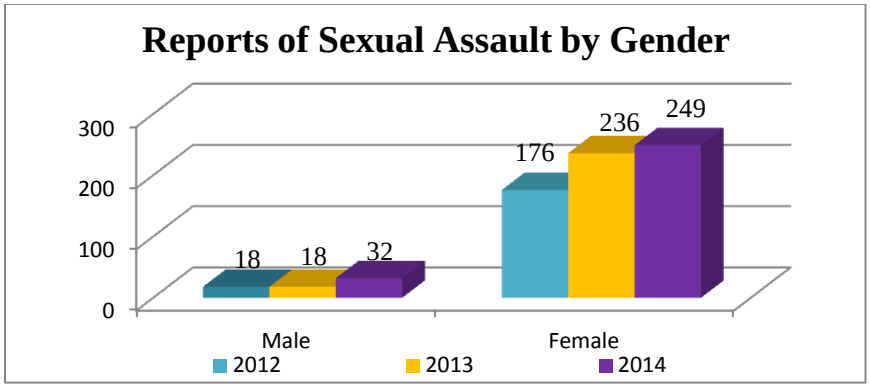


Figure 7a – Reports of Sexual Assault by Gender

The NG experienced a **4.3% increase in reporting of SA by male victims** from FY13 to FY14. The NG will continue to enhance our outreach efforts, campaign to dispel myths and stereotypes, and monitor and seek additional methods to encourage reporting by male victims. (**Figure 7b**)

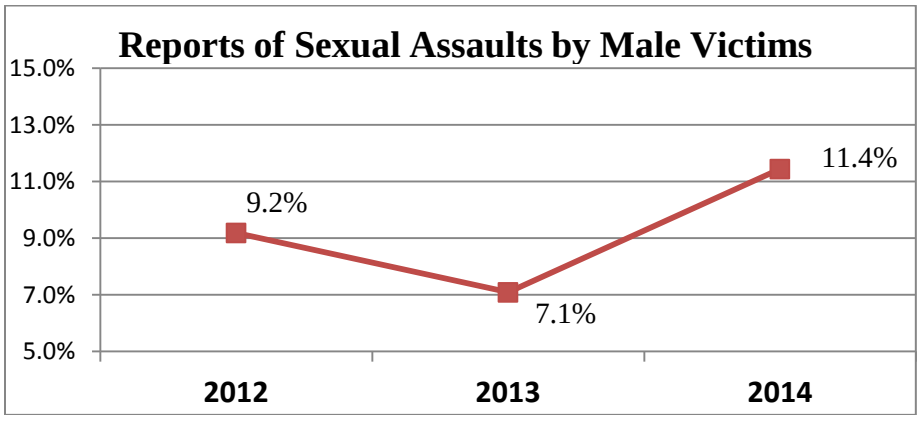


Figure 7b – Percentage of Sexual Assault Reports by Male Victims

Sexual violence can impact all people, regardless of age, ethnicity, race, or economic status. The overall percentage of NG service members who categorize themselves as "White" is 73.9%. From FY12 – FY14, the largest percentage of reported SAs is consistent with the racial makeup of the NG. Of the 541 SAs reported during this time period, 74.2% identified themselves at "White." The second largest category

reporting SAs during this time period identified themselves as “Black.” This group reported 11.6% of the sexual assault and represent 12.7% of the NG service member. (**Figure 8**)

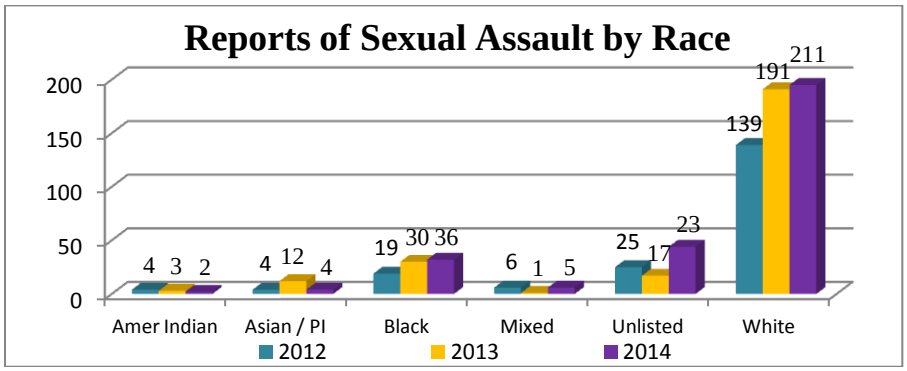


Figure 8 - Reports of Sexual Assault by Race

Figure 9 below displays the breakdown of reported incidents of SA by age. Historically, the majority of NG victims of reported incidents of SA have been **between the ages of 20-24, an overall 37%** in FY12 – FY14 (30% of the 194 reported case in FY12, 46% of the reported 254 cases in FY13, and 34% of the reported 281 military cases FY14), with the second largest age group being between the ages of **25-34 an overall 26%** (28% in FY12, 27% in FY13 and 24% in FY14). **Note**: Data in DSAID relative to reports of civilian victims is extremely limited as the SARC may be notified of an incident by an investigator, Program Manager, or their command.

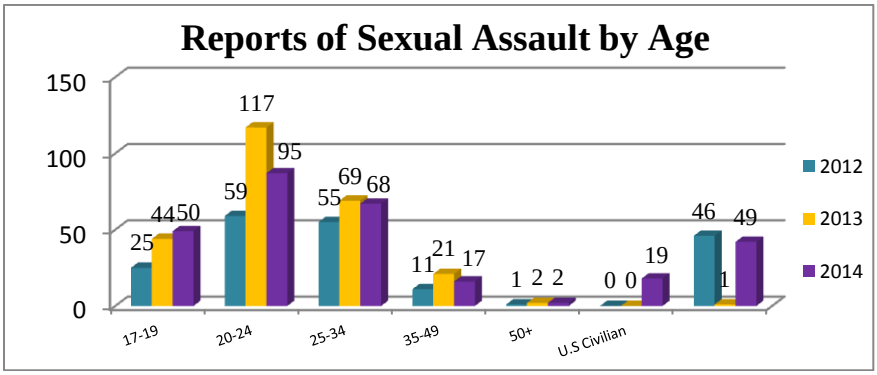


Figure 9 – Reports of Sexual Assault by Age

The greatest reports of SAs have been made by members in the rank of **E1-E4**, 66% of the 194 reported cases in FY12, 65% of the 254 reported cases in FY13, and 63% of the 281 reported cases in FY14, approximately **65% from FY12 – FY14** (**Figure 10**)

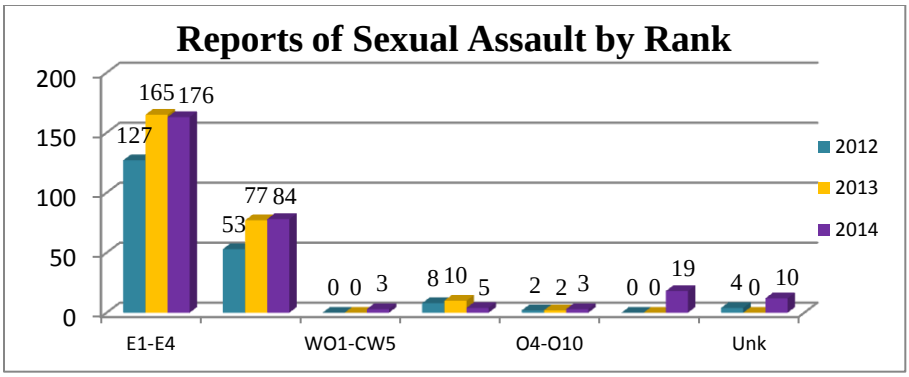
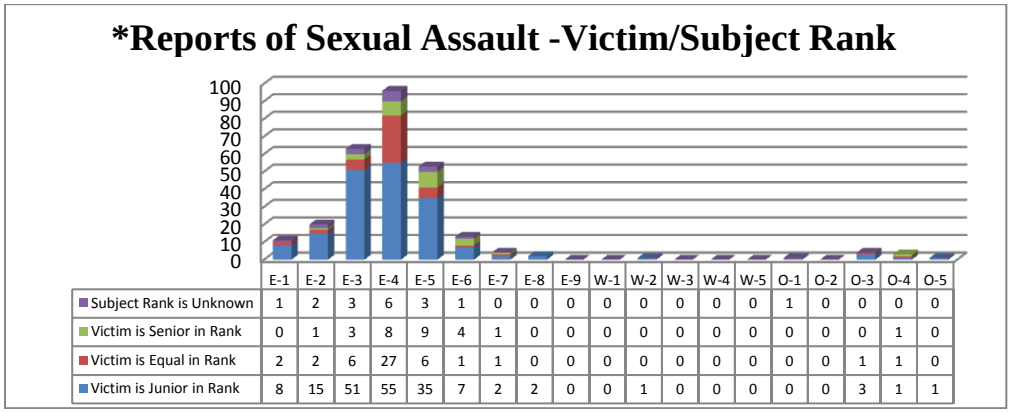


Figure 10 – Reports of Sexual Assault by Rank

Leaders influence organizational ethics; this can significantly impact how subordinates act and perform. Unprofessional behaviors and relationships compromise unit cohesion and the chain of command. In turn morals, good order, discipline and respect for authority is eroded. In the end, the mission is impacted.

A comprehensive review of the rank of NG victims and subjects from FY12 through FY14 revealed that the majority of the "known" subjects are senior in rank (**Figure 11a**) to our military victims. From FY12 – FY14, **on average, the subject is 1.6 (2) grade levels higher in rank than the victim** at the time of the incident.



	E-1	E-2	E-3	E-4	E-5	E-6	E-7	E-8	E-9	W-1	W-2	W-3	W-4	W-5	O-1	O-2	O-3	O-4	O-5
Subject Rank is Unknown	1	2	3	6	3	1	0	0	0	0	0	0	0	0	1	0	0	0	0
Victim is Senior in Rank	0	1	3	8	9	4	1	0	0	0	0	0	0	0	0	0	0	1	0
Victim is Equal in Rank	2	2	6	27	6	1	1	0	0	0	0	0	0	0	0	0	1	1	0
Victim is Junior in Rank	8	15	51	55	35	7	2	2	0	0	1	0	0	0	0	0	3	1	1

Figure 11a – Reports of Sexual Assault by Rank of Victim/Subject

*****Columns (E1 – 05) denote the rank of the victim, i.e., Column 1 (E-1)--there were eight E-1 victims who were junior in rank to the subject; Column 5 (E-5)--there were nine E-5 victims who were senior in rank to the subject.

From FY12 – FY14, in 181 **(67%)** of the reported cases of SA, **the subject was senior in rank to the victim**. 47 **(17%)** of the subjects were **equal in rank to the victim**, 28 **(10%)** of the subjects were **junior in rank to the victim**, and in 17 **(6%)** of the reported cases of SA the **subject's rank was unknown**. **Note**: The cases depicted in the figure below represent Unrestricted Reports made by military survivors who were victimized by a military subject, and where the victim knew the subject and the rank of the military member. (**Figure 11b**)

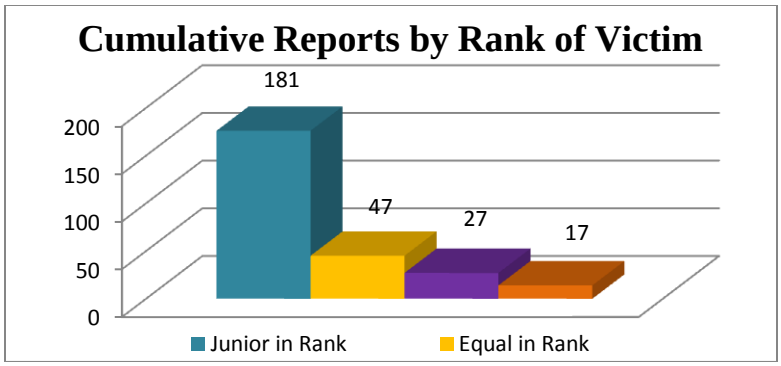


Figure 11b – Cumulative Reports of Sexual Assault by Rank of Victim

The NG statistics are consistent with national and state-level studies that reveal most victims of SA know their perpetrator. From FY12 – FY14, in 562 of the 729 reports of SAs by military members, **the victim knew the subject. This is approximately 77% of the reports. The subject was a stranger in approximately 6% of the cases**. (**Figure 12 and Table 4**)

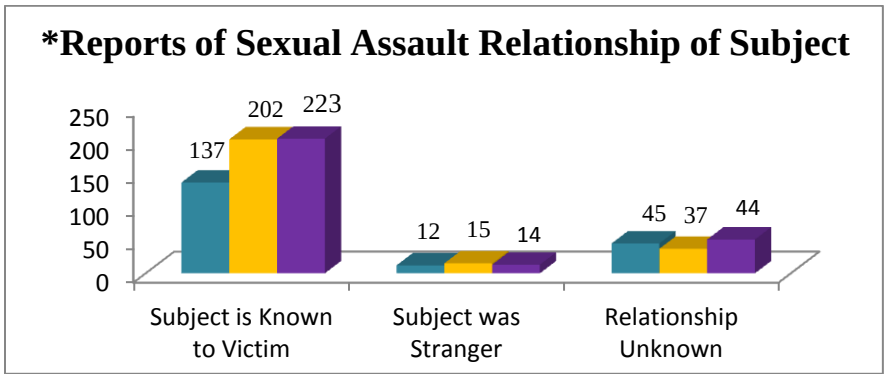


Figure 12 – Relationship of Victim and Subject

*Two cases reported multiple subjects (known relationship and stranger involvement)

Fiscal Year	Subject is Known	Subject was a Stranger	Relationship Unknown
FY12	71%	6%	23%
FY13	79.5%	6%	14.5%
FY14	79%	5%	16%
Total	**76.5%**	**5.7%**	**17.8**

Table 4 – Relationship of Victim and Subject

The majority of the reported incidents (**47%)** of the reported cases of SA from FY12 – FY 14 involved a **military member victimized by another military member**, while 12% of reported incidents involved a civilian subject perpetrating against a military member. (**Figure 13**) As previously stated, FY14 is the first year the DoD began to capture data in DSAID to document the number of civilians victimized by a military member. There were **19 civilian** who reported to have been **victimized by a NG member**; **6% of our FY14 reports** of SA. **Note**: The unknown data in the majority of these cases are determined during the investigative process.

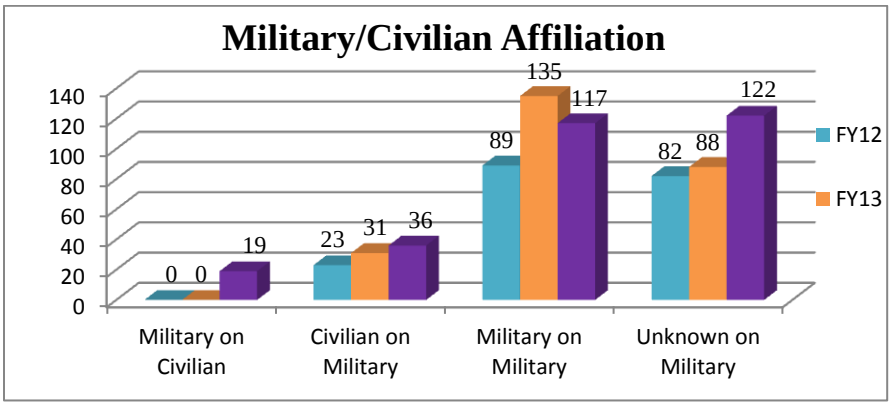


Figure 13 – Report of Sexual Assault – Military/Civilian Affiliations

Due to the various statuses under which a NG member can serve, and since the majority of NG members are M-Day (traditional), the locations where a SA can occur vary as well. From FY12 – FY14, the **largest percentage (49%) of NG incidents was reported to have occurred off military grounds**. (**Figure 14**)

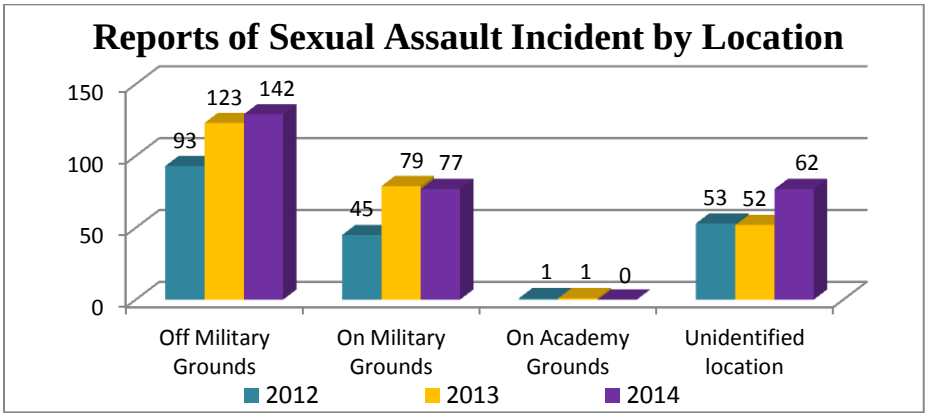


Figure 14 – Reports of Sexual Assault by Location

Alcohol is a common denominator in a large percentage of the NG reported incidents of SA. From FY12 - FY14, the **use of alcohol was identified in 43% of the NG reported cases (FY12 – 39%, FY13 – 42%, FY14 – 49%)** (**Figure 15**) The percentages increased in those cases where **alcohol and other drugs** were identified: **FY12 – 42%, FY13 – 47%, FY14 – 54%; overall 48% for FY12 – FY14**. The accessibility and social acceptance of alcohol facilitated sexual encounters may be contributing factors to the prevalence of alcohol related incidents. Due to the growing number of alcohol facilitated incidents, the full range of research and harm reduction methods will be explored in the NG sexual assault prevention strategy.

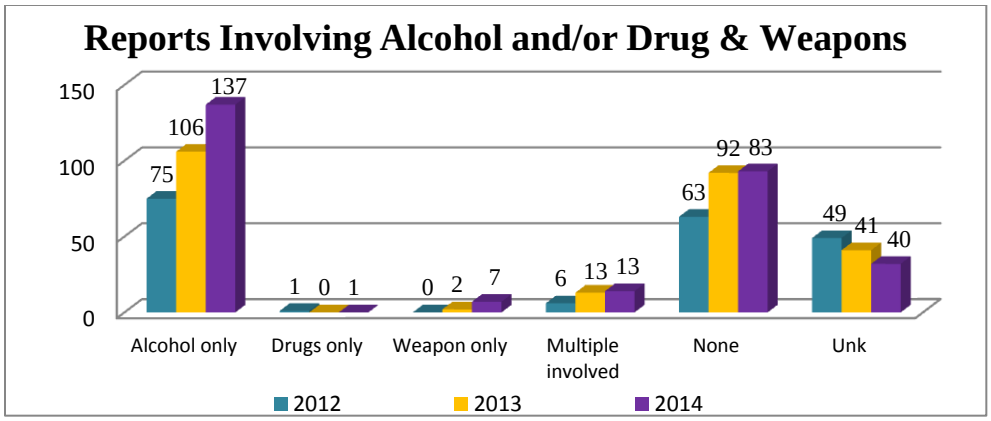


Figure 15 – Reports of SA Involving Alcohol and/or Other Drugs/Weapons

A major emphasis of the NG is to provide responsive advocacy and support that is culturally and gender-sensitive when requested by victims, regardless of their status when the incident occurred. As a result of the collaborative efforts and partnerships established between the State SAPR programs and military (**Figure 16**) and civilian resources, (**Figure 17**) services and support vital to victims' recovery have been readily available. **612 of the 729 SA cases** involving military victims were **referred** to civilian and or military agencies **for services** to assist in the recovery process. Therefore, from FY12 – FY14, a total of 1,050 referrals, an **average of 1.44 per service member** were made. SAPR personnel are expected to be active with the state sexual assault coalitions and participate on the local sexual assault response teams. Active engagement with community resources and coalitions ensures NG victims access to an abundance of services. Due to the long lasting impact of sexual trauma on survivors, such services are usually provided until the victim indicates that help is no longer desired.

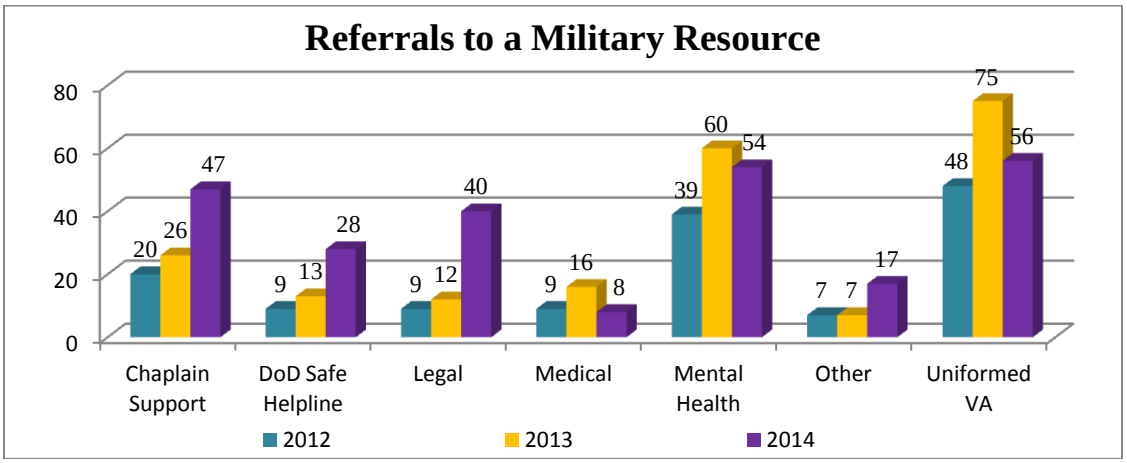


Figure 16 – Referrals to Military Resources

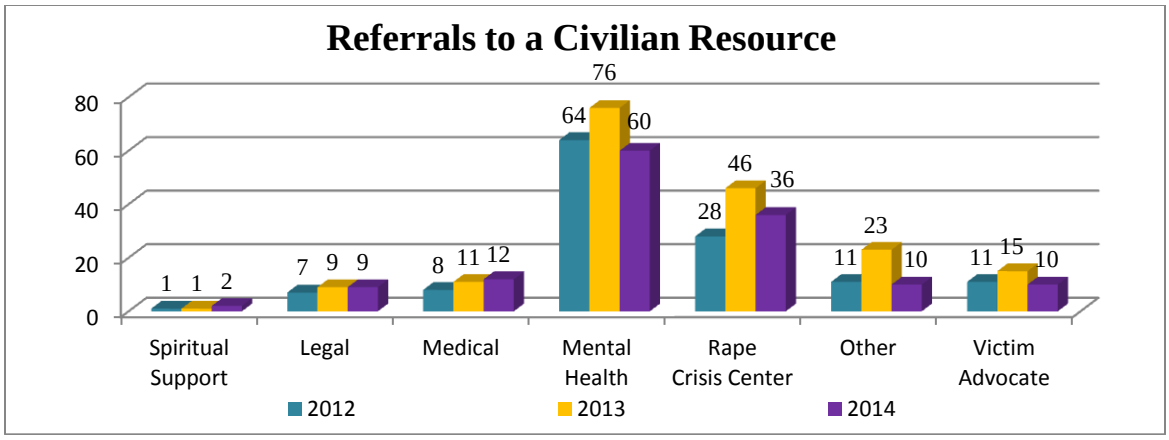


Figure 17 – Referrals to Civilian Resources

Given the unique structure and function of the NG, situations under which a Military Protection Order (MPO) and Expedited Transfer (ET) are approved for a NG member differ significantly from our active duty counterpart. Despite this reality, NG commanders exert every effort where possible to accommodate requests of NG victims for a MPO (**Figure 18a)** and an ET (**Figure 18b)** – two resources available to commanders to help protect the victims, control the subject, and maintain good order and discipline.

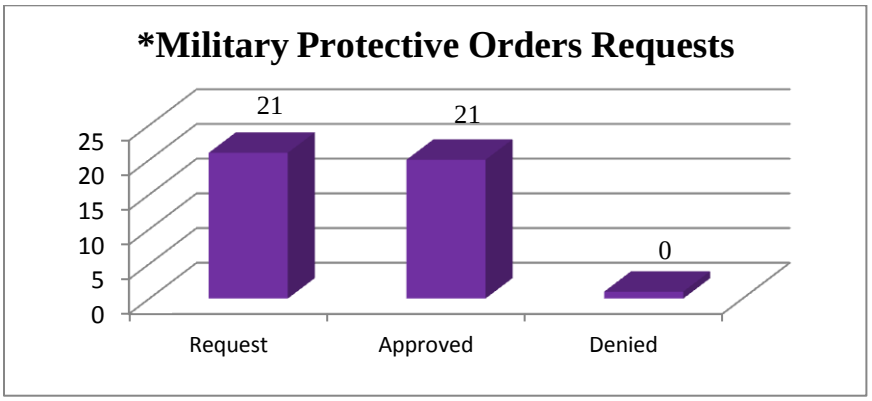


Figure 18a – Requests for Military Protection Order

Note: One subject died prior to completion of the MPO approval process

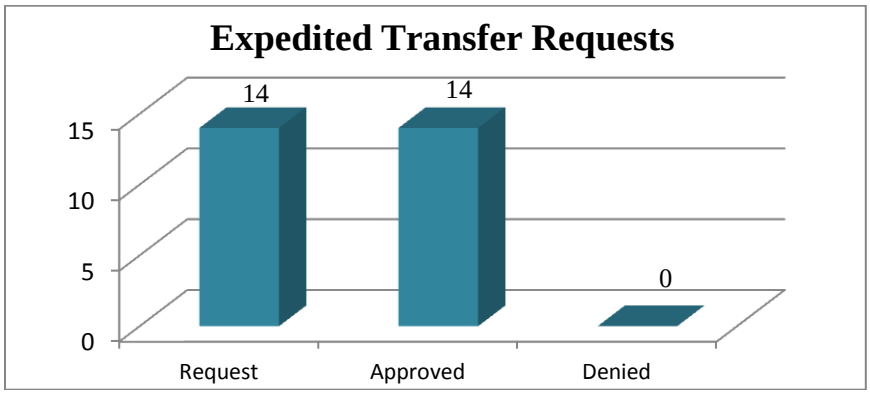


Figure 18b – Requests for Expedited Transfer

Defense Equal Opportunity Management Institute (DEOMI) Defense Equal Opportunity Climate Survey (DEOCS)

The increased attention on command climate has manifested itself in new NDAA provisions, development and distribution of policies, and a mandated increase in the use of climate surveys. The DEOCS is a commander's management tool that makes it possible to assess critical organizational climate dimensions that can impact their organization's effectiveness as well as meet policy requirements.

Although the DEOCS has gone through a number of transitions and updates since it was first administered in 1990, for the purpose of this report, the survey results from DEOCS 3.35 and corresponding survey results from DEOCS 4.0 (latest version released January, 2014) are highlighted.

During the period from June, 2012 through November, 2013, there was an average of **27,282** NG survey participants each quarter on DEOCS 3.35 as depicted in **Figure 19** and an average of **41,960** each quarter on DEOCS 4.0 as depicted in **Table 5**.

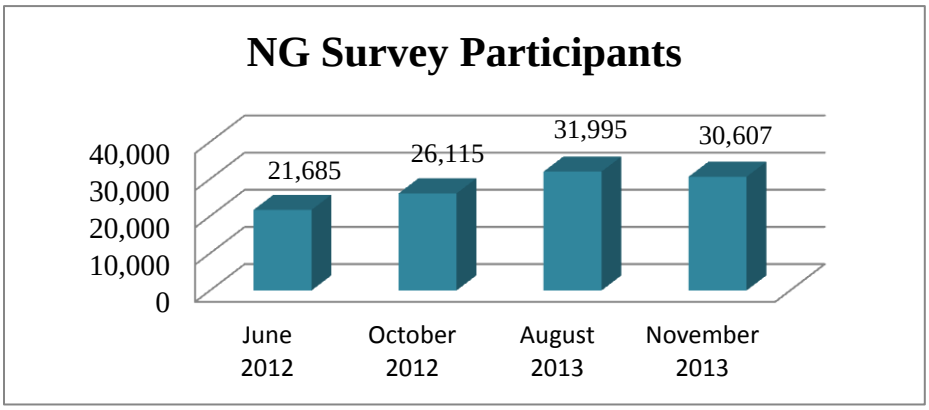


Figure 19 – DEOCS 3.3.5 Survey Participants – June 2012 – November 2013

The demographic characteristics of the NG survey sample are depicted in **Table 5** below.

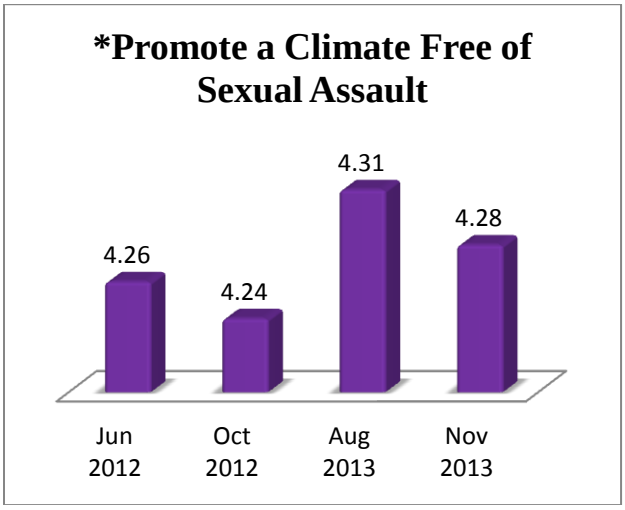
Demographic	Q2	Pct	Q3	Pct	Q4	%
Air National Guard	2,288	10%	6,284	10%	**TBD**	
Army National Guard	19,576	85%	51,737	85%		
Not Specified	1,186	5%	2,850	5%		
Male	19,391	84%	50,678	83%		
Female	3,645	16%	10,140	17%		
***Participants Removed**	805		2,640			
Total Participants	**23,050**		**60,871**			

Table 5 – DEOCS 4.0 Survey Participant

*****During the data cleaning process, these survey participants were removed for failing multiple screen checks. **Note**: Quarter 4 data will be available and reported in the 2014 Annual Report to Congress.

- **DEOCS 3.35** contained six questions that tap **four sub-dimensions** of the SAPR climate factor. DEOCS 4.0 contains **seven measures** assessing the SAPR climate and provides data on both the **individual** and **unit** levels.

    - **Sub-Dimension #1 - Perceptions of Leadership Support for SAPR** – A 5-point Likert scale ranging from "*Strongly Agree*" to "*Strongly Disagree*" was used for the two questions for this measure. The first question asked, "*My leadership promotes a climate that is free of sexual assault*" (**Figure 20a**); the second asked, "*My leadership would respond appropriately in the event a sexual assault was reported*." (**Figure 20b**) regarding the perceptions of leadership support for sexual assault prevention and response. The Scale-level range from **1.0** ("Strongly Disagree") to **4.0** ("Strongly Agree"). **On average, NG survey respondents expressed positive perceptions of leadership support for SAPR efforts.**



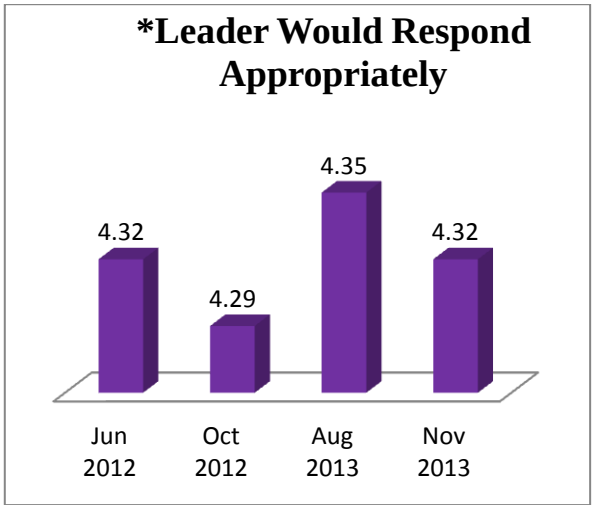


Figure 20a – Leader Promote Climate **Figure 20b – Leader Response to Report**

**Figures 20a and 20b are representative of data from DEOCS 3.3.5

- **DEOCS 4.0** contains seven measures assessing SAPR climate. **Chain of Command Support** (**Figure 21**) is the corresponding measure to DEOCS 3.35 sub-dimension #1 and refers to members' perceptions of the extent to which command behaviors are targeted towards preventing SA and creating an environment where members would feel comfortable reporting a SA. There are seven questions in this assessment area, each measured on a four-point scale. Respondents may select "*Not at All," "Slight Extent," "Moderate Extent," or "Great Extent*." The Scale-level range from **1.0** ("Not at All") to **4.0** ("Great Extent")

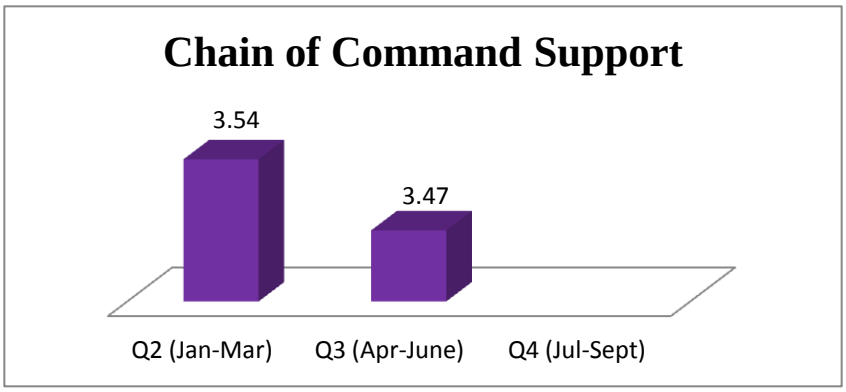


Figure 21 – DEOCS 4.0 Chain of Command Support

Within the NG, the mean response for each quarter fell within the range of ***Moderate* to *Great Extent***, indicating a favorable perception of the chain of command support for SAPR – 90%. In each quarter, although the average response fell in the moderate extent to great extent, at 93% respondents expressed the **most positive perceptions** on **"Encourage victims to report sexual assault,"** and at 87% respondents expressed the **fewest positive perceptions** on **"Promote a unit climate based on respect and trust."** The figures in the chart represent the percentage of respondents the action was demonstrated to a moderate or great extent. (**Table 6)**

To What Extent does your Chain of Command "*Moderate to Great Extent*"	**Q2**	**Q3**	**Q4**	**Avg**
Promote a unit climate based on "respect and trust"	87%	86%	**TBD**	
Refrain from sexist comments and behaviors	91%	91%		
Actively discourage sexist comments and behaviors	89%	89%		
Provide sexual assault prevention and response training that interests and engages you	89%	89%		
Encourage bystander intervention to assist others in situations at risk for sexual assault or other harmful behavior	91%	89%		
Encourage victims to report sexual assault	93%	93%		
Create an environment where victims feel comfortable reporting sexual assault	91%	91%		
Mean Response	**90%**	**90%**		

Table 6 – DEOCS 4.0 Chain of Command Support

- **DEOCS 3.35** - **Sub-Dimension #2 - Perceptions of Barriers to Reporting Sexual Assault** (**Figure 22a**) included one question with the response options that identify *ten potential barriers* and an option to select "*None of the Above*." 45% of NG respondents' perceived **"*Stigma*" as the number one barrier to reporting** a SA. The **second largest percentage** of perceived barrier to reporting a SA for NG respondents was essentially the same for those who perceived **"*No Barriers*" and** those who perceived **lack of "*Privacy/Confidentiality*"** (approximately 38%).

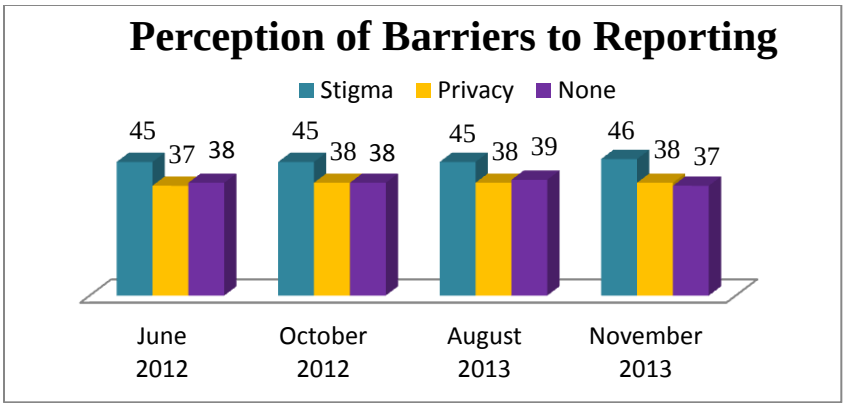


Figure 22a – DEOCS 3.35 Perception of Barriers to Reporting Sexual Assaults

- **DEOCS 4.0** – The corresponding measure to DEOCS 3.35 perceived barriers to reporting includes *eight barriers* NG respondents may select if they believe the barrier would make an individual less likely to report sexual assault within their unit, with the option to select "*Other*" or "*No Barriers.*" ***"Privacy," "Fear/Social Retaliation*," and "*No Barrier*" were the top three perceived barriers** at 41%, 26%, and 25% respectively (**Figure 22b**). Female respondents had the greatest percentage of members who perceived three or more barriers with "*lack of privacy/confidentiality*" being the top perceived barrier.

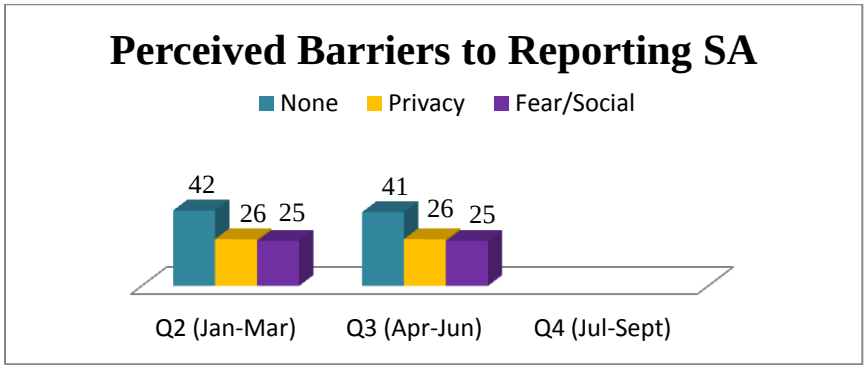


Figure 22b – DEOCS 4.0 Perception of Barriers to Reporting Sexual Assaults

- **DEOCS 3.35** - **Sub-Dimension #3 - Bystander Intervention Climate** – included two bystander intervention climate questions; one *situation-based* question asked respondents' to indicate which action they would take if in a given situation. **Figure 23a** show that the **largest percentage of NG respondents indicated they would *confront the service member*** (47%) **or *tell the person what they saw the service member do*** (41%). The third largest percentage of respondents indicated they would *watch the situation to see if it would escalate* (9%).

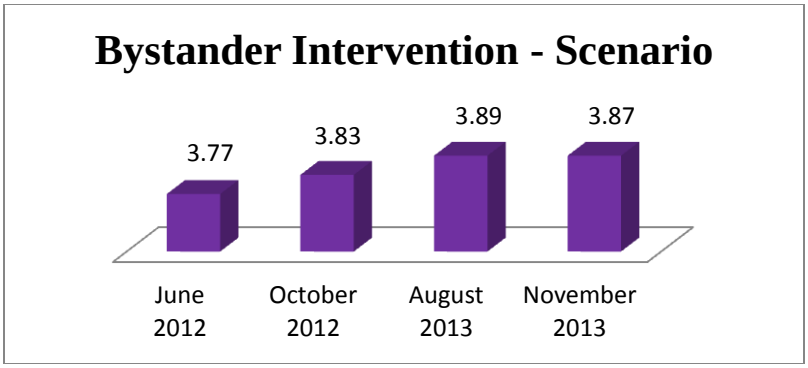


Figure 23a – DEOCS 3.35 – Bystander Intervention (Scenario)

The second **DEOCS 3.35** bystander intervention measure presented respondents with a *scenario* and asked, "*At which point would you most likely intervene in an escalating situation?*" The NG's composite score, transformed to a 5-point Likert scale**, implied a strong likelihood of bystanders intervening to prevent SA**. (**Figure 23b**)

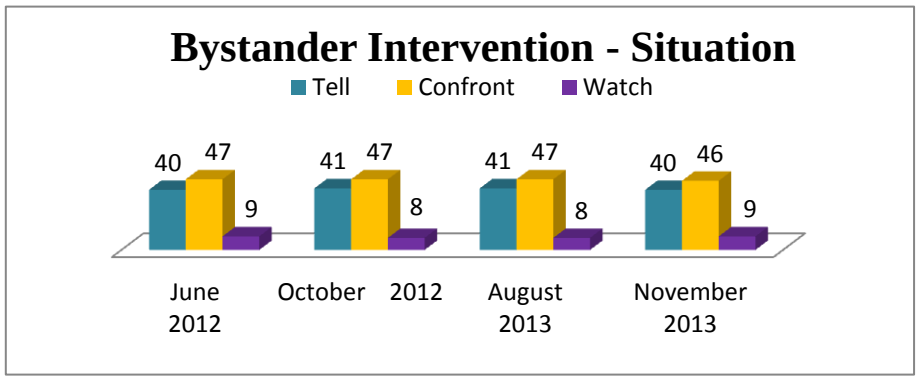


Figure 23b – DEOCS 3.35 Bystander Intervention (Situation)

- **DEOCS 4.0** – The corresponding measure for DEOCS 3.3.5 bystander intervention is **Unit Prevention Climate**. Within the NG, an average of 95% of respondents report they would take an intervening action if they witnessed a situation that might lead to a SA (selecting either *"seeking assistance," "telling the person,"* or *"confronting the service member."* When respondents were asked to indicate if they had observed a high-risk situation, an average of 79% indicated that they had not. Of the 6% of respondents who indicated they had observed a high-risk situation, an average of 88% indicated that they took some action. (**Figure 23c**)

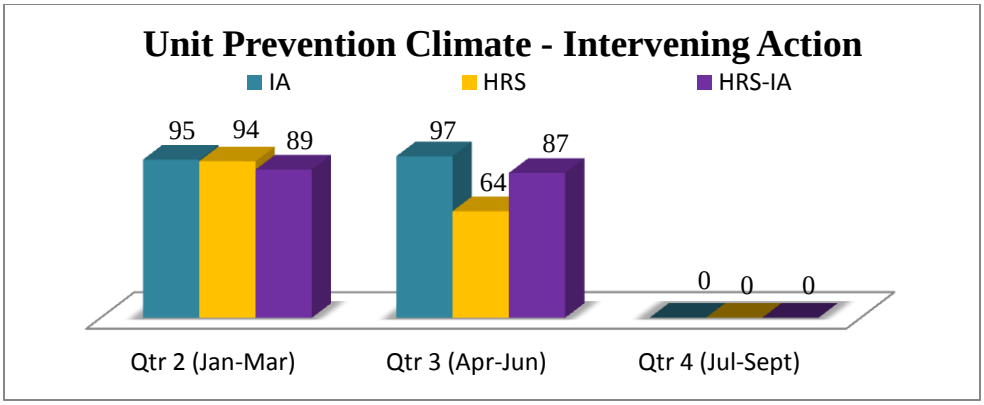


Figure 23c – DEOCS 4.0 Unit Prevention Climate (Intervening Action)

IA = % of respondents indicating an intervening action (IA) would be taken
HRS = % of respondents indicating a high risk situation was **not** observed
HRS-IA = % of respondents who indicated they took some action after observing a high risk situation

- **DEOCS 3.35** - **Sub-Dimension** #4 **- Knowledge of Sexual Assault Reporting Options -** the survey included one item regarding respondent's *"Knowledge of Sexual Assault Reporting Options."* Response options were "*true*" or "*false*" with "*true*" being the correct answer to the question, "*A restricted report allows a Service member to report a sexual assault and get help, but without notifying command or criminal investigators.*" **Approximately 82% of NG respondents responded correctly to the reporting option knowledge item**. (**Figure 24a**)

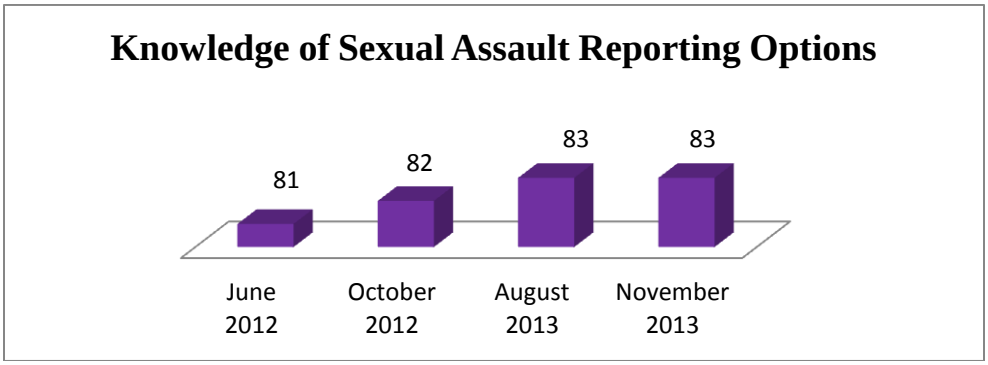


Figure 24a – DEOCS 3.35 - Knowledge of Sexual Assault Reporting Options

- **DEOCS 4.0** – The corresponding SA reporting options measure for DEOCS 3.3.5 is "*Restricted Reporting Knowledge*" which asks respondents to indicate which individuals can and cannot take a Restricted Report. Each of the responses is coded correct ("1") if "Sexual Assault Response Coordinator," (SARC) "Victim Advocate," (VA) and "Military Service Healthcare Personnel" are selected. Each of the responses is coded incorrect ("0") if "Criminal Investigator and Military Police Officer" and "Anyone in my chain of command" are selected.

An average of 88% of respondents correctly identified the SARC as being able to take a Restricted Report and only an average ***of 32% of respondents correctly identified Criminal Investigator and Military Police Officer*** as unable to take a Restricted Report. Consequently, the ***mean score*** for the NG relative to Restricted Reporting Knowledge ***is 66%.*** There is opportunity for improvement in this educational area to be certain NG members are well aware of individuals to whom a Restricted Report can be filed. (**Figure 24b**)

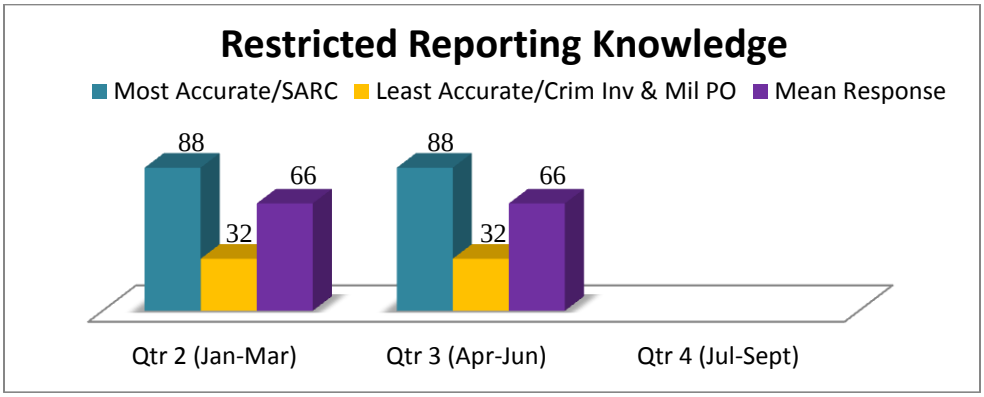


Figure 24b – DEOCS 4.0 – Restricted Reporting Knowledge

DEOCS 4.0 added **new measures** that were not captured in previous versions of the survey and are depicted in the following displays.

- **Measure I:** ***Perception of Safety*** refers to members' feelings of safety from being sexually assaulted where they currently live and perform their work/duties. Two questions measure *Perception of Safety;* each item is measured on a four-point scale, where respondents may select, "*very unsafe,*" "*unsafe,*" "*safe*," and "*very safe*." Within the NG **an average of 98% of respondents indicated they *felt safe or very safe where they live***, and **an average of 98% of respondents indicated they *felt safe or very safe where they perform their work/duties***. (**Table 7)**

Perception of Safety "*Safe to Very Safe*"	**Q2**	**Q3**	**Q4**	**Avg**
To what extent do you feel safe from being sexually assaulted where you currently live?	98%	98%	**TBD**	
To what extent do you feel safe from being sexually assaulted where you perform your work/duties?	98%	98%		

Table 7 – DEOCS 4.0 Perception of Safety

- **Measure II:** ***Publicity of SAPR Information*** refers to the extent to which members perceive that SAPR-related information and resources are publicly displayed and openly communicated. Three questions measure *Publicity of SAPR Information*; each item is measure on a four-point scale assessing the extent to which each item is perceived, where respondents may select "*not at all*," "*slight extent*," "*moderate extent*," or "*great extent*." The NG acknowledges that there is

still work to be done to provide various methods to assist members in calling SAPR related information covered during our annual SAPR events, such as reporting options and the resource information located on both the unit/wing, NGB, and DoD websites. Additionally, efforts are currently underway to collect and capture investigation and accountability metrics that will lead to case outcome measures. This information will be housed on Guard Knowledge Online (GKO), a secured website developed to provide NGB and State leaders with data that provides key indicators of program progress. (**Table 8)**

Publicity of SAPR Information "*Moderate or Great Extent*" To what extent does your chain of command	**Q2**	**Q3**	**Q4**	**Avg**
Publicize the outcomes of sexual assault courts-martial	50%	50%	**TBD**	
Publicize sexual assault reporting resources (e.g., Sexual Assault Coordinator contact information; Victim Advocate contact information; awareness posters; sexual assault hotline phone number	82%	81%		
Publicize the Restricted (confidential) Reporting options for sexual assault	71%	70%		

Table 8 – DEOCS 4.0 Publicity of SAPR Information

- **Measure III:** ***Unit Reporting Climate*** measures the extent to which members perceive that the chain of command would take appropriate actions to address an Unrestricted Report of sexual assault, and the extent to which social and professional retaliation would occur if a sexual assault was reported. Ten questions measure *Unit Reporting Climate*; each item is measured on a four-point scale assessing likelihood, where responders may select "*not at all*," "*slightly likely*," "*moderately likely*," or "*very likely*." Within the NG, the mean response for Unit Reporting Climate fell within the range of **moderate to very likely** for the extent to which they perceived that the chain of command take appropriate actions to address an Unrestricted Report. (**Table 9**)

Unit Reporting Climate "*Moderately likely to Very likely*" If someone were to report a sexual assault to your current chain of command, how likely is it that:	**Q2**	**Q3**	**Q4**	**Avg**
The chain of command would take the report seriously	96%	95%	**TBD**	
The chain of command would keep knowledge of the report limited to those with a need to know	92%	93%		
The chain of command would forward the report outside the unit to criminal investigators	87%	87%		
The chain of command would take steps to protect the safety of the person making the report	95%	94%		

Unit Reporting Climate "*Moderately likely to Very likely*" If someone were to report a sexual assault to your current chain of command, how likely is it that:	Q2	Q3	Q4	Avg
The chain of command would support the person making the report	96%	93%	**TBD**	
The chain of command would take corrective actions to address factors that may have led to the sexual assault	94%	93%		
*Unit members would label the person making the report a troublemaker	20%	20%		
Unit members would support the person making the report	92%	91%		
*The alleged offender(s) or their associates would retaliate against the person making the report	21%	21%		
*The career of the person making the report would suffer	17%	18%		

Table 9 – DEOCS 4.0 Unit Reporting Climate

Items with an asterisk (*) are reverse coded therefore, lower percentages are preferred for these measures.

RAND Military Workplace Study Survey (RMWS)

The Workplace Gender Relations Survey (WGRS) is a congressionally mandated survey designed to assess instances of perceived gender-based Equal Employment Opportunity (EEO) violations in their military workplace as well as sexual assault, and is used to help better understand the dynamics in the military workplace. The four specific measurement goals for prevalence of sexual assault are to:

1) Estimate the number of service members who report unpleasant experiences in the prior 12 months consistent with:

- *Sex discrimination* in their military workplace
- *Hostile work environment* in their military workplace
- *Sexual quid pro quo* in their military workplace

2) Estimate the number of service members who report experienced consistent with sexual assault in the prior 12 months. On the basis of these reports, respondents were asked to categorize experiences as either:

- *Penetrative Sexual Assault*
- *Attempted Penetrative Sexual Assault*

- *Sexual Assault without Actual or Attempted Penetration*

3) Estimate the number of service members who experienced possible sexual assaults earlier in their military career.

4) Estimate the number of service members who experienced possible sexual assaults prior to entering the military

The WGRS is given in even years to the Active Duty. The WGRS for Reserve Components is given in odd years therefore; the full survey will launch in 2015 for all Reserve Component members.

The RAND National Defense Research Institute was asked by DoD to conduct an independent assessment of sexual assault, sexual harassment, and gender discrimination in the military – an assessment last conducted in 2012 for the Department through the WGRS of Active Duty Personnel. As a Reserve Component, the National Guard was invited to participate in the 2014 RAND RMWS sufficient to support comparisons of sexual assault and sexual harassment between the active-duty and reserve members. **Table 10** below displays the level of participation for the NG.

	ARNG	ANG	TOTAL
Number Invited to Participate	24,223	7,771	31,994
Number of Participants	4,529	2,703	7,232
Percent Participation	18.7%	34.8%	22.6%

Table 10 – NG RMWS Participation

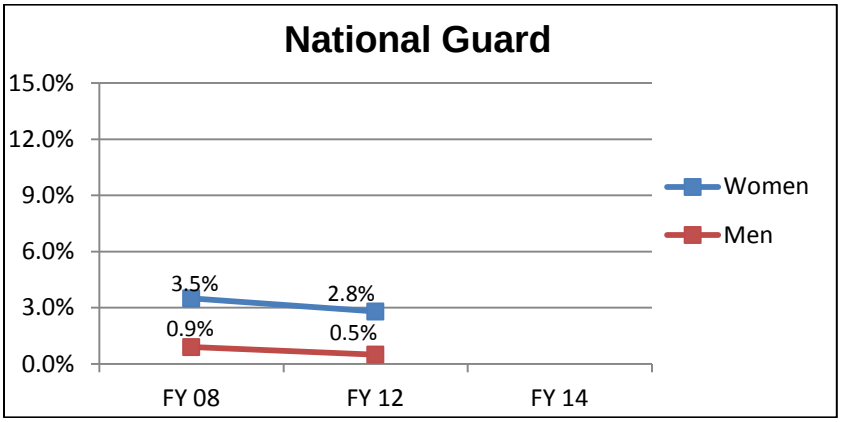
****Top-line results from RAND are not currently available for the NG.**

Survivor Experience Survey (SES)

The National Guard, in collaboration with DoD SAPRO and the Services, worked with the Defense Manpower Data Center (DMDC) personnel to develop the 2014 SES to obtain feedback from survivors, who were within 30 – 150 days of making an Unrestricted or Restricted report. The anonymous survey was created to inform about the services and resources our survivors received, their level of satisfaction, and ways in which their needs could be better met.

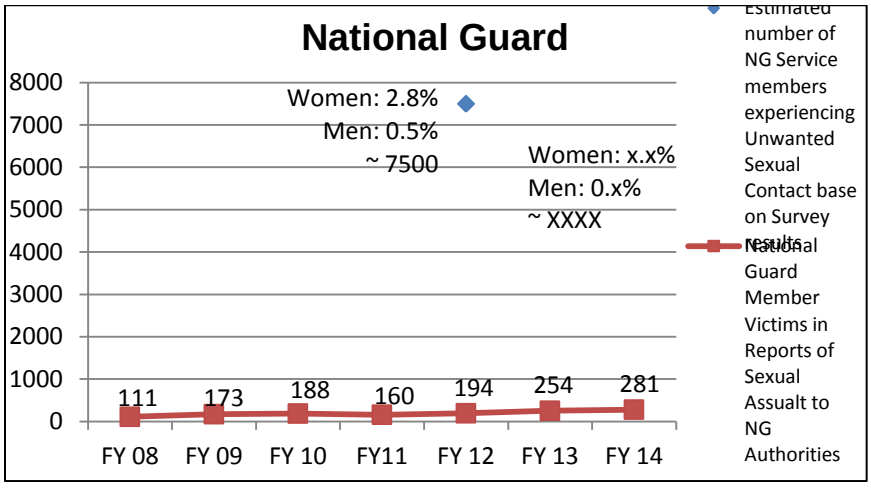
The NG will continue to partner with DoD SAPRO, the Services and DMDC to advance and mature the SES in order to obtain valuable feedback on survivor experiences; information critical to impacting the services provided to NG survivors.

Metric 1: Past Year Prevalence of Unwanted Sexual Contact



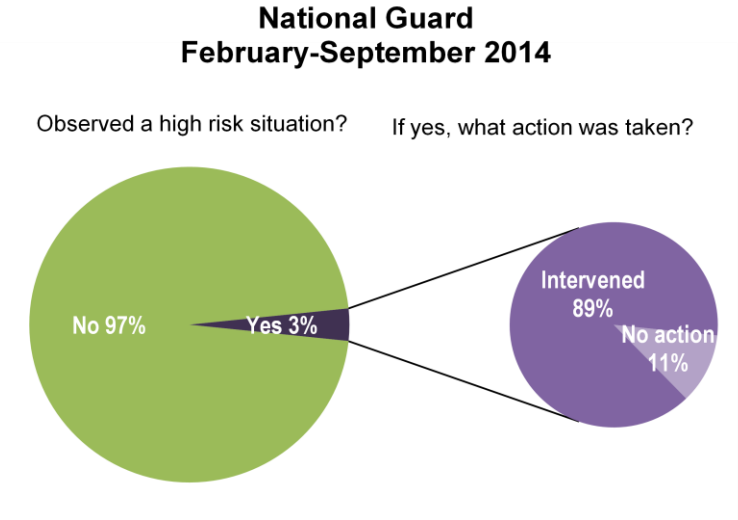
Description: Past year Prevalence of Unwanted Sexual Contact.
Frequency: Reported to the SAPR Joint Executive Council (JCS TANK) on a biannual basis.
Source: Workplace and Gender Relations Survey of Reserve Component Members (WGRR) 2008/2012, RAND Military Workplace Study (MWS; 2014; top-line data unavailable for NG)
Implication: Estimates the occurrence of sexual assault for Reserve Component Service members in a one year period.
Note: Prevalence data from the 2014 MWS is currently unavailable for the NG

Metric 2: Reports of Sexual Assault vs. Prevalence of Unwanted Sexual Contact



Description: Estimates the percentage of Service members incidents captured in reports of sexual assault (Restricted and Unrestricted Reports)
Frequency: Reported to the SAPR Joint Executive Council (JCS TANK) on a biannual basis.
Sources: For DoD numbers: NG (ARNG and ANG reports of sexual assault (FY 08-FY11) and Defense Sexual Assault Incident Database (DSAID, FY12-14), WGRR (2012), RAND Military Workplace Study (MWS; 2014; top-line data unavailable for NG)
Implications: Capturing a greater proportion of sexual assault incidents in reports to NG improves visibility over the extent of the problem. It is the NG's goal to decrease the prevalence of sexual assault through prevention, while encouraging a greater number of victims to make a Restricted or Unrestricted Report. Increase reporting allows a greater number of victims to obtain needed assistance, and gives the NG an opportunity to hold offenders appropriately accountable.
Note: Prevalence data from the 2014 MWS is currently unavailable for the NG

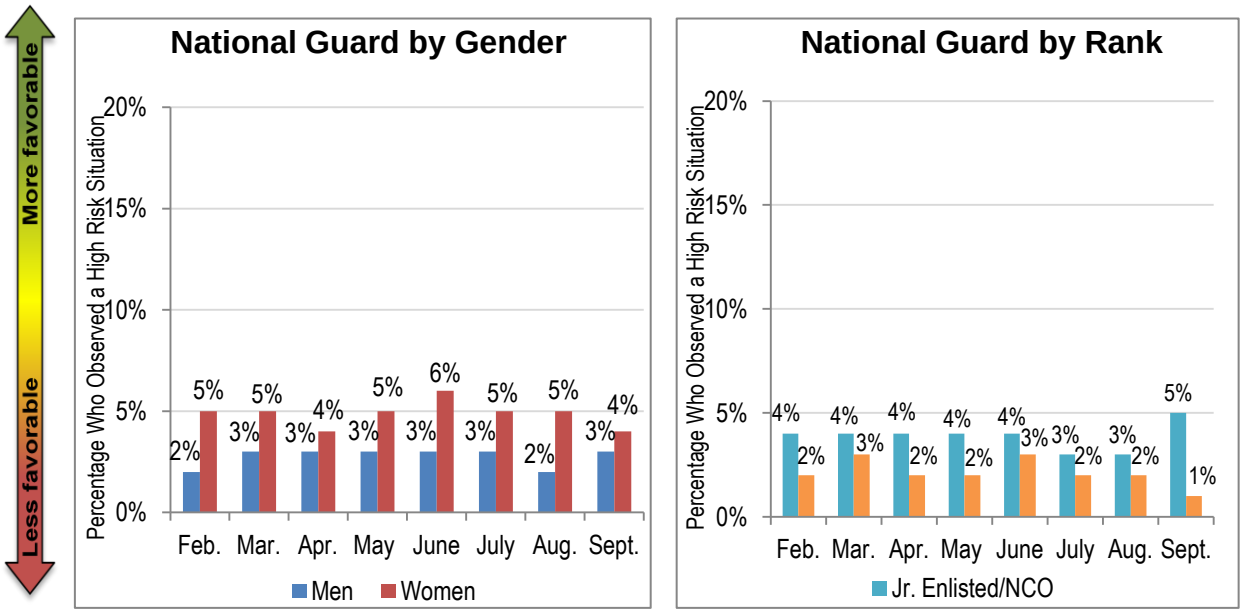
Metric 3a-b: Bystander Intervention



	% Observed High Risk Situation	If Observed, % Intervened
NG February – September 2014	3%	89%

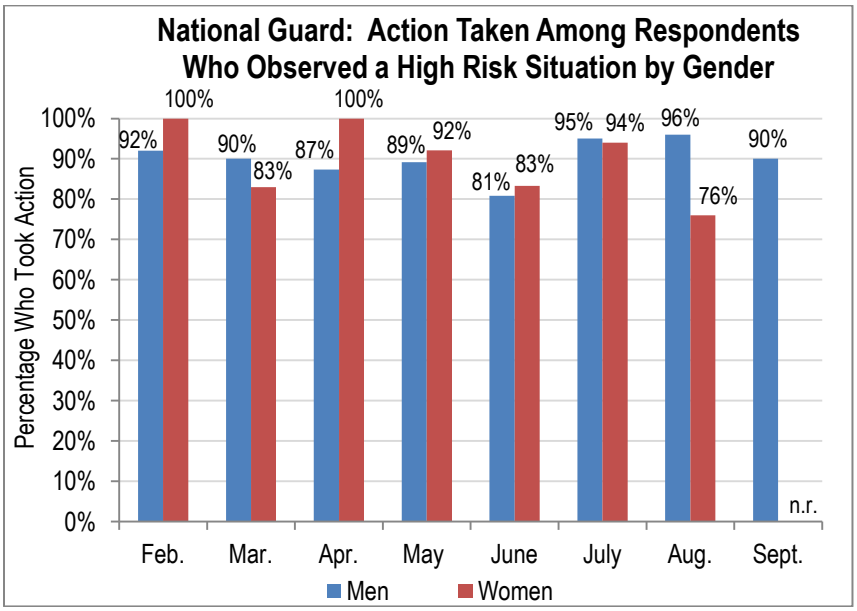
Description: Service member response to "In the past 12 months, I observed a situation that I believed to be at risk for sexual assault." And if they observed a high risk situation, what action they took.
Source: DEOMI Organizational Climate Survey (DEOCS)
Implication: Indicator of frequency of observed high-risk situation and Service member action to prevent sexual assault. However, DEOCS results draw from a convenience sample and may not be representative of the entire force.
Summary Points: Overall, 3% of NG Service Members respondents indicated they witnessed a high risk situation. However, of those who observed a high risk situation, the vast majority (89%) took some action to intervene.
Notes: The DEOCS is a voluntary survey administered to a unit annually or within 120 days of change in unit command

Metric 3a: NG Bystander Intervention – Observed Risk by Gender and Rank

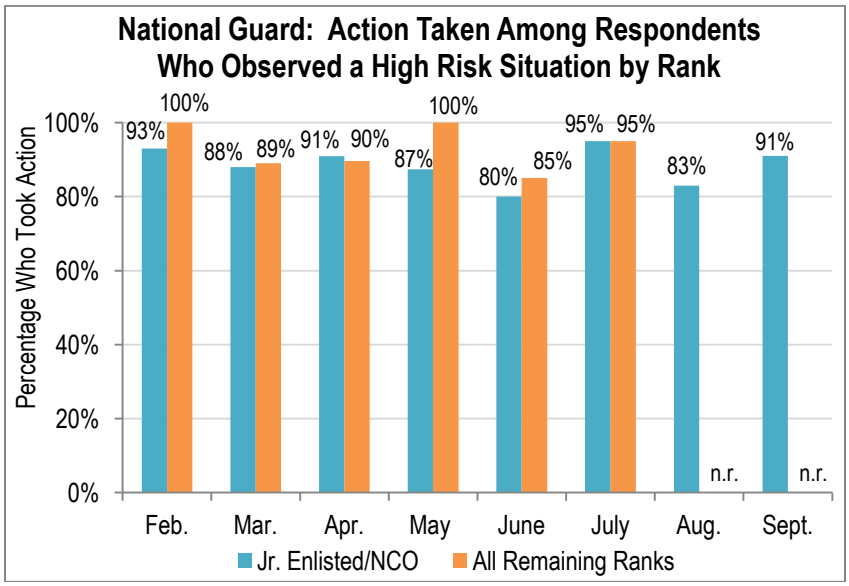


Men Average – 3%	Women Average – 5%	Jr. Enlisted Average – 4%	NCO Average – 2%

Metric 3b: NG Bystander Intervention – Action Taken by Gender and Rank

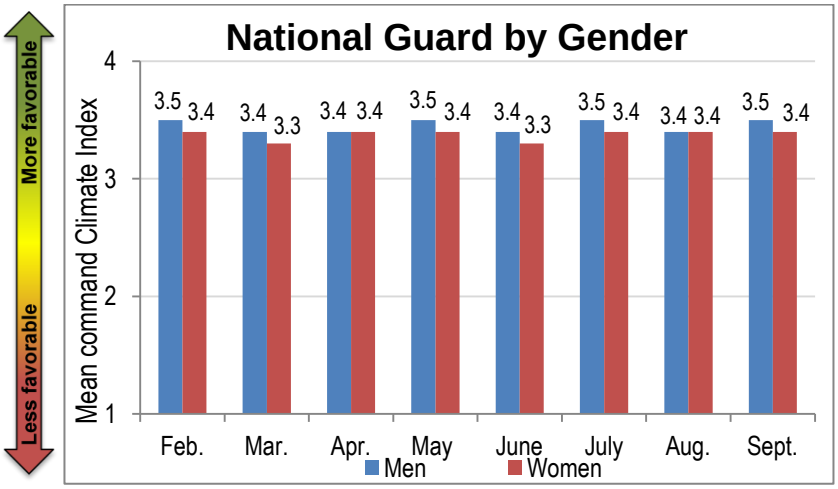


Note: In September, data for women were not reportable due to a small number of female respondents who answered this item.
Men Average – 90% Women Average – 79%



Note: In August and September, data for all remaining ranks were not reportable due to a small number of these respondents who answered this item.
Jr. Enlisted Average – 89% NCO Average – 93%

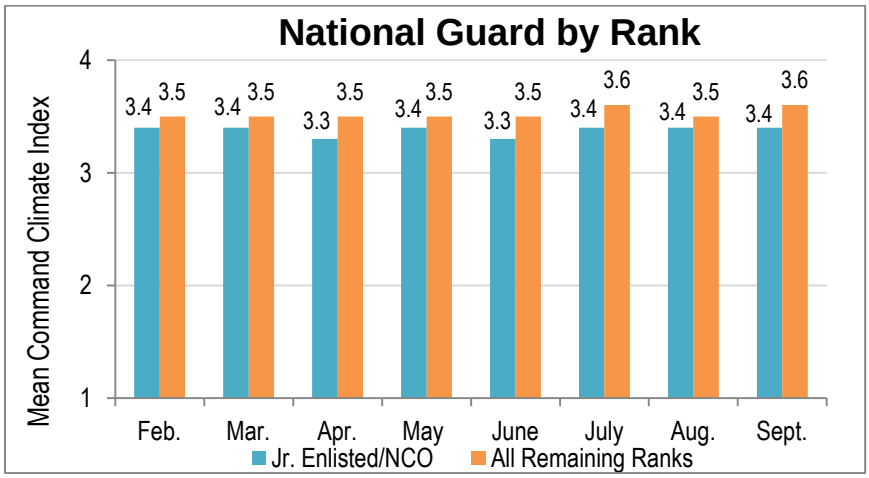
Metric 4: Command Climate by Gender



	Men	Women
NG February – August 2014	3.5	3.4

Description: Mean Service member perceptions of the extent to which their command: (1) Promotes a climate based on "mutual respect and trust," (2) Refrains from sexist comments and behaviors, and (3) Actively discourages sexist comments and behaviors. Higher scores indicate more favorable perceptions and 4 is the highest allowable score that is available to select in the survey.
Source: DEOMI Organizational Climate Survey (DEOCS).
Implication: Service members rating of command climate in this area that address the continuum of harm. However, DEOCS results draw from a convenience sample and may not be representative of the entire force.
Summary Point: Overall, Service members perceived a favorable command climate. Overall Men perceived a slightly more favorable climate compared to women.
Note: The DEOCS is a voluntary survey administered to military units annually or within 120 days of change in unit command.

Metric 4: Command Climate by Rank

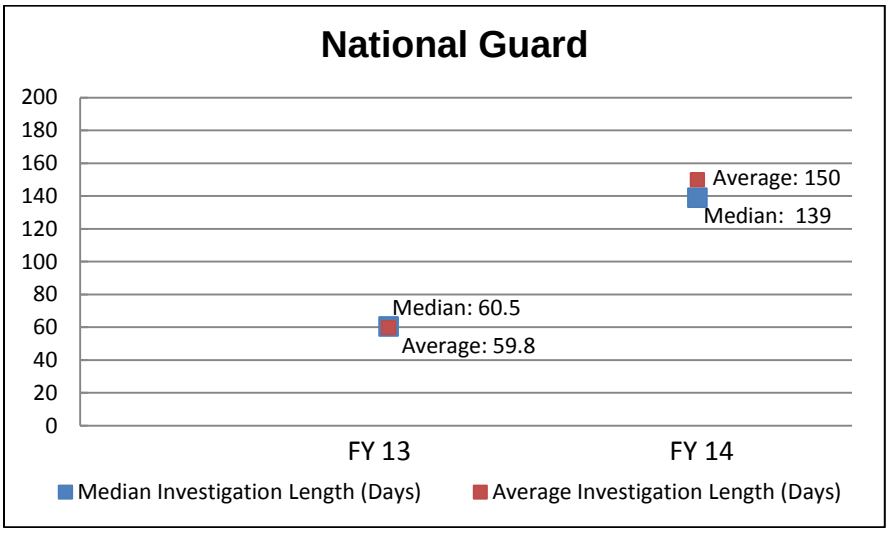


	Jr. Enlisted/NCO	All Remaining Ranks
NG February – September 2014	3.4	3.5

Description: Mean Service member perceptions of the extent to which their command: (1) Promotes a climate based on "mutual respect and trust," (2) Refrains from sexist comments and behaviors, and (3) Actively discourages sexist comments and behaviors. Higher scores indicate more favorable perceptions and 4 is the highest allowable

score that is available to select in the survey.
Source: DEOMI Organizational Climate Survey (DEOCS).
Implication: Service members rating of command climate in this area that address the continuum of harm. However, DEOCS results draw from a convenience sample and may not be representative of the entire force.
Summary Point: Overall, Service members perceived a favorable command climate. Overall Men perceived a slightly more favorable climate compared to women.
Note: The DEOCS is a voluntary survey administered to military units annually or within 120 days of change in unit command.

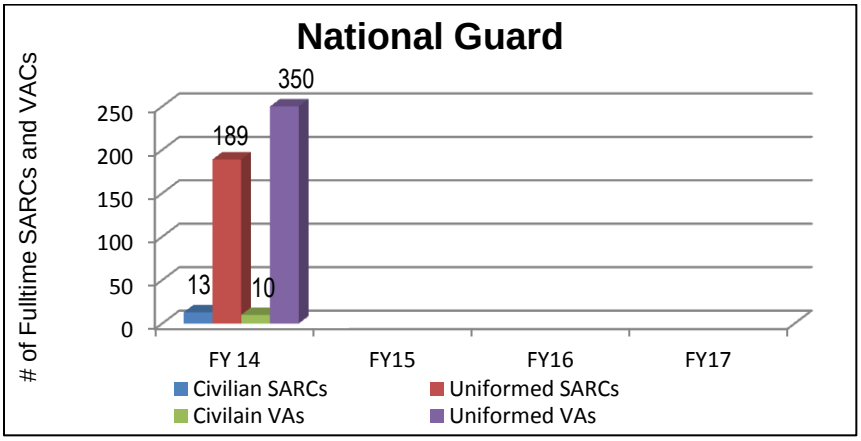
Metric 5: Investigation Length



Investigations Information	NG FY13	NG FY14
Completed Investigations	17	26
Average Investigation Length (Days)	59.8	150
Median Investigation Length (Days)	60.5	139

Description: Baseline average and median Investigation Lengths of sexual assaults for Office Of Complex Administrative Investigations (OCI). The investigation length measured is from the date the TAG requests an investigation to the date the ROI is released back to TAG for case disposition.
Source: OCI
Implications: Provides a means to address expectations about investigation length. Investigation Length is not a measure of a thorough and professional investigation and may vary greatly depending on the complexity of the allegation, evidence and the availability of witnesses in Title 32 status.
Summary Points: On average, an OCI Investigation is taking 5 months from the request to the release of the final report back to TAGs
Note: The median is a "midpoint" for a set of numbers; it is the value for which half are above and half are below. Unlike an average, the median is less influenced by outliers in a set of numbers.

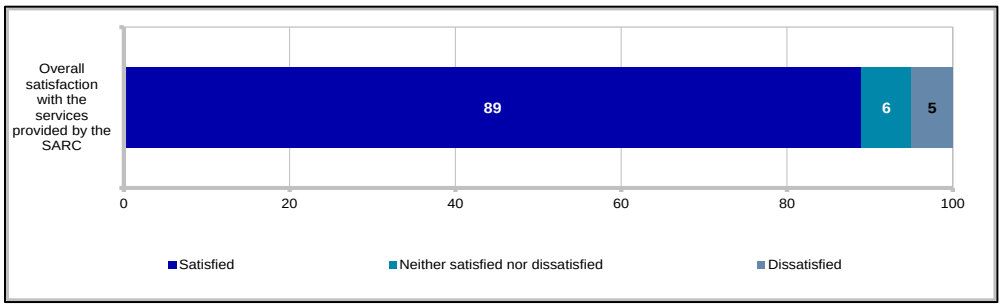
Metric 6: Fulltime Certified SARC and VA Personnel

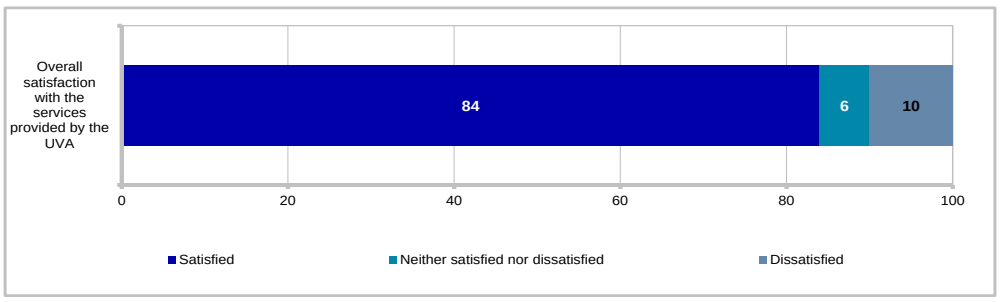


Civilian Fulltime Personnel		Uniformed Fulltime Personnel	
SARCs	VACs	SARCs	VACs

Description: Number of fulltime Civilian Sexual Assault Response Coordinators and Victim Advocate Coordinators, and number of fulltime Uniformed Personnel SARCs and VACs.
Source: Service Component Provided Data
Implication: Indicator of fulltime professional capability for the NG while in Title 32 status. Both the ARNG and ANG have additional collateral duty SARCs and VAs available to assist victims of sexual assault.
Summary Point: Professional SARC and VA capability is available to meet NG victims' needs.

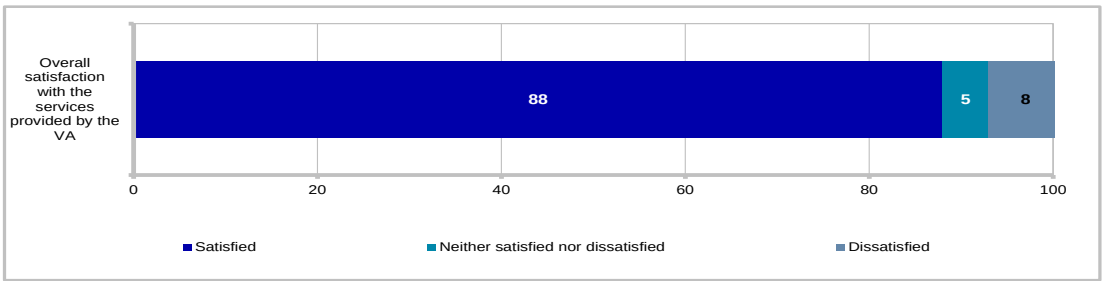
Metric 7a: NG Victim opinion of the quality/value of support provided by the SARC/VAC* and SVC

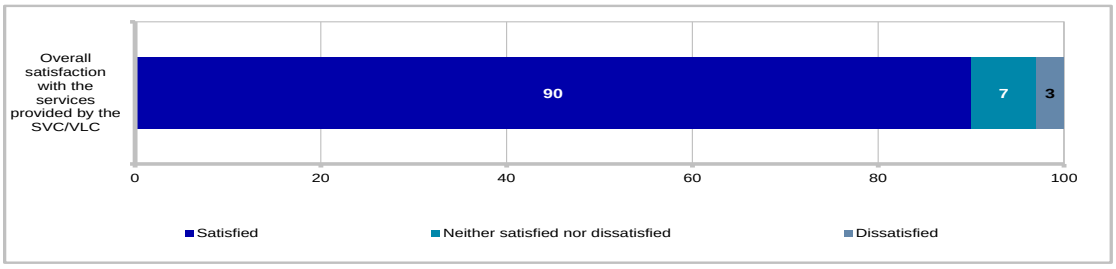




Description: Victim Opinion of the quality/value of support provided by the SARC, VACs and VAs, if accepted by the victim.
Source: Survivor Experience Survey (SES), Phase 1
Implication: Indicates the degree to which SARCs, VACs, and VAs are valued by victims.
Summary Points: The vast majority of victims were satisfied with their SARCs and UVAs.

Metric 7b: NG Victim opinion of the quality/value of support provided by the SARC/VA* and SVC



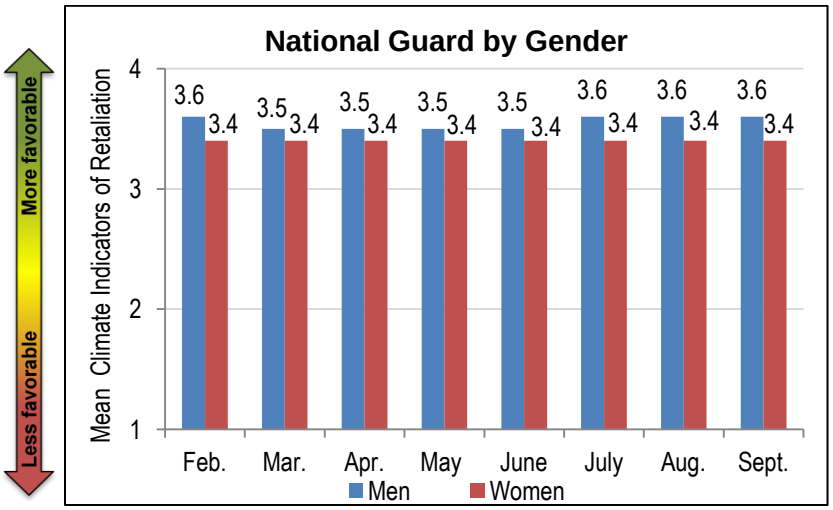


Description: Victim Opinion of the quality/value of support provided by the VAs/UVAs and SVC, if accepted by the victim.
Source: Survivor Experience Survey (SES), Phase 1
Implication: Indicates the degree to which and VAs/UVAs and SVCs are valued by victims.
Summary Points: The vast majority of victims were satisfied with their VACs and SVCs.

Metric 8: Subjects with Victims Declining Participate in the Military Justice Process

Note: This data is not captured for the National Guard--All victims participated in the OCI administrative investigative process

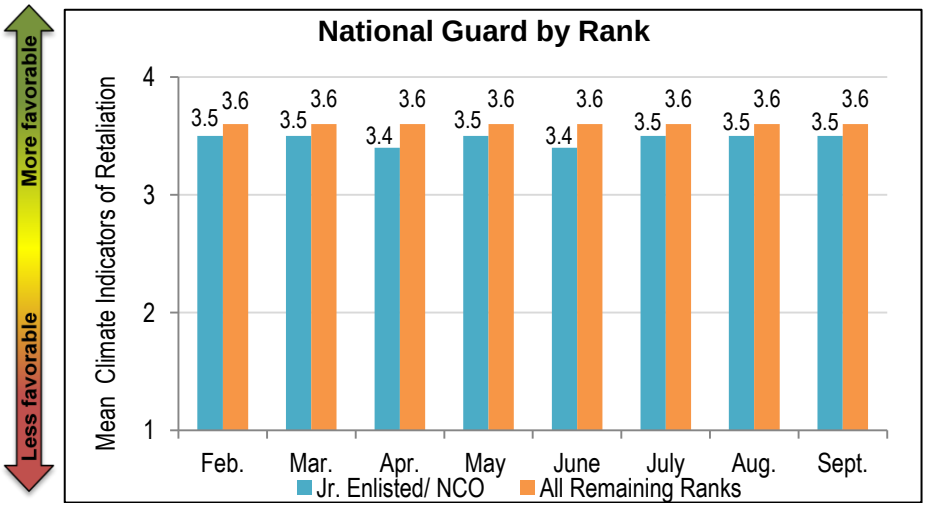
Metric 9a: Peer Climate Indicators of Retaliation by Gender



	Men	Women
NG February – September 2014	3.6	3.4

Description: Mean Command climate indicators that victims may be retaliated against for reporting. Higher scores indicated a more favorable command climate.
Source: DEOMI Organizational Climate Survey (DEOCS).
Implication: Provides an indication of Service member perceptions of whether individuals who report a sexual assault would experience some kind of retaliation for doing so. However, DEOCS results draw from a convenience sample and may not be representative of the entire force.
Summary Point: Command climate indicators suggested that, overall, survey Service members did not believe that retaliation was likely to occur. Compare to men, women reported that retaliation was slightly more likely to occur.
Note: The DEOCS is a voluntary survey administered to military units annually or within 120 days of change in unit command.

Metric 9a: Peer Climate Indicators of Retaliation by Rank



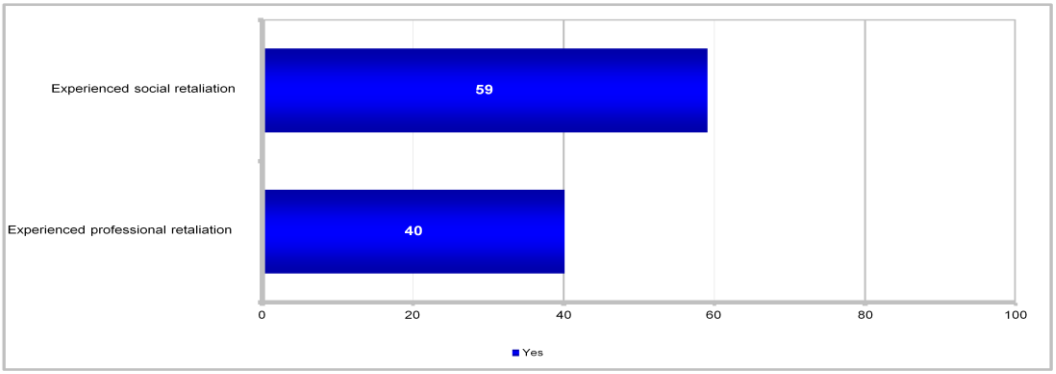
	Jr. Enlisted/NCO	All Remaining Ranks
NG February – September 2014	3.5	3.6

Description: Mean Command climate indicators that victims may be retaliated against for reporting. Higher scores indicated a more favorable command climate.
Source: DEOMI Organizational Climate Survey (DEOCS).
Implication: Provides an indication of Service member perceptions of whether individuals who report a sexual assault would experience some kind of retaliation for doing so. However, DEOCS results draw from a convenience sample and may not be representative of the entire force.
Summary Point: Command climate indicators suggested that, overall, survey Service members did not believe that retaliation was likely to occur. Compare to all other ranks, Junior enlisted and NCOs reported that retaliation was more likely to occur.
Note: The DEOCS is a voluntary survey administered to military units annually or within 120 days of change in unit command. Rankings are categorized as follows: Junior Enlisted /NCO includes E1- E6, all remaining ranks includes E7 - E9, and all Commissioned or Warrant Officers.

Metric 9b: Victim Perspective on Personal, Professional, and Social Retaliation by Gender and Rank

**Note: Top-line results for this metric not available for the National Guard

Metric 9c: DoD Victim Perspective on Professional and Social Retaliation

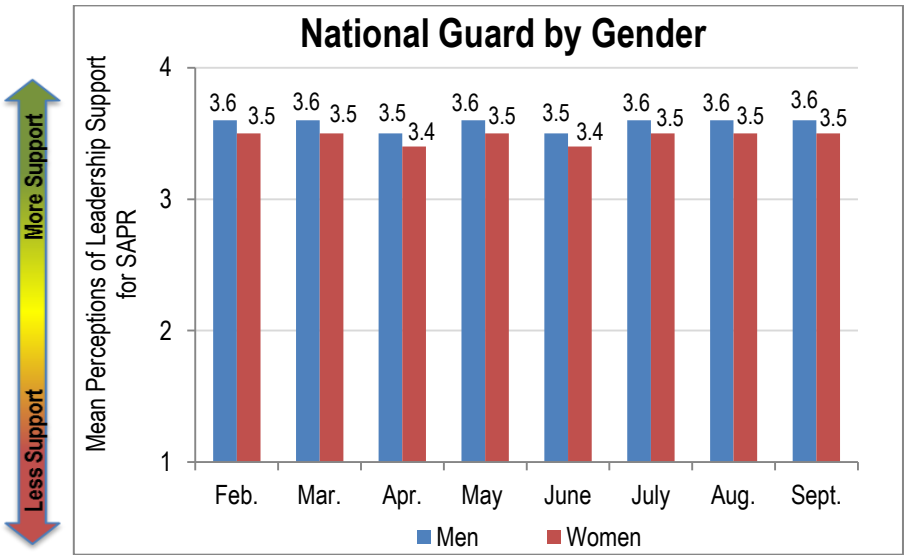


Description: Victims indication on the survey that they perceived social ostracization and /or professional retaliation as a result of reporting of sexual assault.
Source: Survivor Experience Survey (SES), Phase 1
Implication: Provides an indication of the experience of victims who report a sexual assault.
Summary Points: Overall, a substantial proportion of victims perceived some kind of retaliation. However, a higher percentage of victims reported social ostracization than professional retaliation.

Metric 10: Victim Experience of Being Informed Regularly of the Military Justice Process

Note: This data is not captured for the National Guard

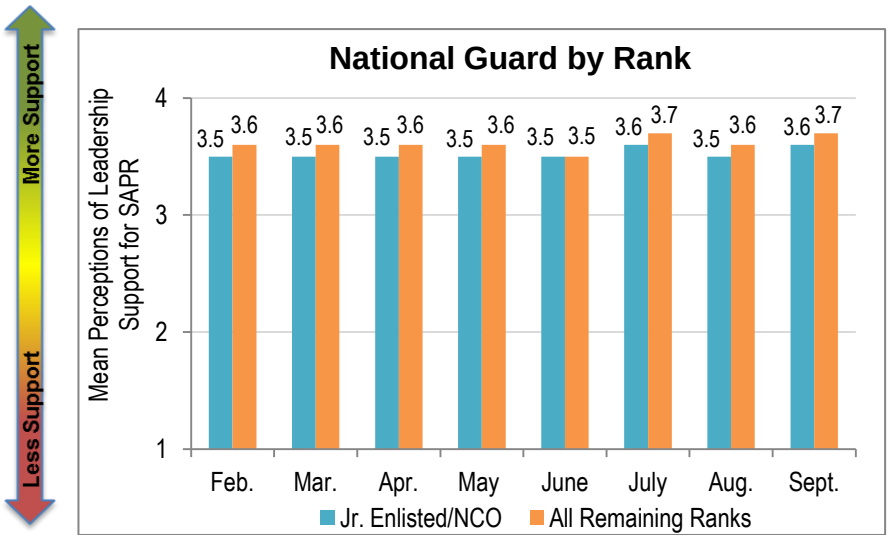
Metric 11: Service Members' Perceptions of Leadership Support for SAPR by Gender



	Men	Women
NG February – September 2014	3.6	3.5

Description: Mean Service member perceptions of command and leadership support for SAPR program, victim reporting, and victim support. Higher scores indicate more favorable perceptions.
Source: DEOMI Organizational Climate Survey (DEOCS).
Implication: Service members rating of command climate in this area from 1 to 4. However, DEOCS results draw from a convenience sample and may not be representative of the entire force.
Summary Point: Overall, Service members perceived their command and leadership to be supportive of SAPR. Women perceived lower levels of leadership support for SAPR compared to men.
Note: The DEOCS is a voluntary survey administered to military units annually or within 120 days of change in unit command.

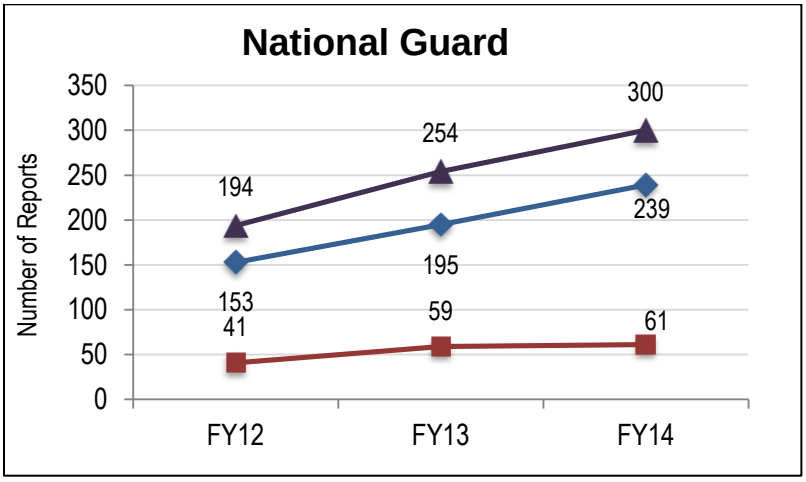
Metric 11: Service Members' Perceptions of Leadership Support for SAPR by Rank



	Jr. Enlisted/NCO	All Remaining Ranks
NG February – August 2014	3.5	3.6

Description: Mean Service member perceptions of command and leadership support for SAPR program, victim reporting, and victim support. Higher scores indicate more favorable perceptions.
Source: DEOMI Organizational Climate Survey (DEOCS).
Implication: Service members rating of command climate in this area from 1 to 4. However, DEOCS results draw from a convenience sample and may not be representative of the entire force.
Summary Point: Overall, Service members perceived their command and leadership to be supportive of SAPR. Jr. Enlisted/NCO perceived lower levels of leadership support for SAPR compared to all other ranks.
Note: The DEOCS is a voluntary survey administered to military units annually or within 120 days of change in unit command. Rankings are categorized as follows: Junior Enlisted /NCO includes E1- E6, all remaining ranks includes E7 - E9, and all Commissioned or Warrant Officers

Metric 12: Reports of Sexual Assault



Reports of Sexual Assault	Total (+\-)	= Unrestricted (+\-)	= Restricted (+\-)	= % of Reports Restricted
NG FY14	300 (+18%)	= 239 (+23%)	= 61 (+3%)	20%
NG FY13	254	= 195	= 59	23%

Description: Year to year trend of restricted and unrestricted report received by the NG. Both restricted and unrestricted reports represent on victim per report.
Frequency: Reported to the SAPR Joint Executive Council (JCS TANK) on a quarterly basis.
Source: NG data is pulled from DSAID and reported to DoD for the quarterly report.
Implication: A change in reports of sexual assault may reflect a change in victim confidence in the NG response systems. The continued increase in the number of Unrestricted Reports compared to Restricted Reports may be an indicator of victims trust in the command to investigate respond appropriately to reports of sexual assault while providing an environment of dignity and respect for the victim.
Summary: Reports of sexual Assault increased by 18% from FY 13 to FY 14.

Note: Data is not captured for Non-Metrics 1 – 6 for the National Guard

ACRONYM LIST

AAG	Assistant Adjutant General
AC	Active component
ADOS	Active Duty Operational Support
AF	Air Force
AFB	Air Force Base
AGR	Active Guard and Reserve
ANG	Air National Guard
ARNG	Army National Guard
BIT	Bystander Intervention Training
CASA	Coalitions Against Sexual Assault
CCSDA	Custom Canines Service Dog Academy
CDC	Center for Disease Control
CDI	Command Directed Investigation
CID	Criminal Investigative Division
CLE	Civilian law enforcement
CMD	California Military Department
CMG	Case management Group
CMJ	Code of Military Justice
CNGB	Chief of the National Guard Bureau
CO	Colorado
Cpl	Corporal
CST	Civil Support Team
DANG	Director, Air National Guard
DARNG	Director, Army National Guard
DC	District of Columbia
DE	Delaware
DEOCS	Defense Equal Opportunity Management Institute Organizational Climate Surveys
DEOMI	Defense Equal Opportunity Management Institute
DMDC	Defense Manpower Data Center
DoD	Department of Defense
DoDD	Department of Defense Directive
DoDI	Department of Defense Instruction
DSAID	Defense Sexual Assault Incident Database
DTFSAMS	Defense Task force on Sexual Assault in the Military Services
DTM	Directive Type Memorandum
DTMS	Defense Training Management System
EEO	Equal Employment Opportunity
FY	Fiscal Year
FTNGD	Full Time National Guard Duty
GA	Georgia
GKO	Guard Knowledge Online
GS	General Schedule

GSLCs	Guard Senior Leader Conferences
GSLUs	Guard Senior Leader Updates
HQDA	Headquarters, Department of Army
HR	Human Resource
HROs	Human Resource Officers
IA	Iowa
ID	Idaho
IDT	Inactive Duty Training
ING	Inactive National Guard
JA	Judge Advocate
JCS	Joint Chiefs of Staff
JFHQ-State	Joint Force Headquarters - State
JTF	Joint Task Force
KY	Kentucky
LOD	Line of Duty
LOE	Line of Effort
LTG	Lieutenant General
MA	Massachusetts
MCIO	Military Criminal Investigation Organization
ME	Maine
MEPS	Military Entrance Processing Station
MOAs	Memorandums of Agreement
MOUs	Memorandums of Understanding
MPO	Military Protective Order
MST	Military Sexual Trauma
NDAA	National Defense Authorization Act
NG	National Guard
NG-J1	Directorate of Manpower and Personnel, National Guard Joint Staff
NG-J1-SAPR	Directorate of Manpower and Personnel, Sexual Assault Prevention and Response Office, National Guard Joint Staff
NGB	National Guard Bureau
NGB-PA	Office of the National Guard Bureau Public Affairs and Strategic Communications
NGB-JA	Chief Counsel of the National Guard Bureau
NGB-JA/OCI	Chief Counsel of the National Guard Bureau Office of Complex Administrative Investigations
NOVA	National Organization of Victim Assistance
OCI	Office of Complex Administrative Investigation
OEF	Operation Enduring Freedom
OH	Ohio
OIF	Operation Iraqi Freedom
OS	Operational Support
OSD	Office of the Secretary of Defense
PAOs	Public Affairs Offices

PDS	Professional Development Seminar
PEC	Professional Education Center
PII	Personally Identifying Information
PMs	Program managers
PMO	Provost Marshall Office
PSAs	Public Service Announcements
RAINN	Rape Abuse and Incest National Network
RC	Reserve Component
RI	Rhode Island
SA	Sexual Assault
SAAM	Sexual Assault Awareness Month
SAND	Sexual Assault Network of Delaware
SAPR	Sexual Assault Prevention and Response
SAPRAC	Sexual Assault Prevention and Response Advisory Council
SAPR VA	Sexual Assault Prevention and Response Victim Advocate
SAPRO	Sexual Assault Prevention and Response Office
SARB	Sexual Assault Review Board
SARC	Sexual Assault Response Coordinator
SART	Sexual Assault Response Team
SAV	Staff Assistance Visit
SAWG	Sexual Assault Working Group
SEA	Senior Enlisted Advisor
SecDef	Secretary of Defense
SEEM	State Equal Employment Manager
SES	Survival Experience Survey
SHARP	Sexual Harassment/Assault Response and Prevention
SJA	Staff Judge Advocates
SMEs	Subject Matter Experts
SOP	Standard Operating Procedures
SVC	Special Victims Counsel
T10	Title 10
T32	Title 32
TAG	The Adjutant General
TJAGs	The Judge Adjutant Generals
UCMJ	Uniform Code of Military Justice
USA	United States Army
USAF	United States Air Force
UTA	Unit Training Assembly
VAC	Victim Advocate Coordinator
VAMC	Veterans Affairs Medical Center
WA	Washington
WESO	Wing Executive Support Officer
WGRS	Workplace Gender Relations Survey
WI	Wisconsin
XO	Executive Office

YOU are critical to combating sexual assault in the Guard. The new cultural change begins with **YOU**.




UNITED STATES COAST GUARD
SEMPER
PARATUS
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U.S. Department of Homeland Security

United States Coast Guard

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United States Coast Guard

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NOV 05 2014

MG Jeffrey J. Snow, USA
Director
DoD Sexual Assault Prevention and Response Office
4800 Mark Center, Suite 07G21
Alexandria, VA 22311

Dear General Snow:

The U.S. Coast Guard continues to seek opportunities to align with the Department of Defense in our ongoing collective efforts to battle sexual assaults in the military. We also believe that it is vitally important to highlight this alignment with the White House, the Congress and the public, whenever possible.

Attached, you will find the U.S. Coast Guard Annex of the DoD SAPR Progress Report to the President of the United States. I appreciate the opportunity for the U.S. Coast Guard to be included.

Thank you for your continued attention to these important efforts.

Sincerely,

Paul F. Zukunft
Admiral, U.S. Coast Guard
Commandant



United States Coast Guard

Annex

President's Report

October 2014

Homeland Security

Executive Summary

Over the last several years, the Coast Guard has dedicated significant resources to eliminate sexual assault from the Service. The Coast Guard has long recognized the importance of a strong Sexual Assault Prevention and Response Program, and has taken direct actions—such as hiring a dedicated Program Manager and chartering a Task Force to examine sexual assault training, policy, investigations, communications, and culture—to address the problem. In January 2013, these efforts culminated with the Coast Guard's establishment of the Sexual Assault Prevention Council as a cross-directorate body comprised of shareholders in the Sexual Assault Prevention and Response Program and processes.

In its first year, the Council made significant progress to increase the Coast Guard leadership's collective understanding of the current climate, drive positive cultural change, increase the availability and quality of response support for sexual assault victims, improve investigative and prosecution processes, and empower leadership to take action to prevent and respond to incidents of sexual assault. As its first order of business, the Council developed and published the *U.S. Coast Guard Sexual Assault Prevention and Response Strategic Plan for Fiscal Years 2013-2017*. The Plan outlines the following four strategic goals around which the Coast Guard has and will continue to focus its efforts during fiscal years 2013-2017:

- **Goal 1 (Climate):** Create a culture intolerant of sexual assault or behaviors that enable it.

- **Goal 2 (Prevention):** Eliminate sexual assault in the Coast Guard through the foundation of a strong preventative culture.

- **Goal 3 (Response):** Improve the availability and quality of response support for sexual assault victims. Increase victim confidence and lessen the stigma associated with reporting.

- **Goal 4 (Accountability):** Ensure those who commit sexual assault in the Coast Guard are held accountable. Improve capability and capacity for the reporting, investigation, and prosecution of sexual assault; and elevate leadership engagement in response to sexual assault.

In alignment with these goals, the Sexual Assault Prevention Council identified and took action on a focused set of activities and milestones to drive the Coast Guard's near-term efforts to eliminate sexual assault from the Service. The Council's accomplishments to date are described below:

- **Goal 1 (Climate):** Assessed the current sexual assault prevention and response climate and culture, improved training programs, and issued and planned targeted communications. Specific efforts included sponsoring a Junior Council to garner feedback from junior members and a Sexual Assault Prevention and Response Summit; improving unit indoctrination, standardized training, and recruit training; planning events

for the annual Sexual Assault Awareness Month; and issuing public affairs guidance and a blog series.

- **Goal 2 (Prevention):** Raised Service-wide awareness of sexual assault issues and improved bystander intervention training through developing leadership training tools and incorporating bystander intervention training in several forums attended by a broad cross-section of Coast Guard personnel.

- **Goal 3 (Response):** Increased sexual assault response resources, developed and instituted Sexual Assault Response Coordinator and Victim Advocate certification requirements, enhanced the Victim Advocate screening process, established a special Victims' Counsel Program to represent the interest of victims throughout the investigatory and military justice process, and stood up a Victim Recovery and Response Committee to enhance Coast Guard efforts toward victims.

- **Goal 4 (Accountability):** Evaluated and improved the investigative and prosecution processes and equipped Coast Guard leaders with the necessary tools to enable them to fully engage in response activities. Specific activities included a review of disposition determinations, development of a Sexual Assault Incident Report and an accompanying Commanding Officers/Officers-in-Charge Quick Reference Guide, and establishment of a Case Review Board Pilot, Sexual Assault Response Teams, and Crisis Intervention Teams.

The Council's efforts have set the foundation for improvements in training, policy, investigation and prosecution, communications, and workplace climate and culture. While these accomplishments are significant, the Council's work is not over; the number of reported incidents has increased significantly in the last few years. Beyond 2014, the Council plans to continue efforts to implement the Strategic Plan, develop sustainable processes and systems for legacy and new sexual assault prevention and response efforts, and, in collaboration with the White House and Department of Defense, define and institute metrics to measure the effectiveness of activities over time.

Table of Contents

1 Introduction 1

2 Sexual Assault Prevention Council Overview 2

3 Accomplishments 3

3.1 Goal 1: Climate 5

3.1.1 Assessed Current Climate and Culture 6

3.1.2 Improved Training 7

3.1.3 Planned and Issued Targeted Communication 9

3.1.4 Climate Metrics 11

3.2 Goal 2: Prevention 11

3.2.1 Raised Service-wide Awareness 11

3.2.2 Improved Bystander Intervention Training 13

3.2.3 Strengthened Screening Criteria for Sensitive Positions 14

3.2.4 Prevention Metrics 14

3.3 Goal 3: Response 14

3.3.1 Increased Sexual Assault Prevention and Response Resources 14

3.3.2 Enhanced the Sexual Assault Response Coordinator Program 15

3.3.3 Enhanced the Victim Advocate Program 15

3.3.4 Established the Special Victims' Counsel Program 16

3.3.5 Improved Investigations Capability 17

3.3.6 Established the Victim Response and Recovery Care Committee 18

3.3.7 Response Metrics 18

3.4 Goal 4: Accountability 18

3.4.1 Evaluated and Improved Investigative and Legal Processes 18

3.4.2 Empowered Leaders to Engage in Response Efforts 19

3.4.3 Accountability Metrics 20

4 Conclusion and Way Forward 20

4.1.1 Continue to Implement the Strategic Plan 21

4.1.2 Develop Sustainable Processes and Systems 21

Appendix A: Sexual Assault Prevention Program Plan of Actions and Milestones 1

Appendix B: Climate Metrics 4

Appendix C: Prevention Metrics 7

Appendix D: Response Metrics 8
Appendix E: Accountability Metrics 11

1 Introduction

Within the Coast Guard, sexual assault is a crime that destroys discipline, erodes command cohesiveness, and degrades readiness. Although sexual assault in the military is an issue that has recently received significant attention from external oversight bodies and the media, the issue has been at the forefront of the Commandant's priorities for many years. Since 2008, the Coast Guard has dedicated significant resources and taken direct actions—such as hiring a dedicated Program Manager and chartering a Task Force to examine sexual assault training, policy, investigations, communications, and culture—to address sexual assault (see Figure 1). In October 2013, these actions culminated in the issuance of the Sexual Assault Prevention and Response Task Force's Report. In its Report, the Task Force recommended that the Coast Guard create a Sexual Assault Prevention Council to manage implementation of the Task Force recommendations and coordinate Service-wide efforts to eliminate sexual assault by and upon Coast Guard personnel.

In direct response to the Task Force Report, the Deputy Commandant for Mission Support signed the Sexual Assault Prevention Council Charter on 31 January 2013. The newly formed Council held its kick-off meeting on 27 February 2013. Since then, the Council continues to meet one to two times a month and drive measured progress in all areas addressed in the Task Force Report: training, policy, investigation and prosecution, communications, and workplace climate and culture. This document provides an overview of events leading to the creation of the Sexual Assault Prevention Council as well as service-wide accomplishments since its inception to highlight the Coast Guard's approach to eradicating sexual assault within our service.

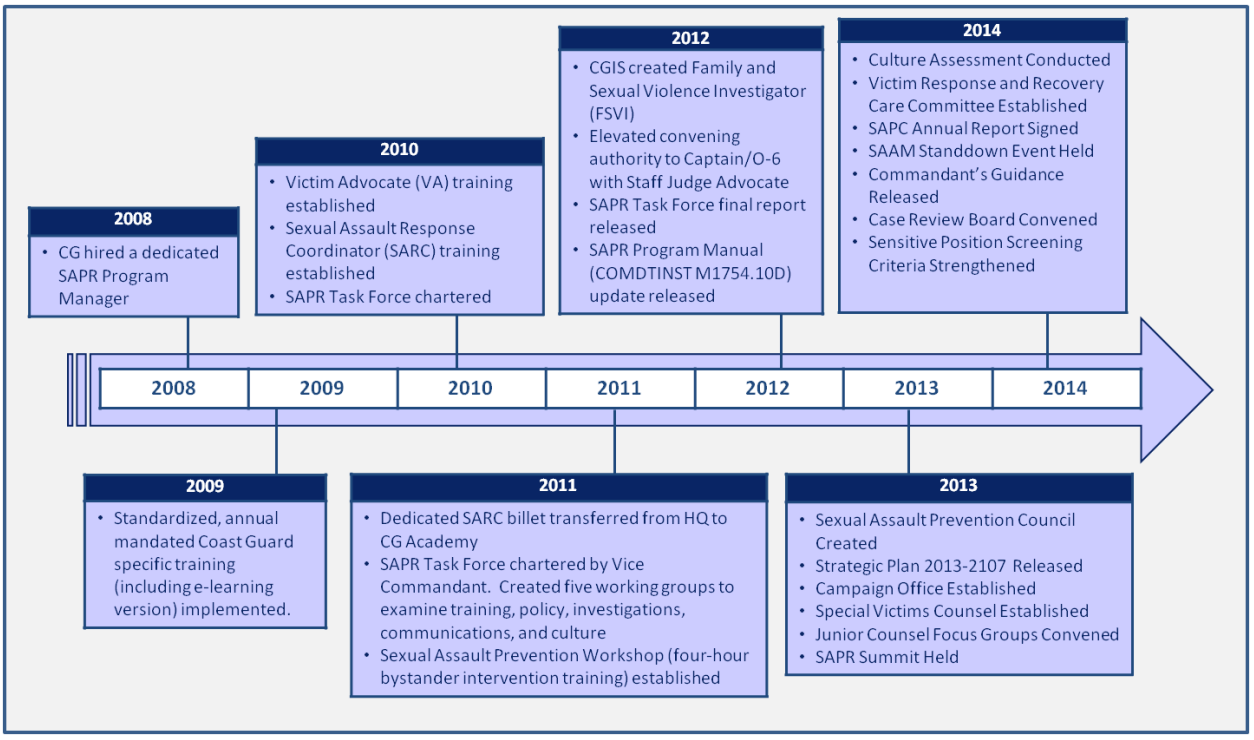


Figure 1: Sexual Assault Prevention and Response Background Timeline

2 Sexual Assault Prevention Council Overview

Eliminating sexual assault from the Coast Guard requires fundamental changes to many facets of the organization, including culture and workplace climate; human resources policies and processes; training programs; accountability mechanisms; and renewed leadership engagement and commitment. For that reason, the Deputy Commandant for Mission Support chartered the Sexual Assault Prevention Council as a cross-directorate council comprised of senior leadership from the Coast Guard Areas, Force Readiness Command, Academy, and Headquarters entities that are shareholders in the Sexual Assault Prevention and Response Program and processes, including:

- Deputy Commandant for Mission Support (Chair)
- Master Chief Petty Officer of the Coast Guard
- Pacific Area Deputy Commander
- Atlantic Area Deputy Commander
- Director of the Office of Civil Rights
- Director of Governmental and Public Affairs
- Judge Advocate General
- Assistant Commandant for Human Resources
- Director of Health, Safety, and Work-Life
- Director of Coast Guard Investigative Services
- Superintendent of the Coast Guard Academy
- Commander of Force Readiness Command

Collectively, this diverse and senior group of leaders provides the Coast Guard with a governance body that has the necessary authority and leadership to effectively drive Service-wide organizational and cultural change associated with how the Coast Guard prevents and responds to incidents of sexual assault.

To achieve its mission, the Sexual Assault Prevention Council is chaired by the Deputy Commandant for Mission Support and works in close collaboration with the Program Office, which is responsible for day-to-day management of sexual assault prevention and response activities, and the Sexual Assault Prevention and Response Military Campaign Office. In May 2013, the Council established the Military Campaign Office to coordinate the Service's efforts to rapidly operationalize and implement near-term strategies that will create the processes, training regiments, measurements, and support system integrity that will best position the Coast Guard to eradicate sexual assault. The Military Campaign Office also serves as the temporary Executive Secretariat for the Sexual Assault Prevention Council and is responsible for managing the day-to-day operations of the Council. Figure 2, below, illustrates the Council's relationship with the Deputy Commandant for Mission Support, the Program Office, and the Military Campaign Office.

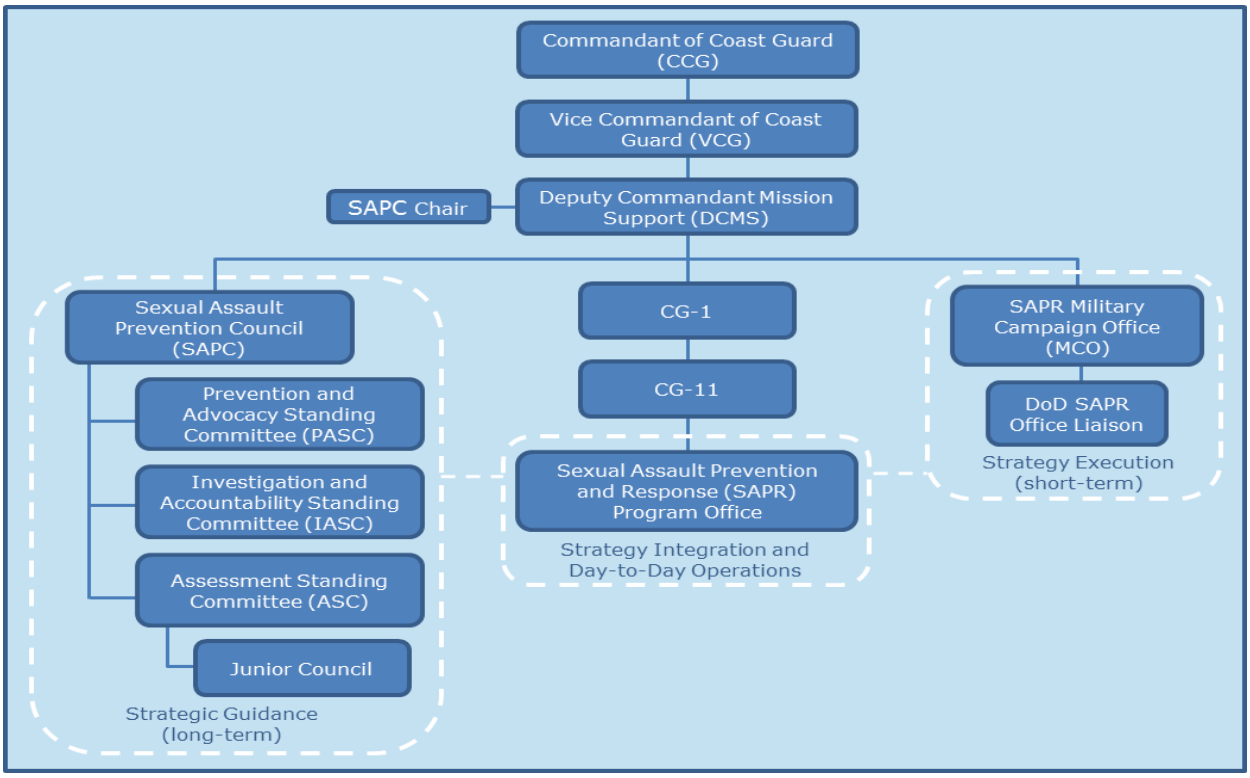


Figure 2 - Sexual Assault Prevention and Response Structure

3 Accomplishments

As its first order of business, the Council reviewed the recommendations of the Task Force and, based on those recommendations, developed the *U.S. Coast Guard Sexual Assault Prevention and Response Strategic Plan for Fiscal Years 2013-2017.*[1] The Strategic Plan, which was signed by the Commandant in April 2013, describes the Coast Guard's approach to eliminate sexual assault—by building both a culture intolerant of assault and harassment and the infrastructure and systems required to support victims, foster an environment of intimidation-free reporting, ensure fair and impartial investigations when incidents do occur, and ensure accountability. Specifically, the Plan outlines the following four strategic goals around which the Coast Guard has and will continue to focus its efforts during fiscal years 2013-2017:

- **Goal 1 (Climate):** Create a culture intolerant of sexual assault or behaviors that enable it.

- **Goal 2 (Prevention):** Eliminate sexual assault in the Coast Guard through the foundation of a strong preventative culture.

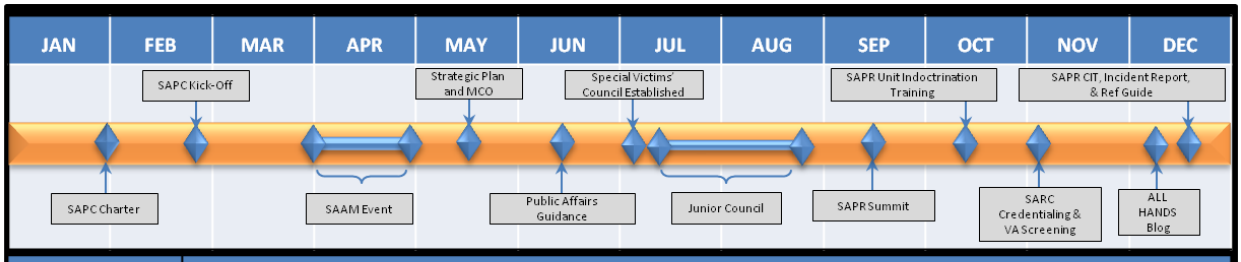
- **Goal 3 (Response):** Improve the availability and quality of response support for sexual assault victims. Increase victim confidence and lessen the stigma associated with reporting.

[1] The *U.S. Coast Guard SAPR Strategic Plan for Fiscal Years 2013-2017* is available at http://www.uscg.mil/worklife/docs/pdf/SAPR_strat_plan.pdf.

- **Goal 4 (Accountability):** Ensure those who commit sexual assault in the Coast Guard are held accountable. Improve capability and capacity for the reporting, investigation, and prosecution of sexual assault; and elevate leadership engagement in response to sexual assault.

To address these goals, the Council chartered three standing committees (Prevention and Advocacy Standing Committee, Investigation and Accountability Standing Committee, and Assessment Standing Committee) and created a Plan of Actions and Milestones detailing each task the Council will complete to operationalize the Strategic Plan (Appendix A). Recognizing the interconnectedness between each of these goals, the standing committees worked in close collaboration to eliminate redundancies and ensure consistency across efforts. Following this approach, in its first year, the Council increased the Coast Guard collective understanding of the current climate, provided tools to drive positive cultural change, formulated and implemented tactics to increase the availability and quality of response support for sexual assault victims, devised strategies to evaluate and improve investigative and prosecution processes, and empowered personnel to take action to prevent and respond to sexual assault.

The following sections detail specific Sexual Assault Prevention Council accomplishments aligned with each goal of the *U.S. Coast Guard Sexual Assault Prevention and Response Strategic Plan for 2013-2017*. Figure 3 provides a high-level summary of the Council's key events and milestones in 2013.

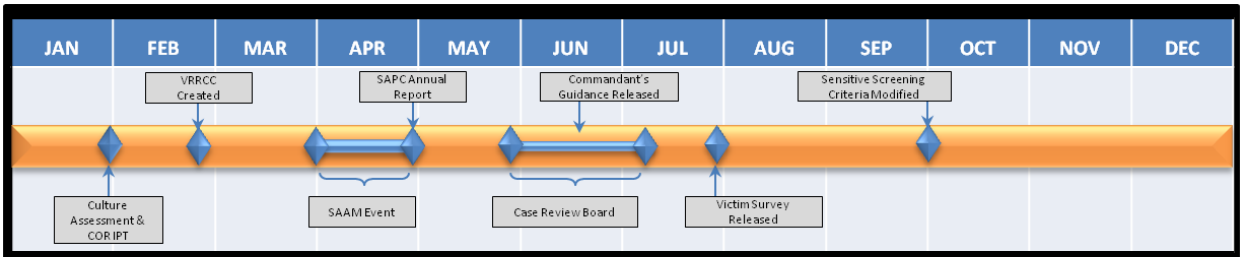


Month	Key Events and Milestones
JANUARY	• Sexual Assault Prevention Council (SAPC) Charter Signed on 31 January 2013
FEBRUARY	• Sexual Assault Prevention Council (SAPC) Kick-Off Meeting Held on 27 February 2013
APRIL	• Sexual Assault Assessment Month (SAAM) Event (individual unit all-hands discussions) Held
MAY	• *U.S. Coast Guard SAPR Strategic Plan for Fiscal Years 2013-2017* Released • Sexual Assault Prevention and Response Military Campaign Office (MCO) Established
JUNE	• Sexual Assault Prevention and Response Public Affairs Guidance Issued
JULY-AUGUST	• Special Victims' Counsel Established • Junior Council Focus Groups Convened
SEPTEMBER	• Sexual Assault Prevention and Response Summit held at Coast Guard Headquarters on 16-17 September 2013
OCTOBER	• Sexual Assault Prevention and Response Training Added to Existing Unit Indoctrination Programs
NOVEMBER	• Sexual Assault Response Coordinator Credentialing Completed • Victim Advocate Screening Completed
DECEMBER	• First Sexual Assault Prevention and Response ALL HANDS Blog Posted • Sexual Assault Prevention and Response Crisis Intervention Team Approved • Sexual Assault Incident Report and Commanding Officers/Officers in Charge Quick Reference Guide Approved

Figure 3 - Sexual Assault Prevention Council 2013 Key Events and Milestones

At the end of the first year, an audit was performed on the Plan of Action and Milestones. Adjustments were made as the Assessment Standing Committee completed the identification of metrics and the Prevention and Advocacy Standing Committee responsibilities shifted back to the program. At that point, the Victim Response and Recovery Care Committee was established.

Figure 4 below provides a high-level summary of the Council's key events and milestones in 2014.



Month	Key Events and Milestones
JANUARY	• Culture Assessment sponsored by Master Chief Petty Officer of the Coast Guard conducted • Culture of Respect Integrated Process Team (COR IPT) established
FEBRUARY	• Plan of Action and Milestone Review resulted in the Creation of the Victim Response and Recovery Care Committee (VRRCC)
APRIL	• Sexual Assault Assessment Month (SAAM) Event conducted as a mandatory Stand Down and facilitated discussion • Sexual Assault Prevention Council Annual Report signed
MAY	• Case Review Board Convened
JUNE	• Commandant's Guidance to PY15 Officer Selection Boards and Panels released
JULY	• Victim Survey released
SEPTEMBER	• Screening Criteria for Sensitive Positions strengthened

Figure 4 - Sexual Assault Prevention Council 2014 Key Events and Milestones

3.1 Goal 1: Climate

Create a culture intolerant of sexual assault or behaviors that enable it.

As input to its report, the Sexual Assault Prevention and Response Task Force conducted an initial analysis of the Coast Guard culture in 2012 and found, among other things, that:

- Biases and myths concerning sexual assault exist within the Coast Guard;
- Overindulgence in alcohol continues to occur within the Coast Guard although it is widely recognized that there is a strong correlation between sexual assault and the overindulgence in alcohol;
- Coast Guard personnel do not feel empowered or understand how to take action against sexual assault;
- Coast Guard personnel are confused concerning the difference between sexual assault and sexual harassment; and
- The Coast Guard members in command have a perception that reporting a sexual assault could reflect negatively on their ability to be in command.

To address these issues, the Council took immediate action to further understand and assess the current climate and culture, improve training programs, and issue and plan targeted communications. The Council's initial efforts have provided Coast Guard leadership with an improved understanding of the current climate and some initial tools to affect change. Related efforts are described in the following sections.

3.1.1 *Assessed Current Climate and Culture*

To further understand the current climate, the Council directly engaged with all levels of Coast Guard Service members. Specific activities include:

- **Junior Council Focus Groups.** Throughout July and August of 2013, the Council convened focus groups—at ten locations—of junior Coast Guard members (E1-E4, O1-O3) to solicit input on the current culture. Through this effort, the Council validated some of the findings of the Task Force and discovered several additional observations about the current climate. Specifically, the council noted that junior members were confused about the difference between sexual assault and harassment; believed that the Coast Guard does not always appropriately address sexual assault at the outset and responses are inconsistent across the Coast Guard; did not trust the chain of command to appropriately handle a report; and unless someone has personal knowledge of a sexual assault, junior members generally did not realize that sexual assault is a problem in the Coast Guard. These findings informed discussions at the 2013 Sexual Assault Prevention and Response Summit (see below), provided leadership with deeper insight into the climate challenges at the deckplate level, and better enabled the Coast Guard to develop relevant and effective training and communications strategies.

- **Sexual Assault Prevention and Response Summit.** On 16-17 September 2013, the Council convened a summit including approximately 150 randomly selected Coast Guard members representing a large variety of units and holding a range of ranks from the most junior to the most senior. The Summit's theme was "One Team, One Fight – Empowering People, Building Trust, Changing Culture." The purpose of the Summit was to provide training, frame the issues, receive feedback, and demonstrate leadership commitment for sexual assault prevention and response efforts.



Figure 5 – More than 150 Coast Guard men and women attend the Coast Guard's inaugural Sexual Assault Prevention and Response Summit on September 16, 2013.

  During the Summit, participants noted, among other things, that (1) sexual assault issues are not openly discussed at the deckplate level; (2) many leaders do not take an active role in demonstrating their intolerance of inappropriate behavior; (3) there are few mentors that members can trust to maintain confidentiality; (4) leadership responses to reports of sexual harassment and assault are not consistent; (5) the 'boys will be boys' culture is pervasive and needs to change; and (6) not all Coast Guard members are aware that there is a problem with sexual assault. These findings validated earlier findings and provided leadership with additional insight into the climate challenges throughout the

Coast Guard ranks. To collect additional feedback, the Council has initiated planning to make mini-summits available across the Coast Guard.

- **Cultural Assessment.** The Council supported efforts led by the Master Chief Petty Officer of the Coast Guard to plan for and conduct a series of cultural assessments with leaders in six locations across the Coast Guard in January-February 2014. The assessment team engaged Commanding Officers, Officers in Charge, Command Master Chiefs, senior supervising civilians, and representatives from local leadership and diversity advisory councils in Seattle, Washington; Miami, Florida; Portsmouth, Virginia; New Orleans, Louisiana; Alameda, California; and Petaluma, California. The assessment results provided leadership with input to develop a current state baseline and desired organizational state.

- **Atlantic Area Surveys.** The Atlantic Area Command created and conducted a Leadership and Diversity Climate Survey in the spring of 2014 that included questions to better understand the climate for preventing and reporting sexual assault. This survey was open to all members of the Atlantic Area and addressed issues such as member trust in supervisors and the Coast Guard as a whole. The survey included specific questions on gender differences related to feelings of safety and fair treatment for reporting sexual assault. The Atlantic Area Command shared survey results with the Military Campaign Office and the Sexual Assault Response Coordinators.[2]

3.1.2 *Improved Training*

The Task Force found that to effectively address climate challenges the Coast Guard needs to expand its sexual assault education and training to include specific leadership training and improved accession point training. To address these needs, the Council led and provided input to efforts to develop training tools and lesson plans and establish an enhanced system to effectively implement new training programs. Collectively, these efforts have set the foundation for the Coast Guard to fully implement an improved training program in 2014. Specific activities include:

- **Unit Indoctrination Training and Toolkit.** The Council developed tailored training and a Unit Indoctrination Toolkit[3] for inclusion into unit indoctrination programs. The Toolkit includes (1) Commanding Officer/Officer-in-Charge talking points defining sexual assault and harassment and linking the individual's role in prevention and response to the Coast Guard's core values, and (2) a wallet card for the new member that provides key information on the unit's sexual assault prevention and response resources. Together, the training and toolkit provide command leaders with the necessary guidance to communicate the Coast Guard's position on and address commonly asked questions related to sexual assault with members starting on their first day at a unit. The training was incorporated into unit indoctrination programs in October 2013.

[2] The Atlantic Area Leadership and Diversity Climate survey results are available at http://d05ms-lpsp2:9020/sites/LANT/LDAC/Lists/LANT%20SAPR%20COP/AllItems.aspx.
[3] The SAPR Unit Indoctrination Toolkit is available at http://www.uscg.mil.sapr/sapr_command_toolkit.asp.

- **Standardized Training.** The Council developed standardized two-hour lesson plans for integration into existing leadership, accessions, command cadre, and healthcare provider training courses and provided the lessons for implementation in the spring of 2014. This update provides Coast Guard leaders with a common understanding of sexual assault prevention and response policy and issues and the tools necessary to lead efforts within their commands to eliminate sexual assault.

- **Recruit Training.** Beginning in June 2013, the Training Center Cape May conducted a proactive self-assessment of measures to prevent sexual assault and respond effectively to potential incidents involving staff members and/or trainees as well as prepare accession program graduates to prevent and respond to sexual assault in the fleet. Changes focused on increasing recruits' awareness of their rights, increasing trainees' access to senior staff members throughout training, and increasing trainees' understanding of the importance of bystander intervention and confidence to intervene. These changes included the addition of printed materials and briefings about recruit rights, face-to-face debriefs, targeted survey questions to foster reporting, and the Navy bystander intervention video *Take the Helm*. Additionally, Cape May augmented training for Recruiters and Company Commanders with the standardized lesson plan. As a result of these efforts, new recruits have increased exposure to sexual assault prevention and response issues.

- **Culture of Respect Integrated Process Team.** The Council approved the charter in January 2014 for the Force Readiness Command to develop a Culture of Respect Integrated Process Team tasked with developing innovative multi-level organizational training and performance support solutions to improve the culture of respect, especially with regard to sexual assault. Once complete, the Integrated Process Team's efforts will provide the Coast Guard with an improved holistic training program targeting leadership, accessions, and command cadre training. The intent is to drive cultural change at all levels of the Coast Guard.

- **Atlantic Area Indoctrination Process.** The Atlantic Area Command directed all subordinate commands to incorporate a new check-in form that requires new members to acknowledge the command's zero tolerance for sexual assault, harassment, hazing, and bullying as well as the Service's policy on bystanders. As part of this requirement, new members are required to review the policy prior to their in-brief with the command cadre. During the in-brief, the command representative discusses the policy in detail with the new member to instill in the member the Command's absolute commitment to eliminating sexual harassment and assault. The session is also designed to reiterate that the Command takes even seemingly small infractions seriously. All current members are required to read and sign the form affirming their understanding of the policy.[4]

- **Pacific Area Outreach and Education.** The Pacific Area collaborated with universities and colleges in the Bay Area to share best practices and initiatives to improve outreach and education in 2013-2014. One initiative that resulted was the creation of SAPR Case

[4] The Atlantic Area form is available at http://d05mslpsp2:9020/sites/LANT/LDAC/Practical%20steps/Forms/AllItems.aspx

Study Tool. This case study provides an excellent venue to discuss, educate and engage units in preventing sexual assault and becoming active bystanders to intervene in situations that may lead to sexual assault. Redacted historic Coast Guard cases provide real scenarios that can spur discussions amongst crew members. This two hour-long case study can be an effective tool for field units to continue the conversations until their next Sexual Assault Prevention Workshop. The case study: (1) presents an effective reinforcement tool for units who have received Sexual Assault Prevention Workshop; (2) offers a strong basis for discussion; (3) promotes bystander intervention; (4) allows for problem solving in multiple areas of sexual assault intervention and response; (5) furthers cultural change (analogous to the change in attitudes with regard to drunk driving), and (6) provides an opportunity for command cadres to get personally involved in the prevention aspect of sexual assault.

3.1.3 *Planned and Issued Targeted Communication*

The Task Force found that to effectively address climate challenges, the Coast Guard needs to adopt and implement a more forceful and proactive communication posture, including managed messaging and regular outreach to Coast Guard civilian and military personnel. To address these needs, the Council coordinated with the Office of Governmental and Public Affairs to develop sexual assault prevention and response communication guidance, plan awareness activities, launch a blog series, and initiate development of a holistic approach to Coast Guard-wide communication. Specific activities include:

- **Sexual Assault Awareness Month.** The Council supported the coordinated and integrated Coast Guard sexual assault awareness campaign during the Sexual Assault Awareness Month in 2013. In support of the campaign, all units were directed to conduct an "all-hands" workshop during the month of April and were provided with a command tool-kit,[5] including videos featuring personal messages from the Commandant and Master Chief Petty Officer of the Coast Guard, scripted discussion questions, and a training film. The event included open and frank discussion within commands about sexual assault prevention and response and was designed to raise awareness among all Coast Guard civilian and military personnel regarding the nature and magnitude of the problem of sexual assault in the Coast Guard, the importance of bystander intervention, and available resources and reporting options. Coast Guard Compass, the official blog of the U.S. Coast Guard, continued a three-year tradition of raising awareness on the Service's efforts[6] with first person accounts of Coast Guard men and women taking a stand against sexual assault. The Chief's Mess sponsored a Service Dress Blue day—the optional wearing of the Coast Guard's more formal uniform—to demonstrate solidarity. In 2014, a Stand Down was required for every unit in the Coast Guard, which included a 3-hour video recording introduced by the Commandant and a facilitated discussion about culture.

- **Public Affairs Guidance.** The Council provided input to Public Affairs for the development of Coast Guard-wide Public Affairs Guidance designed to ensure

[5] The toolkit is available at http://www.uscg.mil/sapr/sapr_command_toolkit.
[6] Coast Guard Compass stories in support of Coast Guard SAPR efforts since 2010 can be viewed at http://coastguard.dodlive.mil/?s=%22sexual+assault%22

coordinated messaging related to sexual assault prevention and response issues. Issued in June 2013, the guidance mandates that any locally developed materials (posters, communications plans, training materials, handouts, blog posts, social media content, news releases, etc.) be coordinated through the Military Campaign Office Public Affairs Officer prior to release and includes key messages, talking points, and answers to frequently asked questions. This guidance will better enable the Coast Guard to provide clear and consistent messaging related to sexual assault prevention and response.[7]

- **Court Martial Review.** As part of the campaign to eliminate sexual assault in the Coast Guard and maintain the confidence of our workforce, elected officials and the public, the Coast Guard implemented a communication strategy aimed directly at the need for greater transparency in the Coast Guard's handling of sexual assault. Uniform Code of Military Justice (UCMJ) cases require deft handling, and the release of information regarding ongoing cases must balance the rights of the accused, victims and the ethical obligations of the persons involved in ensuring that justice is done. The Coast Guard has adopted a posture that favors the release of information about Uniform Code of Military Justice cases involving charges of sexual assault. When possible, the Coast Guard will issue news releases after consultation with the servicing staff judge advocate, the victim, and approval of the convening authority.

  The proactive release of information at specific points in the Uniform Code of Military Justice process helps to improve transparency and demonstrates the fair and objective administration of justice and application of due process in the military justice system. In addition, we believe an open discussion of how the Coast Guard handles military justice cases involving sexual assault acknowledges the trust and confidence the public places in the Coast Guard and helps empower victims to report assaults and bystanders to intervene.

- **Blog Series.** The Council provided guidance and input to Public Affairs for a series of Coast Guard ALL HANDS blogs[8] that include factual details taken directly from sexual assault trial proceedings. The blog posts are available to all members and provide a tool to facilitate open and frank discussions, among Service members, related to the realities of sexual assault in the Coast Guard.

- **Pacific Area Public Service Announcement.** The Pacific Area Commander and Gold Badge issued a public service announcement providing guidance and direction on eliminating sexual assault.

- **Atlantic Area Sexual Assault Prevention and Response Council Network.** The Atlantic Area directed subordinate commands to establish Sexual Assault Prevention and

[7] The Sexual Assault Prevention and Response Public Affairs Guidance is available at https://cglink.uscg.mil/4e60626f

[8] ALL HANDS Sexual Assault Prevention and Response blog posts are available at http://allhands.coastguard.dodlive.mil/tag/sexual-assault/

Response Councils as subcommittees to the Area's Leadership and Diversity Advisory Council network. These Councils provide a mechanism to coordinate actions required by higher authority, address specific issues within the command, and coordinate and oversee local training, discussion groups, and annual observances.

- **Commandant's Guidance to Selection Boards and Panels.** The Guidance to Boards and Panels specifically talks about eliminating sexual assault and directs members who sit on Coast Guard boards and panels to value officers who have taken on a leadership role in this area. As boards and panels determine who is promoted within the Coast Guard and what members are eligible for privileged assignments, this direction serves to focus the efforts of every member towards the elimination of sexual assault.

3.1.4 *Climate Metrics*

The climate metrics are included as Appendix B. They include the prevalence of unwanted sexual contact (past year); the percentage of Service member incidents captured in reports (restricted and unrestricted) of sexual assault; a Command Climate index; the service member perceptions of leadership support for Sexual Assault Prevention and Response; and the reports of Sexual Assaults over time.

3.2 Goal 2: Prevention

Eliminate sexual assault in the Coast Guard through the foundation of a strong preventive culture.

The Sexual Assault Prevention and Response Task Force found that, within the existing Coast Guard culture, some change is needed to better nurture a prevention program that will effectively eliminate sexual assault from the Coast Guard ranks. Specifically, the Coast Guard needs to establish a culture in which the leadership takes a strong stance against sexual assault, military and civilian personnel feel empowered and understand how to take action, and members understand the correlation between alcohol misuse and sexual assault. As a first step to address the prevention challenge, the Council took immediate action to raise leadership awareness of sexual assault issues and improve bystander intervention training. The Council's initial efforts resulted in tools to equip leaders with the information they need to drive positive cultural change and to enhance bystander intervention training efforts. Related efforts are described in the following sections.

3.2.1 *Raised Service-wide Awareness*

Commanding Officers, Officers-in-Charge, and the Chiefs Mess are the center of gravity for addressing the crime of sexual assault in the Coast Guard. Their actions are critical as they directly impact the climate and culture of our organization. Recognizing that every leader has a responsibility to lead by example and mentor subordinate commanders, leaders, and personnel at all levels, the Council members headed efforts to raise awareness of sexual assault issues among their peers and leaders throughout the Coast Guard ranks. Specific activities include:

- **Senior Executive Leadership Conference.** To educate all Flag Officers and Senior Executive Service members on sexual assault issues, the Council facilitated incorporation of sexual assault prevention and response discussions into all Senior Executive Leadership meetings conducted in 2013. The discussions provided leaders with increased context associated with the issues and enabled them to more effectively communicate the issues with their subordinates.

- **Leadership Training.** As described in Section 3.1, the Council led numerous efforts to improve sexual assault prevention and response training for leaders, including the issuance of Commanding Officer/Officer in Charge talking points defining sexual assault and harassment and linking the individual's role in prevention to the Coast Guard's core values; development of standardized two-hour lesson plans—on policies and procedures—for integration into existing leadership training courses; and support for the establishment of a Culture of Respect Integrated Process Team to develop an improved leadership training program to drive cultural change. These efforts have set the foundation for improved sexual assault prevention and response leadership training.

- **Coast Guard Investigative Service Notifications.** All Vice Admirals within the Coast Guard receive notification when a sexual assault has occurred, which provides instant, detailed awareness of what has occurred as the information becomes known. This notification keeps knowledge of sexual assault front-and-center for Coast Guard leaders and allows them an on-going gauge of the frequency of this crime.

- **Coast Guard Academy Cadets Against Sexual Assault (CASA).** The Coast Guard Academy has dozens of cadets who volunteer and are trained as Cadets Against Sexual Assault. CASA members are a peer-level resource for cadets who can take restricted reports.

- **Coast Guard Academy Training.** Beginning in 2014, incoming classes receive training on sexual assault. Two days after reporting, initial training consisted of an introduction to the Sexual Assault Prevention Response (SAPR) program, sexual assault reporting options and contact information for the Sexual Assault Response Coordinator (SARC). Two weeks later, a full training covered all key aspects of the Coast Guard's Sexual Assault Prevention and Response Program. Specifically, the SARC taught the incoming class the history of sexual assault in the military, the definition of sexual assault and consent, appropriate reporting procedures for reports of sexual assault, reporting requirements and options (restricted/unrestricted), barriers to reporting, consequences of committing sexual assault including dismissal and dishonorable discharge for offenders, and prevention strategies.

3.2.2 *Improved Bystander Intervention Training*

The Task Force found that active bystander intervention is critical to eliminate sexual assault as this type of training can empower Coast Guard members to safely take action. The Coast Guard already teaches bystander intervention strategies in Sexual Assault Response Coordinator, Victim Advocate, mandated, and Coast Guard Academy trainings. However, there is a need for continued improvement in Service-wide training. To improve existing training and expand the base of individuals trained on bystander intervention, the Council completed the following activities:

- **Sexual Assault Prevention and Response Summit.** As described in Section 3.1, on 16-17 September 2013, the Council convened a summit including approximately 150 randomly selected Coast Guard members representing a large variety of units and holding a range of ranks from the most junior to the most senior. During this session, the participants received bystander intervention training that was discussion-based and focused on the prevention of sexual assault. This event expanded the base of individuals with knowledge of bystander intervention strategies.

- **Sexual Assault Prevention Workshops.** Throughout 2013 and 2014, the Council supported Sexual Assault Prevention Workshops focused on bystander intervention. Led by the Sexual Assault Response Coordinators, with assistance from Coast Guard Investigative Services and the staff judge advocate's office, these four-hour workshops are held at the unit-level, are discussion based, and include gender-separated breakouts. These workshops provide a forum for candid dialogue among Service members on the extent of the sexual assault problem and what actions they can take to prevent future assaults. Through workshops, the Pacific Area Command reached approximately 4,500 shipmates and provided information to dispel myths, influence decision making behaviors, and ensure participants are aware of available resources.

- **Review of Bystander Intervention Training.** The Council initiated efforts to assess the effectiveness of bystander intervention training, and developed a process for participants in Sexual Assault Prevention Workshops to provide feedback electronically. The Office of Health, Safety and Work-Life is compiling the data and will analyze the results. The first findings were completed in the spring of 2014 and provided leadership with insight on areas for improvement like standardizing the personnel delivering the workshop to provide consistency.

- **Atlantic Area Unit and Individual Safety Improvements.** The Atlantic Area Command directed all units to institute a number of sexual assault prevention initiatives based on type and location of the unit. These measures range from visual inspection of lighting in parking areas to engagement with local medical providers to ensure they are aware of the special needs of Coast Guard members in their community. All members of Atlantic Area have been directed to review the Command's policies on actions they can take to reduce their vulnerability to sexual assault, how they can determine if a person is capable of consent, and how to intervene in situations that may be the precursor to an assault.

3.2.3 *Strengthened Screening Criteria for Sensitive Positions*

To appropriately screen personnel assigned to sensitive positions, a sensitive position was defined as "*Any position or billet whose primary purpose is supporting, assisting or advocating on behalf of someone reporting a sexual assault, or a position that allows direct, often exclusive, interaction, support or instruction to our newest Service members."*A common screening criteria was developed for all of these positions and approved in October 2014.

3.2.4 *Prevention Metrics*

The prevention metrics are included as Appendix C. They include bystander intervention experience (past 12 months) as well as a breakdown of report data (location of incidents, alcohol involvement, same unit, underway vs. inport, rank disparities, etc).

3.3 Goal 3: Response

Improve the availability and quality of response support for sexual assault victims. Increase victim confidence and lessen the stigma associated with reporting.

While the Coast Guard has robust response programs in place—including those provided by the Sexual Assault Response Coordinators, Victim Advocates, Health Services, Legal, and Coast Guard Investigative Services—the Task Force recommended that the Coast Guard review these programs and make improvements to ensure they meet victim needs today and in the future and that all victims have access to well trained and credentialed support personnel. Specifically, the Task Force recommended that the Coast Guard continue—and regularly evaluate—existing first responder training, ensure that all responders have completed required training and meet common screening standards, ensure accessibility to Victim Advocates for all Service members, and ensure victims understand the military justice process. Accordingly, the Council supported activities led by the Program and Legal to increase sexual assault prevention and response resources, improve the accessibility of Victim Advocates, develop and institute Sexual Assault Response Coordinator and Victim Advocate certification requirements, enhance the Victim Advocate screening process, and establish a Special Victims' Counsel Program. Specific activities are described below.

3.3.1 *Increased Sexual Assault Prevention and Response Resources*

The Task Force evaluated Sexual Assault Prevention and Response Program staffing, which includes a Sex Crime Program Manager at the Coast Guard Investigative Service (since 2006), the Program Manager (since September 2008), the Employee Assistance Program Coordinators in the Health, Safety and Work-Life Regional Practices who fulfill the role of Sexual Assault Response Coordinator as a secondary responsibility (since 2008), and one dedicated Sexual Assault Response Coordinator billet at the Coast Guard Academy (since May 2011). The Task Force found that the Coast Guard needs to fund 12 additional regional Coordinators, annual sexual assault training for all field personnel working as Coordinators, and annual training for newly designated Family Sexual Violence Investigators in the Coast Guard Investigative Service. Accordingly, the Council facilitated approval of over $5 million in annual funding for the addition of 32 military and civilian positions to support sexual assault prevention and response

efforts. The Program has staffed the majority of the new positions in the summer of 2014. Once all of the positions are filled, the victims will benefit from the support of fully dedicated Coordinators and additional response personnel.

3.3.2 *Enhanced the Sexual Assault Response Coordinator Program*

To ensure that the Coast Guard's Sexual Assault Response Coordinator program is best positioned to care for victims of sexual assault, the Council led efforts to standardize the credentialing process and increase resources. Specifically, the Council completed the following activities:

- **Sexual Assault Response Coordinator Resources.** As described above, the Council facilitated approval to fund an additional 12 regional Sexual Assault Response Coordinators—one for each Health, Safety, and Work-Life Regional Practice. Once all these positions are filled, each region will have access to both a fully dedicated Sexual Assault Response Coordinator and an Employee Assistance Program Coordinator who will fill the role of secondary Sexual Assault Response Coordinator or Family Advocate Specialist.

- **Sexual Assault Response Coordinator Credentialing.** The Council supported the Program's activities to work with the National Office of Victim Assistance to complete provisional credentialing of Sexual Assault Response Coordinators during the October 2013 review, and all Coordinators received their credentialing certificate in November 2013. In addition, the Program created a new competency code to better track which Coordinators have completed training requirements. All Coordinators are now mandated to receive their credentials through the National Advocate Credentialing Program offered by the National Office of Victim Assistance in addition to the other requirements. The new credentialing process enables the Coast Guard to ensure that all Coordinators have met appropriate training requirements and have the tools to successfully fulfill their critical responsibilities.

3.3.3 *Enhanced the Victim Advocate Program*

Recognizing the essential role of the Coast Guard's Victim Advocates in providing first-hand support and care to victims, the Council led efforts to evaluate the Victim Advocate program and drive changes to ensure that not only are Victim Advocates effectively positioned in the field, but also that the most qualified and trained personnel serve in this demanding and critical role. Specifically, the Council completed the following activities:

- **Victim Advocate Screening Process.** The Council supported the Program's efforts to develop an improved screening process to prevent assigning offenders as Victim Advocates. The new process includes enhanced criteria that align with those used by the Department of Defense and provides a framework to assess the availability and quality of response support for sexual assault victims. The process includes a background check to determine if, in the last five years, the individual was involved in a substantiated alcohol related incident, minor assault, larceny or theft below $100, or removal of good conduct status. The Office of Health, Safety and Work-Life implemented the new process and, in

November 2013, removed 76 active-duty personnel from their roles as Victim Advocates. It is worth noting that none of these personnel were removed from their positions because of a sexual assault in their history.

- **Victim Advocate Credentialing.** The Council supported the Program's efforts to coordinate with the National Office of Victim Assistance to initiate credentialing of Victim Advocates and created a competency code to reflect credentialing. In 2014, a Coast Guard message was released specifying requirements for military personnel currently serving, or planning to volunteer to become Victim Advocates and the requirements for successful completion of the Victim Advocate credentialing process, including annual training. The National Office of Victim Assistance is expected to complete Victim Advocate credentialing by the end of calendar year 2014. Once complete, the Coast Guard will have an established process to ensure all Victim Advocates have met training requirements and have the tools to successfully fulfill their critical responsibilities.

- **Victim Advocate Mandate.** The Council supported the Program's activities to develop a Mandate that will dictate Service-wide Victim Advocate distribution using a geographic location based model. Once implemented, the Mandate will provide guidance and direction to the field to ensure that Victim Advocates are accessible to victims throughout the workforce, regardless of location. The Mandate was released in early 2014 via a Coast Guard message.

- **Pacific Area People Plan.** The Pacific Area issued their annual people plan, which included mandate on the minimum number of Victim Advocates at all units. This proactive direction ensured units had the resources available during operational periods for reporting.

3.3.4 *Established the Special Victims' Counsel Program*

Recognizing that a key element of victim support following a reported assault is the need to provision legal services to assist victims in understanding the military justice process and their rights related to participating in the military justice process as a witness, the Sexual Assault Prevention Council supported the Coast Guard Judge Advocate General's efforts to establish a Special Victims' Counsel Program. The new program, which the Coast Guard formally announced in a Service-wide message on 15 July 2013, provides victims with access to a designated Coast Guard Judge Advocate who is trained to provide legal assistance to victims and whose relationship is protected by the attorney-client privilege. The Special Victims' Counsel works closely with the victim to ensure the victim's rights are protected throughout the investigation, prosecution, and sentencing of the offender. In support of this program, the Sexual Assault Prevention Council completed the following activities:

- **Special Victims' Counsel Certification**. The Judge Advocate General established a process by which Coast Guard Judge Advocates successfully complete specialized training prior to being certified in writing as a Special Victims' Counsel. The Sexual Assault Prevention Council plans to also leverage best practices of the other Services to

provide additional victim-focused training, including specialized legal and investigative training, to individuals designated as Special Victims' Counsel. This certification process ensures that only qualified individuals fulfill the role of Special Victims' Counsel.

- **Special Victims' Counsel and the Attorney-Client Privilege.** 10 U.S.C. §1044e was enacted into law permitting individuals serving in the capacity of Special Victims' Counsel to establish an attorney-client relationship with victims of sex-related offenses and to assist them in negotiating the military justice process. 10 U.S.C. §1044e requires that the Special Victims' Counsel provide guidance regarding the potential criminal liability of the victim, consultation regarding the Victim Witness Assistance program, the potential for civil litigation against other parties, Sexual Assault Response Coordinator and Victim Advocate issues, the military justice process, medical and mental health issues, military protective orders, civilian protective orders, veteran's benefits, and transitional compensation. The protections afforded by this statute ensure that victims have access to all the information they need to make informed decisions.

- **Initial Special Victims' Counsel Resources.** Recognizing the need to implement this initiative immediately, the Sexual Assault Prevention Council obtained resources to develop and manage the program until the Coast Guard was able to secure permanent resources. The Council obtained funding for a full-time reserve O-6 judge advocate to administer the program supported by an O-3 Special Victims' Counsel Coordinator and seventeen collateral-duty judge advocates located at Coast Guard Headquarters and in Coast Guard units across the continental United States. These resources have enabled the Special Victims' Counsel Program to begin providing support to victims while the Coast Guard works to obtain permanent resources.

- **Long-term Special Victims' Counsel Permanent Resources.** Recognizing the long term needs of the program, the Sexual Assault Prevention Council submitted to the Vice Commandant a request to obtain two civilian billets and seven new active duty full-time Special Victims' Counsel billets consisting of a GS-15 attorney, an O-4 and five O-3 judge advocates, an enlisted yeoman, and a GS-8 administrative assistant. These billets align with the program's approved permanent organizational structure. The Special Victims' Counsel Program is located in the Member Advocacy Division of the Office of Member Advocacy and Legal Assistance in the Washington DC area. A satellite office staffed with three judge advocates is also co-located with Coast Guard activities in Alameda, California. The Special Victims' Counsel began operating under this structure in September of 2014, with full-time judge advocates assigned to these billets expected in the beginning of 2015, and recruitment for the civilian leadership position completed in the August 2014.

3.3.5 *Improved Investigations Capability*

The Coast Guard Investigative Service (CGIS) has undertaken numerous efforts to improve investigations. They have embedded investigators in model local police sexual assault units, reviewed model sexual assault training from Los Angeles Police Department and crafted new CGIS sexual assault training. In addition, investigators attended a US Army course along with

two specific nationally recognized training programs. All agents also undertake an on-line training program with an emphasis on victim centric investigation.

3.3.6 *Established the Victim Response and Recovery Care Committee*

The Coast Guard must do more than offer services to victims. Hence, the role of this committee is to assist the Sexual Assault Prevention Council to provide comprehensive victim-centered support, both initially and as needed, to facilitate the member's return to wellness.

3.3.7 *Response Metrics*

The response metrics are included as Appendix D. They include a list of all certified Sexual Assault Response Coordinator and Victim Advocate personnel currently able to perform victim support; victim experience; and victim retaliation.

3.4 Goal 4: Accountability

Ensure those who commit sexual assault in the Coast Guard are held accountable. Improve capability and capacity for the reporting, investigation, and prosecution of sexual assault; and elevate leadership engagement in response to sexual assault.

While the Task Force found that the Coast Guard's existing reporting mechanisms (Unrestricted and Restricted) for sexual assault victims are acceptable, the Council took action to evaluate and improve the investigative and prosecution processes and equip Coast Guard leaders with the necessary tools to enable them to fully engage in response activities. As a result, the Coast Guard will be better prepared to provide timely, well-coordinated, and thorough investigative and prosecution support following a report of assault. In addition, leadership will be better informed of potential incidents and know what action to take when an incident is reported. Specific activities are described below.

3.4.1 *Evaluated and Improved Investigative and Legal Processes*

Recognizing the importance of timely, thorough, and efficient investigative and legal processes, the Council identified near-term solutions to improve current procedures and established mechanisms to further evaluate the effectiveness of the Coast Guard's investigative and legal processes for sexual assault cases. Specifically, the Council completed the following activities:

- **Waterfall Analysis.** The Council coordinated with the Coast Guard Office of Military Justice to measure disposition determinations and final actions to ensure all cases have been disposed of at the appropriate level. The Office of Military Justice leveraged the Department of Defense's Annual Report on Sexual Assault in the Military as a framework to collect, organize, and analyze sexual assault allegation data from FY 09-FY 13. The Office of Military Justice then reviewed Coast Guard Investigative Service sexual assault data to identify victims and subjects, determined the ultimate disposition of each victim's allegation, and identified what action was taken against each subject. Where additional information was required to effectively determine the outcome of a case, they reviewed Coast Guard Investigative Service case files, Military Justice files, Records of Trial, and the Coast Guard's Law Manager Database, as necessary.

- **Sexual Assault Crisis Intervention Teams.** The Council submitted a recommendation to the Vice Commandant to establish Sexual Assault Crisis Intervention Teams to improve collaboration and response immediately following an unrestricted report of sexual assault. Per the recommendation, for every unrestricted report, a crisis intervention team—comprised of the responding Sexual Assault Response Coordinator, assigned Coast Guard Investigative Service special agent, a judge advocate from the servicing legal office, a medical officer, representatives from the victim and subject's commands, and other entities as necessary and appropriate—would convene within 24 hours to provide primary coordination for incident response. The Vice Commandant approved the recommendation on 24 December 2013, and the concept was implemented in 2014. The Sexual Assault Crisis Intervention Teams enable close coordination and appropriate communications between responding entities to ensure victim care and support, a thorough and detailed investigation, and decisive command actions that support both the victim and the integrity of the investigation.

- **Case Review Board Pilot.** The Task Force recommended that the Coast Guard implement a one-year pilot program to assess the efficacy of policies related to unrestricted reports of sexual assault. Accordingly, the Council developed a draft Charter for the Case Review Board Pilot to evaluate closed sexual assault cases to improve climate, prevention, response, and accountability, and inform a future decision on whether to proceed with a permanent case review process. The pilot was a comprehensive and exhaustive process to fully evaluate every aspect the case. The pilot evaluated two cases from the time of initial report through final disposition. The charter was signed in early 2014 and the pilot was conducted from May to July of that year. The pilot provided Coast Guard leadership with initial insight into gaps in initial response and investigation of sexual misconduct and areas where revisions to sexual assault prevention and response policy, procedures, and/or training may be required.

3.4.2 *Empowered Leaders to Engage in Response Efforts*

To elevate leadership engagement in response to incidents of sexual assault, the Council developed response tools for command leadership and facilitated alternate means for leaders to identify incidents of assault within their command. Specific activities include:

- **Sexual Assault Incident Reports and Commanding Officers/Officers in Charge Quick Reference Guide.** The Council submitted a recommendation to the Vice Commandant for a Sexual Assault Incident Report and an accompanying Commanding Officer/Officer in Charge Quick Reference Guide with easy-to-use instructions for the steps the command leadership in charge of both the subject and victim need to take within 72 hours of an unrestricted report. These items will provide clarity to command leadership regarding those actions they must take immediately following an unrestricted report of sexual assault within their command. These tools became available with the implementation of the SAPR Crisis Intervention Team concept.

- **DEOCS Survey Data.** The Council conducted a survey of field legal offices to determine whether known sexual assault cases are being elevated to the Initial

Disposition Authority as outlined in All Coast Guard Message 308/12,[9] and if there is any appreciable distinction in disposition for those offenses that originated at a unit with Initial Disposition Authority versus those that did not. This informal survey revealed that all offenses reported to Coast Guard Investigative Service or Judge Advocate General Office are being processed per existing policy and the disposition decisions are being made at the appropriate level. However, the survey did not help identify sexual assault cases that may have been ignored, mischaracterized (treated as sexual harassment instead of sexual assault), or not reported at all, and the Council determined that the only certain way to accurately detect whether these types of cases are being handled per existing policy is to ask everyone in the Service whether they are aware of cases that were handled inappropriately. Accordingly, the Council developed a policy to require sharing of the sexual harassment and sexual assault survey data from DEOCS in order to raise awareness of climate within the chain of command. The Council approved and issued the associated all Coast Guard message in June of 2014.

- **Defense Sexual Assault Incident Database.** The Council reached agreement with the Department of Defense Sexual Assault Prevention and Response Office for the Coast Guard to join the other Defense services in using their database to capture Coast Guard sexual assault case information. Once Coast Guard data is entered into the database, the Program will be able to provide non-sensitive metrics and statistics for Coast Guard. The Coast Guard is expected to implement the use of Defense database in January 2015.

- **Atlantic Area Initiatives.** The Atlantic Area Command published the results of their Leadership and Diversity Climate Survey on their website where the results are visible to all members. In addition, the Command posted sexual assault prevention and response specific responses from the survey on the Command's Sexual Assault Prevention and Response website, which also includes a Common Operating Picture for tracking completion of initiatives across the theater. The Atlantic Area Command plans to track future responses to identify trends and target future training. The data provides leaders with easily accessible information on the climate within their command.

3.4.3 *Accountability Metrics*

Accountability metrics are included as Appendix E. They include investigation length; victims declining to participate in the military justice process; command action-case dispositions; courts-martial outcomes; time interval (report of sexual assault to initial disposition decision, court outcome / non-judicial punishment outcome); Coast Guard action in cases declined by civilian authorities; and a breakdown of offense particulars (victims & offenders). Coast Guard sexual assault statistics are accurate as of the date of this report. As investigations proceed and case files are audited, statistics may differ from previous official Coast Guard reports.

4 Conclusion and Way Forward

[9] The Initial Disposition Authority for sexual assault cases is limited to flag officers in command and 13 specified O-6 commanding officers. There are 113 O-6 commands.

The Sexual Assault Prevention Council continues to further evaluate the state of Coast Guard activities and take proactive measures to drive change, where necessary. These efforts have both created and set the foundation for improvements in training, policy, investigation and prosecution, communications, and workplace climate and culture. While these accomplishments are significant, the Council's work is not complete, and throughout 2014 and beyond, the Council plans to continue efforts to implement the Strategic Plan, and develop sustainable processes and systems for legacy and new efforts. The sections below highlight some of the Council's planned efforts in each of these areas.

4.1.1 *Continue to Implement the Strategic Plan*

The Council intends to continue to evaluate and adjust its initiatives to operationalize the four goals of the Strategic Plan—culture, prevention, response, and accountability. Specific planned actions include:

- **Culture.** Continue to lead cultural change at all levels within the Coast Guard through—among other things—completing the cultural assessment and using the results to capitalize on the strengths and address the gaps, sponsoring planned events during the annual Sexual Assault Awareness Month, and developing targeted strategies for sexual assault prevention and response related communications directed to junior personnel, command level leaders, and senior leadership.

- **Prevention.** Continue to refine the Coast Guard's understanding of the key elements of a strong prevention culture and what activities the Coast Guard must pursue to build a strong prevention culture. Planned efforts include assessing the effectiveness of bystander intervention training, implementing promising new ideas validated by research, and promoting ongoing frank discussions on risky drinking behavior and sexual assault as well as how alcohol is used as a weapon in sexual assault.

- **Response.** Oversee the completion of the efforts initiated in 2013 and 2014 to enhance the Coast Guard's response programs through ensuring new positions are filled, issuing Sexual Assault Response Coordinator and Victim Advocate credentialing policies, credentialing all Victim Advocates, and further evaluating long-term victim care.

- **Accountability.** Advance accountability mechanisms through evaluation of the findings and recommendations of the Case Review Board Pilot and the Response Systems Panel, continuing to coordinate with the Department of Defense to join Defense Sexual Assault Incident Database, and publishing guidance for the use of DEOCS data.

These efforts build upon the Sexual Assault Prevention Council's previous efforts. They are critical to the Coast Guard's vision to create an environment where all members live and work in climate of trust, respect, and dignity; where all members are leaders who take prompt action to correct any activity counter to this climate; and where no member ever needs to fear the crime of sexual assault from a shipmate.

4.1.2 *Develop Sustainable Processes and Systems*

Many of the Council's efforts have and will result in policy and programmatic changes for which success will depend on implementation actions to be taken by personnel across the Coast Guard for many years into the future. While the Military Campaign Office is responsible for operationalizing and implementing near-term strategies to eliminate sexual assault, it is critical that the Coast Guard has clear sustainment plans in place to ensure the Coast Guard continues to take action on the Council's recommendations in the future. To address this need, the Council intends to develop sustainment plans for all relevant activities.

Appendix A: Sexual Assault Prevention Program Plan of Actions and Milestones

The Sexual Assault Prevention Council developed the below Plan of Actions and Milestones to detail and guide each task the Coast Guard intends to complete as part of the Sexual Assault Prevention and Response campaign. The Plan of Actions and Milestones is derived from the recommendations of the Task Force Report.

Task ID	Task name	Task Status	% Complete	Finish Date
	Goal 1: Climate			
3	Develop training programs for leaders at all levels or add modules to existing leadership programs to incorporate SAPR policy and awareness. (Ref. ID #4, 23, 24, 25, 44)	In Progress	78%	4/24/15
4	Incorporate sexual assault prevention and response monitoring, measures, and education into routine command training, readiness, and safety forums. (Ref. ID #3)	Migrated to #3	---	---
5	Incorporate SAPR training into existing unit indoctrination programs.	Complete	100%	10/25/13
6	Conduct leadership/climate assessments to identify deficient areas and determine best way to incorporate into personnel evaluation system. (Ref. ID #37)	In Progress	0%	12/31/14
7	Evaluate existing command climate surveys, develop new surveys as appropriate, and provide recommendations for improvement based on findings.	Complete	100%	7/25/14
8	Assess adequacy of personnel assignment policies in providing peer resources.	Complete	100%	3/31/14
9	Support and encourage participation at all levels in Service and external sexual assault awareness activities. (year round)	Complete	100%	3/31/14
10	Analyze training curricula and command reports of investigation to ensure correct classification of incidents (sexual assault vs. harassment). [Review reports of investigation, Revise Civil Rights Manual, Cross-train CRSPs and SARCs] (Ref. ID #50)	Migrated to #50	---	---
11	Develop a qualitative tool to analyze and track attitudes toward reporting sexual assault.	Complete	100%	3/31/14
12	Assess policy and practice for reassignment of sexual assault perpetrators and victims.	In Progress	72%	10/3/14
13	Determine the Chief's role in SAPR prevention and obtain their buy in.	Complete	100%	5/22/13
14	Develop tools to share best practices among leaders and SAPR service providers.	Complete	100%	12/12/13
15	Create forums to promote effective relationships/communication between commanders, service providers, and Service members.	Complete	100%	3/31/14
	Goal 2: Prevention			
17	Establish Sexual Assault Prevention and Response Task Force and develop report.	Complete	100%	10/31/12
18	Develop Sexual Assault Prevention Workshop.	Complete	100%	9/3/12
19	Release revised Sexual Assault Prevention and Response Policy Documentation.	Complete	100%	4/30/12

Task ID	Task name	Task Status	% Complete	Finish Date
20	Develop Sexual Assault Prevention and Response Strategic Plan.	Complete	100%	5/2/13
21	Establish a Flag-level Sexual Assault Prevention Council (SAPC) to advise the Commandant and oversee Service-wide SAPR efforts.	Complete	100%	2/27/13
22	Focus on SAPR during upcoming senior leadership conferences.	Complete	100%	6/18/13
23	Establish standard operating procedures applicable to all training centers. [SOPs that standardize execution of SAPR training at TRACENS.] (Ref. ID #3)	Migrated to #3	---	---
24	Develop training programs for leaders at all levels or add modules to existing leadership programs to incorporate SAPR policy and awareness. (Ref. ID #3)	Migrated to #3	---	---
25	Measure compliance with and evaluate the effectiveness of all required SAPR training; adjust as appropriate. (Ref. ID #3)	Migrated to #3	---	---
26	Assess effectiveness of bystander intervention training through climate training and case reviews. (Ref. ID #50.1)	Migrated to #50	---	---
27	Analyze sexual assault incidents to better quantify the use of alcohol.	Complete	100%	3/31/14
28	Partner with other Services and external organizations to enhance alcohol awareness efforts.	Complete	100%	12/12/13
	Goal 3: Response			
30	Transfer SARC billet from HQ to CG Academy.	Complete	100%	9/30/11
31	Establish a VA Mandate and standards of accessibility tailored to unit type.	Complete	100%	3/3/14
32	Establish USCG certification program for SARCs and VAs [Documented process]	In Progress	98%	10/31/14
33	Track competency codes for trained VAs. Track VA workload to identify trends or resource needs.	Complete	100%	1/8/14
34	Develop an improved screening process for Victim Advocates (VAs) to prevent assigning offenders as VAs.	In Progress	98%	11/3/14
35	Track special victim capability training for attorneys and CGIS special agents.	Complete	100%	8/2/13
36	Separately track Coast Guard-specific training for SARCs, VAs, medical personnel, Chaplains, Reservists, and Auxiliarists to ensure refresher training is completed.	Complete	100%	3/31/14
37	Assess member confidence in reporting systems through new or existing surveys. (Ref. ID #6)	Migrated to #6	---	---
38	Enforce mandated training to ensure that Coast Guard personnel have completed SAPR training within the prescribed time frame.	Complete	100%	8/2/13
39	Evaluate the Air Force Special Victim Counsel pilot program and assess building similar capability in the Coast Guard.	Complete	100%	7/22/13
40	Track and analyze cases reported to ensure system integrity. (Ref. ID #50)	Migrated to #50	---	---
41	Reach out to the Department of Veterans Affairs for support and work with them to assist interested service members, who have experienced a sexual assault, when transitioning to civilian life.	Complete	100%	12/12/13
42	Define Victim Response and Recovery Care (VRRC) and develop a VRRC program.	In Progress	52%	3/30/15
	Goal 4: Accountability			
43	Create Family and Sexual Violence Investigator (FSVI).	Complete	100%	3/30/12
44	Promote familiarity with CGIS investigatory process in both leadership and general training. (Ref. ID #3)	Migrated to #3	---	---
45	Establish and review processes for pre-trial confinement.	In Progress	80%	3/31/15

Task ID	Task name	Task Status	% Complete	Finish Date
46	Limit authority to Captain/O-6 (possessing at least special court martial convening authority, with an assigned staff judge advocate) for initial disposition of sexual assault cases.	Complete	100%	7/2/12
47	Ensure early coordination between investigators and judge advocates to improve timely, thorough, and efficient reporting, investigations, and accountability.	In Progress	72%	3/31/15
48	Assess SAPR Program resource needs and provide resources.	Complete	100%	12/2/13
49	Develop customized reporting tools to allow each area to obtain non-sensitive SAPR metrics and statistics for their individual location.	Complete	100%	3/31/14
50	Review case files to verify compliance. (Ref. ID #10, 40, 51)	Complete	80%	9/29/14
51	Measure disposition determinations and final actions to ensure all cases are disposed of at the appropriate level. Provide means to detect if cases are not being handled per policy. (Ref. ID #50.1)	In Progress	86%	3/30/15
52	Monitor and assess trends in UCMJ dispositions, as well as length of time from initial report to resolution.	Complete	100%	7/1/14
53	Perform quality assurance checks of SARCs to ensure compliance with SAPR Program policy.	In Progress	17%	3/31/15
54	Identify a standard set of sexual assault reporting metrics to be used Service-wide and with DoD Services.	Complete	100%	5/2/14
55	Participate in DoD Military Criminal Investigative Organization Council (CMIO) to share best practices, technology, and resource efficiencies.	On Hold	N/A	N/A

Appendix B: Climate Metrics

The Sexual Assault Prevention Council reviews the following metrics for climate.

C1: Prevalence of Unwanted Sexual Contact (Past Year) -

Measures Service Member experience with unwanted sexual contact in the year prior to being surveyed.

The following table provides both "point estimates" and "range estimates" by categories of sexual assault. RAND estimates with 95 percent confidence that the total number of service members (39,112) who experienced a sexual assault in the past year is between 180 and 390. The estimated rate of sexual assault varied by gender; fewer than 1 in 100 men and 3 in 100 women. Of these, 48% of sexual assaults on women and 59% of sexual assaults on men were penetrative.

Estimated Percentage of Active-Duty Coast Guard Service Members Who Experienced a Sexual Assault of any kind in the Past Year, By Gender and Type.

	Total	95% CI	Male	95% CI	Female	95% CI
Penetrative Sexual Assault	0.36%	0.18- 0.65	0.17%	0.02- 0.60	1.44%	0.93- 2.12
Non-Penetrative Sexual Assault	0.33%	0.20- 0.50	0.12%	0.02- 0.35	1.50%	1.03- 2.12
Attempted Penetrative	0.00%	0.00- 0.06	0.00%	0.00-0.20	0.03%	0.00- 0.17
Any Sexual Assault	0.69%	0.46- 1.00	0.29%	0.09- 0.71	2.97%	2.25- 3.83
Estimated by Population Size	269	180-390 (39,112 members)	96	30-236 (33,260 men)	174	132-225 (5852 women)

Note 1: There were no cases of attempted penetrative assault among men in the sample.
Note 2: Includes sexual assaults by any service member, civilian, spouse, or other.
Note 3: These percentages are statistically significantly lower than DoD active-duty members.

C2: Prevalence vs. Reporting -

Measures the percentage of Service member incidents captured in reports of sexual assault (RR +UR).

The Coast Guard received 254 reports of sexual assault in FY 2014 (209 unrestricted and 45 unrestricted). Of these, 232 reports were made by active-duty members; the remaining 22 were made by civilians against a member of the Coast Guard. Of the 232 reports, the Coast Guard knows the date of the incident for 140 reports, 69 of which (49.3%) occurred in FY 2014. Based on a minimum of 69 incidents and RAND's upper limit of 390 for incident prevalence, the reporting rate is, at minimum, 17.7%.

Assuming the reporting rate for unknown incidents is the same as for known incidents, it is estimated that a total of 114 incidents occurred in FY 2014. Given RAND's upper limit of 390 for incident prevalence, the estimated reporting rate in FY 2014 is 29%.

C3: Command Climate Index (Continuum of Harm) -
Service Member Index of Responses to promote a unit climate based on "mutual respect and trust", refrain from sexist comments and behaviors, and actively discourage sexist comments and behaviors.

This metric refers to members' perceptions of the extent to which command behaviors are targeted towards preventing sexual assault and creating an environment where members would feel comfortable reporting. Each item is measured on a four-point scale assessing extent to which each item is perceived, where respondents may select *not at all*, *slight extent, moderate extent,* or *great extent*. The questions that contribute to this composite score are "To what extent does your chain of command (1) promote a unit climate based on respect and trust, (2) refrain from sexist comments and behaviors, and (3) actively discourage sexist comments and behaviors."

	Promote at unit climate based on "respect and trust"	Refrain from sexist comments and behaviors	Actively discourage sexist comments and behaviors
Not at all	3%	1%	2%
Slight extent	10%	3%	4%
Moderate extent	35%	20%	23%
Great extent	52%	76%	71%
Coast Guard Metric 4 Composite Score: 3.56 / 4.00			

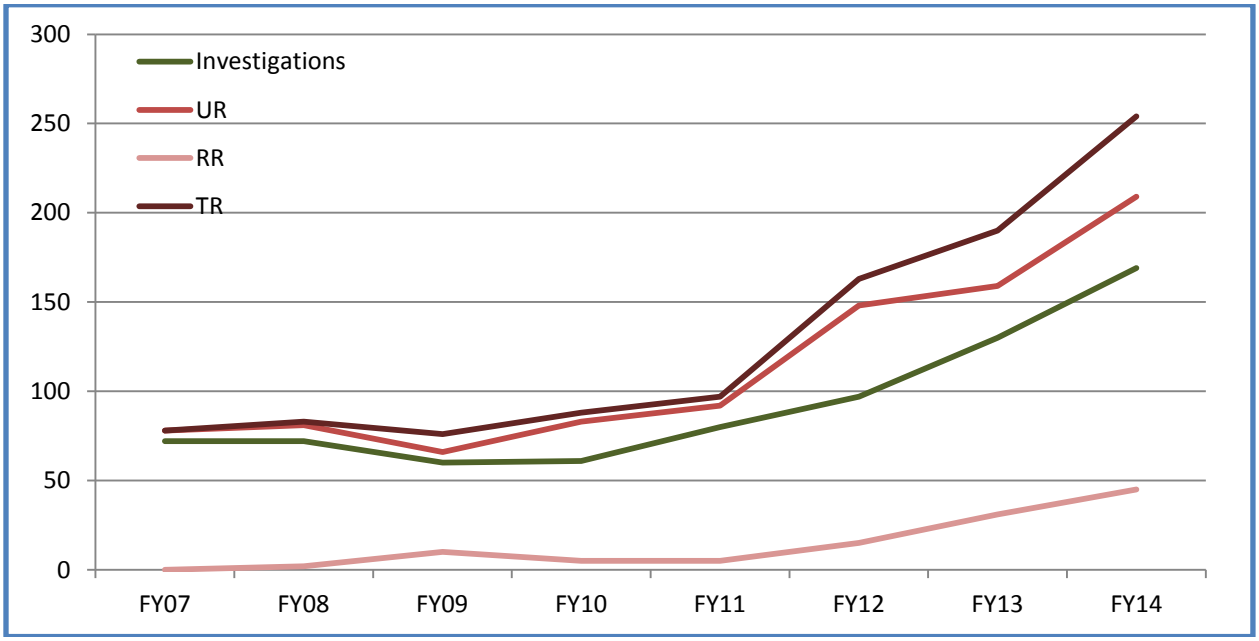
C4: Service member perceptions of leadership support for SAPR -
Service member perceptions of command and leadership support for SAPR program, victim reporting, and victim support.

This metric refers to members' perceptions of the extent to which command behaviors are targeted towards preventing sexual assault and creating an environment where members would feel comfortable reporting a sexual assault. Each item is measured on a four-point scale assessing extent to which each item is perceived, where respondents may select *not at all*, *slight extent, moderate extent,* or *great extent*. The questions that contribute to this composite score are "To what extent does your chain of command (1) encourage victims to report sexual assault and (2) create an environment where victims feel comfortable reporting sexual assault."

	Encourage victims to report sexual assaults	Create an environment where victims feel comfortable reporting sexual assault
Not at all	1%	1%
Slight extent	5%	5%
Moderate extent	23%	28%
Great extent	71%	66%
Coast Guard Metric 4 Composite Score: 3.61 / 4.00		

C5: Reports of Sexual Assaults Over Time -
Investigations and total sexual assault report victims (TR) since 2004, broken down by Unrestricted Reports (UR) and Restricted Reports (RR).

YEAR	Number of Investigations	Number of Victims		
		UR	RR	TR
CY04	65	70	0	70
CY05	46	56	0	56
CY06	60	64	0	64
FY07	72	78	0	78
FY08	72	81	2	83
FY09	60	66	10	76
FY 10	61	83	5	88
FY 11	80	92	5	97
FY 12	97	148	15	163
FY 13	130	159	31	190
FY 14	169	209	45	254



Note 1: In 2007, the DoD SAPRO changed the method of statistics reporting from calendar year (CY) to fiscal year (FY). For that reason, the statistics from first quarter FY 2007 are also included in the CY 2006 statistics.
Note 2: Several investigations had more than one reported victim; therefore, the number of investigations may not equal the number of victims in each of the years for which statistics are being reported.

Appendix C: Prevention Metrics

The Sexual Assault Prevention Council reviews the following metrics for prevention.

P1: Bystander Intervention Experience (past 12 months) -

Service member responses to: "In the past 12 months, I observed a situation that I believed to be at risk for sexual assault" and how they intervened.

This metric refers to individuals' intentions to act if they were to observe a situation that might lead to a sexual assault. It is measured by first asking if respondents *observed* a situation they believed could have led to a sexual assault within the past year. In that timeframe, only 2% of the sample of 8,122 observed a situation that they believed was, or could have led to, a sexual assault. For those respondents that answered "yes" to the observation of a high risk situation question, they are prompted to answer a second question to identify the *response* that most closely resembled their actions. Rates and responses to the second question are provided below:

Rate	Intervention Response
15%	I stepped in and separated the people involved in the situation
21%	I asked the person who appeared to be at risk if they needed help
16%	I confronted the person who appeared to be causing the situation
7%	I created a distraction to cause one or more of the people to disengage from the situation
6%	I asked others to step in as a group and diffuse the situation
23%	I told someone in a position of authority about the situation
5%	I considered intervening in the situation, but I could not safely take any action
8%	I decided to not take action

Note 1: The sample size for individuals who responded "yes" to observing a high risk situation was 185 out of a total sample size of 8,122.

P2: Breakdown of Report Data -

Trends in reports (location on/off military instillation) of incidents, alcohol involvement, rank disparities (data collected from FY 11-14 investigations).

Fiscal Year	Known Alcohol and Drug Related Cases (by # of victims)	Off-Base Sexual Assault Cases (by # of victims)	Average Rank Disparity (by # of pay-grades)
2014	92/209 – 44%	126/209 – 60%	2.3
2013	82/159 – 52%	88/159 – 55%	2.2
2012	85/148 – 57%	80/148 – 54%	1.9
2011	56/92 – 61%	58/92 – 63%	1.4

Appendix D: Response Metrics

The Sexual Assault Prevention Council reviews the following metrics for response.

R1: All certified Sexual Assault Response Coordinators and Victim Advocate personnel currently able to provide victim support -

Number of full-time SARCs and VAs, broken down by military and civilians.

There are currently eight full-time civilian SARCs and 297 military collateral-duty VAs. An additional 426 Victim Advocates currently have completed applications seeking credentials. We anticipate completion of these certifications by December 2014.

R2: Victim Experience -

Victim opinion of the quality/value of support provided by the SARC/VA and Special Victims' Counsel (SVC) (if assigned). Average response of victims.

In the summer of 2014, the Coast Guard implemented a victim survey and made it available to be taken at the culmination of services. To date, five surveys have been completed; the survey is not mandatory. However, the low number of surveys taken to date limits the conclusiveness of the results. Additionally, not every question was answered by every person that took the survey.

Overall satisfaction ratings –

	Extremely Satisfied	Satisfied	Dissatisfied	Very Dissatisfied
SARC	33%	33%	0%	33%
VA	50%	25%	25%	0%
SVC	75%	25%	0%	0%
Trial Council	100%	0%	0%	0%

VA support -

100% of the responses indicated the victim used a VA
100% indicated VA reviewed the CG 6095 with them
50% indicated their VA could improve on their empathy and availability
25% of the responses indicated their VA could improve their professionalism
25% of the responses indicated their VA could improve their knowledge
100% met with their VA on a weekly basis, 50% of who also indicated they would have liked more contact with the VA
75% of the responses indicated the VA accompanied the victim to interviews and legal hearings
25% of the responses indicated the VA accompanied the victim to medical exams

SARC support -

75% of the responses indicated they had contact with a SARC
25% no contact with the SARC
66% indicated no SARC improvements necessary
33% indicated SARC needed to improve their availability

SVC support -

75% of the victims responding chose to be represented by SVC

100% of responses indicated the victim felt they were able to exercise their rights during the military justice process and that their rights were respected.

100% of the responses indicated the individual understood their right to participate in the military justice process and the trial of the assailant.

100% of the responses indicated the advice and counsel SVC provided at court martial met their expectations.

100% of the responses indicated they would recommend SVC to other victims of sexual assault.

R3: Victim Retaliation -

Victims stating they experienced retaliation from the chain of command as a result of reporting a sexual assault. Command climate indicators that victims may be retaliated against for reporting.

The Coast Guard survey does not contain a question about victim retaliation. However, one question asks about victim satisfaction with the command and 75% of victim responses stated they were "very satisfied" with the command and 25% were "satisfied" with the command. 75% of the responses indicated they thought the military justice process in their case was fair and 25% indicated it was unfair, 50% were satisfied with the outcome of their case and 50% were not.

Additionally, the Defense Equal Opportunity Climate Survey measures the extent to which members perceive that the chain of command would take appropriate actions to address an Unrestricted Report of sexual assault and the extent to which social and professional retaliation would occur if a sexual assault was reported. Each item is measured on a four-point scale assessing likelihood, where respondents may select *not at all likely*, *slightly likely, moderately likely,* or *very likely*. The questions that contribute to this composite score are "If someone were to report a sexual assault to your current chain of command, how likely is it that (1) unit members would label the person making the report a troublemaker and (2) the alleged offender(s) or their associates would retaliate against the person making the report."

	Unit members would label the person making the report a troublemaker	The alleged offender(s) or their associates would retaliate against the person making the report
Very likely	6%	5%
Moderately likely	8%	9%
Slightly likely	23%	31%
Not at all likely	63%	55%
Coast Guard Metric 4 Composite Score: 3.40 / 4.00		

R4: Victim Experience (Kept victim informed regularly in the Military Justice Process) -

Victims indicating that they were regularly informed of updates as their case progressed through the response process.

100% of victim responses indicated they were kept informed of the Art 32 and trial date; however, one victim specifically indicated "a year and a half waiting little communication to no communication."

100% responded they felt that they had a voice in the military justice process.

One victim response: "My chain of command helped me out a lot during the process and made sure I felt safe and got all the help I needed. Also, at "A" school my class advisor and another instructor who was also a VA made sure I had all the help and services I needed. The SARC helped me along the way and made sure I had all my questions answered. My SVC made sure he answered all my questions and had my best interests in mind. The lawyers kept me in the loop with all the legal proceedings. My VA was awesome and went with me to the Article 32 and court-martial and was always there for me."

Appendix E: Accountability Metrics

The Sexual Assault Prevention Council reviews the following metrics for accountability.

A1: Investigation Length -

Measuring the average and median length of sexual assault investigations conducted by MCIO in order to determine a time trend (data collected from FY 14 investigations).

The average length of time of a sexual assault investigation, as measured from the date of case initiation to the date a case is pending adjudication, is approximately 63 days or two months. The median value is approximately 56 days. Average and median values were calculated excluding outliers at the 5th and 95th percentiles (one and 180 days, respectively). 106 investigations were considered in this calculation. As of September, 2014, approximately 51 additional investigations remain open.

A2: Victims Declining to Participate in the Military Justice System -

The percentage of cases that cannot be entered into the military justice process because a victim declines to participate in court-martial proceedings.

For **FY 14** cases there are five out of 209-victim cases in which the victim declined to participate in the military justice process (approximately **2.4%**) as of October 2014.

For **FY 13** cases there are six victims out of a total of 159 victim-cases in which the victim declined to participate in the military justice process (approximately **3.8%**) as of October 2014.

For both **FY 13** and **FY 14**, there are 11 victims out of 368 victim-cases in which the victim declined to participate in the military justice process (approximately **3.0%**) (Based on sexual assault cases reported in FY 13 or FY 14, which were closed in FY 13 or FY 14, or remain pending).

A3: FY14 Disciplinary Action Summary

Breakdown of unrestricted reports by military subjects to describe final case disposition

209 Total Unrestricted Reports constituted:

169 Investigations of Sexual Assault Allegations in FY 14

181 Subjects (Alleged Offenders)

- 100 Subjects with Open Investigations or Pending Disposition Decisions

81 Subjects with Disposition Information to Report

- 0 Subjects with Allegations Unfounded by the Coast Guard Investigative Service
- 30 Civilian, Foreign, Unknown Subjects or Subject Died/Deserted
- 0 Service Members Subjects Under Civilian Jurisdiction

51 Service Member Subjects – *Command Action Considered*

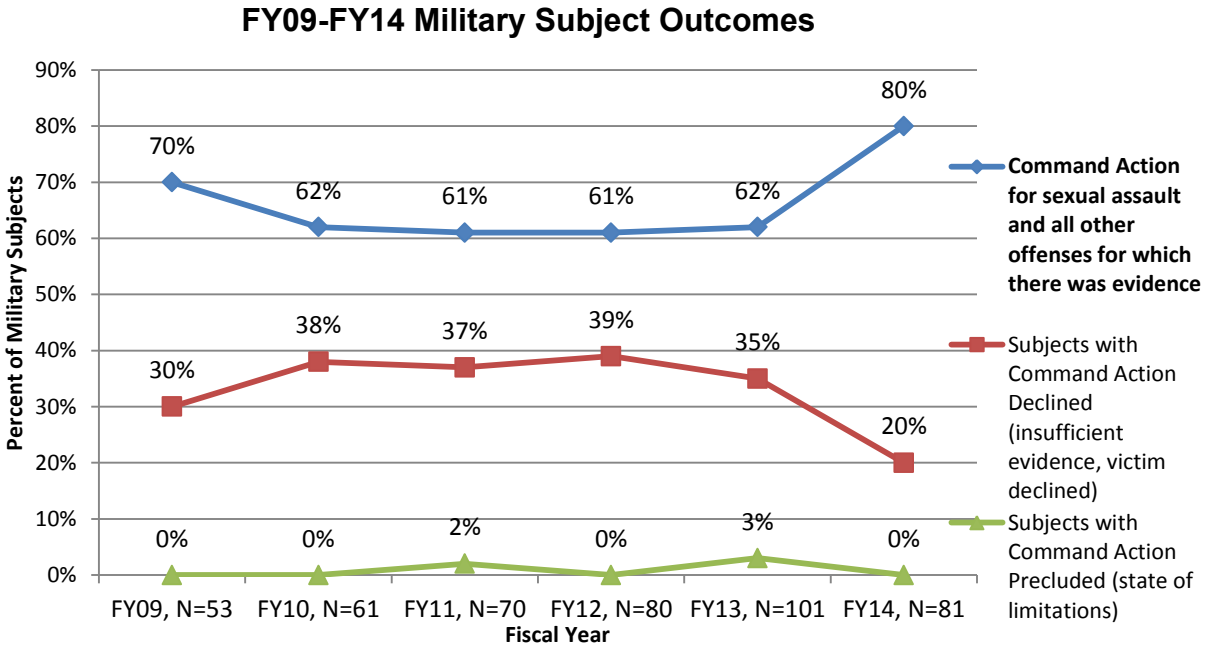
- 26 Court-Martial Charge Preferred
- 11 Non-judicial Punishments
- 4 Adverse Administrative Actions or Discharges
- **Action Taken: 80%** (41/51)

10 Service Member Subjects – *Command Action Not Possible or Declined*

- 8 Subjects – Insufficient evidence/allegations unfounded
- 2 Subjects – Victims declined to participate in the justice system
- 0 Subjects – Statute of limitations exceeded for crime alleged

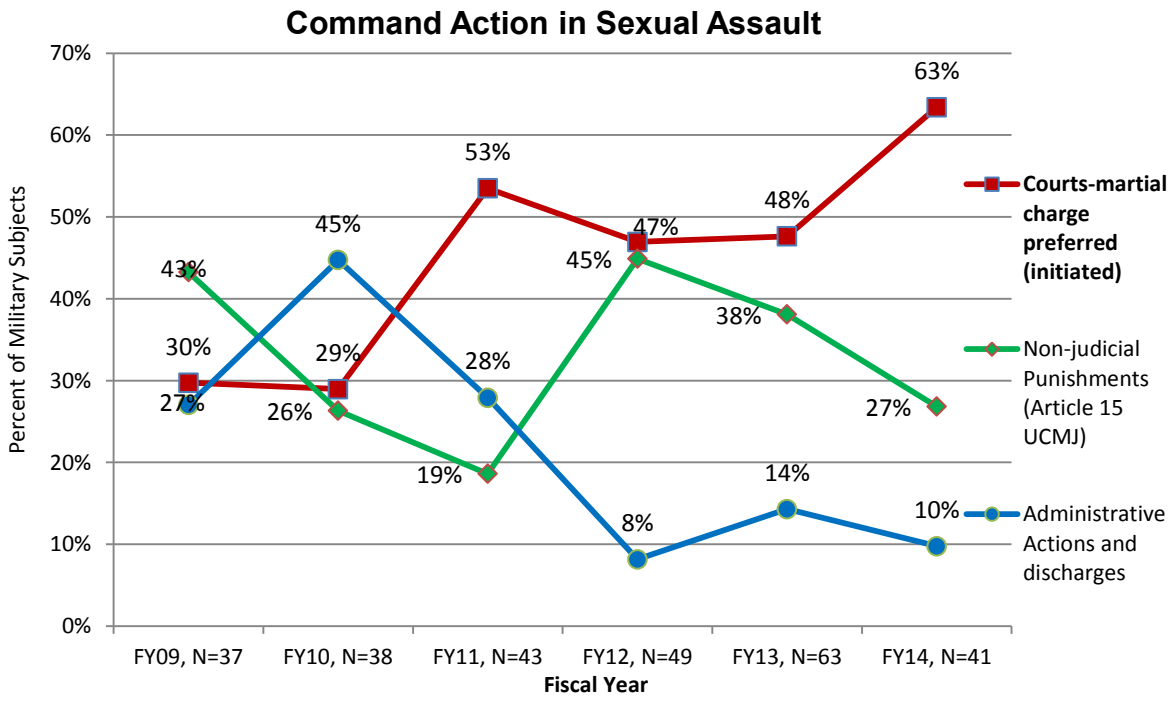
A4: FY09-FY14 Military Subject Outcomes

Final case disposition of military subjects for any completed cases by command action, command action declined, and command action precluded.



A5: Command Action in Military Subject Cases

Description of action taken for subjects under military jurisdiction by courts-martial charge preferred, non-judicial punishment, and administrative action



A6: Command Action (Case Dispositions) -

1) *Command action for military subjects under the UCMJ, broken down by type of action and penetrating/ non-penetrating crime.*
2) *Command action for military subjects under the UCMJ, captured using the most serious crime charged.*

Breakdown of Cases by Subject for FY 2013

FY 2013	Penetrative Offenses	Non-Penetrative
	Number of cases by Subject (out of 66 total)	Number of cases by Subject (out of 69 total)
Pending Cases	**8/66 – 12.1%**	**6/69 – 8.7%**
Investigation Open	6	2
Pending Command Disposition	0	3
Court-Martial Pending	2	1
Command Action Not Possible	**15/66 – 22.7%**	**7/69 – 10.1%**
Subject Civilian/ Foreign National	10	2
Other Military Service Prosecuting	0	0
Civilian/Foreign Authority Prosecuting	0	1
Offender Unknown	4	0
Statute of Limitations Expired	1	4
Command Action Inadvisable	**23/66 – 34.8%**	**16/69 – 23.1%**
Victim Declined to Participate	4	2
Insufficient Evidence	17	14
Allegation Fabricated	2	0
Action Taken	**20/66 – 30.3%**	**40/69 – 58.0%**
Administrative Action	2	5
Non-Judicial Punishment	4	20
Court-Martial Charge Preferred	14	15

Note: Sexual assault cases reported in FY 13: Closed in FY 13 or FY 14, or pending – as of October 2014.

Breakdown of Cases by Subject for FY 2014

FY 2014	Penetrative Offenses	Non-Penetrative
	Number of cases by Subject (out of 80 total)	Number of cases by Subject (out of 101 total)
Pending Cases	**56/80 – 70.0%**	**67/101 – 66.3%**
Investigation Open	32	37
Pending Command Disposition	13	29
Court-Martial Pending	11	1
Command Action Not Possible	**16/80 – 20.0%**	**11/101 – 10.9%**
Subject Civilian/ Foreign National	12	8
Other Military Service Prosecuting	0	0
Civilian/Foreign Authority Prosecuting	0	0
Offender Unknown	4	3
Statute of Limitations Expired	0	0
Command Action Inadvisable	**3/80 – 3.8%**	**9/101 – 8.9%**
Victim Declined to Participate	1	4
Insufficient Evidence	2	5
Allegation Fabricated	0	0
Action Taken	**5/80 – 6.2%**	**14/101 – 13.9%**
Administrative Action	0	4
Non-Judicial Punishment	1	6
Court-Martial Charge Preferred	4	4

Note: Sexual assault cases reported in FY 14, closed in FY 14, or pending – as of October 2014.

A7: Court-Martial Outcomes -

1) *Sexual assault outcomes, broken down by type of trial and penetrating/ non-penetrating crime.*
2) *Sexual assault courts-martial outcomes, captured using the most serious crime charged.*

Fiscal Year	Number of cases tried	Convictions for at least one charge under Art. 120	Convictions for charges other than Art. 120	Acquittals
All Offense Types				
2013	7	2	5	0
2014	35	14	18	3
Non-Penetrative				
2013	4	2	2	0
2014	17	8	7	2
Penetrative				
2013	3	0	3	0
2014	18	6	11	1

Note: Year sexual assault case concluded

A8: Time interval (report of SA to court outcome) –
Sexual assault cases concluded in FY 14: *Length of time from the date a victim signs a DD2910 to the date that court-martial proceedings conclude (e.g. sentence imposed, accused acquitted, or other end-point). Any case concluded within the fiscal year (average/median for 95th percentile – excludes outliers).*

In FY 14, the **median** length of time from the date a victim signs a DD2910 until court-martial proceedings are concluded was **404 days** or approximately **one year and one month**. The **average** length of time is **415 days** or approximately **one year and 1.5 months**. The median and average values were calculated excluding three outliers at the 5th and 95th percentiles (less than 221 or greater than 776 days respectively). The CGIS Notice of Case Initiation (NOCI) date was used in cases in which the date a victim signs a DD2910 is not available. Thirty-seven sexual assault cases that concluded in courts-martial proceedings (four summary courts-martial, 10 special courts-martial, 23 general courts-martial) contributed to this calculation. Two general courts-martial resulted in dismissals.

A9: Time interval (report of SA to NJP outcome) –
Sexual assault cases concluded in FY 14: *Length of time from the date a victim signs a DD2910 to the date that NJP conclude (e.g. sentence imposed, accused acquitted, or other end-point). Any case concluded within the fiscal year (average/median for 95th percentile – excludes outliers).*

In FY 14, the **median** length of time from the date a victim signs a DD2910 until Non-Judicial Punishment proceedings conclude is **203 days** or approximately **seven months**. The **average** length of time is **232 days** or approximately **eight months**. The median and average values were calculated excluding two outliers at the 5th and 95th percentiles (less than 66 or greater than 440 days respectively). The Notice of Case Initiation date was used in cases in which the date a victim signs a DD2910 is not available. Fifteen sexual assault cases that concluded in NJP proceedings contributed to this calculation.

A10: Time interval (Initial disposition decision) -
Length of time from the date a report of investigation is handed out, until the date a legal officer makes the disposition recommendation (prosecution/non-prosecution) to the commander of the accused. Breakdown by cases that include at least one penetrative offense and ones that do not.

Prosecution Recommended

For cases concluded in FY 14, covering **all offense types**, the **median** length of time between the date the initial CGIS investigation concluded (case file pended adjudication) to the date court-martial charges were preferred, is **86 days** or approximately **three months**. The **average** length of time is **98 days** or approximately **three months**. The median and average values were calculated excluding seven outliers at the 5th and 95th percentiles (less than zero or greater than 236 days respectively). These figures are for penetrative and non-penetrative offenses combined. Thirty-seven sexual assault cases that concluded in courts-martial proceedings (four summary courts-martial, 10 special courts-martial, and 23 general courts-martial) contributed to this calculation. Two general courts-martial resulted in dismissals.

For **penetrative offenses** the adjusted **median** and **average** length of time is **72 days and 77 days, respectively** (excluding four outliers at the 5th and 95th percentiles, zero and 176 days respectively). Nineteen cases (three special courts-martial and 16 general courts-martial) were considered in this calculation.

For **non-penetrative offenses** the adjusted **median** and **average** length of time is **94** and **114 days** respectively (excluding four outliers at the 5th and 95th percentiles, zero and 293 days respectively). Eighteen cases (four summary courts-martial, seven special courts-martial, and seven general courts-martial) were considered in this calculation.

Prosecution Not Recommended

For sexual assault cases reported in FY 14, for which command action was not precluded (e.g. a civilian subject), and which were not disposed of at court-martial, Non-Judicial Proceedings or through administrative action the **average** and median length of time between the date the initial Coast Guard Investigative Service investigation concluded (case file pended adjudication) to the date prosecution was not recommended was **16 days**. The **median** length of time is **30 days**. The median and average values were calculated excluding three outliers at the 5th and 95th percentiles (less than zero or greater than 98 days respectively). These figures are for penetrative and non-penetrative offenses combined. Fourteen cases were considered in this calculation.

For **penetrative offenses** the **median** and **average** lengths of time are **zero days** and **15 days** respectively. Nine cases contributed to this calculation**.**

For **non-penetrative offenses** the **median** and **average** lengths of time are **15 days** and **43 days** respectively. Five cases contributed to this calculation**.**

A11: CG action in sexual cases declined by civilian authorities -
The total number of penetrative and non-penetrative cases that took place between August 2013 and August 2014 that were declined or unable to be pursued by civilians but were undertaken by the military. Will not include subject/victim names, no jurisdiction names, and only include cases within U.S. jurisdiction. Each service will pick 5-10 cases to provide anecdotal stories in the POTUS report.

In FY 14, there are seven sexual assault cases that were declined or unable to be pursued by civilians but were undertaken by the U.S. Coast Guard.

The following summaries are provided for the seven cases:

1. Civilian authorities declined to prosecute an E-3 accused of sexually assaulting a civilian that alleged that she was incapacitated from alcohol. Civilians declined prosecution stating that they focus on evidence of date-rape drugs (such as GHB) instead of substantial incapacitation by alcohol (victim had a .16 BAC). The civilian prosecutor also stated that there was something odd about the victim, which the Coast Guard identified as autism. A general court-martial is pending in this case.

2. An E-6 was accused of sexually assaulting a four year-old child. Civilian authorities declined to prosecute citing difficulties in obtaining the child's testimony. A general court-martial is pending in this case.

3. Civilian authorities declined to prosecute an E-6 accused of raping his wife, citing problems with the reliability of the wife's testimony against the back-drop of complicated family law issues involving divorce and child custody. The Coast Guard pursued charges against the member, which were dismissed by the convening authority after a recommendation of dismissal following an Article 32, UCMJ, investigation.

4. An E-4 was accused of sexually assaulting a civilian. Civilian authorities declined prosecution because the victim declined to speak with civilian detectives. The victim did speak with Coast Guard Investigative Service (CGIS); court-martial charges are pending.

5. An E-4 was accused of sexually assaulting a civilian in Coast Guard housing. The assault was initially reported to civilian authorities who terminated their investigation after the victim did not want to pursue the matter further with civilian authorities. The victim is working with CGIS and a general court-martial is pending.

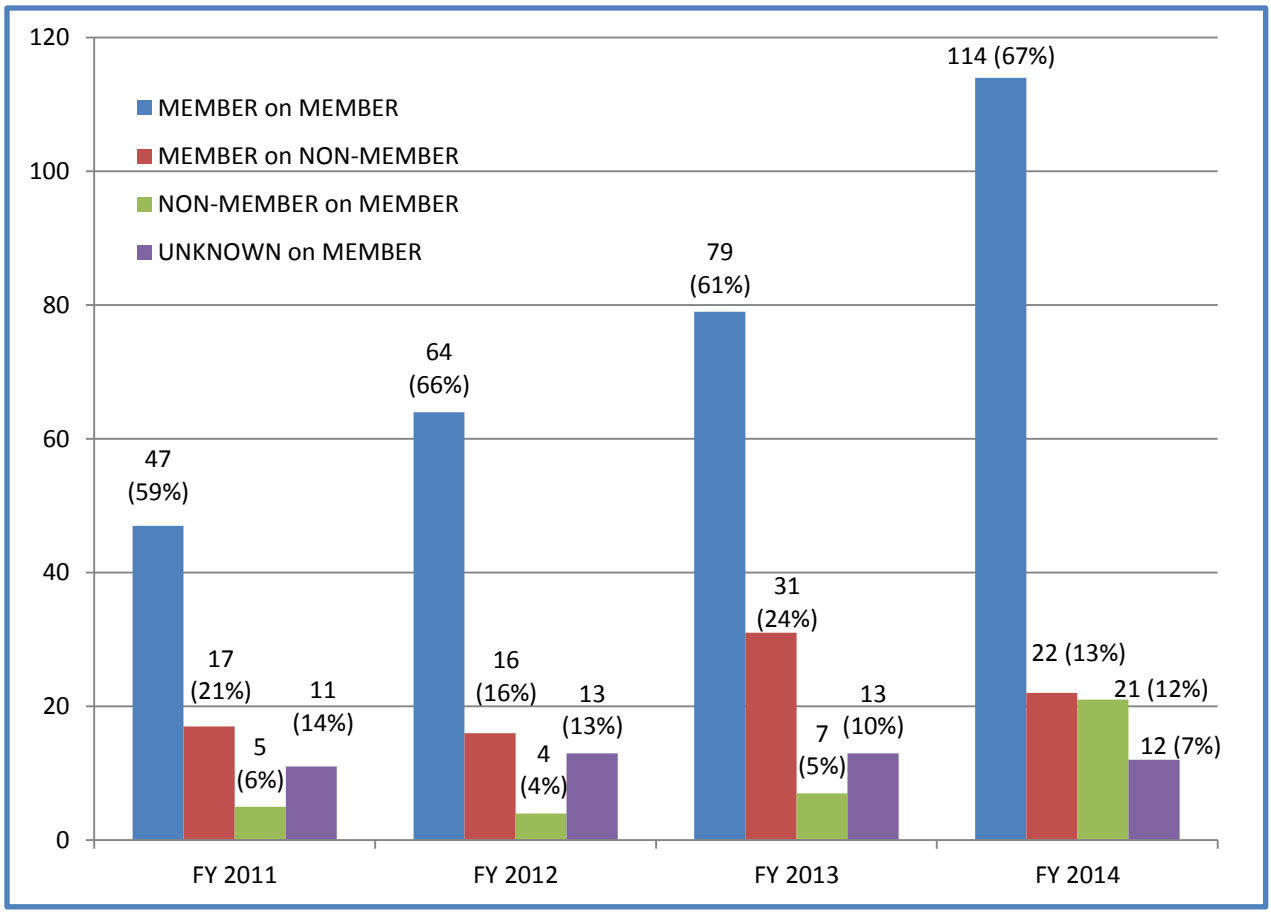
6. Civilian authorities declined to prosecute an E-3 accused of sexually assaulting a civilian that alleged she was substantially incapacitated from alcohol. Court-martial charges are pending against the subject.

7. An E-3 was accused of sexually assaulting a high school senior that he mentored in an after school program. Civilian authorities declined prosecution citing evidence of a consensual relationship. The Coast Guard pursued charges that were eventually disposed of at Flag Mast.

A12: Breakdown of Case Particulars -
Demographic trends and types of offenses.

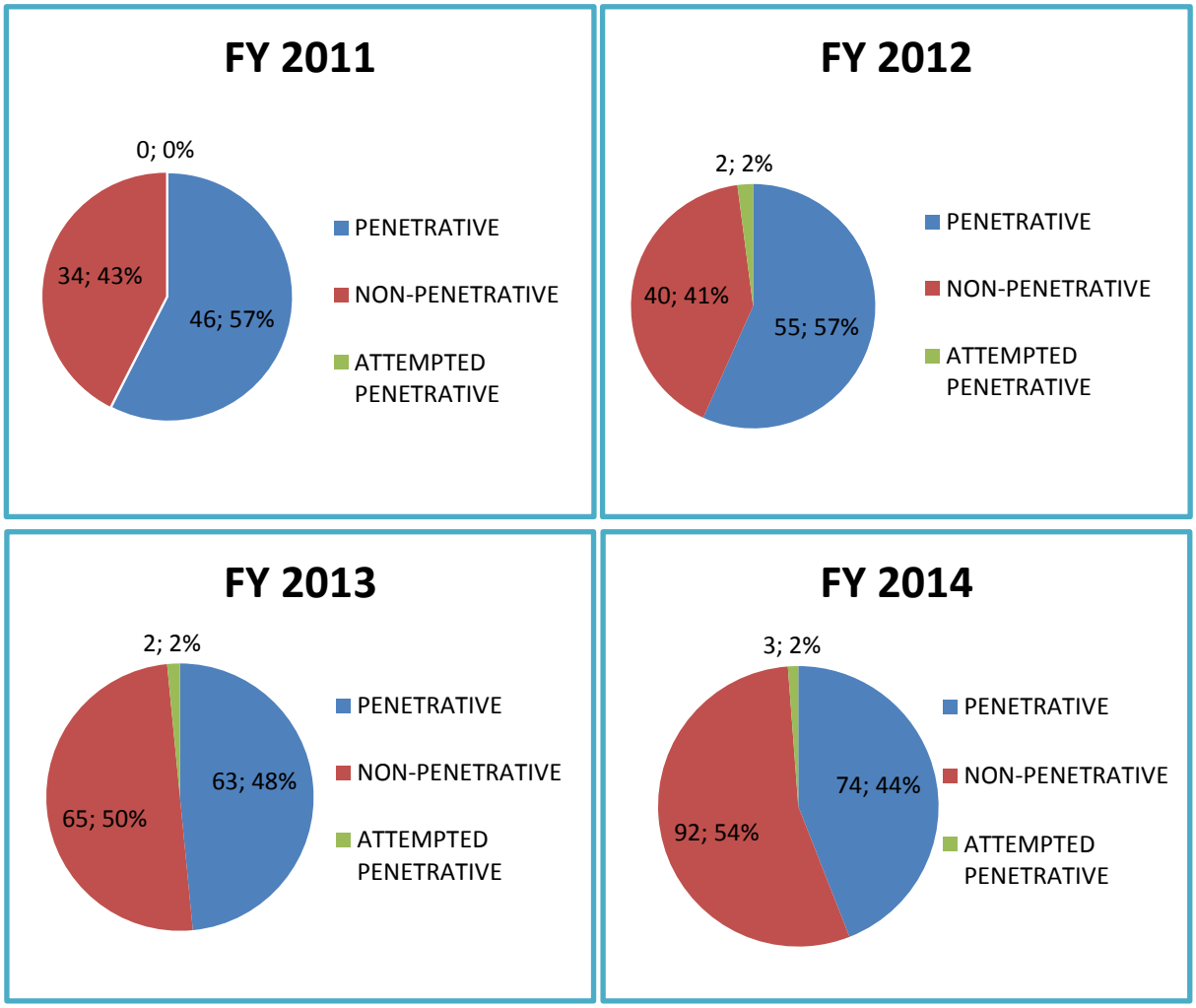
Breakdown of Investigation by offender and victim status

Fiscal Year	Investigations	Member on Member	Member on Non-Member	Non-Member on Member	Unknown on Member
2014	169	114	22	21	12
2013	130	79	31	7	13
2012	97	64	16	4	13
2011	80	47	17	5	11



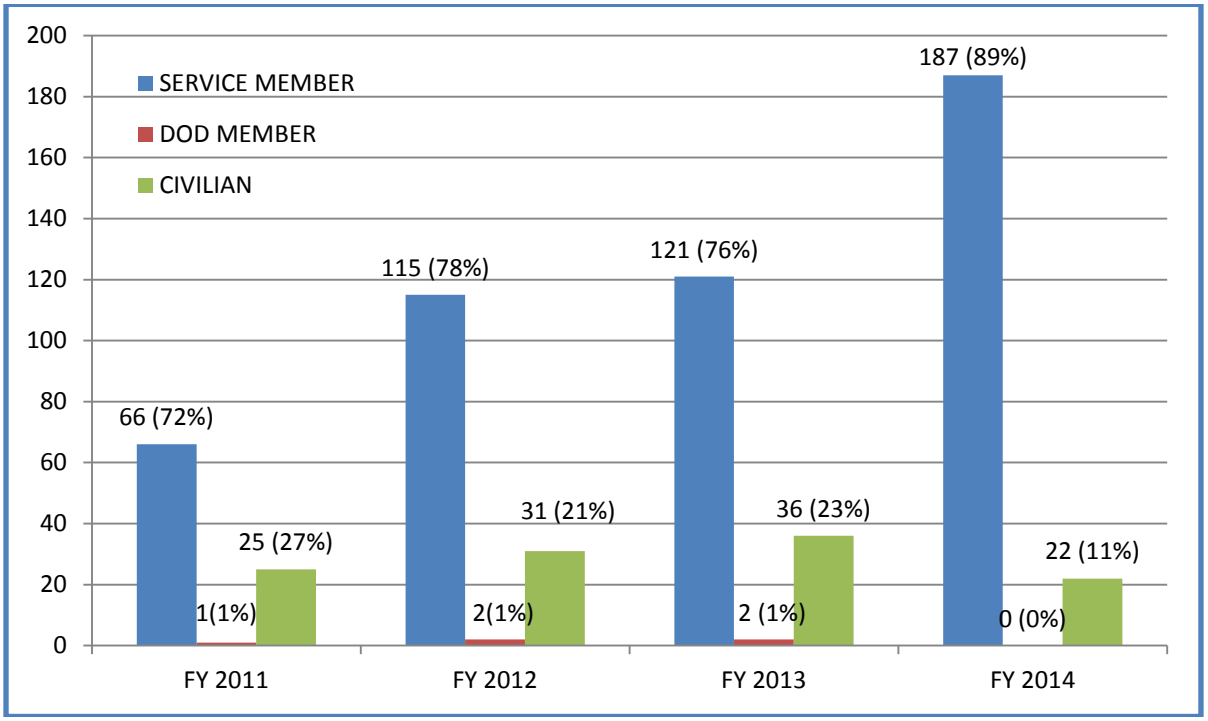
Breakdown of Investigation by offense type

Fiscal Year	Investigations	Penetrative	Non-Penetrative	Attempted Penetrative
2014	169	74	92	3
2013	130	63	65	2
2012	97	55	40	2
2011	80	46	34	0



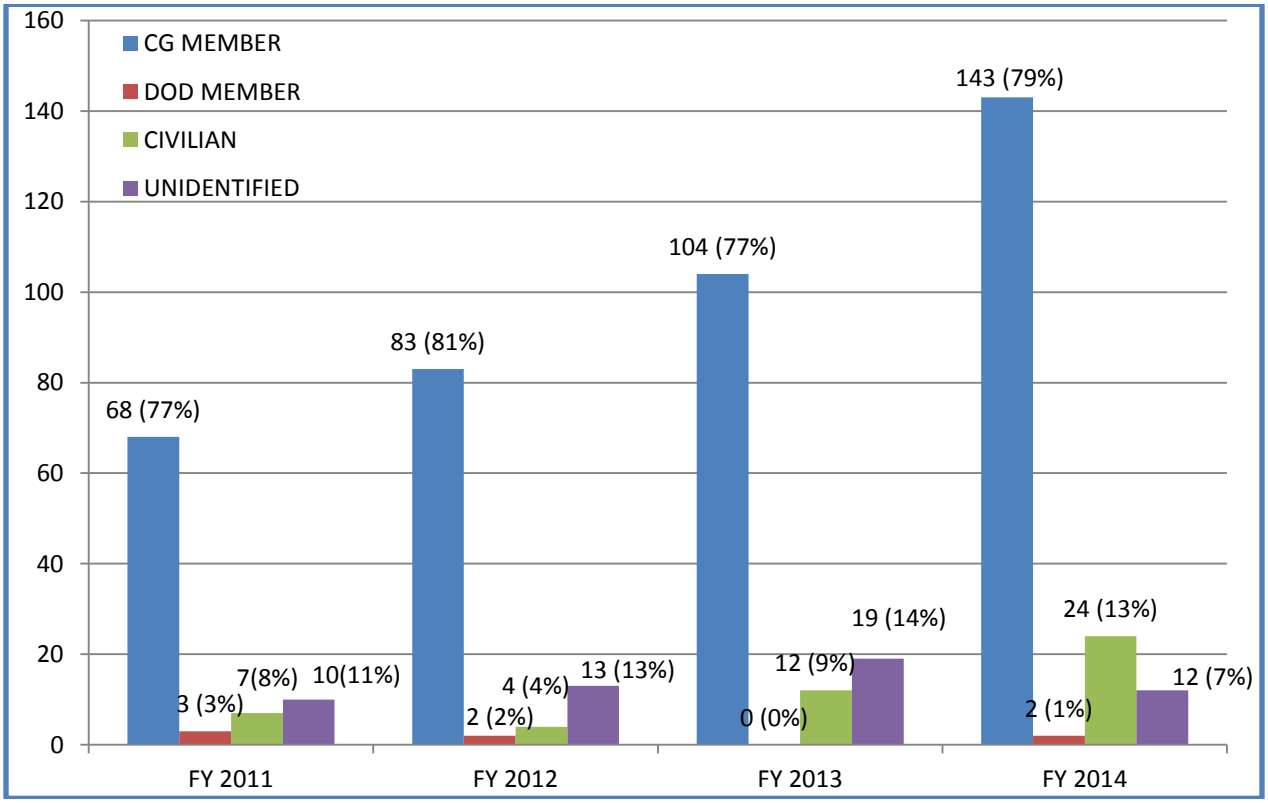
A13: Breakdown of Victims -
Demographic trends.

Fiscal Year	Victims	Service Members	DoD Members	Civilians
2014	209	187	0	22
2013	159	121	2	36
2012	148	115	2	31
2011	92	66	1	25



A14: Breakdown of Offenders -
Demographic trends.

Fiscal Year	Subjects	Coast Guard Members	DoD Members	Civilians	Unidentified
2014	181	143	2	24	12
2013	135	104	0	12	19
2012	102	83	2	4	13
2011	88	68	3	7	10



SEXUAL ASSAULT AND SEXUAL HARASSMENT IN THE MILITARY

Top-Line Estimates for Active-Duty Service Members from the 2014 RAND Military Workplace Study

National Defense Research Institute

Prepared for the DoD Sexual Assault Prevention and Response Office



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Contents

Figures and Tables iv
Summary v

Introduction 1
A New Approach to Counting Sexual Assault, Sexual Harassment, and Gender Discrimination 3
Fielding the RAND Military Workplace Study Survey 7
Top-Line Results from the RAND Military Workplace Study 9
The Percentage of Active-Duty Men and Women Experiencing Sexual Assault and Harassment 9
Time Trends on Unwanted Sexual Contact and Sexual Harassment Measures 17
Comparing Results Across the Two Survey Instruments 23
Implications of the Top-Line Results 27
Next Steps 31
Appendix: A Brief Overview of RMWS Weighting Procedures 33

References 37
Notes 39

Abbreviations 42

Figures and Tables

Figures

1. Estimated Percentage of Active-Duty Service Men and Women Who Experienced Unwanted Sexual Contact in the Past Year, as Defined by the WGRA Methodology, 2006–2014 18
2. Estimated Percentages of Active-Duty Men and Women Who Experienced Sexual Harassment in the Past Year, as Defined by the WGRA Methodology, 2006–2014 22

Tables

1. Estimated Percentage of Active-Duty Service Members Who Experienced Any Type of Sexual Assault in the Past Year, by Gender and Service Branch 10
2. Estimated Percentage of Active-Duty Service Members Who Experienced a Sexual Assault in the Past Year, by Gender and Type 10
3. Estimated Percentage of Active-Duty Service Members Who Experienced Penetrative Sexual Assault in the Past Year, by Gender and Service Branch 11
4. Estimated Percentage of Active-Duty Service Members Who Experienced Non-Penetrative Sexual Assault in the Past Year, by Gender and Service Branch 12
5. Estimated Percentage of Active-Duty Service Members Who Experienced a Sexually Hostile Work Environment in the Past Year, by Gender and Service Branch 13
6. Estimated Percentage of Active-Duty Service Members Who Experienced Sexual Quid Pro Quo in the Past Year, by Gender and Service Branch 14
7. Estimated Percentage of Active-Duty Service Members Who Experienced Sexual Harassment in the Past Year, By Gender and Service Branch 15
8. Estimated Percentage of Active-Duty Service Members Who Experienced Gender Discrimination in the Past Year, by Gender and Service Branch 16
9. Estimated Percentage of Active-Duty Service Members Who Experienced Any Sex-Based MEO Violation in the Past Year, by Gender and Service Branch 17
10. Estimated Percentage of Active-Duty Service Members Who Experienced Unwanted Sexual Contact in the Past Year, by Gender and Service Branch 18
11. Type of Unwanted Sexual Contact in Event That Had the Greatest Effect on the Service Member, by Gender 19
12. Estimated Percentage of Active-Duty Service Members in 2014 Who Experienced Sexual Harassment as Measured in the WGRA in the Past Year, by Gender and Service Branch 21

A.1. Balance of Weighted Respondents to the Full DoD Population, by Weight Type 34

Summary

In early 2014, the Department of Defense (DoD) Sexual Assault Prevention and Response Office (SAPRO) asked the RAND National Defense Research Institute (NDRI) to conduct an independent assessment of sexual assault, sexual harassment, and gender discrimination in the military—an assessment last conducted in 2012 by the department itself through the Workplace and Gender Relations Survey of Active Duty Personnel (WGRA). This report provides preliminary top-line estimates from the resulting study, the RAND Military Workplace Study (RMWS), which invited close to 560,000 service members to participate in a survey fielded in August and September of 2014.

Compared to the prior DoD studies, the RMWS takes a new approach to counting individuals in the military who experienced sexual assault, sexual harassment, or gender discrimination. Our measurement of sexual assault aligns closely with the definitions and criteria in the Uniform Code of Military Justice (UCMJ) for Article 120 and Article 80 crimes. The survey measures of sexual harassment and gender discrimination, which together we refer to as sex-based military equal opportunity (MEO) violations, use criteria drawn directly from DoD Directive 1350.2. Compared with past surveys that were designed to measure a climate of sexual misconduct associated with illegal behavior, our approach offers greater precision in estimating the number of *crimes* and *MEO violations* that have occurred. Specifically, the RMWS measures

- *Sexual assault*, which captures three mutually exclusive categories: *penetrative* (often referred to as rape), *non-penetrative*, and *attempted penetrative* crimes
- *Sex-based MEO violations*, which consist of
  - *Sexually hostile work environment*—a workplace characterized by persistent or severe unwelcome sexual advances, or verbal or physical conduct that offends service members
  - *Sexual quid pro quo*—incidents in which someone uses his or her power or influence within the military to attempt to coerce sexual behavior in exchange for a workplace benefit
  - *Gender discrimination*—incidents in which service members are subject to mistreatment on the basis of their gender that affects their employment conditions.

As with all crime-victim surveys, we classify service members as experiencing these crimes or MEO violations based on their memories of the event as expressed in their survey responses. It is likely that a full review of all evidence would reveal that some respondents whom we classify as not having experienced a sexual assault or sex-based MEO violation based on their survey responses actually did have one of these experiences. Similarly, some whom we classify as having experienced a crime or violation may have experienced an event that would not meet the minimum legal criteria. A principal focus of our survey development was to minimize both of these types of errors, but they cannot be completely eliminated in a self-report survey.

Subject to these caveats, we estimate with 95-percent confidence that between 18,000 and 22,500 active-duty service members can be classified as having experienced one or more sexual assaults in the past year committed against them by other service members, civilians, spouses, or others. Our best estimate in this range is that approximately 20,000 active-duty service members were sexually assaulted in the past year, out of 1,317,561 active-duty members. This represents approximately 1.0 percent of active-duty men and 4.9 percent of active-duty women. Moreover, the nature of these sexual assaults appears to be different than estimated using the earlier survey methods: 43 percent of assaults against women and 35 percent of assaults against men were classified as penetrative sexual assaults. These figures are higher than comparable estimates we generated using the WGRA methods for counting penetrative sexual assaults, and this difference is particularly large among men.

Our estimates suggest high rates of sex-based MEO violations against active-duty women, more than a quarter of whom may have experienced a sex-based MEO violation in the past year. Among women in the Navy and Marines, the rate of MEO violations approaches one-third. The majority of these violations involve experiences consistent with a sexually hostile work environment; however, significant numbers of women also indicate experiences consistent with gender discrimination.

Our estimate of the prevalence of sex-based MEO violations against active-duty men is lower than for women, but these are higher than estimates we produced using the WGRA methods for measuring sexual harassment. Moreover, these problems are cited sufficiently often to warrant attention. For example, we estimate that in the Army, almost 1 in 12 men experienced a sex-based MEO violation in the past year; in the Navy, it was nearly 1 in 10. For men, the largest source of problems stem from sexually hostile work environments.

Recognizing that DoD is also interested in trends in sexual assault, sexual harassment, and gender discrimination, RAND fielded a portion of the 2014 surveys using the same questions as previous DoD surveys on this topic. Our findings suggest that unwanted sexual contact and sexual harassment, as these have been measured over the past eight years, have declined for active-duty women since 2012. We estimate that the percentage of active-duty women who experienced unwanted sexual contact as measured by the WGRA methods declined from 6.1 percent in 2012 to 4.3 percent in 2014;

the same percentages for men did not see a statistically significant change (1.2 percent in 2012 compared with 0.9 percent in 2014). Similarly, estimates for the percentage of women who experienced sexual harassment in the past year declined significantly from 23.2 percent in 2012 to 20.2 percent in 2014; for men, the percentage in 2014 (3.5 percent) was not significantly lower than in 2012 (4.1 percent). The trend data suggest that fewer active-duty service women are experiencing unwanted sexual contacts and sexual harassment than was the case two years ago, but significant improvements over 2010 levels have not occurred. Women's experiences with retaliation after filing an official report to a military authority are unchanged in 2014. In both 2012 and 2014, 62 percent who filed such a report indicated that they experienced professional retaliation, social retaliation, adverse administrative actions, or punishments for violations associated with the sexual assault.

This report includes only preliminary top-line findings for active-duty personnel from the RAND Military Workplace Study, reporting on the broadest categories of outcomes (by service, gender, and type of offense). These top-line results are likely to generate many questions about the details of the sexual assaults and MEO violations we have documented here, as well as about differences in estimates produced using the prior form and the new questionnaire. The RAND team will continue to analyze these and other topics in the winter of 2014–2015. Reports summarizing the findings from these analyses will be released in the late spring of 2015.

Introduction

In early 2014, the Department of Defense (DoD) asked the RAND National Defense Research Institute to conduct an independent assessment of sexual assault, sexual harassment, and gender discrimination in the military—an assessment last conducted in 2012 by the department itself through the Workplace and Gender Relations Survey of Active Duty Personnel (WGRA). The 2014 RAND Military Workplace Study (RMWS) is based on a much larger sample of the military community than previous surveys—men and women, active-duty and reserve component, and including the four DoD military services plus the Coast Guard—and is designed to more precisely estimate the total number of service members experiencing sexual assault, sexual harassment, and gender discrimination.

The objectives of the 2014 survey were to

- establish precise and objective estimates of the percentage of service members who experience sexual assault, sexual harassment, and gender discrimination
- describe the characteristics of these incidents, such as where and when they occurred, who harassed or assaulted the member, whether the event was reported, and what services the member sought
- identify barriers to reporting these incidents and barriers to the receipt of support and legal services.

To meet its December 1, 2014, deadline for providing the White House a report documenting DoD progress in its efforts to prevent and respond to sexual assaults and harassment, the Sexual Assault Prevention and Response Office (SAPRO) in the Office of the Secretary of Defense (OSD) requested that RAND report top-line estimates on the DoD active-duty sample shortly after the survey field period closed. These *top-line* numbers refer to the broadest categories of outcomes and include only estimated numbers and percentages of service members who experienced sexual assault, sexual harassment, and gender discrimination in the past year by gender, service, and type of offense. Because we randomly assigned some respondents to complete the new questionnaire designed by RAND and a smaller number to complete a version of the prior 2012 WGRA questionnaire, we are able to provide top-line estimates using both the earlier assessment criteria and methods and the newly designed assessment criteria

and methods. This allows comparisons between 2012 and 2014 and also provides new estimates based on the revised questionnaire, which has several methodological advantages described below.

In addition to the preliminary top-line numbers presented here, the RAND research team will conduct additional analyses on the survey data and will include those findings in reports that are planned for release in the late spring of 2015. These reports will examine the experiences of victims with the response systems available to them, their rationale for either reporting or not reporting sexual assaults and harassment to their command or to victim service professionals, and the circumstances of their experiences (such as who harassed or assaulted them, where and when it happened, and whether they experienced retaliation). In addition, we will provide detailed documentation on our methodology and study approach.

A New Approach to Counting Sexual Assault, Sexual Harassment, and Gender Discrimination

DoD has assessed service members' experiences with sexual assault and harassment since at least 1996, when Public Law 104-201 first required a survey of the "gender relations climate" experienced by active-duty forces. Since 2002, four "Workplace and Gender Relations Surveys," as they are known in 10 USC §481, have been conducted with active-duty forces (in 2002, 2006, 2010, and 2012). The DoD conducted reserve-component versions of this survey in 2004, 2008, and 2012.

The results of the 2012 survey suggested that more than 26,000 active-duty service members had experienced "unwanted sexual contact" in the prior year, an estimate that received widespread public attention and concern. In press reports and congressional inquiries, questions were raised about the validity of the estimate, about what "unwanted sexual contact" included, and about whether the survey had been conducted properly. Some of these concerns and criticisms were unfounded. Although there are significant differences in our approach, the earlier WGRA survey did employ many of the same best practices for survey research that we have adopted for the RMWS (Office of Management and Budget, 2006). However, these concerns led some members of Congress to urge DoD to seek a new and independent assessment of the number of service members exposed to sexual assault or sexual harassment across the military.

In selecting RAND to conduct the 2014 assessment, DoD sought a new and independent evaluation of sexual assault, sexual harassment, and gender discrimination across the military. As such, DoD encouraged the RAND research team to redesign the approach used previously in the WGRA surveys if changes would improve the accuracy and validity of the survey results for estimating crimes and violations. In developing the new RMWS questionnaire, RAND researchers were conscious of the challenges of measuring sexual assault, sexual harassment, and gender discrimination. For example, seemingly slight changes in the descriptions of these events can substantially influence survey results. Therefore, the RAND questions assessing sexual assault closely track the definitions and criteria listed in the Uniform Code of Military Justice (UCMJ) for Article 120 crimes. Likewise, our approach to measuring sexual harassment and gender discrimination was designed to closely align with the definitions of

those violations as described in DoD directives, which themselves are closely aligned with federal civil rights law.[1]

To better assess the prevalence of sexual assault, sexual harassment, and gender discrimination, we sought to develop simple sets of questions that could be used to correctly classify respondents' experiences according to the complex criteria set out in law. In addition to breaking down complex legal standards into a series of questions amenable to a self-administered survey format, we also sought to introduce technical changes to improve respondent comprehension of the survey questions, and in turn to enhance the validity of their answers.

The development of this new approach to measuring sexual assault and sex-based MEO violations was completed in close consultation with a scientific advisory board that included experts on civilian and military law, the assessment of sexual assault and sexual harassment, victim services, and survey methodology. In addition, RAND researchers consulted with many other experts, advocacy groups, and service members, including many who had experienced sexual assault or sexual harassment, to ensure that each survey question assessed the legal construct it was designed to measure as accurately as possible and to ensure that respondents could reliably understand the meaning of each question.

Thus, the RMWS survey is designed to provide a valid and precise estimate of the number of service men and women who have experienced sexual assault, sexual harassment, or gender discrimination in the past year. It more closely links survey definitions of sexual offenses to the law than the WGRA did. Other improvements in our survey approach include

- **Simplifying question syntax to improve respondent understanding.** Earlier WGRA surveys used complex questions for the sexual harassment and unwanted sexual contact measures, questions that placed heavy demands on respondents' reading skills and comprehension. RAND's approach presented a series of questions asking about behaviorally specific experiences.
- **Clarifying question terminology.** The prior WGRA approach to measuring sexual assault relied on respondents' understanding of the complex concept of *consent*, and did so without defining the term. The RAND questionnaire avoids use of the term consent for most definitions of sexual assault. Instead, we substituted the behaviorally specific forms of coercion described in Article 120 of the UCMJ that operationalize the concept of consent. Similarly, we limited use of the term *sexual* in defining the events that might qualify as sexual assault because sexual assaults that would qualify as crimes under Article 120 need not be associated with sexual gratification if they are designed to humiliate or debase the person who is assaulted. Instead, the new RMWS survey inquires about sexual assaults using simple behavioral and anatomical descriptions that make no reference to whether or not the behaviors were "sexual." Use of such behaviorally

and anatomically specific language not only better matches the similarly specific language of Article 120, it has also been the standard approach for accurately assessing sexual assault in survey research conducted with civilian populations for decades (National Research Council, 2014). We believe these changes (and many others like them) clarify the meaning and intent of our survey questions and have improved the reliability and validity of the respondents' answers. Pretesting of the survey indicated that respondents found the items to be clear and easy to understand.

- **Reducing overcounting of offenses due to telescoping.** People often report crimes as occurring more recently than they really did—a tendency that is referred to as *response telescoping*. To guard against this phenomenon, RAND implemented several strategies in the RMWS survey that are designed to better orient respondents to the specific timeframe under consideration in each section of the survey.

All of the improvements in the RMWS survey are designed to provide reliable estimates of the numbers of service members who experienced sexual assault crimes and sex-based MEO violations, and to minimize errors due to overreporting (such as due to response telescoping), and underreporting (such as due to confusion over what counts as a crime). Nevertheless, as with all crime-victim surveys, we classify service members as experiencing these violations based on their memories of the event as expressed in their survey responses. Thus, despite our efforts to reduce many sources of error in our estimates, such errors cannot be completely eliminated in a self-report survey.

Fielding the RAND Military Workplace Study Survey

DoD, in consultation with the White House National Security Staff, stipulated that the sample size for the RMWS was to include a census of all active-duty women and 25 percent of active-duty men in the Army, Navy, Air Force, and Marine Corps. In addition, we were asked to include a smaller sample of National Guard and reserve members sufficient to support comparisons of sexual assault and harassment between the active-duty and reserve forces. Subsequently, the U.S. Coast Guard also asked that RAND include a sample of their active-duty and reserve members.[2] In total, therefore, RAND invited close to 560,000 service members to participate in the study, making it the largest study of sexual assault and harassment ever conducted in the military.

The large sample for this study is particularly valuable for understanding the experiences of relatively small subgroups in the population. For instance, in the smaller 2012 WGRA, 117 men indicated that they experienced what the WGRA defines as "unwanted sexual contact." This low number limits generalizations that can be made about the experiences of men in the military.

The large sample associated with the RMWS also gave RAND the opportunity to test how changing the questionnaire itself might have affected survey results. Specifically, we were able to use a segment of our overall sample to compare rates of exposure to sexual assault and sexual harassment as measured using the 2014 RMWS questionnaire and the 2012 WGRA questionnaire. We achieved this by randomly assigning this portion of the sample to receive questions from the prior WGRA form, while the balance received a version of the new RMWS form.[3]

A total of 477,513 members of the DoD active-duty forces were randomly selected from a population of 1,317,561 active-duty DoD service members who met the study inclusion criteria requiring that they be age 18 or over, below the rank of a general or flag officer, and in service for at least six months.[4] This follows the procedures used in prior WGRA surveys. As noted, sampled service members were randomly assigned to receive either questions from the prior WGRA survey or from one of the new RMWS questionnaires.[5]

The smartphone-compatible, web-based RMWS survey was fielded from August 7, 2014, to September 24, 2014. Before being fielded, the survey instrument underwent significant scientific and ethical review and regulatory approvals by RAND and by

several DoD authorities.[6] Service members in the sample were recruited through a series of emails and postal letters sent to them throughout the study period, as well as through outreach activities conducted by RAND, OSD, and service leadership.

The study design contains a range of changes in the survey methods relative to the prior WGRA designed to address critiques of that study. Although many of our innovations build on those developed for the WGRA, the new survey collects more detailed information related to whether the event is consistent with criminal offenses under the UCMJ or violations of MEO. It also includes simpler questions, an experiment to compare the prior WGRA survey and the new RMWS, a larger sample, and an increase in the outreach and recruitment messages. We took three specific steps to increase response rates:

- **A shorter survey.** The RMWS survey that most respondents received is shorter than the prior WGRA and could be completed by most respondents in just eight minutes.
- **Maximizing responses to the key questions.** We placed the sexual assault and sexual harassment modules at the beginning of the survey to maximize the number of respondents answering these questions, since historically there has been considerable survey break-off before reaching these core questions.
- **Reaching junior enlisted members and others with limited access to computers.** We made the survey smartphone compatible and developed a communications plan that promoted the survey through many channels, including social media, public service announcements, and print news stories.

A total of 145,300 active-duty members of DoD services completed the RMWS survey, for a response rate of 30.4 percent.[7]

Top-Line Results from the RAND Military Workplace Study

The Percentage of Active-Duty Men and Women Experiencing Sexual Assault and Harassment

Here we describe the top-line findings on the estimated percentage of active-duty men and women who experienced sexual assaults and sex-based MEO violations (including gender discrimination and sexual harassment) in the past year.[8] Because we measure these offenses differently than they have been measured in the past, the estimates generated using the new RMWS assessment methodology cannot be directly compared with past WGRA results. The results in this section represent our preliminary estimates for the percentage of service members who experienced events in the past year that would qualify as sex crimes under UCMJ Article 120 or Article 80, or sex-based MEO violations.

Sexual Assault

The RMWS survey contains a detailed assessment of sexual assault designed to correspond to the legal criteria specified in UCMJ Article 120. To be classified as having experienced a sexual assault, respondents must first have indicated that they experienced one of six anatomically specific, unwanted behavioral events. If they indicated that one of these events occurred in the past year, they were then asked a series of additional questions designed to assess (a) if the event was intended for either a sexual purpose, to abuse, or to humiliate, and (b) if the offender used one of the coercion methods specified in the UCMJ as defining a criminal sex act.

Using results from the new RMWS survey, we estimate that 1.5 percent of the population experienced at least one sexual assault in the past year (Table 1). We estimate with 95 percent confidence that the total number of service members in our sample frame who experienced a sexual assault in the past year is between 18,000 and 22,500.[9] Our best estimate in this range is that approximately 20,000 active-duty service members were sexually assaulted in the past year, out of 1,317,561 active-duty members. The estimated rate of sexual assault varied dramatically by gender: fewer than 1 in 100 men but approximately 1 in 20 women. There were smaller, yet significant, differences by branch of service, with members of the Air Force (both

Table 1
Estimated Percentage of Active-Duty Service Members Who Experienced Any Type of Sexual Assault in the Past Year, by Gender and Service Branch

Service	Total (95% CI)	Male (95% CI)	Female (95% CI)
Total	1.54% (1.38–1.70)	0.95% (0.78–1.15)	4.87% (4.61–5.14)
Army	1.46% (1.25–1.70)	0.95% (0.72–1.23)	4.69% (4.30–5.09)
Navy	2.36%* (1.92–2.86)	1.48% (1.00–2.12)	6.48%* (5.79–7.22)
Air Force	0.78%* (0.70–0.87)	0.29%* (0.21–0.39)	2.90%* (2.67–3.15)
Marines	1.63% (1.15–2.24)	1.13% (0.65–1.84)	7.86%* (6.65–9.21)

* Percentage is significantly different from the average of the other services within a column; p<.05, Bonferroni corrected.

men and women) estimated to be at lower risk than members of the other branches. In contrast, a significantly higher proportion of women in the Marines and Navy are estimated to have experienced sexual assault in the past year than women in other services.

To gain a better understanding of the nature of these events, we broke down the overall results into the type of sexual assault that the respondent was classified as experiencing (Table 2). The instrument is structured so that if a respondent is classified as having experienced a penetrative sexual assault, they skip the subsequent questions about lesser offenses. Similarly, if they qualify as having experienced a non-penetrative sexual assault, they skip the final questions assessing if they experienced an attempted

Table 2
Estimated Percentage of Active-Duty Service Members Who Experienced a Sexual Assault in the Past Year, by Gender and Type

Sexual Assault	Total (95% CI)	Male (95% CI)	Female (95% CI)
Any sexual assault	1.54% (1.38–1.70)	0.95% (0.78–1.15)	4.87% (4.61–5.14)
Penetrative sexual assault	0.59% (0.49–0.71)	0.33% (0.22–0.48)	2.10% (1.92–2.28)
Non-penetrative sexual assault	0.92% (0.81–1.04)	0.62% (0.50–0.77)	2.60% (2.41–2.81)
Attempted penetrative	0.03% (0.02–0.04)	0.00% (0.00–0.01)	0.19% (0.13–0.26)

penetrative sexual assault. Thus, the instrument defines three mutually exclusive categories of sexual assault: *penetrative*, *non-penetrative*, and *attempted penetrative*.[10]

Penetrative sexual assaults are events that people often refer to as rape. We describe the measure as *penetrative sexual assault* in order to include both penetrative assaults that would be charged as rape and penetrative assaults that would be charged as aggravated sexual assault. *Non-penetrative assaults* include incidents in which private areas on the service member's body are touched without penetration, or where the service member is made to have contact with the private areas of another person's body.[11] The *attempted penetrative sexual assault* category applies only to those people who could not be classified with crimes that could be charged directly via Article 120 (*penetrative* or *non-penetrative sexual assaults)*. That is, they indicated having experienced an event in which someone attempted to sexually assault them (charged via Article 80), but the person never made physical contact with a private area of their body (which would have allowed categorization under the *non-penetrative sexual assault* category). This approach to classifying sexual assaults results in nearly all sexual assaults being categorized as either *penetrative* or *non-penetrative*, with very few classified as *attempted* assaults.

The distribution across type of assault varies by gender; almost half of all women classified as having experienced a sexual assault indicated the most serious type of crime, *penetrative sexual assault*, while about one-third of the assaulted men indicated the *penetrative* type. Combined with the higher prevalence of sexual assault against women, this means that women are estimated to be at six times the risk of past-year *penetrative* sexual assault relative to men.

The assaults can also be broken down by service and gender within each assault type, as shown in Tables 3 and 4. The overall pattern shown here is similar to what was

Table 3
Estimated Percentage of Active-Duty Service Members Who Experienced Penetrative Sexual Assault in the Past Year, by Gender and Service Branch

Service	Total (95% CI)	Male (95% CI)	Female (95% CI)
Total	0.59% (0.49–0.71)	0.33% (0.22–0.48)	2.10% (1.92–2.28)
Army	0.54% (0.41–0.69)	0.29% (0.17–0.48)	2.05% (1.78–2.34)
Navy	0.81% (0.54–1.15)	0.43% (0.16–0.92)	2.55% (2.13–3.04)
Air Force	0.29%* (0.24–0.34)	0.07%* (0.04–0.12)	1.21%* (1.07–1.38)
Marines	0.90% (0.51–1.48)	0.63% (0.25–1.33)	4.28%* (3.35–5.38)

* Percentage is significantly different from the average of the other services within a column; p<.05, Bonferroni corrected.

Table 4
Estimated Percentage of Active-Duty Service Members Who Experienced Non-Penetrative Sexual Assault in the Past Year, by Gender and Service Branch

Service	Total (95% CI)	Male (95% CI)	Female (95% CI)
Total	0.92% (0.81–1.04)	0.62% (0.50–0.77)	2.60% (2.41–2.81)
Army	0.91% (0.74–1.10)	0.65% (0.47–0.88)	2.51% (2.24–2.81)
Navy	1.49%* (1.16–1.89)	1.05%* (0.67–1.55)	3.59% (3.06–4.17)
Air Force	0.48%* (0.41–0.57)	0.22%* (0.15–0.32)	1.62%* (1.45–1.81)
Marines	0.71% (0.47–1.04)	0.50% (0.26–0.87)	3.40% (2.63–4.31)

* Percentage is significantly different from the average of the other services within a column; p<.05, Bonferroni corrected.

seen in the overall measure of sexual assault in Table 2. Men and women in the Air Force are at somewhat lower risk relative to the other services across both measures. There is also evidence of significantly higher estimated percentage of female Marines who experienced a *penetrative sexual assault* and male Sailors who experienced a *non-penetrative* assault, relative to members of the same genders in other services.

Sex-Based MEO Violations

As with sexual assault, our measures of sexual harassment and gender discrimination assess a number of specific types of violations. The *sexually hostile work environment* measure is designed to capture a workplace that includes sexual language, gestures, images, or behaviors that offend and anger service members or interfere with their ability to do their jobs. These events are counted only if the offensive behavior is either persistent (e.g., the respondent indicated the behavior continued even after the coworker knows that it is upsetting to others) or described by the respondent as severe (e.g., the behavior is so severe that most service members would find it patently offensive). Table 5 shows that this type of sexual harassment is commonly faced by active-duty service women; we estimate that one-fifth of women experienced upsetting or offensive sexual behavior in the past year that, under federal law or DoD directives, can be classified as an unfair condition of their employment in the military. The pattern of findings also suggests that active-duty members of the Air Force report significantly different experiences than the other branches of service. In particular, the estimated percentage of Air Force members who experienced a *sexually hostile work environment* in the past year was markedly lower than that of other services. Even in this branch,

Table 5
Estimated Percentage of Active-Duty Service Members Who Experienced a Sexually Hostile Work Environment in the Past Year, by Gender and Service Branch

Service	Total (95% CI)	Male (95% CI)	Female (95% CI)
Total	8.80% (8.36–9.27)	6.58% (6.07–7.12)	21.41% (20.81–22.03)
Army	9.75%* (9.01–10.53)	7.65%* (6.81–8.56)	22.87%* (21.92–23.84)
Navy	11.73%* (10.60–12.94)	8.34%* (7.02–9.81)	27.71%* (26.21–29.26)
Air Force	4.96%* (4.56–5.38)	3.26%* (2.80–3.77)	12.32%* (11.72–12.95)
Marines	7.68% (6.41–9.13)	6.11% (4.76–7.70)	27.19%* (24.68–29.80)

* Percentage is significantly different from the average of the other services within a column; p<.05, Bonferroni corrected.

however, we estimate that nearly one out of every eight women experienced such events in the past year. A more-detailed breakdown of the specific behaviors that constituted a *sexually hostile work environment* will be included in the full RAND report to be released in the spring of 2015.

These behaviors that respondents indicate are persistent or severe may have several negative effects. Case law demonstrates that a hostile work environment can cause poor work performance or evaluations, separation from the employer, and mental health problems. This type of harassment may also interfere with cohesion within military units, may degrade mission effectiveness, and may result in voluntary separations from service of qualified service members who find these behaviors to be an unacceptable condition of employment (Moore, 2010; Rosen, 1998; Sims, Drasgow, and Fitzgerald, 2005). Such events undermine the rights of service members, most often women, to fair treatment within the military. Careful tracking of this measure over time would provide a valuable gauge of progress in reducing sex-based violations of military equal opportunity.

The measure of *sexual quid pro quo* (a Latin phrase meaning "this for that") identifies incidents in which someone used his or her power or influence within the military to attempt to coerce sexual behavior. These events are counted in our measure only if the respondent indicated that they had personal evidence that a workplace benefit or punishment was contingent on a sexual behavior. Hearsay or rumor was not considered sufficient evidence to count in this category. Unlike *sexually hostile work environment*, this form of sexual harassment is comparatively rare (Table 6). We estimate with 95-percent confidence that approximately 1 in 60 women and 1 in 300 men

Table 6
Estimated Percentage of Active-Duty Service Members Who Experienced Sexual Quid Pro Quo in the Past Year, by Gender and Service Branch

Service	Total (95% CI)	Male (95% CI)	Female (95% CI)
Total	0.54% (0.41–0.70)	0.35% (0.21–0.55)	1.66% (1.46–1.89)
Army	0.65% (0.49–0.84)	0.41% (0.25–0.64)	2.12%* (1.79–2.49)
Navy	0.80% (0.43–1.38)	0.50% (0.12–1.34)	2.22% (1.70–2.85)
Air Force	0.14%* (0.10–0.20)	0.06%* (0.03–0.12)	0.50%* (0.37–0.65)
Marines	0.50% (0.16–1.20)	0.37% (0.05–1.26)	2.12% (1.31–3.25)

* Percentage is significantly different from the average of the other services within a column; p<.05, Bonferroni corrected.

were harassed this way in the past year. As with the other form of sexual harassment, members of the Air Force were at substantially lower risk for these events relative to the members of the other services.

Although *quid pro quo* events are much rarer than those reflecting a *sexually hostile work environment,* they represent a particularly serious category of offense within the military. Because military leaders have a great deal of authority over service members' lives, more than supervisors in the civilian workplace, misuse of their authority is a significant concern. In some cases, these acts are also likely to be crimes (e.g., under UCMJ Article 133 and Article 134), not merely civil infractions. Thus, although rare, it may be valuable to monitor these offenses over time to assess the progress of military policies in reducing their prevalence.

The two measures of MEO violations that we have discussed thus far, *sexually hostile work environment* and *sexual quid pro quo*, together constitute the legal constructs describing sexual harassment. Thus, our sexual harassment measure (Table 7) counts anyone who has experienced either subtype of harassment. The overall measure of sexual harassment may not be as descriptively useful as its components, however, because it is dominated by the more common form of harassment (*sexually hostile work environment*). A comparison of Table 7 and Table 5 shows that the aggregate rate of *sexual harassment* is almost identical to the rate of *sexually hostile work environment*; this means that the vast majority of individuals who indicated they experienced a *sexual quid pro quo* also indicated being sexually harassed under *sexually hostile work environment*. This in turn suggests that sexually hostile work environments may put members at a higher risk for sexual quid pro quo overtures; that is, the vast majority of those

Table 7
Estimated Percentage of Active-Duty Service Members Who Experienced Sexual Harassment in the Past Year, By Gender and Service Branch

Service	Total (95% CI)	Male (95% CI)	Female (95% CI)
Total	8.85% (8.40–9.31)	6.61% (6.09–7.15)	21.57% (20.96–22.19)
Army	9.80%* (9.05–10.58)	7.67%* (6.83–8.58)	23.07%* (22.12–24.05)
Navy	11.78%* (10.65-12.99)	8.37%* (7.05–9.84)	27.82%* (26.31–29.36)
Air Force	4.99%* (4.60–5.42)	3.29%* (2.82–3.80)	12.43%* (11.82–13.07)
Marines	7.69% (6.42–9.14)	6.11% (4.76–7.70)	27.30%* (24.79–29.92)

* Percentage is significantly different from the average of the other services within a column; p<.05, Bonferroni corrected.

describing quid pro quo experiences also describe having experienced a sexually hostile workplace in the past year.[12]

The *gender discrimination* measure assesses incidents in which the respondent indicated that she or he was the recipient of derogatory comments or mistreatment on the basis of her or his gender. To count in this measure, respondents must indicate that the mistreatment also resulted in harm to their military career (i.e., adversely affect their evaluation, promotion, or assignment). We estimate that *gender discrimination* affected approximately one in eight women in the last year, but 1 in 60 men (Table 8). As with the harassment measure, women in the Air Force are estimated to be less than half as likely as those in other services to experience *gender discrimination* in the past year. Among men, our estimates suggest that both airmen and Marines experienced less *gender discrimination* relative to soldiers and sailors.

The concept of gender discrimination is particularly challenging to assess in a self-report survey. Unlike sexual harassment, many forms of gender discrimination occur without the victim's awareness. Because our estimates are based on self-reports, they cannot count incidents in which discrimination occurred without the respondent knowing. We cannot estimate how common these hidden cases of discrimination may be. On the other hand, respondents may sometimes attribute mistreatment to their gender when there are legitimately other causes of their adverse work experience.

In spite of these interpretational difficulties, the fact that one in every eight women perceived themselves to have been treated unfairly in the military because of their gender represents a significant problem. This perception may make it hard to retain women in the military (Defense Equal Opportunity Management Institute, 2008;

Table 8
Estimated Percentage of Active-Duty Service Members Who Experienced Gender Discrimination in the Past Year, by Gender and Service Branch

Service	Total (95% CI)	Male (95% CI)	Female (95% CI)
Total	3.33% (3.14–3.54)	1.73% (1.52–1.96)	12.40% (11.93–12.88)
Army	3.86%* (3.54–4.21)	2.11%* (1.77–2.49)	14.80%* (14.02–15.61)
Navy	4.65%* (4.07–5.28)	2.52%* (1.89–3.27)	14.65%* (13.50–15.86)
Air Force	1.95%* (1.78–2.13)	0.86%* (0.70–1.04)	6.69%* (6.23–7.17)
Marines	1.97%* (1.62–2.38)	0.87%* (0.60–1.23)	15.59%* (13.65–17.70)

* Percentage is significantly different from the average of the other services within a column; p<.05, Bonferroni corrected.

DMDC, 2009) and may make it less likely that women aspire to senior leadership roles (Hosek et al., 2001). To the extent that the broader public hears from women who believe they were treated unfairly in the military, it may affect the services' ability to recruit service members who put a high value on working in an equitable environment. Thus, perceptions about *gender discrimination* are an important target for intervention, and this measure should be valuable for assessing DoD policy and progress over time.

The three types of sex-based MEO violations (*sexually hostile work environment*, *sexual quid pro quo*, and *gender discrimination*) can be thought of as belonging to a broader construct: *any sex-based MEO violation* (Table 9). *Any sex-based MEO violation* totals are noticeably higher than the total for *sexually hostile work environment*, suggesting that many who indicated that they experienced *gender discrimination* did not also indicate experiencing a *sexually hostile work environment*. On the other hand, because this measure combines several distinct phenomena that are likely to be affected by different types of policy or educational interventions, this overall measure may not be ideal for evaluating DoD progress on achieving key MEO goals. Even relatively substantial changes in *gender discrimination* or *sexual quid pro quo* over time may be difficult to detect in this aggregate measure.

Table 9
Estimated Percentage of Active-Duty Service Members Who Experienced Any Sex-Based MEO Violation in the Past Year, by Gender and Service Branch

Service	Total (95% CI)	Male (95% CI)	Female (95% CI)
Total	10.21% (9.75–10.68)	7.43% (6.91–7.99)	25.97% (25.34–26.61)
Army	11.30%* (10.54–12.10)	8.53%* (7.67–9.45)	28.62%* (27.61–29.64)
Navy	13.56%* (12.39–14.79)	9.61%* (8.25–11.11)	32.16%* (30.62–33.72)
Air Force	6.05%* (5.64–6.48)	3.84%* (3.36–4.37)	15.66%* (14.99–16.35)
Marines	8.51%* (7.21–9.95)	6.65% (5.28–8.25)	31.43%* (28.85–34.11)

* Percentage is significantly different from the average of the other services within a column; p<.05, Bonferroni corrected.

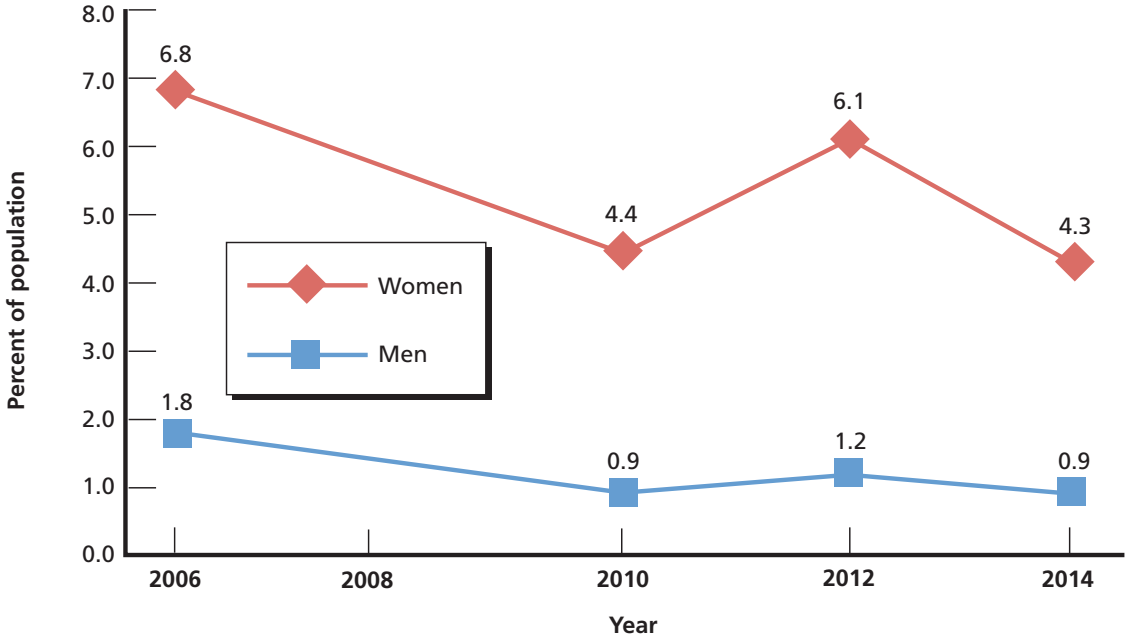
Time Trends on Unwanted Sexual Contact and Sexual Harassment Measures

For historical purposes, we compare results from the portion of the 2014 survey fielded using the prior WGRA form to the earlier WGRA results collected using the same survey questions and analyzed using comparable methods. For reasons discussed later in this report, we believe the results from the WGRA survey questions are better thought of as measures of workplace climate with respect to unwanted gender-related behaviors (e.g., norms and culture) rather than counts of sex crimes or MEO violations per se; however, they serve as important indicators of change in climate over time.

Prior Form Unwanted Sexual Contact Results

Figure 1 illustrates trends in past-year unwanted sexual contact measured using the WGRA methodology.[13] In 2012, 6.1 percent of active-duty women were classified as having experienced unwanted sexual contact in the past year. In 2014 (Table 10), this number dropped to 4.3 percent, which is approximately the same as the percentage recorded in 2010 (4.4 percent) and significantly below the 2006 rate (6.8 percent).[14] Past-year unwanted sexual contact against men has not changed significantly over time, at 0.9 percent in 2014 compared with 1.2 percent in 2012, 0.9 percent in 2010, and 1.8 percent in 2006. Using the WGRA method for estimating past-year unwanted sexual contact in 2014, we can infer with 95-percent confidence that the total number of active-duty service members in the sample frame who experienced at least one unwanted sexual contact in the past year is between 16,000 and 22,000. Our best

Figure 1
Estimated Percentage of Active-Duty Service Men and Women Who Experienced Unwanted Sexual Contact in the Past Year, as Defined by the WGRA Methodology, 2006–2014



Note: 2006 estimates are for calendar year 2006. Estimates for 2010, 2012, and 2014 are for a time period closer to the fiscal year.

Table 10
Estimated Percentage of Active-Duty Service Members Who Experienced Unwanted Sexual Contact in the Past Year, by Gender and Service Branch

Service	Total (95% CI)	Male (95% CI)	Female (95% CI)
Total	1.43% (1.23–1.66)	0.93% (0.71–1.20)	4.31% (3.89–4.76)
Army	1.70% (1.29–2.19)	1.24% (0.80–1.83)	4.59% (3.90–5.37)
Navy	1.79% (1.37–2.30)	1.08% (0.64–1.71)	5.11% (4.15–6.21)
Air Force	0.78%* (0.62–0.97)	0.43%* (0.26–0.66)	2.28%* (1.89–2.72)
Marines	1.23% (0.81–1.80)	0.66% (0.28–1.31)	8.44%* (6.28-11.05)

* Percentage is significantly different than average of the other services within column; p<.05, Bonferroni corrected.

estimate in this range is that approximately 19,000 active-duty service members experienced unwanted sexual contact in the past year, out of 1,317,561 active-duty members.

In 2014, we estimate that Marine Corps women experienced past-year unwanted sexual contact at rates that are significantly higher than women from other services, as was also found in 2012. Similarly, as in 2012, members of the Air Force, both men and women, are estimated to have significantly lower rates of past-year unwanted sexual contact than their peers in other services.

Changes in the prevalence of unwanted sexual contact over time were also investigated within each branch of service. Among men, the 2014 rates are not statistically significantly lower than 2012, 2010, or 2006 rates for any service except for the Navy, which has a 2014 rate significantly lower than in 2012. Similarly, among women, these declines were not always statistically significant. For active-duty women in the Army, 2014 estimated rates of unwanted sexual contact are lower than in 2012 and 2006, but not significantly lower than in 2010. For women in the Navy, estimated rates of unwanted sexual contact in the past year are significantly lower in 2014 than in 2012, but not significantly lower than was found in 2010 or 2006. For women in the Air Force, 2014 rates are lower than in 2006, but not significantly lower than in 2012 or 2010. For active-duty Marine Corps women, 2014 rates of unwanted sexual contact are not significantly lower than in any of the prior years (2012, 2010, or 2006).

Because some service members may have experienced more than one unwanted sexual contact in the past year, prior form respondents were asked to provide details on what happened during the "one event that had the greatest effect on you." Table 11 displays the distribution of types of unwanted sexual contact described as occurring in that "one event" among those respondents who experienced an unwanted sexual contact in the past year. The proportion of events involving sexual touching only, attempted penetrative assault, and completed penetrative assault are not significantly different from the same proportions reported in 2012, when 32.5 percent of all women

Table 11
Type of Unwanted Sexual Contact in Event That Had the Greatest Effect on the Service Member, by Gender

	Total (95% CI)	Male (95% CI)	Female (95% CI)
Unwanted sexual touching (only)	40.67% (33.04–48.64)	49.38% (36.22–62.60)	30.03% (25.48–34.89)
Attempted sexual intercourse, anal or oral sex	20.33% (15.89–25.37)	11.47% (5.81–19.72)	31.14% (26.40–36.18)
Completed sexual intercourse, anal or oral sex	19.26% (14.97–24.16)	11.45% (5.91–19.46)	28.80% (24.19–33.76)
None of the above	19.75% (13.05–27.99)	27.70% (16.28–41.73)	10.03% (7.14–13.61)

classified as experiencing unwanted sexual contact indicated that the worst event consisted of sexual touching only, without penetration or attempted penetration; 26.4 percent indicated that it was attempted sexual intercourse, anal sex, or oral sex; and 31.4 percent indicated that it was completed sexual intercourse, anal sex, or oral sex. The percentage of men estimated to have experienced unwanted sexual contact also saw no significant changes between 2012 and 2014 in the distribution of types of contact experienced during the one event that had the "greatest effect." In 2012, 50.7 percent of men indicating a past-year unwanted sexual contact were classified as having a "one event" that involved sexual touching only; 5.2 percent involved attempted sexual intercourse, anal sex, or oral sex; and 9.8 percent involved completed sexual intercourse, anal sex, or oral sex.

As in 2012, a surprisingly large percentage of men classified as having experienced unwanted sexual contact indicated that none of the component behaviors that define unwanted sexual contact occurred in the "one event" that had the greatest effect (27.7 percent in 2014, 34.3 percent in 2012). This lack of specificity was not due to respondents skipping these questions. Rather, 74 percent of respondents in the "none of the above" category answered every question but indicated that each of the behaviors listed did not occur. This suggests that either (a) these individuals were incorrectly identified as having experienced an unwanted sexual contact in the past year or (b) that they did have an unwanted sexual contact in the past year, but chose as their "one event" an incident that was not an unwanted sexual contact. In either case, it appears that the series of questions about the "one event" may include a substantial number of people who responded about incidents that do not qualify as criminal assaults.

The WGRA form contained items assessing possible retaliation against those respondents who reported an unwanted sexual contact to military authorities in the past year. SAPRO requested that we provide estimates on these retaliation items in this top-line report because retaliation is a measure used by DoD to track progress in its efforts to reduce stigma associated with reporting sexual assaults. The WGRA form contains items assessing possible retaliation against those respondents who reported an unwanted sexual contact to military authorities in the past year. These items ask respondents if they have experienced any retaliation or punishment as a result of the one event that had the greatest effect on them, including professional retaliation (such as being denied promotion or training), social retaliation (such as being ignored by coworkers), adverse administrative actions (such as being transferred to a different assignment), or punishments for violations associated with the event (such as for underage drinking). In the WGRA portion of our 2014 study, 62 percent of women who reported an unwanted sexual contact to military authorities indicated that they experienced at least one form of retaliation (with a 95-percent confidence interval of 51 percent to 72 percent). This is similar to what was found in 2012, when 62 percent of women indicated they experienced at least one form of retaliation. (Reliable estimates could not be esti-

mated for males indicating harassment after reporting an unwanted sexual contact in neither the 2012 nor the 2014 survey). Among this number:

- 32 percent indicated that they experienced professional retaliation (95-percent confidence interval: 23 percent to 42 percent)
- 53 percent indicated that they experienced social retaliation (95-percent confidence interval: 42 percent to 63 percent)
- 35 percent indicated that they experienced adverse actions (95-percent confidence interval: 25 percent to 45 percent)
- 11 percent indicated that they experienced punishments (95-percent confidence interval: 5 percent to 18 percent).

Prior Form Sexual Harassment Results

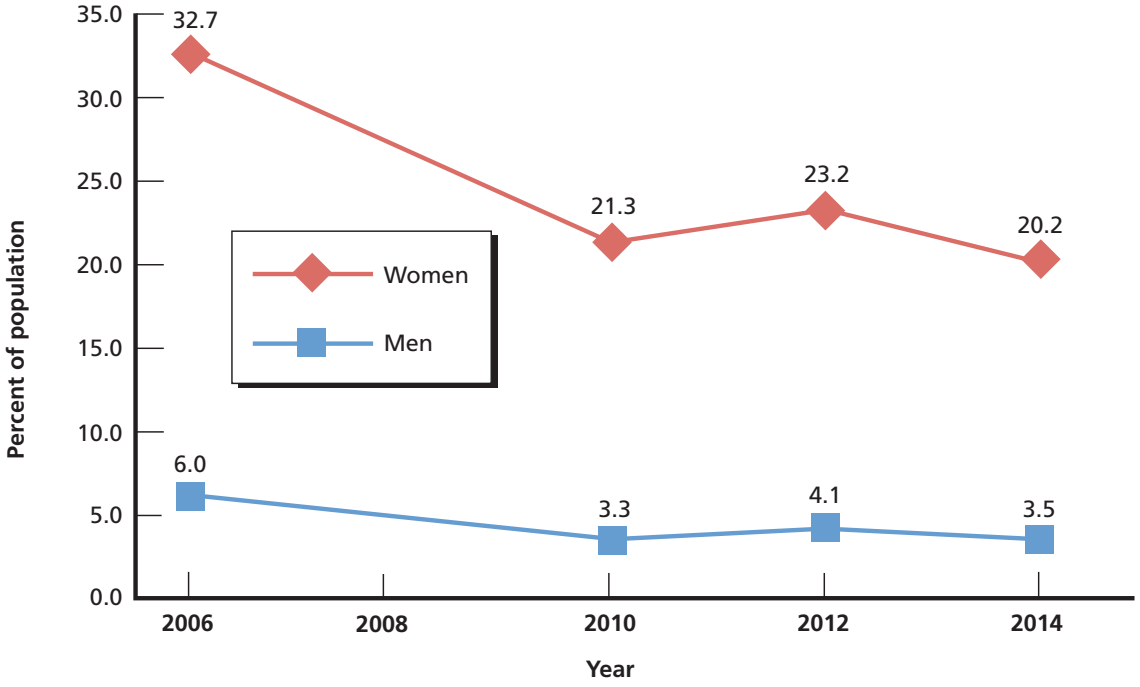
Estimates of the percentage of service members who experienced sexual harassment in the past year measured in 2014 using WGRA definitions are shown in Table 12; Figure 2 places these estimates in the context of the previous surveys. These estimates suggest that fewer active-duty women in 2014 were sexually harassed in the past year than in 2012. Indeed, the estimated 20.2 percent of service women who experienced sexual harassment in the past year was 3 percentage points lower than in 2012 and 12.5 percentage points lower than in 2006. The share of service men who were classified as having experienced sexual harassment in the past year in 2014 (3.5 percent) and 2012 (4.1 percent) did not differ significantly. However, the 2.5 percentage point decrease between 2006 and 2014 represents a significant reduction among service men that were classified as having experienced sexual harassment in the past year.

Table 12
Estimated Percentage of Active-Duty Service Members in 2014 Who Experienced Sexual Harassment as Measured in the WGRA in the Past Year, by Gender and Service Branch

Service	Total (95% CI)	Male (95% CI)	Female (95% CI)
Total	6.00% (5.61–6.41)	3.50% (3.07–3.97)	20.23% (19.45–21.03)
Army	6.83%* (6.15–7.57)	4.29%* (3.54–5.13)	22.74%* (21.40–24.12)
Navy	7.69%* (6.78–8.69)	4.54% (3.55–5.73)	22.48%* (20.68–24.36)
Air Force	4.03%* (3.67–4.42)	1.65%* (1.32–2.03)	14.31%* (13.38–15.28)
Marines	4.27%* (3.14–5.65)	2.68% (1.56–4.28)	24.11% (20.89–27.57)

* Percentage is significantly different than average of the other services within column; p<.05, Bonferroni corrected.

Figure 2
Estimated Percentages of Active-Duty Men and Women Who Experienced Sexual Harassment in the Past Year, as Defined by the WGRA Methodology, 2006–2014



Note: 2006 estimates are for calendar year 2006. Estimates for 2010, 2012, and 2014 are for a time period closer to the fiscal year.

Across the four services, we estimate that Air Force men and women were less likely to experience sexual harassment relative to members in other services in 2014. A comparison over time for service-specific estimates indicates that women in the Army experienced a significantly lower rate of sexual harassment in 2014 compared with 2012, 2010, and 2006. Women in the Air Force experienced a significantly higher rate of past-year sexual harassment in 2014 compared with 2010, a lower rate compared with 2006, but no significant difference relative to 2012. Women in the Navy saw a significant decrease compared with 2006, but no significant changes since then. Women in the Marines are estimated to have significantly lower rates of sexual harassment in 2014 compared with 2012 and 2006, but this rate is not statistically different than the 2010 rates. Among men, service-specific percentages of past-year sexual harassment were not significantly different from 2012. Active-duty men in the Navy, Army, and Air Force all have significantly lower estimated rates of past-year sexual harassment in 2014 than were observed in 2006, but current rates are not significantly lower than in 2012 or 2010. The sexual harassment rate for men in the Marines has not declined significantly compared with rates measured in any of these prior surveys (2012, 2010, or 2006).

Comparing Results Across the Two Survey Instruments

Results using the WGRA questions and methods are included in this report for historical comparisons and to establish a link between our new measures of sexual assault and sexual harassment and the time trends for unwanted gender-related behaviors as they have been measured up to 2014. However, this portion of the study also allows for a direct comparison between the prior method of counting unwanted sexual contact and sexual harassment and the methods developed specifically for the RMWS.

Although top-line rates of exposure to sexual assault (or, under the WGRA, unwanted sexual contact) and sexual harassment as measured by the WGRA and RMWS are similar, this apparent similarity conceals large differences in the people counted and the types of crimes they experienced. The RMWS was designed to capture sex crimes as defined in the UCMJ and MEO violations as defined in the UCMJ and other law. In contrast, the WGRA measures a climate of unwanted sexual experiences associated with illegal behavior, but was not designed as a precise crime measure. As summarized below, the WGRA counts some people who have not experienced sex crimes or MEO violations in the past year, while at the same time missing others who have had such experiences. The fact that these over- and undercounts approximately cancel one another out should not be taken as evidence that the WGRA questionnaire offers a satisfactory measure of sexual offenses for purposes of tracking the effectiveness of DoD policies or for estimating the total number of offenses occurring against service men and women. Measures that do not accurately and precisely count those people or events that are the target of training, prevention, or other policies or programs are unlikely to be sensitive to changes brought about by these programs. For example, the implementation of policies that effectively reduce sexual assaults may not result in a detectable corresponding change in this measure of unwanted sexual contact.

We summarize here some of the key differences in the offenses counted by the two methods. A more complete discussion of these differences will be included in RAND's final report, available in the spring of 2015.

1. **Approximately 25 percent of self-identified past-year unwanted sexual contact events described on the WGRA as the one event having the greatest effect on the respondent did not occur within the past year.** Both the WGRA and the RMWS questionnaires ask about events occurring in the past year. Prior research shows that many respondents report crimes as having taken place in the past year when they actually experienced them more than a year ago. This kind of timeframe "telescoping" can lead to substantially overestimated crime rates (Andersen, Frankel, and Kasper, 1979; Cantor, 1989; Lehnen & Skogan, 1984). To minimize this bias, the RMWS incorporated many techniques designed to reduce or limit response telescoping. This appears to have been effective. At the end of the sexual assault section on the RMWS survey and the end of the

"unwanted sexual contact" section on the prior WGRA form, we asked respondents to confirm that the event they were describing occurred in the past year.[15] Whereas 7 percent taking the RMWS said they were sure the event actually occurred more than a year ago (i.e., should not be counted as a past-year event), 25 percent of prior form respondents said they were sure the event occurred more than a year ago. More importantly, in the RMWS survey, respondents who confirmed that their sexual assaults occurred more than one year ago were excluded from the past-year estimates. Using the standard WGRA procedures, the much larger portion who acknowledged errors in their timing of the event were nevertheless included in estimates for the rate of past year unwanted sexual contact, which results in overcounting.

2. **If treated as a crime measure, the WGRA substantially undercounts criminal penetrative assaults.** The WGRA cannot accurately estimate the number of penetrative sexual assaults experienced by service members in the past year. The only description detailing types of assault occurs for the event described by respondents as the one having the "greatest effect" on them during the past year. This may or may not reflect the distribution of penetrative assaults among all the unwanted sexual contact experiences reported by service members. Estimates for 2014 using the WGRA methods suggest there were approximately 3,500 (with a 95-percent confidence interval of 2,900 to 4,600) penetrative assaults among these "greatest effect" contacts in the past year (including those that were improperly included due to the telescoping problem described above). In contrast, the RMWS measure assesses whether any of the sexual assaults expereinced by the service member in the past year could be counted as a penetrative assault. This estimate suggests the number of penetrative assaults is more than twice as large, or 8,000 (with a 95-percent confidence interval of 6,500 to 9,400), as was measured under the WGRA. This effect is most pronounced among men, with the WGRA methods yielding estimates that are less than one-third the rate found using the RMWS measures (1,000 versus 3,500, with 95-percent confidence intervals of 600 to 2,100 and 2,400 to 5,300, respectively). There may be several reasons for this discrepancy, most notably the survey questions themselves. The RMWS survey asks three specific and detailed questions about penetrative sexual assault that align closely with the definitions used in the UCMJ; those three questions are asked of everyone in the survey. In contrast, the WGRA first filters out most respondents on the basis of a single complex gating question. Then, among the remainder, it only asks about the type of unwanted sexual contact during the "one event" selected by the respondent. The series of questions used to determine type of unwanted sexual contact lacks definitions of key terms, and the wording does not align closely with specific behavioral definitions in the UCMJ.

3. **The unwanted sexual contact measure from the WGRA may count many events that are not crimes as defined by the UCMJ.** A large percentage of respondents on the WGRA indicate that their unwanted sexual contact is not described by any of the options meant to classify sexual assaults. In responses to the prior (WGRA) form, for instance, 14.6 percent of those classified as having experienced an unwanted sexual contact say the "one event" did not involve another person doing any of the behaviors defining unwanted sexual contact: sexually touching; attempting unsuccessfully to have sexual intercourse; making the respondent have sexual intercourse; attempting unsuccessfully to make the respondent perform or receive oral sex, anal sex, or penetration by a finger or object; or making the respondent perform or receive oral sex, anal sex, or penetration by a finger or object.[16] In other words, many respondents who are classified as experiencing an unwanted sexual contact selected as their "one event" an incident that does not match any of the criteria defining an unwanted sexual contact.

One of the criticisms of the WGRA measure has been that it does not distinguish experiences that were criminal, as opposed to merely unwanted (Schenck, 2014). While such a distinction was, according to the WGRA survey developers, never the goal of the unwanted sexual contact measure, considerable confusion arose over how the unwanted sexual contact results should be interpreted. The more-detailed assessment provided by the RMWS survey applies the definitional criteria contained in UCMJ Article 120 to rule out noncriminal events. The 2014 prior form (WGRA) estimates suggest there were approximately 15,500 service members who experienced an unwanted sexual contact that did not involve penetration described as the one event having the "greatest effect" on respondents during the past year (called either *unwanted sexual touching*, *unwanted attempted sex*, or *none of the above* on the question asking about the type of assault). In contrast, the RMWS identified 13,000 cases of non-penetrative crimes in the past year. Thus, it may be that the RWMS is excluding from its count people who would have been counted as having experienced an unwanted sexual contact on the WGRA, but whose experience does not meet the legal threshold for a sexual assault. Alternatively, it is possible that a large number of WGRA respondents who had experienced a penetrative sexual assault in the past year chose instead to describe a separate non-penetrative sexual assault as the one event having the greatest effect on them. We plan further analyses to better distinguish these possibilities and to better document the differences between the two measures.

Implications of the Top-Line Results

Our findings from the portion of our study conducted using the prior WGRA form suggest that unwanted sexual contact and sexual harassment, as these have been measured over the past eight years, have declined for active-duty women since 2012, but they are not significantly lower than the percentages observed in 2010. Similarly, a smaller percentage of men are experiencing past-year unwanted sexual contacts or sexual harassment today than in 2006, though most of the change in these trends occurred between 2006 and 2010. Since then, the percentage of men reporting past-year unwanted sexual contact or sexual harassment has remained steady at around 1 percent and 3–4 percent, respectively.

Together, these trend data suggest that fewer unwanted sexual contacts are occurring in the military than was the case just two years ago and in 2006, but significant improvements over 2010 levels have not occurred.

Whereas these trend data offer useful information about aspects of the workplace climate that are associated with sexual offenses and whether or not this climate is improving, they do not provide reliable information on the number of actual criminal sexual assaults and sex-based MEO violations that occur against service members annually. These are, however, what the new RMWS survey was designed to measure.

Our estimates suggest that between 18,000 and 22,500 active-duty service members were sexually assaulted in the past year, or approximately 1 percent of all service men and 5 percent of service women. These are one-year rates, so over a several-year career, the percentage of service members who have experienced at least one sexual assault will necessarily be higher. It is also important to note that these figures are not a count of sexual assaults, but rather of service members who indicated that they experienced one or more sexual assaults. The actual number of sexual assaults in the past year is necessarily higher. It is equally important to recognize that the perpetrators of these assaults may be military service members or civilians, and in some cases the military status of the perpetrator is unknown. Moreover, the nature of these assaults appears to be different than previously thought: 43 percent of assaulted women and 35 percent of assaulted men are classified as having experienced a *penetrative sexual assault*. In contrast, the results we obtained for 2014 using the WGRA measures suggest that among individuals who indicated an unwanted sexual contact, 29 percent of women

and 11 percent of men experienced an event that included penetration. That is, the RMWS measure identifies more penetrative assaults against women and substantially more penetrative assaults against men than the WGRA measure.

Another important finding is the high rate of sex-based MEO violations against active-duty service women. We estimate that more than a quarter of active-duty women experienced a sex-based MEO violation in the past year, the vast majority of which involve having to work in a sexually hostile environment. Among women in the Navy and Marines, the rate approaches one-third of all service members. By definition, these experiences are unwanted, and they are offensive, humiliating, and they interfere with women's equitable treatment in the workplace. At such high rates, sexual harassment and other MEO violations could affect cohesion within military units, degrade mission effectiveness, and result in voluntary separations from service of qualified service members who find these behaviors to be an unacceptable condition of employment (Moore, 2010; Rosen, 1998; Sims, Drasgow, and Fitzgerald, 2005).

Although we estimate that a lower percentage of men than women experienced MEO violations in the past year, our estimates are considerably larger than rates of sexual harassment of men found using the WGRA methods, and they are high enough to merit attention. In the Navy, for instance, we estimate that 1 in 10 men experienced sex-based MEO violations in the past year. In the Army, it is almost 1 in 12. For men, the largest source of problems stems from having experienced a sexually hostile work environment, which generally reflects an inappropriately sexualized workplace that they have found to be offensive. Among women, however, both gender discrimination and having experienced a sexually hostile work environment were common types of MEO violations. We have much to learn from more-detailed analyses of the survey results about the context of these crimes and MEO violations—for example, who in the workplace is committing them and where they are occurring. This more-detailed analysis will be included in our forthcoming final report.

Some will ask how these numbers compare to what would be found in similar civilian populations, perhaps on college campuses or in law enforcement or emergency management agencies. Credible comparisons are difficult to make, however, because of demographic and other differences between military populations and civilian populations. Rates of sexual assault are likely to be sensitive to the age distribution in the population, the gender balance, education levels, the proportions that are married, duty hours, sleeping accommodations, alcohol availability, and many other sexual-assault risk factors that differ between the active-duty population and various candidate comparison groups.

Better comparisons may be possible between different military components. For instance, our study finds that men and women in the Air Force experience lower rates of sexual assault and sex-based MEO violations than members of other services. Such differences raise important questions about whether these differences are attributable to policy or cultural factors, or whether they may be explained by known differences

in the demographic makeup of each service, including factors such as age, education level, marital status, and seniority. By analyzing these and other differences, we expect to be able to learn more about the factors that contribute to better or worse outcomes. The forthcoming final RAND report will include detailed analyses investigating these questions, including the extent to which differences in age, gender, education, or occupational roles explain the differences in observed rates of sexual assault and sex-based MEO violations across services.

As with all survey research, the results presented here are subject to several types of measurement error. While we have taken steps to minimize the likelihood of these errors, there is no way to completely eliminate them. As noted before, a thorough forensic investigation would likely discover that some of the events identified as crimes really were not crimes, and that some events not counted as crimes were. Moreover, it is possible that the individuals who did not respond to the survey have either higher or lower rate of sexual assaults than those who did respond, even after applying analytic weights designed to minimize those differences. We are conducting ongoing research, including additional data collection among service members who did not respond to this survey, to better quantify the likelihood and direction of any such errors.

Also, because we omitted service members with less than six months of service from our sample, we have not counted some portion of service members who experienced sexual assaults or harassment in their first months in the military. On the other hand, some in our sample with between 6 and 12 months of service have been counted as experiencing one of these events even though it may have occurred a few months before they entered active-duty service. Again, in later reports, we will explore the timing of these events.

The 2014 RMWS survey was designed to address some of the criticisms made of 2012 WGRA and prior versions of that survey, and to make the focus of the survey more clearly on crimes under the UCMJ and violations of equal opportunity laws and regualtions. The RMWS had many more respondents, a higher response rate, and an analytic sample that is representative of the population on a wider set of characteristics that are risk factors for sexual assault or harassment. The new RMWS survey instrument collects more-detailed information about these events, uses simpler questions, more clearly restricts the questions to events that occurred in the past year, and excludes events that do not meet the legal standards for sexual assault, sexual harassment, or gender discrimination. In spite of these improvements, the RMWS has confirmed some of the core findings of the earlier WGRA surveys. In particular, several policymakers and critics have expressed concern that the actual rate of sex offenses in the military was being overstated by imprecise estimates provided by the *unwanted sexual contact* question—suggesting that the top-line numbers included many minor, or even accidental, physical contacts. Our estimates suggest that the prior WGRA measures and methods actually *underestimate* the porportion of service members who experienced at least one penetrative sex offense in the past year. However, our study

also shows that the percentage who experienced a past-year sex offense has declined over the past two years within the population of active-duty DoD service members to levels similar to those observed in 2010.

Next Steps

This report describes only the preliminary top-line findings from the RMWS. These top-line results are likely to generate many questions about the details of the sexual assaults and sex-based MEO violations that we have documented here, as well as about differences in estimates produced by the prior WGRA form and the new RMWS questionnaire. The RAND team will analyze these and other topics through the winter of 2014–2015, and we will provide these more-detailed analyses, along with public reports on the methodology and the main findings, in the late spring of 2015. These reports will include findings on

- rates of past-year sexual assault, sexual harassment, and gender discrimination among
  - DoD active-duty and reserve-component members
  - Coast Guard active-duty and reserve-component members
- service members' experiences with support and prosecution systems available to those who report sexual assaults or MEO violations
- contextual and risk factors associated with sexual assaults and MEO violations
- results from investigations designed to understand the reliability and validity of our survey estimates
- recommendations for future surveys of sexual assault and sexual harassment in the military.

Appendix: A Brief Overview of RMWS Weighting Procedures

Respondent data were weighted to ensure that our analytic sample was representative of the active-duty population on key characteristics. Such weights are standard with all professional survey research to reduce bias in the survey estimates (Little and Rubin, 2002; Schafer and Graham 2002). Two sets of weights are used in this report. When presenting 2014 results from the prior WGRA form items, we use the weighting procedures that were used in 2012 (see details in DMDC, 2012). These weights are designed primarily to ensure a representative analytic sample on gender, branch of service, pay grade, and minority status (e.g., the analytic sample contains the correct proportion of female Marines who are junior enlisted minorities). The weights also consider family status, deployment status, and combat occupation, but do not achieve exact balance on those factors.

When presenting results for the new assessments from the RMWS forms, we used weights designed to make the analytic sample representative on a broader range of factors than were used in the 2012 analyses. These additional factors take into account information about socio-demographic characteristics (e.g., age, race), occupation (e.g., respondent's occupation code, percent of respondent's occupation code that is male, deployment history, time served in the military), and survey fieldwork measures (e.g., missing email address, missing mail address, number of letters returned as undeliverable, percentage of emails that were returned as undeliverable). Using either the 2012 WGRA weighting method or the RMWS weighting method, the distribution of the weighted respondents matches the full DoD population across the key reporting categories of gender, branch of service, and pay grade (see Table A.1). The weights used on the new RMWS assessments, however, further balance the sample within each reporting category on those key variables associated with sexual assault, sexual harassment, and gender discrimination. To the extent that these key variables are also associated with whether service members respond to the survey, this approach reduces nonresponse bias in the population estimates of sexual assault, sexual harassment, or gender discrimination.

Data analyses included estimation of outcomes across all respondent samples and for the different reporting categories. For categorical variables, weighted percentages and standard errors were computed with SAS PROC SURVEYFREQ. The variance of weighted estimates was calculated using the Taylor series method. These analyses were conducted in SAS version 9.3. Comparison of weighted proportions across two groups (e.g., comparing an estimate from the 2014 prior form to the 2012 WGRA) were done using tests that appropriately accounted for the survey weighting in computing point estimates and respective standard errors. To control the familywise error rate, some significance tests apply a Bonferroni correction for multiple testing. Specifically, we ensured that the familywise error rate for each gender by services table, containing six independent hypothesis tests, is below .05. When providing counts of individuals in the population, this report rounds to the nearest 500 to avoid implying greater precision than actually exists for these estimates.

Table A.1
Balance of Weighted Respondents to the Full DoD Population, by Weight Type

Reporting Category	Population N	Population Percentage	Sample Percent WGRS Weights	Sample Percent RMWS Weights
Female, Air Force, Junior Enlisted	20,063	1.52%	1.52%	1.52%
Female, Air Force, Junior Officer	8,065	0.61%	0.61%	0.61%
Female, Air Force, Senior Enlisted	26,826	2.04%	2.04%	2.04%
Female, Air Force, Senior Officer	4,370	0.33%	0.33%	0.33%
Female, Army, Junior Enlisted	30,960	2.35%	2.35%	2.35%
Female, Army, Junior Officer	9,711	0.74%	0.74%	0.74%
Female, Army, Senior Enlisted	24,099	1.83%	1.83%	1.83%
Female, Army, Senior Officer	4,675	0.35%	0.35%	0.35%
Female, Marine, Junior Enlisted	8,709	0.66%	0.66%	0.66%
Female, Marine, Junior Officer	990	0.08%	0.08%	0.08%
Female, Marine, Senior Enlisted	3,795	0.29%	0.29%	0.29%
Female, Marine, Senior Officer	282	0.02%	0.02%	0.02%
Female, Navy, Junior Enlisted	27,613	2.10%	2.10%	2.10%
Female, Navy, Junior Officer	5,989	0.45%	0.45%	0.45%
Female, Navy, Senior Enlisted	18,630	1.41%	1.41%	1.41%
Female, Navy, Senior Officer	2,714	0.21%	0.21%	0.21%
Male, Air Force, Junior Enlisted	91,740	6.96%	6.96%	6.96%
Male, Air Force, Junior Officer	26,971	2.05%	2.05%	2.05%

Reporting Category	Population N	Population Percentage	Sample Percent WGRS Weights	Sample Percent RMWS Weights
Male, Air Force, Senior Enlisted	113,243	8.59%	8.59%	8.59%
Male, Air Force, Senior Officer	23,504	1.78%	1.78%	1.78%
Male, Army, Junior Enlisted	183,363	13.92%	13.92%	13.92%
Male, Army, Junior Officer	39,708	3.01%	3.01%	3.01%
Male, Army, Senior Enlisted	183,498	13.93%	13.93%	13.93%
Male, Army, Senior Officer	27,069	2.05%	2.05%	2.05%
Male, Marine, Junior Enlisted	101,800	7.73%	7.73%	7.73%
Male, Marine, Junior Officer	11,369	0.86%	0.86%	0.86%
Male, Marine, Senior Enlisted	53,295	4.04%	4.04%	4.04%
Male, Marine, Senior Officer	6,270	0.48%	0.48%	0.48%
Male, Navy, Junior Enlisted	98,531	7.48%	7.48%	7.48%
Male, Navy, Junior Officer	24,578	1.87%	1.87%	1.87%
Male, Navy, Senior Enlisted	117,396	8.91%	8.91%	8.91%
Male, Navy, Senior Officer	17,735	1.35%	1.35%	1.35%
TOTAL	**1,317,561**			

Notes: WRGA weights refer to the system of sample weights used for the estimates based on the prior form survey. RMWS weights refer to the system used on estimates from the RAND forms. *Junior Enlisted* includes personnel in pay grades E-1 through E-4. *Senior Enlisted* includes personnel in pay grades E-5 through E-9 and W-1 through W-5 (warrant officers). *Junior Officer* includes personnel in pay grades O-1 through O-3, and *Senior Officer* includes personnel in pay grades O-4 through O-6.

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Notes

[1] DoD Directive 1350.2 defines military equal opportunity (MEO) violations with respect to sex and other protected characteristics, and the survey questions closely align with these definitions. However, this DoD Directive is based on federal civil rights laws (e.g., Title VII of the Civil Rights Act of 1964). One difference between MEO and the federal definitions of equal employment opportunity (EEO) violations is that MEO defines all persistent or severe harassment based on sex as an unfair condition of military employment.

[2] The Coast Guard results will be reported separately.

[3] Multiple versions of the RAND form were used to minimize respondent burden and costs to the services. It is not necessary to collect general experiences and attitudes from the entire sample in order to derive precise results, and doing so would be wasteful of service members' time. Therefore, we designed the survey so that each question was posed to only as many service members as was necessary to provide the needed precision required for the question. In general, those items that are endorsed relatively rarely (such as past year sexual assault) must be asked of the largest number of people to arrive at precise estimates, whereas items endorsed by large numbers (such as attitudinal questions), need only be asked of a comparatively small sample.

Thus, all sampled members were randomly assigned to receive one of four forms:

1. A "long form" consisting of a sexual assault module; a sex-based MEO violation module, which assesses sexual harassment and gender discrimination; and questions on respondent demographics, psychological state, command climate, attitudes, and beliefs about sexual assault in the military and the nation, and other related issues.
2. A "medium form" consisting of the sexual assault module, the sex-based MEO violation module, and some demographic questions.
3. A "short form" consisting of the full sexual assault module, the screening items only from the sex-based MEO violation module, and demographic questions. Thus, these respondents did not complete the full, sex-based MEO violation assessment.
4. The "prior WGRA form," which included questions from the 2012 WGRA, including the unwanted sexual contact, sexual harassment, and gender discrimination assessments from that survey.

[4] These figures include only DoD active-duty forces. They exclude the U.S. Coast Guard active-duty sample, which will be described in a separate report.

[5] Assignment to different conditions was not done with equal probability across survey types. Instead, we selected samples of approximately 100,000 for the prior WGRA form and 377,500 to complete one of the three RAND forms (60,000 long form, 159,000 medium form, and 159,000 short form).

[6] RAND's Institutional Review Board reviewed and approved the study procedures and survey instrument to ensure that it met all human subjects' protection protocols. The Office of the Under Secretary of Defense for Personnel and Readiness (OUSD/P&R) and the Coast Guard's Institutional Review Board both conducted second-level review of human subjects' protections. The study procedures, or portions of them, also received reviews and approvals by the OSD Office of General Counsel, the Chief Privacy Officer of OSD and the Joint Staff, the Defense Manpower Data Center (DMDC) Chief Privacy Officer, OUSD/P&R Records management, and the Joint Chiefs of Staff. The project received licensing approval from the Washington Headquarters Service after receiving approvals from the OUSD/P&R. In addition, we solicited multiple rounds of reviews and comments with our scientific review board and from researchers and leadership from each service's sexual assault prevention and response office.

[7] Our calculation of the 30.4 percent DoD active-duty response rate uses the most conservative of the American Association of Public Opinion Research definitions of response rates (RR1). If Coast Guard active-duty members are included, the RR1 was 31.0 percent. The design-weighted versions of the RR1 metric are 28.8 percent and 29.8 percent for the active-duty sample, excluding and including USCG active-duty members, respectively (more information on weighting procedures and on the distribution of the weighted respondents is included in the appendix to this volume). Because respondents completed different forms, the total number of responses on each of the key survey modules varied as follows:

Number of Active-Duty DoD Respondents Who Completed Each Survey Module

Survey Module	Sample Size	Respondents	Response Rate
WGRA Outcomes (prior form)	100,000	29,541	29.5%
RMWS Sexual Assault Outcomes	377,513	115,759	30.7%
RMWS MEO Violation Outcomes	218,841	65,810	30.1%

NOTE: Table excludes 7,307 Coast Guard active-duty members.

[8] Respondents were asked to report events that occurred between the date they took the survey and the same date one year earlier. We refer to this time period as the *past year*.

[9] Confidence intervals (CIs) describe how precisely one can draw inferences about the population from a statistic estimated on a sample from that population. For example, in the analytic sample of respondents 1.54 percent of active-duty service members indicated experiencing a sexual assault. We can infer from these respondents that the true percentage in the population falls between 1.38 percent and 1.70 percent with very high confidence (probability = .95). Larger samples allow for narrower confidence intervals.

[10] An implication of this strategy is that once a service member indicated having experienced a sexual assault during the past year, we did not continue to ask detailed questions that would have identified additional sexual assaults. A detailed analysis of the sexual assault instrument, including its correspondence with the specific wording of Article 120, is included in the RAND methodology report that will be released later.

[11] *Private areas* were defined to include the buttocks, inner thigh, breast, groin, anus, vagina, penis and testicles.

[12] In the field of epidemiology, the association between a risk factor and an outcome is often described in terms of a relative risk ratio, or the ratio of the probability of an event occurring in an exposed group relative to that in a group not exposed. Relative risk ratios of 5 or 10 are considered large (e.g., Macmahon & Pugh, 1970). Our results suggest that the relative risk ratio of quid pro quo as a function of hostile work environment is 101.

[13] Precise estimates on sexual assault and sexual harassment from the 2012, 2010, and 2006 surveys were provided by DMDC to RAND for purposes of making these comparisons. Effects are referred to as significant with $p<.05$.

[14] In this section, we limit discussion of changes in rates over time to just those differences that are statistically significant, unless otherwise noted. Where we do not mention changes from a prior year administration of the WGRA, no significant differences were found between 2014 and that year.

[15] Such a question had not previously been included in the WGRA survey, and it represented the only item added to that survey in the 2014 RMWS.

[16] Although 19.8 percent of those counted as experiencing a past-year unwanted sexual contact cannot be counted as experiencing a penetrative, non-penetrative, or attempted sexual contact as their "one event," 14.6 percent of this number indicated "did not do this" for every type of sexual contact listed for establishing the USC type categorization. The remaining 5.2 percent skipped one or more items, and did not mark "yes" on any item they did not skip.

Abbreviations

CI	confidence interval
DoD	Department of Defense
DMDC	Defense Manpower Data Center
EEO	equal employment opportunity
MEO	military equal opportunity
OSD	Office of the Secretary of Defense
OUSD/P&R	Office of the Under Secretary of Defense for Personnel and Readiness
RMWS	RAND Military Workplace Study
RR1	Response Rate 1 (as defined by the American Association of Public Opinion Research)
SAPRO	Sexual Assault Prevention and Response Office
UCMJ	Uniformed Code of Military Justice
USC	United States Code
WGRA	Workplace and Gender Relations Survey of Active Duty Personnel

Defense Research, Surveys, and Statistics Center (RSSC)

2014 Survivor Experience Survey

Report on Preliminary Results

Fiscal Year 2014, Quarter 4

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2014 SURVIVOR EXPERIENCE SURVEY
REPORT ON PRELIMINARY RESULTS
FISCAL YEAR 2014, QUARTER 4

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DMDC's Survey Design, Analysis, & Operations Branch, under the guidance of Dr. Elizabeth P. Van Winkle, Deputy Branch Chief, is responsible for the development and analysis of this survey. The lead survey design analyst is Dr. Lindsay Rock. She and Ms. Margaret Coffey designed the unique presentation of complex items used in this report. Ms. Carol Newell, Team Lead of Survey Operations, is responsible for the survey database construction and archiving. The lead operations analyst on this survey was Ms. Margaret Coffey, who used DMDC's Statistical Analysis Macros to calculate the estimates presented in this report.

Mr. David McGrath, Branch Chief of the Statistical Methods Branch, and Dr. Fawzi Al Nassir, SRA International, Inc., provided statistical consultation on this project.

A team consisting of Ms. Margaret Coffey; Dr. Lindsay Rock; Dr. Elizabeth P. Van Winkle; Dr. Abigail Moore and Ms. Natalie Namrow, SRA International, Inc.; and Dr. Maia Hurley completed quality control for this report.

The results of this report would not be possible without the courage of the survivors who shared their opinions and experiences with us.

2014 SURVIVOR EXPERIENCE SURVEY: PRELIMINARY RESULTS

Executive Summary

The Department of Defense (DoD) is strongly committed to providing Sexual Assault Prevention and Response (SAPR) resources and services to all military members who experience sexual assault. The *Survivor Experience Survey* (*SES*) is the first DoD-wide survey effort designed to assess the use and effectiveness of the sexual assault services and resources that military survivors of sexual assault receive. This report for the *2014 SES* is based on preliminary findings from Quarter 4 of fiscal year 2014 (FY2014). As the survey does not encompass the full fiscal year, these findings are preliminary in nature, but nonetheless provide information on an important population which is of great interest to the Department.

This overview report discusses preliminary findings from the *2014 SES*, which includes data collected from June 4, 2014 to September 22, 2014. This survey was conducted in response to a Secretary of Defense Directive requiring a standardized and voluntary survey for survivors be developed and regularly administered to "provide the sexual assault victim/survivor the opportunity to assess and provide feedback on their experiences with SAPR victim assistance, the military health system, the military justice process, and other areas of support" (Secretary of Defense, 2014). The Defense Research, Surveys, and Statistics Center (RSSC)[1] within the Defense Manpower Data Center (DMDC; DMDC-RSSC) was tasked with this effort. For over 25 years, RSSC has been DoD's lead organization for conducting impartial and unbiased scientific survey and focus group research on a number of topics of interest to the Department.

The *SES* was developed as an ongoing survey to provide details related to the sexual assault survivor's overall reporting process and reporting experience and address areas that were of specific interest to the Department, including: awareness of SAPR resources and reporting options, use of and satisfaction with SAPR personnel (including Sexual Assault Response Coordinators [SARCs], Uniformed Victims' Advocates/Victims' Advocates [UVAs/VAs], and legal personnel), use of and satisfaction with SAPR-related medical and mental health services, and leadership responses to sexual assault reports.[2] This Executive Summary focuses on top-line results in these targeted areas; additional topics and analyses on other areas of interest to the Department are included in the full report.

Survey Methodology

The goal of the *SES* is to learn about the overall reporting experiences from all current uniformed military members, 18 years of age or older, who made a restricted/unrestricted report

[1] Prior to 2014, RSSC was called Human Resources Strategic Assessment Program (HRSAP). In 2014, DMDC reorganized and renamed the RSSC to better encapsulate the scope of research conducted by this group.

[2] This survey and items included in it align with two of the "Lines of Effort (LoE)" in the DoD Sexual Assault Prevention and Response Office's Strategic Plan. LoE 4, "Advocacy/Victim Response" addresses victim support, response, and reporting options. The goal of this LoE is to ensure there are trained people in place to respond and care for sexual assault survivors. LoE 5, "Assessment" includes a standardized data collection effort that measures, analyzes, assesses, and can be used to report program progress. The goal of this LoE is to ensure the DoD's sexual assault prevention and response programs are working effectively.

for any form of sexual assault, and made their report at least 30 days ago, but after 1 October 2013.[3] The *SES* fielded at the latter end of FY2014 in order to capture preliminary findings from those eligible survivors who were receiving services. This data is included in this *2014 SES* report. As this survey is ongoing, data will continue to be collected and reported out by fiscal year.

Results are presented in this report at the Total DoD level. Survey items were constructed to be Service-specific so as to match the experience of the survivor. Appendix B includes the specific language presented for each Service.

The *SES* is the first survey of sexual assault survivors conducted across all DoD components including active duty, Reserves, and National Guard. DMDC-RSSC worked closely with the representatives from DoD SAPRO and across all Services/National Guard SAPR programs to determine the best way to conduct the survey, balancing the collection of the data with maintaining respect for the sexual assault survivor's privacy. With these issues in mind, it was determined that the *SES* would be an anonymous survey, providing sexual assault survivors maximum protection against privacy concerns, and would include no direct contact with the survivor, nor an ability to "track" or determine the survivor's identity. The challenge, given the limitations noted above, was how best to contact survivors to notify them of this survey effort while considering the privacy of the survivor. Contact with potential respondents was done primarily through SARCs, with additional support from UVAs/VAs and Special Victims' Legal Counsels/Victims' Legal Counsels (SVC/VLC). These providers are considered familiar or "safe" individuals for sexual assault survivors.

Survey anonymity was achieved through a two-stage selection process. First, DMDC-RSSC was provided a list of SARCs for each Service (includes active duty and Reserve) and National Guard. Second, SARCs contacted their clients, informed them of the survey, and assigned them a unique survey access ticket number. For each survivor, ticket numbers were randomly generated by the Ticket Assignment Site; ticket numbers were not linked to any identifying information. Tickets were assigned to ensure only eligible respondents had access to the survey.

The survey administration process for the *2014 SES* began on June 4, 2014 with the email of an announcement message to Service (includes active duty and Reserve) and National Guard SARCs. SARCs have direct access to the majority of eligible survey participants; therefore they were used as the primary agent for contacting sexual assault survivors. Subsequent messages were sent to SARCs that provided instructions on how and when to provide the survey participant communication (e.g. why the survey was being conducted, how anonymity would be protected, why participation was important), as well as how to generate ticket numbers for survivors. Additional messages were sent to UVAs/VAs and SVC/VLC to recruit their assistance in notifying eligible survivors about the survey effort and steps to obtain a ticket number without requiring contact with a SARC.

[3] The original timeframe was at least 30 days ago, but after 1 February 2014. On 17 July 2014, this timeframe was modified to at least 30 days ago, but the timeframe to make a report was extended to anytime after *October 2013*.

The data detailed in this report are from both unrestricted and restricted reporters, offering the Department a preliminary look at how military sexual assault survivors are experiencing the SAPR process. Although the *SES* is available to all sexual assault survivors who meet eligibility criteria, it is not designed to be a scientifically sampled survey. The contact strategies used to select and reach out to sexual assault survivors limit DMDC-RSSC from employing typical stratified random sampling and weighting procedures. Therefore, data presented from the *2014 SES* are not generalizable to all military sexual assault survivors and represent only the views of survivors who took the survey.

Results in this report are presented at the Total DoD level; however, Chapter 1 shows the number of respondents for the *2014 SES* broken out by individual reporting categories.

Overall, from June 4, 2014 to September 22, 2014, the *2014 SES* had 782 new tickets generated.[4] Of the 782 tickets generated, there were 151 completed surveys which inform the preliminary findings from the *2014 SES*.

Background on Reporting Information

Respondents were asked to provide information on their awareness of SAPR resources prior to his/her sexual assault as well as details on who the respondent first told about the sexual assault, whether the respondent was advised to contact a SARC or a UVA/VA (Q8), and details regarding the initial report. Results are presented for survey respondents at the Total DoD level. Additional details on these findings are included in Chapter 2 of this report.

Awareness of Resources

The majority of respondents were aware of the resources DoD SAPRO offers sexual assault survivors.[5]

- More than three-quarters of respondents indicated that prior to the assault, they were aware of *SARCs* (82%), *chaplain services to survivors of sexual assault* (80%), *medical care to survivors of sexual assault* (78%), *UVAs*/*VAs* (78%), and *mental health counseling*/*care for survivors of sexual assault* (77%).

- Approximately half of respondents indicated that prior to the assault, they were aware of *Sexual Assault Forensic Examinations* (62%), the *DoD Safe Helpline* (54%), and their *installation 24-hour helpline* (49%).

- About one-third of respondents indicated that prior to the assault, they were aware of the *local civilian 24-hour helpline* (33%) and *Special Victims' Counsel or Victims' Legal Counsel* (29%).[6]

[4] There were an additional 31 tickets that were regenerated. As these represent duplications, they do not count towards ticket totals.

[5] As survey eligibility was based on the timeframe of the report, not the timeframe of the assault, some sexual assault resources may not have been available to a survivor at the time of his/her sexual assault. Data presented excludes those who indicated a resource did not exist at the time of the assault.

Overall Interactions With Sexual Assault Resources

Although the majority of respondents made a report to a SARC or UVA/VA, throughout the process they often interact with a variety of resources and providers available to them.

- The vast majority of respondents (99%) indicated they interacted with a SARC and/or a UVA/VA (*SARC* 95% and *UVA/VA* 82%) as a result of the sexual assault.

- More than two-thirds of respondents indicated, as a result of the assault, they spoke to a *mental health provider* (71%) and *Special Victims' Counsel/Victims' Legal Counsel* (68%).

- Approximately half of respondents (49%) indicated they interacted with a *medical provider*.

- Less than one-third of respondents (31%) indicated they interacted with a *chaplain* as a result of the assault.

- For those respondents who made an unrestricted report, about two-thirds indicated, as a result of the assault, they spoke to their *immediate supervisor* (66%), their *senior enlisted advisor* (65%), or their *unit commander/director* (64%).

Experiences and Satisfaction With Sexual Assault Response Coordinators or Unit Victims' Advocates/Victims' Advocates

Respondents who indicated they spoke to/interacted with a SARC or a UVA/VA as a result of the sexual assault were asked about their satisfaction with these resources. The Department offers survivors of sexual assault assistance and services from SARCs and Unit Victims' Advocates/Victims' Advocates (UVAs/VAs.)[7] Results are presented for survey respondents at the Total DoD level. Additional details on these findings are included in Chapter 3 of this report.

Experiences With the SARC

Of the 95% of respondents who interacted with a SARC:

- The majority of respondents *agreed* their SARC *treated them professionally* (96%), *thoroughly answered their questions* (95%), *supported them and listened to them without judgment* (both 94%), *did not rush them to make decisions* (91%), and *advocated on their behalf when needed* (89%).

  – Across these items, fewer respondents (between 1%-4%) indicated they *disagreed.*

[6] This resource provides legal counsel for a military survivor of sexual assault and was established across DoD in 2013.

[7] A survivor may interact with both a UVA and a VA in certain circumstances, including if the survivor makes an initial report to the UVA and the UVA refers him/her to the Installation VA.

Experiences With the UVA/VA

Of the 58% of respondents who interacted with a UVA:

- The majority of respondents *agreed* their UVA *treated them professionally* (93%), *supported them and listened to them without judgment* (both 92%), *did not rush them to make decisions* (88%), *thoroughly answered their questions* (86%), and *advocated on their behalf when needed* (84%).
  - Across these items, fewer respondents (between 4%-9%) indicated they *disagreed.*

Of the 27% of respondents who interacted with a VA:

- The majority of respondents *agreed* their VA *treated them professionally* and *supported them* (both 92%); *listened to them without judgment*, *thoroughly answered their questions*, and *advocated on their behalf when needed* (all 90%); and *did not rush them to make decisions* (87%).
  - Across these items, fewer respondents (between 3%-8%) indicated they *disagreed.*

Extent of Assistance Provided by the SARC or UVA/VA. Of the 99% of respondents who used a SARC or a UVA/VA:

- More than half indicated, to a *large extent*, that the SARC or UVA/VA assisted them with *referral to other services* (62%), *managing other services and concerns related to sexual assault* (61%), *keeping them informed throughout the process* (59%), *follow-up services or case status* (58%), and *dealing with mental health services* (56%).
  - Between 15%-20% indicated they were assisted to a *moderate extent*, between 9%-14% indicated they were assisted to a *small extent*, and between 10%-13% indicated they were *not at all* assisted.

Extent of Assistance Provided by the SARC or the UVA/VA for Unrestricted Reporters. Some survey items may be relevant for all respondents, but applicable only to unrestricted reporters by policy. For these items, we present results for unrestricted reporters only.

Of the respondents who made an unrestricted report, 99% used a SARC or a UVA/VA:

- More than half indicated, to a *large extent*, that the SARC or UVA/VA assisted them with *notifying command* (71%), *dealing with legal services* (61%), and *dealing with law enforcement* (58%).
  - Between 12%-25% indicated they were assisted to a *moderate extent*, between 5%-11% indicated they were assisted to a *small extent*, and between 9%-13% indicated they were *not at all* assisted.

Satisfaction With Services Provided by SARC and UVA/VAs. Overall, a large majority of survivors (between 84%-89%) were satisfied with the services they received from their SARC, UVA, and VA and would likely recommend other survivors meet with these individuals after experiencing a sexual assault.

- Of the 95% of respondents who interacted with a SARC, 89% indicated that overall they were *satisfied* with the services provided by the SARC, whereas 5% indicated they were *dissatisfied*. In addition, 91% indicated they would be *likely* to recommend another survivor meet with one, whereas 2% indicated they were *unlikely.*

- Of the 58% of respondents who interacted with a UVA, 84% indicated that overall they were *satisfied* with the services provided by the UVA, whereas 10% indicated they were *dissatisfied.*

- Of the 27% of respondents who interacted with a VA, 88% indicated that overall they were *satisfied* with the services provided by the VA, whereas 8% indicated they were *dissatisfied.*

- Of the 82% of respondents who interacted with a UVA or a VA, 83% indicated they would be *likely* to recommend another survivor meet with one, whereas 8% indicated they were *unlikely*.

Experiences and Satisfaction With Medical Care and Mental Health Services

Respondents of the *SES* are asked whether they used medical or mental health services as a result of the sexual assault. For those who have utilized services, the survey asks about their satisfaction with medical and mental health care providers and services. Results are presented in this summary only for members who received care at a military treatment facility. Chapter 4 includes results for all survey respondents regardless of where they received care (e.g., civilian and/or military facility). Results are presented for survey respondents at the Total DoD level. Additional details on these findings are included in Chapter 4 of this report.

Assessment of Medical Services for Sexual Assault

Of the 24%[8] of respondents who received medical care at a military medical treatment facility:

- A large majority *agreed* the provider *maintained their confidentiality* (94%), *explained the steps in the exam to them* (90%), *supported them* (89%), *treated them professionally* (89%), *did not rush them to make decisions* (86%), *thoroughly answered their questions* (85%), performed *exams appropriate for the reason for their visit* (84%), and *listened to them without judgment* (80%).

  – Across these items, fewer respondents (between 0%-9%) indicated they disagreed with these assessments.

[8] Due to rounding, the percentage for "received medical care at a military hospital/medical center or medical treatment facility" is 24% and not 25%.

- About two-thirds indicated, to a *large extent*, they were provided *information on health options* (62%). About half of respondents indicated, to a *large extent*, they were provided *adequate follow-up care* and *necessary items/care* (both 48%).
  - Between 19%-30% indicated they were provided these items to a *moderate extent*, 6%-14% were provided these items to a *small extent*, and 9%-19% indicated they were *not at all* provided these items.
- The majority (86%) indicated they received *all of the medical care they requested*.
- Overall, three-quarters (75%) indicated they were *satisfied* with the medical services received for the sexual assault, whereas 8% indicated they were *dissatisfied.*

Assessment of Mental Health Services for Sexual Assault

Of the 52% of respondents who received mental health care at a military mental health treatment facility:

- A large majority *agreed* the provider *maintained their confidentiality* (90%), *supported them* (85%), *treated them professionally* (84%), *asked questions appropriate for the reason for their visit* (82%), *listened to them without judgment* and *thoroughly answered their questions* (both 81%), and *seemed knowledgeable about dealing with sexual assault in the military* (77%).
  - Across these items, fewer respondents (between 3%-12%) indicated they *disagreed* with these assessments.
- More than half (61%) indicated, to a *large extent*, they were provided *information on mental health treatment options* and *adequate follow-up care*.
  - About a quarter (22%-28%) indicated they were provided the items to a *moderate extent*, 4%-9% to a *small extent*, and between 7%-8% indicated they were *not at all* provided these items.
- Overall, about three-quarters (79%) indicated that overall they were *satisfied* with the mental health services received for the sexual assault, whereas 8% indicated they were *dissatisfied.*

Experiences and Satisfaction With Special Victims' Counsel/Victims' Legal Counsel

The *SES* asks respondents a variety of questions about their experiences and satisfaction with SVC/VLC. These individuals act as legal counsel for the survivor and provide advocacy, support, and act as the intermediary between the prosecutors and the survivor. While these resources are most often utilized by unrestricted reporters with open investigations, the Department allows restricted reporters to confer with SVC/VLC to obtain legal information. Therefore, this section includes both unrestricted and restricted reporters. Results are presented

for survey respondents at the Total DoD level. Additional details about the experiences of the respondent and satisfaction with SVC/VLC are included in Chapter 5 of this report.

Assessment of SVC/VLC

Of the 68% of respondents who used a SVC/VLC:

- A large majority *agreed* the SVC/VLC *treated them professionally* (97%), *listened to them without judgment* (96%), *supported them* (96%), and *thoroughly answered their questions* (93%).
  - Across these items, fewer respondents indicated they disagreed (between 1%-2%.)
- The majority (90%) indicated they were *satisfied* with the services provided by the SVC/VLC, whereas 3% indicated they were *dissatisfied.*

Response of Chain of Command

The *SES* asks respondents who interacted with members in their unit as a result of the assault about the response of their unit commander/director and other members in their chain of command (e.g., senior enlisted advisor, immediate supervisor). These survey items are applicable only to unrestricted reporters by policy and therefore we present percentages for unrestricted reporters only. Results are presented for survey respondents at the Total DoD level. Additional details on these findings are included in Chapter 6 of this report.

Assessment of the Unit Commander/Director Response to Report of Sexual Assault

Of the 64% of respondents who made an unrestricted report and spoke to their unit commander/director in response to the sexual assault:

- More than two-thirds *agreed* the unit commander/director *supported them* (82%), *took steps to address their privacy and confidentiality* (80%), *treated them professionally* (79%), *listened to them without judgment* (78%), and *thoroughly answered their questions* (70%).
  - Across these items, less than one-fifth (between 14%-18%) of respondents indicated they *disagreed*.
- About three-quarters (73%) indicated that overall they were *satisfied* with the unit commander/director's response to the sexual assault; whereas 16% indicated they were *dissatisfied.*

Assessment of Another Member in Chain of Command's Response to Report of Sexual Assault

Of the 81% of respondents who made an unrestricted report and spoke to another member in their chain of command in response to the sexual assault:

- More than two-thirds *agreed* the other member in their chain of command *treated them professionally* and *supported them* (both 71%), *listened to them without judgment* (70%), *took steps to address their privacy and confidentiality* (68%), and *thoroughly answered their questions* (62%).
  - Across these items, about one-fifth (20%-23%) indicated they *disagreed.*
- About two-thirds (61%) indicated that overall they were *satisfied* with the other member's response to the sexual assault, whereas 29% indicated they were *dissatisfied* with the other member's response to the sexual assault.

Experiences and Satisfaction With Chaplains

The *SES* asks respondents questions about their overall experiences and satisfaction with chaplains. Results are presented for survey respondents at the Total DoD level. Additional details on these findings are included in Chapter 7 of this report.

Assessment of Chaplains

Of the 31% of respondents who used chaplain services as a result of the sexual assault:

- The majority *agreed* the chaplain *treated them professionally* (98%), *listened to them without judgment* (95%), *maintained their confidentiality* (93%), *supported them* (90%), and *thoroughly answered their questions* (85%).
  - Across these items, fewer respondents (less than 10%) indicated they *disagreed*.
- The majority (86%) indicated that overall they were *satisfied* with the services provided by the chaplain, whereas 7% indicated they were *dissatisfied*.

Overall Experiences With the Reporting Process

The *SES* asks respondents about their overall experience with the SAPR program as a result of reporting a sexual assault. This includes details on whether the respondent believed they experienced retaliation after reporting, the overall importance of SAPR needs throughout the reporting process, and whether the respondent would recommend others report their sexual assault. Results are presented for survey respondents at the Total DoD level. Additional details on these findings are included in Chapter 8 of this report.

Extent of Assistance Provided by Resources/Services After Reporting

- More than half of respondents indicated, to a *large extent*, they were provided assistance with *information on the available reporting options* (76%), *information on the right to consult either a SVC or a VLC* (67%), *regular contact regarding their well-being* (65%), and *information to address confidentiality concerns* (56%).

  – Between 12%-21% indicated they were provided assistance across those items to a *moderate extent*, 4%-14% to a *small extent*, and 5%-9% indicated they were *not at all* provided assistance with these items.

Extent of Assistance Provided by Resources/Services After Reporting for Unrestricted Reporters

Of the 80% of respondents who made an unrestricted report,

- About three-quarters (74%) indicated, to a *large extent*, they were provided *information on the right to request an expedited transfer*. Almost two-thirds indicated, to a *large extent*, they were provided information *about Victim's Rights (VWAP – DD Form 2701;* 65%) and *safety planning information regarding the immediate situation* (62%). Nearly half of respondents (48%) indicated, to a *large extent*, they were provided accurate *up-to-date information on case status*.

  – Between 10%-21% of respondents indicated they were provided assistance across those items to a *moderate extent*, between 10%-18% to a *small extent*, and 6%-13% indicated they were *not at all* provided these items.

Overall Importance of Sexual Assault Resources During the Reporting Process

To better understand the ongoing needs of survivors, the *SES* asks respondents about the importance of a variety of issues during the reporting process.

- More than two-thirds of respondents indicated the following were *important* during the sexual assault reporting process: *maintaining a sense of privacy* (95%), *being able to have a say in issues related to the sexual assault* (92%), *safety* (90%), *support in managing duty responsibilities* and *mental health/counseling services* (both 84%), *some other need* (76%), and *medical services and treatment* (67%).

  – Across these items, fewer respondents (between 1%-11%) indicated these needs were *unimportant*.

Perceived Retaliation Since Reporting for Unrestricted Reporters

The Department continues to express concern over the perception of retaliation against survivors who make reports of sexual assault. To gauge this, respondents were asked about their perceived experiences with two types of retaliation: social retaliation (e.g. ignored by

coworkers, blamed for situation) and professional retaliation[9] (e.g., loss of privileges, transferred to less favorable job).[10]

- Of the 80% of respondents who made an unrestricted report, 59% of respondents indicated they perceived *social retaliation* to some extent since they reported their sexual assault (27% to a *large extent*, 12% to a *moderate extent*, and 20% to a *small extent*) and 40% indicated they perceived *professional retaliation* to some extent since they reported their sexual assault (20% to a *large extent*, 10% to a *moderate extent*, and 9% to a *small extent*) since they reported their sexual assault.

Would Recommend Others Report Their Sexual Assault

One of the ways the Department measures progress is whether respondents who report a sexual assault would recommend others report as well.

- Nearly three quarters of all respondents (73%) indicated based on their overall experience of reporting, *yes*, they would recommend others report their sexual assault, whereas 14% of respondents indicated *no* and 13% were *unsure* if they would recommend others report their sexual assault.

[9] This measure captures behaviors that some survivors perceive as professional retaliation. Additional information will be collected in 2015 to better understand the experiences of survivors who experienced social and/or professional retaliation.

[10] Results from DMDC's *2012 Workplace and Gender Relations Survey of Active Duty Members* indicated some respondents did not want to report their sexual assault because they were afraid of possible social and/or professional retaliation.

Table of Contents

Page

Executive Summary iii

Survey Methodology iii
Background on Reporting Information v
Awareness of Resources v
Overall Interactions With Sexual Assault Resources vi
Experiences and Satisfaction With Sexual Assault Response Coordinators or Unit Victims' Advocates/Victims' Advocates vi
Experiences With the SARC vi
Experiences With the UVA/VA vii
Extent of Assistance Provided by the SARC or UVA/VA. vii
Extent of Assistance Provided by the SARC or the UVA/VA for Unrestricted Reporters. vii
Satisfaction With Services Provided by SARC and UVA/VAs. viii
Experiences and Satisfaction With Medical Care and Mental Health Services viii
Assessment of Medical Services for Sexual Assault viii
Assessment of Mental Health Services for Sexual Assault ix
Experiences and Satisfaction With Special Victims' Counsel/Victims' Legal Counsel ix
Assessment of SVC/VLC x
Response of Chain of Command x
Assessment of the Unit Commander/Director Response to Report of Sexual Assault x
Assessment of Another Member in Chain of Command's Response to Report of Sexual Assault xi
Experiences and Satisfaction With Chaplains xi
Assessment of Chaplains xi
Overall Experiences With the Reporting Process xi
Extent of Assistance Provided by Resources/Services After Reporting xii
Extent of Assistance Provided by Resources/Services After Reporting for Unrestricted Reporters xii
Overall Importance of Sexual Assault Resources During the Reporting Process xii
Perceived Retaliation Since Reporting for Unrestricted Reporters xii
Would Recommend Others Report Their Sexual Assault xiii

Chapter 1: Introduction 1

Overview of Report 2
Survey Content by Chapter 2
Survey Methodology 3
Presentation of Results 7
Summary 7

Chapter 2: Background on Reporting Information 9

Table of Contents (Continued)

Page

Awareness of Resources 10
Initial Contact After the Assault 10
Reporting of Sexual Assault 13
Overall Interactions With Sexual Assault Resources 17

Chapter 3: Experiences and Satisfaction With Sexual Assault Response Coordinators or Unit Victims' Advocates/ Victims' Advocates....19

Experiences With the SARC....19
Experiences With the UVA/VA....20
Overall Experiences With SARCs and UVAs/VAs....23

Chapter 4: Experiences and Satisfaction With Medical Care and Mental Health Services....29

Medical Care....29
Mental Health Care....43

Chapter 5: Experiences and Satisfaction With Special Victims' Counsel/Victims' Legal Counsel 51

Chapter 6: Response of Chain of Command....53

Chapter 7: Experiences and Satisfaction With Chaplains....57

Chapter 8: Overall Experience With the Reporting Process....59

Chapter 9: Future Directions....65

References....67

Appendixes

A. Dynamic Questionnaire....69

B. Questionnaire-Specific Service Text....87

List of Tables

1. Number of Respondents by Reporting Category 6

Table of Contents (Continued)

Page

List of Figures

1. Example Graphic: Interactions With a Unit Victims' Advocate or Victims' Advocate (UVA/VA) 7
2. Awareness of Sexual Assault Resources Prior to the Sexual Assault 10
3. Who Respondent First Told About the Sexual Assault 11
4. Initial Person Advised Survivor to Contact Sexual Assault Response Coordinator (SARC) or Uniformed Victims' Advocate/Victims' Advocate (UVA/VA) 12
5. Type of Initial Report Made 13
6. Recipient of the Unrestricted Report 14
7. Recipient of the Initial Restricted Report 15
8. Restricted Report Converted to Unrestricted Report 16
9. Final Report Type 16
10. Respondents Interacted With the Following Providers Because of the Sexual Assault 17
11. Respondents Interacted With Leadership Because of the Sexual Assault for Unrestricted Reporters 18
12. Interactions With the Sexual Assault Response Coordinator (SARC) 19
13. Interactions With a Unit Victims' Advocate or Victims' Advocate (UVA/VA) 20
14. Interactions With the Unit Victims' Advocate (UVA) 21
15. Interactions With the Victims' Advocate (VA) 22
16. Extent of Assistance Provided by the Sexual Assault Response Coordinator (SARC) or the Unit Victims' Advocate/Victims' Advocate (UVA/VA) 23
17. Extent of Assistance Provided by the Sexual Assault Response Coordinator (SARC) or the Unit Victims' Advocate/Victims' Advocate (UVA/VA) for Unrestricted Reporters 24
18. Overall Satisfaction With the Services Provided by the Sexual Assault Response Coordinator (SARC) 25
19. Likelihood of Recommending Another Survivor Meet With a Sexual Assault Response Coordinator (SARC) 25
20. Overall Satisfaction With the Services Provided by the Unit Victims' Advocate (UVA) 26
21. Overall Satisfaction With the Services Provided by the Victims' Advocate (VA) 26
22. Likelihood of Recommending Another Survivor Meet With Unit Victims' Advocate/Victims' Advocate (UVA/VA) 27
23. Received Medical Care After Sexual Assault 29
24. Sexual Assault Response Coordinator (SARC) or Unit Victims' Advocate/ Victims' Advocate (UVA/VA) Accompanied Survivor to Clinic/Hospital 30
25. Assessment of Medical Services for the Sexual Assault 31
26. Assessment of Medical Services for the Sexual Assault for Those Who Received Care at Military Facility 32
27. Extent of Assistance Provided by Medical Services for the Sexual Assault 33

Table of Contents (Continued)

Page

28. Extent of Assistance Provided by Medical Services for the Sexual Assault for Those Who Received Care at Military Facility 34
29. Received Medical Care for Physical Injury After the Sexual Assault....35
30. Received Medical Care for Physical Injury After the Sexual Assault for Those Who Received Care at Military Facility 36
31. Received SAFE for Evidence Collection....37
32. Received SAFE for Evidence Collection for Those Who Received Care at Military Facility 38
33. Reasons for Not Receiving a SAFE for Evidence Collection....39
34. Reasons for Not Receiving a SAFE for Evidence Collection for Those Who Received Care at Military Facility....40
35. Received All the Medical Care Requested 41
36. Received All the Medical Care Requested for Those Who Received Care at Military Facility 41
37. Overall Satisfaction With Medical Services for the Sexual Assault....42
38. Overall Satisfaction With Medical Services for the Sexual Assault for Those Who Received Care at Military Facility....42
39. Received Mental Health Care After Sexual Assault....43
40. Assessment of Mental Health Care for the Sexual Assault 44
41. Assessment of Mental Health Care for the Sexual Assault for Those Who Received Care at Military Facility....45
42. Extent of Assistance Provided by Mental Health Services for the Sexual Assault 46
43. Extent of Assistance Provided by Mental Health Services for the Sexual Assault for Those Who Received Care at Military Facility....47
44. Overall Satisfaction With Mental Health Services for the Sexual Assault....48
45. Overall Satisfaction With Mental Health Services for the Sexual Assault for Those Who Received Care at Military Facility 49
46. Assessment of Special Victims' Counsel/Victims' Legal Counsel (SVC/VLC)....51
47. Overall Satisfaction With Services Provided by the Special Victims' Counsel/ Victims' Legal Counsel (SVC/VLC)....52
48. Assessment of the Unit Commander/Director's Response to Report of Sexual Assault for Unrestricted Reporters....53
49. Overall Satisfaction With Response of Unit Commander/Director to Report of Sexual Assault for Unrestricted Reporters....54
50. Assessment of Another Member in Chain of Command's Response to Sexual Assault for Unrestricted Reporters....55
51. Overall Satisfaction With Response of Another Member in Chain of Command to Report of Sexual Assault for Unrestricted Reporters 56
52. Assessment of Chaplain Services Related to the Sexual Assault 57
53. Extent of Assistance Provided by Resources/Services After Reporting....59
54. Extent of Assistance Provided by Resources/Services After Reporting for Unrestricted Reporters 60

Table of Contents (Continued)

Page

55. Overall Importance of Sexual Assault Resources During the Reporting Process 61
56. Overall Importance of Sexual Assault Resources During the Reporting Process for Unrestricted Reporters 62
57. Perceived Retaliation Since Reporting for Unrestricted Reporters 63
58. Would Recommend Others Report Their Sexual Assault 64

2014 SURVIVOR EXPERIENCE SURVEY PRELIMINARY RESULTS

Chapter 1: Introduction

The Department of Defense (DoD) has a strong commitment to providing Sexual Assault Prevention and Response (SAPR) resources and services to all military members who report a sexual assault. Over the years, the Department, under the guidance of the DoD Sexual Assault Prevention and Response Office (SAPRO), has worked to create new and improve programs in an effort to provide support to military sexual assault survivors. The *Survivor Experience Survey* (*SES*) is the first DoD-wide survey effort designed to assess the use and effectiveness of the sexual assault services and resources that military survivors of sexual assault receive. This report for the *2014 SES* is based on preliminary findings from Quarter 4 of fiscal year 2014 (FY2014). As the survey does not encompass the full fiscal year, these findings are preliminary in nature, but nonetheless provide information on an important population which is of great interest to the Department.

This overview report discusses preliminary findings from the *2014 SES*, which includes data collected from June 4, 2014 to September 22, 2014. This survey was conducted in response to a Secretary of Defense Directive requiring a standardized and voluntary survey for survivors be developed and regularly administered to "provide the sexual assault victim/survivor the opportunity to assess and provide feedback on their experiences with SAPR victim assistance, the military health system, the military justice process, and other areas of support" (Secretary of Defense, 2014). Defense Research, Surveys, and Statistics Center (RSSC)[11] within the Defense Manpower Data Center (DMDC; DMDC-RSSC) was tasked with this effort. For over 25 years, RSSC has been DoD's lead organization for conducting impartial and unbiased scientific survey and focus group research on a number of topics of interest to the Department.

The *SES* is the first survey of sexual assault survivors conducted across all DoD components including active duty, Reserves, and National Guard. The *SES* was designed with input and support from SAPR representatives from the DoD, the Services, the National Guard, as well as the Office of General Counsel (OGC). All representatives had a shared goal of gathering accurate data on survivor experiences, while balancing respect for the survivor and the need for anonymity. The *SES* is not intended to be a scientific survey (e.g., employing statistical sampling and weighting). It is a strictly anonymous effort providing the survivors maximum protection against privacy concerns.[12]

The *SES* fielded at the latter end of FY2014 in order to capture preliminary findings from those eligible survivors who were receiving services anytime after October 2013. As this survey is ongoing, data will continue to be collected and reported out by fiscal year. This chapter provides an overview of the *2014 SES* survey content by chapter and survey methodology.

[11] Prior to 2014, RSSC was called Human Resources Strategic Assessment Program (HRSAP). In 2014, DMDC reorganized and renamed the RSSC to better encapsulate the scope of research conducted by this group.
[12] The Office of the Under Secretary of Defense (Personnel and Readiness) Research Regulatory Oversight Office reviewed the SES and determined that the study was not research involving human subjects according to Department of Defense Instruction 3216.02.

Overview of Report

Survey Content by Chapter

The goal of the *SES* is to hear directly from active duty, Reserve, and National Guard survivors about their experiences with SAPR services and resources. DMDC-RSSC worked closely with representatives from DoD SAPRO and SAPR representatives across all of the Services and National Guard to create a survey that would enable the DoD to gauge whether the current SAPR programs and resources are meeting the needs of military sexual assault survivors. Areas that were of specific interest to the Department were: awareness of SAPR resources and reporting options, use of and satisfaction with SAPR personnel (including Sexual Assault Response Coordinators [SARCs], Uniformed Victims' Advocates/Victims' Advocates [UVAs/VAs], and legal personnel), use of and satisfaction with SAPR-related medical and mental health services, and leadership responses to sexual assault reports. With these interests in mind, the *SES* was developed to provide details related to the sexual assault survivor's overall reporting process and experience.[13]

Specific topics covered in this report are organized across seven chapters:[14]

- Chapter 2 summarizes the respondents' initial awareness and contact with SAPR resources. This includes awareness of sexual assault resources prior to his/her sexual assault, who the respondent first spoke to about his/her sexual assault, whether the respondent was advised to contact a SARC or UVA/VA, the type of report initially made, to whom the initial restricted or unrestricted report was made, whether the restricted report was converted, and who the respondent talked to/interacted with as a result of the sexual assault.

- Chapter 3 summarizes the respondents' experiences and levels of satisfaction with SARCs, UVAs, and/or VAs.

- Chapter 4 summarizes the respondents' experiences with medical care services, satisfaction with these services, experiences with mental health care services, and satisfaction with these services.

- Chapter 5 summarizes the respondents' experiences and levels of satisfaction with Special Victims' Counsel/Victims' Legal Counsel (SVC/VLC).

[13] This survey and items included in it align with two of the "Lines of Effort (LoE)" in the DoD Sexual Assault Prevention and Response Office's Strategic Plan (2013). LoE 4, "Advocacy/Victim Response," addresses victim support, response, and reporting options. The goal of this LoE is to ensure there are trained people in place to respond and care for sexual assault survivors. LoE 5, "Assessment," includes a standardized data collection effort that measures, analyzes, assesses, and can be used to report program progress. The goal of this LoE is to ensure the DoD's sexual assault prevention and response programs are working effectively.

[14] Survey items included in this report were from the core set of questions that all DoD respondents could have seen. There was an additional set of questions designed by each of the Services/National Guard that could have only been seen by respondents from that specific Service/National Guard. As this report only includes results at the Total DoD level, results from Service/National Guard questions are not included.

- Chapter 6 summarizes the response of the unit commander to the report of sexual assault as well as command's (e.g., senior enlisted advisor, immediate supervisor) overall response.

- Chapter 7 summarizes the respondents' experiences and levels of satisfaction with chaplain services as related to the sexual assault.

- Chapter 8 summarizes the respondents' overall experiences and levels of satisfaction with services/information provided from any sources, the importance of services/ support during the reporting process, perceived experiences of professional and social retaliation as a result of reporting, and whether respondents would recommend that others report their sexual assault.

Survey Methodology

The goal of the *SES* is to learn about the overall reporting experiences from all current uniformed military members covered by DoDD 6495.01, who made a restricted/unrestricted report for any form of sexual assault, and made their report at least 30 days prior to completing the survey, but after 1 October 2013.[15] Uniformed military members include members of the active duty (Army, Navy, Marine Corps, and Air Force), the Reserve (Army Reserve, Navy Reserve, Marine Corps Reserve, and Air Force Reserve), and the National Guard (Army National Guard and Air National Guard). Results are presented in this report at the Total DoD level. Survey items were constructed to be Service-specific so as to match the experience of the survivor. For example, for items that referenced "Unit Victims' Advocate/Victims' Advocate," Army and Army Reserve respondents saw "SHARP Victims' Advocate" and Navy and Navy Reserve respondents saw "Unit Sexual Assault Prevention and Response Victims' Advocate (Unit SAPR VA) or Sexual Assault Prevention and Response Victims' Advocate (SAPR VA)." Appendix B includes the specific language presented for each Service.

As this was the first DoD-wide survey to measure experiences of military sexual assault survivors, DMDC-RSSC worked closely with representatives from DoD SAPRO and SAPR across all Services/National Guard to determine the best way to conduct the survey, balancing the collection of data with maintaining respect for the sexual assault survivor's privacy. With these issues in mind, it was determined that the *SES* would be an anonymous survey, providing sexual assault survivors maximum protection against privacy concerns, and would include no direct contact with the survivor from the survey team, nor an ability to "track" or determine the survivor's identity. The challenge, given the limitations noted above, was how best to contact survivors to notify them of this survey effort while maintaining the privacy of the survivor. Contact with potential respondents was done primarily through SARCs, with additional support from UVAs/VAs and SVC/VLC. These providers are considered familiar or "safe" individuals for sexual assault survivors. Survey anonymity was achieved through a two-stage selection process.

[15] The original timeframe was at least 30 days ago, but after 1 February 2014. On 17 July 2014, this timeframe was modified to at least 30 days ago, but the timeframe to make a report was extended to anytime after *October 2013*.

First, DMDC-RSSC was provided a list of SARCs for each Service (including active duty and Reserve) and National Guard. Using that list, DMDC-RSSC contacted all SARCs to notify them of the effort and to provide guidance on how SARCs could offer the survey to eligible survivors.

Second, SARCs contacted their clients, informed them of the survey, and assigned them a unique ticket number. For each survivor, ticket numbers were randomly generated by the Ticket Assignment Site; ticket numbers were not linked to any identifying information. Tickets were assigned to ensure only eligible respondents had access to the survey.

In addition to strict anonymity, many eligible survey participants were likely entering into, or in the midst of, open investigations. To this end, no open-ended responses were included in the survey to eliminate the possibility that a survivor might include identifying or incriminating information in an open-ended text box. While this strategy limited the ability of the Department to obtain qualitative information on survivor experiences, which is often very informative, the protection of the respondent was considered the priority.

The survey administration process for the *2014 SES* began on June 4, 2014, with the email of an announcement message to Service (including active duty and Reserve) and National Guard SARCs. This announcement email explained the SARC's role in the *2014 SES* data collection effort. As SARCs have direct access to the majority of eligible survey participants, they were used as the primary means of contacting sexual assault survivors. Subsequent messages were sent to SARCs which provided instructions on how and when to provide the survey participant communication, as well as how to generate ticket numbers for survivors. The survey participant communication, provided by the SARC, explained why the survey was being conducted, how anonymity would be protected, how the survey information would be used, and why participation was important. Throughout the administration period, additional email reminders were sent to SARCs reminding them of the survey effort, and encouraging them to reach out to survivors to ensure they were given the opportunity to take the survey. Additional messages were sent to UVAs/VAs and SVC/VLC to request their assistance in notifying eligible survivors, who may not have regular contact with their SARCs, about the survey effort and provide steps to obtain a ticket number without requiring contact with a SARC.

The data detailed in this report are from both unrestricted and restricted reporters, offering the Department a preliminary look at how military sexual assault survivors are experiencing the SAPR process. Although the *SES* is available to all sexual assault survivors who met eligibility criteria, it is not designed to be a scientific study. The contact strategies used to select and reach out to sexual assault survivors limit DMDC-RSSC from employing its typical stratified random sampling and weighting procedures. Therefore, data presented from the *2014 SES* are not generalizable to all military sexual assault survivors and represent only the views of the survivors who took the survey.[16]

[16] DMDC-RSSC understands there are some survivors who are not connected to military services and may not have received notification about the survey via SARC, UVA/VA, or SVC/VLC. As the survey continues, DMDC-RSSC is working with DoD to determine how best to reach these individuals while still protecting their privacy.

Results in this report are presented at the Total DoD level; however, Table 1 shows the number of respondents for the *2014 SES* broken out by individual reporting categories: Total DoD, Gender, Service, Age, and Report Type.

- *Gender* is broken out into two categories: *male* and *female*.

- *Service* is broken out into five categories: *Army*, *Navy*, *Marine Corps*, *Air Force* and *National Guard*. Reserve members are included in the Service totals (e.g., Army Reserve is included in the Army results). *National Guard* results include both Army National Guard and Air National Guard.

- *Age* is broken out into three groups, *18-24 Years Old*, *25-33 Years Old*, and *34 Years Old or Older*.[17]

- *Sexual Assault Report Type* includes two categories, *Restricted* and *Unrestricted*. The Department offers these two types of reporting options for military members. Restricted reporting allows survivors to access medical care, mental health care, and advocacy services, without initiating a criminal investigation or notifying command. An unrestricted report allows survivors to access the same care as those who file a restricted report, but the report is also referred for investigation to a Military Criminal Investigative Organization (MCIO) and the command is notified of the incident. Survivors may initially make a restricted report, but may later convert this report to an unrestricted report in order to initiate an investigation. Conversely, once a respondent makes an unrestricted report, he/she cannot convert this to a restricted report. For the *2014 SES*, the type of report is based on the *final* type of report made. Respondents whose report was converted from a restricted report to an unrestricted are included in *Unrestricted*.

[17] The age categories offered to respondents on the instrument were *Under 18 years old*, *18-20 years old*, *21-24 years old*, *25-33 years old*, *34-45 years old*, *46-54 years old*, and *55 years old or older*. These categories were combined to maximize data reporting.

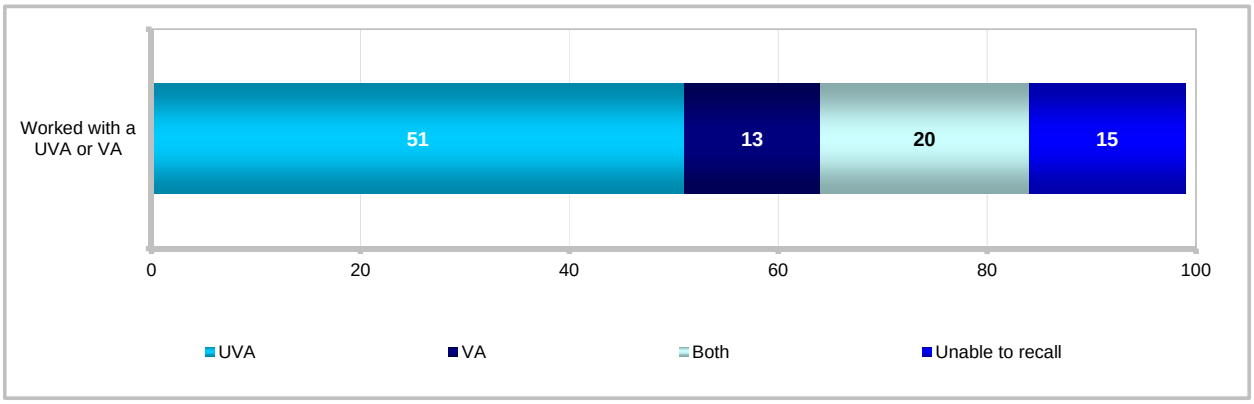
Table 1.
Number of Respondents by Reporting Category

	Count	Percent
Total DoD	151	100%
Gender		
Men	19	13%
Women	131	87%
Service		
Army	43	28%
Navy	22	15%
Marine Corps	21	14%
Air Force	49	32%
National Guard	16	11%
Age		
18-24 Years Old	93	62%
25-33 Years Old	33	22%
34 Years Old or Older	24	16%
Sexual Assault Report Type		
Restricted	26	17%
Unrestricted	121	80%

Presentation of Results

Each finding in the *2014 SES* is presented in graphical form. Elongated bar charts in this report may not extend to the 100% end of the scale due to rounding. As seen in Figure 1, there is a small space between the bar chart and the end of the chart for estimates due to rounding.

Figure 1.
Example Graphic: Interactions With a Unit Victims' Advocate or Victims' Advocate (UVA/ VA)



2014 SES Q15
Percent of applicable respondents who took the survey and interacted with a UVA or VA.

As the data from the *2014 SES* are unweighted, results may reflect a "true" 0% (i.e., no one endorsed the option). This will be reflected in text and chart form as "0."

Summary

The following chapters provide preliminary results from the *2014 SES*. As mentioned, findings from this survey reflect data from the survivors who responded to the survey and cannot be generalized to all military survivors of sexual assault. Overall, from June 4, 2014 to September 22, 2014, the *2014 SES* had 782 new survey tickets generated.[18] Of the 782 tickets generated, there were 151 completed surveys which inform the *2014 SES* report. The *SES* is an ongoing survey effort and results will continue to be reported out each fiscal year.

[18] There were an additional 31 tickets that were regenerated. As these represent duplications, they do not count towards ticket totals.

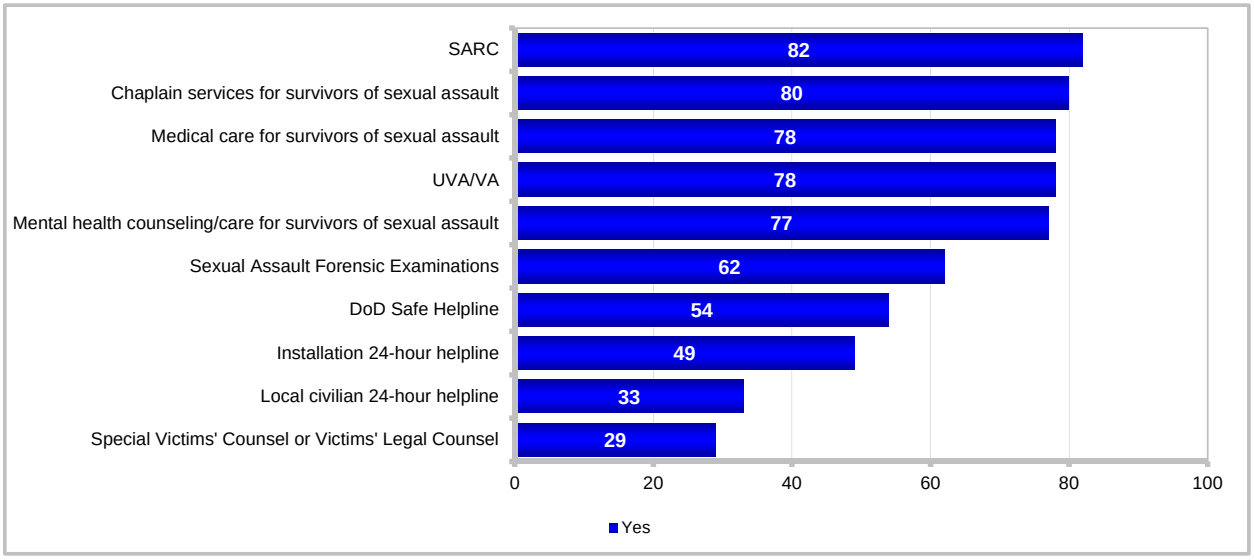
Chapter 2: Background on Reporting Information

This chapter provides information on the respondent's awareness of Sexual Assault Prevention and Response (SAPR) resources prior to his/her sexual assault as well as details on who the respondent first told about the sexual assault, whether the respondent was advised to contact a Sexual Assault Response Coordinator (SARC) or a Unit Victims' Advocate/Victims' Advocate (UVA/VA), the type of report initially made, to whom the initial restricted or unrestricted report was made, whether the restricted report was converted, and whether the respondent talked to/interacted with SAPR providers because of the sexual assault. Results are presented for survey respondents at the Total DoD level.

Awareness of Resources

Overall, the majority of respondents were aware of the resources the DoD Sexual Assault Prevention and Response Office (SAPRO) offers sexual assault survivors (Figure 2).[19] Specifically, more than three-quarters of respondents indicated that prior to the assault, they were aware of *SARCs* (82%), *chaplain services to survivors of sexual assault* (80%), *medical care to survivors of sexual assault* and *UVAs/VAs* (both 78%), and *mental health counseling/care for survivors of sexual assault* (77%). Sixty-two percent of respondents were aware of *Sexual Assault Forensic Examinations*. About half were aware of the *DoD Safe Helpline* (54%) and their *installation 24-hour helpline* (49%), while one-third were aware of the *local civilian 24-hour helpline* (33%). Less than one-third (29%) were aware of the *Special Victims' Counsel or Victims' Legal Counsel*.[20]

Figure 2.
Awareness of Sexual Assault Resources Prior to the Sexual Assault



2014 SES Q6
Percent of all respondents who took the survey. Excludes those who indicated the resource did not exist at time of assault. Eligible number of respondents across these items ranges from 132 to 148.

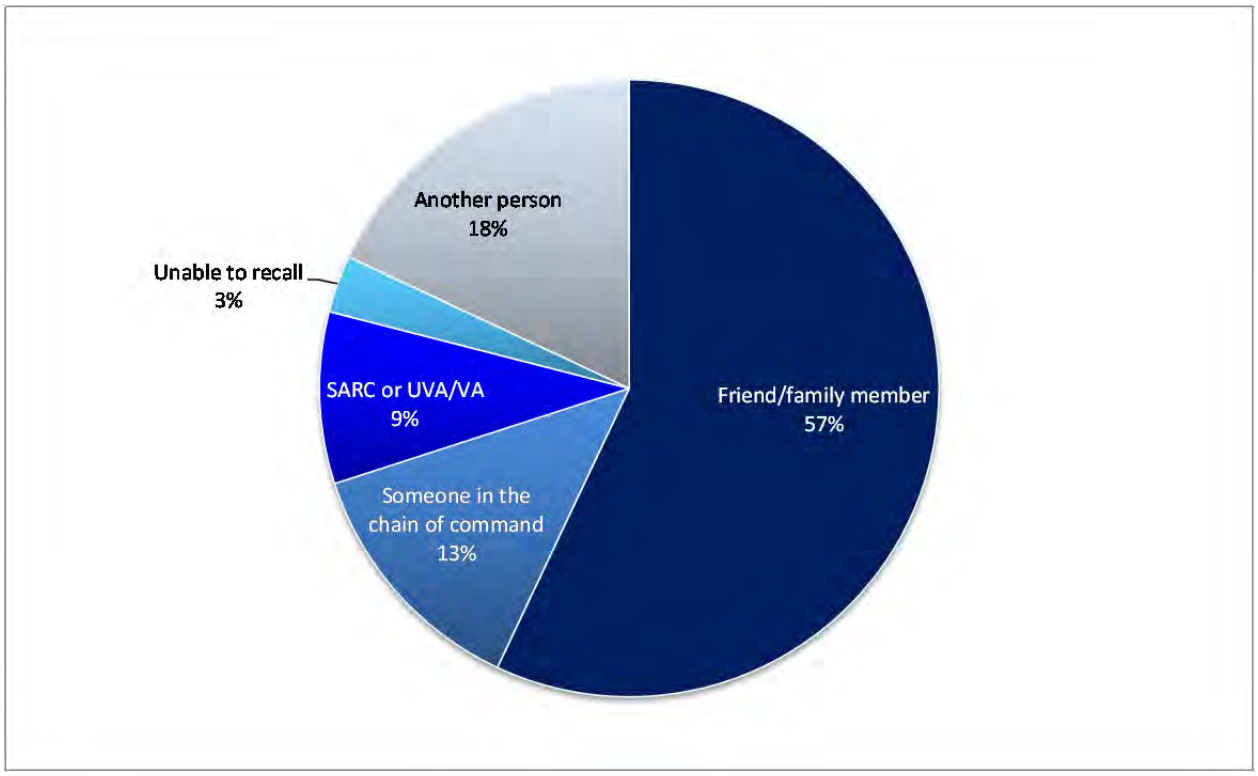
Initial Contact After the Assault

Over half of respondents (57%) first told a *friend/family member* of the sexual assault (Figure 3). Fewer respondents first told *another person* (18%; includes a chaplain, DoD Safe Helpline, medical and mental health providers, military and civilian law enforcement, Special

[19] Some sexual assault resources for survivors have been established recently by the DoD and in some instances it may not have been available to a survivor prior to the sexual assault.
[20] This resource provides legal counsel for a military survivor of sexual assault and was established across DoD in 2013.

Victims' Counsel or Victims' Legal Counsel, and other military or civilian individuals or organizations not listed), *someone in their chain of command* (13%; includes the unit commander/director and other members of the chain of command) or a *SARC or UVA/VA* (9%). Three percent of respondents were *unable to recall* who they first told of the sexual assault.

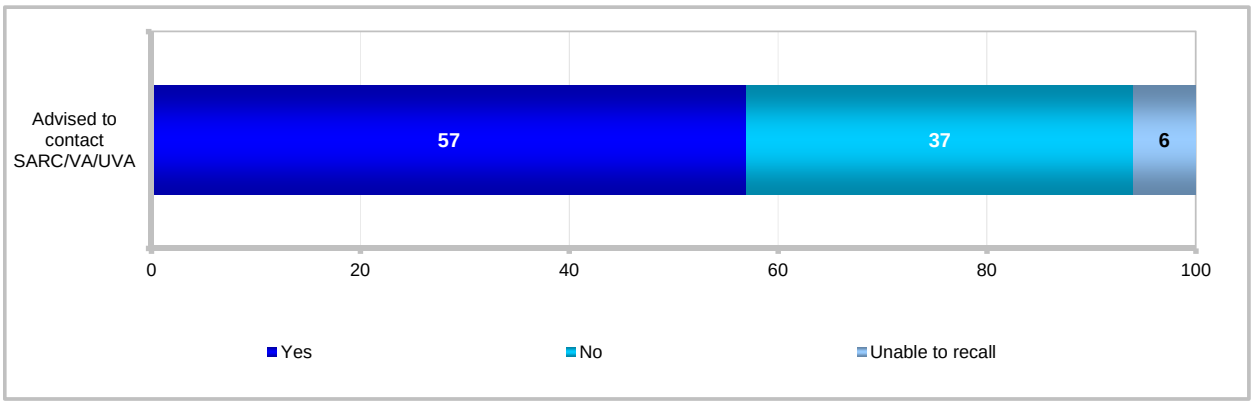
Figure 3.
Who Respondent First Told About the Sexual Assault



2014 SES Q7
Percent of all respondents who took the survey. Eligible number of respondents is 150.

Respondents who did not first tell a SARC or UVA/VA about their sexual assault were asked if the person they first spoke to advised them to contact a SARC or a UVA/VA. More than half of respondents (57%) indicated *yes*, the initial person advised them to contact a SARC or a UVA/VA, whereas 37% indicated *no*, the initial person did not (Figure 4). Six percent were *unable to recall* whether they were advised.

Figure 4.
Initial Person Advised Survivor to Contact Sexual Assault Response Coordinator (SARC) or Uniformed Victims' Advocate/Victims' Advocate (UVA/VA)

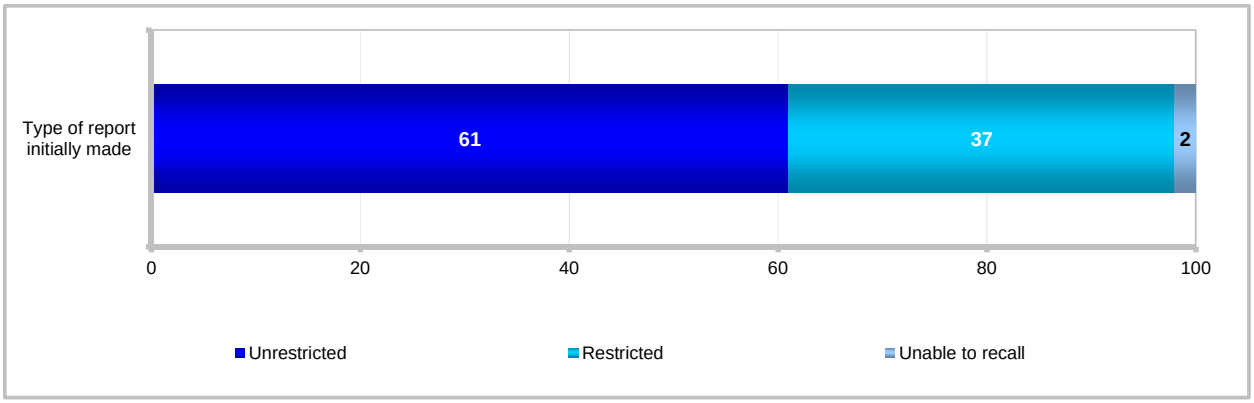


2014 SES Q8
Percent of respondents who took the survey and did not first contact a SARC or UVA/VA. Eligible number of respondents is 131.

Reporting of Sexual Assault

As mentioned, the Department offers military survivors two types of reporting options: restricted and unrestricted. Restricted reporting allows survivors to access medical care, mental health care, and advocacy services, without initiating a criminal investigation or notifying command. An unrestricted report allows survivors to access the same care as those who file a restricted report, but the report is also referred for investigation to an MCIO (Military Criminal Investigative Organization) and the command is notified of the incident. Survivors may initially make a restricted report, but may later convert this report to an unrestricted report in order to initiate an investigation. Conversely, once a respondent makes an unrestricted report, he/she cannot convert this to a restricted report. The majority of respondents who took the *2014 SES* (61%) indicated they initially made an *unrestricted* report, whereas 37% indicated they initially made a *restricted* report (Figure 5). Two percent were *unable to recall* what type of initial report they made.

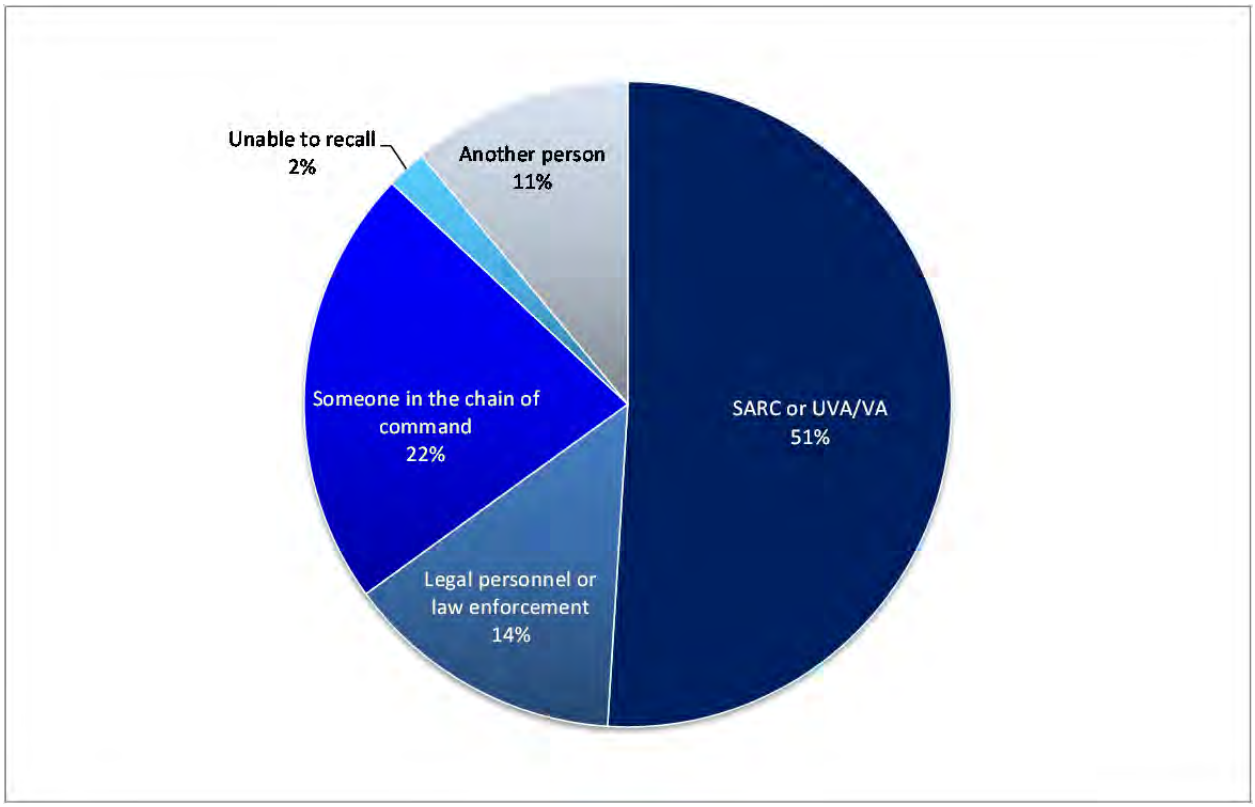
Figure 5.
Type of Initial Report Made



2014 SES Q9
Percent of all respondents who took the survey. Eligible number of respondents is 150.

Of the 61% of respondents who made an unrestricted report, over half (51%) indicated they made the unrestricted report to a *SARC or UVA/VA* (Figure 6). Twenty-two percent indicated they made the unrestricted report to *someone in their chain of command*, 14% indicated *legal personnel or law enforcement*, 11% to *another person* (includes, medical or mental health provider, chaplain, military or civilian individuals/organizations not listed and other), and 2% indicated they were *unable to recall* to whom they made their unrestricted report.

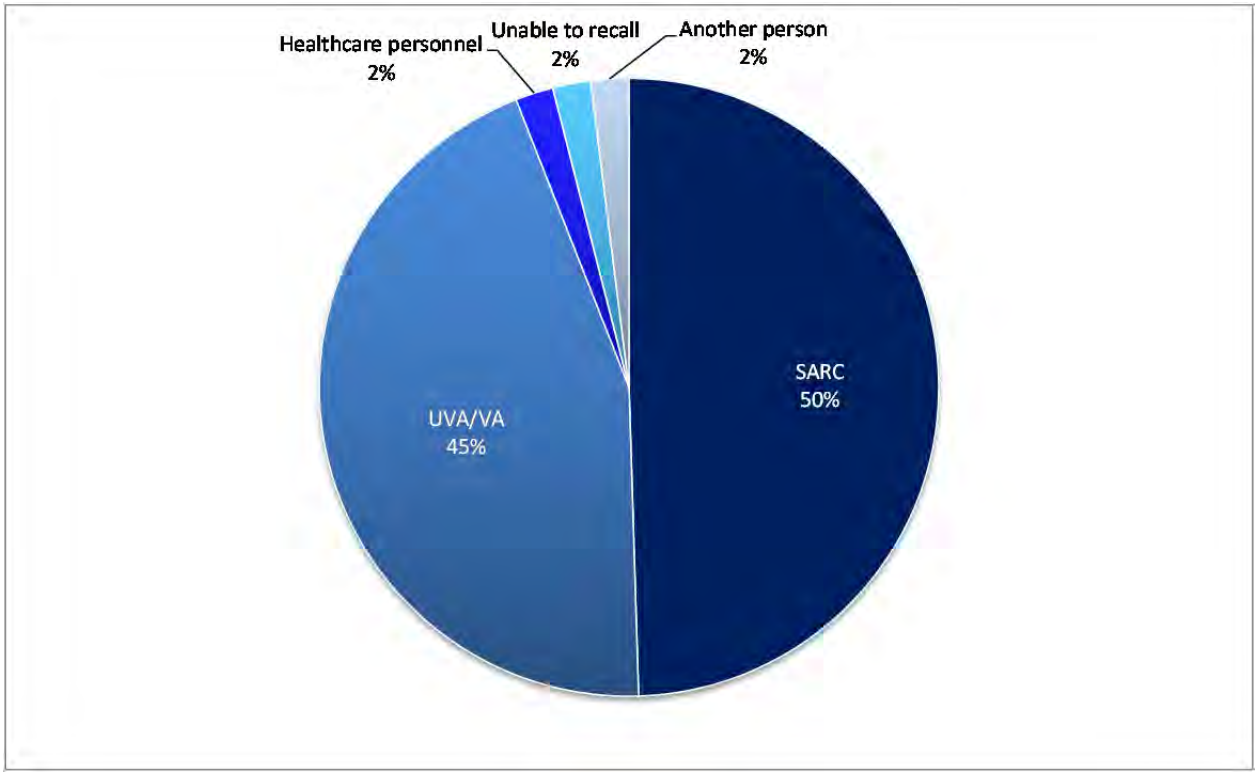
Figure 6.
Recipient of the Unrestricted Report



2014 SES Q10
Percent of respondents who took the survey and made an unrestricted report as the first report option. Eligible number of respondents is 91.

Within the DoD, a survivor of sexual assault has a limited number of individuals who can take a restricted report, primarily a SARC or VA/UVA. Reports made to other individuals, including someone in their chain of command or law enforcement, would automatically result in an unrestricted report. Given this, it is not surprising that of the 37% of respondents who made an initial restricted report,[21] the vast majority (95%) made this report to a *SARC* (50%) or *UVA/VA* (45%; Figure 7). Fewer respondents indicated they told *healthcare personnel*, *another person*, or they were *unable to recall* to whom they made the initial restricted report (all 2%).

Figure 7.
Recipient of the Initial Restricted Report



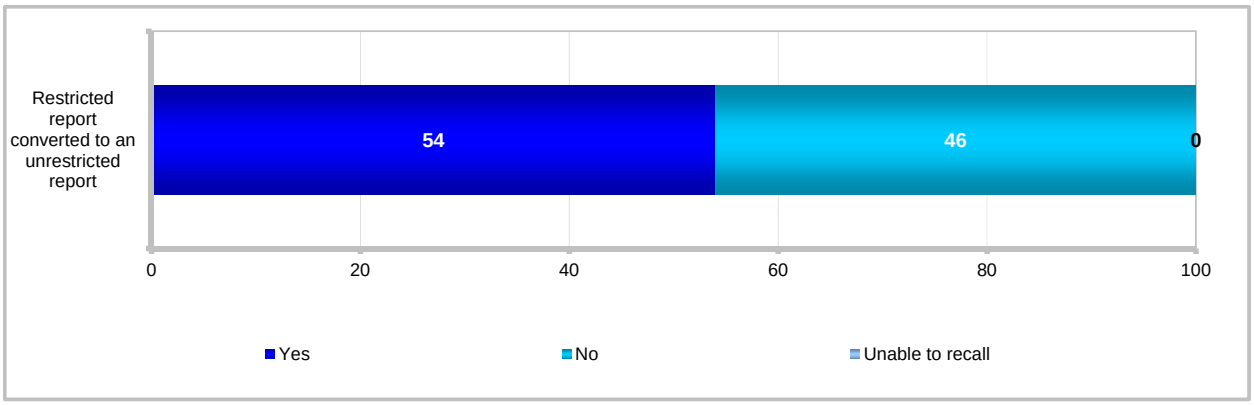
2014 SES Q11
Percent of respondents who took the survey and made a restricted report. Sum of estimates may be over 100% due to rounding. Eligible number of respondents is 56.

As mentioned, a military survivor who initially makes a restricted report may decide to convert the report to unrestricted. Alternatively, a survivor may have their report involuntarily converted if the command or law enforcement is made aware of the incident. The survey asked respondents to indicate whether their restricted report was converted to an unrestricted report for any reason. Of the 37% of respondents who made an initial restricted report, over half (54%)

[21] Military survivors of sexual assault have an option to convert a restricted report to an unrestricted report. Figure 7 presents data from respondents who initially made a restricted report, regardless of whether it was converted to unrestricted at a later date.

indicated *yes*, their restricted report was converted to an unrestricted report (50% chose to convert the report, 4% had their report converted without their participation; Figure 8). Forty-six percent indicated *no*, their restricted report was not converted.

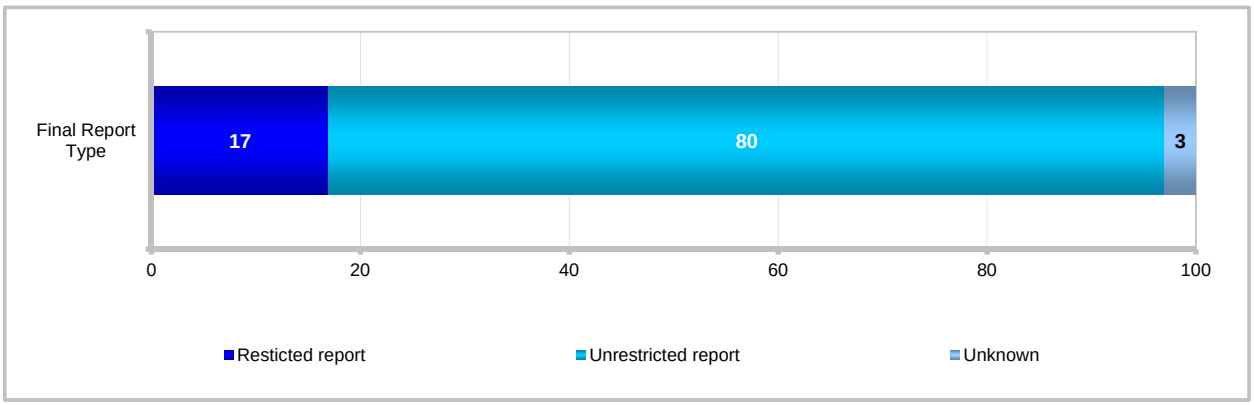
Figure 8.
Restricted Report Converted to Unrestricted Report



2014 SES Q12
Percent of respondents who took the survey and made a restricted report. Eligible number of respondents is 56.

The majority of respondents (80%) indicated their final report, including those restricted reports converted to unrestricted, was an *unrestricted report*, 17% indicated *restricted report*, and 3% indicated it was *unknown* (Figure 9).

Figure 9.
Final Report Type

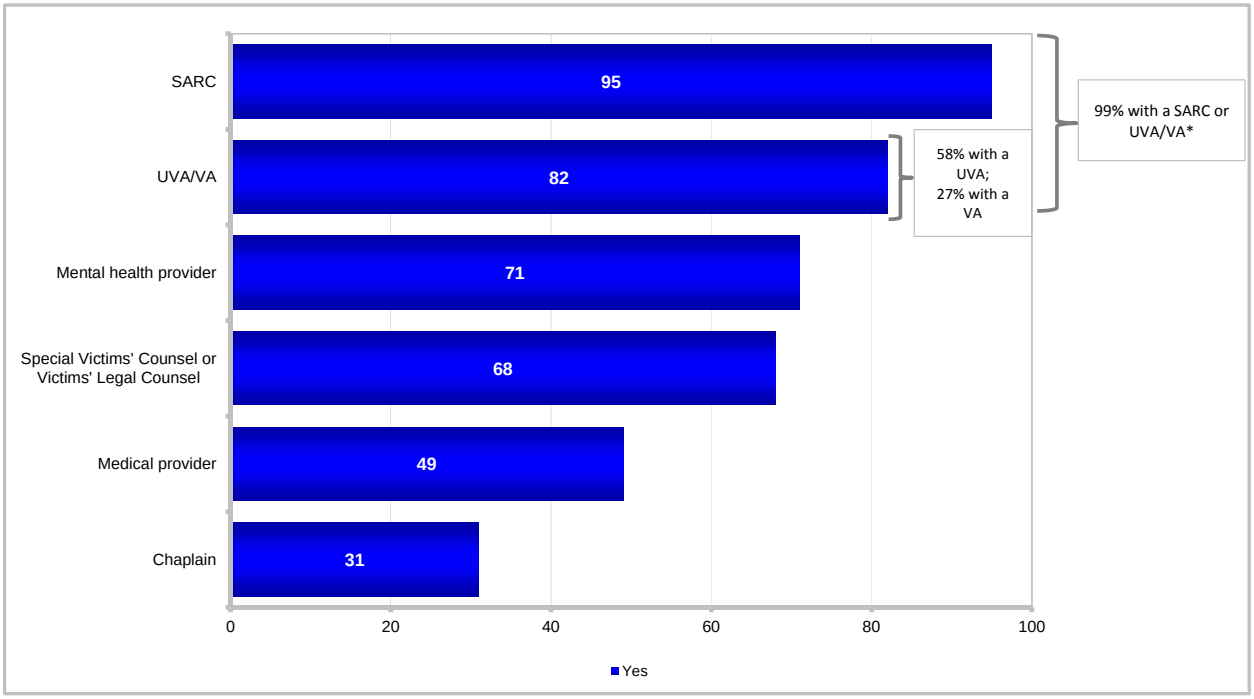


2014 SES Q9 and Q12
Percent of all respondents who took the survey. Eligible number of respondents is 151.

Overall Interactions With Sexual Assault Resources

Although the majority of respondents made a report to a SARC or UVA/VA, throughout the process they often interact with a variety of resources and providers available to them. Overall, the vast majority of respondents (99%) indicated they interacted with a *SARC* and/or a *UVA/VA* (*SARC*, 95% and *UVA/VA*, 82%) as a result of the sexual assault (Figure 10). This is not surprising considering the notification strategy of the survey relied heavily on the assistance of SARCs, UVAs, and VAs. In addition, more than two-thirds of respondents indicated, as a result of the assault, they spoke to a *mental health provider* (71%) and/or *Special Victims' Counsel/Victims' Legal Counsel* (68%). Forty-nine percent of respondents indicated they interacted with a *medical provider* and 31% indicated they interacted with a *chaplain* as a result of the assault.

Figure 10.
Respondents Interacted With the Following Providers Because of the Sexual Assault

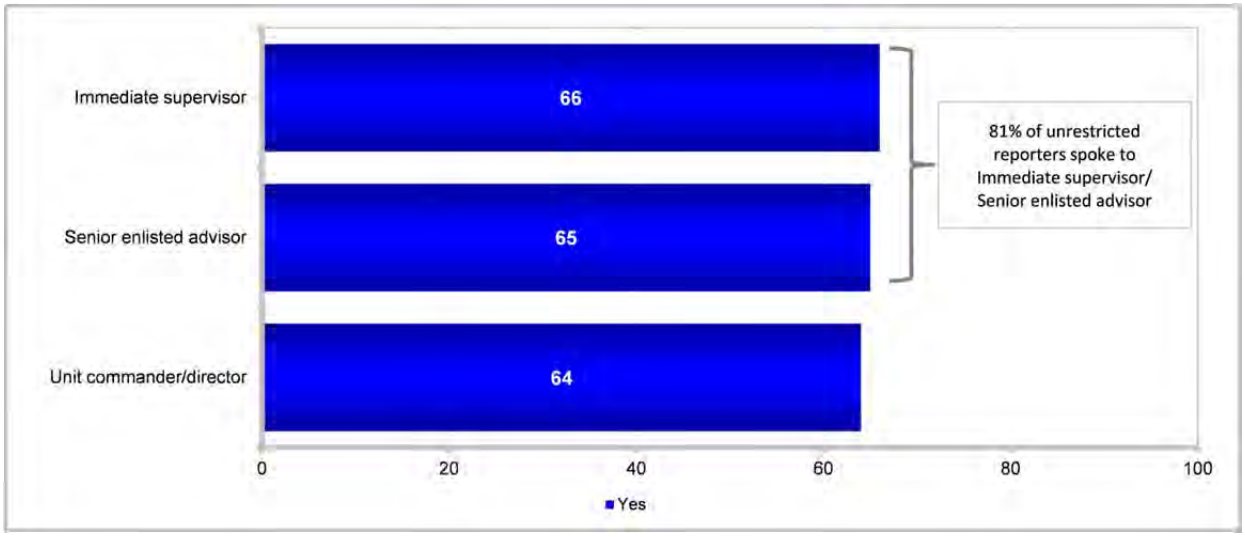


2014 SES Q13 and Q15
Percent of all respondents who took the survey. Respondents who indicated they interacted with providers on previous items (Q7, Q10 or Q11) are coded as "Yes" for this Figure. Eligible number of respondents across these items ranges from 143 to 149. Members who indicated "Yes" to these items saw follow-up questions on each provider (e.g., members who indicated yes to SARC saw follow-up questions on their use of and satisfaction with the SARC). Additionally, the percentages of "Yes" shown in this Figure represent the denominators for the majority of follow-up items included in Chapters 3-5 and 7.
** 99% of unrestricted reporters also spoke to a SARC or UVA/VA.*

Unrestricted reporters often have additional interactions with leadership as a result of command's notification of the report. Figure 11 presents the percentages of unrestricted reporters who interacted with various individuals within their chain of command as a result of the assault.

Of the 80% of respondents who made an unrestricted report, about two-thirds indicated, as a result of the assault, they spoke to their *immediate supervisor* (66%), their *senior enlisted advisor* (65%), or their *unit commander/director* (64%).

Figure 11.
Respondents Interacted With Leadership Because of the Sexual Assault for Unrestricted Reporters



2014 SES Q13 and Q15.
Percent of respondents who took the survey and made an unrestricted report. Respondents who indicated they interacted with providers on previous items (Q7, Q10 or Q11) are coded as "Yes" for this Figure. Eligible number of respondents across these items ranges from 116 to 117. Members who indicated "Yes" to these items saw follow-up questions on these levels of leadership (e.g., members who indicated "Yes" to Unit commander/director saw follow-up questions on their interactions with the Unit commander/director). Additionally, the percentages of "Yes" shown in this Figure represent the denominators for the follow-up items included in Chapter 6.

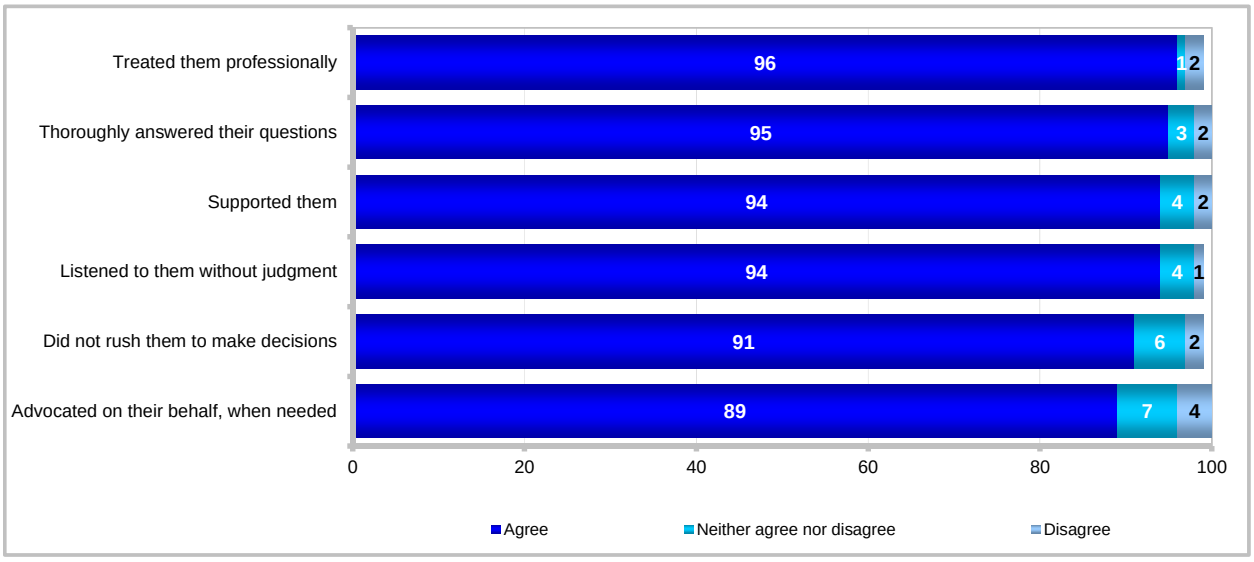
Chapter 3: Experiences and Satisfaction With Sexual Assault Response Coordinators or Unit Victims' Advocates/ Victims' Advocates

Respondents who indicated they spoke to/interacted with a Sexual Assault Response Coordinator (SARC) or a Unit Victims' Advocate/Victims' Advocate (UVA/VA) as a result of the sexual assault were asked about their satisfaction with these resources. Survey items included whether these Sexual Assault Prevention and Response (SAPR) personnel provided respondents with support, advocated on their behalf, and treated them professionally. Additional items included the respondent's overall satisfaction with these SAPR personnel and whether he/she would recommend other sexual assault survivors use them. Results are presented for survey respondents at the Total DoD level.

Experiences With the SARC

Of the 95% of respondents who interacted with a SARC, the majority *agreed* their SARC *treated them professionally* (96%), *thoroughly answered their questions* (95%), *supported them* and *listened to them without judgment* (both 94%), *did not rush them to make decisions* (91%), and *advocated on their behalf when needed* (89%; Figure 12). Across these items, fewer respondents (between 1%-4%) indicated they *disagreed*.

Figure 12.
Interactions With the Sexual Assault Response Coordinator (SARC)

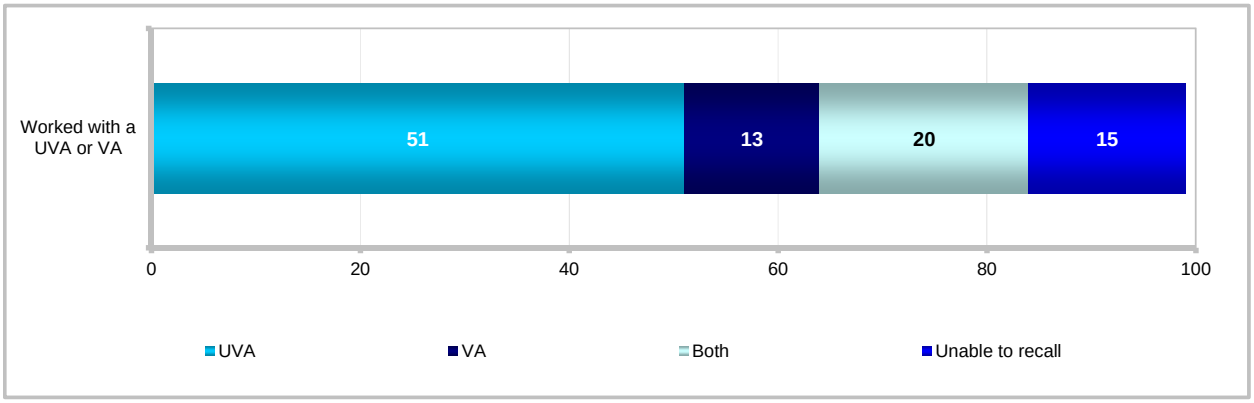


2014 SES Q14
Percent of applicable respondents who took the survey and interacted with a SARC. Eligible number of respondents across these items ranges from 137 to 140.

Experiences With the UVA/VA

The Department offers survivors of sexual assault assistance and services from both SARCs and UVAs/VAs. A UVA is a Uniformed Victims' Advocate (typically military member) and a VA is an installation-level Victims' Advocate (typically a DoD civilian). A survivor may interact with a UVA, a VA, or potentially both.[22] Of the 82% of respondents who interacted with a UVA or a VA, more than half of respondents (51%) indicated they interacted only with a *UVA*, 13% indicated they interacted only with a *VA*, 20% indicated they interacted with *both* a UVA and VA, and 15% indicated they were *unable to recall* whether they interacted with a UVA or VA (Figure 13).

Figure 13.
Interactions With a Unit Victims' Advocate or Victims' Advocate (UVA/VA)

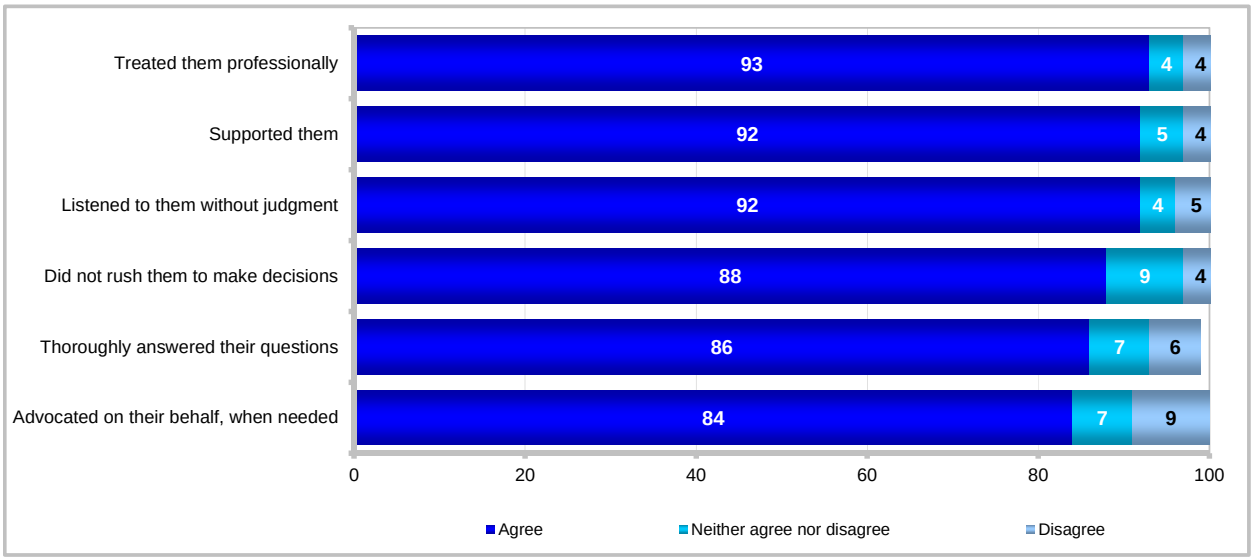


2014 SES Q15
Percent of applicable respondents who took the survey and interacted with a UVA or VA. Eligible number of respondents is 119.

[22] A survivor may interact with both a UVA and a VA in certain circumstances, including if the survivor makes an initial report to the UVA and the UVA refers him/her to the Installation VA.

Of the 58% of respondents who interacted with a UVA, a large majority *agreed* their UVA *treated them professionally* (93%), *supported them* and *listened to them without judgment* (both 92%), *did not rush to make decisions* (88%), *thoroughly answered their questions* (86%), and *advocated on their behalf when needed* (84%; Figure 14). Across these items, fewer respondents (between 4%-9%) indicated they *disagreed*.

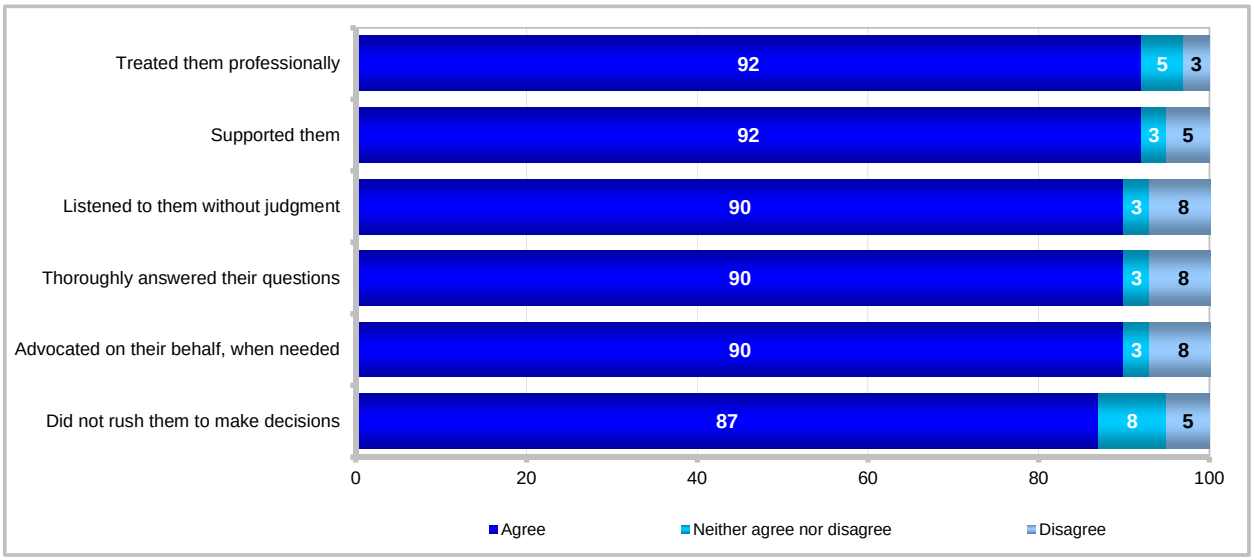
Figure 14.
Interactions With the Unit Victims' Advocate (UVA)



2014 SES Q16
Percent of applicable respondents who took the survey and interacted with a UVA. Eligible number of respondents across these items ranges from 81 to 83.

Of the 27% of respondents who interacted with a VA, a large majority *agreed* their VA *treated them professionally* and *supported them* (both 92%), *listened to them without judgment*, *thoroughly answered their questions*, and *advocated on their behalf when needed* (all 90%), and *did not rush them to make decisions* (87%; Figure 15). Across these items, fewer respondents (between 3%-8%) indicated they *disagreed*.

Figure 15.
Interactions With the Victims' Advocate (VA)

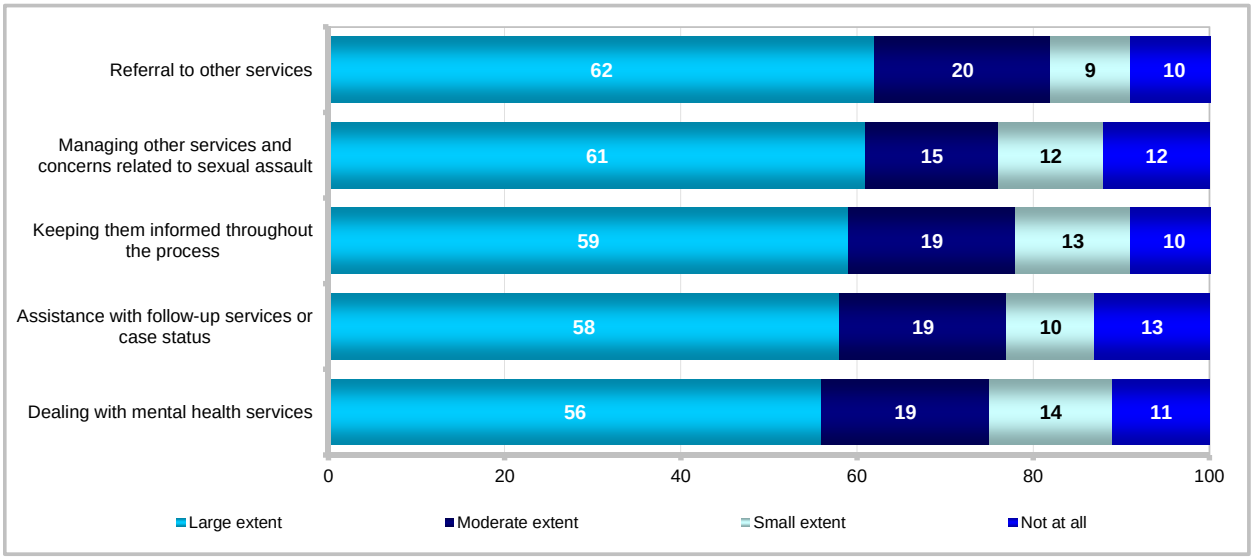


2014 SES Q17
Percent of applicable respondents who took the survey and interacted with a VA. Eligible number of respondents across these items ranges from 38 to 39.

Overall Experiences With SARCs and UVAs/VAs

Of the 99% of respondents who used a SARC or a UVA/VA, more than half indicated, to a *large extent*, that the SARC or UVA/VA assisted them with *referral to other services* (62%), *managing other services and concerns related to sexual assault* (61%), *keeping them informed throughout the process* (59%), *follow-up services or case status* (58%), and *dealing with mental health services* (56%; Figure 16). Between 15%-20% indicated they were assisted to a *moderate extent*, between 9%-14% indicated they were assisted to a *small extent*, and between 10%-13% indicated they were *not at all* assisted with these aspects.

Figure 16.
Extent of Assistance Provided by the Sexual Assault Response Coordinator (SARC) or the Unit Victims' Advocate/Victims' Advocate (UVA/VA)

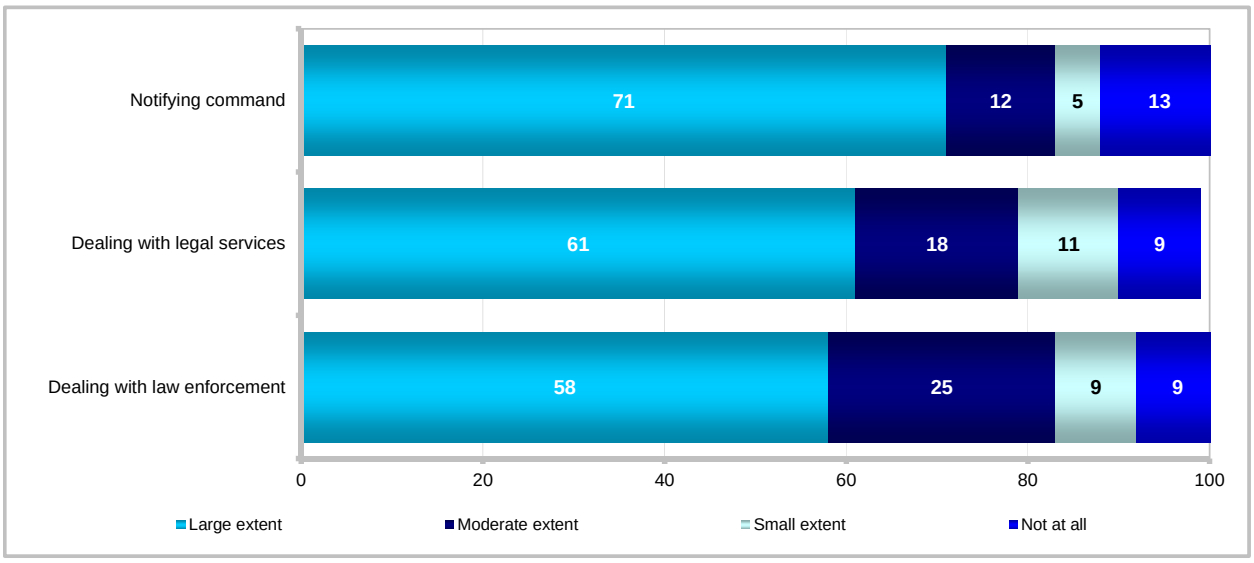


2014 SES Q19d, e, f, g and h
Percent of applicable respondents who took the survey and interacted with a SARC or UVA/VA. Eligible number of respondents across these items ranges from 115 to 134.

Some survey items may be relevant for all respondents, but applicable only to unrestricted reporters by policy. To best capture the impact of policy, Figure 17 presents percentages for unrestricted reporters only.

Of the respondents who made an unrestricted report, 99% used a SARC or a UVA/VA. Of these respondents, more than half indicated, to a *large extent*, that the SARC or UVA/VA assisted them with *notifying command* (71%), *dealing with legal services* (61%), and *dealing with law enforcement* (58%). Between 12%-25% indicated they were assisted to a *moderate extent*, between 5%-11% indicated they were assisted to a *small extent*, and between 9%-13% indicated they were *not at all* assisted.

Figure 17.
Extent of Assistance Provided by the Sexual Assault Response Coordinator (SARC) or the Unit Victims' Advocate/Victims' Advocate (UVA/VA) for Unrestricted Reporters

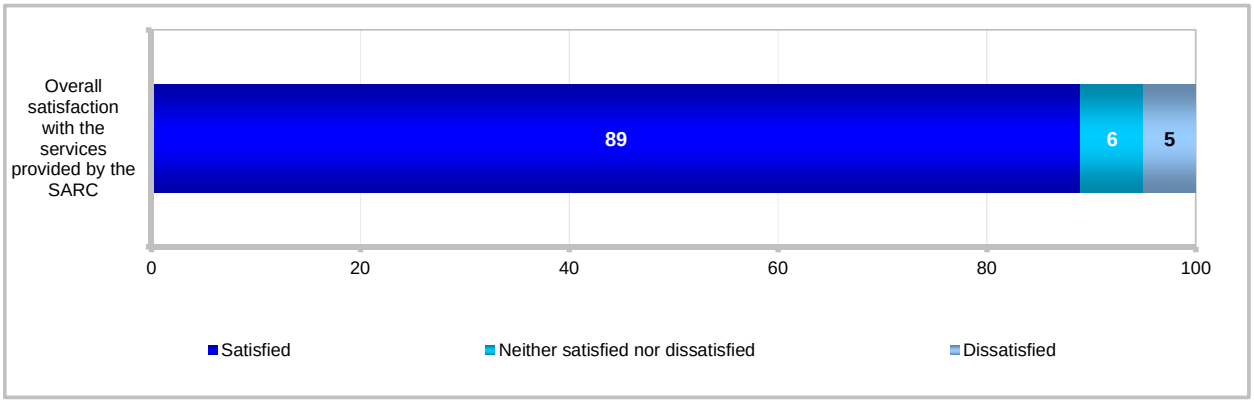


2014 SES Q19a, b and, c
Percent of applicable respondents who took the survey and interacted with a SARC or UVA/VA and made an unrestricted report. Eligible number of respondents across these items ranges from 93 to 98.

Overall, the vast majority of survivors (between 84%-89%) were *satisfied* with the services they received from their SARC, UVA, and VA and would likely recommend other survivors meet with these individuals after experiencing a sexual assault.

Specifically, of the 95% of respondents who interacted with a SARC, the majority (89%) indicated that overall they were *satisfied* with the services provided by the SARC, whereas 5% indicated they were *dissatisfied* (Figure 18).

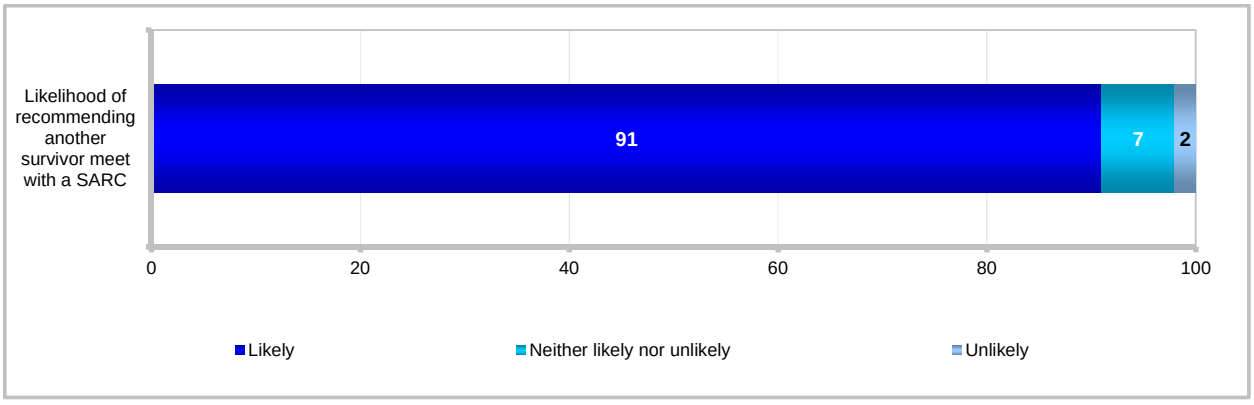
Figure 18.
Overall Satisfaction With the Services Provided by the Sexual Assault Response Coordinator (SARC)



2014 SES Q20
Percent of respondents who took the survey and interacted with a SARC. Eligible number of respondents is 136.

Of the 95% of respondents who interacted with a SARC, a large majority (91%) indicated they would *likely* recommend another survivor meet with one, whereas 2% indicated they were *unlikely* (Figure 19).

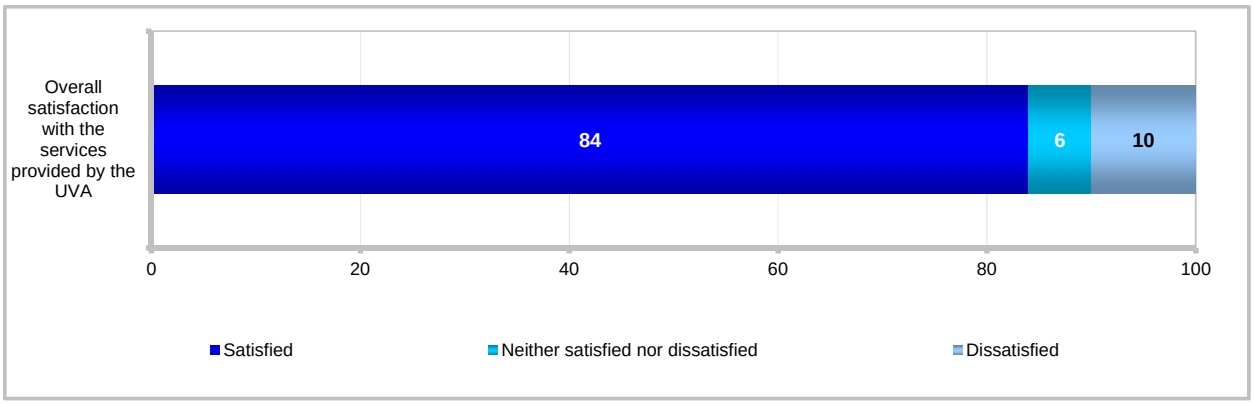
Figure 19.
Likelihood of Recommending Another Survivor Meet With a Sexual Assault Response Coordinator (SARC)



2014 SES Q21
Percent of respondents who took the survey and interacted with a SARC. Eligible number of respondents is 138.

Of the 58% of respondents who interacted with a UVA, the majority (84%) indicated that overall they were *satisfied* with the services provided by the UVA, whereas 10% indicated they were *dissatisfied* (Figure 20).

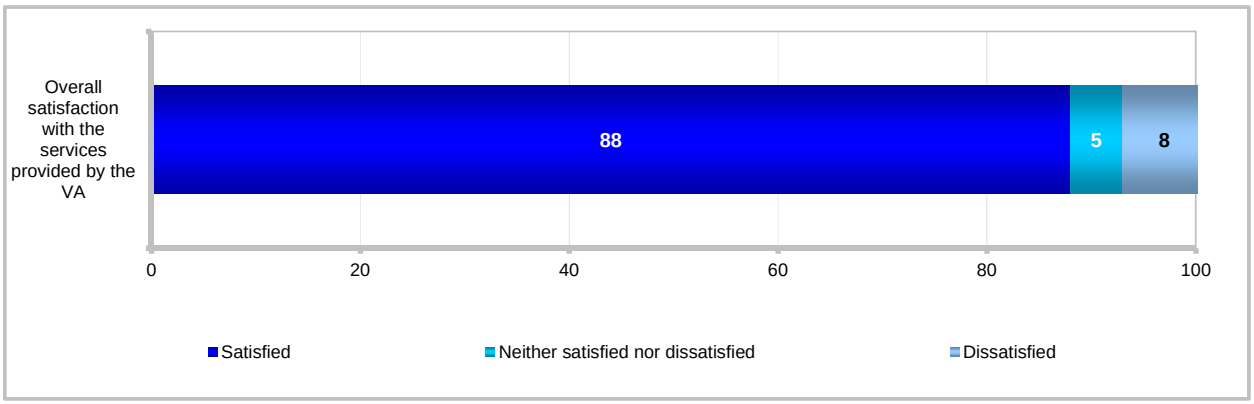
Figure 20.
Overall Satisfaction With the Services Provided by the Unit Victims' Advocate (UVA)



2014 SES Q22
Percent of respondents who took the survey and interacted with an UVA. Eligible number of respondents is 83.

Of the 27% of respondents who interacted with a VA, the majority (88%) indicated that overall they were *satisfied* with the services provided by the VA, whereas 8% indicated they were *dissatisfied* (Figure 21).

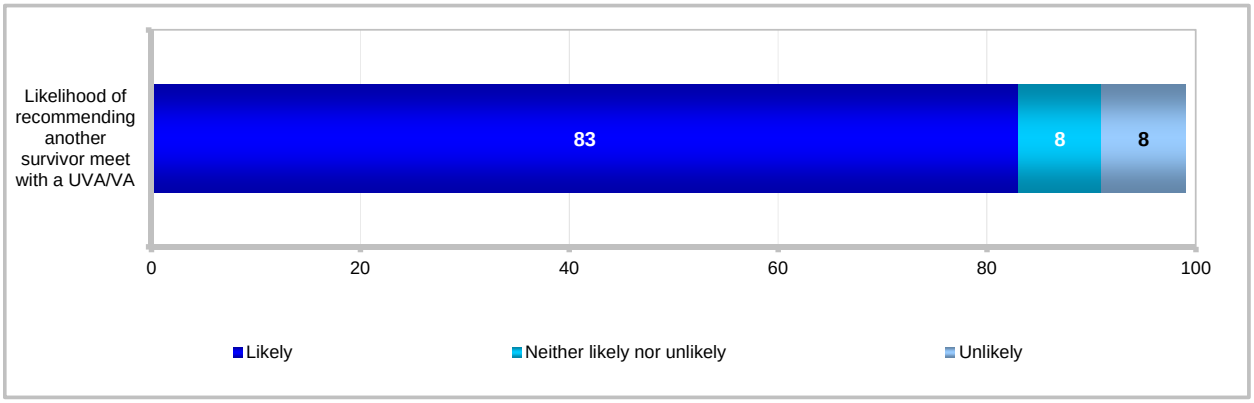
Figure 21.
Overall Satisfaction With the Services Provided by the Victims' Advocate (VA)



2014 SES Q23
Percent of respondents who took the survey and interacted with a VA. Eligible number of respondents is 40.

Of the 82% of respondents who interacted with a UVA or a VA, the majority (83%) indicated they would *likely* recommend another survivor meet with one of these resources, whereas 8% indicated they were *unlikely* (Figure 22).

Figure 22.
Likelihood of Recommending Another Survivor Meet With Unit Victims' Advocate/Victims' Advocate (UVA/VA)



2014 SES Q24
Percent of respondents who took the survey and interacted with an UVA/VA. Eligible number of respondents is 118.

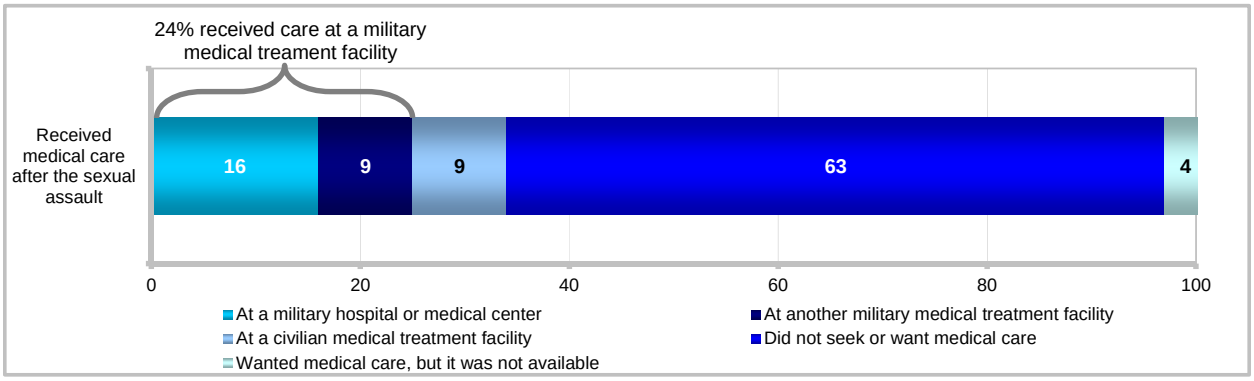
Chapter 4: Experiences and Satisfaction With Medical Care and Mental Health Services

Research has consistently shown that sexual assault has implications for both physical and psychological health (Turchik & Wilson, 2010). As a result, the Department offers survivors of sexual assault both medical and mental health services immediately following an assault and as needed after the assault. Respondents of the *SES* are first asked on the survey whether they used medical or mental health services as a result of the sexual assault. For those who have, the survey asks about their satisfaction with medical and mental health care providers and services. Survey items include whether the medical and mental health care personnel provided the respondent support, advocated on his/her behalf, and treated him/her professionally. Additional items include the respondent's overall satisfaction with the medical and mental health care providers and whether he/she would recommend other sexual assault survivors use these resources. Results are presented for survey respondents at the Total DoD level.

Medical Care

Nearly two-thirds of respondents (63%)[23] indicated they *did not seek or want medical care* (Figure 23). Thirty-three percent indicated they received medical care after the sexual assault from a military or civilian treatment provider (16% indicated *at a military hospital or medical center*, 9% *at another military medical treatment facility*, and 9% *at a civilian medical treatment facility*).[24] Four percent of respondents indicated they *wanted medical care, but it was not available*. Overall, 24% received medical care at a military medical treatment facility.[25]

Figure 23.
Received Medical Care After Sexual Assault

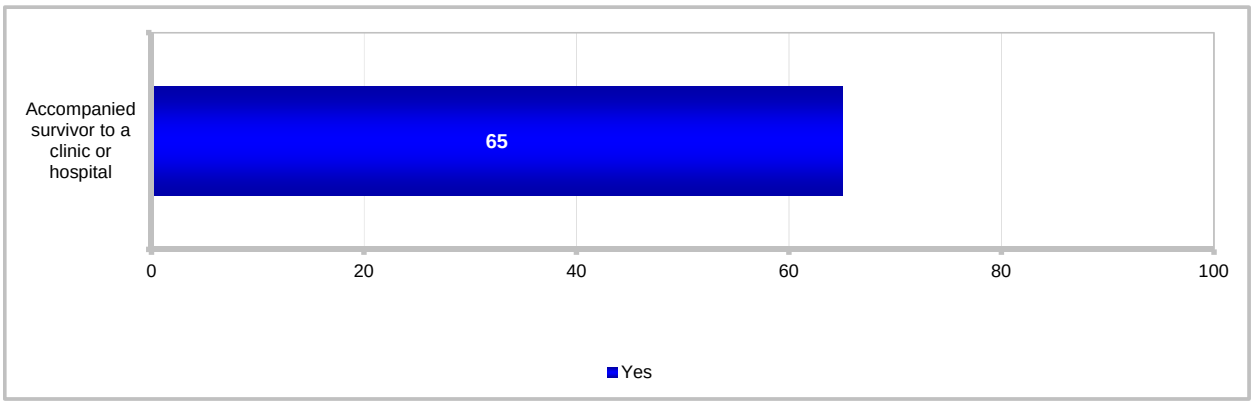


2014 SES Q25
Percent of all respondents who took the survey. Eligible number of respondents is 147.

[23] Although 49% of respondents indicated in Figure 10 that they had interacted with a medical provider, this does not necessarily mean they received medical care after the sexual assault. With that in mind, all respondents were asked on the survey whether they received medical care after the sexual assault.
[24] Due to rounding, the percentage for "received medical care" is 33% and not 34%.
[25] Due to rounding, the percentage for "received medical care at a military hospital/medical center or medical treatment facility" is 24% and not 25% as would be the summation of *at a military hospital or medical center* (16%) and *at another military medical treatment facility* (9%).

As survivors of sexual assault often require or need medical care, the Department provides SARC/UVA/VA assistance during initial medical treatment if desired. Of the 33% of respondents who received medical care after the sexual assault (at a military or civilian treatment facility) and who interacted with a SARC and/or a UVA/VA,[26] about two-thirds (65%) indicated *yes*, the SARC or UVA/VA accompanied them to a clinic/hospital (Figure 24).

Figure 24.
Sexual Assault Response Coordinator (SARC) or Unit Victims' Advocate/Victims' Advocate (UVA/VA) Accompanied Survivor to Clinic/Hospital



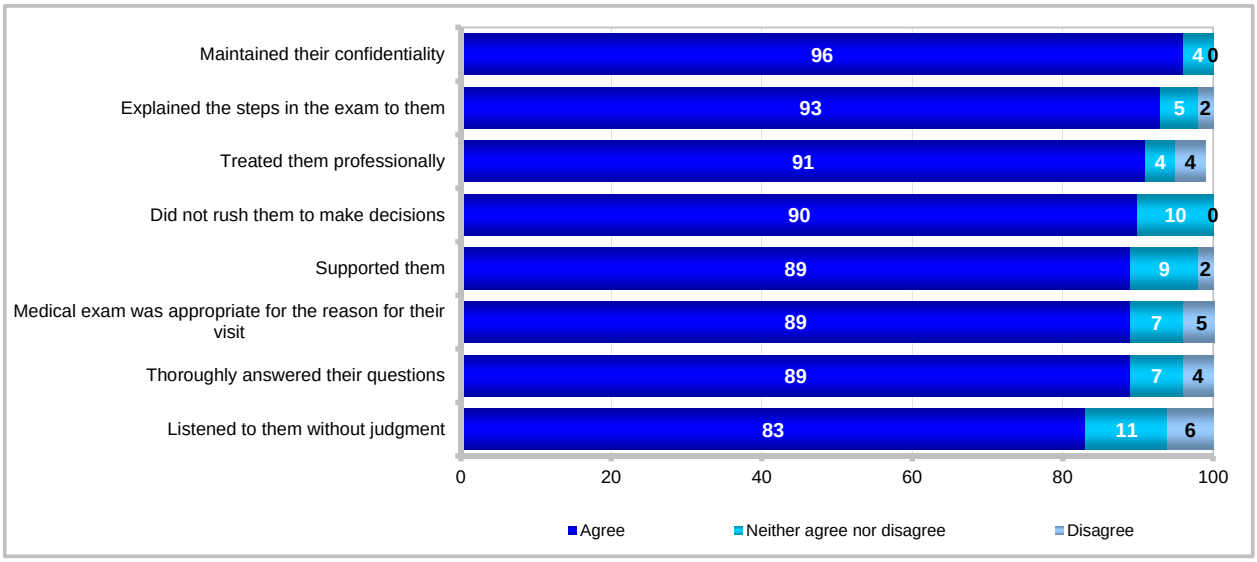
2014 SES Q18
Percent of respondents who took the survey and interacted with a SARC or UVA/VA and received medical care (military or civilian location) after the sexual assault. Excludes those respondents who stated this item was not applicable (e.g., they did not want to be accompanied or did not want medical attention). Eligible number of respondents is 40.

For the remaining items in this section, results will be provided for all survey respondents regardless of where they received care (military or civilian treatment facility) and then specifically for those respondents who received care at a military medical facility.

[26] As shown in Figure 10, 99% of respondents interacted with a SARC or a UVA/VA. Of this 99% of respondents, 33% received medical care (at a military or civilian treatment facility).

Of the 33% of respondents who received medical care (at a military or civilian treatment facility), the majority *agreed* the provider *maintained their confidentiality* (96%), *explained the steps in the exam to them* (93%), *treated them professionally* (91%), *did not rush them to make decisions* (90%), *supported them*, performed *medical exams appropriate for the reason for their visit*, and *thoroughly answered their questions* (all 89%), and *listened to them without judgment* (83%; Figure 25). Across these items, fewer respondents (between 0%-6%) indicated they *disagreed* with these assessments.

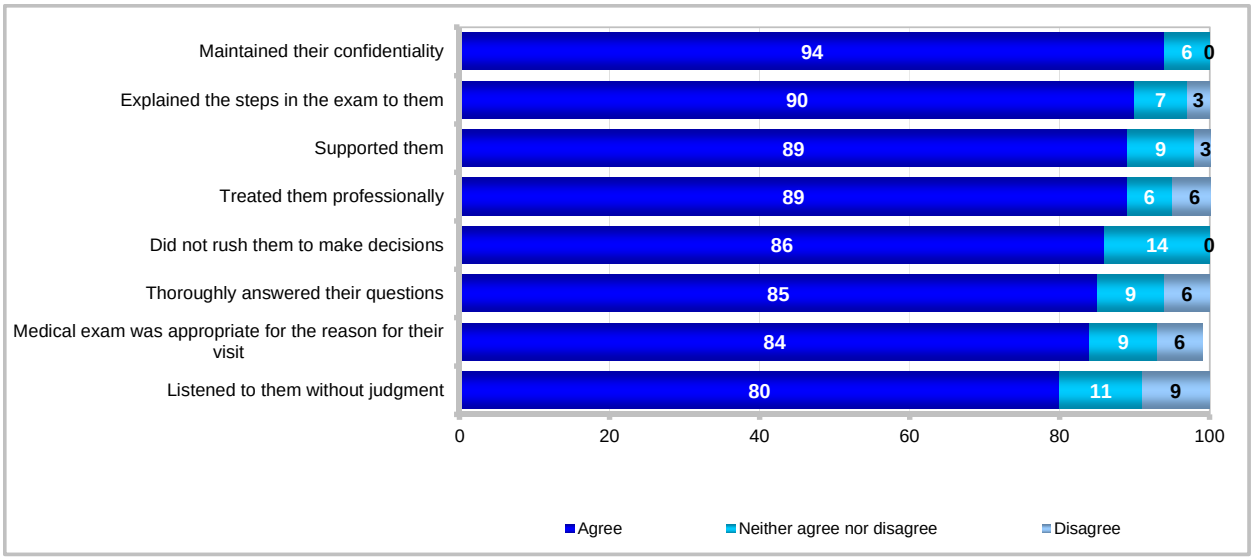
Figure 25.
Assessment of Medical Services for the Sexual Assault



2014 SES Q26
Percent of applicable respondents who took the survey and received medical care. Eligible number of respondents across these items ranges from 39 to 47.

Of the 24% of respondents who received medical care at a military medical treatment facility, the majority *agreed* the provider *maintained their confidentiality* (94%), *explained the steps in the exam to them* (90%), *supported them* and *treated them professionally* (both 89%), *did not rush them to make decisions* (86%), *thoroughly answered their questions* (85%), performed *medical exams appropriate for the reason for their visit* (84%), and *listened to them without judgment* (80%; Figure 26). Across these items, fewer respondents (between 0%-9%) indicated they *disagreed* with these assessments.

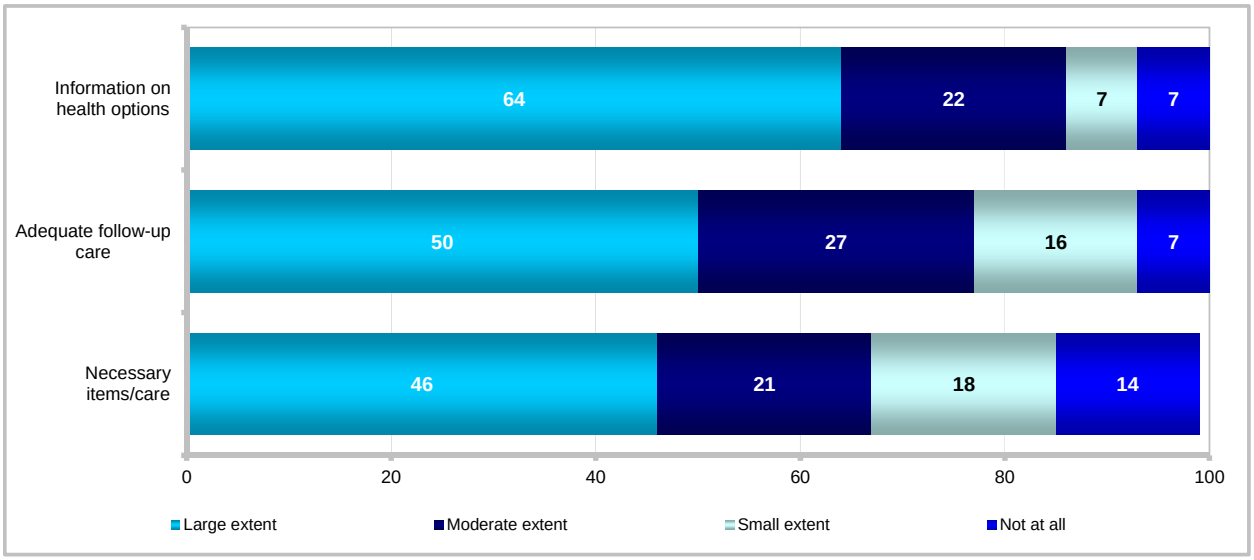
Figure 26.
Assessment of Medical Services for the Sexual Assault for Those Who Received Care at Military Facility



2014 SES Q26
Percent of applicable respondents who took the survey and received medical care at a military facility. Eligible number of respondents across these items ranges from 28 to 35.

Of the 33% of respondents who received medical care (at a military or civilian treatment facility), about two-thirds indicated, to a *large extent*, they were provided *information on health options* (64%; Figure 27). About half of respondents indicated, to a *large extent*, they were provided *adequate follow-up care* (50%) and *necessary items/care* (46%). About a quarter (21%-27%) indicated they were provided these items to a *moderate extent*, 7%-18% were provided these items to a *small extent*, and 7%-14% indicated they were *not at all* provided these items.

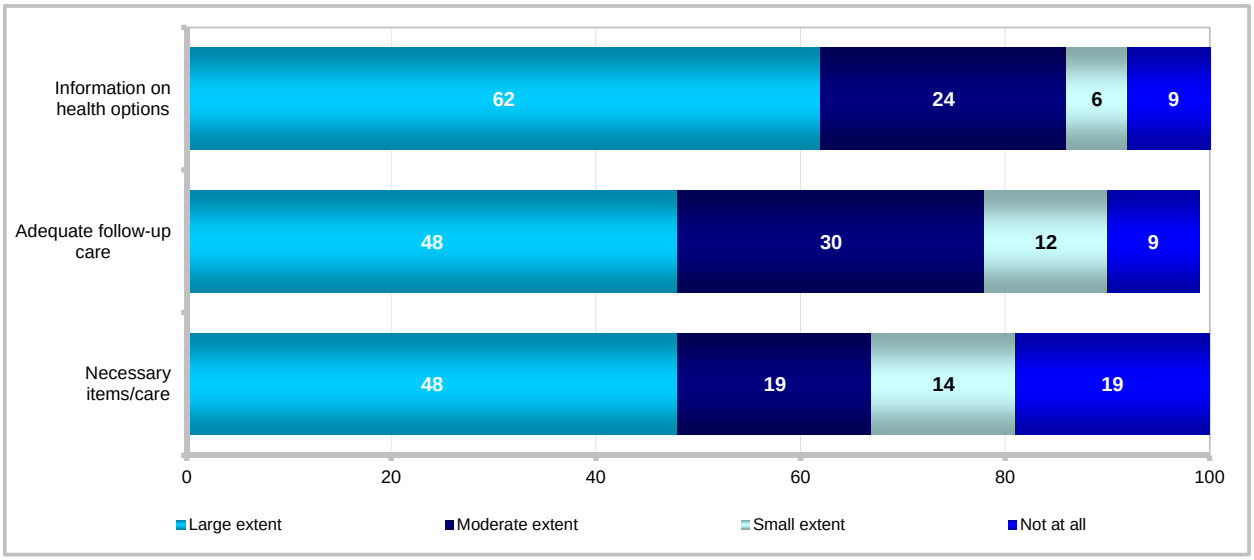
Figure 27.
Extent of Assistance Provided by Medical Services for the Sexual Assault



2014 SES Q27
Percent of applicable respondents who took the survey and received medical care. Eligible number of respondents across these items ranges from 28 to 45.

Of the 24% of respondents who received medical care at a military medical treatment facility, about two-thirds indicated, to a *large extent*, they were provided *information on health options* (62%; Figure 28). About half of respondents indicated, to a *large extent*, they were provided *adequate follow-up care* and *necessary items/care* (both 48%). Between 19%-30% indicated they were provided these items to a *moderate extent*, 6%-14% were provided these items to a *small extent*, and 9%-19% indicated they were *not at all* provided these items.

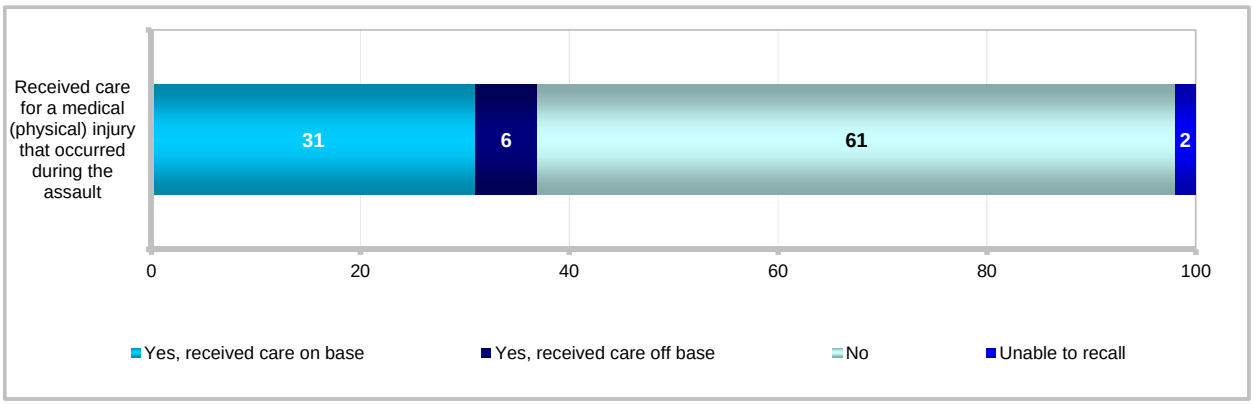
Figure 28.
Extent of Assistance Provided by Medical Services for the Sexual Assault for Those Who Received Care at Military Facility



2014 SES Q27
Percent of applicable respondents who took the survey and received medical care at a military facility. Eligible number of respondents across these items ranges from 21 to 34.

Of the 33% of respondents who received medical care (at a military or civilian treatment facility), 61% indicated *no*, they did not receive care for a physical injury that occurred during the assault (Figure 29). Thirty-seven percent indicated *yes*, they received medical care for a physical injury that occurred during the assault (31% *received the care on base* and 6% *received care off base*). Two percent indicated they were *unable to recall* if they received care for a physical injury.

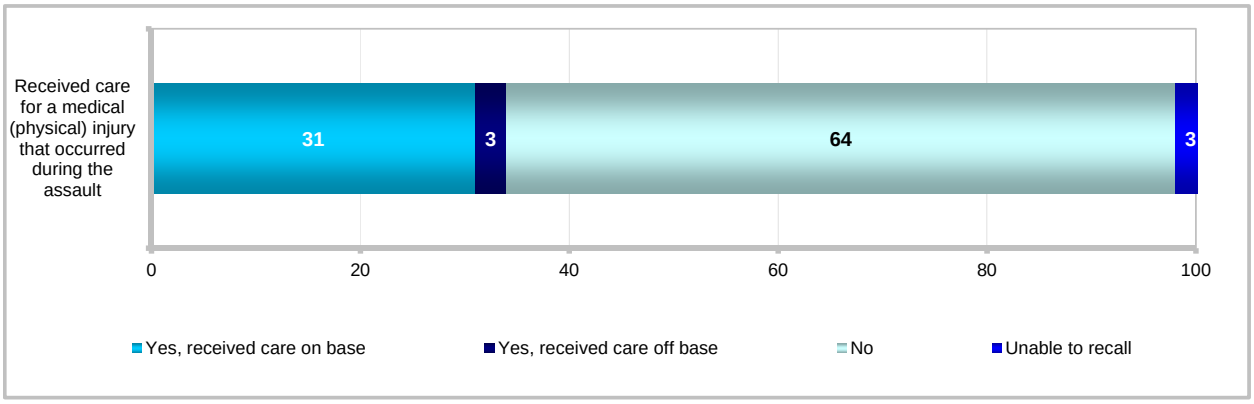
Figure 29.
Received Medical Care for Physical Injury After the Sexual Assault



2014 SES Q28
Percent of respondents who took the survey and received medical care. Eligible number of respondents is 49.

Of the 24% of respondents who received medical care at a military medical treatment facility, 64% indicated *no*, they did not receive care for a physical injury that occurred during the assault (Figure 30). Thirty-four percent indicated *yes*, they received medical care for a physical injury that occurred during the assault (31% *received care on base* and 3% *received care off base*). Three percent indicated they were *unable to recall* if they received care for a physical injury.

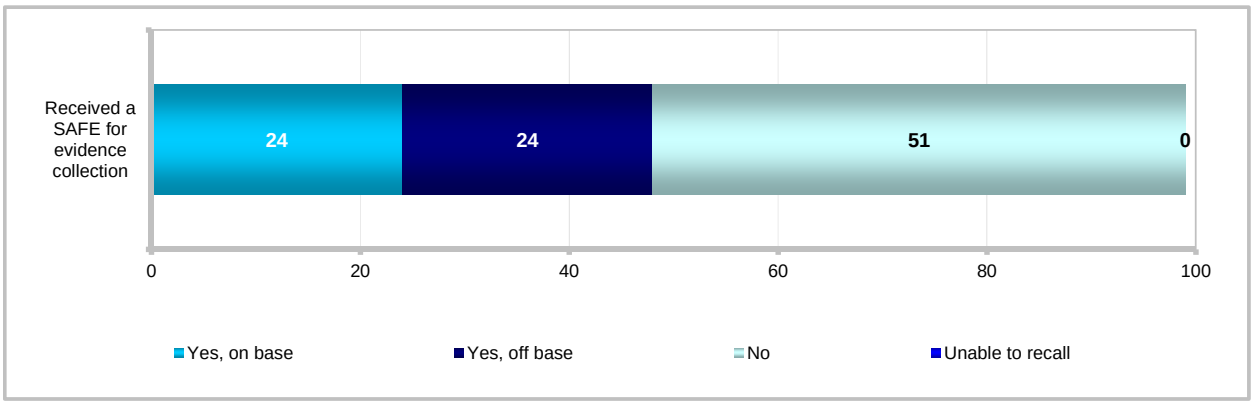
Figure 30.
Received Medical Care for Physical Injury After the Sexual Assault for Those Who Received Care at Military Facility



2014 SES Q28
Percent of respondents who took the survey and received medical care at a military facility. Eligible number of respondents is 36.

Survivors of sexual assault are often offered a Sexual Assault Forensic Examination (SAFE) in order to collect evidence for a potential investigation. Of the 33% of respondents who received medical care (at a military or civilian treatment facility), about half (49%)[27] indicated they received a SAFE for evidence collection (24% indicated they *received care on base* and 24% indicated they *received care off base*; Figure 31). Fifty-one percent of respondents indicated *no*, they did not receive a SAFE for evidence collection.

Figure 31.
Received SAFE for Evidence Collection

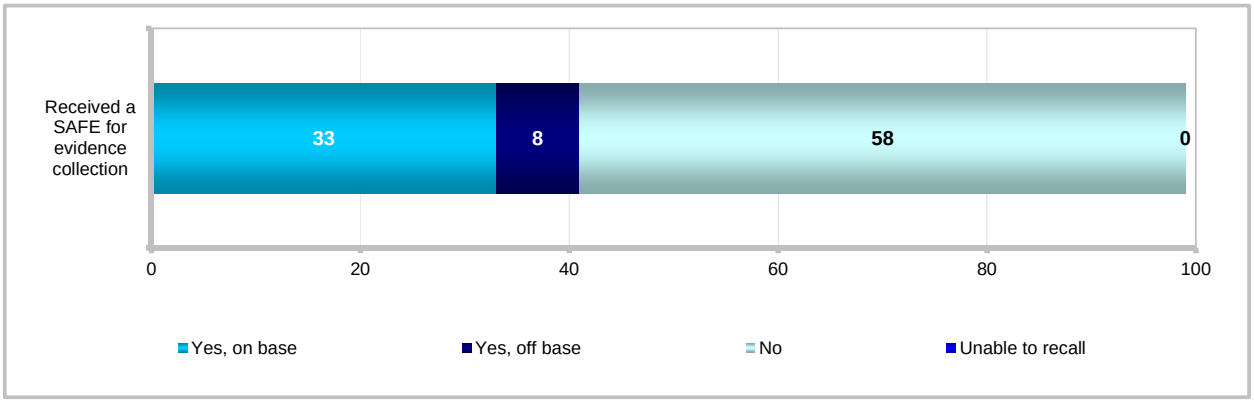


2014 SES Q29
Percent of respondents who took the survey and received medical care. Eligible number of respondents is 49.

[27] Due to rounding, the percentage for "received a SAFE for evidence collection" is 49% and not 48% as is the summation of *yes, on base* (24%) and *yes, off base* (24%).

Of the 24% of respondents who received medical care at a military medical treatment facility, 42%[28] indicated they received a SAFE for evidence collection (33% indicated they *received care on base* and 8% indicated they *received care off base*; Figure 32). Fifty-eight percent of respondents indicated *no*, they did not receive a SAFE for evidence collection.

Figure 32.
Received SAFE for Evidence Collection for Those Who Received Care at Military Facility



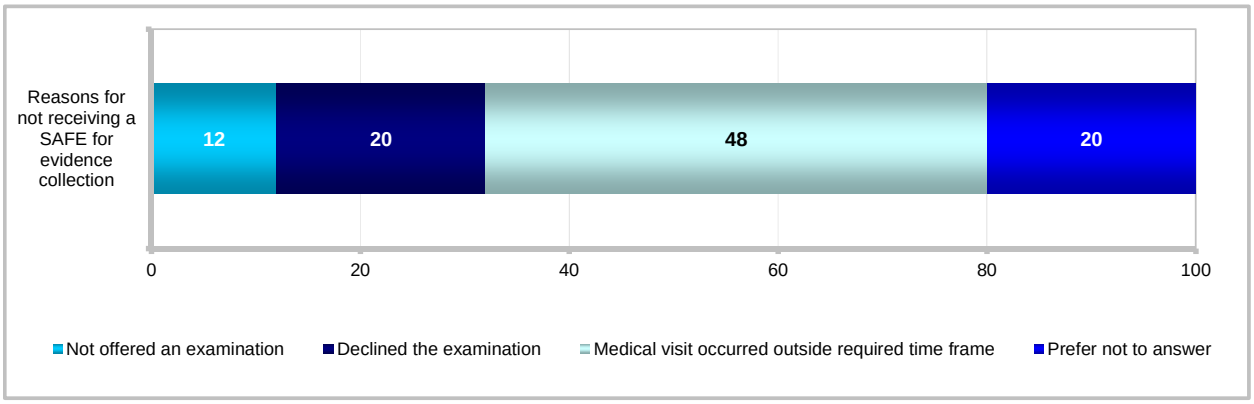
2014 SES Q29
Percent of respondents who took the survey and received medical care at a military facility. Eligible number of respondents is 36.

Knowing that over half of respondents who received medical care did not received a SAFE (51% at a military or civilian treatment facility and 58% at a military medical treatment facility only) raises questions as to why they did not receive this examination. Specifically, the Department is interested in whether the respondent was offered the SAFE and declined, or not offered a SAFE at all. In addition, the respondent may have received medical care outside the time frame to collect evidence. To better understand these situations, the *SES* asks for reasons why the respondent did not receive a SAFE.

[28] Due to rounding, the percentage for "received a SAFE for evidence collection" is 42% and not 41% as is the summation of *yes, on base* (33%) and *yes, off base* (8%).

Of the 17% of respondents who received medical care (at a military or civilian treatment facility) and did not receive a SAFE for evidence collection,[29] nearly half (48%) indicated the *medical visit occurred outside the required time frame* (Figure 33). Twelve percent indicated they were *not offered an examination*, 20% indicated they *declined the examination*, and 20% indicated they *preferred not to answer* the question.

Figure 33.
Reasons for Not Receiving a SAFE for Evidence Collection

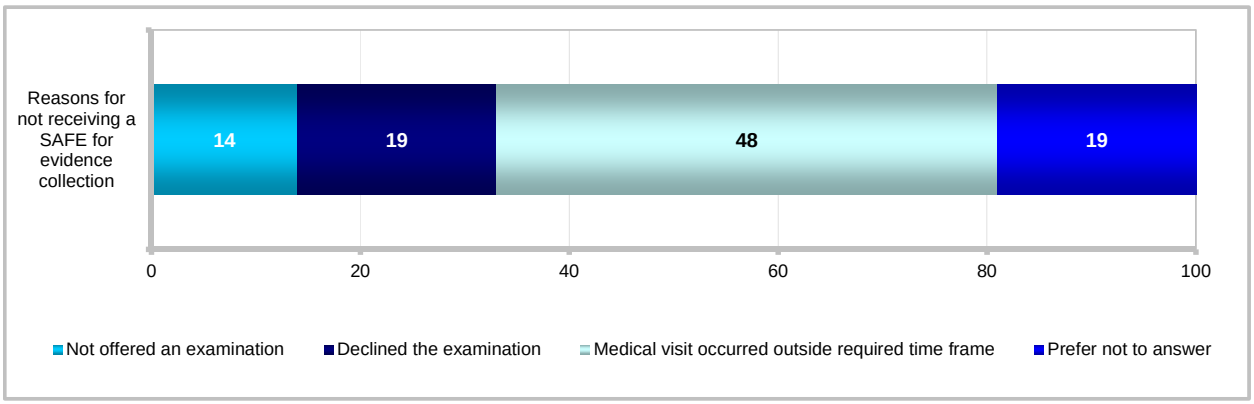


2014 SES Q30
Percent of respondents who took the survey, received medical care, and did not receive a SAFE. Eligible number of respondents is 25.

[29] Thirty-three percent of respondents indicated they received medical care (at a military or civilian treatment facility). Of this 33% of respondents, 51% indicated they did not receive a SAFE for evidence collection. This equates to 17% of respondents who received medical care (at a military or civilian treatment facility) and did not receive a SAFE for evidence collection.

Of the 14% of respondents who received medical care at a military medical treatment facility and did not receive a SAFE for evidence collection,[30] nearly half (48%) indicated the *medical visit occurred outside the required time frame* (Figure 34). Fourteen percent indicated they were *not offered an examination*, 19% indicated they *declined the examination*, and 19% indicated they *preferred not to answer* the question.

Figure 34.
Reasons for Not Receiving a SAFE for Evidence Collection for Those Who Received Care at Military Facility

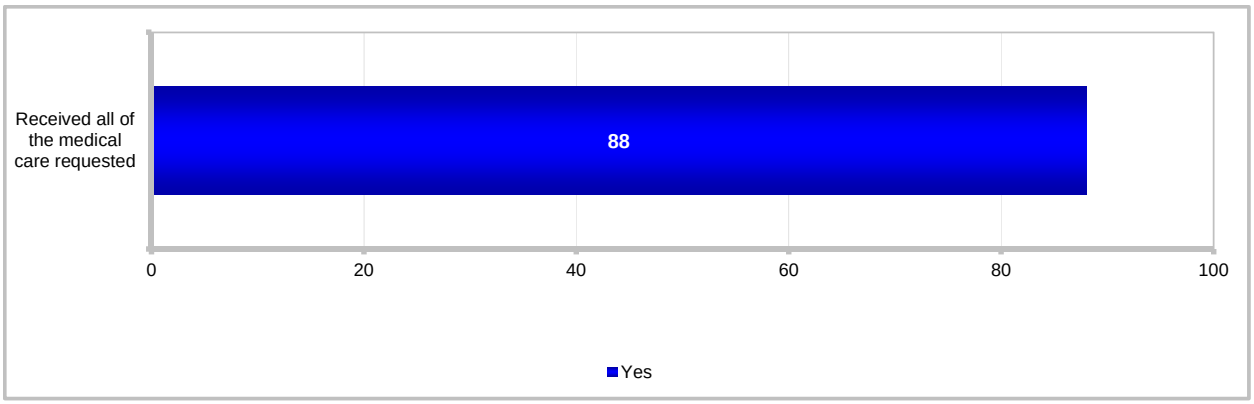


2014 SES Q30
Percent of respondents who took the survey, received medical care at a military facility, and did not receive a SAFE. Eligible number of respondents is 21.

[30] Twenty-four percent of respondents indicated they received medical care at a military treatment facility. Of this 24% of respondents, 58% indicated they did not receive a SAFE for evidence collection. This equates to 14% of respondents who received medical care (at a military or civilian treatment facility) and did not receive a SAFE for evidence collection.

Of the 33% of respondents who received medical care (at a military or civilian treatment facility), the majority (88%) indicated that they received all of the medical care they requested (Figure 35).

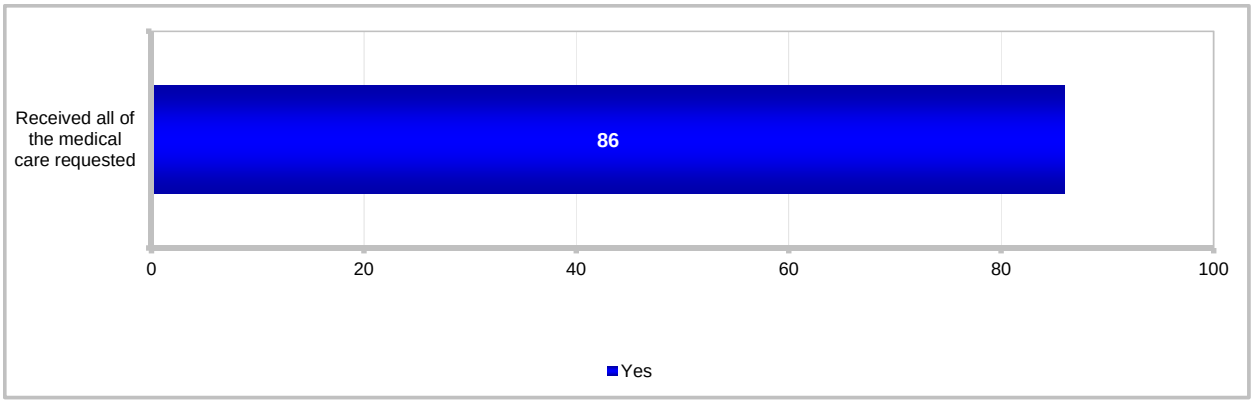
Figure 35.
Received All the Medical Care Requested



2014 SES Q31
Percent of applicable respondents who took the survey and received medical care. Eligible number of respondents is 49.

Of the 24% of respondents who received medical care at a military medical treatment facility, the majority (86%) indicated that they received all of the medical care they requested (Figure 36).

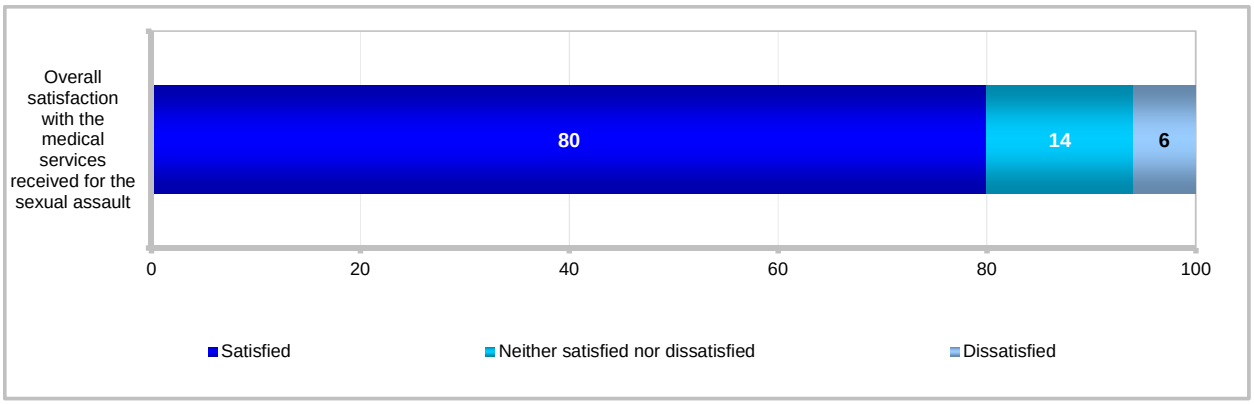
Figure 36.
Received All the Medical Care Requested for Those Who Received Care at Military Facility



2014 SES Q31
Percent of applicable respondents who took the survey and received medical care at a military facility. Eligible number of respondents is 36.

Of the 33% of respondents who received medical care (at a military or civilian treatment facility), the majority (80%) indicated that overall they were *satisfied* with the medical services received for the sexual assault, whereas 6% indicated they were *dissatisfied* (Figure 37).

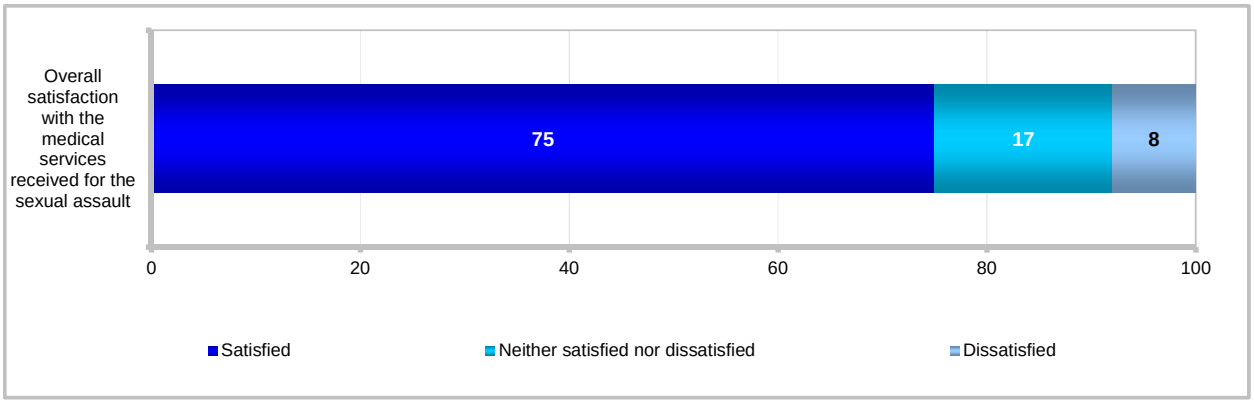
Figure 37.
Overall Satisfaction With Medical Services for the Sexual Assault



2014 SES Q32
Percent of respondents who took the survey and received medical care. Eligible number of respondents is 49.

Of the 24% of respondents who received medical care at a military medical treatment facility, three-quarters (75%) indicated that overall they were *satisfied* with the medical services received for the sexual assault, whereas 8% indicated they were *dissatisfied* (Figure 38).

Figure 38.
Overall Satisfaction With Medical Services for the Sexual Assault for Those Who Received Care at Military Facility

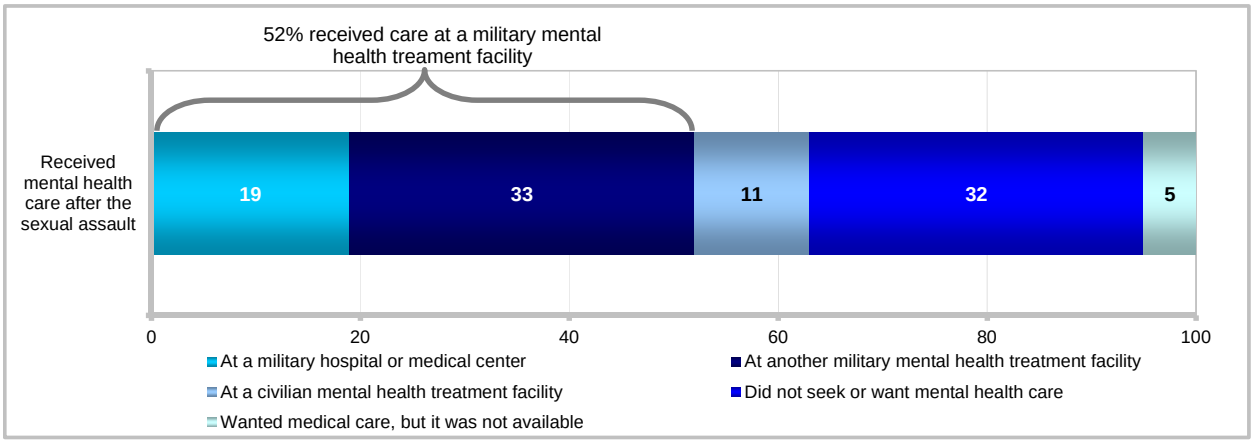


2014 SES Q32
Percent of respondents who took the survey and received medical care at a military facility. Eligible number of respondents is 36.

Mental Health Care

Nearly two-thirds of respondents (63%)[31] indicated they received mental health care after the sexual assault (19% indicated the mental health care was *at a military hospital or medical center*, 33% *at another military mental health treatment facility*, and 11% *at a civilian mental health treatment facility*; Figure 39). Thirty-two percent of respondents indicated they *did not seek or want mental health care* and 5% indicated they *wanted mental health care, but it was not available*. Overall, 52% received care at some military mental health treatment facility.

Figure 39.
Received Mental Health Care After Sexual Assault



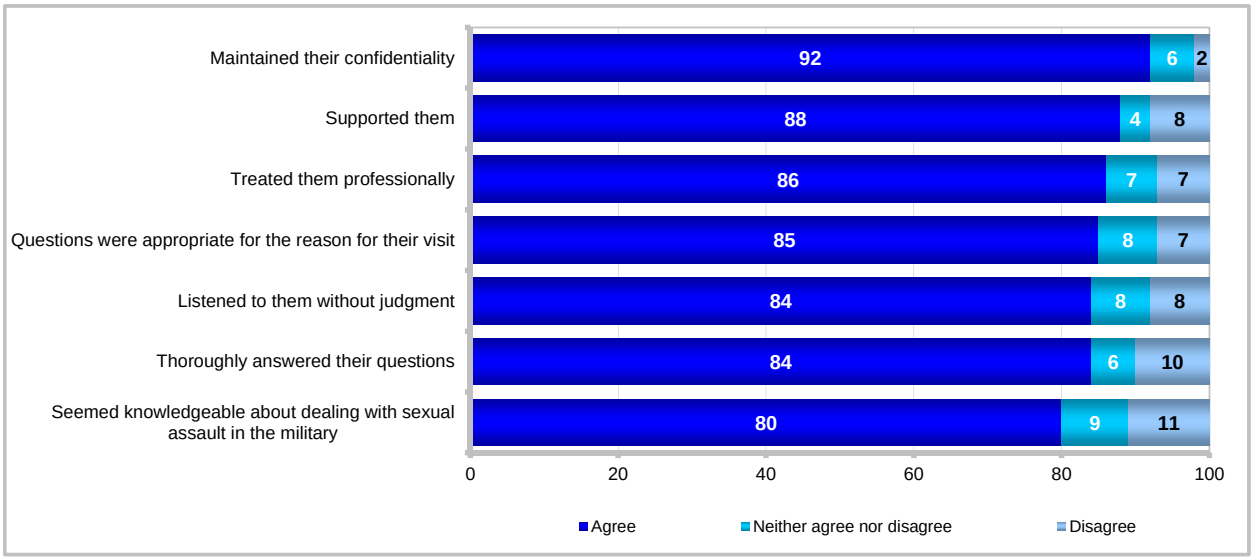
2014 SES Q33
Percent of all respondents who took the survey. Eligible number of respondents is 146.

For the remaining items in this section, results will be provided for all survey respondents regardless of where they received care (military or civilian treatment facility) and then specifically for those respondents who received care at a military mental health facility.

[31] Although 71% of respondents indicated in Figure 10 that they interacted with a mental health provider, this does not necessarily mean they received mental health services after the sexual assault. With that in mind, all respondents were asked on the survey whether they received mental health care after the sexual assault.

Of the 63% of respondents who received mental health care (at a military or civilian treatment facility), the majority *agreed* the provider *maintained their confidentiality* (92%), *supported them* (88%), *treated them professionally* (86%), asked *questions that were appropriate for the reason for their visit* (85%), *listened to them without judgment* and *thoroughly answered their questions* (both 84%), and *seemed knowledgeable about dealing with sexual assault in the military* (80%; Figure 40). Across these items, fewer respondents (between 2%-11%) indicated they *disagreed* with these assessments.

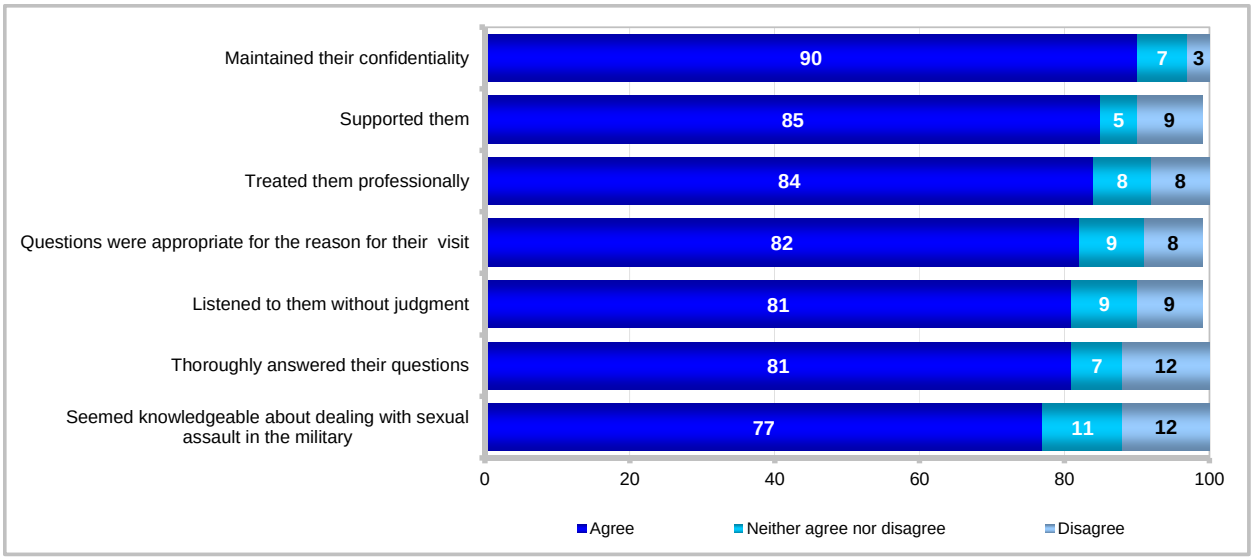
Figure 40.
Assessment of Mental Health Care for the Sexual Assault



2014 SES Q34
Percent of applicable respondents who took the survey and received mental health care. Eligible number of respondents across these items ranges from 88 to 90.

Of the 52% of respondents who received care at a military mental health treatment facility, the majority *agreed* the provider *maintained their confidentiality* (90%), *supported them* (85%), *treated them professionally* (84%), asked *questions that were appropriate for the reason for their visit* (82%), *listened to them without judgment* and *thoroughly answered their questions* (both 81%), and *seemed knowledgeable about dealing with sexual assault in the military* (77%; Figure 41). Across these items, fewer respondents (between 3%-12%) indicated they *disagreed* with these assessments.

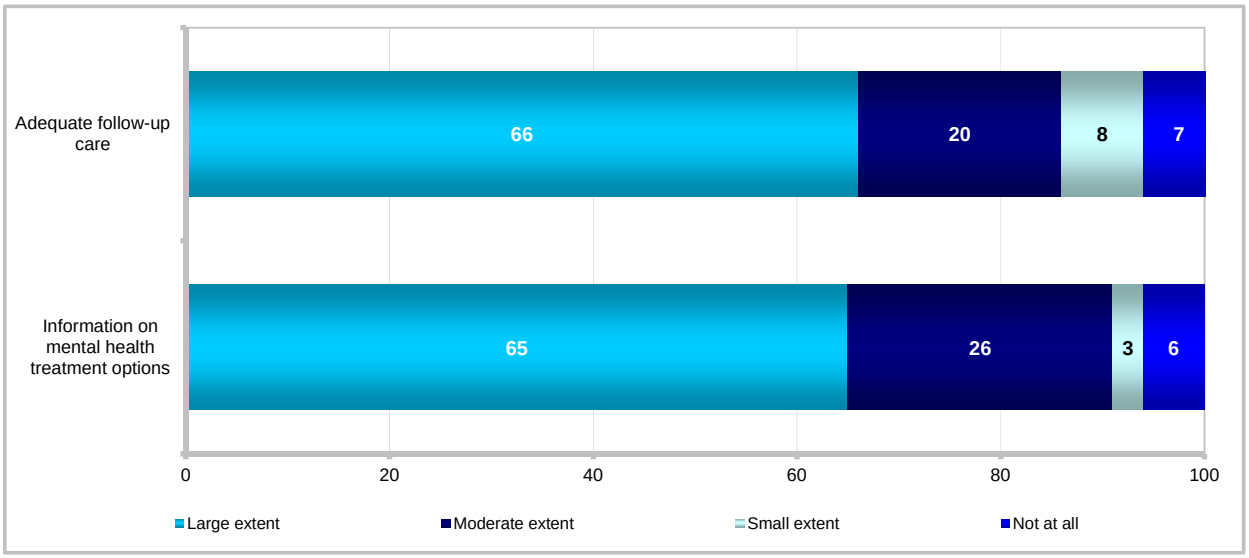
Figure 41.
Assessment of Mental Health Care for the Sexual Assault for Those Who Received Care at Military Facility



2014 SES Q34
Percent of applicable respondents who took the survey and received mental health care at a military facility. Eligible number of respondents across these items ranges from 73 to 75.

Of the 63% of respondents who received mental health care (at a military or civilian treatment facility), about two-thirds indicated, to a *large extent*, they were provided *adequate follow-up care* (66%) and *information on mental health treatment options* (65%; Figure 42). Between 20%-26% indicated they were provided the items to a *moderate extent*, 3%-8% to a *small extent*, and between 6%-7% indicated they were *not at all* provided these items.

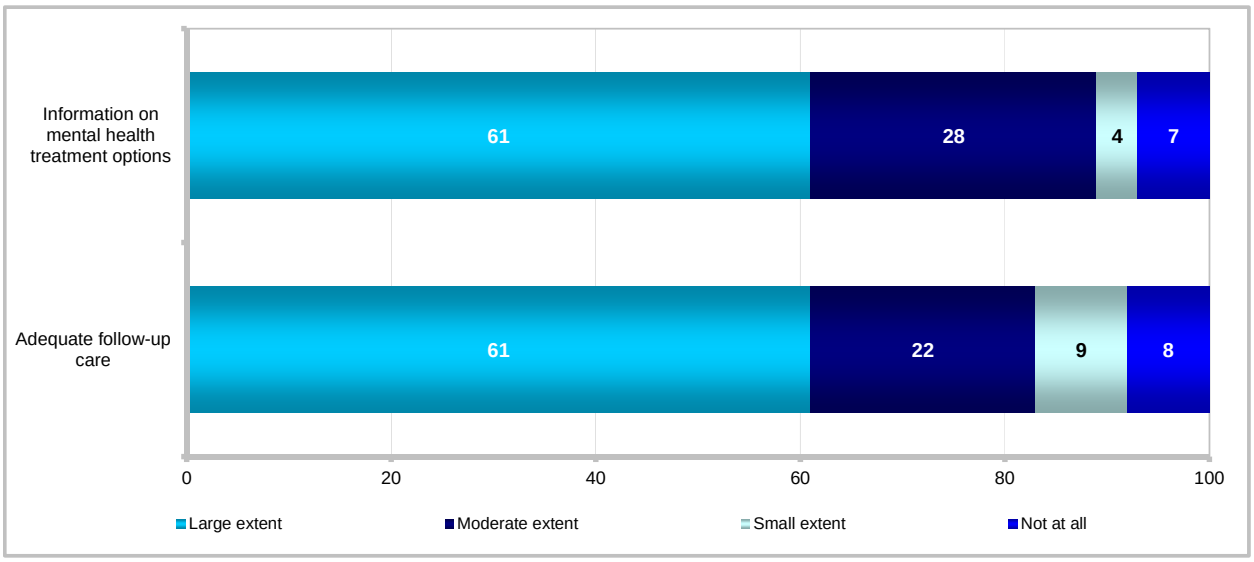
Figure 42.
Extent of Assistance Provided by Mental Health Services for the Sexual Assault



2014 SES Q35
Percent of applicable respondents who took the survey and received mental health care. Eligible number of respondents across these items ranges from 88 to 91.

Of the 52% of respondents who received medical care at a military mental health treatment facility, 61% indicated, to a *large extent*, they were provided *information on mental health treatment options* and *adequate follow-up care* (Figure 43). About a quarter (22%-28%) indicated they were provided the items to a *moderate extent*, 4%-9% to a *small extent*, and between 7%-8% indicated they were *not at all* provided these items.

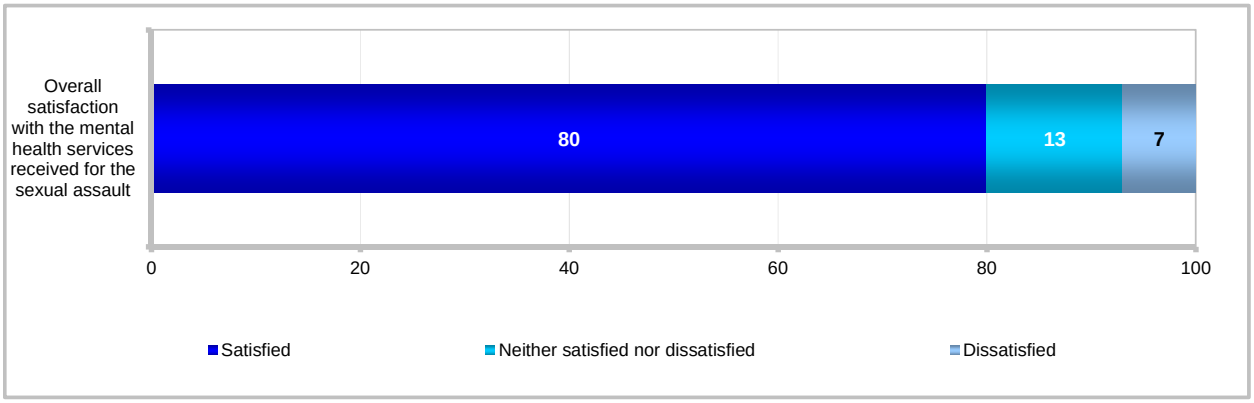
Figure 43.
Extent of Assistance Provided by Mental Health Services for the Sexual Assault for Those Who Received Care at Military Facility



2014 SES Q35
Percent of applicable respondents who took the survey and received mental health care at a military facility. Eligible number of respondents across these items ranges from 74 to 76.

Of the 63% of respondents who received mental health care (at a military or civilian treatment facility), the majority (80%) indicated that overall they were *satisfied* with the mental health services received for the sexual assault, whereas 7% indicated they were *dissatisfied* (Figure 44).

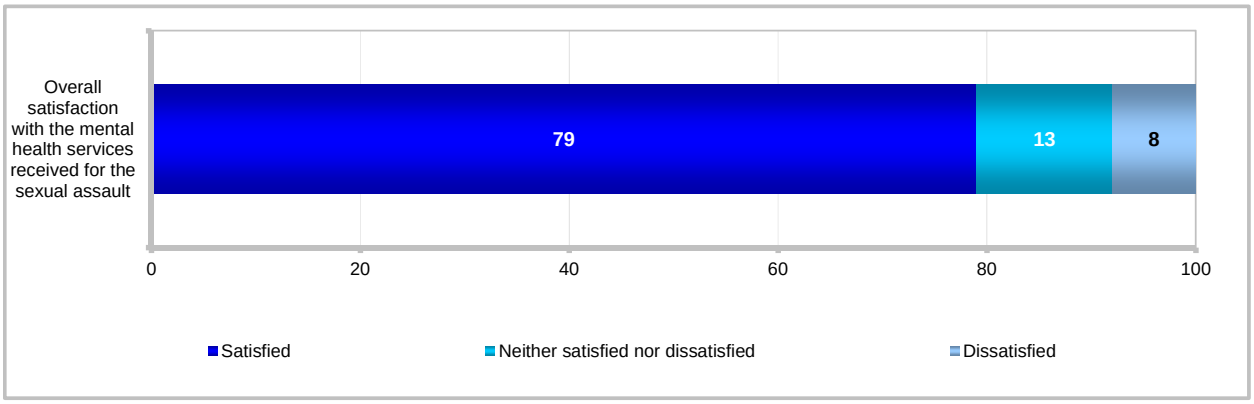
Figure 44.
Overall Satisfaction With Mental Health Services for the Sexual Assault



2014 SES Q36
Percent of applicable respondents who took the survey and received mental health care. Eligible number of respondents is 92.

Of the 52% of respondents who received medical care at a military mental health treatment facility, the majority (79%) indicated that overall they were *satisfied* with the mental health services received for the sexual assault, whereas 8% indicated they were *dissatisfied* (Figure 45).

Figure 45.
Overall Satisfaction With Mental Health Services for the Sexual Assault for Those Who Received Care at Military Facility



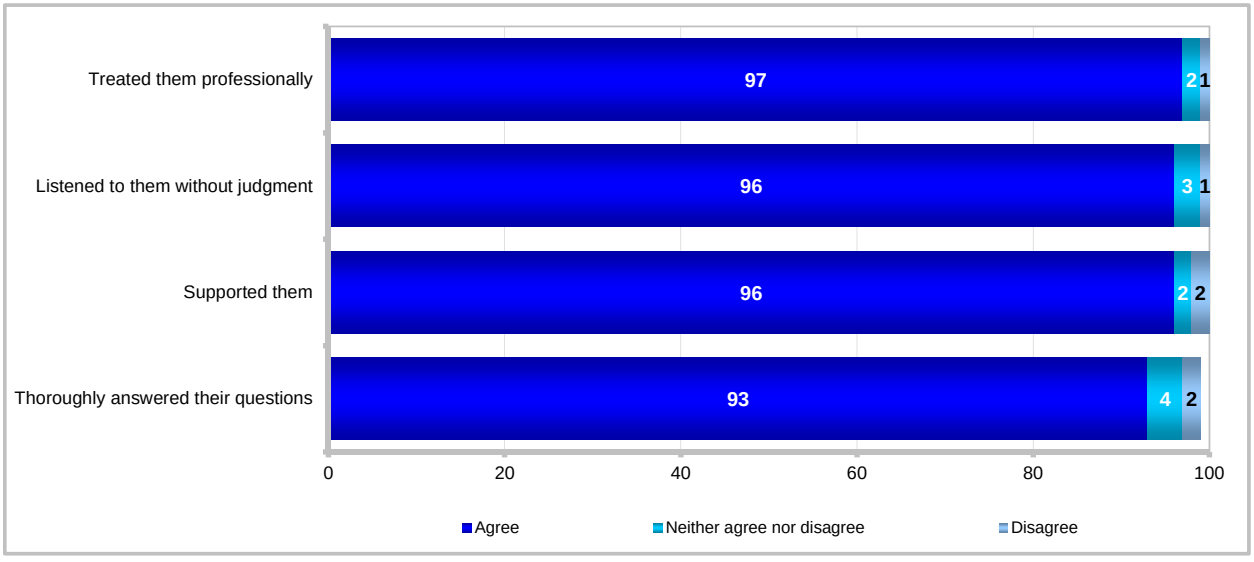
2014 SES Q36
Percent of applicable respondents who took the survey and received mental health care at a military facility. Eligible number of respondents is 76.

Chapter 5: Experiences and Satisfaction With Special Victims' Counsel/Victims' Legal Counsel

The Department recognizes the legal process for a sexual assault can be difficult for any survivor, military or civilian. In 2013, after approving an Air Force pilot program that assigned special counsel to victims who reported a sexual assault, the Secretary of Defense directed the Secretaries of the Military Departments to implement the program in their respective Services (Secretary of Defense, 2013). Special Victims' Counsel/Victims' Legal Counsel (SVC/VLC), act as legal counsel for the survivor to provide advocacy, support, and act as the intermediary between the prosecutors and the survivor. The *SES* asks respondents a variety of questions about their general experiences and satisfaction with SVC/VLC. While these resources are most often utilized by unrestricted reporters with open investigations, the Department allows restricted reporters to confer with SVC/VLC to obtain legal information and to establish an attorney-client relationship. Therefore, this section includes both unrestricted and restricted reporters. Results are presented for survey respondents at the Total DoD level.

Of the 68% of respondents who used a SVC/VLC, a large majority *agreed* the SVC/VLC *treated them professionally* (97%), *listened to them without judgment* and *supported them* (both 96%), and *thoroughly answered their questions* (93%). Across these items, fewer respondents indicated they *disagreed* (between 1%-2%; Figure 46).

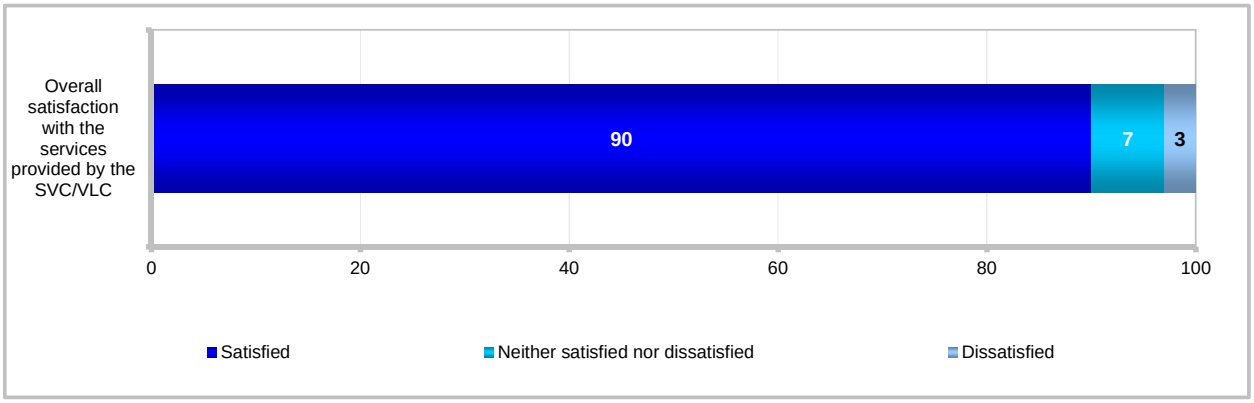
Figure 46.
Assessment of Special Victims' Counsel/Victims' Legal Counsel (SVC/VLC)



2014 SES Q37
Percent of applicable respondents who took the survey and used a SVC/VLC. Eligible number of respondents across these items ranges from 91 to 92.

Of the 68% of respondents who interacted with a SVC/VLC, most (90%) indicated they were *satisfied* with the services provided by the SVC/VLC, whereas 3% indicated they were *dissatisfied* (Figure 47).

Figure 47.
Overall Satisfaction With Services Provided by the Special Victims' Counsel/Victims' Legal Counsel (SVC/VLC)



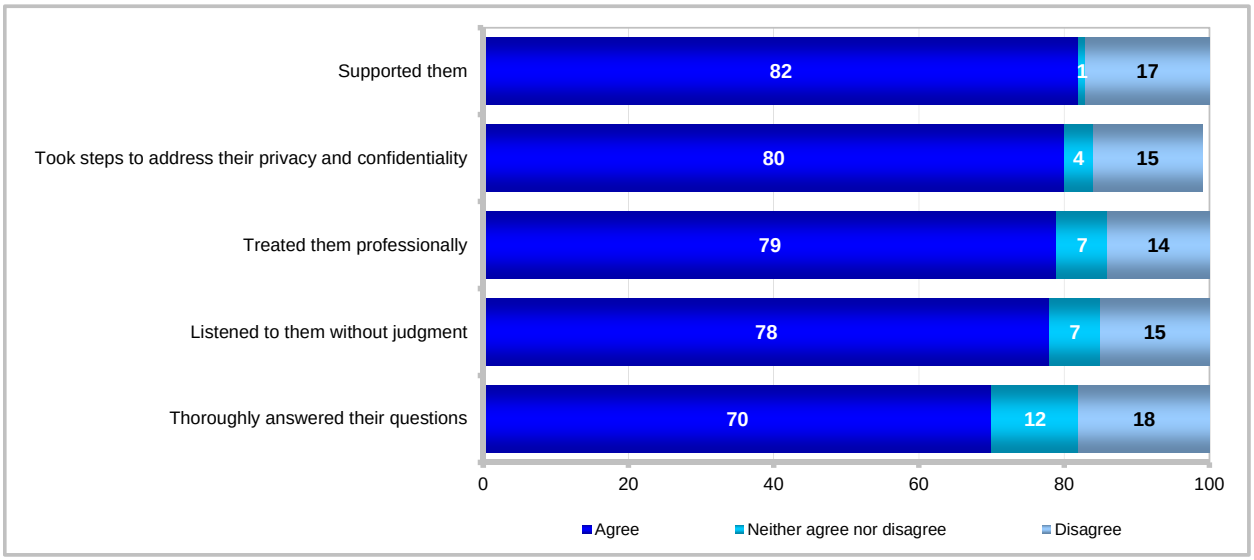
2014 SES Q38
Percent of applicable respondents who took the survey and used a SVC/VLC. Eligible number of respondents is 98.

Chapter 6: Response of Chain of Command

Another data element of interest to the Department is the response of the sexual assault survivor's chain of command, if notified of the incident. When a sexual assault survivor makes an unrestricted report, it prompts an official investigation and command notification. The *2014 SES* asks respondents who interacted with members in their unit as a result of the sexual assault report about the response of their unit commander/director and other members in their chain of command (e.g., senior enlisted advisor, immediate supervisor). These survey items are applicable only to unrestricted reporters by policy and therefore we present percentages for unrestricted reporters only. Results are presented for survey respondents at the Total DoD level.

Of the 64% of respondents who made an unrestricted report and spoke to their unit commander/director in response to the sexual assault, more than two-thirds *agreed* the unit commander/director *supported them* (82%), *took steps to address their privacy and confidentiality* (80%), *treated them professionally* (79%), *listened to them without judgment* (78%), and *thoroughly answered their questions* (70%). Across these items, less than one-fifth (between 14%-18%) of respondents indicated they *disagreed* (Figure 48).

Figure 48.
Assessment of the Unit Commander/Director's Response to Report of Sexual Assault for Unrestricted Reporters

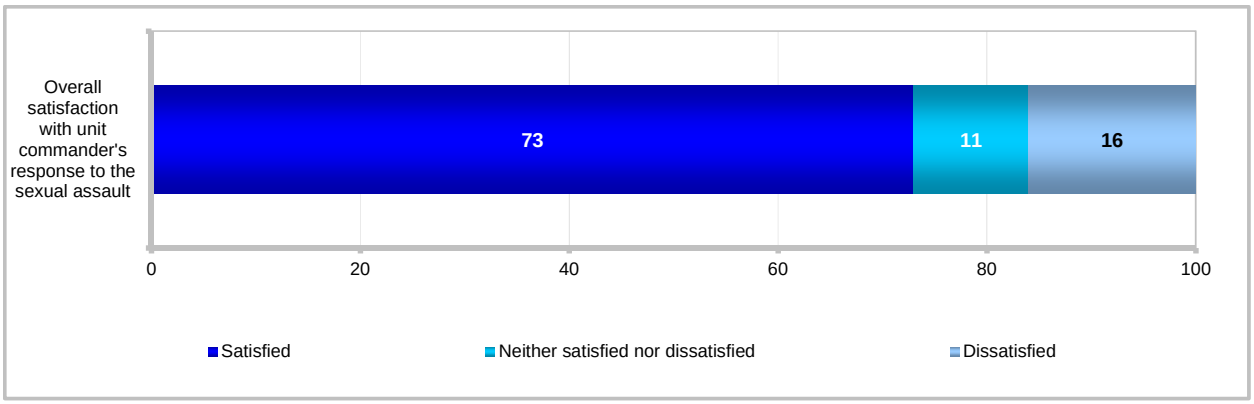


2014 SES Q41
Percent of applicable respondents who took the survey, spoke to unit commander/director, and made an unrestricted report. Eligible number of respondents across these items ranges from 66 to 71.

Of the 64% of respondents who made an unrestricted report and spoke to their unit commander/director in response to the sexual assault, almost three-quarters (73%) indicated that

overall they were *satisfied* with the unit commander/director's response to the report of sexual assault, whereas 16% indicated they were *dissatisfied* (Figure 49).

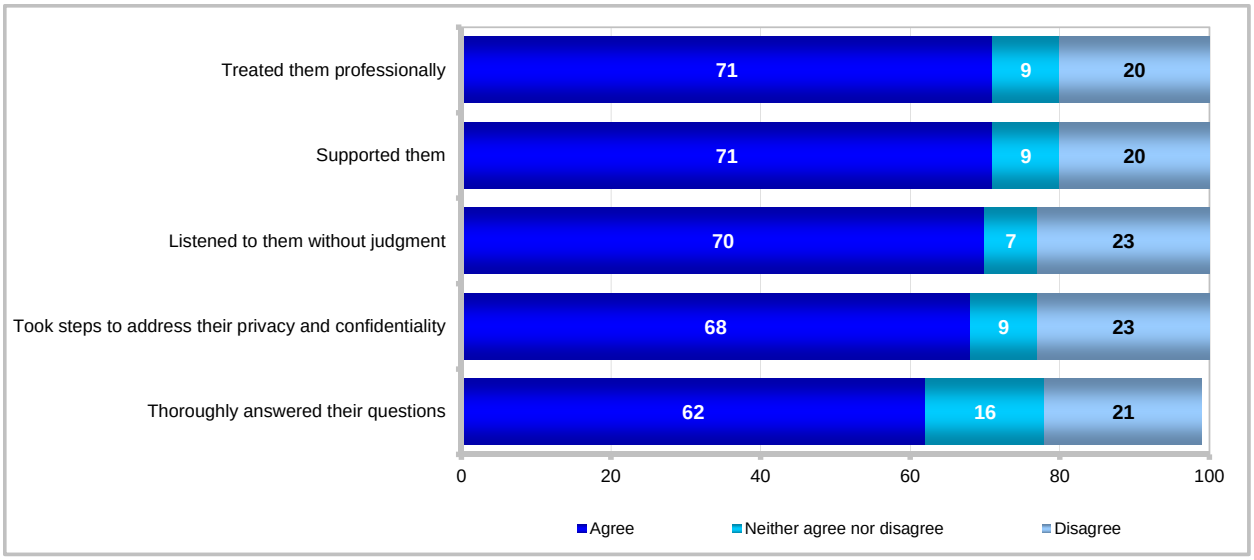
Figure 49.
Overall Satisfaction With Response of Unit Commander/Director to Report of Sexual Assault for Unrestricted Reporters



2014 SES Q42
Percent of respondents who took the survey, spoke to unit commander/director, and made an unrestricted report. Eligible number of respondents is 74.

Of the 81% of respondents who made an unrestricted report and spoke to another member in their chain of command (e.g., senior enlisted advisor or immediate supervisor) in response to the sexual assault, more than two-thirds *agreed* the other member in their chain of command *treated them professionally* and *supported them* (both 71%), *listened to them without judgment* (70%), *took steps to address their privacy and confidentiality* (68%), and *thoroughly answered their questions* (62%; Figure 50). Across these items, about one-fifth (20%-23%) indicated they *disagreed*.

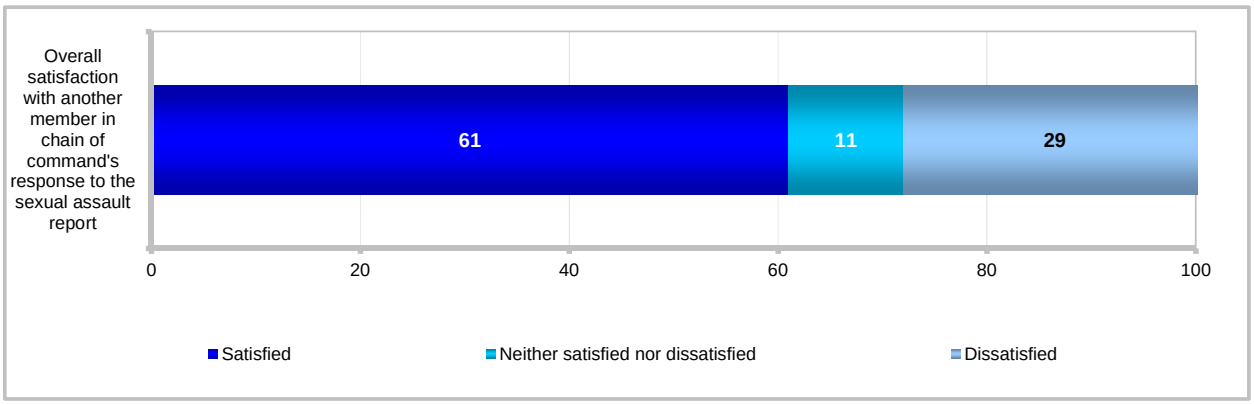
Figure 50.
Assessment of Another Member in Chain of Command's Response to Sexual Assault for Unrestricted Reporters



2014 SES Q43
Percent of applicable respondents who took the survey, spoke to another member in chain of command, and made an unrestricted report. Eligible number of respondents across these items ranges from 85 to 91.

Of the 81% of respondents who made an unrestricted report and spoke to another member in their chain of command in response to the sexual assault, about two-thirds (61%) indicated that overall they were *satisfied* with the other member's response to the report of sexual assault (Figure 51). More than one-quarter (29%) indicated they were *dissatisfied* with the other member's response to the sexual assault.

Figure 51.
Overall Satisfaction With Response of Another Member in Chain of Command to Report of Sexual Assault for Unrestricted Reporters



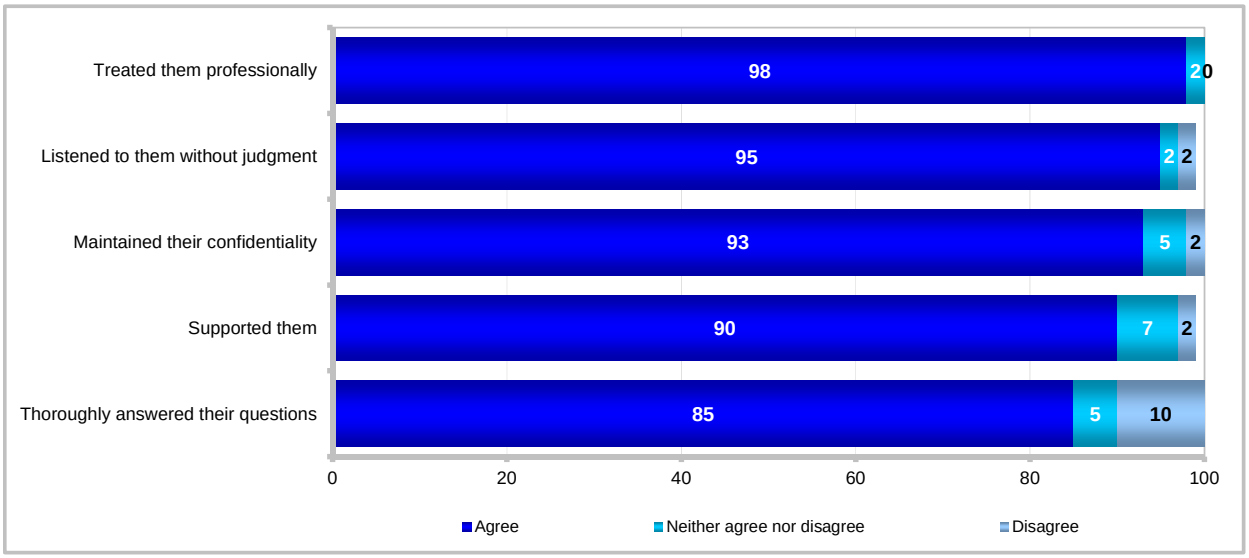
2014 SES Q44
Percent of respondents who took the survey, spoke to another member in chain of command, and made an unrestricted report. Eligible number of respondents is 94.

Chapter 7: Experiences and Satisfaction With Chaplains

While chaplains do not take restricted or unrestricted reports, they provide a confidential source of pastoral care for survivors of sexual assault. Chaplains are not mandatory reporters, so survivors who make a restricted report can speak to a chaplain without triggering an official investigation or command notification. Nearly one-third of respondents (31%) indicated they interacted with a chaplain as a result of the sexual assault. Respondents are asked on the *SES* about their satisfaction with the services and support the chaplain provided. Survey items include whether the chaplain provided the respondent support, listened to him/her without judgment, and treated him/her professionally. An additional item includes the respondent's overall satisfaction with the services provided by the chaplain. Results are presented for survey respondents at the Total DoD level.

Of the 31% of respondents who used chaplain services as a result of the sexual assault, the majority *agreed* the chaplain *treated them professionally* (98%), *listened to them without judgment* (95%), *maintained their confidentiality* (93%), *supported them* (90%), and *thoroughly answered their questions* (85%; Figure 52). Fewer respondents (between 0%-10%) indicated across these items that they *disagreed*.

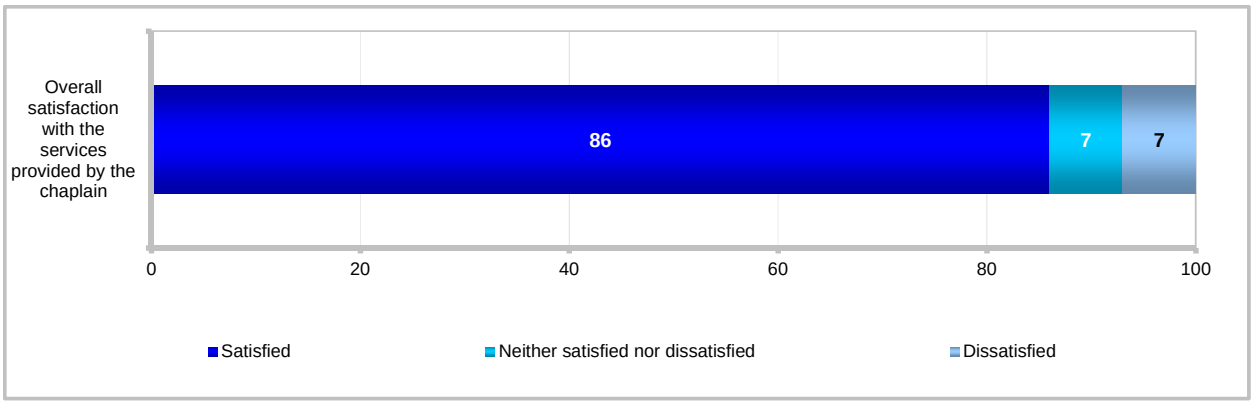
Figure 52.
Assessment of Chaplain Services Related to the Sexual Assault



2014 SES Q39
Percent of applicable respondents who took the survey and used chaplain services. Eligible number of respondents across these items ranges from 41 to 42.

Of the 31% of respondents who used chaplain services as a result of the sexual assault, the majority (86%) indicated that overall they were *satisfied* with the services provided by the chaplain, whereas 7% indicated they were *dissatisfied* (Figure 53).

Figure 53.
Overall Satisfaction With Chaplain Services After the Sexual Assault



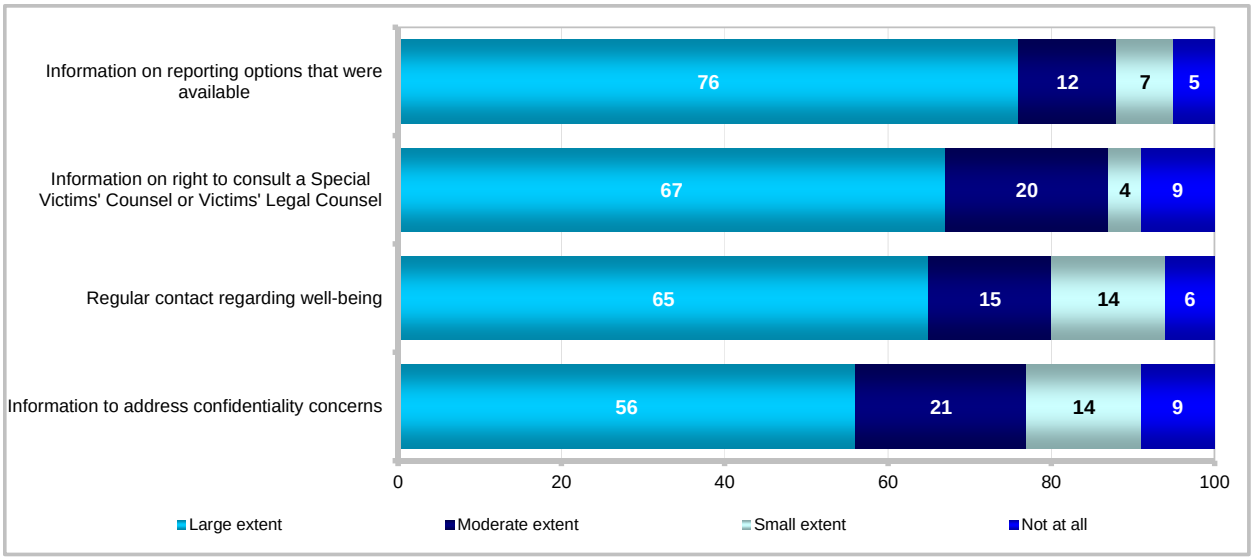
SES Q40
Percent of respondents who took the survey and used chaplain services. Eligible number of respondents is 42.

Chapter 8: Overall Experience With the Reporting Process

This section provides information on the respondent's overall experience with the Sexual Assault Prevention and Response (SAPR) program as a result of reporting a sexual assault. This includes details on whether the respondent believed he/she experienced retaliation after reporting, the overall importance of various SAPR needs throughout the reporting process, and whether the respondent would recommend others report their sexual assault. Results are presented for survey respondents at the Total DoD level.

More than half of respondents indicated, to a *large extent*, they were provided assistance with *information on the available reporting options* (76%), *information on the right to consult either a SVC or a VLC* (67%), *regular contact regarding their well-being* (65%), and *information to address confidentiality concerns* (56%; Figure 53). Between 12%-21% indicated they were provided assistance across those items to a *moderate extent*, 4%-14% to a *small extent*, and 5%-9% indicated they were *not at all* provided assistance with these items.

Figure 53.
Extent of Assistance Provided by Resources/Services After Reporting

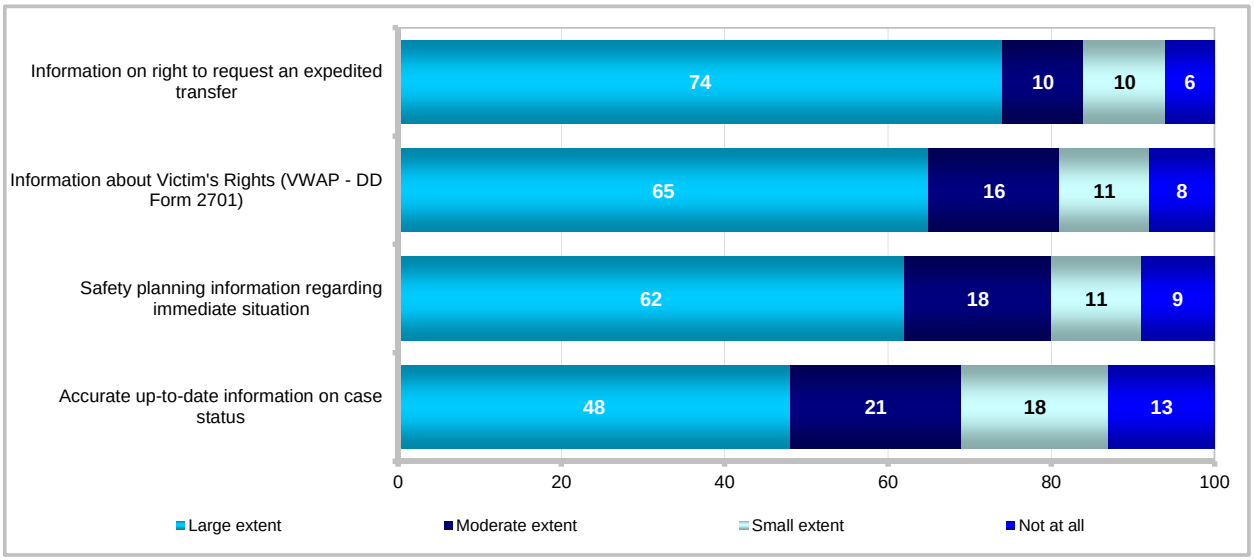


2014 SES Q45c, d, e, and f
Percent of applicable respondents who took the survey. Eligible number of respondents across these items ranges from 117 to 134.

Some resources/services are only applicable to unrestricted reporters. Of the 80% of respondents who made an unrestricted report, about three-quarters of respondents (74%) indicated, to a *large extent*, they were provided *information on the right to request an expedited transfer* (Figure 54). A little less than two-thirds indicated, to a *large extent*, they were provided *information about Victim's Rights (VWAP – DD Form 2701*; 65%) and *safety planning information regarding the immediate situation* (62%). Nearly half of respondents (48%)

indicated, to a *large extent*, they were provided *accurate up-to-date information on case status*. Between 10%-21% of respondents indicated they were provided assistance across those items to a *moderate extent*, between 10%-18% to a *small extent*, and 6%-13% indicated they were *not at all* provided these items.

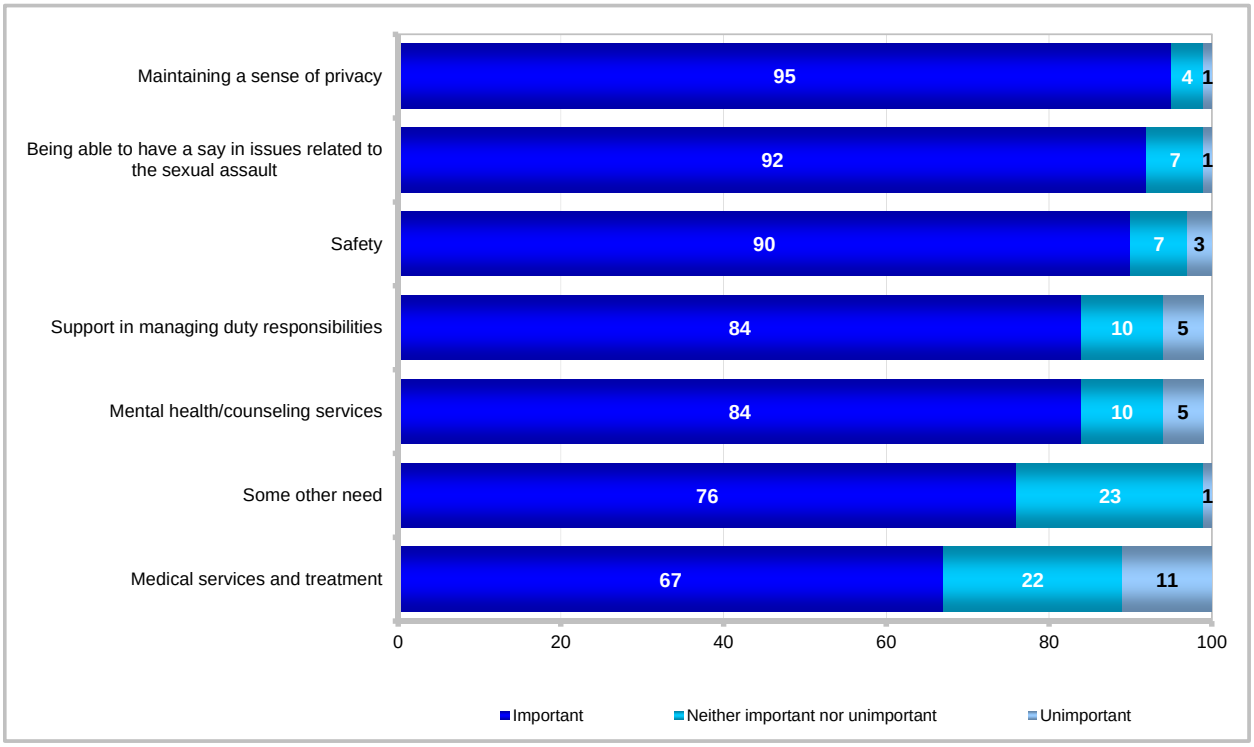
Figure 54.
Extent of Assistance Provided by Resources/Services After Reporting for Unrestricted Reporters



2014 SES Q45a, b, g, and h
Percent of applicable respondents who took the survey and made an unrestricted report. Eligible number of respondents across these items ranges from 100 to 109.

The Department is interested in understanding the ongoing needs of survivors to better serve these individuals both now and in the future. To capture this, respondents were asked about the importance of various issues during the reporting process. As shown in Figure 55, more than two-thirds of respondents indicated the following were *important* during the sexual assault reporting process: *maintaining a sense of privacy* (95%), *being able to have a say in issues related to the sexual assault* (92%), *safety* (90%), *support in managing duty responsibilities* and *mental health/counseling services* (both 84%), *some other need* (76%), and *medical services and treatment* (67%). Across these items, fewer respondents (between 1%-11%) indicated these needs were *unimportant*.

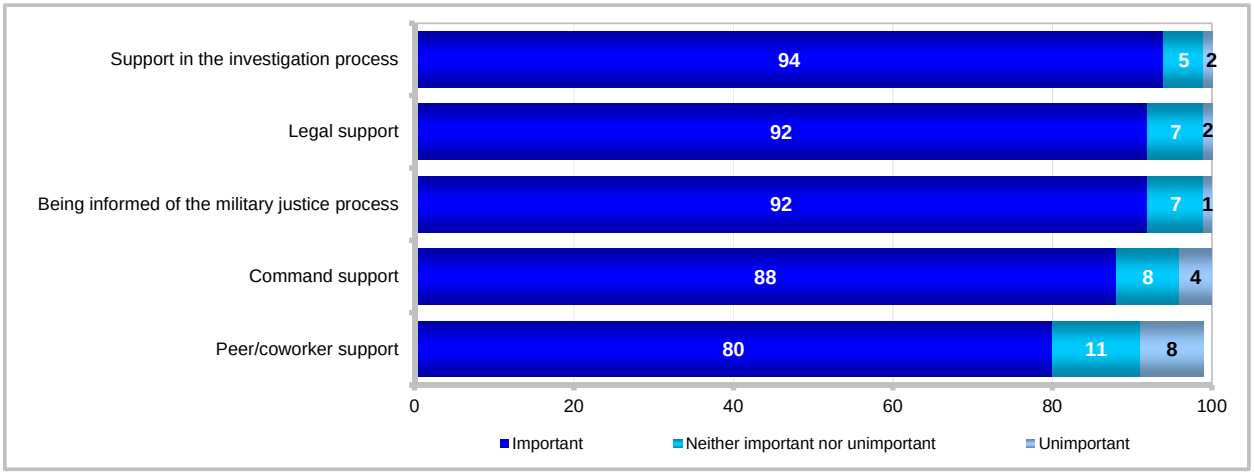
Figure 55.
Overall Importance of Sexual Assault Resources During the Reporting Process



2014 SES Q46a, b, c, i, j, k, and l
Percent of applicable respondents who took the survey. Eligible number of respondents across these items ranges from 106 to 138.

For the 80% of unrestricted reporters, the majority of respondents indicated the following were *important* during the sexual assault reporting process: *support in the investigation process* (94%), *legal support* and *being informed of the military justice process* (both 92%), *command support* (88%), and *peer/coworker support* (80%; Figure 56). Across these items, fewer respondents (between 1%-8%) indicated these needs were *unimportant*.

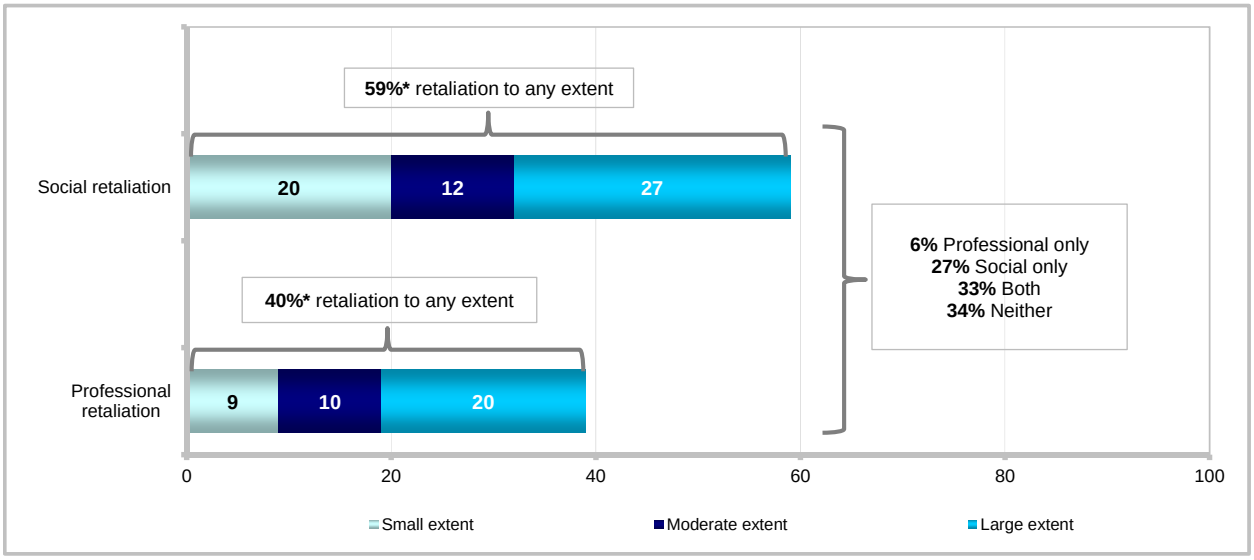
Figure 56.
Overall Importance of Sexual Assault Resources During the Reporting Process for Unrestricted Reporters



2014 SES Q46d, e, f, g, and h
Percent of respondents who took the survey and had an unrestricted report. Eligible number of respondents across these items ranges from 107 to 113.

The Department continues to work towards eliminating potential retaliation against survivors who make reports of sexual assault. To gauge this, respondents were asked about their perceived experiences with two types of retaliation: social retaliation (e.g., ignored by coworkers, blamed for the situation, made to feel responsible for changes in the unit) and professional retaliation (e.g., loss of privileges, denied promotion/training, transferred to less favorable job, unwanted increased supervision).[32] As shown in Figure 57, of the 80% of respondents who made an unrestricted report, 59% of respondents indicated they believed they experienced *social retaliation* to some extent since they reported their sexual assault (27% to a *large extent*, 12% to a *moderate extent*, and 20% to a *small extent*). Slightly less (40%) indicated they believed they experienced *professional retaliation* to some extent since they reported their sexual assault (20% to a *large extent*, 10% to a *moderate extent*, and 9% to a *small extent*). Figure 57 also provides a breakout of respondents who believed they experienced one or both types of retaliation. Overall, one-third of respondents (33%) believed they experienced both *social* and *professional* retaliation since reporting their sexual assault.

Figure 57.
Perceived Retaliation Since Reporting for Unrestricted Reporters

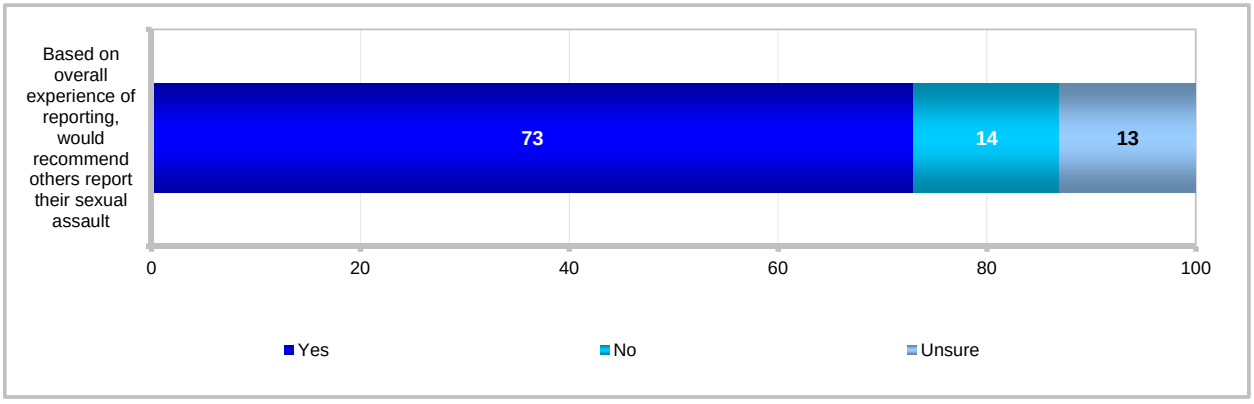


2014 SES Q47
Percent of applicable respondents who took the survey and had an unrestricted report. Eligible number of respondents across these items ranges from 108 to 111.
**Due to rounding the percentage who believed they experienced social retaliation to any extent (59%) is not equivalent to the summation of social retaliation only (27%) and both social and profession al retaliation (33%). Similarly, the percentage who believed they experienced professional retaliation to any extent (40%) is not equivalent to the summation of professional retaliation only (6%) and both social and professional retaliation (33%).*

[32] This measure captures behaviors that some survivors perceive as professional retaliation. Additional information will be collected in 2015 to better understand the experiences of survivors who believe they experienced social and/or professional retaliation.

In the DMDC *2012 Workplace and Gender Relations Survey of Active Duty Members* (*2012 WGRA*), 28% of active duty members who experienced an unwanted sexual contact in the last 12 months and did *not* report it, indicated that one reason they did not report was because they *heard about negative experiences other victims went through who reported their situation* (DMDC 2013). Given the potential impact of one survivor's experience on the future decisions of others survivors to report, one of the ways the Department measures progress is whether respondents who report a sexual assault would recommend others report as well. In the *2014 SES*, nearly three-quarters of respondents (73%) indicated based on their overall experience of reporting, *yes*, they would recommend others report their sexual assault, whereas 14% of respondents indicated *no* and 13% were *unsure* if they would recommend others report their sexual assault (Figure 58).

Figure 58.
Would Recommend Others Report Their Sexual Assault



2014 SES Q49
Percent of all respondents who took the survey. Eligible number of respondents is 143.

Chapter 9: Future Directions

The *Survivor Experience Survey* (*SES*) is an ongoing survey and the Department continues to gather data on this important population. As data are collected and analyzed, DMDC-RSSC will provide updated reports and modify the survey instrument to capture emerging issues and topics of interest. In 2015, notification and contact strategies will be modified to attempt to reach more eligible survivors who may not have regular contact with the SARCs, while still maintaining the anonymity of the survey responses and protecting the privacy of the respondent.

In addition to the data gathered on the *SES*, DMDC-RSSC is also working with the Department to develop a survey for those who have completed the military investigative and justice process in order to evaluate their experiences. In combination, these two surveys will provide the Department with a more thorough understanding of the needs, experiences, and concerns of military survivors of sexual assault.

References

DMDC. (2013). *2012 Workplace and Gender Relations Survey of Active Duty Members: Survey Note and Briefing* (Report No. 2013-007). Alexandria, VA: DMDC.

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Secretary of Defense. (2013, August 14). *Sexual Assault Prevention and Response* [Memorandum]. Washington, DC: Author.

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Turchik, J. A., & Wilson, S. M. (2010). Sexual assault in the US military: A review of the literature and recommendations for the future. *Aggression and Violent Behavior*, 15(4), 267-277.

Appendix A.
Dynamic Questionnaire

Dynamic Questionnaire

The *2014 SES* included "dynamic text" to display Service-specific terminology (e.g., Uniformed Victim Advocate [UVA] or Victim Advocate [VA]). This appendix provides the generic survey instrument and, where there was an option for dynamic text, the text is highlighted in yellow. Appendix B provides the dynamic text for these survey items.

BACKGROUND INFORMATION

1. Are you currently a uniformed military member (i.e., Title 10 or Title 32 status even if only part-time)?

- ☒ Yes
- ☒ No, I have separated or retired

2. What is your age?

- ☒ Under 18 years old
- ☒ 18-20 years old
- ☒ 21-24 years old
- ☒ 25-33 years old
- ☒ 34-45 years old
- ☒ 46-54 years old
- ☒ 55 years old or older

3. What is your Service/Reserve component?

- ☒ Army
- ☒ Army National Guard
- ☒ Army Reserve
- ☒ Navy
- ☒ Navy Reserve
- ☒ Marine Corps
- ☒ Marine Corps Reserve
- ☒ Air Force
- ☒ Air National Guard
- ☒ Air Force Reserve

It is not necessary to answer every question. You can leave any item unanswered and continue forward through the survey.

4. Are you...

- ☒ Male
- ☒ Female
- ☒ Prefer not to answer

5. What is your rank?

- ☒ Enlisted
- ☒ Officer

AWARENESS OF RESOURCES

The following questions ask about services and resources relating to the sexual assault. We realize that this is a very sensitive area and appreciate your responses to these questions.

6. Prior to the sexual assault, were you aware of the following resources? *Mark one answer for each item. If the resource did not exist at the time of your assault, mark "Did not exist".*

	Yes	No	Did not exist
a. Sexual Assault Response Coordinator (SARC)	☒	☒	☒
b. Uniformed Victim Advocate (UVA) or Victim Advocate (VA)	☒	☒	☒
c. DoD Safe Helpline (877-995-5247)	☒	☒	☒
d. Installation 24-hour helpline	☒	☒	☒
e. Local civilian 24-hour helpline	☒	☒	☒
f. Special Victims' Counsel or Victims' Legal Counsel (attorney assigned to you to represent your interests)	☒	☒	☒
g. Medical care for survivors of sexual assault (e.g., screening for sexually transmitted diseases [STDs], preventative treatment, any related follow-up medical care)	☒	☒	☒
h. Sexual Assault Forensic Examinations (SAFE) for survivors of sexual assault	☒	☒	☒
i. Mental health counseling/care for survivors of sexual assault	☒	☒	☒
j. Chaplain services for survivors of sexual assault	☒	☒	☒

REPORTING PROCESS

7. Who did you first tell about the sexual assault? *Mark one*.

- ☒ A friend
- ☒ A family member
- ☒ Your unit commander/director
- ☒ Another member in your chain of command (e.g., your immediate supervisor, First Sergeant)
- ☒ A chaplain
- ☒ A Sexual Assault Response Coordinator (SARC)
- ☒ A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)
- ☒ DoD Safe Helpline (877-995-5247)
- ☒ A medical provider, not for mental health needs (e.g., someone from a military medical treatment facility or civilian treatment facility)
- ☒ A mental health provider (e.g., counselor)
- ☒ Military law enforcement (e.g., Security Forces, MPs, Provost Marshall) or criminal investigator (e.g., CID, NCIS, OSI)
- ☒ Civilian law enforcement or called 911
- ☒ Special Victims' Counsel or Victims' Legal Counsel (attorney assigned to you to represent your interests)
- ☒ Some other military individual/organization not listed above
- ☒ Some other civilian individual/organization not listed above
- ☒ I didn't tell anyone; someone contacted me
- ☒ Unable to recall

8. [Ask if Q7 <> "A Sexual Assault Response Coordinator (SARC)" AND Q7 <> "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)"] Did the individual you first spoke to advise you to contact a Sexual Assault Response Coordinator (SARC) or a Uniformed Victim Advocate (UVA)/Victim Advocate (VA)?

- ☒ Yes
- ☒ No
- ☒ Unable to recall
- ☒ These resources did not exist at the time

DoD provides two types of reporting of sexual assault.

- Unrestricted reporting provides medical treatment and counseling services, and triggers an official investigation by a Military Criminal Investigative Organization (e.g., CID, NCIS, OSI) and command notification of the assault.
- Restricted reporting provides medical treatment and counseling services, but does not trigger an official investigation or command notification of the assault.

9. What type of report did you initially make? *Mark one*.

- ☒ An unrestricted report
- ☒ A restricted report
- ☒ Command or law enforcement was notified before you could make a reporting option choice
- ☒ Unable to recall

10. [Ask if Q9 = "An unrestricted report" OR Q9 = "Command or law enforcement was notified before you could make a reporting option choice"] To whom did you make this initial unrestricted report? *Mark one.*

- ☒ A Sexual Assault Response Coordinator (SARC)
- ☒ A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)
- ☒ A medical provider, not for mental health needs (e.g., someone from a military medical treatment facility or civilian treatment facility)
- ☒ A mental health provider (e.g., counselor)
- ☒ Legal personnel
- ☒ Someone in your chain of command
- ☒ A chaplain
- ☒ Law enforcement or criminal investigator
- ☒ Some other military individual/organization not listed above
- ☒ Some other civilian individual/organization not listed above
- ☒ Other
- ☒ Unable to recall

11. [Ask if Q9 = "A restricted report"] To whom did you make this initial restricted report? *Mark one.*

- ☒ A Sexual Assault Response Coordinator (SARC)
- ☒ A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)
- ☒ Healthcare personnel
- ☒ Other
- ☒ Unable to recall

12. [Ask if Q9 = "A restricted report"] **Was your restricted report converted to an unrestricted report? *Mark one*.**

- ☒ Yes, I chose to convert the restricted report to an unrestricted report
- ☒ No, I kept my restricted report but the matter was investigated and reported to the command without my participation
- ☒ No, it remained restricted
- ☒ Unable to recall

13. Did you talk to any of the following individuals or interact with any of the following service providers as a result of the sexual assault? *Mark "Yes" or "No" for each item*.

	Yes	No
a. [Ask if Q7 <> "Your unit commander/ director"] Your unit commander/director	☒	☒
b. Your senior enlisted advisor (e.g., First or Master Sergeant, Chief Petty Officer)	☒	☒
c. Your immediate supervisor	☒	☒
d. [Ask if Q7 <> "A Sexual Assault Response Coordinator (SARC)" AND Q10 <> "A Sexual Assault Response Coordinator (SARC)" AND (Q11 <> "A Sexual Assault Response Coordinator (SARC)")] A Sexual Assault Response Coordinator (SARC)	☒	☒
e. [Ask if Q7 <> "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" AND Q10 <> "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" AND Q11 <> "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)"] A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)	☒	☒
f. [Ask if Q7 <> "A medical provider, not for mental health needs (e.g., someone from a military medical treatment facility or civilian treatment facility)" AND Q10 <> "A medical provider, not for mental health needs (e.g., someone from a military medical treatment facility or civilian treatment facility)"] A medical provider, not for mental health needs (e.g., someone from a military medical treatment facility or civilian treatment facility)	☒	☒
g. [Ask if Q7 <> "A mental health provider (e.g., counselor)" AND Q10 <> "A mental health provider (e.g. counselor)"] A mental health provider (e.g., counselor)	☒	☒
h. [Ask if Q7 <> "Special Victims' Counsel or Victims' Legal Counsel (attorney assigned to you to represent your interests)"] Special Victims' Counsel or Victims' Legal Counsel (attorney assigned to you to represent your interests)	☒	☒
i. [Ask if Q7 <> "A chaplain" AND Q10 <> "A chaplain"] A chaplain	☒	☒

REPORTING EXPERIENCE

14. [Ask if Q7 = "A Sexual Assault Response Coordinator (SARC)" OR Q10 = "A Sexual Assault Response Coordinator (SARC)" OR Q11 = "A Sexual Assault Response Coordinator (SARC)" OR Q13 d = "Yes"] **Thinking of your experience with the Sexual Assault Response Coordinator (SARC), how much do you agree or disagree with the following statements? *Mark one answer for each item*.**

	Not applicable	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
a. He/she supported you	☒	☒	☒	☒	☒	☒
b. He/she listened to you without judgment	☒	☒	☒	☒	☒	☒
c. He/she thoroughly answered your questions.	☒	☒	☒	☒	☒	☒
d. He/she treated you professionally	☒	☒	☒	☒	☒	☒
e. He/she advocated on your behalf, when needed.	☒	☒	☒	☒	☒	☒
f. He/she did not rush you to make decisions (e.g., what type of report to make or whether to seek medical treatment).	☒	☒	☒	☒	☒	☒

15. [Ask if Q7 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q10 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q11 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q13 e = "Yes"] **You indicated that you interacted with a Uniformed Victim Advocate (UVA) or a Victim Advocate (VA). Was he/she a...**

- ☒ Uniformed Victim Advocate (UVA)?
- ☒ Victim Advocate (VA)?
- ☒ Both a Uniformed Victim Advocate (UVA) and Victim Advocate (VA)?
- ☒ Unable to recall?

16. [Ask if (Q7 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q10 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q11 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q13 e = "Yes") AND (Q15 = "Uniformed Victim Advocate (UVA)?" OR Q15 = "Both a Uniformed Victim Advocate (UVA) and Victim Advocate (VA)?")] **Thinking of your experience with the Uniformed Victim Advocate (UVA), how much do you agree or disagree with the following statements?** ***Mark one answer for each item*.**

	Not applicable	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
a. He/she supported you.	☒	☒	☒	☒	☒	☒
b. He/she listened to you without judgment.	☒	☒	☒	☒	☒	☒
c. He/she thoroughly answered your questions.	☒	☒	☒	☒	☒	☒
d. He/she treated you professionally.	☒	☒	☒	☒	☒	☒
e. He/she advocated on your behalf, when needed.	☒	☒	☒	☒	☒	☒
f. He/she did not rush you to make decisions (e.g., what type of report to make or whether to seek medical treatment).	☒	☒	☒	☒	☒	☒

17. [Ask if (Q7 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q10 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q11 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q13 e = "Yes") AND (Q15 = "Victim Advocate (VA)?" OR Q15 = "Both a Uniformed Victim Advocate (UVA) and Victim Advocate (VA)?")] **Thinking of your experience with the Victim Advocate (VA), how much do you agree or disagree with the following statements?** ***Mark one answer for each item*.**

	Not applicable	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
a. He/she supported you.	☒	☒	☒	☒	☒	☒
b. He/she listened to you without judgment.	☒	☒	☒	☒	☒	☒
c. He/she thoroughly answered your questions.	☒	☒	☒	☒	☒	☒
d. He/she treated you professionally.	☒	☒	☒	☒	☒	☒
e. He/she advocated on your behalf, when needed.	☒	☒	☒	☒	☒	☒

	Not applicable	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
f. He/she did not rush you to make decisions (e.g., what type of report to make or whether to seek medical treatment).	☒	☒	☒	☒	☒	☒

18. [Ask if Q7 = "A Sexual Assault Response Coordinator (SARC)" OR Q7 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q10 = "A Sexual Assault Response Coordinator (SARC)" OR Q10 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q11 = "A Sexual Assault Response Coordinator (SARC)" OR Q11 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q13 d = "Yes" OR Q13 e = "Yes"] **Did the Sexual Assault Response Coordinator (SARC) or the Uniformed Victim Advocate (UVA)/Victim Advocate (VA) accompany you to a clinic or hospital?**

☒ Yes

☒ No

☒ Not applicable

19. [Ask if Q7 = "A Sexual Assault Response Coordinator (SARC)" OR Q7 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q10 = "A Sexual Assault Response Coordinator (SARC)" OR Q10 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q11 = "A Sexual Assault Response Coordinator (SARC)" OR Q11 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q13 d = "Yes" OR Q13 e = "Yes"] **Thinking about the overall assistance you received from your Sexual Assault Response Coordinator (SARC) or the Uniformed Victim Advocate (UVA)/Victim Advocate (VA), to what extent were you assisted with the following?** ***Mark one answer for each item*.**

	Not applicable	Not at all	Small extent	Moderate extent	Large extent
a. Notifying command	☒	☒	☒	☒	☒
b. Dealing with law enforcement.....	☒	☒	☒	☒	☒
c. Dealing with legal services.....	☒	☒	☒	☒	☒
d. Dealing with mental health services.....	☒	☒	☒	☒	☒
e. Referral to other services (e.g., family advocacy, chaplain)	☒	☒	☒	☒	☒
f. Assistance with follow-up services or case status	☒	☒	☒	☒	☒
g. Managing other services and concerns related to sexual assault	☒	☒	☒	☒	☒
h. Keeping you informed throughout the process	☒	☒	☒	☒	☒

20. [Ask if Q7 = "A Sexual Assault Response Coordinator (SARC)" OR Q10 = "A Sexual Assault Response Coordinator (SARC)" OR Q11 = "A Sexual Assault Response Coordinator (SARC)" OR Q13 d = "Yes"] **Overall, how satisfied are you with the services provided to you by the Sexual Assault Response Coordinator (SARC)?**

☒ Very satisfied

☒ Satisfied

☒ Neither satisfied nor dissatisfied

☒ Dissatisfied

☒ Very dissatisfied

21. [Ask if Q7 = "A Sexual Assault Response Coordinator (SARC)" OR Q10 = "A Sexual Assault Response Coordinator (SARC)" OR Q11 = "A Sexual Assault Response Coordinator (SARC)" OR Q13 d = "Yes"] **If someone you know was sexually assaulted, how likely are you to recommend they meet with a Sexual Assault Response Coordinator (SARC)?**

- ☒ Very likely
- ☒ Likely
- ☒ Neither likely nor unlikely
- ☒ Unlikely
- ☒ Very unlikely

22. [Ask if (Q7 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q10 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q11 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q13 e = "Yes") AND (Q15 = "Uniformed Victim Advocate (UVA)?" OR Q15 = "Both a Uniformed Victim Advocate (UVA) and Victim Advocate (VA)?")] **Overall, how satisfied are you with the services provided to you by the Uniformed Victim Advocate (UVA)?**

- ☒ Very satisfied
- ☒ Satisfied
- ☒ Neither satisfied nor dissatisfied
- ☒ Dissatisfied
- ☒ Very dissatisfied

23. [Ask if (Q7 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q10 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q11 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q13 e = "Yes") AND (Q15 = "Victim Advocate (VA)?" OR Q15 = "Both a Uniformed Victim Advocate (UVA) and Victim Advocate (VA)?")] **Overall, how satisfied are you with the services provided to you by the Victim Advocate (VA)?**

- ☒ Very satisfied
- ☒ Satisfied
- ☒ Neither satisfied nor dissatisfied
- ☒ Dissatisfied
- ☒ Very dissatisfied

24. [Ask if Q7 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q10 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q11 = "A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)" OR Q13 e = "Yes"] **If someone you know was sexually assaulted, how likely are you to recommend they meet with a Uniformed Victim Advocate (UVA) or Victim Advocate (VA)?**

- ☒ Very likely
- ☒ Likely
- ☒ Neither likely nor unlikely
- ☒ Unlikely
- ☒ Very unlikely

25. **After the sexual assault, did you receive medical care? *Mark one*.**

- ☒ Yes, at a military hospital or medical center (of any military Service) that has a 24/7 emergency room
- ☒ Yes, at another military medical treatment facility (clinic, sick bay, etc.)
- ☒ Yes, at a civilian medical treatment facility (on or off post)
- ☒ No, I did not seek or want medical care
- ☒ No, I wanted medical care, but it was not available and/or offered

26. [Ask if Q25 = "Yes, at a military hospital or medical center (of any military Service) that has a 24/7 emergency room" OR Q25 = "Yes, at another military medical treatment facility (clinic, sick bay, etc.)" OR Q25 = "Yes, at a civilian medical treatment facility (on or off post)"] **Thinking of the medical services you received for the sexual assault, how much do you agree or disagree with the following statements? *Mark one answer for each item*.**

	Not applicable	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
a. The provider supported you.	☒	☒	☒	☒	☒	☒
b. The provider listened to you without judgment.	☒	☒	☒	☒	☒	☒

	Not applicable	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
c. The provider treated you professionally.....	☒	☒	☒	☒	☒	☒
d. The provider thoroughly answered your questions.	☒	☒	☒	☒	☒	☒
e. The medical exam was appropriate for the reason for your visit.	☒	☒	☒	☒	☒	☒
f. The provider maintained your confidentiality.	☒	☒	☒	☒	☒	☒
g. The provider explained the steps in the exam to you.	☒	☒	☒	☒	☒	☒
h. The provider did not rush you to make decisions (e.g., to receive a Sexual Assault Forensic Examination [SAFE]).	☒	☒	☒	☒	☒	☒

27. **[Ask if Q25 = "Yes, at a military hospital or medical center (of any military Service) that has a 24/7 emergency room" OR Q25 = "Yes, at another military medical treatment facility (clinic, sick bay, etc.)" OR Q25 = "Yes, at a civilian medical treatment facility (on or off post)"] Thinking of the medical services you received for the sexual assault, to what extent were you provided with the following? *Mark one answer for each item*.**

	Not applicable	Not at all	Small extent	Moderate extent	Large extent
a. Information on health options.....	☒	☒	☒	☒	☒
b. Adequate follow-up care.....	☒	☒	☒	☒	☒
c. Necessary items/care (e.g., replacement clothing, toiletries).....	☒	☒	☒	☒	☒

28. **[Ask if Q25 = "Yes, at a military hospital or medical center (of any military Service) that has a 24/7 emergency room" OR Q25 = "Yes, at another military medical treatment facility (clinic, sick bay, etc.)" OR Q25 = "Yes, at a civilian medical treatment facility (on or off post)"] As part of your medical visit(s), did you receive care for a medical (physical) injury that occurred during the assault?**

- ☒ Yes, I received this care on base
- ☒ Yes, I received this care off base
- ☒ No
- ☒ Unable to recall

29. **[Ask if Q25 = "Yes, at a military hospital or medical center (of any military Service) that has a 24/7 emergency room" OR Q25 = "Yes, at another military medical treatment facility (clinic, sick bay, etc.)" OR Q25 = "Yes, at a civilian medical treatment facility (on or off post)"] As part of your medical visit(s), did you receive a Sexual Assault Forensic Examination (SAFE) for evidence collection?**

- ☒ Yes, I received this exam on base
- ☒ Yes, I received this exam off base
- ☒ No
- ☒ Unable to recall

30. [Ask if (Q25 = "Yes, at a military hospital or medical center (of any military Service) that has a 24/7 emergency room" OR Q25 = "Yes, at another military medical treatment facility (clinic, sick bay, etc.)" OR Q25 = "Yes, at a civilian medical treatment facility (on or off post)") AND Q29 = "No"] **Why did you not receive a Sexual Assault Forensic Examination (SAFE) for evidence collection?**

- ☒ I was not offered an examination.
- ☒ I declined the examination.
- ☒ It was explained to me that my medical visit occurred outside of the required time frame to receive this examination.
- ☒ Prefer not to answer

31. [Ask if Q25 = "Yes, at a military hospital or medical center (of any military Service) that has a 24/7 emergency room" OR Q25 = "Yes, at another military medical treatment facility (clinic, sick bay, etc.)" OR Q25 = "Yes, at a civilian medical treatment facility (on or off post)"] **In general, did you get all of the medical care you requested?**

- ☒ Yes
- ☒ No
- ☒ Not applicable

32. [Ask if Q25 = "Yes, at a military hospital or medical center (of any military Service) that has a 24/7 emergency room" OR Q25 = "Yes, at another military medical treatment facility (clinic, sick bay, etc.)" OR Q25 = "Yes, at a civilian medical treatment facility (on or off post)"] **Overall, how satisfied are you with the medical services you received for the sexual assault?**

- ☒ Very satisfied
- ☒ Satisfied
- ☒ Neither satisfied nor dissatisfied
- ☒ Dissatisfied
- ☒ Very dissatisfied

33. **After the sexual assault, did you receive mental health care (e.g., counseling)?**

- ☒ Yes, at a military hospital or medical center (of any military Service) that has a 24/7 emergency room
- ☒ Yes, at another military mental health treatment facility (clinic, sick bay, etc.)
- ☒ Yes, at a civilian mental health treatment facility (on or off post)
- ☒ No, I did not seek or want mental health care
- ☒ No, I wanted mental health care, but it was not available and/or offered

34. [Ask if Q33 = "Yes, at a military hospital or medical center (of any military Service) that has a 24/7 emergency room" OR Q33 = "Yes, at another military mental health treatment facility (clinic, sick bay, etc.)" OR Q33 = "Yes, at a civilian mental health treatment facility (on or off post)"] **Thinking of the mental health services you received for the sexual assault, how much do you agree or disagree with the following statements? *Mark one answer for each item*.**

	Not applicable	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
a. The provider supported you.	☒	☒	☒	☒	☒	☒
b. The provider listened to you without judgment.	☒	☒	☒	☒	☒	☒
c. The provider treated you professionally.	☒	☒	☒	☒	☒	☒
d. The provider thoroughly answered your questions.	☒	☒	☒	☒	☒	☒
e. The provider seemed knowledgeable about dealing with sexual assault in the military.	☒	☒	☒	☒	☒	☒
f. The provider's questions were appropriate for the reason for your visit.	☒	☒	☒	☒	☒	☒

	Not applicable	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
g. The provider maintained your confidentiality.	☒	☒	☒	☒	☒	☒

35. [Ask if Q33 = "Yes, at a military hospital or medical center (of any military Service) that has a 24/7 emergency room" OR Q33 = "Yes, at another military mental health treatment facility (clinic, sick bay, etc.)" OR Q33 = "Yes, at a civilian mental health treatment facility (on or off post)"] **Thinking of the mental health services you received for the sexual assault, to what extent were you provided with the following? *Mark one answer for each item*.**

	Not applicable	Not at all	Small extent	Moderate extent	Large extent
a. Information on mental health treatment options	☒	☒	☒	☒	☒
b. Adequate follow-up care	☒	☒	☒	☒	☒

36. [Ask if Q33 = "Yes, at a military hospital or medical center (of any military Service) that has a 24/7 emergency room" OR Q33 = "Yes, at another military mental health treatment facility (clinic, sick bay, etc.)" OR Q33 = "Yes, at a civilian mental health treatment facility (on or off post)"] **Overall, how satisfied are you with the mental health services you received for the sexual assault?**

- ☒ Very satisfied
- ☒ Satisfied
- ☒ Neither satisfied nor dissatisfied
- ☒ Dissatisfied
- ☒ Very dissatisfied

37. [Ask if Q7 = "Special Victims' Counsel or Victims' Legal Counsel (attorney assigned to you to represent your interests)" OR Q13 h = "Yes"] **Thinking of your experience with the Special Victims' Counsel or Victims' Legal Counsel, how much do you agree or disagree with the following statements? *Mark one answer for each item*.**

	Not applicable	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
a. He/she supported you.	☒	☒	☒	☒	☒	☒
b. He/she listened to you without judgment.	☒	☒	☒	☒	☒	☒
c. He/she thoroughly answered your questions.	☒	☒	☒	☒	☒	☒
d. He/she treated you professionally.	☒	☒	☒	☒	☒	☒

38. [Ask if Q7 = "Special Victims' Counsel or Victims' Legal Counsel (attorney assigned to you to represent your interests)" OR Q13 h = "Yes"] **Overall, how satisfied are you with the services provided to you by the Special Victims' Counsel or Victims' Legal Counsel?**

- ☒ Very satisfied
- ☒ Satisfied
- ☒ Neither satisfied nor dissatisfied
- ☒ Dissatisfied
- ☒ Very dissatisfied

39. [Ask if Q7 = "A chaplain" OR Q10 = "A chaplain" OR Q13 i = "Yes"] **Thinking of your experience with the chaplain related to the sexual assault, how much do you agree or disagree with the following statements? *Mark one answer for each item.***

	Not applicable	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
a. He/she supported you.	☒	☒	☒	☒	☒	☒
b. He/she listened to you without judgment.	☒	☒	☒	☒	☒	☒
c. He/she thoroughly answered your questions.	☒	☒	☒	☒	☒	☒
d. He/she treated you professionally.	☒	☒	☒	☒	☒	☒
e. He/she maintained your confidentiality.	☒	☒	☒	☒	☒	☒

40. [Ask if Q7 = "A chaplain" OR Q10 = "A chaplain" OR Q13 i = "Yes"] **Overall, how satisfied are you with the services provided to you by the chaplain?**

- ☒ Very satisfied
- ☒ Satisfied
- ☒ Neither satisfied nor dissatisfied
- ☒ Dissatisfied
- ☒ Very dissatisfied

41. [Ask if Q7 = "Your unit commander/director" OR Q13 a = "Yes"] **Thinking of your unit commander's response to your report of the sexual assault, how much do you agree or disagree with the following statements? *Mark one answer for each item*.**

	Not applicable	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
a. He/she supported you.	☒	☒	☒	☒	☒	☒
b. He/she listened to you without judgment.	☒	☒	☒	☒	☒	☒
c. He/she thoroughly answered your questions.	☒	☒	☒	☒	☒	☒
d. He/she treated you professionally.	☒	☒	☒	☒	☒	☒
e. He/she took steps to address your privacy and confidentiality.	☒	☒	☒	☒	☒	☒

42. [Ask if Q7 = "Your unit commander/director" OR Q13 a = "Yes"] **Overall, how satisfied are you with your unit commander's response to the sexual assault?**

- ☒ Very satisfied
- ☒ Satisfied
- ☒ Neither satisfied nor dissatisfied
- ☒ Dissatisfied
- ☒ Very dissatisfied

43. [Ask if Q7 = "Another member in your chain of command (e.g., your immediate supervisor, First Sergeant)" OR Q10 = "Someone in your chain of command" OR Q13 b = "Yes" OR Q13 c = "Yes"] **Thinking of your command's (e.g., your senior enlisted advisor, your immediate supervisor) overall response to your report of the sexual assault, how much do you agree or disagree with the following statements?** ***Mark one answer for each item.***

	Not applicable	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
a. They supported you.	☒	☒	☒	☒	☒	☒
b. They listened to you without judgment.	☒	☒	☒	☒	☒	☒
c. They thoroughly answered your questions.	☒	☒	☒	☒	☒	☒
d. They treated you professionally.	☒	☒	☒	☒	☒	☒
e. They took steps to address your privacy and confidentiality.	☒	☒	☒	☒	☒	☒

44. [Ask if Q7 = "Another member in your chain of command (e.g., your immediate supervisor, First Sergeant)" OR Q10 = "Someone in your chain of command" OR Q13 b = "Yes" OR Q13 c = "Yes"] **Overall, how satisfied are you with your command's (e.g., your senior enlisted advisor, your immediate supervisor) response to the sexual assault?**

- ☒ Very satisfied
- ☒ Satisfied
- ☒ Neither satisfied nor dissatisfied
- ☒ Dissatisfied
- ☒ Very dissatisfied

45. Thinking about all the resources or services you used after reporting, to what extent were you provided with the following? ***Mark one answer for each item.***

	Not applicable	Not at all	Small extent	Moderate extent	Large extent
a. Safety planning information regarding your immediate situation (e.g., steps to take should the offender try to contact you, information regarding a Military Protection Order and/or a Civilian Protection Order, risk assessment)	☒	☒	☒	☒	☒
b. Accurate up-to-date information on your case status	☒	☒	☒	☒	☒
c. Information to address your confidentiality concerns (e.g., your right to privacy)	☒	☒	☒	☒	☒
d. Information on reporting options that were available to you	☒	☒	☒	☒	☒
e. Regular contact regarding your well-being (e.g., your Sexual Assault Response Coordinator [SARC] or Uniformed Victim Advocate [UVA]/Victim Advocate [VA] checked in with you to address any new concerns, case management, referrals)	☒	☒	☒	☒	☒
f. Information on your right to consult a Special Victims' Counsel or Victims' Legal Counsel	☒	☒	☒	☒	☒
g. Information on your right to request an expedited transfer	☒	☒	☒	☒	☒
h. Information about Victim's Rights (VWAP - DD Form 2701)	☒	☒	☒	☒	☒

GENERAL EXPERIENCES

46. Thinking about your overall needs during this process, how important were the following to you? *Mark one answer for each item*.

	Not applicable	Very unimportant	Unimportant	Neither important nor unimportant	Important	Very important
a. Medical services and treatment	☒	☒	☒	☒	☒	☒
b. Mental health/ counseling services	☒	☒	☒	☒	☒	☒
c. Maintaining a sense of privacy	☒	☒	☒	☒	☒	☒
d. Legal support	☒	☒	☒	☒	☒	☒
e. Peer/coworker support	☒	☒	☒	☒	☒	☒
f. Command support	☒	☒	☒	☒	☒	☒
g. Support in the investigation process	☒	☒	☒	☒	☒	☒
h. Being informed of the military justice process	☒	☒	☒	☒	☒	☒
i. Support in managing duty responsibilities	☒	☒	☒	☒	☒	☒
j. Safety	☒	☒	☒	☒	☒	☒
k. Being able to have a say in issues related to the sexual assault	☒	☒	☒	☒	☒	☒
l. Some other need	☒	☒	☒	☒	☒	☒

47. Since you reported the sexual assault, to what extent has the following occurred? *Mark one answer for each item*.

	Not applicable	Large extent	Moderate extent	Small extent	Not at all
a. You experienced professional retaliation (e.g., loss of privileges, denied promotion/training, transferred to less favorable job, unwanted increased supervision).	☒	☒	☒	☒	☒
b. You experienced social retaliation (e.g., ignored by coworkers, blamed for the situation, made to feel responsible for changes in the unit).	☒	☒	☒	☒	☒

48. Were you deployed to a remote location when you were sexually assaulted (e.g., on a ship or in a combat zone)?

- ☒ Yes
- ☒ No
- ☒ Unable to recall

49. Based on your overall experience of the reporting process and services, would you recommend that others report their sexual assault?

- ☒ Yes
- ☒ No
- ☒ Unsure

ARMY

50. [Ask if (Q3 = "Army" OR Q3 = "Army Reserve") AND (Q47 b = "Small extent" OR Q47 b = "Moderate extent" OR Q47 b = "Large extent")] You previously reported experiencing some sort of social retaliation since you reported your sexual assault. Was any of the retaliation you experienced via social media (e.g., Facebook, texting, Twitter)?

- ☒ Yes
- ☒ No

NATIONAL GUARD

51. [Ask if Q3 = "Army National Guard" OR Q3 = "Air National Guard"] **Were you in a duty or drill status at the time of the assault?**

- ☒ Yes
- ☒ No
- ☒ Unable to recall

52. [Ask if (Q3 = "Army National Guard" OR Q3 = "Air National Guard") AND Q51 = "Yes"] **Were you given the option of obtaining a Line of Duty (LOD) to cover medical expenses?**

- ☒ Yes
- ☒ No
- ☒ Unable to recall

53. [Ask if (Q3 = "Army National Guard" OR Q3 = "Air National Guard") AND Q51 = "No"] **Were you offered referrals to civilian victim advocacy resources?**

- ☒ Yes
- ☒ No
- ☒ Unable to recall

54. [Ask if Q3 = "Army National Guard" OR Q3 = "Air National Guard"] **Did you have any concerns about whether or not a Victim Advocate (VA) within your own unit would maintain confidentiality?**

- ☒ Yes
- ☒ No

55. [Ask if (Q3 = "Army National Guard" OR Q3 = "Air National Guard") AND Q54 = "Yes"] **Did you express those concerns to your Sexual Assault Response Coordinator (SARC)?**

- ☒ Yes
- ☒ No
- ☒ Unable to recall

56. [Ask if (Q3 = "Army National Guard" OR Q3 = "Air National Guard") AND Q54 = "Yes"] **Were you offered the opportunity to have a Victim Advocate (VA) from a different unit or National Guard service?**

- ☒ Yes
- ☒ No
- ☒ Unable to recall

MARINE CORPS: INSTALLATION 24/7 HELPLINE

The Marine Corps has some additional questions about the services you used and your experiences.

57. [Ask if Q3 = "Marine Corps" OR Q3 = "Marine Corps Reserve"] **Did you use your installation 24/7 Helpline?**

- ☒ Yes
- ☒ No
- ☒ Unable to recall

58. [Ask if (Q3 = "Marine Corps" OR Q3 = "Marine Corps Reserve") AND Q57 = "Yes"] **How satisfied were you with the services provided by the 24/7 Helpline overall?**

- ☒ Very satisfied
- ☒ Satisfied
- ☒ Neither satisfied nor dissatisfied
- ☒ Dissatisfied
- ☒ Very dissatisfied

MARINE CORPS: RESTRICTED REPORT

59. [Ask if (Q3 = "Marine Corps" OR Q3 = "Marine Corps Reserve") AND Q9 = "A restricted report"] **What were your reasons for making an initial restricted report? *Mark all that apply*.**

- ☒ I did not want my chain of command to know.
- ☒ I did not want other people in my unit to find out I was assaulted.
- ☒ I did not want to go through an investigation.
- ☒ I did not want to appear in court.
- ☒ I did not want the perpetrator to get in trouble.
- ☒ I wanted access to mental health services.
- ☒ I wanted access to medical services.
- ☒ I felt pressured to.
- ☒ Other
- ☒ Don't know

MARINE CORPS: UNRESTRICTED REPORT

60. [Ask if (Q3 = "Marine Corps" OR Q3 = "Marine Corps Reserve") AND Q9 = "An unrestricted report"] **What were your reasons for making an initial unrestricted report? *Mark all that apply*.**

- ☒ I wanted the support of my chain of command.
- ☒ I wanted the perpetrator to be investigated.
- ☒ I wanted to hold the perpetrator accountable.
- ☒ I wanted to be heard in court.
- ☒ I felt pressured to.
- ☒ I was not given a choice.
- ☒ Other
- ☒ Don't know

61. [Ask if (Q3 = "Marine Corps" OR Q3 = "Marine Corps Reserve") AND (Q9 = "An unrestricted report" OR (Q9 = "A restricted report" AND Q12 = "Yes, I chose to convert the restricted report to an unrestricted report"))] **If you made an unrestricted report but then declined to participate in the investigation or to appear in court, select the statements that best apply to your situation. *Mark all that apply*.**

- ☒ Not applicable, I did participate throughout the entire process.
- ☒ I did not want to participate in an investigation.
- ☒ The investigation was/would have been too emotionally difficult.
- ☒ The investigation took too much time.
- ☒ I did not want to appear in court.
- ☒ Appearing in court was/would have been too emotionally difficult.
- ☒ The court process took too much time.
- ☒ I changed my mind about filing an unrestricted report.
- ☒ I was not given the choice to file a restricted report.
- ☒ Other

TAKING THE SURVEY

62. [Ask if Q1 = "No, I have separated or retired" OR Q2 = "Under 18 years old"] **Based on your answer to the previous question(s), you are ineligible to take this survey. To be eligible, you must currently be a uniformed military member and 18 years old or older. If you feel you have encountered this message in error, click the back arrow button and check your answer(s).**

To submit your answers click *Submit*. For further help, please call our Survey Processing Center toll-free at 1-800-881-5307, or e-mail DODHRA.SES-Survey@mail.mil.

Appendix B.
Questionnaire-Specific Service Text

Questionnaire-Specific Service Text

2014 SES used dynamic text to present Service-specific terms to. The tables below indicate the text presented to respondents by Service.

Table B-1.
Questionnaire Service-Specific Text

Question text with default text	Services/Reserve Components				
	Army or Army Reserve	**Navy or Navy Reserve**	**Marine Corps or Marine Corps Reserve**	**Air Force or Air Force Reserve**	**Army National Guard or Air National Guard**
6. **Prior to the sexual assault, were you aware of the following resources?** ***Mark one answer for each item. If the resource did not exist at the time of your assault, mark "Did not exist".*** Did not exist / No / Yes b. Uniformed Victim Advocate (UVA) or Victim Advocate (VA) ☒ ☒ ☒	SHARP Victim Advocate (VA)	Unit Sexual Assault Prevention and Response Victim Advocate (Unit SAPR VA) or Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Uniformed Victim Advocate (UVA) or Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Sexual Assault Prevention and Response Victim Advocate (SAPR VA) or Volunteer Victim Advocate (VVA)	Uniformed Victim Advocate (UVA) or Sexual Assault Prevention and Response Victim Advocate (SAPR VA)
7. **Who did you <u>first</u> tell about the sexual assault?** ***Mark one.*** ☒ A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)	SHARP Victim Advocate (VA)	Unit Sexual Assault Prevention and Response Victim Advocate (Unit SAPR VA) or Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Uniformed Victim Advocate (UVA) or Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Sexual Assault Prevention and Response Victim Advocate (SAPR VA) or Volunteer Victim Advocate (VVA)	Uniformed Victim Advocate (UVA) or Sexual Assault Prevention and Response Victim Advocate (SAPR VA)

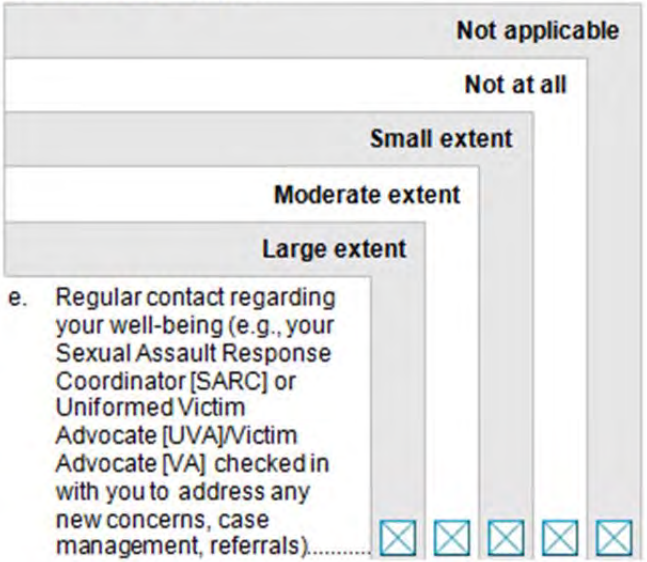
Question text with default text	Services/Reserve Components				
8. Did the individual you first spoke to advise you to contact a Sexual Assault Response Coordinator (SARC) or a Uniformed Victim Advocate (UVA)/Victim Advocate (VA)?	SHARP Victim Advocate (VA)	Unit Sexual Assault Prevention and Response Victim Advocate (Unit SAPR VA)/ Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Uniformed Victim Advocate (UVA)/ Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Sexual Assault Prevention and Response Victim Advocate (SAPR VA)/Volunteer Victim Advocate (VVA)	Uniformed Victim Advocate (UVA)/ Sexual Assault Prevention and Response Victim Advocate (SAPR VA)
10. To whom did you make this initial unrestricted report? *Mark one.* ☒ A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)	SHARP Victim Advocate (VA)	Unit Sexual Assault Prevention and Response Victim Advocate (Unit SAPR VA) or Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Uniformed Victim Advocate (UVA) or Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Sexual Assault Prevention and Response Victim Advocate (SAPR VA) or Volunteer Victim Advocate (VVA)	Uniformed Victim Advocate (UVA) or Sexual Assault Prevention and Response Victim Advocate (SAPR VA)
11. To whom did you make this initial restricted report? *Mark one.* ☒ A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)	SHARP Victim Advocate (VA)	Unit Sexual Assault Prevention and Response Victim Advocate (Unit SAPR VA) or Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Uniformed Victim Advocate (UVA) or Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Sexual Assault Prevention and Response Victim Advocate (SAPR VA) or Volunteer Victim Advocate (VVA)	Uniformed Victim Advocate (UVA) or Sexual Assault Prevention and Response Victim Advocate (SAPR VA)

Question text with default text	Services/Reserve Components				
13. **Did you talk to any of the following individuals or interact with any of the following service providers as a result of the sexual assault? *Mark "Yes" or "No" for each item.*** e. A Uniformed Victim Advocate (UVA) or Victim Advocate (VA)..... ☒ Yes ☒ No	SHARP Victim Advocate (VA)	Unit Sexual Assault Prevention and Response Victim Advocate (Unit SAPR VA) or Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Uniformed Victim Advocate (UVA) or Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Sexual Assault Prevention and Response Victim Advocate (SAPR VA) or Volunteer Victim Advocate (VVA)	Uniformed Victim Advocate (UVA) or Sexual Assault Prevention and Response Victim Advocate (SAPR VA)

Question text with default text	Services/Reserve Components				
15. You indicated that you interacted with a Uniformed Victim Advocate (UVA) or a Victim Advocate (VA). Was he/she a... ☒ Uniformed Victim Advocate (UVA)? ☒ Victim Advocate (VA)? ☒ Both a Uniformed Victim Advocate (UVA) and Victim Advocate (VA)? ☒ Unable to recall?	You indicated that you interacted with a SHARP Victim Advocate (VA). Was he/she a... [] Uniformed Victim Advocate (UVA)? [] Victim Advocate (VA)? [] Both a Uniformed Victim Advocate (UVA) and Victim Advocate (VA)? [] Unable to recall	You indicated that you interacted with a Unit Sexual Assault Prevention and Response Victim Advocate (Unit SAPR VA) or a Sexual Assault Prevention and Response Victim Advocate (SAPR VA). Was he/she a... [] Unit Sexual Assault Prevention and Response Victim Advocate (Unit SAPR VA)? [] Sexual Assault Prevention and Response Victim Advocate (SAPR VA)? [] Both a Unit Sexual Assault Prevention and Response Victim Advocate (Unit SAPR VA) and Sexual Assault Prevention and Response Victim Advocate (SAPR VA)? [] Unable to recall	You indicated that you interacted with a Uniformed Victim Advocate (UVA) or a Sexual Assault Prevention and Response Victim Advocate (SAPR VA). Was he/she a... [] Uniformed Victim Advocate (UVA)? [] Sexual Assault Prevention and Response Victim Advocate (SAPR VA)? [] Both a Uniformed Victim Advocate (UVA) and Sexual Assault Prevention and Response Victim Advocate (SAPR VA)? [] Unable to recall	You indicated that you interacted with a Sexual Assault Prevention and Response Victim Advocate (SAPR VA) or a Volunteer Victim Advocate (VVA). Was he/she a... [] Sexual Assault Prevention and Response Victim Advocate (SAPR VA) [] Volunteer Victim Advocate (VVA)? [] Both a Sexual Assault Prevention and Response Victim Advocate (SAPR VA) and Volunteer Victim Advocate (VVA)? [] Unable to recall	You indicated that you interacted with a Uniformed Victim Advocate (UVA) or a Sexual Assault Prevention and Response Victim Advocate (SAPR VA). Was he/she a... [] Uniformed Victim Advocate (UVA)? [] Sexual Assault Prevention and Response Victim Advocate (SAPR VA)? [] Both a Uniformed Victim Advocate (UVA) and Sexual Assault Prevention and Response Victim Advocate (SAPR VA)? [] Unable to recall

Question text with default text	Services/Reserve Components				
16. Thinking of your experience with the Uniformed Victim Advocate (UVA), how much do you agree or disagree with the following statements? *Mark one answer for each item.*	Uniformed Victim Advocate (UVA)	Unit Sexual Assault Prevention and Response Victim Advocate (Unit SAPR VA)	Uniformed Victim Advocate (UVA)	'Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Uniformed Victim Advocate (UVA)
17. Thinking of your experience with the Victim Advocate (VA), how much do you agree or disagree with the following statements? *Mark one answer for each item.*	Victim Advocate (VA)	Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Volunteer Victim Advocate (VVA)	Sexual Assault Prevention and Response Victim Advocate (SAPR VA)
18. Did the Sexual Assault Response Coordinator (SARC) or the Uniformed Victim Advocate (UVA)/Victim Advocate (VA) accompany you to a clinic or hospital?	Uniformed Victim Advocate (UVA)/ Victim Advocate (VA)	Unit Sexual Assault Prevention and Response Victim Advocate (Unit SAPR VA)/ Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Uniformed Victim Advocate (UVA)/ Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Sexual Assault Prevention and Response Victim Advocate (SAPR VA)/Volunteer Victim Advocate (VVA)	Uniformed Victim Advocate (UVA)/ Sexual Assault Prevention and Response Victim Advocate (SAPR VA)
19. Thinking about the overall assistance you received from your Sexual Assault Response Coordinator (SARC) or the Uniformed Victim Advocate (UVA)/Victim Advocate (VA), to what extent were you assisted with the following? *Mark one answer for each item.*	Uniformed Victim Advocate (UVA)/ Victim Advocate (VA)	Unit Sexual Assault Prevention and Response Victim Advocate (Unit SAPR VA)/ Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Uniformed Victim Advocate (UVA)/ Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Sexual Assault Prevention and Response Victim Advocate (SAPR VA)/Volunteer Victim Advocate (VVA)	Uniformed Victim Advocate (UVA)/ Sexual Assault Prevention and Response Victim Advocate (SAPR VA)

Question text with default text	Services/Reserve Components				
22. Overall, how satisfied are you with the services provided to you by the Uniformed Victim Advocate (UVA)?	Uniformed Victim Advocate (UVA)	Unit Sexual Assault Prevention and Response Victim Advocate (Unit SAPR VA)	Uniformed Victim Advocate (UVA)	'Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Uniformed Victim Advocate (UVA)
23. Overall, how satisfied are you with the services provided to you by the Victim Advocate (VA)?	Victim Advocate (VA)	Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Volunteer Victim Advocate (VVA)	Sexual Assault Prevention and Response Victim Advocate (SAPR VA)
24. If someone you know was sexually assaulted, how likely are you to recommend they meet with a Uniformed Victim Advocate (UVA) or Victim Advocate (VA)?	Uniformed Victim Advocate (UVA) or Victim Advocate (VA)	Unit Sexual Assault Prevention and Response Victim Advocate (Unit SAPR VA) or Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Uniformed Victim Advocate (UVA) or Sexual Assault Prevention and Response Victim Advocate (SAPR VA)	Sexual Assault Prevention and Response Victim Advocate (SAPR VA) or Volunteer Victim Advocate (VVA)	Uniformed Victim Advocate (UVA) or Sexual Assault Prevention and Response Victim Advocate (SAPR VA)

Question text with default text	Services/Reserve Components				
45. Thinking about all the resources or services you used after reporting, to what extent were you provided with the following? *Mark one answer for each item.*  Not applicable Not at all Small extent Moderate extent Large extent e. Regular contact regarding your well-being (e.g., your Sexual Assault Response Coordinator [SARC] or Uniformed Victim Advocate [UVA]/Victim Advocate [VA] checked in with you to address any new concerns, case management, referrals)..... ☒ ☒ ☒ ☒ ☒	Uniformed Victim Advocate [UVA]/ Victim Advocate [VA]	Unit Sexual Assault Prevention and Response Victim Advocate [Unit SAPR VA]/ Sexual Assault Prevention and Response Victim Advocate [SAPR VA]	Uniformed Victim Advocate [UVA]/ Sexual Assault Prevention and Response Victim Advocate [SAPR VA]	Sexual Assault Prevention and Response Victim Advocate [SAPR VA]/Volunteer Victim Advocate [VVA]	Uniformed Victim Advocate [UVA]/ Sexual Assault Prevention and Response Victim Advocate [SAPR VA]
54. [Ask if Q3 = "Army National Guard" OR Q3 = "Air National Guard"] **Did you have any concerns about whether or not a Victim Advocate (VA) within your own unit would maintain confidentiality?** ☒ Yes ☒ No	Not applicable per skip	Not applicable per skip	Not applicable per skip	Not applicable per skip	Sexual Assault Prevention and Response Victim Advocate (SAPR VA)

Question text with default text	Services/Reserve Components				
56. [Ask if (Q3 = "Army National Guard" OR Q3 = "Air National Guard") AND Q54 = "Yes"] **Were you offered the opportunity to have a Victim Advocate (VA) from a different unit or National Guard service?** ☒ Yes ☒ No ☒ Unable to recall	Not applicable per skip	Not applicable per skip	Not applicable per skip	Not applicable per skip	Sexual Assault Prevention and Response Victim Advocate (SAPR VA)

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14. ABSTRACT

This survey was conducted in response to a Secretary of Defense Directive requiring a standardized and voluntary survey for survivors be developed and regularly administered to "provide the sexual assault victim/survivor the opportunity to assess and provide feedback on their experiences with SAPR victim assistance, the military health system, the military justice process, and other areas of support" (Secretary of Defense, 2014). The Defense Research, Surveys, and Statistics Center (RSSC) within the Defense Manpower Data Center was tasked with this effort. The SES was developed as an ongoing survey to provide details related to the sexual assault survivor's overall reporting process and reporting experience and address areas that were of specific interest to the Department, including: awareness of SAPR resources and reporting options, use of and satisfaction with SAPR personnel (including Sexual Assault Response Coordinators, Uniformed Victims' Advocates/Victims' Advocates, and legal personnel), use of and satisfaction with SAPR-related medical and mental health services, and leadership responses to sexual assault reports.

15. SUBJECT TERMS

Sexual Assault Prevention and Response Resources, Sexual Assault Response Coordinators, Uniformed Victims' Advocates/Victims' Advocates, Special Victims' Counsel/Victims' Legal Counsel,Restricted Report, Unrestricted Report, Chain of Command, Medical Services, Mental Health Services, Chaplain

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2014 Department of Defense Report of Focus Groups on Sexual Assault Prevention and Response



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October 2014

2014 DEPARTMENT OF DEFENSE REPORT OF FOCUS GROUPS ON SEXUAL ASSAULT PREVENTION AND RESPONSE

By:
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Qualitative Analysis:
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DoD Sexual Assault Prevention and Response Office officials contributing to the development and administration of this assessment include Dr. Nathan Galbreath and Dr. Allison Greene-Sands. Service/National Guard officials contributing to the development and administration of this assessment include Dr. Paul Garst (Department of Navy SAPRO), Mr. Paul Rosen (Navy), Dr. Maryam Allahyar (Army), Dr. Lauren Boyatzi and Major Shontre McFarlin (Air Force), Ms. Melissa Cohen (Marine Corps), and Ms. Jane Lux and Colonel Rita Whitmire (National Guard). We would like to thank all of the Services and National Guard representatives at each installation who assisted us in organizing the focus groups.

DMDC's Survey Design, Analysis, and Operations Branch, under the guidance of Dr. Elizabeth P. Van Winkle, Deputy Branch Chief, is responsible for the development and oversight of questionnaires and focus groups in the survey program. The lead analysts on this assessment were Dr. Lindsay Rock and Dr. Paul Cook, SRA International, Inc.

A team consisting of Dr. Lindsay Rock, Dr. Elizabeth P. Van Winkle, Ms. Natalie Namrow, SRA International, Inc., Dr. Maia Hurley, and Ms. Kimberly Williams completed quality control for this report.

2014 DEPARTMENT OF DEFENSE FOCUS GROUP REPORT ON SEXUAL ASSAULT PREVENTION AND RESPONSE

Executive Summary

This report presents findings from the *2014 Focus Groups on Sexual Assault Prevention and Response* (*2014 FGSAPR*) study, which collected qualitative feedback from military members through focus groups using trained moderators to facilitate discussion on these topics. The *2014 FGSAPR* was generated in response to ongoing National Defense Authorization Act (NDAA) requirements and guidance from a Secretary of Defense Directive (Secretary of Defense, 2014). The Defense Research, Surveys, and Statistics Center (RSSC)[1] within the Defense Manpower Data Center (DMDC) was tasked with this effort. For over 25 years, RSSC has been DoD's lead organization for conducting impartial and unbiased scientific survey and focus group research on a number of topics of interest to the Department, including focus groups related to sexual assault prevention and response at the Military Service Academies (MSAs; DMDC, 2013a).

The goal of the *2014 FGSAPR* effort was to engage in small group discussions with military members across DoD on issues related to sexual assault. These structured discussions were designed to better understand how recent changes in sexual assault policies and programs have impacted military members and their workplace environment, as well as address the military's climate of sexual assault response and prevention. Participants in the study were asked not to discuss any personal experiences of sexual assault, but rather to share their insights and perspectives on these issues as they relate to their Service. This is the only formal qualitative assessment in 2014 on these topics across DoD active duty and National Guard members.

Focus Group Methodology

DMDC-RSSC follows standard, scientific methods that are widely used in the survey industry for data collections across a variety of domains. DMDC-RSSC focus group methodology employs these standards for qualitative research to collect subjective information from participants on a limited number of topics. The methods are similar to those that have been successfully used by DMDC-RSSC for a number of years to conduct Congressionally-directed focus groups related to sexual assault issues at the three MSAs (DMDC, 2013a). The methodology for the *2014 FGSAPR* was consistent across locations. Although the results cannot be generalized to the full military population, they provide insights into issues and ideas for further consideration.

Selection of Participants: Participation in the *2014 FGSAPR* was voluntary. Each installation supplied DMDC-RSSC with a roster of all Service and National Guard members which was then randomized within clusters defined by gender and paygrade group. Service and National Guard members were contacted in order by their installation lead and asked if they would voluntarily participate in the focus group. Additional members were selected from the

[1] Prior to 2014, RSSC was called Human Resources Strategic Assessment Program (HRSAP). In 2014, DMDC reorganized and renamed the RSSC to better encapsulate the scope of research conducted by this group.

randomized lists as necessary to achieve ten to twelve committed members for each focus group session.

Randomly selected members received notification of their initial selection for the focus groups from their installation lead. The notification informed them that they had been selected to participate in a DoD-directed focus group addressing issues of sexual assault as part of the effort to understand issues and provide constructive feedback to senior DoD leadership. The notification made it clear that the study was a non-attributable, voluntary data collection where they would be asked to share their perspectives on questions related to sexual assault, with a focus on conduct, training, and policies. The members were told that the sessions would not ask questions about any personal experiences of sexual assault.

Development of Questions: Focus group questions were developed in collaboration with DoD SAPRO and each of the Services/National Guard. Based on input received, seven topic areas[2] with detailed investigative questions were presented to focus group participants. The six topic areas addressed in this report include:

- Perceptions About Unwanted Sexual Contact
- Options for Reporting Sexual Assault
- Changes in SAPR Policy
- Command Climate/Culture
- Training
- Bystander Intervention

Additional detail and examples for each topic area are included in the later chapters of the report. The focus group protocol and handouts are included in the Appendices.

Conducting the Focus Groups: The focus groups were designed to elicit insight from active duty and National Guard members in various paygrades at training installations (i.e., advanced technical training schools), and operational installations. Focus groups were conducted between 21 July and 8 August 2014 at six operational and four training installations. Additional details about locations and gender/paygrade groupings of participants are included in the introduction of the report.

Number of Participants By Service[3]	
Army	97
Navy	157
Marine Corps	126
Air Force	144
National Guard	123
Total	647

[2] The last topic area was "Additional Recommendations" and is not presented as a separate chapter in this report. Information gleaned from this section of the protocol is embedded within the six chapters of the report.
[3] An equal number of members were invited to participate at all locations; however, because of the voluntary nature of focus group participation, some members who initially committed to participate chose not to attend.

Each focus group session was scheduled for 90 minutes. DMDC-RSSC provided a facilitator, assistant facilitator, and court reporter. The professional court reporter took verbatim transcription, which was provided to DMDC-RSSC to review and redact any information that could reveal a respondent's identity. Audio and video recordings were not conducted, and there were no individually identifiable records. No link between an individual respondent and their responses was possible. Only selected comments that have had identifiers removed have been included in the report to illustrate findings.

Participants were encouraged to provide general information but not to specify personal experiences, names, or other identifying details. They were also advised not to share information discussed within the focus groups after the session concluded.

Analysis Methodology: Data from the focus groups were analyzed qualitatively for major themes and ideas conveyed across the sessions. Themes are only presented if there was support across all of the Services and National Guard.

The results in this study are based on qualitative analysis and cannot be generalized to all military members. Findings should be viewed as illustrations of situations and themes for consideration by DoD officials as they review their programs. Findings may also be viewed as a general perspective on participants' views of sexual harassment and assault at their base/ installation, but they do not portray a statistical report on incidence rates or quantitative evaluation of response and prevention programs.

Categorization of Topics: Focus group analysts reviewed transcripts to identify major themes. DMDC-RSSC analyzed over 60 hours of transcripts from 57 focus groups.[4] All comments were grouped into themes during initial review. Analysts used a combination of topical coding and repeated reviews to gather specific comments that supported the emerging themes. An iterative review process was used to extract and classify comments that included multiple reviewers who verified that themes were supported by comments across all Services and the National Guard. Where applicable, included in the report chapters are references to DoD SAPRO's "Lines of Effort (LOEs)" which were established to guide and focus strategic planning efforts (DoD Sexual Assault Prevention and Response Strategic Plan, 2013).

Organization of Findings: Findings are presented in separate chapters of the report for each of the six topic areas. Within chapters, the major themes are presented with specific findings and supporting comments from the participants. This Executive Summary only highlights high-level findings; supporting comments and additional details are included in the chapters of the full report.

Perceptions of Unwanted Sexual Contact

The *2014 FGSAPR* devoted time to topics designed to gather members' perceptions on unwanted sexual contact (USC) and their recommendations for reducing its prevalence. USC includes a number of unwanted sexual behaviors ranging from unwanted sexual touching to completed sex. The Department uses the term "unwanted sexual contact" because it captures a

[4] Each focus group was approximately 90 minutes in length including introductory, privacy, and informed consent information. This introductory text was not recorded.

range of unwanted sexual behaviors that are punishable by the Uniform Code of Military Justice that is broader than the criminal offense of rape.

As a result of the *2012 Workplace and Gender Relations Survey of Active Duty Members* (DMDC 2013b) results, in conjunction with high-profile cases in the media at the time, a great deal of attention was placed on sexual assault in the military. In the months that followed, the Department and SAPRO instituted a number of policy changes to address sexual assault within the ranks. The Department was interested in what military members thought of the media attention and if they felt there were positive or negative implications.

Awareness of Rates in the Media

- Some focus group participants indicated they were not aware of any media or Congressional attention on the DoD USC rates, while others indicated that they were aware of the rates and the media's attention and were also aware of high-profile sexual assault cases in the military.
- Focus group participants indicated the media often overemphasized the problem of sexual assault in the military.

Media Attention Resulted in Both Positive and Negative Changes in the Military

- Some focus group participants indicated the media's attention resulted in positive changes. Some of these positive changes include increased general awareness of the seriousness of the issue, leadership visibly addressing the issue, and an increased level of comfort in coming forward to report sexual assault experiences.
- Some focus group participants indicated the media's attention resulted in negative changes. Some of these negative changes include negative interactions between members, overtraining resulting in desensitization, a decrease in the level of interest to join the military (whether real or perceived), and a negative perception of the military by outsiders.

Changes in the Way DoD and/or the Services/Guard Handle Sexual Assault

- Focus group participants indicated there has been a positive shift in DoD's handling of sexual assault and harassment.

Additional Recommendations for Preventing Sexual Assault

- Some focus group participants provided diverse recommendations for preventing sexual assault including more stringent screening criteria for joining the military, increased publication of incidents and consequences, and consistent punishments across paygrades.

Reporting

The Department offers military survivors two types of reporting options: restricted and unrestricted. Understanding the impact of sexual assault on readiness and the benefit of

resources/counseling, the Department offers restricted reporting options in order to allow a survivor the ability to remain anonymous and gain access to resources without initiating an investigation.

Awareness of Reporting Options

- Focus group participants indicated they were familiar with restricted and unrestricted reporting options.
- Focus group participants indicated they might be more likely to make a *restricted* report because of privacy concerns and because survivors can still receive medical/ mental health care.
- Some focus group participants indicated that survivors might choose to make an *unrestricted* report because they believe that their report would be handled appropriately, and the perpetrator would be held appropriately accountable.
- Focus group participants indicated, often regardless of the type of report made, that if a sexual assault were to occur on their installation/base, other members would know about it and assurances of confidentiality might be breached.

Reasons for Increased Reporting of Sexual Assault: For the *2014 FGSAPR*, the Department was interested in what members felt might have contributed to the recent increase of about 50% in official reports of sexual assaults (e.g., unrestricted and restricted) as seen in 2013.[5]

- Focus group participants indicated that increased awareness within DoD might have led to more sexual assaults being officially reported.
- Focus group participants indicated that increased *media* attention on sexual assault in the military might have also led to an increase in official reports of sexual assault.
- Focus group participants indicated that training about reporting options and sexual assault prevention and response resources might have led to an increase in official reports of sexual assault.

Retaliation: The Department prohibits retaliation of any kind as a result of making a report of sexual assault and is interested in understanding more about the types of retaliation survivors perceive and whether leadership takes this issue seriously.

- Professional Retaliation:
  - Focus group participants indicated that survivors who make an unrestricted report might experience professional retaliation including lower performance evaluations.
  - Focus group participants indicated that issues related to professional retaliation are currently being addressed by policy.

[5] In 2013, there was about a 50% increase (from 3,374 to 5,061) in official reporting from 2012 (Department of Defense Annual Report on Sexual Assault in the Military, 2013.)

- Social Retaliation:
  - Focus group participants indicated that sexual assault survivors who make a report might experience negative reactions from their peers including gossiping about them, judging them, and being ostracized.

- Social Media and Retaliation:
  - Some focus group participants believed that members might use social media to retaliate against sexual assault survivors.

Changes in Sexual Assault Prevention and Response Policy

The Department recognizes the legal process following a sexual assault report can be difficult for survivors to navigate and has implemented policies and support in recent years to assist survivors through it. The Department is interested in members' awareness of these policies/support and whether participants believe these policies/support were useful resources for survivors and useful tools for commanders.

Special Victims' Counsel/Victims' Legal Counsel (SVC/VLC): In 2011, the Services/ Guard were directed to provide legal advocates for survivors of sexual assault. These individuals, SVC/VLC, act as legal counsel for the survivor, provide advocacy and support, and act as the intermediary between prosecutors and survivors.

- Many focus group participants had not heard of SVC/VLC, while a few had.
- Focus group participants indicated SVC/VLC would be a helpful resource for sexual assault survivors.

Expedited Transfer: In 2012, the Department enacted the capability of "expedited transfers" for survivors. After a survivor makes an unrestricted report, they can request a transfer to another base/installation or another duty assignment on the same base/installation. The request for an expedited transfer can be made for a variety of reasons (e.g., concerns of retaliation), and the survivor is to have a decision on that request within 72 hours of making their report. Commanders are now also authorized to transfer the accused perpetrator in certain circumstances.

- Some focus group participants indicated hearing about this option through training/ briefings; other participants were unaware of this policy.
- Focus group participants indicated both positive outcomes (e.g., fresh starts) and negative outcomes (e.g., moving families, no real option for a clean slate in the military) of expedited transfers.
- Focus group participants indicated transferring the accused perpetrator was a useful tool for commanders to have.
- Some focus group participants indicated concern about transferring the accused perpetrator including concerns about transfer before guilt is established and the perception of transferring a problem from one command to another.

Review of Cases by a Senior Officer (Paygrade O6 or Higher): The Department mandated a new policy in which unrestricted reports of sexual assault will be reviewed by a senior officer (an O6 or higher) who has special court-martial convening authority. This change is to ensure that more experienced commanders objectively assess these cases.

- Some focus group participants indicated that review by an O6 was an objective review; others expressed concern that objectivity might not occur if the investigation remains in the chain of command of the individuals involved.
- Focus group participants indicated that senior officers might not have the qualifications or expertise/to review a case.

Awareness and Use of Sexual Assault Response Coordinator (SARC)/Unit Victims' Advocate/Victims' Advocate (UVA/VA): In 2005, Sexual Assault Response Coordinators (SARCs) were created as a part of a cadre of trained first responders (other responders included chaplains, lawyers, and law enforcement).

- Focus group participants indicated they knew about, or knew how to contact, their SARC or UVA/VA.
- Most focus group participants indicated they would go to their SARC or UVA/VA for help and trusted they would handle a report properly.

Command Climate/Culture

Another area of investigation in the *2014 FGSAPR* centered on perceptions of leadership with respect to their active engagement in preventing sexual assault/sexual harassment and creating a climate of dignity and respect. Questions were also asked about members' use of social media.

Perception of Unit and Senior Leadership's View on Sexual Harassment and Sexual Assault

- Focus group participants indicated their unit and senior leadership encourage an environment of dignity and respect; they inform their personnel that sexual assault and sexual harassment are not tolerated.
- Some focus group participants indicated their unit leaders lead by example or say something when witnessing inappropriate behavior; other participants indicated that it would depend on the unit leader.
- Focus group participants indicated they thought their senior leadership would protect a victim's privacy, ensure their safety, and treat them with dignity.

Relationships Among Sexist Behavior, Sexual Harassment, and Sexual Assault

- Focus group participants indicated there might be a relationship between unwanted gender-related behaviors and sexual assault. Specifically, someone who commits a sexual assault might initiate this with prior unwanted gender-related behaviors.

Crude Language as a Part of Military Culture

- Some focus group participants indicated that crude language is a part of military culture, but it is typically not focused at a specific person and can often be redirected.
- Some focus group participants indicated that crude language is a part of general American culture, apart from the military.

Improving Military Culture

- Focus group participants indicated they see improvements in the military environment where there is more dignity and respect among members.

How Culture Change Starts

- Focus group participants indicated there needs to be an investment at all paygrade levels within the military to create culture change with regard to sexual assault.

Use of Social Media

- Some focus group participants indicated that members do not use social media because they want to protect their privacy, the media sites are policed by leadership, and they do not have time to use them.
- Some focus group participants (in specific Services) indicated social media is a problem.

Training

Training on sexual assault prevention and response was also a topic of interest for the Department. Military members receive a variety of training on these topics, often many times throughout the year. This section provides information on when trainees received their first training on topics related to sexual assault, how often members receive training, and the types of training they receive. Members also offered recommendations for future training.

Sexual Assault Prevention and Response (SAPR) Training (Trainees Only)

- Focus group trainees indicated they first received SAPR training in boot camp, basic training/recruit training.
- Focus group trainees indicated they typically receive repetitive training.
- Focus group trainees described the various training received on topics related to sexual assault as mainly PowerPoint presentations with some discussions.

Most Effective Training

- Focus group participants indicated the most effective SAPR trainings were typically from guest speakers, small group discussions/interactions, videos, and skits.

Whether Members Learned New Information in SAPR Training

- Many focus group participants indicated they had not learned anything new this year through training.
- Participants indicated they would like to learn more about updates on SAPR policies and other topics of interest (e.g., spousal rape).

Perceptions of Whether Sexual Assault and Sexual Harassment Trainings Are "Just Another Requirement"

- Focus group participants indicated they received too much training on topics related to sexual assault and that members may get desensitized unless there is variety.

Recommendations for Future SAPR Training

- Focus group participants indicated it would be beneficial to hear from sexual assault survivors, legal professionals, and/or perpetrators convicted of sexual assault.

Bystander Intervention

Some unwanted gender-related behaviors occur in environments where people have an opportunity to step in to prevent a potential sexual assault. Bystander intervention is a training tool used by the Department to raise awareness among members that they should step in if they see a situation that could potentially lead to a sexual assault. The Department is interested in understanding what members might do to address inappropriate behaviors witnessed in the workplace or in social situations. Members were also asked to indicate at what point, if any, they would step in and address the issue if they witnessed inappropriate behaviors (e.g., sexual harassment or sexist comments).

Intervening in a Social Situation

- Many focus group participants indicated that they would step in to prevent potential sexual assaults in a social situation (e.g., a bar) if they saw a "red flag;" others indicated that stepping in would depend on the person and the situation.
- Focus group participants indicated members are willing to step in regardless of how they are perceived.

Intervening in a Professional Situation

- Many focus group participants indicated they would also step in if they witnessed inappropriate workplace behaviors.

Summary

The goal of the focus groups was to gather additional details on sexual assault prevention and response, thereby providing insight into the strengths and weaknesses of the current SAPR program. Results in this report address views on the perceptions of unwanted sexual contact in

the military, reporting of sexual assault, changes in SAPR policies, command climate/culture, training, and bystander intervention. Based on information obtained through the focus groups, some opportunities might exist for the Department to continue addressing issues related to professional and social retaliation for survivors who report their sexual assault, publicizing all new SAPR resources that are available to survivors (e.g., Special Victims' Counsel/Victims' Legal Counsel, expedited transfer), emphasizing continued culture change particularly within peer-to-peer interactions, and diversifying SAPR training.

Table of Contents

Page

Focus Group Methodology iii
Perceptions of Unwanted Sexual Contact v

Reporting vi

Changes in Sexual Assault Prevention and Response Policy viii
Awareness and Use of Sexual Assault Response Coordinator (SARC)/Unit Victims' Advocate/Victims' Advocate (UVA/VA): In 2005, Sexual Assault Response Coordinators (SARCs) were created as a part of a cadre of trained first responders (other responders included chaplains, lawyers, and law enforcement). ix
Command Climate/Culture ix
Perception of Unit and Senior Leadership's View on Sexual Harassment and Sexual Assault ix
Relationships Among Sexist Behavior, Sexual Harassment, and Sexual Assault ix
Crude Language as a Part of Military Culture x
Improving Military Culture x
How Culture Change Starts x
Use of Social Media x
Training x
Sexual Assault Prevention and Response (SAPR) Training (Trainees Only) x
Most Effective Training x
Whether Members Learned New Information in SAPR Training xi
Perceptions of Whether Sexual Assault and Sexual Harassment Trainings Are "Just Another Requirement" xi
Recommendations for Future SAPR Training xi
Bystander Intervention xi
Intervening in a Social Situation xi
Intervening in a Professional Situation xi
Summary xi

Introduction 1

Focus Group Methodology 1
Selection of Participants 2
Development of Questions 2
Conducting the Focus Groups 3
Analysis Methodology and Limitations 5
Categorization of Topics 5
Organization of Findings 6

Chapter 1: Perceptions of Unwanted Sexual Contact 7

Table of Contents (Continued)

Page

Familiarity With USC Incidence Rates from the 2012 WGR....7
Awareness of Rates in the Media....8
Media Attention Resulted in Changes in the Military, Positive or Negative....9
Changes in the Way DoD and/or the Services/Guard Handle Sexual Assault....10
Additional Recommendations for Preventing Sexual Assault....11

Chapter 2: Reporting....13

Awareness of Reporting Options....13
Reasons for Increased Reporting of Sexual Assault....14
Professional Retaliation....16
Social Retaliation....17
Social Media and Retaliation....17

Chapter 3: Changes in Sexual Assault Prevention and Response Policy....19

Special Victims' Counsel/Victims' Legal Counsel....19
Expedited Transfer....20
Review of Cases by an O6 or Higher....22
Awareness and Use of Sexual Assault Response Coordinator (SARC)/Unit Victims' Advocate/Victims' Advocate (UVA/VA)....22

Chapter 4: Command Climate/Culture....25

Perception of Unit and Senior Leadership's View on Sexual Harassment and Sexual Assault....25
Relationship Between Sexist Behavior, Sexual Harassment, and Sexual Assault....26
Crude Language as a Part of Military Culture....27
Improving Military Culture....27
How Culture Change Starts....28
Use of Social Media....28

Chapter 5: Training....31

Sexual Assault Prevention and Response Training (Trainees Only)....31
Most Effective Training....32
Whether Members Learned New Information in SAPR Training....32
Perceptions of Whether Sexual Assault and Sexual Harassment Trainings Are "Just Another Requirement"....33
Recommendations for Future SAPR Training....33

Chapter 6: Bystander Intervention....35

Table of Contents (Continued)

Page

Intervening in a Social Situation....35
Intervening in a Professional Situation....36

Chapter 7: Summary....37

References....39

Appendixes

A. Focus Group Protocol....41

B. Focus Group Participant Handout....51

2014 DOD FOCUS GROUP REPORT ON SEXUAL ASSAULT PREVENTION AND RESPONSE

Introduction

Section 577 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2005 required the Secretary of Defense to develop a comprehensive policy for the Department of Defense on the assessment of DoD's response to sexual assaults involving members of the Armed Forces. The subsequent policy established the DoD Sexual Assault Prevention and Response Office (SAPRO) and provided the Secretary of Defense a recurring assessment of the services and resources provided to military members who have reported sexual assault to DoD authorities.

One means for evaluating the effectiveness of these programs and for assessing the gender relations environment in the military involves quantifiable feedback from members through a representative survey (DMDC, 2013b). Another source of information involves qualitative feedback from military members through focus groups with a moderator who is trained to facilitate discussion on these topics. This report presents findings from the *2014 Focus Groups on Sexual Assault Prevention and Response* (*2014 FGSAPR*) study. This introductory chapter provides background on why this study was conducted, a description of the focus group methodology, analysis methods and limitations, and a brief overview of subsequent chapters.

The *2014 FGSAPR* was generated in response to guidance from the Secretary of Defense Directive (Secretary of Defense, 2014). The Defense Research, Surveys, and Statistics Center (RSSC)[6] within the Defense Manpower Data Center (DMDC; DMDC-RSSC) was tasked with this effort. For over 25 years, RSSC has been DoD's lead organization for conducting impartial and unbiased scientific survey and focus group research on a number of topics of interest to the Department. The goal of the focus group effort was to engage in structured, small group discussions with military members across DoD on issues related to sexual assault. These discussions were designed to better understand how recent changes in sexual assault policies and programs have impacted military members and their workplace environment, as well as address the military's climate of sexual assault response and prevention. Results of this report will be shared with the Services, the Secretary of Defense, Congress, and the White House. Participants in the study were asked not to discuss any personal experiences of sexual assault, but rather share their insights and perspectives on these issues as they relate to their Service. This is the only formal qualitative assessment in 2014 on these topics across DoD active duty and National Guard members.

Focus Group Methodology

DMDC-RSSC follows standard, scientific methods that are widely used in the survey industry for data collections across a variety of domains. DMDC-RSSC focus group methodology employs these standards for qualitative research to collect subjective information from participants on a limited number of topics. The methodology for the *2014 FGSAPR* was

[6] Prior to 2014, RSSC was called Human Resources Strategic Assessment Program (HRSAP). In 2014, DMDC reorganized and renamed the RSSC to better encapsulate the scope of research conducted by this group.

consistent across locations. Although the results cannot be generalized to the full military population, they provide insights into issues and ideas for further consideration.

Selection of Participants

Participation in the *2014 FGSAPR* was voluntary. Participants were selected at random at each installation, within clusters defined by gender and paygrade, and offered the opportunity to participate. The rosters were then returned to each respective installation, and it was the responsibility of each installation to use their randomized list to identify the first 15 Service or National Guard members who were available (e.g., did not have a prior commitment, medical appointment, or scheduled leave during the scheduled focus group) to attend the focus group appropriate for their gender and paygrade group. . Additional Service members were selected from the randomized lists as necessary to achieve ten to twelve committed members. In some cases, Service members who agreed to participate did not show up at their scheduled session. For that reason, session sizes varied. For mixed-gender focus groups at operational installations, similar procedures were used, but the rosters were not separated by gender. Hence, men and women were selected in the order they appeared on the randomized combined list for each operational installation.

Number of Participants By Service[7]	
Army	97
Navy	157
Marine Corps	126
Air Force	144
National Guard	123
Total	647

Randomly selected members received notification of their initial selection for the focus groups from their installation lead. The notification informed them that they had been selected to participate in a DoD-directed focus group addressing issues of sexual assault as part of the effort to understand issues and provide constructive feedback to senior DoD leadership. The notification made it clear that the study was a non-attributable, voluntary data collection where they would be asked to share their perspectives on questions related to sexual assault, with a focus on conduct, training, and policies. The members were told that the sessions would not ask questions about personal experiences of sexual assault. Overall, there were 57 focus groups conducted with 647 participants.

Development of Questions

To begin the collaborative effort of developing focus group questions, DMDC-RSSC analysts drafted potential questions by reviewing comments and findings from the *2012 Workplace and Gender Relations Survey of Active Duty Members* (*2012 WGRA*) and *2012 Workplace and Gender Relations Survey of Reserve Component Members* (*2012 WGRR*). Specifically, analysts looked for follow-up topics which might clarify or expand upon findings from the surveys. A list of preliminary questions was generated and provided to DoD SAPRO. A revised set of questions incorporating comments from SAPRO was compiled and then

[7] An equal number of members were invited to participate at all locations; however, because of the voluntary nature of focus group participation, some members who initially committed to participate chose not to attend.

submitted to each of the Services/National Guard and the Office of General Counsel (OGC) for comments. Based on feedback from SAPRO, the Services/National Guard, and OGC, six topic areas with detailed, investigative questions were presented to focus group participants. The focus group protocols and handouts are included in the Appendices. The six topic areas addressed were:

1. Perceptions About Unwanted Sexual Contact—Discussion of the incidence rates for men and women from the *2012 WGRA* and *2012 WGRR* surveys, awareness of media attention on sexual assault in the military, whether the media attention has resulted in positive or negative changes in the military, how issues of sexual assault have been handled over time, and recommendations for preventing sexual assault in the military.

2. Reporting—Understanding the two reporting options for reporting sexual assault, potential reasons for the increase in actual reports made to SAPRO, types and impact of perceived or real, if any, professional and social retaliation on reporting sexual assault, and the use of social media for social retaliation.

3. Changes in SAPR Policy—Awareness of specialized attorney positions (Special Victims' Counsel/Victims' Legal Counsel and Special Victim Prosecutors), expedited transfers, review of unrestricted reports by a senior officer, and awareness and use of SARC/Victims' Advocate.

4. Command Climate/Culture—What unit and senior leadership say to their members about sexual harassment and sexual assault, perceived relationship between unwanted gender-related behaviors (sexist behaviors and sexual harassment) and sexual assault, use of crude language, awareness of DoD's emphasis in improving culture, perceptions of how culture change starts, and the use of social media.

5. Training—Discussion of training received, examples of most effective training, whether members learned anything about sexual assault in training this past year that they did not know before, perceptions of sexual assault and sexual harassment training as just another training requirement, and recommendations for future SAPR trainings.

6. Bystander Intervention—Whether members would intervene in a *social* situation when they saw potential "red flags" leading to a potential sexual assault, and whether members would intervene in a *workplace* situation when they witnessed inappropriate workplace behaviors.

Conducting the Focus Groups

The focus groups were designed to obtain responses from active duty and National Guard members in various paygrades at training installations (i.e., advanced technical training schools) and operational installations. Focus groups were conducted between 21 July and 8 August 2014 for the following groups at the specified locations:

Operational Installations	
Locations:	**Sessions:**
• Army: Fort Riley (KS) • Navy: Norfolk Naval Base (VA) • Marine Corps: Camp Lejeune (NC) • Air Force: Joint Base Lewis-McChord (WA) • Guard: Army – Camp Shelby (MS); Air Force – Allen C. Thompson Field ANG Base, Jackson (MS)	• Junior Enlisted (E3–E4[8]): Two sessions (1 male, 1 female) • Mid Enlisted (E5–E6): Two sessions (1 male, 1 female) • Senior Enlisted (E7–E9): One session (mixed gender) • Junior Officer (O2–O3): Two sessions (1 male, 1 female)
Training Installations	
Locations:	**Sessions:**
• Army: Fort Gordon (GA) • Navy: Naval Air Station Pensacola (FL) • Marine Corps: Camp Johnson (NC) • Air Force: Sheppard AFB (TX)	• Trainees (E1–E2[9]): Four sessions (2 male, 2 female)

Each focus group session was scheduled for 90 minutes. All focus group sessions were governed by a number of ground rules, most notably that they were non-attribution, voluntary sessions. DMDC-RSSC provided a facilitator, assistant facilitator, and professional court reporter. Installation staff members, such as SARCs or Victims' Advocates, were excluded from the room, although they were available if a participant became disturbed during a session or wanted to follow up on a matter after the session. Service headquarters representatives attended some focus groups as observers; however, no uniformed representative attended sessions in order to minimize the risk of making participants uncomfortable and potentially biasing their responses. In addition, all observers signed confidentiality agreements which included nondisclosure of group feedback. The court reporter took verbatim transcription, which was provided to DMDC-RSSC to review, and redacted any information that could reveal a respondent's identity. Audio and video recordings were not conducted, and there were no individually identifiable records. No link between an individual respondent and their responses was possible. Only selected comments that have had identifiers removed have been included in the final report to illustrate findings.

DMDC-RSSC moderated focus groups with trained focus group facilitators leading single- or dual-moderated sessions. Facilitators followed a structured, approved script to ensure consistency of questions across Services and the Guard, topics were covered in an adequate amount of time, and conversations were appropriately contained. A female facilitator led the all-

[8] Paygrade designations represent enlisted (E) and officers (O) in paygrades that range E1-E9 for enlisted members and O1-O10 for officers.
[9] While trainees are predominantly E1-E2, some trainees are E3-E4s and were eligible to participate.

female focus groups. DMDC-RSSC also provided a female court reporter who used a stenographic machine to transcribe all comments from participants and the facilitator(s). As noted, no audio or video recording was made of any focus group session to assure participants' anonymity.

Participants were encouraged to provide information generally but not to specify personal experiences, names, or other identifying details. They were also advised not to share information discussed within the focus groups after the session concluded.

Analysis Methodology and Limitations

Data from the focus groups were analyzed qualitatively for major themes and ideas conveyed across the sessions. Themes are only presented if there was support across all the Services and National Guard. The order of presentation does not imply that any one theme is more important than any other. For each theme, supporting comments from the focus group participants are included. The supporting comments do not include every comment made on a particular theme; rather, they illustrate the theme in the words of the participants. No attempt was made to quantify the number of comments made on a specific theme. While this approach does not provide quantitative, scientific estimates, the *2014 FGSAPR* serves as a post-survey data collection effort that compliments the *Workplace and Gender Relations Surveys (WGRs).* The *WGRs* are conducted by DMDC-RSSC for DoD and provide scientifically constructed estimates of gender-related experiences and opinions (DMDC, 2013b).

The results in this study are based on qualitative analysis—findings cannot be generalized to all military members. Findings should be viewed as illustrations of situations and themes for consideration by DoD officials as they review their programs. Findings may also be viewed as a general perspective on participants' views of sexual harassment and sexual assault at their base/ installation, but they do not portray a statistical report on incidence rates or quantitative evaluation of response and prevention programs.

Categorization of Topics

Focus group analysts reviewed transcripts to identify major themes. DMDC-RSSC analyzed over 60 hours of transcripts from 57 focus groups.[10] All comments were grouped into themes during initial review. Although findings tended to cluster around the main questions asked in the sessions, categorization based on the questions was not a set requirement. Analysts were sensitive to themes that emerged from the discussions as a whole. Analysts used a combination of topical coding and repeated reviews to gather specific comments that supported the emerging themes. Where participants differed in their opinions on a topic, both perspectives are presented in separate findings. Analysts used an iterative review process to extract and classify comments that included multiple reviewers who verified that themes were supported by comments. Where applicable, text boxes in chapters include DoD SAPRO's "Lines of Effort (LOEs)" which were established to guide and focus strategic planning efforts (DoD Sexual Assault Prevention and Response Strategic Plan, 2013). The LOEs include Prevention, Investigation, Accountability, Advocacy/Victim Assistance, and Assessment. The focus group

[10] Each focus group was approximately 90 minutes in length including introductory, privacy, and informed consent information. This introductory text was not transcribed.

project, as a whole, is part of the Assessment LOE as it provides a measure of the SAPR program progress.

Organization of Findings

Findings are presented in separate chapters for the six major topic areas and a summary chapter. Within chapters, the major themes are presented with specific findings and supporting comments from the participants. Each comment identifies the gender and paygrade of the military member. Caution must be exercised in reviewing these findings and comments should not be viewed as representative of all participants.

Chapter 1: Perceptions of Unwanted Sexual Contact

The *2014 FGSAPR* devoted time to topics designed to gather members' perceptions on unwanted sexual contact (USC) and their recommendations for reducing the prevalence of USC. USC includes a number of unwanted sexual behaviors ranging from unwanted sexual touching to completed sex. The term "unwanted sexual contact" is used because it captures a range of unwanted sexual behaviors that are punishable by the Uniform Code of Military Justice that is broader than the criminal offense of rape.

The discussions began by sharing with the participants the USC rates from the *2012 WGR*[11] surveys and asking whether members had seen those results. The USC rate for active duty was 6.1% for women and 1.2% for men; for Reserve/National Guard, it was 2.8% for women and 0.5% for men (DMDC, 2013b; DMDC, 2013c). Members were asked to discuss the rates, as well as provide insight into trends across years. Additional questions were posed about their awareness of the attention paid to these rates in the media and from Congress, as well as whether the attention has resulted in any positive or negative changes in the military. Members were also asked to discuss their perception of how sexual assault issues have been handled over time and to provide recommendations for other changes that could help prevent sexual assault in the military.

Familiarity With USC Incidence Rates from the 2012 WGR

- **Focus group participants did not recall hearing about the specific results of the *2012 WGR*.**
  - "*We've never been given numbers.*" (E1-E4 Male)
  - "*Not these specific numbers.*" (O2-O3 Female)
  - "*I haven't seen these before.*" (E5-E6 Male)
- **Some focus group participants heard about the sexual assault rates in their training and briefings.**
  - "*I think they [the numbers] were brought up in a brief we had a couple months ago.*" (O2-O3 Male)
  - "*Yes, at training they talked about the percentages.*" (E1-E4 Male)
- **Overall, focus group participants had differing views of the *2012 WGR* USC rates. Some indicated the specified rates seemed lower than expected because some survivors do not want to report that they experienced a sexual assault.**

[11] Members were presented with results from the 2012 WGR surveys, which included trend information from the 2006, 2010, and 2012 WGR surveys of active duty members and trend information from the 2008 and 2012 surveys for National Guard members.

- *"I think it's probably lower than the amount that actually happens. They don't come forward because they're too afraid or embarrassed, so that number is probably a lot higher."* (E1-E4 Male)

- *"I think it seems pretty low actually."* (E3-E4 Female)

- **Some indicated the specified rates seemed lower than expected because the emphasis placed on sexual assault prevention and response (i.e., in training) made it seem worse than *WGR* rates.**

  - *"It seems low, because in our briefings with the SARC, they put it to us in a way where it's like an epidemic…but these numbers compared to how they put it in the briefings seem low in comparison."* (E3-E4 Male)

  - *"With how much they go over UVA/VA and sexual assault I'm surprised that they [the rates] are as low as they are."* (E1-E4 Female)

- **Some members indicated the specified rates seemed higher than expected because members were unaware of any incidents occurring.**

  - *"Surprisingly high. I only say this because we always have sexual assault classes, whether it's train the trainer, NCOs, officers. I know in our command we're taking it seriously."* (E5-E6 Female)

  - *"I'd say that's kind of high."* (O2-O3 Male)

- **Focus group participants indicated their leadership discusses the seriousness of the issue.**

  - *"Yeah. [Leadership discusses the] importance of the issue, but not the specifics."* (E1-E4 Male)

  - *"[Leadership] always put it out they will not tolerate it and they'll go through all the means to punish the ones who do it."* (E7-E9 Mixed Group)

Awareness of Rates in the Media

As a result of the *2012 WGR* survey results, in conjunction with high-profile cases in the media at the time, a great deal of attention was placed on sexual assault in the military. In the months that followed, the Department and SAPRO instituted a number of policy changes to address sexual assault within the ranks. The Department was interested in what military members thought of the media attention and if they felt there were positive or negative implications.

- **Some focus group participants indicated they were not aware of any media or Congressional attention on the DoD USC rates, while others indicated that they were aware of the media's attention and were also aware of high-profile sexual assault cases in the military.**

- *"I didn't hear anything in the news, I just hear our Generals push out to us at meetings."* (E3-E4 Female)

- *"I was aware that Congress, certain senators had taken action but I didn't know it stemmed from this survey."* (O2-O3 Female)

- *"I think it really started with the Invisible War, the documentary that came out. And from the time that was released, the Generals were called on the carpet to respond to the allegations, I think that was really the tipping point when SAPR training just lit up."* (O2-O3 Female)

- *"Usually, what I hear about [in the press] is a commanding officer being inappropriate with their members. The smaller junior enlisted usually is not covered or in the press."* (E3-E4 Male)

- **Focus group participants indicated the media overemphasized the problem of sexual assault in the military.**

  - *"It makes it seem more rampant when it's covered in the news. I've never witnessed anything like that happening, but the way the news reports, it's just like a common day thing and it just hasn't been like that in my experience."* (E3-E4 Male)

  - *"I think the press is going to sensationalize just about anything to get viewership if it's TV or readership if it's newspaper… So, with that being said, it's still unacceptable but, they want viewers, they want to sell papers..."* (E7-E9 Mixed Group)

  - *"I think the military gets more flak from it and it looks bad when some of our senior leadership [is] getting in trouble for inappropriate sexual relationships. So everybody is 'oh, well if the leadership is doing it, then what else is going on?'"* (O2-O3 Female)

Media Attention Resulted in Changes in the Military, Positive or Negative

- **Some focus group participants indicated the media's attention resulted in positive changes. Some of these positive changes include increased general awareness of the seriousness of the issue, leadership visibly addressing the issue, and comfort in coming forward to report sexual assault experiences.**

  - *"I think it would be positive. There might actually be units that might not be doing as much as they could to prevent it… even if the media is making it bigger than it actually is, it actually makes it more aware to some units and some leadership and then [they] actually [start] taking [it] a little bit more serious when they see those big numbers."* (E5-E6 Male)

  - *"I think that with the media's attention it definitely lit a fire under leadership's tails to get something started."* (E3-E4 Female)

- *"It's really helped the guys because guys have too much pride to tell [someone that] something happened to them, like if they got raped by another guy. It's probably made them feel like it's okay to say that that happened to them and that it's not their fault."* (E1-E4 Female)

- **Some focus group participants indicated the media's attention resulted in negative changes. Some of these negative changes include negative interactions between members, overtraining resulting in desensitization, potential decrease in the level of interest to join the military (whether real or perceived), and a negative perception of the military by outsiders.**

  - *"People are a little more careful about things they say to certain people, how to interact with certain people. Things you would definitely say if you're home or even speaking with a civilian, it's more scrutinized when you're talking to another Service member because of this. So definitely people pretty much walk on thin ice even when you talk to a person."* (E1-E4 Male)

  - *"It's probably the reason we get so much training on it. We had a SAPR meeting last week and we talked about the fact that we have so much training on this that sometimes it feels like you get desensitized to the issue."* (O2-O3 Female)

  - *"Keeps people from joining. They hear about it and don't want to join."* (E5-E6 Male)

  - *"Negatively because of the fact that's the way the rest of the world sees us now…"* (E5-E6 Male)

  - *"That's the main reason why my parents didn't want me [to join]—if you go in there you're going to get raped."* (E1-E4 Female)

Changes in the Way DoD and/or the Services/Guard Handle Sexual Assault

- **Focus group participants indicated there has been a positive shift in DoD's handling of sexual assault and harassment.**

  - *"Across the board, we get inspections, EO [Equal Opportunity] officers who've been put into place that help us understand SARC training, where, in the past, that didn't happen."* (E7-E9 Mixed Group)

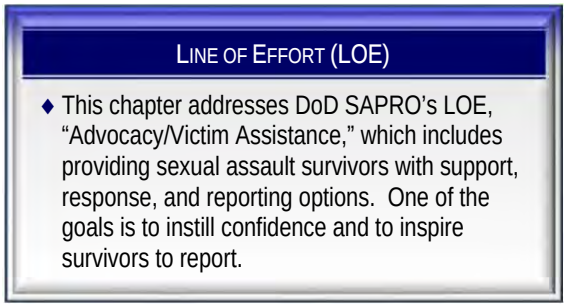
  - *"Our last leader said, 'anything like this happens, it's going up to the General/ Admiral level and it's going to be a court martial situation.' I see all over the media, they're afraid things are just getting swept under the rug in-house with commanding officers. But that's kind of the policy now is it goes up, it's going to be above him so he doesn't make that decision."* (E5-E6 Male)

Additional Recommendations for Preventing Sexual Assault

- **Some focus group participants provided diverse recommendations for preventing sexual assault.**
  - *"I think they should screen people more. This sounds ridiculous, but it's really easy to get into the military."* (E1-E4 Female)
  - "*I would say publicize the consequences more. You can do it without names."* (E5-E6 Male)
  - "*Treat all ranks equally. If an E5 or an E9 does it, he needs to be treated like any E1, not moved to a different leadership position—if an E4 blew it, they'd be out of the Service thirty days later."* (E5-E6 Male)
  - *"I would say continue the training."* (E1-E4 Male)

Chapter 2: Reporting

The Department offers military survivors two types of reporting options: restricted and unrestricted. Restricted reporting allows survivors to access medical care, mental health care, and advocacy services without initiating a criminal investigation or notification of command. An unrestricted report allows survivors to access the same care as those who file a restricted report, but the report is also referred for investigation to a Military Criminal Investigative Office (MCIO) and command is notified of the incident. Survivors may initially make a restricted report, but may later convert this report to an unrestricted report in order to initiate an investigation. Conversely, once a respondent makes an unrestricted report, he/she cannot convert this to a restricted report. Understanding the impact of sexual assault on readiness and the benefit of resources/counseling, the Department offers restricted reporting options in order to allow a survivor the ability to remain anonymous while still initiating a report and gaining access to resources. This chapter investigates members' awareness of the two reporting options, reasons why the number of official sexual assaults reported to DoD has increased, and the potential impact of both professional retaliation (i.e., performance evaluations or chance for promotion would suffer) and social retaliation (i.e., negative treatment by peers), and the use of social media on retaliation.



Awareness of Reporting Options

- **Focus group participants indicated they were familiar with restricted and unrestricted reporting options.**
  - *"Chorus of 'Yeses.'"* (E1-E4 Males)
  - *"Yes."* (E3-E4 Females)
- **Focus group participants indicated they would be more likely to make a *restricted report* because of privacy concerns and because survivors can still receive medical/mental health care.**
  - *"It's a private issue and I can keep it here, I don't have to worry about it."* (E1-E4 Male)
  - *"It takes a lot of strength to survive sexual assault, but it takes a whole different level of strength to prosecute your abuser… Because then you also open yourself up to investigations and public knowledge of what happened to you." (E1-E4* Female)
  - *"It still gives you the same medical care and counseling. Taking care of yourself first would be the priority."* (O2-O3 Female)

- **Some focus group participants indicated that survivors might choose to make an *unrestricted report* because they believe that their report would be handled appropriately and the perpetrator would be held accountable.**

  – *"I think especially with all the awareness, people are more confident that their reports are going to be taken seriously. If you go report something, it's going to be taken seriously and seen through the end and thoroughly investigated."* (O2-O3 Male)

  – *"They're also being held accountable for what they did. Maybe that can help you feel better... The perpetrator is actually going to go through punishment and will have consequences for what he/she did."* (E3-E4 Female)

  – *"I think restricted is like putting a lid on it. I think everything should be unrestricted."* (E5-E6 Male)

- **Focus group participants indicated, often regardless of the type of report made, that if a sexual assault were to occur on their installation/base, other members would know about it.**

  – *"It's no more different than a college campus or a high school. Once you say unrestricted, it might have been behind closed doors, but someone just can't seem to keep their mouth shut…"* (E1-E4 Male)

  – *"Word is going to get around and people are going to say what they want. Because an incident can happen where somebody is sexually assaulted, that's going to be on everybody's mouth for maybe a few weeks, maybe a month or two. Like I said, it's just like high school. You just got to wait for the storm to freakin' pass."* (E3-E4 Female)

  – *"I just think it's unprofessional how if you tell one of your superiors or you ask to get help, all of a sudden all of your seniors know about your problems… I feel like that would be embarrassing because a lot of times when you get sexually assaulted you feel shameful and it's like all of a sudden everybody knows and everybody is trying to talk to you about it, when that's not what you wanted."* (E1-E4 Female)

  – *"Everyone knows when you call SAPR. Everyone finds out. How, I don't know, but everyone finds out."* (E1-E4 Female)

Reasons for Increased Reporting of Sexual Assault

The Department recognizes that more sexual assaults happen than are reported. In 2013, the Department saw about a 50% increase (from 3,374 to 5,061) in official reports (unrestricted and restricted) from 2012 (Department of Defense Annual Report on Sexual Assault in the Military, 2013). The Department was therefore interested in what members felt may have contributed to this increase.

- **Focus group participants indicated that increased awareness within DoD might have led to more sexual assaults being officially reported.**

  – *"I think the more everyone talks about it the easier it is for people to get help."* (E3-E4 Female)

  – *"It could be that people are realizing that this is wrong and if this happens they could feel safe enough to report it."* (O2-O3 Female)

  – *"It's not some hush-hush topic anymore and I believe that a lot of the commanders are moving in a positive way with actually protecting the individual instead of making them feel as if they're like a troublemaker or they put unnecessary action or unnecessary paperwork or attention towards the unit."* (E3-E4 Female)

- **Focus group participants indicated that increased *media* attention on sexual assault in the military might have also led to an increase in official reports of sexual assault.**

  – *"It would be like a snowball effect, increased media putting pressure on our chain of command to fix things which is the reason we're getting two briefs a year, which is kind of making people [report]."* (E5-E6 Male)

  – *"I think the victimology mentality a lot of times provides people with a sense of guilt for what's happened to them and I think this high news coverage makes them realize that it's not their fault and they weren't the only ones to have done it and gives them more a sense of entitlement to corrective action in that regard."* (E3-E4 Male)

  – *"Well, if it's the public side getting out there more, somebody could be watching, say 'hey, that happened to me' and may get the courage up to come forward."* (E7-E9 Mixed Group)

  – *"Well, it's just an expression of you're not alone. Because I know that part of the issue with sexual assault is that victims feel isolated. And the more attention it gets in the media, the less likely they are to feel as though they are the first person that this has ever happened to."* (E1-E4 Female)

- **Focus group participants indicated that training about reporting options and Sexual Assault Prevention and Response resources might have led to an increase in official reports of sexual assault.**

  – *"I think during sexual assault prevention briefings, we're teaching others to not judge people if something did happen to them. We're making sure that people start reporting, that they're more open about it, and that people around them, like their peers, can get them help if they need it and get them to the right person to report if they want to."* (E1-E4 Male)

- *"Education on their options as well as unit responsibility for making sure that those people get the proper treatment or actions happen. So there's a better network to support those people."* (E3-E4 Female)

- *"Probably more understanding on reporting procedures [as a result of training]."* (E5-E6 Female)

- *"And what services are available to them, like chaplain, medical, SAPR representatives."* (E1-E4 Male)

Professional Retaliation

The number of official reports received in 2013 by the Department represents only about 15% of the reports that could have been made based on the survey results from the *2012 WGRA*. According to this survey, some members who experienced unwanted sexual behaviors might not have reported it officially to the Department because they feared some sort of professional retaliation from their chain of command (for example, their performance evaluations or chance for promotion would suffer; DMDC, 2013b). The Department prohibits this type of retaliation (punishable under section 892 of Title 10, United States Code) and intends to explore in more depth the types of retaliation survivors may experience, if any, and how leadership may address this issue.

- **Focus group participants indicated that survivors who make an unrestricted report might experience professional retaliation.**

  - *"If [the perpetrators] are in charge of you or if they have any say in what goes into your proficiency and conduct marks, that could go down."* (E3-E4 Female)

  - *"It's not just what they can do to your career but it's also... when I leave the new command could call this command and it spreads. Then when I got to the next unit, the stories just continue."* (E5-E6 Female)

  - *"Alienate them, trying to force them out possibly, transferring them... to a different command structure where they're not going to be able to gain rank as quick."* (E5-E6 Male)

- **Focus group participants indicated that issues related to professional retaliation are currently being addressed by policy.**

  - *"So I think there are steps to handle that that are already in place, because it's not something that anybody would tolerate because it's a definite violation of an article."* (E7-E9 Mixed Group)

  - *"It's already been addressed under UCMJ. [If the] commander retaliates because of that, then he's facing UCMJ actions against him for that action he pulled."* (E7-E9 Mixed Group)

Social Retaliation

- **Focus group participants indicated that sexual assault survivors who make a report might experience negative reactions from their peers.**

  – *"[Y]our peers would judge you by thinking that you're like scandalous or that you brought it onto yourself."* (E1-E4 Female)

  – *"It would be like the scarlet letter. Nobody's going to want to talk to her or him and [there would be a] breakdown in communication between that person and the rest of the unit."* (E7-E9 Mixed Group)

Social Media and Retaliation

- **Some focus group participants believed that members may use social media to retaliate against sexual assault survivors.**

  – *"I feel like it's just another venue to harass or belittle or single out the victim."* (E3-E4 Female)

  – *"They [are] going to spread rumors just like the real world and Twitter, Facebook, you get something started and it goes all the way across. Those that have Facebook, Twitter, it will work across the whole base in a day, no problem."* (E7-E9 Mixed Group)

Chapter 3: Changes in Sexual Assault Prevention and Response Policy

The Department recognizes the legal process following a sexual assault report can be difficult for survivors to navigate. In 2004, Sexual Assault Response Coordinators were created as a part of a cadre of trained first responders (other responders included chaplains, lawyers, and law enforcement; Under Secretary of Defense, 2004). In 2013, after approving an Air Force pilot program that assigned special counsel to victims who reported a sexual assault, the Secretary of Defense directed the Secretaries of the Military Departments to implement the program in their respective Services. (Secretary of Defense, 2013). Special Victims' Counsel/Victims' Legal Counsel (SVC/VLC), act as legal counsel for the survivor, provide advocacy and support, and act as the intermediary between the prosecutors and the survivor. Additionally, in 2011, the Department enacted the capability of "expedited transfers" for survivors (Deputy Secretary of Defense, 2011). After a survivor makes an unrestricted report, he/she can request a transfer to another base/installation or another duty assignment on the same base/installation. The request for an expedited transfer can be made for a variety of reasons (e.g., concerns of retaliation), and the survivor is to have a decision on that request within 72 hours of making their report. Commanders are now also authorized to transfer the accused perpetrator instead of the victim to maintain good order and discipline. In 2012, the Department mandated another new policy in which unrestricted reports of sexual assault will be reviewed by a senior officer (an O6 or higher) possessing special court-martial convening authority regarding initial disposition authority. This change is to ensure that more experienced commanders objectively assess these cases. This chapter examines members' awareness of these policies/support and whether they believe these policies/support are useful resources for survivors and useful tools for commanders. Members were also asked whether they knew their Sexual Assault Response Coordinator (SARC) or Unit Victims' Advocate/Victims' Advocate (UVA/VA), whether they would talk to them about an incident of sexual assault, and whether they would trust them to handle a report properly.

LINE OF EFFORT (LOE)

- This chapter addresses DoD SAPRO's LOE, "Advocacy/Victim Assistance," which includes providing sexual assault survivors with support from the initiation of the report through case disposition. One of the tasks for this LOE is to develop policies to ensure victims are provided appropriate rights, protections, and services.
- This chapter addresses DoD SAPRO's LOE, "Accountability," which includes providing a fair and equitable system of accountability that promotes justice. Some of the tasks for this LOE are to elevate initial disposition authority in certain sexual assault cases to commanders (O-6 or higher) who possess Special Courts Martial Convening Authority and to conduct an assessment of DoD Pilot Program for Special Victims' Counsel.

Special Victims' Counsel/Victims' Legal Counsel

- **Many focus group participants had not heard of the SVC/VLC, while a few had.**
  - *"I didn't know about those."* (E5-E6 Female)
  - *"I thought just JAG."* (E5-E6 Male)
  - *"I've heard it… I don't know too much about it, though."* (E5-E6 Male)

- *"I have… If anything new comes out, we hear about it. We have to do our training. We'll get a list of things to go through and we have to make sure that we take the class… That's the only reason I know about it"* (E7-E9 Mixed Group)

- **Focus group participants indicated SVC/VLC might be a helpful resource for sexual assault survivors.**

  - *"Because they have somebody to talk to and understand and help them through it legally and emotionally. Somebody that's on their side regardless."* (E1-E4 Female)

  - *"I think it will help people from feeling lost because there's someone there that can answer those questions legally. The emotional support is a great thing, but if you decide to prosecute, you're going to have so many questions, you're going to have so much there that is unanswered and how stressful that could be. And just to have someone there dedicated to answering those questions, tell you where this could go or could not go is a great resource."* (E3-E4 Male)

  - *"I think the lawyers, that's a really good thing to know. If something happens, you're scared, you don't know where to go to, you don't know what to do. And now there's lawyers to hear what happens to somebody…"* (E1-E4 Female)

Expedited Transfer

- **Some focus group participants indicated hearing about this option through trainings/briefings; other participants were unaware of this policy.**

  - *"In boot camp they gave a brief and told us about it."* (E1-E4 Male)

  - *"Yes… From all the meetings and briefings and the handout, pamphlets that came out, reading."* (E7-E9 Mixed Group)

  - *"No."* (E5-E6 Male)

  - *"I don't think I've heard that."* (E5-E6 Male)

- **Focus group participants indicated both positive outcomes (e.g., fresh starts) and negative outcomes (e.g., moving families, no real option for clean slate) of expedited transfers.**

  - *"If they feel uncomfortable in the environment they're in, they can just go somewhere else and start fresh, nobody else knows about it, you can just act like it never happened."* (E1-E4 Male)

  - *"It gives people tools to deal with the situation. It opens up possibilities to fix problems, which is a step in the right direction."* (E3-E4 Female)

- *"Especially if you're in a small unit, people are going to find out. At a certain point you really can't stop people from finding out, especially if it's within a command. You're going to get the pity or the distrust."* (E1-E4 Female)

- *"You have to uproot your entire life in the past year."* (E1-E4 Male)

- *"[The Service is] too small, there's no such thing as a clean slate."* (O2-O3 Female)

- *"I think the [Service] is small enough that I think you can follow that individual and they may have something attached to them when they go to their new unit."* (O2-O3 Male)

- **Focus group participants indicated transferring the accused perpetrator was a useful tool for commanders to have.**

  - *"I like that one better."* (E1-E4 Female)

  - *"I think the other person should have to be transferred. Why do I have to uproot my entire life because you did something to me? If we could keep the report so my peers, the people with me, didn't know about it and that person had to leave, I feel like that's better than me having to go to another base to, get over it."* (E1-E4 Female)

  - *"If you're the one that had it happen to you, then the person that did it to you should be the one that has to leave, because you're comfortable where you are, you might have a family where you are. If it's another job, you've got to refamiliarize yourself. I think that other person should be punished, not you."* (E1-E4 Female)

  - *"Get him out of this environment so the two of you aren't together. That's just common sense."* (E3-E4 Male)

  - *"The accused person should be the one that should leave because if their accuser is there, then you got a whole ship full of guys that know this dude."* (E5-E6 Male)

- **Some focus group participants indicated concern about transferring the accused perpetrator (e.g., transfer before guilt is established, perceived as transferring a problem at one command to another).**

  - *"What if it's confirmed that the prosecuted isn't guilty of what he's being charged for?"* (E1-E4 Male)

  - *"But if the accused leaves, they're going to be somewhere new where people don't know about it, so they could be doing it again."* (E1-E4 Female)

Review of Cases by an O6 or Higher

- **Some focus group participants indicated that review by an O6 was an objective review; others expressed concern that objectivity might not occur if the investigation remains in the chain of command of the individuals involved.**
  - *"Then you're putting it in the hands of somebody who doesn't really know the [members]... But then again, it could be a positive because it could give a fresh set of eyes on it and [be] unbiased…."* (E3-E4 Female)
  - *"… it keeps the commanders at some level in control of what's going on."* (O2-O3 Male)
  - *"Here's I think the inherent problem with this. The higher you climb in altitude, the fewer people there are. And they know one another. They're personally attached. It should be an independent body with completely removed, call it a blue ribbon commission…"* (E7-E9 Mixed Group)
  - *"I think they should be in a different chain of command so they would not know the people involved, so they can have an unbiased view."* (E1-E4 Female)
  - *"I also think it should be more than just one person that makes the decision, because what if that person has a biased opinion towards one way or the other?"* (E1-E4 Male)
- **Focus group participants indicated that senior officers might not have the qualifications or expertise/to review.**
  - *"I don't think that it really matters what rank you are. I think that it matters how much you know about the program and how well you can assess the situation."* (E1-E4 Female)
  - *"… maybe if you had somebody designated to review these cases that was neutral."* (O2-O3 Female)

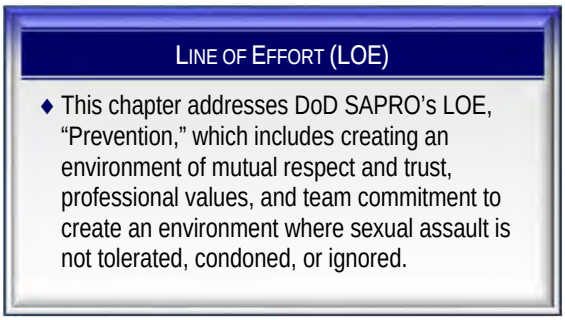
Awareness and Use of Sexual Assault Response Coordinator (SARC)/Unit Victims' Advocate/Victims' Advocate (UVA/VA)

- **Focus group participants indicated they knew about or knew how to contact their SARC or UVA/VA.**
  - *"We know who our SAPR person is…"* (E3-E4 Female)
  - *"Yeah. The number's on the posters and the cards."* (E1-E4 Male)
  - *"It's pretty much all over the place, your UVA contacts."* (E1-E4 Male)
  - *"No, but if they don't, they've got a pen that has their number."* (O2-O3 Female)

- **Most focus group participants indicated they would go to their SARC or UVA/ VA for help and trusted they would handle a report properly.**
  - *"[Their SARC is] Very approachable."* (E5-E6 Male)
  - *"I think as comfortable as you can be, as I don't think it's a comfortable situation in general."* (O2-O3 Female)

Chapter 4: Command Climate/Culture

Another major area for investigation in the *2014 FGSAPR* focus groups centered on perceptions of leadership with respect to engagement in preventing sexual assault/sexual harassment and creating a climate of dignity and respect. The presumption was that programmatic aspects of sexual assault prevention and response are in place but require continual emphasis. Leadership involvement is necessary at all levels to make programs maximally effective.



Members were asked about what their unit/senior leaders say to them about sexual assault/sexual harassment; whether their unit leaders lead by example; and whether they would trust their senior leaders to protect a victim's privacy, ensure a victim's safety, and treat the victim with dignity and respect. Questions about military culture were included as well, specifically asking whether crude language is used and ways that social media might play a role in perpetuating sexist attitudes. Members were also asked about the Department's push to create an environment of dignity and respect, their perception of how culture change starts, and the use of social media.

Perception of Unit and Senior Leadership's View on Sexual Harassment and Sexual Assault

- **Focus group participants indicated their unit and senior leadership encourage an environment of dignity and respect, and inform their personnel that sexual assault and sexual harassment are not tolerated.**
  - *"I think along the same lines of a culture of dignity and respect, it kind of encompasses all of that. It's not just sexual assaults or anything, it's just general respect of people."* (O2-O3 Female)
  - *"It's not tolerated. No matter what pay grade you're at, it's not tolerated."* (E7-E9 Mixed Group)
  - *"We actually had our leadership read off what everyone in the past month had been sent home for, and that really opens up what you see and what's going on. So it makes it more real."* (E1-E4 Male)
- **Some focus group participants indicated their unit leaders lead by example or say something when witnessing inappropriate behavior; other participants indicated that it would depend on the unit leader.**
  - *"Well, in terms of just the leading by example, when they're speaking to us they're professional -- you don't get a lot of the locker room talk or maybe the things that*

the good old boys, the things you think about service members saying back in the day, the good old days..." (E1-E4 Male)

- *"Our E9 doesn't stand for it, but he's very straightforward. Every time I'm around him or talking to him, he's very professional. He's more of an advocate than I think some of our other leadership is. He doesn't stand for it, he [says] 'don't do that [expletive] because I'll be mad at you and it's not going to be a good day.'"* (E3-E4 Female)

- *"It just depends on the person and how they feel about it. A lot of it has to do with if they're a male or female too."* (E3-E4 Female)

- *"It depends who we're talking about."* (E1-E4 Female)

- **Focus group participants indicated they thought their senior leadership would protect a victim's privacy, ensure their safety, and treat them with dignity.**

  - *"I trust mine... it is a personal thing. I trust my chain of command."* (E1-E4 Female)

  - *"I think they would… keep it private. I think they would keep it professional and keep it quiet."* (O2-O3 Female)

Relationship Between Sexist Behavior, Sexual Harassment, and Sexual Assault

- **Focus group participants indicated there might be a relationship between unwanted gender-related behaviors and sexual assault. Specifically, someone who commits a sexual assault might initiate this with prior unwanted gender-related behaviors.**

  - *"Yeah. One leads to the other…they're grooming them. They're testing their limits to see how far they can get."* (E1-E4 Female)

  - *"You probably would harass people if you sexually assaulted them. But not the other way around."* (E1-E4 Male)

  - *"I believe that a sexist attitude leads to sexual harassment, which leads to sexual assaults. They're all steppingstones. Sexist attitude sets a tone. Sexual harassment allows you to feel out the reaction, and then that leads to sexual assault."* (E1-E4 Male)

  - *"I think the relationship between two is maybe the idea of gender dominance. If you think your gender is more dominant, you're more likely to dominate the opposite sex..."* (E1-E4 Male)

Crude Language as a Part of Military Culture

- **Some focus group participants indicated that crude language is a part of military culture, but it is typically not focused at a specific person and can often be redirected.**
  - *[Do you agree that crude language is just part of the military culture?] "Yeah."* (E3-E4 Female)
  - *"I'm not saying that it's okay that we make those jokes or that it's part of our culture at all, but there's a definite line… that if you cross it, you know it's wrong, and the people that you're joking with know it's wrong. And another part of our culture is that we'll call each other out on things in an instant."* (E1-E4 Male)
  - *"I've seen it before. If somebody feels uncomfortable, 'hey, that kind of bothered me,' and we won't do it again."* (E1-E4 Male)
- **Some focus group participants indicated that crude language is a part of general American culture, apart from the military.**
  - *"I wouldn't say the military, just culture in general."* (E1-E4 Male)
  - *"It's a part of human culture at this point."* (E1-E4 Male)
  - *"I think it's more generational."* (O2-O3 Female)

Improving Military Culture

- **Focus group participants indicated they see improvements in the military environment where there is more dignity and respect among its members.**
  - *"Some of the guys that I run into, they're old school, they're old dogs, they're not going to change. They will never change. Get them out. They will never change. But as the young crew gets older and more rank, they tend to change a little bit. You have some males that turn around and they will put you underneath their wing, they will talk to you, they will associate with you, they will respect you because they grew up [at] the [same] time you were growing up."* (E5-E6 Female)
  - *"The big push was more like a year, year and a half ago was when you started seeing things, seeing pictures being taken off the walls and things being thrown away."* (O2-O3 Female)
  - "*I think the biggest positive impact is that it's made command climate in the command support work the way it's supposed to, it's made it to where females specifically have more opportunity, have more equal opportunity, and they don't feel boxed in as much."* (E5-E6 Male)

- *"Think of just 20, 30 years ago it was free to call somebody of a different race 'hey, you, something something.' And that's no longer okay. And now we've gotten to the point where we're saying you can't call somebody 'that's homosexual,' you can't call them a 'something something.' So it's just not good to espouse those different things and we're gradually catching up to it, and so as society changes once again the [Service] changes."* (O2-O3 Male)

How Culture Change Starts

- **Focus group participants indicated all paygrade levels within the military create culture change.**
  - *"I think it does start up top, because in order for it to get pushed to the junior level, it had to come from somewhere else, because most of us didn't come in here with all these new ideas about how we are going to change the United States military."* (E1-E4 Male)
  - *"Can I say it works both ways? I feel like top down sets direction of a culture, of a desired culture change. If you set a policy and you have people who are enforcing that policy… and it sets an expectation. And then you have people underneath [who] are policing each other to make sure that they respect them."* (E1-E4 Male)
  - *"It's got to be collaborative. I think the top has got to change their old ways of thinking, and then the new people have to know what is not acceptable and they have to meet in the middle."* (E3-E4 Female)
  - *"I think it starts at the bottom. What is it, like 80 percent of the military is E1 through E4? It has to start at the bottom. You can have people tell you what to do and tell you how to act all day. But if those 80 percent of junior enlisted members are not doing it, then it's never going to happen."* (E1-E4 Female)

Use of Social Media

- **Some focus group participants indicated that members do not use social media because they want to protect their privacy, the media sites are policed by leadership, and they do not have time to use them.**
  - *"I think people are protecting their private lives now, especially in the military. I think a lot of service members are aware that their social life doesn't need to be posted online, especially if you wear a uniform."* (E1-E4 Male)
  - *"The military, at least with social media, they're pretty good about policing it, at least within my unit."* (O2-O3 Female)
  - *"We don't have time for that."* (E1-E4 Female)

- **Some focus group participants (in specific Services) indicated social media is a problem.**

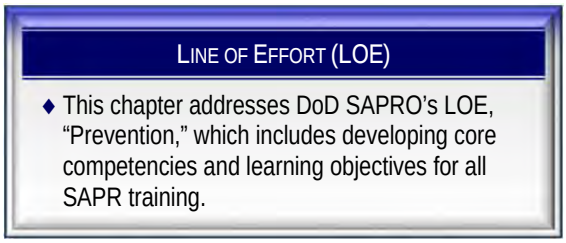
  - *"If you were to go onto Facebook and type in [SOCIAL MEDIA SITE] or any of the other thousands of bash pages that are on Facebook, you can scroll through and you can pick out a thousand female Service members. Like 'oh, look at this slut.' 'Get back in the kitchen.' 'Go make a sandwich.' It's just the most ridiculous things in the world. It's a bunch of immature people. [SERVICE] is filled with children, immature children that don't know how to grow up and don't know how to be mature about any situation at all."* (E5-E6 Female)

  - *"If you are a male you can put [how] you got promoted to corporal/petty officer/senior airman [on Facebook]…. If you are a female just in your dress blues with [your new rank shown]…they're like 'oh, blew your way to that [promotion], didn't you?'"* (E1-E4 Female)

  - *"It's moved to social media because they know they can't say it to our face because they're not on the same level as we are."* (E5-E6 Female)

Chapter 5: Training

Training on sexual assault prevention and response was also a topic of interest for the Department. Military members receive a variety of training on these topics, often many times throughout the year. This section provides information on when trainees received their first training on topics related to sexual assault, how often they received training, and the types of training they received. All participants were asked to describe the most effective training they received, whether they learned anything new in the past year's SAPR training, and whether they thought that the prevention of sexual assault/sexual harassment was just another training requirement. Some themes were applicable to trainees only as they have had more recent experiences with SAPR training. This is indicated in the themes below. Members also offered recommendations for future training.



Sexual Assault Prevention and Response Training (Trainees Only)

- **Focus group <u>trainees</u> indicated they first received sexual assault prevention and response training in boot camp or basic training/recruit training.**
  - *"Boot camp… every day."* (E1-E4 Male)
  - *"[At Basic Training, received training] at least weekly. And I don't think a week went by that there wasn't something on it."* (E1-E4 Male)
- **Focus group <u>trainees</u> indicated they received repetitive training.**
  - *"Once a week for like five weeks."* (E1-E4 Female)
  - *[Number of times seen training] "A Million."* (E1-E4 Female)
- **Focus group <u>trainees</u> described the various training received on topics related to sexual assault.**
  - *"I liked… the videos [because] they show literally real life scenarios of things that happened."* (E1-E4 Female)
  - *"It was mainly PowerPoint in a classroom."* (E1-E4 Female)
  - *"I've had various trainings. I've had the discussion groups where they go over possible different scenarios that you might come across, how would you respond, what's appropriate. I've had the PowerPoint where they tell you exactly what you need to do, what exactly is not appropriate and appropriate and what you can do to help your fellow member in a situation like that. And then I've had classroom discussions that aren't discussion groups, where the instructor themselves share a little bit more personal experiences without names."* (E1-E4 Female)

Most Effective Training

- **Focus group participants indicated the most effective SAPR trainings were typically from guest speakers, small group discussions/interactions, videos, and skits.**
  - *"I really enjoyed the civilians that came for the training. I felt that was an actual good discussion on the topic. I feel like you have to change the way people think, and address it in a manner like they did. I feel like that opened doors."* (E3-E4 Female)
  - *"We had a group of people come and they did skits, and that was pretty good."* (E1-E4 Female)
  - *"… We would do skits… where they would show what was sexual harassment. Then, after a skit was over, we would discuss why it was sexual harassment so people that are ignorant can learn how to be proper and not treat people incorrectly."* (E3-E4 Female)
  - *"They had all the information out there. They had police tape recordings so you could listen to calls. And they had an actual victim come out, very, very brave of her, and speak about her experience. It was really good. The second one was very good too, they had a video."* (E3-E4 Female)
  - *"What really had an impact [was] when they showed us films of actual victims and we listened to their side of the story… Showing something like that when you see real life, it makes you think sometimes."* (E5-E6 Male)
  - *"The best training I've had was they broke the divisions in the department down to smaller groups and did a focus group session instead of doing a lecture type training."* (E5-E6 Male)
  - *"It's the emotion behind [it] have a speaker come… who's actually had an experience, you feel that person's emotions through it."* (E3-E4 Female)

Whether Members Learned New Information in SAPR Training

- **Many focus group participants indicated they had not learned anything new this year through training.**
  - *"It just seemed like a lot of repeat information to me."* (E3-E4 Female)
  - *"I personally didn't learn anything more."* (E3-E4 Male)
  - *"They need to diversify the training. We're beating a dead horse, in my opinion."* (E1-E4 Female).

- **Participants indicated they would like to learn more about updates on SAPR policies and other topics of interest.**

  – *"Well, I want to see more things about spousal rape; I want to see more things about the stranger rape. I want more training on how to defend ourselves, how to deal with what's happened…"* (E3-E4 Female)

  – *"I think they need to clarify that sexual assault is not just military-military. It's also spouses and people in the military. That's the way a lot of people don't really understand, just because you're a civilian and their spouse is military they really don't count."* (E5-E6 Female)

Perceptions of Whether Sexual Assault and Sexual Harassment Trainings Are "Just Another Requirement"

- **Focus group participants indicated they received too much training on topics related to sexual assault.**

  – *"There needs to be a balance between creating that desire to make the changes [and not] beating a dead horse the way it is now."* (E1-E4 Male)

  – *"I think the way that it's presented makes a difference, because I know when we did the small groups, I think that was beneficial. But if it's just mass briefing after mass briefing, that's not the most effective."* (O2-O3 Female)

  – *"That's where we get desensitized, where we do a Computer Based Training, where you have to watch a video or watch a person. Like it's a lot better when we can hear real examples of what's actually happened, because that's a lot more realistic to us."* (O2-O3 Female)

  – *"I think that's why it's become a joke though. I would say they do too much [training]… with SAPR… It literally has become a running joke…"* (E1-E4 Female)

Recommendations for Future SAPR Training

- **Focus group participants indicated it would be beneficial to hear from sexual assault survivors, legal professionals, and/or perpetrators convicted of sexual assault.**

  – *"I think a variety would be good – people are unique in their own ways, so I think having different resources and just a variety would target different people."* (E1-E4 Male)

  – *"… It's the military members [who] have been actually been convicted and they're sitting there in their orange suits and [they got] ten years. No pay, down to private. It's the one that's a reality that just smacks you in the face…"* (E5-E6 Female)

- *"… If you actually had a live real sexual assault victim come and tell you that perspective face to face…"* (E5-E6 Male)

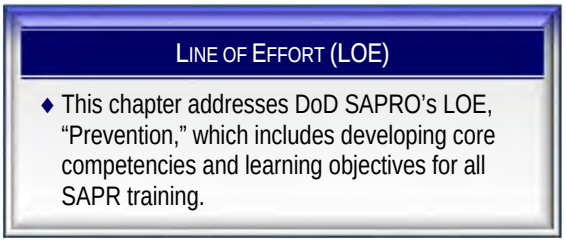
- *"So if you see a man come in and he's personally testifying of getting sexually assaulted, then it would be 'wow, this happens to us too.' Because that is the majority of the military, men. It's 'wow, this happens to us too,' so maybe we should take the females more serious with their cries for help."* (E1-E4 Female)

- *"[Hearing from victims or lawyers] can give you more insight on how the case went, what kinds of fines, penalties, jail time comes with that."* (E3-E4 Male)

- *"Having the legal counsels come to the basic training unit so that members can ask questions. A lot of times when you know the legality of certain situations, it's a deterrence when you hear it from an attorney."* (E1-E4 Female)

Chapter 6: Bystander Intervention

Some unwanted gender-related behaviors occur in environments where people have an opportunity to step in to prevent a potential sexual assault. This chapter addresses this bystander intervention, or more specifically, how members perceive their roles with respect to preventing sexual assault in a social situation. Bystander intervention is a topic used in training by the Department to raise awareness among members that they should step in if they see a situation that could potentially lead to a sexual assault. Members were asked to provide details about "red flags," or situations that could be construed as potentially vulnerable to sexual assault. Members were asked if they would intervene if they saw one of those "red flags." This chapter includes information on what members might do to address inappropriate behaviors witnessed in the workplace or in social situations. Members were also asked to indicate at what point, if any, they would step in and address the issue if they witnessed inappropriate behaviors (e.g., sexual harassment or sexist comments).



Intervening in a Social Situation

- **Many focus group participants indicated that they would step in to prevent potential sexual assaults in a social situation (e.g., a bar) if they saw a "red flag;" others indicated that stepping in would depend on the person and the situation.**
  - *"If the person looks uncomfortable, you can come up and say, 'hey, are you ready to go?' and act like her boyfriend."* (E1-E4 Male)
  - *"Most of us would. If we see a fellow Service member [who] does not want the attention he or she is receiving, most of us would step in and help."* (E1-E4 Male)
  - *"Any situation that is unfit and wrong… it's your job to step up and do something about it."* (E1-E4 Female)
  - *"I will say one thing, the uniform protects the uniform. They take care of their own."* (E3-E4 Female)
  - *"I think it depends on the situation. Depends on what type of person you are, if you're going to step in or not."* (E7-E9 Mixed Group)
- **Focus group participants indicated members are willing to step in regardless of how they are perceived.**
  - *"Some people might think that guy is a [expletive], for lack of a better word, [but] you have to step up and [say] 'hey, that's wrong.'"* (E1-E4 Male)

- *"At the time I don't think anybody is going to thank you for it. But I think later down the road, especially the next day, they'll be okay."* (E1-E4 Male)

- *"You could be perceived as a "cock blocker"… And that's perfectly fine, because I'd rather be perceived as the cock blocker than to see a friend get hurt and not having intervened."* (E3-E4 Female)

- *"I think it's more socially acceptable to be a "cock blocker" these days than it was a few years ago."* (E3-E4 Female)

Intervening in a Professional Situation

- **Many focus group participants indicated they would step in if they witnessed inappropriate workplace behaviors.**

  - "*Yeah. I mean as soon as it happens, it should be addressed."* (E5-E6 Male)

  - *"When I would clearly see that the person that those comments are being said [and]if the [person is] showing signs of clearly being offended or disturbed. If a person is making sexual comments and the person that they're about is laughing or enjoying them, I mean I wouldn't step in."* (E1-E4 Male)

  - *"Of course."* (E7-E9 Mixed)

  - *"…I'd like to think that people would stop it."* (O2-O3 Female)

  - *"I've been in a situation where we've been telling jokes, it's just what we're doing. But that doesn't happen when someone says something personal."* (E1-E4 Male)

Chapter 7: Summary

The goal of the focus groups was to gather additional details on sexual assault prevention and response, thereby providing additional insight into the strengths and weaknesses of the current SAPR program. Findings should be viewed as illustrations of situations and themes for consideration by Department officials as they review their programs. This does not mean the views represent DoD as a whole and findings should not be generalized to the entire military. Themes presented in this report were shown if they were voiced by participants in all of the Services/National Guard. For the most part, information included in this report is shown across both genders and all paygrades (there were a few exceptions where questions that were asked of only trainees are shown).

Results in this report address views on the perceptions of unwanted sexual contact in the military, reporting of sexual assault, changes in SAPR policies, command climate/culture, training, and bystander intervention. Based on information heard in the focus groups, opportunities might exist for the Department to continue addressing issues related to perceived or real professional and social retaliation for survivors who report their sexual assault, publicizing all of the new SAPR resources that are available to survivors (e.g., Special Victims' Counsel/ Victims' Legal Counsel, expedited transfer), emphasizing continued culture change particularly within peer-to-peer interactions, and diversifying SAPR training. As changes are implemented to address these concerns, future surveys and focus groups can help determine their efficacy.

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Appendix A.
Focus Group Protocol

2014 SAPRO Focus Group Guide

Introduction to the Focus Group

Time for briefing and introductions: 5 minutes

Good morning/afternoon. My name is _____ and I represent the Defense Manpower Data Center. My colleagues with me this morning/afternoon are _____ and _____ also with DMDC. I have provided each of you with a handout. Please turn to page 1. You can follow along while I share with you the purpose for this focus group and the ground rules we will follow.

We have asked you to be here with us to help us understand issues of sexual assault prevention and response. In 2012, some members of the active duty and National Guard who were selected at random were asked to participate in a voluntary DoD-wide survey on these topics as part of the Workplace and Gender Relations Survey (WGRA/WGRR). In response, a series of focus groups are being conducted to provide more detailed information to DoD leadership. Similar focus groups are being conducted at installations across the country.

This is **a voluntary focus group**. If you prefer not to sit in on this focus group, you are free to leave or to sit quietly while others participate.

- Let's begin by talking about why we are doing focus groups. While the press and others may claim to know what is going on in the military, your senior leaders want to hear directly from you about the issues that affect you. This is an opportunity for you to share your perceptions and recommendations directly with senior leaders and in turn it helps senior leaders make well-informed policy decisions.
- Focus group participants sometimes say "I have not experienced sexual assault, so why should I stay for this session?" The purpose of this focus group is to understand these issues across the military. You're the experts on what it's like to be a member of the armed forces. Whether you *have* or *have not* experienced sexual assault is not a topic of this discussion. We do not want to discuss your personal experiences with sexual assault. We do want to discuss issues in general so we can provide guidance to leadership on the attitudes and opinions of the military force.

I want to thank you in advance for participating in this important focus group and go over a few ground rules for the focus group:

- Please respect each other's opinions. We know this is a very sensitive topic and you will have different perspectives on issues covered in this focus group. We want to hear those views—that's why we are here today. So there are no right or wrong statements or opinions.
- If you don't feel you have anything to contribute, there's no pressure for you to do so, and if you need to leave during the session, please do so in a quiet manner, so as not to disrupt the group.
- I will lead the discussion and _____ will be helping us to take notes. Also with us today is _____ from _____. We will record comments but will not record names or other identifying information. Only an analysis and summary of the data will go in our report. If you would like to see how comments are being recorded, please examine what _____ is typing.

- This is a non-attribution session. Although we are taking notes on your comments and suggestions, we will not share anything outside this room that can be attributed to any one of you specifically. We ask your cooperation in protecting the privacy of the comments made within this session, so please do not discuss the focus group proceedings after you leave.
- Please keep the crosstalk to a minimum. Let me be the focal point for questions and discussion.
- Any questions?

I have several questions to ask you today, with a few subtopics in each. I will watch the time so we will be able to cover all questions by the end of this session at [give specific end time].

Let's begin our discussion today with some results of the 2012 WGRA and WGRR surveys on sexual assault. Let me explain our use of terms. When we are talking about the results of the WGRA/WGRR, we use the term "unwanted sexual contact." Notice that it includes a number of unwanted sexual behaviors ranging from unwanted sexual touching to completed sex. We use the term "unwanted sexual contact" because it captures a range of unwanted sexual behaviors that are punishable by the UCMJ that is broader than the criminal offenses of sexual assault and rape. Here you will see some of the results from our 2012 survey that we will discuss today. Please turn to page 3 of your handout. You will see the actual question on unwanted sexual contact used in the WGRA/WGRR.

1. Perceptions about unwanted sexual contact

Time for Question 1: 15 minutes

a. In 2012, the unwanted sexual contact rate from the survey for active duty DoD women was 6.1% and for active duty DoD men was 1.2%. Have you heard these unwanted sexual contact rates before? Do these rates for the Department [explain that Department includes all Services] seem right to you? Too high, too low? Explain why they seem too high or too low. Has your leadership here at [installation] talked about these results? What did they say? Have members in your unit talked about these results? What did they say?

b. There has been a lot of attention in the press and from Congress over the past few months on the DoD unwanted sexual contact numbers reported in the military. Have you seen the articles or heard any news reports? Do you and other members of the military you've spoken to feel like these news articles are accurate in how they portray the military [with respect to unwanted sexual contact]? Why?

c. We just completed a discussion of our WGRA/WGRR results on unwanted sexual contact. For the rest of the session when we refer to the term "sexual assault" we are referring to the "umbrella term" used by DoD and not the term referred to in the media. So for purposes of this discussion, sexual assault means "unwanted sexual contact." Do you feel this attention has resulted in any positive or negative changes in the military? How? Has it helped increase awareness on the issue? Has this attention resulted in any changes in how Service members treat each other [increased respect, encouraging someone to report an incident]? Have you seen or felt a shift in how your leadership deals with this topic? In what way?

d. [For senior level members] Think about your time in uniform and how this issue has been handled over time. Have you noticed any change in the way your Service or the DoD deals with issues of sexual assault? Can you give examples of positive or negative changes? (If

positive changes are mentioned, what has led to the positive change—are leaders more engaged in this issue? Are people more willing to intervene in a potential situation now than they were in the past? When did you notice the positive change occur? Are there any other factors – to include key personnel, such as commanders – that contributed to this change? If negative changes are mentioned, what led to them?)

e. What other changes do you think would help prevent sexual assault in the military? Describe. Are there any current procedures or policies that should be changed, dropped, or added?

OK, now let's switch gears and talk about reporting sexual assault.

2. Reporting

Time for Question 2: 10 minutes

a. A few years ago, the Department expanded the reporting options for victims of sexual assault. There are now two options: restricted and unrestricted reports. Unrestricted reporting includes access to medical treatment and counseling services, and it also triggers an official investigation by a Military Criminal Investigative Organization (CID, NCIS, and OSI). Restricted reporting permits access to medical treatment and counseling services, but does not trigger an official investigation or command notification of the assault. Are you familiar with these two types of reporting options? How did you learn about these two types of reporting? Do you think someone who experienced sexual assault would be more likely to choose restricted or unrestricted reporting? Why?

b. The Department recognizes that more sexual assaults happen than are reported. However, in the past year, we have seen about a 50% increase in reporting from last year. What do you think is the reason for the recent spike in reporting? Do you think the reporting options we discussed earlier as well as the higher visibility of the issue in the media, by Congress and at the White House, might have helped victims feel more comfortable with coming forward? [If needed to prompt: Have you seen more publicity of the reporting options (restricted/unrestricted reporting)? Do you think people are more aware that sexual assault is a serious problem?]

c. The number of reports received annually by the Department represent only about 15% of the reports that could have been made based on the survey results. According to our survey, some members who experience unwanted sexual behaviors might not report it officially to the Department because they fear some sort of professional retaliation from their chain of command (for example, their performance evaluations or chance for promotion would suffer). Without speaking about specific incidents, what do you think professional retaliation might look like? Have you ever witnessed this or heard about it (please do not speak about specific incidents)? [If yes] What could the Department do to address the concerns of professional retaliation? Do you believe the heightened attention made a difference? If so, how?

d. We also hear from these survey respondents that they fear negative treatment or reactions by peers. Again, without mentioning specific incidents that may have occurred, what do you think this might look like? Do you think social media plays a role in these types of incidents? If so, how? [If asked for clarification, ask if people spread rumors over social media or say things about an alleged victim or offender.] Do people say things on social

media that they would not say in a work setting? Why? How do people react to such negative treatment [if needed for prompting: do you think they become more isolated, have lower levels of performance, lash out at those treating them badly, leave the Service at the earliest opportunity]. Do you believe the heightened attention made a difference? If so, how? Would there be any examples of social retaliation by peers?

e. [If applicable, say we just discussed both professional retaliation and negative treatment by peers as a result of someone reporting sexual assault] What more can be done to stop these negative reactions and encourage reporting? Can you think of any other barriers that could be eliminated? How can the Department encourage people to come forward? Do you believe the recent changes and increased attention by the Department made a difference? If so, how? Could social media be used to dispel rumors or accusations? How? To encourage reporting? How?

Over the past year, there have been new programs established by the SAPR offices in response to the rates and reports of sexual assault. I am going to cover a few of them to find out if you've heard of them, and if so, what you think of them.

3. Changes in SAPR Policy

Time for Question 3: 10 minutes

a. Recently, all four Services created specialized attorney positions for sexual assault victims. These attorneys are called a Special Victims' Counsel or SVC in the Army and Air Force. [Navy and Marine Corps – this is called "Victims Legal Counsel] These lawyers are available to assist victims with the legal – and emotional – stress involved in a case underway. They are specially trained to provide legal advice and representation to victims of crime. Have you heard of this resource? If you or someone you know were a victim of sexual assault, would this be a resource you'd find valuable or recommend? Why do you think victims would find having their own attorneys helpful? Are you also aware that there are specially trained prosecutors or Special Victim Prosecutors (SVPs) who are lawyers trained to enhance the prosecution of offenders with increased expertise, unique training, and specialization that now works cases? What other legal resources would be helpful based on what you've heard or know about the military legal system?

b. The DoD now allows victims to request a transfer to another base/installation, or to another duty assignment on the same base/installation when they make an unrestricted report. The request can be made for a variety of reasons including concerns of retaliation, and the victim will receive an answer to their request within 72 hours of making it. Did you know this was an option for sexual assault victims? What do you think about this as an option for victims [probe for both positive and negative aspects]? Commanders are now authorized to transfer the accused Service member in certain circumstances, so the victim may not have to transfer. What do you think of this option? Do you think this is a useful tool for commanders to have? Why?

c. Unrestricted reports of sexual assault (reports that trigger an official investigation) now have to be reviewed by a senior officer – an O6 or higher. This change is to ensure that more experienced and seasoned commanders objectively assess these cases. Before this change, the decision of what command action or punishment to take could have been made by a less experienced and lower-level commander. Do you feel like this addresses some concerns about how cases are handled in the military? Why do you feel that way?

d. Do you think any particular policy change has led to noticeable changes in the way Service members and the Service leadership regard sexual assault (for example, how they treat each other, how they react if and when a sexual assault occurs)? If so, which ones and what has the result been of those changes? What other administrative or legal changes would be helpful and should be considered? [If other changes are recommended, ask why they think these changes would be beneficial? How they would be beneficial?]

Let's turn our discussion for the next few minutes to command climate and culture.

4. Command Climate/Culture

Time for Question 4: 10 minutes

a. [For non-senior level members] What does your unit leadership say to you about sexual harassment and sexual assault? Can you give an example? [Depending on the response, ask if the discussions are helpful or what they would like their leaders to say to them.] How well does your unit leadership lead by example? Do they say something when they witness a questionable behavior? Do they help set a standard of dignity or respect? [Depending on the responses, probe for good or bad examples.] Do they encourage supervisors to address questionable behaviors? How?

b. What does your senior leadership [GIVE EXAMPLES] say about sexual harassment and sexual assault? Would you trust them to protect a victim's privacy? Would you trust them to ensure a victim's safety following an incident? Would you trust them to treat a victim with dignity and respect?

c. Do you know the SARC/victim advocate [tailor to specific Service terminology] for your unit or on your installation? Do you think most people in your unit would know them? Do you think most people would know how to contact them? Would you talk to them about an incident of sexual assault? Why? Would you think most people in your unit would talk to them? Why? Would you trust them to handle a report properly? Why or why not? [If they state concerns, ask "what would make you more likely to talk to them?"]

d. Let me define briefly a few terms we will be discussing in the next section [give examples of sexual harassment and sexist behaviors.] Do you think there is any relationship between unwanted verbal behaviors such as sexual harassment or sexist behavior and unwanted physical behaviors such as sexual assault? Describe [If needed, probe if they see these as grooming or confidence building steps toward more aggressive physical behaviors, or that unchecked behaviors act as a "green light" for misconduct in the unit.]

e. Some people would say crude language is just a part of the military culture. Do you agree with this statement? If yes, why? Do you think there is some level of acceptance of these types of verbal behaviors as being part of the military environment? Does the use of social media such as Facebook and twitter play a role in this? Do you believe people might say things on social media sites they wouldn't say in person? Do you think there could be a positive role for social media in addressing sexual harassment and sexual assault?

f. In an effort to reduce these types of behaviors, the Department has been working hard to improve culture leading to greater respect for each other. Have you noticed any new emphasis on reducing these behaviors? If so, what has been done? Have you seen anything specific that indicates the military as an organization has improved or is improving? [Probe into general perceptions of organizational improvements; ask for tangible examples without specific identifying information.]

i. At what level have you seen these changes? For example, have you seen changes among peers? Immediate leadership? Senior leadership?

ii. [If there are groups above that are not demonstrating change] How could the Department help [group] understand the importance of these issues?

iii. [For examples of positive change] Do you feel that this is a lasting change?

iv. Do you, as individuals, feel responsible for this issue? In other words, what role, if any, do you see yourself playing in stopping disrespectful behavior?

v. What more can be done?

g. How do you think culture change starts? Do you think change needs to come from leadership or from the members themselves – or both? What has been the reaction to these changes from your fellow Service members?

h. In general, do you think the military emphasis on eliminating sexual assault has had positive impact? For example, have you heard about [describe one or two recent programs]? What have you heard? Has it been effective in motivating people to step into situations? What more can be done?

i. Some people feel that prevention of sexual assault and sexual harassment are just another training requirement. Do you agree with this? [If so] How can the Department encourage people to take these issues more seriously?

We've just talked a little about training. Now let's discuss training in more detail.

5. Training

Time for Question 5: 10 minutes

a. When did you first receive training on sexual assault prevention and response?

b. [For Trainees] Thinking about your experience at Basic Training – did you receive SAPR training during Basic? If so, how many times? What kinds of SAPR training did you receive? Was one more effective than the other? Have you had any recent training on sexual assault? Is it different from the training you first received? How so? How effective was that first training in helping you understand the resources available to you? Has training improved over the years? If so, how?

c. Overall, what training did you consider to be the most effective this year? Why? What training did you consider the least effective? Why? In general, what kinds of training are most helpful? What kinds of training are least helpful? How would you improve it?

d. Did you learn anything about sexual assault in training this past year that you did not know before? Describe. Is there something you would like to know more about? Did your training change your mind or perspective on the topic? If yes, in what way?

e. [For senior level members] What do you tell your personnel about these topics? What do you often hear about this topic from the other members of your units? Are there topics that the training does not adequately address?

f. [For trainees only] Who would you go to here at [installation] if you wanted to report an incident of sexual assault? Do you feel prepared to deal with issues of sexual assault when

you leave this training school? What training was the most helpful? What could be done better to prepare you?

One of the campaigns the Department and the Services have implemented in preventing the problem of sexual assault is active bystander intervention. As you're probably aware, this campaign encourages Service members who see a risky situation or something that might potentially lead to a sexual assault and to take steps to prevent it.

6. Bystander Intervention

Time for Question 6: 10 minutes

a. Thinking about a social situation (e.g., in a bar, at a celebration where alcohol may be involved), what types of behaviors would be considered to be a red flag leading to a potential sexual assault [if needed, provide potential red flags]? Do you think most military members would be willing to step in and stop a situation if they saw one of those red flags? How would they be perceived by those who are with them for stepping in? In the past we have heard that people don't want to step in for fear the people they are with will think of them as a "buzz killer," or as someone who interferes with someone's efforts to hook up. Has there been a change in this perception so that those who intervene are viewed more positively? Please describe. How do you think he or she would be perceived by leadership for stepping in?

b. Now let's think about a workplace situation where people may witness inappropriate workplace behaviors (like sexual harassment or sexist comments). At what point, if any, would someone feel like he/she needed to step in or say something to indicate that the behavior is unacceptable? If a person stepped in or said something to address the behavior, how do you think he/she would be perceived by others in the workplace? How do you think he or she would be perceived by leadership for stepping in?

I would like to wrap up our session today with several final questions.

7. Additional recommendations for addressing sexual assault

Time for Question 7: 10 minutes

a. Is there anything you wish someone had told you about dealing with issues of sexual assault when you first came in to the military?

b. What more can your Service do to help prevent sexual assault?

c. What else can you tell us about sexual assault in your Service?

d. One final set of questions has to do with your perceptions about military service.

   i. How do your friends and relatives feel about you being in the Service with regard to the attention sexual assault has received? [If they have raised concerns or questions about your safety?] How do you typically respond? What could the Department do to help overcome these perceptions? How does the media attention impact you and your fellow Service members?

   ii. How safe do you feel from sexual assault in the military? Do you know of anyone who feels differently?

   iii. Do you think the military is serious about preventing sexual assault?

iv. Do you think the military is better or worse than other civilian organizations or institutions in dealing with sexual assault? Why?

v. Is there anything we didn't ask today that we should have?

Thank you for taking the time to participate in this focus group. As I mentioned at the beginning, we will treat all of your comments anonymously. There is no attribution to any of you for the specific comments you made today. Please also respect that non-attribution when you leave here today. Our goal is to provide the best data possible and you have helped us greatly today with your comments and insights.

One last comment – on the last page of the handout you will see a list of resources available to you if you would like to follow up with us or have any questions. It also lists Department resources if you would like to talk further to someone about this study or any experiences you might have had with unwanted behaviors.

Thank you again for your participation.

Appendix B.
Focus Group Participant Handout

2014 Focus Group on Sexual Assault Prevention and Response

Handout for Participants

Purpose

We have asked you to be here with us to help us understand issues of sexual assault prevention and response. In 2012, some members of the active duty and Reserve component who were selected at random were asked to participate in a voluntary large DoD-wide survey on these topics as part of the Workplace and Gender Relations Survey (WGRA/WGRR). In response, a series of focus groups are being conducted to provide more detailed information to DoD leadership. Similar focus groups are being conducted at installations across the country.

This is a **voluntary focus group**. If you prefer not to sit in on this focus group, you are free to leave or to sit quietly while others participate.

- Let's begin by talking about why we are doing focus groups. While the press and others may claim to know what is going on in the military, your senior leaders want to hear directly from you about the issues that affect you. This is an opportunity for you to share your perceptions and recommendations directly with senior leaders and in turn it helps senior leaders make well-informed policy decisions.

- Focus group participants sometimes say "I have not experienced sexual assault, so why should I stay for this session?" The purpose of this focus group is to understand these issues across the military. You're the experts on what it's like to be a member of the armed forces. Whether you *have* or *have not* experienced sexual assault is not a topic of this discussion. We do not want to discuss your personal experiences with sexual assault. We do want to discuss issues in general so we can provide guidance to leadership on the attitudes and opinions of the military force.

Ground Rules for Discussion

Thank you in advance for participating in this important focus group. We will follow a few ground rules for the focus group:

- Please respect each other's opinions. We know you will have different perspectives on issues covered in this focus group. We want to hear those views—that's why we are here today. So there are no right or wrong statements or opinions.

- If you don't feel you have anything to contribute, there's no pressure for you to do so, and if you need to leave during the session, please do so in a quiet manner, so as not to disrupt the group.

- I will lead the discussion and our recorder will be helping us to take notes. We will record comments but will not record names or other identifying information. Only an analysis and summary of the data will go in our report. If you would like to see how comments are being recorded, please examine what is being typed.

- This is a non-attribution session. Although we are taking notes on your comments and suggestions, we will not share anything outside this room that can be attributed to any one of you specifically. We ask your cooperation in protecting the privacy of the comments made within this session, so please do not discuss the focus group proceedings after you leave.

- Please keep the crosstalk to a minimum. Let me be the focal point for questions and discussion.

- Any questions?

Discussion Resources

On the next page are results from the survey that we will use as part of the discussion today. Please note that the results I will share with you come from the *2012 Workplace and Gender Relations Survey*. This survey was conducted in 2012 with results reported to DoD Service leadership as well as the House and Senate Armed Services Committees in 2013.

To assure the statistically reliability of the survey results, we conduct a stratified random sample of military men and women.

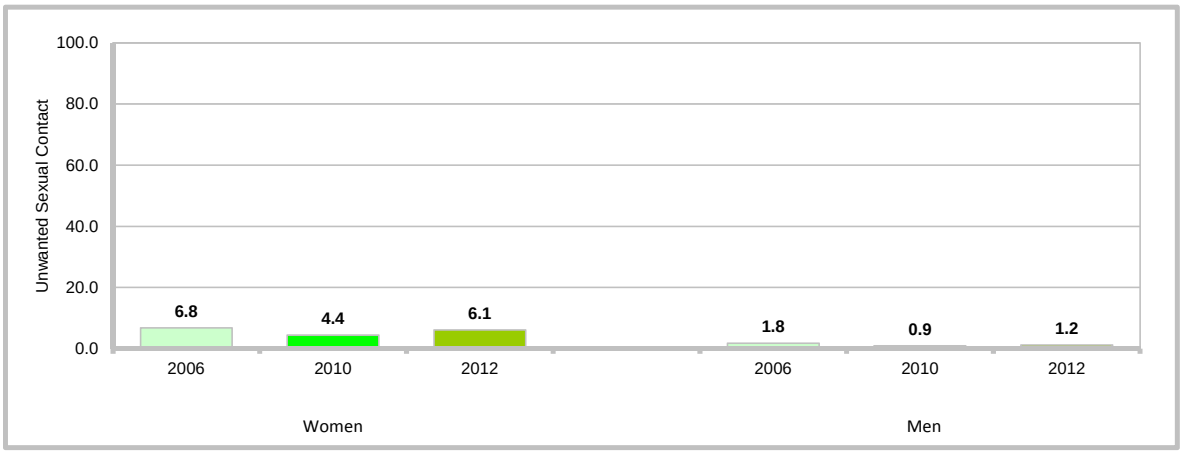
Unwanted Sexual Contact

Unwanted sexual contact consists of a range of unwanted behaviors including unwanted sexual touching, attempted sex, and completed sex. The question text is below:

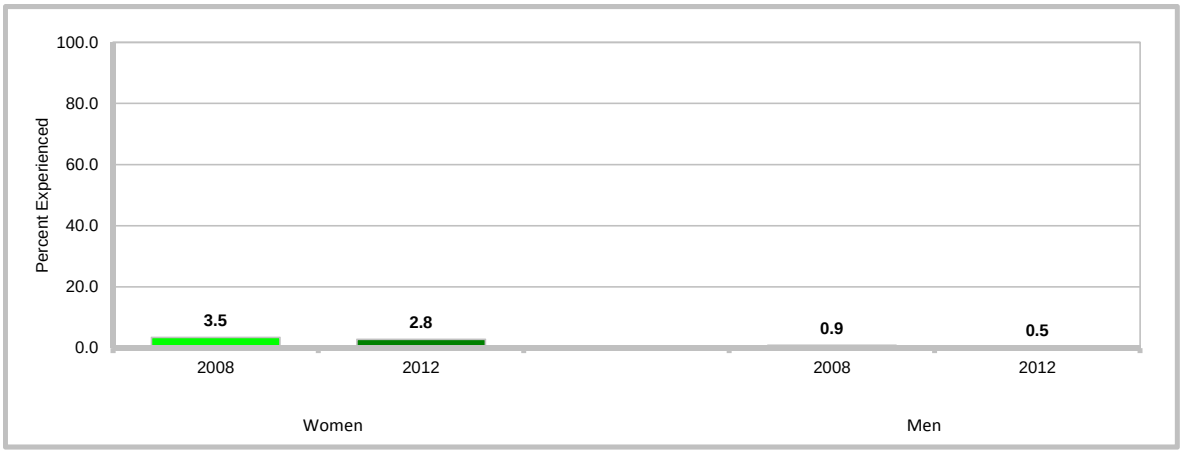
"In the past 12 months, have you experienced any of the following intentional sexual contacts that were against your will or occurred when you did not or could not consent where someone...

- Sexually touched you (e.g., intentional touching of genitalia, breasts, or buttocks) or made you sexually touch them?
- Attempted to make you have sexual intercourse, but was not successful?
- Made you have sexual intercourse?
- Attempted to make you perform or receive oral sex, anal sex, or penetration by a finger or object, but was not successful?
- Made you perform or receive oral sex, anal sex, or penetration by a finger or object?"

1. Unwanted Sexual Contact Rates for Active Duty Members



2. Unwanted Sexual Contact Rates for Reserve/National Guard Members



We appreciate your participation in this focus group. In the event you would like to discuss issues related to the focus group with someone from DMDC during (or after) our visit to the U.S. Military Academy, please contact Ms. Kristin Williams at 571-372-1033 or DSN 372-1033.

If you wish to provide feedback regarding the focus group process or the focus group content, please send us an e-mail at: SA-Survey@mail.mil. If you know of others who might like to contact a member of the DMDC team, please share this information with them. You may also use the Department of Defense SAFE Hotline at 877-995-5247 to report abuse of authority, mismanagement, fraud, and waste.

In April 2011, the Department of Defense launched the DoD Safe Helpline to provide confidential, live, one-on-one expert advice to victims of sexual assault. Available 24/7, users can click, call or text to access Safe Helpline services:

◦CLICK: Logging on to www.SafeHelpline.org allows users to receive live, one-on-one confidential help with a trained professional through a secure instant-messaging format. The website also provides vital information about recovering from and reporting sexual assault.

◦CALL: Calling the telephone hotline 877-995-5247 allows users to speak with trained Safe Helpline staff for personalized advice and support. Safe Helpline staff can also transfer callers to installation or base Sexual Assault Response Coordinators (SARCs)/On-call SAPR Victim Advocates (VAs), civilian rape crisis centers or the Suicide Prevention Lifeline.

◦TEXT: Texting their location to 55-247 (inside the U.S.) or 202-470-5546 (outside the U.S.) allows users to receive automated contact information for the SARC at their installation or base.

If you feel uncomfortable or uneasy after participating in the focus group, and/or if you are a survivor of sexual assault, or have experienced sexual harassment or stalking, we strongly encourage you to Contact the Sexual Assault Response Team:

USCC Sexual Assault Response Coordinator
845-938-7479; 24/7 cell 845-401-3476

Center for Personal Development (CPD)
845-938-3022; 24/7 cell 845-591-7215

Military Police Desk
845-938-3333

West Point Duty Chaplain
845-401-8171

Garrison Sexual Assault Response Coordinator
845-938-3369; 24/7 cell 914-382-8041

Installation Victim Advocate
845-938-5657; 24/7 cell 914-382-8180

West Point Diversity Officer
845-938-0508; 24/7 cell 845-590-1249

Medical Attention
Keller Army Community Hospital
Emergency Room: 845-938-4004
Behavioral Health: 845-938-3441

REPORT DOCUMENTATION PAGE

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Dr. Elizabeth P. Van Winkle, Dr. Lindsay Rock, Ms. Margaret H. Coffey, and Dr. Maia Hurley

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Alexandria, VA 22350-4000

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13. SUPPLEMENTARY NOTES

14. ABSTRACT

This survey was conducted in response to a Secretary of Defense Directive requiring a standardized and voluntary survey for survivors be developed and regularly administered to "provide the sexual assault victim/survivor the opportunity to assess and provide feedback on their experiences with SAPR victim assistance, the military health system, the military justice process, and other areas of support" (Secretary of Defense, 2014). The Defense Research, Surveys, and Statistics Center (RSSC) within the Defense Manpower Data Center was tasked with this effort. The SES was developed as an ongoing survey to provide details related to the sexual assault survivor's overall reporting process and reporting experience and address areas that were of specific interest to the Department, including: awareness of SAPR resources and reporting options, use of and satisfaction with SAPR personnel (including Sexual Assault Response Coordinators, Uniformed Victims' Advocates/Victims' Advocates, and legal personnel), use of and satisfaction with SAPR-related medical and mental health services, and leadership responses to sexual assault reports.

15. SUBJECT TERMS

Sexual Assault Prevention and Response Resources, Sexual Assault Response Coordinators, Uniformed Victims' Advocates/Victims' Advocates, Special Victims' Counsel/Victims' Legal Counsel,Restricted Report, Unrestricted Report, Chain of Command, Medical Services, Mental Health Services, Chaplain

16. SECURITY CLASSIFICATION OF:			17. LIMITATION OF ABSTRACT	18. NUMBER OF PAGES	19a. NAME OF RESPONSIBLE PERSON
a. REPORT	b. ABSTRACT	c. THIS PAGE			Dr. Elizabeth P. Van Winkle
UU	UU	UU	UU	122	19b. TELEPHONE NUMBER *(Include area code)* 571-372-0984

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Defense Research, Surveys, and Statistics Center (RSSC)

Annex 4:
Analysis of
Military Justice Reform

GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
1600 DEFENSE PENTAGON
WASHINGTON, D. C. 20301-1600

GENERAL COUNSEL

OCT 30 2014

MEMORANDUM FOR DIRECTOR, DEPARTMENT OF DEFENSE SEXUAL ASSAULT PREVENTION AND RESPONSE OFFICE

SUBJECT: Military Justice Portion of the Report to the President on Sexual Assault Prevention and Response

Attached is the military justice portion of the report to the President on sexual assault prevention and response. I understand that SAPRO will coordinate the entire report, including the military justice portion, with the Military Departments and other appropriate DoD Components.

Robert S. T

for Stephen W. Preston

Attachment:
As stated

The Military Justice System's Response to Unrestricted Reports of Sexual Assault

Executive Summary[1]

The laws and regulations governing the investigation and trial of military sexual assault cases have been transformed over the past three years. The amount of discretion commanders exercise over such cases has been sharply constrained while the rights available to victims of such offenses, including the military's creation of a robust victim legal representation program, have greatly expanded. Ongoing reform efforts will further improve the military's ability to investigate and fairly try sexual assault cases while protecting victims' privacy interests.

Virtually every portion of the military justice system has been modified, from ensuring that all unrestricted reports of sexual assaults are investigated by the professional Military Criminal Investigative Organizations that are independent of military commanders to imposing significant constraints on commanders' ability to change a court-martial's results after trial.

The National Defense Authorization Act for Fiscal Year 2014 (NDAA for FY14) enacted major reforms, which continue to be phased in. For example, the statute overhauled the Article 32 hearing that, unless waived by the accused, must precede a general court-martial. Changes to the Article 32 hearing process include giving military victims the right to decline to testify at the Article 32 hearing, a right already enjoyed by civilian witnesses. The scope of the hearing will be significantly narrowed and, with certain limited exceptions, judge advocates will be required to preside. The Secretary of Defense has directed that in sexual assault cases, the Article 32 preliminary hearing officer will always be a judge advocate. The President also modified the Manual for Courts-Martial to enhance victims' privacy at Article 32 hearings when evidence of their prior sex acts, psychotherapist-patient communications, or victim advocate-victim communications is offered.

The Secretary of Defense also imposed limitations on which military commanders may exercise prosecutorial discretion over sexual assault allegations, requiring that allegations of penetrative sexual assaults be forwarded to a commander in the grade of O-6 (colonel or Navy captain) or higher who is authorized to convene a special court-martial and who must consult with a judge advocate before deciding what action to take. No lower-ranking officer may dismiss or otherwise dispose of charges in such cases. The NDAA for FY14 further constrained military commanders' pretrial discretion by providing that only general courts-martial have jurisdiction over charges alleging penetrative sexual assaults or attempts to commit such assaults. Any decision by a general court-martial convening authority not to refer a charge alleging one of those offenses for trial must be reviewed by a higher-level official including, in some circumstances, the Secretary of the Military Department.

The military has improved the investigation and prosecution of such charges through each Service's development of a Special Victim Investigation and Prosecution Capability. The Services now pursue an integrated approach to the investigation and prosecution of sexual

[1] For ease of reading, the Executive Summary does not include supporting citations. Supporting citations are provided in footnotes in the main text.

assault cases, relying on collaboration among specially trained investigators, prosecutors, and victim-witness assistants.

The substantive law that applies in military sexual assault cases has also changed, with a new version of Article 120 of the Uniform Code of Military Justice applying to offenses committed on or after June 28, 2012. This new statute cured the constitutional infirmity with the previous version of the sexual assault statute, simplified the theories of criminal liability for military sexual assault offenses, and created additional sex offenses. Congress also eliminated the statute of limitations for sexual assault and sexual assault of a child. The NDAA for FY14 also requires that a service member convicted of a penetrative sexual assault or an attempt to commit such an assault receive a sentence that includes a dishonorable discharge for an enlisted accused or a dismissal for an officer accused.

The military justice system has seen a revolution in the area of victims' rights, with the President, the Secretary of Defense, and Congress adopting measures to better protect the dignity and privacy interests of victims as cases proceed through the military justice system. The most important of these changes is the military's creation of what appears to be the most extensive victim legal representation program in the country. The NDAA for FY14 also enacted a military crime victims' rights statute modeled after its Federal civilian counterpart.

Once the trial is complete, military commanders' authority to overturn convictions has been limited to certain minor offenses and their discretion to reduce sentences has been sharply constrained other than to carry out a plea bargain.

As a result of these substantial reforms, the military is better able to investigate and try sexual assault offenses in a fair, just, and consistent manner with greater sensitivity to the rights and privacy interests of crime victims. DoD nevertheless believes that further improvements are necessary. Several initiatives are currently underway that will result in additional positive change.

DoD has proposed additional military justice reforms in two draft Executive Orders, one of which has been submitted to the Office of Management and Budget and the other of which is currently in the public comment phase. In the Legislative Branch, the House and Senate versions of the National Defense Authorization Act for Fiscal Year 2015 each contain additional revisions of the military justice system, though the scale of those changes is considerably less than that of the NDAA for FY 2014.

Congress established two Federal Advisory Committees to study issues concerning sexual assault in the military and propose reforms. The work of the first of those Federal Advisory Committees, the Response Systems to Adult Sexual Assault Crimes Panel (RSP), is complete. DoD is now reviewing the 132 recommendations included in the RSP's June 2014 report and preparing to implement those recommendations that the Secretary of Defense adopts. The RSP's follow-on Federal Advisory Committee, the Judicial Proceedings Since Fiscal Year 2012 Amendments Panel (JPP), is conducting an in-depth study of the substantial military justice reforms that have been adopted over the past three years, with an initial report due on February

4, 2015. Understanding the consequences of the changes that have already been made is critical to informing decisions concerning future reforms.

Another reform effort now underway is the work of the Military Justice Review Group which, at the Secretary of Defense's direction, is performing a comprehensive review of the military justice system. That review will result in a report proposing amendments to the Uniform Code of Military Justice in 2015.

While DoD supports further military justice reforms, it agrees with the RSP's conclusion that such reforms should not include removing prosecutorial discretion from military commanders. As the RSP found, "The evidence does not support a conclusion that removing authority to convene courts-martial from senior commanders will reduce the incidence of sexual assault or increase reporting of sexual assaults in the Armed Forces." Nor does the evidence "support a conclusion that removing authority to convene courts-martial from senior commanders will improve the quality of investigations and prosecutions or increase the conviction rate in these cases."

Transferring prosecutorial discretion from military commanders to judge advocates would pose a substantial risk of degrading commanders' ability to lead their subordinates and accomplish their assigned missions. Removing prosecutorial discretion from commanders would likely diminish their ability to reduce the prevalence of sexual assault in the military without any empirical basis to suggest offsetting improvements in DoD's ability to prevent sexual assaults or effectively respond to those sexual assaults that do occur. Commanders should be more involved in, and accountable for, the fight against sexual assault, not less.

The Military Justice System's Response to Unrestricted Reports of Sexual Assault

I. Introduction

This report examines the military justice system's response to unrestricted reports of sexual assault, focusing on recent reforms to the system. It begins with an overview of the military justice system. It then discusses major differences between the military and civilian criminal justice systems. The report then addresses major reforms to the military justice system since April 2012, with an emphasis on changes to laws, regulations, and policies governing responses to allegations of sexual assault offenses. The report then describes the major steps that occur in a sexual assault prosecution. It concludes with an examination of additional military justice reform measures that are currently being considered.

The military justice system governs the conduct of more than 1.4 million active duty service members at all times and in all places.[2] That is a population larger than those of 11 States and the District of Columbia.[3] The military justice system also governs the conduct of 850,880 members of the armed forces' Reserve Component when they are performing active duty or inactive duty training in a Federal capacity.[4] The military justice system also applies to some non-uniformed individuals – including active duty retirees entitled to pay,[5] civilians accompanying U.S. forces in the field in times of declared war or contingency operations,[6] and prisoners in custody of the armed forces serving court-martial sentences[7] – but these authorities are rarely used.[8]

Courts-martial are held in the United States, in foreign countries where U.S. service members are located, and sometimes even on naval vessels at sea. The ability to conduct courts-

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[2] The combined authorized end strength of the five armed forces for fiscal year 2013 was 1,448,560. *See* National Defense Authorization Act for Fiscal Year 2013 (NDAA for FY13), Pub. L. No. 112-239, § 401, 126 Stat. 1632, 1707 (2013); Coast Guard and Maritime Transportation Act of 2012, Pub. L. No. 112-213, § 102, 126 Stat. 1540, 1542. *See also* Uniform Code of Military Justice (UCMJ) art. 5, 10 U.S.C. § 805 (2012) ("This chapter applies in all places."). The Coast Guard is an armed force within the Department of Homeland Security though during a time of declared war, if Congress so directs in the declaration of war or when the President directs, it operates as a Service in the Navy. *See* 14 U.S.C. § 3 (2012); 10 U.S.C. §101(a)(4) (2012). Regardless of whether the Coast Guard is operating as a Service in the Department of Homeland Security or Department of the Navy, the Uniform Code of Military Justice applies to it. The discussion in this report is generally applicable to the Coast Guard except when addressing Department of Defense-specific matters. For example, neither the Secretary of Defense initiatives nor Department of Defense Instructions discussed in this report apply to the Coast Guard.

[3] The combined active duty strength of the five armed forces is larger than the populations of Wyoming, Vermont, North Dakota, Alaska, South Dakota, Delaware, Montana, Rhode Island, New Hampshire, Maine, Hawaii, and the District of Columbia. U.S. Census Bureau, Population Division, NST-EST2013-01, Annual Estimates of the Population for the United States, Regions, States, and Puerto Rico: April 1, 2010 to July 1, 2013 (December 2013).

[4] NDAA for FY13, Pub. L. No. 112-239, § 411, 126 Stat. at 1710 (authorized Reserve Component end strength). *See also* UCMJ art. 2(a)(1), (3) 10 U.S.C. § 802(a)(1), (2) (2012) (establishing jurisdiction over members of the Reserve Component).

[5] UCMJ art. 2(a)(4), 10 U.S.C. § 802(a)(4) (2012).

[6] *Id*. at art. 2(a)(10), 10 U.S.C. § 802(a)(10) (2012).

[7] *Id*. at art. 2(a)(7), 10 U.S.C. § 802(a)(7) (2012).

[8] For example, the authority to court-martial civilians accompanying U.S. forces in the field – which Congress expanded to include contingency operations in 2006 – has been used only once since the Vietnam conflict. *See United States v. Ali*, 71 M.J. 256 (C.A.A.F. 2012).

martial in deployed settings is viewed as an important means of promoting discipline and combat effectiveness.[9]

The constitutional basis for the military justice system rests on Congress's authority to "make Rules for the Government and Regulation of the land and naval Forces."[10] Congress has delegated broad authority to the President, including the power to issue procedural rules for courts-martial[11] and to set maximum punishments for non-capital offenses.[12] The President's constitutional authority as "Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States"[13] provides an independent source of the President's authority within the military justice system.[14] The President has provided extensive implementing regulations through Executive Orders, which are compiled in the *Manual for Courts-Martial* (MCM).[15]

Congress exercised its statutory authority to establish the current military justice system in 1950 by passing the Uniform Code of Military Justice (UCMJ).[16] The UCMJ has been amended dozens of times since – including major revisions in 1968,[17] 1983,[18] and 2013[19] – and continues in force today.

The military justice system must simultaneously serve two critical – and sometimes competing – functions: it operates as both a modern criminal justice system and a tool commanders use to preserve good order and discipline within the military. The MCM's Preamble reflects this dual nature: "The purpose of military law is to promote justice, to assist in maintaining good order and discipline in the armed forces, to promote efficiency and effectiveness in the military establishment, and thereby to strengthen the national security of the United States."[20]

The UCMJ creates a command-directed system of justice. Convening authorities – who are generally military commanders – are responsible for deciding the appropriate disposition of

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[9] *See generally* Defense Legal Policy Board, Report of the Subcommittee on Military Justice in Combat Zones (May 30, 2013).
[10] U.S. CONST., art. I, § 8, cl. 14.
[11] UCMJ art. 36(a), 10 U.S.C. § 836(a) (2012).
[12] *Id*. at art. 56, 10 U.S.C. § 856 (2012).
[13] U.S. CONST., art. II, § 2, cl. 1.
[14] *See*, *e.g.*, *Swaim v. United States*, 165 U.S. 553 (1897) (holding that the President is authorized, "as commander in chief, to validly convene a general court-martial" even when not statutorily empowered to do so).
[15] For example, there have been 20 Executive Orders revising the MCM since its last major revision in 1984. The MCM was last republished in 2012. MANUAL FOR COURTS-MARTIAL, UNITED STATES (2012 ed.) [hereinafter 2012 MCM]. Two Executive Orders have amended the MCM since. Exec. Order No. 13,643, 78 Fed. Reg. 29,559 (May 15, 2013); Exec. Order No. 13,669, 79 Fed. Reg. 34,999 (June 13, 2014).
[16] Uniform Code of Military Justice, Pub. L. No. 81-506, 64 Stat. 107 (1950). Before the UCMJ's adoption, separate statutes – the Articles of War and the Articles for the Government of the Navy – governed the Army's military justice system and the naval justice system.
[17] Military Justice Act of 1968, Pub. L. No. 90-632, 82 Stat. 1335.
[18] Military Justice Act of 1983, Pub. L. No. 98-209, 97 Stat. 1393.
[19] National Defense Authorization Act for Fiscal Year 2014 (NDAA for FY14), Pub. L. No. 113-66, tit. XVII, §§ 1701-1753, 127 Stat. 672, 950-85 (2013).
[20] 2012 MCM, *supra* note 15, at Pt. I, ¶ 3.

alleged offenses.[21] While commanders have various non-military justice tools available to promote discipline, including extra military instruction, counseling, and administrative discharges, the UCMJ provides four forums for disposing of charges: (1) nonjudicial punishment; (2) summary courts-martial; (3) special courts-martial; and (4) general courts-martial.

II. Overview of the Military Justice System

A. Forums

1. Nonjudicial punishment

Nonjudicial punishment authority rests exclusively with military commanders and officers-in-charge.[22] It is designed as a tool to swiftly impose "disciplinary punishments for minor offenses."[23] While nonjudicial punishment procedures vary considerably among the Services, the commander serves as the sole decision maker, determining whether to impose punishment for minor offenses.[24] But with the exception of those attached to or embarked in vessels, service members may decline to be subjected to nonjudicial punishment;[25] in such instances of "NJP refusal," charges are often (though not invariably) referred to a special court-martial. Nonjudicial punishment is not considered a criminal conviction.[26] Nonjudicial punishment is designed to provide "commanders with an essential and prompt means of maintaining good order and discipline and also promotes positive behavioral changes in servicemembers without the stigma of a court-martial conviction."[27]

Authorized nonjudicial punishments vary depending on the grade of both the officer imposing it and the service member receiving it.[28] Maximum permissible punishments include correctional custody for up to 60 days (enlisted only), restriction to specified limits (such as place of duty, quarters, dining facility, and place of worship) for up to 60 days, forfeiture of up to ½ pay per month for two months, and reduction to the lowest enlisted grade (enlisted only).[29] Junior enlisted service members attached to or embarked in a vessel may also be confined for up to three days on bread and water or diminished rations.[30]

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[21] *See* UCMJ art. 30(b), 10 U.S.C. § 830(a) (2012). *See also* 2012 MCM, *supra* note 15, Rule for Courts-Martial 306(a) [hereinafter R.C.M.].
[22] UCMJ art. 15(a), 10 U.S.C. § 815(a) (2012). Certain commanders may delegate their authority to impose nonjudicial punishment to a principal assistant. *Id*.
[23] *Id*. at art. 15(b), 10 U.S.C. § 815(b) (2012).
[24] *Id*. at art. 15, 10 U.S.C. § 815 (2012); *see also* 2012 MCM, *supra* note 15, at Pt. V, ¶ 1.d.(2).
[25] UCMJ art. 15(a), 10 U.S.C. § 815(a) (2012); *see also* 2012 MCM, *supra* note 15, pt. V, ¶ 3.
[26] *See*, *e.g.*, *United States v. Reveles*, 660 F.3d 1138 (9th Cir. 2011).
[27] 2012 MCM, *supra* note 15, at Pt. V, ¶ 1.c.
[28] UCMJ art. 15(b), 10 U.S.C. § 815(b) (2012).
[29] *Id*.
[30] *Id*. at art. 15(b)(2)(A), 10 U.S.C. § 815(b)(2)(A) (2012).

The five armed forces combined imposed 62,148 nonjudicial punishments during Fiscal Year 2013.[31]

2. Summary courts-martial

A summary court-martial is a one-officer "court" authorized to handle charges referred to it by a military commander.[32] It is designed "to promptly adjudicate minor offenses under a simple procedure."[33] In practice, those "simple procedure[s]" vary considerably among the Services. A summary court-martial's presiding officer need not be a lawyer.[34] A summary court-martial is not authorized to try officers or cadets or midshipmen.[35] Service members may decline to be tried by a summary court-martial;[36] such "refusal" cases are often (though not invariably) referred to special courts-martial for trial. A summary court-martial conviction is generally not considered a criminal conviction.[37]

Maximum punishments that may be imposed by summary courts-martial include confinement for up to 30 days, restriction for up to two months, forfeiture of up to 2/3 pay for one month, and reduction to the lowest pay grade.[38]

The five armed forces combined tried 1,101 summary courts-martial during Fiscal Year 2013.[39]

3. Special courts-martial

Special courts-martial are formalized criminal trials almost invariably presided over by a military judge, who must be a judge advocate (uniformed attorney). They follow evidentiary rules almost identical to the Federal Rules of Evidence.[40] Special court-martial convictions are considered Federal criminal convictions. Such convictions may carry collateral consequences, such as a requirement to register as a sex offender or limitations on the right to possess firearms and ammunition.

The punishments that a special court-martial may impose include a bad-conduct discharge (enlisted only; officers cannot be discharged by a special court-martial); confinement

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[31] Annual Report of the Code Committee on Military Justice, U.S. Court of Appeals for the Armed Forces (Oct. 1 2012-Sep. 30, 2013) (total nonjudicial punishments imposed by Service: Army, 42,407; Navy/Marine Corps, 12,525; Air Force, 6,247; Coast Guard, 969).
[32] UCMJ art. 20, 22, 10 U.S.C. § 820, 822 (2012); 2012 MCM, *supra* note 15, R.C.M. 1301.
[33] 2012 MCM, *supra* note 15, R.C.M. 1301(b).
[34] *See* 2012 MCM, *supra* note 15, R.C.M. 1301(a).
[35] UCMJ art. 20, 10 U.S.C. § 820 (2012).
[36] 2012 MCM, *supra* note 15, R.C.M. 1303.
[37] *Middendorf v. Henry*, 425 U.S. 25, 34-42 (1976*); but see Coram v. Board of Examiners, Sex Offender Registry of the State of New York*, 758 N.Y.S. 2d 235 (N.Y. Sup. Ct. 2003) ("Petitioner's conviction by summary court-martial to Indecent Assault and Sodomy by Force Without Consent is a 'sex offense' within the present statute requiring him to register as a sex offender").
[38] UCMJ art. 20, 10 U.S.C. § 820 (2012); 2012 MCM, *supra* note 15, R.C.M. 1301(d).
[39] Annual Report of the Code Committee (2013) (total summary courts-martial by Service: Army, 380; Navy, 31; Marine Corps, 526; Air Force, 144; Coast Guard, 20).
[40] *See generally* 2012 MCM, *supra* note 15, Pt. III, Military Rules of Evidence.

for up to 12 months (enlisted only; officers cannot be confined by a special court-martial); forfeiture of up to 2/3 pay per month for 12 months, and reduction to the lowest pay grade (enlisted only).[41]

The accused at a special court-martial may choose to be tried by a military judge alone or a panel of at least three service members chosen by the convening authority[42] (the individual – almost invariably a military commander – "who is authorized to convene and refer charges to a court-martial"[43]). An enlisted accused has the right to choose to have at least one-third of the panel members be enlisted as well.[44] If the service member chooses to be tried by a panel of members, that panel will also sentence the accused if a conviction results; military judges impose sentences only when the accused elects to be tried by a military judge alone and is convicted.[45] In a trial with members, a 2/3 majority is required for a conviction; any fraction less than that results in an acquittal.[46] Similarly, a 2/3 majority vote is required for the sentence.[47]

The five armed forces combined tried 1,213 special courts-martial during Fiscal Year 2013.[48]

4. General courts-martial

Like special courts-martial, general courts-martial are formalized judicial proceedings and resulting convictions are considered Federal criminal convictions. A general court-martial may impose any sentence authorized for a particular offense, including death.[49]

The power to convene general courts-martial is generally limited to generals and admirals in command of large military units.[50] The UCMJ imposes statutory prerequisites to referring charges for trial by a general court-martial. Unless waived by the accused, an Article 32 investigation (which will be restyled as an Article 32 preliminary hearing for offenses occurring on or after December 26, 2014) must be held to determine whether an adequate factual basis exists for the charges.[51] The convening authority must also receive written advice from his or her staff judge advocate concerning the charges. Referral to a general court-martial is not allowed unless the staff judge advocate advises that the specification alleges an offense under the

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[41] UCMJ art. 19, 10 U.S.C. § 819 (2012); 2012 MCM, *supra* note 15, R.C.M. 201(f)(2)(B).
[42] UCMJ art. 16, 10 U.S.C. § 816 (2012).
[43] *Witham v. United States*, 355 F.3d 501, 502 n.1 (6th Cir. 2004).
[44] UCMJ art. 25(c), 10 U.S.C. § 825(c) (2012).
[45] *See United States v. Lawson*, 34 M.J. 38, 42 (C.M.A. 1992) (Cox, J., concurring) ("In the military, unlike most jurisdictions, sentencing is done by court members unless the accused affirmatively requests that it be done by judge alone."); *see also* UCMJ art. 51(d), 10 U.S.C. § 851(d) (2012).
[46] *Id*. at art. 52(a), 10 U.S.C. § 852(a) (2012); 2012 MCM, *supra* note 15, R.C.M. 921.
[47] UCMJ art. 52(b)(3), 10 U.S.C. § 852(b)(3) (2012).
[48] Annual Report of the Code Committee (2013) (total special courts-martial by Service: Army, 376; Navy, 172; Marine Corps, 292; Air Force, 359; Coast Guard, 14).
[49] UCMJ art. 18, 10 U.S.C. § 818 (2012).
[50] *See id*. at art. 22, 10 U.S.C. § 822 (2012).
[51] *See id*. at art. 32, 10 U.S.C. § 832 (2012); *see also* NDAA for FY14, Pub. L. No. 113-66, § 1702(a), 127 Stat. at 954.

UCMJ, that the specification is warranted by the evidence presented at the Article 32 proceeding, and that a court-martial would have jurisdiction over the accused and the offense. [52]

The panel of members in a general court-martial must number at least five (or 12 in capital cases).[53] Except in capital cases, which must be tried before a members panel, the accused may generally elect to be tried by a military judge alone instead of a members panel.[54] As at a special court-martial, the members will also impose the sentence if the case is tried before them. A 2/3 majority vote is required for conviction.[55] A unanimous vote is required for a death sentence and a 3/4 majority vote is required for confinement for more than 10 years.[56] All other sentences require a 2/3 majority vote.[57]

The five armed forces combined tried 1,239 general courts-martial during Fiscal Year 2013.[58]

B. Military Justice System's Structure

Courts-martial are not standing courts.[59] Rather, they are called into existence by an order from the convening authority to hear a specific case and they go out of existence once the case is complete. The military's appellate courts, on the other hand, are standing courts.[60]

A case that results in a conviction is initially reviewed by the convening authority, who has some power – though it was greatly limited by the NDAA for FY14 – to reduce the sentence or set aside convictions.[61]

Cases with certain sentences automatically qualify for further review by the military justice system's appellate courts. There are four intermediate-level appellate courts, called the Courts of Criminal Appeals – one for each Military Department and one for the Coast Guard. Either uniformed lawyers or civilians may serve as judges on the Courts of Criminal Appeals,[62] though – with the exception of the Coast Guard Court of Criminal Appeals – military appellate judges are the norm. General and special court-martial cases that result in a conviction and punitive discharge, confinement for a year or more, or death are automatically appealed to those courts, though (except in death penalty cases) the accused may waive that appeal.[63] While it is possible for cases that result in a conviction but a lesser sentence to be referred to one of the Courts of Criminal Appeals, those cases almost invariably are reviewed by uniformed lawyers,

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[52] UCMJ art. 34, 10 U.S.C. § 834 (2012).
[53] *Id*. at art. 16, 25A, 10 U.S.C. §§ 816, 825A (2012).
[54] *Id*. at art. 16(1)(B), 2(B), 10 U.S.C. § 816(1)(B), 2(B) (2012); 2012 MCM, *supra* note 15, R.C.M. 903.
[55] UCMJ art. 52, 10 U.S.C. § 852 (2012). The only exception to this rule is for spying, a war-time-only offense for which a death sentence is mandatory. *See* UCMJ art. 106, 10 U.S.C. § 906 (2012).
[56] *Id*. at art. 52(b)(1), (2), 10 U.S.C. § 852(b)(1), (2) (2012).
[57] *Id*. at art. 52(b)(3), 10 U.S.C. § 852(b)(3) (2012).
[58] Annual Report of the Code Committee (2013) (total general courts-martial by Service: Army, 714; Navy, 121; Marine Corps, 135; Air Force, 260; Coast Guard, 9).
[59] *United States v. Wiechmann*, 67 M.J. 456, 461 (C.A.A.F. 2009), *cert. denied*, 559 U.S. 904 (2010).
[60] *Denedo v. United States*, 66 M.J. 114, 124 (C.A.A.F. 2008), *aff'd*, 556 U.S. 904 (2009).
[61] *See* UCMJ art. 60, 10 U.S.C. § 860 (2012); NDAA for FY14, Pub. L. No. 113-66, § 1702(b), 127 Stat. at 955.
[62] UCMJ art. 66(a), 10 U.S.C. § 866(a) (2012).
[63] *Id*. at art. 66(b), 10 U.S.C. § 866(b) (2012).

but not courts.[64] It is also possible for the government to file interlocutory appeals in some instances.[65] The Courts of Criminal Appeals are also authorized to issue extraordinary writs, such as writs of habeas corpus or mandamus, which can occasionally result in an enforceable judicial order at times when an appeal is not available.[66]

Cases reviewed by a Court of Criminal Appeals may be further reviewed by the Court of Appeals for the Armed Forces, an Article I court consisting of five civilian judges appointed by the President and confirmed by the Senate.[67] That court's docket is largely discretionary, though it must exercise jurisdiction over cases in which a Court of Criminal Appeals affirmed a death sentence.[68] In non-capital cases, the court may grant or deny review of cases petitioned to it by convicted service members.[69] Additionally, the four Judge Advocates General may certify cases to the court.[70]

Since 1984, the Supreme Court has had statutory certiorari jurisdiction over cases that were decided by the Court of Appeals for the Armed Forces, though the Supreme Court does not have such jurisdiction over cases that the Court of Appeals for the Armed Forces declined to review.[71]

Once direct appeal of a court-martial conviction is complete, a service member may seek collateral review in either United States district court[72] or the United States Court of Federal Claims.[73]

C. Punitive Articles

The Uniform Code of Military Justice includes 65 punitive articles, many of which include more than one offense.[74] Many of the punitive articles create military-specific offenses, such as desertion, absence without leave, violation of a lawful order, and misbehavior before the enemy.[75] Other punitive articles are similar to civilian criminal statutes, such as those prohibiting murder, rape, robbery, and burglary.[76]

Most of the UCMJ's provisions governing sexual offenses appear in Articles 120 ("Rape and sexual assault generally"), 120b ("Rape and sexual assault of a child"), and 120c ("Other sexual misconduct").[77] Together, those three articles establish 10 crimes: (1) rape, (2) sexual assault, (3) aggravated sexual assault, (4) abusive sexual contact, (5) rape of a child, (6) sexual

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[64] *See id*. at art. 64, 69, 10 U.S.C. § 864, 869 (2012).
[65] *Id*. at art. 62, 10 U.S.C. § 862 (2012); *see also* 2012 MCM, *supra* note 15, R.C.M. 908.
[66] *See*, *e.g*., *United States v. Denedo*, 556 U.S. 904 (2009).
[67] UCMJ arts. 67, 141-142, 10 U.S.C. §§ 867, 941-42 (2012).
[68] *Id*. at art. 67(a)(1), 10 U.S.C. § 867(a)(1) (2012).
[69] *Id*. at art. 67(a)(3), 10 U.S.C. § 867(a)(3) (2012).
[70] *Id*. at art. 67(a)(2), 10 U.S.C. § 867(a)(2) (2012).
[71] *Id*. at art. 67a, 10 U.S.C. § 867a (2012); 28 U.S.C. § 1259 (2012).
[72] *See generally Allen v. U.S. Air Force*, 603 F.3d 423, 429-30 (8th Cir.), *cert. denied*, 131 S. Ct. 830 (2010).
[73] *See generally Matias v. United States*, 923 F.3d 821, 823-25 (Fed. Cir. 1990).
[74] UCMJ art. 77-134, 10 U.S.C. §§ 877-934 (2012).
[75] *Id*. at art. 85, 86, 92, 99, 10 U.S.C. §§ 885, 886, 892, 899 (2012).
[76] *Id*. at art. 118, 120, 122, 129, 10 U.S.C. §§ 918, 920, 922, 929 (2012).
[77] *Id*. at art. 120, 120b, 120c, 10 U.S.C. §§ 920, 920b, 920c (2012).

assault of a child, (7) sexual abuse of a child; (8) indecent viewing, visual recording, or broadcasting; (9) forcible pandering; and (10) indecent exposure. Attempts to commit those offenses can be prosecuted under Article 80 of the UCMJ.[78] Other sex offenses are established by other UCMJ articles, including Article 125's prohibition of forcible sodomy (which is also chargeable under Article 120) and the specified Article 134 offenses of pandering and prostitution.[79]

Article 134 of the UCMJ is the "general article."[80] It can be violated in one of three ways: (1) engaging in conduct prejudicial to good order and discipline; (2) engaging in conduct of a nature to bring discredit upon the armed forces; and (3) violating a non-capital Federal civilian criminal statute.[81] The President has specified 52 non-exclusive offenses that can be tried under the general article.[82] Some of them, such as fraternization and breaking restriction, are military-specific offenses.[83] Others, such as negligent homicide, kidnapping, and obstructing justice, are common civilian crimes.[84]

Congress delegated to the President the authority to prescribe the maximum sentences for non-capital military offenses.[85] The maximum punishment for each military offense, including the 52 specified Article 134 offenses, is set out in Part IV of the MCM.

D. Rules of Procedure and Evidence

While the UCMJ provides the military justice system's broad framework, Congress delegated to the President the authority to establish the system's procedural rules and rules of evidence.[86] In carrying out that responsibility, the President is to adopt rules "which shall, so far as he considers practicable, apply the principles of law and the rules of evidence" used in criminal trials in United States district courts.[87] Presidents have carried out that authority by promulgating and revising the MCM, which includes, among other provisions, the Rules for Courts-Martial and the Military Rules of Evidence.[88] To assist in keeping the Manual for Courts-Martial updated, the Department of Defense's Joint Service Committee on Military Justice, which operates under the supervision of the General Counsel of the Department of Defense, conducts an annual review of the MCM, solicits public input, proposes rule changes, and prepares a draft Executive Order, which is published in the Federal Register for public

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[78] *Id*. at art. 80, 10 U.S.C. § 880 (2012).
[79] *Id*. at art. 125, 10 U.S.C. § 925 (2012); 2012 MCM, *supra* note 15, at Pt. IV, ¶ 97. A specified Article 134 offense is one prescribed by the President in Pt. IV of the MCM as a recognized application of the general article. Such conduct must be either prejudicial to good order and discipline or of a nature to discredit the armed forces. *See infra* notes 80-82 and accompanying text.
[80] UCMJ art. 134, 10 U.S.C. § 934 (2012).
[81] *Id*.
[82] 2012 MCM, *supra* note 15, Pt. IV, ¶¶ 60-113.
[83] *Id*., ¶¶ 83, 102.
[84] *Id*., ¶¶ 85, 92, 96.
[85] UCMJ art. 56, 10 U.S.C. § 856 (2012).
[86] *Id*. at art. 36, 10 U.S.C. § 836 (2012).
[87] *Id*. at art. 36(a), 10 U.S.C. § 836(c).
[88] *See generally* 2012 MCM, *supra* note 15.

comment and is the subject of a public hearing.[89] Once the draft Executive Order is approved within DoD, it is submitted to the President through the Office of Management and Budget.

E. Overlapping Jurisdiction

In most instances, a violation of one of the UCMJ's non-military-specific punitive articles will also constitute a civilian offense that can be prosecuted by one or more civilian jurisdictions. Off-base offenses committed by service members in the United States are generally triable in State court and/or court-martial. On-base offenses committed by service members are generally triable in United States district court or court-martial; in areas of military installations subject to concurrent jurisdiction, trial could also occur in State court. A memorandum of understanding between the Department of Justice and Department of Defense helps to allocate the exercise of jurisdiction between those Departments.[90] Similar memoranda are often in place between military installation commanders and State and local authorities. Offenses committed by U.S. service members in non-combat situations in foreign countries may often be tried by the host nation, court-martial, or both, though the United States generally attempts to maximize its exercise of jurisdiction in such instances. Offenses committed on military bases overseas also are generally triable in United States district court.[91] Status of forces agreements may preclude host nations from trying U.S. service members and may provide guidance for allocating prosecutorial discretion over cases with overlapping jurisdiction.

III. Major Differences Between Civilian and Military Justice Systems

A lawyer with experience trying criminal cases in United States district court would have little trouble acclimating to litigation in a general or special court-martial. The rules of evidence are nearly identical and the trial procedures are broadly analogous. Nevertheless, important differences do exist between the military justice system and its civilian analogues.

A. Role of the Commander

One of the key differences between the military and civilian criminal justice systems concerns the role of the commander. Military commanders who are designated as court-martial convening authorities exercise prosecutorial discretion, select the court-martial's equivalent of the civilian jury venire (the group of citizens selected for jury duty from which jurors in a particular case are seated), and have limited clemency authority once the case is complete.[92]

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[89] *See generally* Exec. Order No. 12473, 49 Fed. Reg. 17,152 (1984) (providing, *inter alia*, that the "Secretary of Defense shall cause [the MCM] to be reviewed annually and shall recommend to the President any appropriate amendments"); DoD Directive 5500.17, Role and Responsibilities of the Joint Service Committee (JSC) on Military Justice (May 3, 2003).

[90] Memorandum of Understanding between the Departments of Justice and Defense Relating to the Investigation and Prosecution of Certain Crimes (August 1981). *See generally* DoD Instruction 5525.07, Implementation of the Memorandum of Understanding (MOU) Between the Departments of Justice (DoJ) and Defense Regarding the Investigation and Prosecution of Certain Crimes (June 18, 2007) (reproducing the MOU at Enclosure 2); *see also* 2012 MCM, *supra* note 15, at Appendix 3.

[91] *See generally United States v. Passaro*, 577 F.3d 207, 212-14 (4th Cir. 2009).

[92] *See generally* UCMJ art. 25, 30(b), 60, 10 U.S.C. §§ 825, 830(b), 860 (2012).

B. Unlawful Command Influence

Unlawful command influence is frequently called "the mortal enemy of military justice."[93] Commanders' pervasive role in the system coupled with the extensive control they exercise over their subordinates in a wide range of contexts not limited to military justice creates the danger that a commander may unfairly influence a case's outcome, either intentionally or unintentionally. The fair administrative of justice could be imperiled based on the mere perception that the commander desired a particular outcome, even if that perception were mistaken.[94]

Article 37 of the UCMJ prohibits convening authorities and other military members from engaging in unauthorized attempts to influence the findings or sentence of a court-martial.[95] Article 37 also prohibits taking certain adverse actions against court-martial members (jurors), defense counsel, and military judges as a result of their performance of their duties in the military justice system.[96] The Court of Appeals for the Armed Forces has developed procedures to evaluate claims that a case has been improperly influenced.[97] Article 37 and that case law are without counterpart in civilian justice systems.

C. Personnel

There are several differences between the personnel who operate the military justice system and those in civilian justice systems.

The military justice system performs better than many of its civilian counterparts concerning the availability of counsel. A military defense counsel is made available to every service member who is tried by a special or general court-martial without cost to the service member regardless of indigence.[98] A military appellate defense counsel is also provided without cost to the service member in those cases that qualify for review before a military appellate court and, if applicable, the United States Supreme Court.[99] While service members may hire civilian counsel to represent them either at a court-martial or on appeal,[100] the universal right to government-provided defense counsel distinguishes the system from its civilian counterparts.

The military justice system also stands apart in providing counsel to the victims in sexual assault cases.[101] The Services offer to provide counsel to every victim in a sexual assault case who is statutorily eligible to receive legal assistance.[102] The Services' Special Victims'

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[93] *See*, *e.g.*, *United States v. Gore*, 60 M.J. 178, 178 (C.A.A.F. 2004).
[94] *See*, *e.g.*, *United States v. Ayers*, 54 M.J. 85, 94-95 (C.A.A.F. 2000) (discussing the dangers of even the mere appearance of unlawful command influence).
[95] UCMJ art. 37(a), 10 U.S.C. § 837(a) (2012).
[96] *Id*. at art. 37(a), (b), 10 U.S.C. § 837(a), (b).
[97] *See generally United States v. Biagase*, 50 M.J. 143 (C.A.A.F. 1999).
[98] UCMJ art. 27(a)(1), 10 U.S.C. § 827(a)(1) (2012).
[99] UCMJ art. 70, 10 U.S.C. § 870 (2012).
[100] UCMJ art. 38(b)(2), 70(d), 10 U.S.C. § 838(b)(2), 870(d) (2012).
[101] This report's use of the word "victim" includes alleged victims and is not intended to convey any presumptions concerning allegations of criminal offenses. *Cf*. Fed. R. Evid. 412(d) ("Definition of 'Victim.' In this rule, 'victim' includes an alleged victim.").
[102] *See generally* 10 U.S.C.A. § 1044e (West 2014 supp.).

Counsel/Victims' Legal Counsel organizations appear to collectively form the most extensive victim representation program in the country.

On the other hand, the military justice system's relatively high personnel turnover rate compares unfavorably with that in many civilian criminal justice systems. Military assignments typically last no longer than three years, and the same is generally true of service as a military judge, prosecutor, or defense counsel. While some civilian judges, prosecutors, and public defenders may develop decades of experience in their roles, that is not usually the case within the military justice system.

Another key difference between courts-martial and civilian trials concerns jury selection and its military equivalent. Rather than being randomly selected cross-sections of the community, court-martial panels are comprised of members selected by the convening authority, who is responsible for choosing members "best qualified for the duty by reason of age, education, training, experience, length of service, and judicial temperament."[103]

D. Defense Access to Evidence

Congress has provided that an accused and the prosecution generally have an equal right of access to evidence.[104] Military courts have sometimes pointed to that provision, as well as Rule for Courts-Martial 701,[105] as establishing a broader defense discovery right in the military compared to civilian jurisdictions.[106] However, unlike in civilian criminal justice systems, the parties have an unequal ability to subpoena evidence. While the prosecutor is empowered to issue subpoenas, neither the court-martial itself nor the defense counsel may do so.[107] Procedures are in place, however, for a defense counsel to ask the prosecutor to issue a subpoena for evidence the defense seeks and, if the prosecutor refuses, to obtain judicial review of that decision.[108] Congress also recently enacted a provision generally precluding defense counsel from directly approaching the victim of a sex offense, requiring the defense counsel to approach such a victim through the prosecutor.[109]

E. Preliminary Hearings

In marked contrast to grand jury proceedings, the defense is permitted to participate in the adversarial Article 32 preliminary hearing, which (unless waived by the defense) is a prerequisite for referring a case to a general court-martial.[110] While the scope of Article 32 hearings will be narrowed for offenses that occur on or after December 26, 2014,[111] the accused

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[103] UCMJ art. 25(d)(2), 10 U.S.C. § 825(d)(2) (2012). These members are subject to voir dire and the military judge must excuse any member who is, or appears to be, biased. *See generall*y R.C.M. 912. The prosecution and the defense are each also permitted to exercise one peremptory challenge. UCMJ art. 41(b)(1), 10 U.S.C. § 841(b)(1).
[104] UCMJ art. 46; 10 U.S.C. § 846 (2012).
[105] 2012 MCM, *supra* note 15, at R.C.M. 701.
[106] *See*, *e.g.*, *United States v. Adens*, 56 M.J. 724, 733 (A. Ct. Crim. App. 2002).
[107] *See* 2012 MCM, *supra* note 15, R.C.M. 703(e)(2)(C).
[108] *See generally id*. at R.C.M. 703(c)(2), (f)(3).
[109] NDAA for FY 2014, Pub. L. No. 113-66, § 1704, 127 Stat. at 958-59 (to be codified at 10 U.S.C. § 846(b)).
[110] *See generally* UCMJ art. 32, 10 U.S.C. § 832 (2012).
[111] *See* NDAA for FY14, Pub. L. No. 113-66, § 1702(a), 127 Stat. at 954 (to be codified at 10 U.S.C. § 832).

will still have the right to present relevant evidence for the preliminary hearing officer's and staff judge advocate's consideration when recommending how the case should be disposed of and for the convening authority's consideration when making that disposition decision.[112]

F. Plea bargaining

Like in civilian criminal justice systems, most court-martial cases are resolved through plea bargains. The plea bargaining process is somewhat different, however, in the military context. A plea bargain in the military is between the accused and the convening authority, rather than the prosecutor.[113] The plea bargain typically involves the convening authority's agreement to reduce a sentence to no greater than a certain amount in exchange for the accused's guilty pleas to some or all of the offenses or lesser-included offenses. The sentencing authority (military judge alone or court-martial members), however, will not be informed of the sentence cap to which the convening authority agreed.[114] If the sentencing authority adjudges a sentence that is less than that agreed to by the convening authority, the accused will receive that lesser sentence.[115] If, on the other hand, the sentencing authority adjudges a sentence greater than that agreed to by the convening authority, the convening authority will reduce the sentence to the agreed-upon cap.[116]

G. Sentencing

While the guilt/innocence phase of a court-martial looks much like its civilian counterparts, the sentencing proceeding does not. Most significantly, where a military accused exercises his or her right to be tried before a panel of military members (the equivalent of a jury), that panel will also decide the sentence.[117] No presentencing report is prepared following a conviction, as is the norm in civilian Federal prosecutions.[118] Rather, the sentencing authority – be it a panel of members or a military judge alone – imposes a sentence following an adversarial sentencing hearing at which the prosecution and the defense present evidence.[119] That sentencing hearing generally occurs without delay following the members' or military judge's announcement of a conviction.[120]

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[112] *See* UCMJ art. 32(d)(2), 10 U.S.C.A. § 832(d)(2) (West Supp. 2014).
[113] *See generally* 2012 MCM, *supra* note 15, R.C.M. 705(d)(3).
[114] *See id*. at R.C.M. 705(e), 910(f)(3).
[115] *See*, *e.g*., *United States v. Rivera*, 44 M.J. 527, 528 (A.F. Ct. Crim. App. 1996), *aff'd*, 46 M.J. 52 (C.A.A.F. 1997).
[116] *See* 2012 MCM, *supra* note 15, R.C.M. 705(b)(2)(E).
[117] *Cf.* Morris B. Hoffman, *The Case for Jury Sentencing*, 52 DUKE L.J. 951, 953 n.1 (2003) ("In noncapital felony cases, only five States – Arkansas, Missouri, Oklahoma, Texas, and Virginia—permit juries to make the sentencing decision.").
[118] *See* 2012 MCM, *supra* note 15, at A21-72 (drafters' analysis to R.C.M. 1001) (noting that "[s]entencing procedures in Federal civilian courts can be followed in courts-martial only to a limited degree. . . . The military does not have – and it is not feasible to create – an independent, judicially supervised probation service to prepare presentence reports.").
[119] *Id*. (noting that at courts-martial, evidence is presented to the sentencing authority "within the protections of an adversarial proceeding, to which rules of evidence apply, although they may be relaxed for some purposes" (internal citation omitted)).
[120] *See* Lieutenant Colonel David M. Jones, *Making the Accused Pay for His Crime: A Proposal to Add Restitution as an Authorized Punishment under Rule for Courts-Martial 1003(b)*, 52 NAVAL L. REV. 1, 42 (2005) ("the military usually has its sentencing hearings immediately following the findings").

Portions of the sentence that may be adjudged in court-martial cases are unique. For example, most UCMJ violations carry the possibility of a punitive discharge (bad-conduct discharge or dishonorable discharge) for an enlisted accused.[121] An officer convicted by a general court-martial of any offense may be sentenced to a dismissal, which is considered the equivalent of a dishonorable discharge for officers.[122] A punitive discharge stigmatizes an accused and can result in loss of veteran benefits.[123] Other unique aspects of court-martial sentences include reprimands, forfeiture of pay and allowances, reduction in pay grade for enlisted members, and restriction to specified limits.[124]

H. Post-trial Review

In civilian justice systems, judicial appellate review of criminal convictions is generally available, though such appellate review is often waived pursuant to a plea bargain.[125]

The military's post-trial review system differs significantly from the civilian model. First, there is an initial level of review by the convening authority with no true counterpart in civilian practice. While the convening authority's power to modify a court-martial conviction and sentence was sharply reduced by the NDAA for FY14,[126] military commanders retain the discretion to set aside convictions for certain minor offenses as well as to grant clemency concerning some portions of court-martial sentences,[127] a power that can be exercised to correct legal errors, to promote efficiency, to bestow mercy, or on equitable grounds.

Following the convening authority's action, the rules governing access to the military judicial appellate system and the review provided by that system differ substantially from the civilian norm – sometimes to the accused's advantage and sometimes to his or her disadvantage.

Not all military justice cases qualify for judicial appellate review. Generally, a military accused may appeal a conviction to a court only if the sentence includes death, a punitive discharge, or a year or more of confinement.[128] The Judge Advocates General have the authority to refer cases that do not meet that threshold to the relevant Court of Criminal Appeals for appellate review,[129] but in practice such referrals are rare. While a judge advocate will review cases that do not qualify for appellate review,[130] some military accused are disadvantaged compared to their civilian counterparts by being deprived of any opportunity for a direct appeal

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[121] *See generally* 2012 MCM, *supra* note 15, at Pt. IV; *see also id*. at R.C.M. 1003(b)(8)(B), (C).
[122] *See generally id*. at R.C.M. 1003(b)(8)(A).
[123] *See*, *e.g*., *United States v. Altier*, 71 M.J. 427, 428 (C.A.A.F. 2012) ("A punitive discharge adds to the stigma of a federal conviction and severely limits the opportunity of the former servicemember to receive important benefits, such as those administered by the Department of Veterans Affairs.").
[124] *See generally* 2012 MCM, *supra* note 15, at R.C.M. 1003(b)(1), (2), (4), (5).
[125] *See*, *e.g*., Nancy J. King & Michael E. O'Neill, *Appeal Waivers and the Future of Sentencing Policy*, 55 DUKE L.J. 209 (2005) (surveying a random sample of Federal criminal cases from Fiscal Year 2003 and finding that two-thirds included an appeal waiver).
[126] NDAA for FY14, Pub. L. No. 113-66, § 1702(a), 127 Stat. at 954.
[127] *See generally* UCMJ art. 60, 10 U.S.C.A. § 860 (West Supp. 2014).
[128] UCMJ art. 66(c), 10 U.S.C. § 866(c) (2012).
[129] UCMJ art. 69(d), 10 U.S.C. § 869(d) (2012).
[130] UCMJ art. 64, 69; 10 U.S.C. §§ 864, 869 (2012).

to a court. On the other hand, unlike defendants in the Federal civilian criminal justice system, a military accused cannot waive appellate review as part of a plea bargain,[131] resulting in widespread appeals of military guilty plea cases.

The review provided by the military justice system's intermediate appellate courts also departs from the civilian model. The military Courts of Criminal Appeals exercise two powers that are unavailable in most civilian appellate courts. First, the Courts of Criminal Appeals have an independent duty to review the record in each case qualifying for automatic appellate review to determine whether the findings of guilty are factually correct.[132] Applying that factual sufficiency review power, the Courts of Criminal Appeals will reverse some findings of guilty that would be affirmed under the more easily satisfied legal sufficiency standard that most appellate courts apply.[133] Second, the Courts of Criminal Appeals perform a *de novo* review of the appropriateness of the sentence approved by the convening authority.[134] The Court of Criminal Appeals must set aside any portion of the approved sentence that it determines to be inappropriately severe; it may not increase the sentence.[135]

Finally, unlike their civilian counterparts, some military accused may not seek Supreme Court review of appellate decisions in their case. The Supreme Court's statutory certiorari jurisdiction over military appellate decisions, which has existed only since 1984,[136] does not reach most cases that enter the military appellate system.[137] The Supreme Court may review only four categories of cases: (1) cases falling within the Court of Appeals for the Armed Forces' mandatory jurisdiction where the Court of Criminal Appeals affirmed a death sentence; (2) cases which one of the four Judge Advocates General sends (or "certifies") to the Court of Appeals for the Armed Forces for review of the Court of Criminal Appeals' decision; (3) cases in which the Court of Appeals for the Armed Forces exercises its discretionary jurisdiction by granting an accused's petition for review; and (4) extraordinary writ cases in which the Court of Appeals for the Armed Forces grants relief, such as by issuing a writ of habeas corpus directing a service member's release from custody or a writ of mandamus directing some government official to perform a specified act.[138] The Supreme Court's certiorari jurisdiction does not extend to the vast majority of cases docketed with the Court of Appeals for the Armed Forces in which the court denies the service member's petition for review.[139] By contrast, Supreme Court certiorari jurisdiction exists for all Federal court criminal defendants who appeal their cases[140] as well as for State court criminal defendants regardless of whether a State appellate court denied discretionary review of the case.[141] If a direct appeal to a higher State court is not authorized for a particular State conviction, certiorari is also available.

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[131] 2012 MCM, *supra* note 15, R.C.M. 705(c)(1)(B).
[132] UCMJ art. 66(c), 10 U.S.C. § 866(c) (2012).
[133] *See generally United States v. Turner*, 25 M.J. 324, 325 (C.M.A. 1987).
[134] UCMJ art. 66(c), 10 U.S.C. § 866(c) (2012).
[135] *Id*.
[136] Military Justice Act of 1983, Pub. L. No. 98-209, 97 Stat. 1393 (effective August 1, 1984).
[137] *See generally* UCMJ art. 67a, 10 U.S.C. § 867a (2012); 28 U.S.C. § 1259 (2012).
[138] 28 U.S.C. § 1259 (2012).
[139] UCMJ art. 67a(a), 10 U.S.C. § 867a(a) (2012).
[140] *See* 28 U.S.C. § 1254 (2012).
[141] *See generally* 28 U.S.C. § 1257 (2012).

IV. Major Reforms to the Military Justice System Since April 2012

The military justice system has evolved substantially and rapidly since April 2012. The discretion of convening authorities is far more constrained today than three years ago while victims have far greater rights. Perhaps the most significant change has been the creation of a victim representation program that has enhanced victims' ability to participate meaningfully in the military justice system while protecting their privacy interests.

A. Investigations

In 2013, DoD policy was revised to clarify that all unrestricted reports of sexual assault, non-consensual sodomy, and attempts to commit those offenses with adult victims must be referred to a Military Criminal Investigative Organization (MCIO).[142] The MCIOs – the U.S. Army Criminal Investigation Command, the Naval Criminal Investigative Service, and the Air Force Office of Special Investigations – are professional law enforcement agencies independent of military commanders.[143] The MCIOs are required to "initiate investigations of all offenses of adult sexual assault of which they become aware . . . that occur within their jurisdiction regardless of the severity of the allegation."[144] Command-directed investigations of sexual assaults are expressly prohibited.[145] Thus, commanders may neither investigate such offenses themselves nor order their subordinates to conduct such investigations.

B. Preliminary Hearings

Title XVII of the NDAA for Fiscal Year 2014, enacted on December 26, 2013, included major reforms of the military justice system.[146] Those reforms included a substantial overhaul of the Article 32 pretrial investigation[147] that, unless waived by the accused, must precede a general court-martial. The Article 32 reforms, which will apply to offenses committed on or after December 26, 2014, include:

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[142] DoD Instruction 5505.18, Investigation of Adult Sexual Assault in the Department of Defense, ¶ 4.b.(2) (January 25, 2013, amended May 1, 2013) (requiring the Office of the Secretary of Defense and DoD Component Heads to ensure that Component commanders "at all levels immediately report to the appropriate MCIO all adult sexual assault allegations of which they become aware involving persons affiliated with the DoD, including active duty personnel and their dependents, DoD contractors, and DoD civilian employees."); DoD Instruction 6495.02, Sexual Assault Prevention and Response (SAPR) Program Procedures, Enclosure 2 at ¶ 6.i.(3) ("A unit commander who receives an Unrestricted Report of an incident of sexual assault shall immediately refer the matter to the appropriate MCIO."); *see also* NDAA for FY14, Pub. L. No. 113-66, § 1742, 127 Stat. at 979 (requiring a "commanding officer who receives a report of a sex-related offense involving a member of the Armed Forces in the chain of command of such officer" to immediately refer the report to the appropriate MCIO).

[143] *See generally* DoDI 5505.03, Initiation of Investigations by Defense Criminal Investigative Organizations (March 24, 2011).

[144] DoD Instruction 5505.18, Investigation of Adult Sexual Assault in the Department of Defense, ¶ 3.a (January 25, 2013, amended May 1, 2013).

[145] DoD Instruction 6495.02, Sexual Assault Prevention and Response (SAPR) Program Procedures, Enclosure 2 at ¶ 6.i.(3) ("A unit commander shall not conduct internal command directed investigations on sexual assault (i.e., no referrals to appointed command investigators or inquiry officers) or delay immediately contacting the MCIOs while attempting to assess the credibility of the report.").

[146] NDAA for FY14, Pub. L. No. 113-66, tit. XVII, §§ 1701-1753, 127 Stat. at 950-85.

[147] *Id*. at § 1702(a), 127 Stat. at 954.

1. Giving military victims the right to decline to testify at the Article 32 preliminary hearing, a right already enjoyed by civilian witnesses.

2. Narrowing the scope of Article 32 preliminary hearings. The purpose of the preliminary hearing will be limited to determining whether probable cause exists to believe that the accused committed the charged offense, and developing information to aid the convening authority in exercising prosecutorial discretion over the case. Before the amendment, defense counsel commonly used Article 32 hearings to gather evidence by calling witnesses whom they would question about a broad range of topics; such defense discovery will no longer be an authorized purpose of an Article 32 hearing.

3. Requiring, with certain narrow exceptions, that the preliminary hearing officer be a judge advocate and be equal to or senior in grade compared to the detailed government and defense counsel. The Secretary of Defense has directed that in sexual assault cases, the Article 32 preliminary hearing officer will, without exception, be a judge advocate.[148]

4. Requiring that Article 32 preliminary hearings be audio recorded and guaranteeing the victim an opportunity to review the recording.

The President further protected victims' privacy interests by requiring that the same procedures, including the use of closed hearings and sealing of records, that protect victims' privacy interests when rape shield, psychotherapist-patient privilege, and victim advocate-victim issues are litigated at courts-martial be used at Article 32 hearings.[149]

C. Disposition of Sexual Assault Allegations

The authority to dispose of allegations of penetrative sexual assaults and attempts to commit such assaults has been limited to senior levels of command,[150] trial of such cases has been limited to general courts-martial,[151] and general court-martial convening authorities' decisions not to refer such cases for trial must be reviewed by higher-level officials.[152]

1. On April 20, 2012, the Secretary of Defense required that all allegations of penetrative sexual assaults be forwarded to a commander in the grade of O-6 (colonel or Navy captain) or higher who is authorized to convene a special court-martial, who must consult with a judge advocate before deciding what action to take. No lower-ranking officer can dismiss or otherwise dispose of charges in such cases.

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[148] Secretary of Defense Chuck Hagel, Memorandum: Sexual Assault Prevention and Response (August 14, 2013), *available at* http://www.sapr.mil/public/docs/news/SECDEF_Memo_SAPR_Initiatives_20130814.pdf.
[149] Exec. Order No. 13,669, 79 Fed. Reg. 34,999 (June 13, 2014).
[150] Secretary of Defense Leon Panetta, Memorandum: Withholding Initial Disposition Authority Under the Uniform Code of Military Justice in Certain Sexual Assault Cases (Apr 20, 2012).
[151] NDAA for FY14, Pub. L. No. 113-66, § 1705(b), 127 Stat. at 959-60.
[152] *Id*. at § 1744, 127 Stat. at 980-81.

2. Congress further constrained convening authorities' discretion in such cases by providing that "only general courts-martial have jurisdiction over" charges alleging rape, sexual assault, forcible sodomy, or attempts to commit those offenses.[153]

3. General court-martial convening authorities' decisions not to refer sexual assault charges to court-martial are subject to higher-level review, including by the Service Secretary if the convening authority declines to order a court-martial where his or her staff judge advocate has recommended such referral.[154]

D. Special Victim Investigation and Prosecution Capability

In accordance with the requirements of the NDAA for Fiscal Year 2013,[155] each Military Department has developed a comprehensive integrated approach to the investigation and trial of sexual assault cases, relying on collaboration among specially trained investigators, prosecutors, and victim-witness assistants.[156] This approach has enhanced the military's ability to investigate and prosecute sexual assault cases. The Services have also instituted programs – including hiring civilian experts to train and advise military prosecutors – that have further improved their skill in litigating sexual assault cases.

E. Substantive Law

On June 28, 2012, a new version of the military's rape and sexual assault statutes took effect.[157] This new statute cured the constitutional infirmity with the previous version of the sexual assault statute,[158] simplified the theories of criminal liability for military sexual assault offenses, and created additional sex offenses, including voyeurism and video voyeurism. The new statute has thus far withstood constitutional challenge.[159]

F. Statute of Limitations

Congress eliminated the statute of limitations for sexual assaults and sexual assaults of a child that occur on or after December 26, 2013.[160] (Rape and rape of a child already had no statute of limitations.)

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[153] *Id*. at § 1705(b), 127 Stat. at 959-60.
[154] *Id*. at § 1744, 127 Stat. at 980-81.
[155] NDAA for FY13, Pub. L. No. 112-239, § 573, 126 Stat. 1632, 1755-56 (2013).
[156] *See generally* Inspector General Department of Defense, Directive-type Memorandum 14-002, The Establishment of Special Victim Capability (SVC) Within the Military Criminal Investigative Organizations (February 11, 2014); Under Secretary of Defense for Personnel and Readiness, Directive-type Memorandum 14-003, DoD Implementation of Special Victim Capability (SVC) Prosecution and Legal Support (February 12, 2014).
[157] *See* NDAA for FY12, Pub. L. No. 112-81, § 541, 125 Stat. 1298, 1404 (2011).
[158] *See generally United States v. Prather*, 69 M.J. 338 (C.A.A.F. 2011).
[159] *See United States v. Torres*, No. NMCCA 201300396, 2014 WL 4348266, at *8-*9 (N-M. Ct. Crim. App. Aug. 28, 2014) (rejecting as-applied vagueness challenge to Article 120(b)(3)), *petition filed*, __ M.J. __ (C.A.A.F. Oct. 27, 2014) (mem.).
[160] NDAA for FY14, Pub. L. No. 113-66, § 1703, 127 Stat. at 958.

G. Enhanced Rights for Victims

The President, the Secretary of Defense, and Congress have substantially enhanced victims' rights in the military justice system. The most important of these changes is the creation of the Services' Special Victims' Counsel/Victims' Legal Counsel programs.

1. Following a successful pilot program by the Air Force, in 2013 the Secretary of Defense directed the Services to implement programs to provide legal counsel to sexual assaults victims.[161] Congress subsequently codified the program, which applies to victims who are authorized to receive legal assistance (generally service members on active duty and their family members, retirees, and DoD employees outside the United States).[162] Congress also expanded the scope of the program to include both adult and child sexual assault victims, as well as victims of certain other offenses including stalking, voyeurism, forcible pandering, and indecent exposure.[163] Victims' legal counsel have the right to participate in court-martial hearings concerning rape shield evidence and certain evidentiary privileges and to seek relief from military appellate courts where the victim disagrees with the trial judge's rulings on those matters.[164]

2. The NDAA for FY14 included a military crime victims' rights statute modeled after its Federal civilian counterpart.[165] It provides victims the right to notice of public hearings related to a case as well as notice of the accused's release or escape. Victims are also given the right to be reasonably heard at the accused's pretrial confinement hearing, sentencing hearing, and clemency and parole hearing.

3. The NDAA for FY14 generally precluded defense counsel from directly approaching victims of alleged sexual offenses; contact must instead be initiated through the prosecutor.[166]

4. The NDAA for FY14 gave victims the right to make a submission to the convening authority before the post-trial action in the accused's case.[167] It also precluded the convening authority from considering information about the victim's character that was not admitted at trial.[168] The President revised the MCM on June 13, 2014 to implement these requirements.[169]

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[161] Secretary of Defense Chuck Hagel, Memorandum: Sexual Assault Prevention and Response (August 14, 2013), *available at* http://www.sapr.mil/public/docs/news/SECDEF_Memo_SAPR_Initiatives_20130814.pdf.
[162] NDAA for FY14, Pub. L. No. 113-66, § 1716, 127 Stat. at 966-69 (to be codified at 10 U.S.C. § 1044e).
[163] *Id*. (to be codified at 10 U.S.C. § 1044e(g).
[164] *See generally LRM v. Kastenberg*, 72 M.J. 364 (C.A.A.F. 2013).
[165] NDAA for FY14, Pub. L. No. 113-66, § 1701, 127 Stat. at 952-54 (to be codified at 10 U.S.C. § 806b); *cf*. 18 U.S.C. § 3771 (2012).
[166] NDAA for FY14, Pub. L. No. 113-66, § 1704, 127 Stat. at 958-59.
[167] *Id*. at § 1706(a), 127 Stat. at 960-61.
[168] *Id*. at § 1706(b), 127 Stat. at 961.
[169] Exec. Order No. 13,669, 79 Fed. Reg. 34,999 (June 13, 2014) (codified at R.C.M. 1105A).

H. Mandatory Punitive Discharges

The NDAA for FY14 required that a service member convicted of rape, sexual assault, forcible sodomy, or an attempt to commit one of those offenses receive a sentence that includes a dishonorable discharge for an enlisted accused or a dismissal for an officer accused.[170]

I. Limited Post-trial Discretion

The NDAA for FY14 limited convening authorities' post-trial power to overturn convictions to certain minor offenses and sharply constrained their post-trial power to reduce sentences other than to carry out a plea bargain.[171]

As a result of these reforms, the military is better able to investigate and prosecute sexual assault offenses in a professional and consistent manner with appropriate regard for the rights and interests of crime victims.

V. Case Flow

The major military justice milestones that occur following the report of a penetrative sexual assault, or an attempt to commit such an assault, are set out below.[172] These milestones are based on an alleged offense occurring after all of the NDAA for FY14's provisions have taken effect. This discussion is limited to the military justice aspects of the response to such a report; medical, therapeutic, and other services that would be provided to the victim are discussed in other sections of this report.

Report of sexual assault: A service member who reports a sexual assault, either on a restricted or unrestricted basis, will be advised that she or she is eligible to be represented by a lawyer known as a Special Victims' Counsel (SVC) (or a Victims' Legal Counsel (VLC), as those lawyers are called in the Navy and Marine Corps). If the report is unrestricted, it must be forwarded to the relevant Service's Military Criminal Investigative Organization (MCIO). As part of the Services' Special Victim Investigation and Prosecution (SVIP) Capabilities, each of the MCIOs has a cadre of specially trained investigators available for assignment to such cases.

Initiation of the SVIP Capability: Within 24 hours of receiving the report of a sexual assault offense, the MCIO's assigned investigator will notify a specially trained SVIP prosecutor. Within 48 hours, the MCIO's assigned investigator will consult with the assigned prosecutor. Further consultation will occur on at least a monthly basis and may include specially trained paralegals and victim witness assistance personnel.

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[170] *Id*. at § 1705, 127 Stat. at 959-60.
[171] *Id*. at § 1702(b), 127 Stat. at 955.
[172] Charges for non-penetrative sexual offenses, including the Article 120 offenses of aggravated sexual contact and abusive sexual contact, can be and sometimes are tried by courts-martial. However, some unique rules govern the response to the penetrative offenses of rape, sexual assault, and forcible sodomy, as well as attempts to commit those offenses. This description of case flow sets out the rules that apply to penetrative sexual assaults.

Pretrial confinement review: If the accused is ordered into pretrial confinement, the victim will be notified of any public hearing concerning the continuation of pretrial confinement and has the right to be heard at that hearing.

Possible reassignment of either the victim or the accused: Following an unrestricted report of a sexual assault, the victim can request reassignment; the command can also reassign the accused to a different military installation or to a different location within the same installation on a permanent or a temporary basis.

Limitation on defense counsel initiating an interview with the victim: Under the ethical rules that govern the practice of law in each Service, if the victim is represented by a legal counsel, including an SVC or VLC, the defense counsel may not directly contact the victim. Additionally, once the trial counsel notifies the defense counsel of the intention to call the victim as a witness at either an Article 32 hearing or court-martial, the defense counsel shall make any request to interview the victim through the trial counsel.

Elevated case disposition: The MCIO's report of investigation will be forwarded to an initial disposition authority (IDA), who is an officer in the grade of at least O-6 (colonel or Navy captain) who is authorized to convene a special court-martial, for a review and disposition decision. Before deciding how to proceed, the IDA must consult with a judge advocate.

Article 32 preliminary hearing: The IDA may choose to order an Article 32 preliminary hearing in the case. A judge advocate will be detailed to preside over the hearing and prepare a report. The victim will be notified of the hearing and be given the right to attend, subject to exclusion upon a finding by the preliminary hearing officer that the victim's testimony would be materially altered by hearing other testimony at the proceeding. The victim, however, cannot be compelled to testify at the Article 32 preliminary hearing.

Referral decision: The Article 32 preliminary hearing officer will prepare a report that will be provided to the IDA. If the IDA concludes that the case should be tried by a court-martial, the IDA will forward the preliminary hearing officer's report to a general court-martial convening authority, who is almost invariably a military commander in the grade of brigadier general or rear admiral (lower half) or higher. The general court-martial convening authority's staff judge advocate will prepare a recommendation. The general court-martial convening authority will then decide whether to refer the case to a general court-martial, the only level of court-martial authorized to try a charge of a penetrative sexual assault or an attempt to commit such an assault. If the general court-martial convening authority decides not to refer the case for trial, that decision will be reviewed. If the staff judge advocate recommended against referral, then a non-referral decision will be reviewed by the next superior in the chain of command authorized to convene a general court-martial. If the staff judge advocate recommended that charges be referred, then a non-referral decision will be reviewed by the Secretary of the Military Department.

Rape shield or evidentiary privilege hearing: If the defense seeks to admit evidence of the victim's prior sexual conduct, the military judge will order a closed hearing at which the victim has a right to attend and be heard through counsel. The record of that hearing will be sealed.

Similarly, if the defense seeks to obtain or introduce into evidence any of the victim's statements covered by the psychotherapist-patient privilege or the victim advocate-victim privilege, the victim will be notified, given the right to attend a hearing, and be allowed to be heard through counsel. The record of that hearing will also be sealed.

Trial: The victim will be notified of the trial. The victim has the right to attend any trial session, subject to exclusion upon a finding by the military judge that his or her testimony would be materially altered by hearing other testimony at the proceeding.

Sentencing: If the accused is convicted, the victim has the right to be heard at a sentencing hearing. If the accused is convicted of a penetrative sexual assault offense, the sentence must include a dishonorable discharge in the case of an enlisted member or a dismissal in the case of an officer. If the accused is sentenced to confinement, that punishment will begin immediately.

Post-trial review: If the case results in a conviction, it will be forwarded to the convening authority for action. Before the convening authority acts, both the accused and the victim may provide input, but the convening authority may not consider any information about the victim's character that was not admitted into evidence at trial. The convening authority's staff judge advocate will also provide a recommendation. The convening authority may not set aside a finding of guilty for any sexual assault offense. The convening authority must act on the sentence but may not set aside or reduce a punitive discharge (a bad-conduct or dishonorable discharge in the case of an enlisted accused or a dismissal in the case of an officer) or a sentence to confinement for more than six months imposed on any accused unless required to do so pursuant to a plea bargain or upon the recommendation of a prosecutor in recognition of substantial assistance by the accused in the investigation or prosecution of another person. No plea bargain can result in setting aside a dismissal for an officer convicted of a penetrative sexual assault; a plea bargain can provide for reducing a mandatory dishonorable discharge for an enlisted accused to a bad-conduct discharge, but may not result in an enlisted accused receiving no punitive discharge.

VI. Further Reforms

While substantial reforms to the military justice system have been implemented over the past three years, DoD believes that further improvements to the military justice system are necessary.

Reforming the military justice system is a continuous process. Current reform efforts include draft Executive Orders prepared by DoD and potential UCMJ amendments included in the respective congressional Houses' National Defense Authorization Acts for Fiscal Year 2015. Additional reform will result from DoD's consideration of the report of the Response Systems to Adult Sexual Assault Crimes Panel (RSP). The ongoing work of another Federal Advisory Committee – the Judicial Proceedings Panel – will likely result in further reforms, as will the upcoming report of the Military Justice Review Group, which was established by the Secretary of Defense to perform a comprehensive review of the military justice system.

A. Draft Executive Orders

On August 18, 2014, the Department of Defense forwarded to the Office of Management and Budget a draft Executive Order amending the MCM. This draft Executive Order proposes further improvements to rules governing sexual assault trials in the military justice system. In addition to proposing a broad range of more general rule changes, the draft Executive Order includes several provisions directly related to the prosecution of sexual assault offenses:

1. Implementing regulations for the NDAA for FY12's amendments to Article 120 and enactment of Articles 120b and 120c, including providing elements of and model specifications for various offenses under those articles.

2. Implementing regulations for the NDAA for FY14's enactment of mandatory punitive discharges for penetrative sexual assaults and attempts to commit such assaults.

3. Implementing regulations for the NDAA for FY14's provisions generally prohibiting defense counsel from contacting victims of sex-related offenses except through the prosecutor.

4. Establishment of an indecent conduct offense under Article 134, covering acts such as showing sexually explicit images to a minor via Skype. Unlike the earlier offense of indecent acts with another, the proposed indecent conduct offense does not require the presence of another person.

On October 3, 2014, the Department of Defense published another draft Executive Order in the Federal Register.[173] That draft Executive Order, which is currently in the public comment phase, also proposes a broad-range of MCM amendments, including the following provisions directly related to the prosecution of sexual assault offenses:

1. Implementing regulations for the NDAA for FY14's limitation of jurisdiction to try penetrative sexual assault offenses, and attempts to commit such offenses, to general courts-martial.

2. Implementing regulations for the NDAA for FY14's establishment of the victim's right to notice of, and to be heard at, hearings concerning the accused's continuation in pretrial confinement and the victim's right to notice of an accused's release or escape from pretrial confinement.

3. Implementing regulations for the NDAA for FY14's recasting of Article 32 investigations into preliminary hearings and reflecting the victim's general right to be present and right not to testify at such proceedings.

4. Elimination, for purposes of Article 32 preliminary hearings, of the exception to the rape shield rule and the psychotherapist-patient and victim

[173] Manual for Courts-Martial; Proposed Amendments, 79 Fed. Reg. 59938 (Oct. 3, 2014).

advocate-victim privileges for evidence the exclusion of which would violate the constitutional rights of the accused; elimination of the exception at the Article 32 stage is permissible because the accused does not have a constitutional right to confrontation or to present a defense at that forum.

5. Implementing regulations for the NDAA for FY14's provision requiring a military judge to appoint a legal guardian to exercise the rights within the military justice system of a juvenile or incompetent victim.

6. Codification of case law holding that a victim has the right to be heard through counsel at hearings concerning the admissibility of rape shield evidence, psychotherapist-patient communications, and victim advocate-victim communications.

7. Expansion of the victim advocate-victim privilege to cover communications with staff of the DoD Safe Helpline.

8. Implementing regulations for the NDAA for FY14's establishment of the right of a victim to be present at court-martial proceedings unless the military judge determines by clear and convincing evidence that the victim's testimony would be materially altered by hearing other testimony in the case.

9. Implementing regulations for the NDAA for FY14's provision giving the victim a right to be heard at sentencing proceedings.

10. Increase in the maximum authorized confinement for maltreatment of a subordinate from one year to two years.

11. Implementing regulations for the NDAA for FY14's limitations on convening authorities' discretion to modify a court-martial's findings or sentence.

B. Pending Legislation

Both the version of the National Defense Authorization Act for Fiscal Year 2015 passed by the House of Representatives – H.R. 4435[174] – and that reported by the Senate Armed Services Committee but not yet considered on the Senate floor – S. 2410[175] – contain provisions that would further reform the military justice system.

[174] Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015, H.R. 4435, 113th Cong. (2014) [hereinafter H.R. 4435].
[175] Carl Levin National Defense Authorization Act for Fiscal Year 2015, S. 2410, 113th Cong. (2014) [hereinafter S. 2410].

1. H.R. 4435

The House-passed[176] Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 includes the following provisions relevant to sexual assault prosecutions:

> (a) Convening authority-victim consultation: A requirement that convening authorities consult with victims of sexual assaults in the United States to determine the victim's preference as to whether the offense should be prosecuted by the military or by a civilian jurisdiction.[177] The bill would also require that where the victim is represented by an SVC or VLC, the SVC or VLC advise the victim concerning the relative advantages and disadvantages of prosecution by civilian and military authorities.[178]
>
> (b) Enforcement of crime victims' rights: A provision allowing victims to challenge military trial judges' rulings on rape shield and psychotherapist-patient issues by filing a petition for extraordinary relief with a Court of Criminal Appeals, which would be required to rule on the petition within 72 hours.[179]
>
> (c) Mandatory minimum confinement: Establishment of a mandatory minimum period of confinement of two years, in addition to the current mandatory dishonorable discharge or dismissal, for convictions of penetrative sexual assaults or attempts to commit such assaults.[180]
>
> (d) Good military character evidence: A requirement to limit the admissibility of good military character offenses to military-specific offenses.[181]
>
> (e) Psychotherapist-patient privilege: A requirement to eliminate the exception to the psychotherapist-patient privilege that applies when admission or disclosure of a communication is constitutionally required; the constitutionally required exception would "be deemed to no longer apply or exist as a matter of law."[182]

2. S. 2410

The Carl Levin National Defense Authorization Act for Fiscal Year 2015, which has been favorably reported by the Senate Armed Services Committee[183] but not yet considered on the Senate floor, includes the following provisions relevant to sexual assault prosecutions:

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[176] 160 CONG. REC. H4812 (daily ed. May 22, 2014) (recording passage of H.R. 4435).
[177] H.R 4435, *supra* note 174, at § 534(b).
[178] *Id*. at § 534(a).
[179] *Id*. at § 535.
[180] *Id*. at § 536.
[181] *Id*. at § 537.
[182] *Id*. at § 539.
[183] S. REP. NO. 113-176 (2014).

(a) Depositions: A limitation on the purposes for which depositions, at which witnesses are questioned out of court but on the record to preserve their testimony for later use at an Article 32 hearing or trial, may be ordered.[184]

(b) Psychotherapist-patient privilege: A requirement to clarify or eliminate the exception to the psychotherapist-patient privilege that applies when admission or disclosure of a communication is constitutionally required; the bill would also establish a legal threshold that must be met before a military judge will order an *in camera* review of a record of a psychotherapist-patient communication.[185]

(c) Victim's right to be heard through counsel: A requirement that the MCM be amended to provide that where a victim has the right to be heard, the victim may be heard through counsel.[186]

(d) Notice of scheduling of proceedings to victim's counsel: A requirement that the Secretaries of the Military Departments establish policies to ensure that counsel representing a victim, including SVCs and VLCs, are provided prompt notice of the scheduling of any hearing, trial, or other proceeding in the case.[187]

(e) Eligibility of members of the Reserve Component for assistance by SVCs and VLCs: An expansion of those authorized to receive SVC and VLC services to include members of the Reserve and National Guard who are not eligible to receive legal assistance.[188]

(f) Convening authority-victim consultation: A requirement that convening authorities consult with victims of sexual assaults in the United States to determine the victim's preference as to whether the offense is prosecuted by the military or by a civilian jurisdiction.[189] The bill would also require that where the victim is represented by an SVC or VLC, the SVC or VLC advise the victim concerning the relative advantages and disadvantages of prosecution by civilian and military authorities.[190]

(g) Good military character evidence: A requirement to limit the admissibility of good military character offenses to military-specific offenses.[191]

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[184] S. 2410, *supra* note 175, at § 541, as reported by the Senate Armed Services Committee.
[185] *Id*. at § 542.
[186] *Id*. at § 543(a).
[187] *Id*. at § 543(b).
[188] *Id*. at § 544.
[189] *Id*. at § 545(b).
[190] *Id*. at § 545(a).
[191] *Id*. at § 545(g).

(h) Review of non-referral decisions: A requirement that the Secretary of the Military Department review a general court-martial convening authority's decision not to refer a sex-related case for trial by court-martial where the Service's chief prosecutor (or another judge advocate designated for this purpose) requests review of the non-referral decision.[192]

(i) Capturing and preserving some information from restricted reports: A requirement that the Department of Defense preserve in a database information from both restricted and unrestricted reports concerning the alleged assailant and the offense.[193]

(j) Federal Advisory Committee: The establishment of a Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces, to be appointed by the President, to study a random sample of cases involving rape, forcible sodomy, sexual assault, and other sexual misconduct in the military and provide advice to the Secretary of Defense concerning the cases' investigation, prosecution, and defense.[194]

(k) Collaboration between the Department of Justice and DoD: A requirement for the Secretary of Defense and the Attorney General to jointly develop a strategy for ongoing collaboration between DoD and the Department of Justice to prevent and respond to sexual assault, including the handling of cases with overlapping jurisdiction and determining whether the Department of Justice should designate an advisor on military sexual assaults, with representatives at military installations, to provide investigative and prosecutorial assistance to DoD.[195]

C. Federal Advisory Committees

1. Response Systems to Adult Sexual Assault Crimes Panel (RSP)

On June 27, 2014, the congressionally mandated RSP issued its report, based on its year-long evaluation of the military justice system, on how to improve the effectiveness of the military's investigation and prosecution of sexual assault cases.[196] The RSP's report included 132 recommendations.

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[192] *Id*. at § 546.
[193] *Id*. at § 548.
[194] *Id*. at § 552.
[195] *Id*. at § 553.
[196] Report of the Response Systems to Adult Sexual Assault Crimes Panel through the Secretary of Defense and to the Committees on Armed Services of the Senate and the House of Representatives, June 27, 2014 [hereinafter RSP Report]. The 313-page RSP Report is available at: http://responsesystemspanel.whs.mil/Public/docs/Reports/00_Final/00_Report_Final_20140627.pdf. The report's Annexes are available at: http://responsesystemspanel.whs.mil/Public/docs/Reports/00_Final/01_Annex_Final_Web.pdf.

The RSP's recommendations addressed seven major areas:

(a) Measuring the scope of sexual assault in the military and civilian communities.

(b) Assessing the role of the commander, including the commander's responsibility and accountability for sexual assault prevention and the commander's role as the convening authority.

(c) Strengthening the SVC program and victims' rights, support, and services.

(d) Ensuring fairness and due process to those suspected or accused of sexual assault.

(e) Improving military justice procedures.

(f) Sustaining and adequately funding promising DoD programs and initiatives.

(g) Conducting independent audits and assessments.

DoD is currently reviewing each of the RSP's 132 recommendations and will implement those that the Secretary of Defense approves. This will produce further reform of the military justice system.

2. Judicial Proceedings Since Fiscal Year 2012 Amendments Panel (JPP)

The NDAA for FY13 created the JPP to conduct a further review following the RSP's report.[197] The JPP is tasked with studying military judicial proceedings for sexual assault offenses since Congress's 2011 amendments to Article 120 and enactment of Articles 120b and 120c took effect. The JPP will study 11 principal issues:[198]

(a) The impact of the 2011 amendments to Article 120.

(b) The number of courts-martial, nonjudicial punishments, and administrative discharges for sex-related offenses and the appropriateness of disposition decisions.

(c) Court-martial sentences for sex-related offenses, including an evaluation of their consistency and a comparison with sentences in Federal and State courts.

[197] NDAA for FY13, Pub. L. No. 112-239, § 576, 126 Stat. 1632, 1758 (2013).
[198] The JPP's duties are prescribed by the NDAA for FY13, Pub. L. No. 112-239, § 576, 126 Stat. at 1761, and the NDAA for FY14, Pub. L. No. 113-66, § 1731(b)(1), 127 Stat. at 974-75.

(d) Appellate review of military sexual assault convictions.

(e) Use of evidence of the victim's prior sexual conduct at both Article 32 hearings and courts-martial.

(f) Training and experience of military prosecutors and defense counsel.

(g) The Services' SVIP Capability.

(h) The withholding of initial disposition authority to commanders in the grade of O-6 (colonel or Navy captain) or higher who are authorized to convene special courts-martial.

(i) The Services' SVC/VLC programs.

(j) The mandatory punitive discharge for those convicted of penetrative sexual assaults or attempts to commit such offenses.

(k) Compensation and restitution proposals for sexual assault victims.

(l) The desirability of amending the definition to rape and sexual assault under Article 120 to apply where a service member commits a sexual act by abusing the service member's position in the chain of command to gain access to or coerce the victim.

The JPP will submit its first report by February 4, 2015 and will submit annual reports thereafter until terminating on September 30, 2017.

D. The Military Justice Review Group

On October 18, 2013, the Secretary of Defense directed a comprehensive review of the military justice system. The Honorable Andrew S. Effron, the former Chief Judge of the Court of Appeals for the Armed Forces and the nation's preeminent expert on military law, is heading the Military Justice Review Group (MJRG), which has been tasked with conducting the comprehensive review. The MJRG's review is not focused on sexual assault cases; rather, it seeks to ensure that the entire military justice system is operating efficiently and justly. Nevertheless, any proposals advanced by the MJRG could have a profound effect on the manner in which sexual assault cases are tried in the military. The MJRG will issue a first report proposing UCMJ changes no later than March 25, 2015, and a second report recommending changes to the MCM and other implementing regulations no later than September 21, 2015.

E. Proposals to transfer prosecutorial discretion from commanders to judge advocates

As the initiatives discussed above demonstrate, DoD is not merely receptive to further improvements in the military justice system, but is actively working to identify and implement enhancements. One proposal that DoD has analyzed and believes should not be adopted, however, is a transfer of prosecutorial discretion over all or a limited class of cases from commanders to judge advocates.

The RSP thoroughly studied the role of commanders and by a 7-2 vote concluded that removing their prosecutorial discretion would be inappropriate. The RSP found that "[t]he evidence does not support a conclusion that removing authority to convene courts-martial from senior commanders will reduce the incidence of sexual assault or increase reporting of sexual assaults in the Armed Forces."[199] Nor does the evidence "support a conclusion that removing authority to convene courts-martial from senior commanders will improve the quality of investigations and prosecutions or increase the conviction rate in these cases."[200] As former U.S. Representative and former Brooklyn, New York District Attorney Elizabeth Holtzman, a member of the RSP and the Chair of the JPP, succinctly summarized, transferring prosecutorial discretion from commanders to judge advocates "is not the solution to the problem."[201]

The United States' military is unique. It has no rival in its global reach. Our armed forces must take the military justice system with them wherever they go – in combat zones and occupied territory, on humanitarian missions, and at sea. The military commander plays a crucial role in ensuring that the military justice system is fully deployable. Removing prosecutorial discretion from those commanders – a move that is not empirically tied to an improvement in the military's efforts to prevent or respond to sexual assault – would risk degrading the system's deployability. Diminishing commanders' ability to hold service members appropriately accountable in deployed settings would create a concomitant risk of reducing good order and discipline and combat readiness.

Military commanders play an enormous role in influencing the behavior of their subordinates. Past command-driven efforts have successfully diminished other forms of misconduct in the ranks, such as illegal drug use and drunk driving. The best method of reducing the prevalence of sexual assault in the military is to engage commanders more, not less, and to hold them accountable. Making the response to sexual assaults an issue for lawyers, rather than commanders, carries the potential to diminish commanders' effectiveness in the fight against sexual assault in the military.

F. Maintaining a Balanced System

Finally, any discussion of the military justice system must note the importance of preserving a fair criminal justice system for those service members who are accused of offenses.

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[199] RSP Report, *supra* note 196, at 22.
[200] *Id*.
[201] Transcript of May 16, 2014 public meeting of the RSP at 56, *available at* http://responsesystemspanel.whs.mil/Public/docs/meetings/20140516/20140516_Transcript_Final.pdf.

As the RSP observed, "In addition to protecting Service members from sexual assault and responding appropriately to incidents when they occur, commanders have an equally important obligation to support and safeguard the due process rights of those accused of sexual assault crimes."[202]

Just as military commanders must appropriately balance the rights of victims and accused service members, so too should those who control the military justice system's framework. Some aspects of the military justice system that may appear unduly supportive of the accused exist to offset other areas where the system affords the accused fewer rights than their civilian counterparts. Care must be taken when reforming the military justice system to ensure that the reforms are balanced and promote a fair justice system for everyone with a stake in any particular case's outcome.

[202] RSP Report, *supra* note 196, at 37.

SEXUAL ASSAULT AND SEXUAL HARASSMENT IN THE U.S. MILITARY

Top-Line Estimates for Active-Duty Coast Guard Members from the 2014 RAND Military Workplace Study

National Defense Research Institute

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Contents

Tables iv
Summary v

Introduction 1
A New Approach to Counting Sexual Assault, Sexual Harassment, and Gender Discrimination 3
Fielding the RAND Military Workplace Study Survey 7
Top-Line Results from the RAND Military Workplace Study 11
The Percentage of Active-Duty Coast Guard Men and Women Experiencing Sexual Assault and Harassment 11
Time Trends on Unwanted Sexual Contact and Sexual Harassment Measures 17
Implications of the Top-Line Results 19
Next Steps 21
Appendix: A Brief Overview of RMWS Weighting Procedures 23

References 25
Notes 27

Abbreviations 29

Tables

1. Estimated Percentage of Active-Duty Coast Guard Members Who Experienced Any Type of Sexual Assault in the Past Year, by Gender 12
2. Estimated Percentage of Active-Duty Coast Guard Members Who Experienced a Sexual Assault in the Past Year, by Gender and Type 12
3. Estimated Percentage of Active-Duty Coast Guard Members Who Experienced a Sexually Hostile Work Environment in the Past Year, by Gender 14
4. Estimated Percentage of Active-Duty Coast Guard Members Who Experienced Sexual Quid Pro Quo in the Past Year, by Gender 14
5. Estimated Percentage of Active-Duty Coast Guard Members Who Experienced Sexual Harassment in the Past Year, by Gender 15
6. Estimated Percentage of Active-Duty Coast Guard Members Who Experienced Gender Discrimination in the Past Year, by Gender 16
7. Estimated Percentage of Active-Duty Coast Guard Members Who Experienced Any Sex-Based MEO Violation in the Past Year, by Gender 16
8. Estimated Percentages of Unwanted Sexual Contact and Sexual Harassment from the 2006 and 2010 WGRA Surveys of Active-Duty Coast Guard Members 17

A.1. Balance of Weighted Respondents to the Full Coast Guard Active-Duty Sample 24

Summary

In early 2014, the Department of Defense (DoD) Sexual Assault Prevention and Response Office (SAPRO) asked the RAND National Defense Research Institute to conduct an independent assessment of sexual assault, sexual harassment, and gender discrimination in the military—an assessment last conducted in 2012 by the department itself through the Workplace and Gender Relations Survey of Active-Duty Personnel (WGRA). Separately, the Coast Guard requested that we expand the 2014 study to include an assessment of its active and reserve force. This report provides preliminary top-line active-duty Coast Guard estimates from the resulting RAND Military Workplace Study (RMWS), which invited close to 14,000 active-duty Coast Guard members to participate in a survey fielded in August and September of 2014.

Compared to the prior, DoD studies, the RMWS takes a new approach to counting individuals in the military who experienced sexual assault, sexual harassment, or gender discrimination. Our measurement of sexual assault aligns closely with the definitions and criteria in the Uniform Code of Military Justice (UCMJ) for Article 120 and Article 80 crimes. The survey measures of sexual harassment and gender discrimination, which together we refer to as sex-based military equal opportunity (MEO) violations, use criteria drawn directly from DoD Directive 1350.2. Compared with past surveys that were designed to measure a climate of sexual misconduct associated with illegal behavior, our approach offers greater precision in estimating the number of *crimes* and *MEO violations* that have occurred. Specifically, the RMWS measures:

- *Sexual assault*, which captures three mutually exclusive categories: *penetrative* (often referred to as rape), *non-penetrative*, and *attempted penetrative crimes*.
- *Sex-based MEO violations*, which consist of:
  - *Sexually hostile work environment*—a workplace characterized by persistent or severe unwelcome sexual advances, or verbal or physical conduct that offends service members
  - *Sexual quid pro quo*—incidents in which someone uses his or her power or influence within the military to attempt to coerce sexual behavior in exchange for a workplace benefit
  - *Gender discrimination*—incidents in which service members are subject to mistreatment on the basis of their gender that affects their employment conditions

As with all crime-victim surveys, we classify service members as hanving experienced these crimes or MEO violations based on their memories of the event as expressed in their survey responses. It is likely that a full review of all evidence would reveal that some respondents whom we classify as not having experienced a sexual assault or sex-based MEO violation based on their survey responses actually did have one of these experiences. Similarly, some whom we classify as having experienced a crime or violation may have experienced an event that would not meet the minimum legal criteria. A principal focus of our survey development was to minimize both of these types of errors, but they cannot be completely eliminated in a self-report survey.

Subject to these caveats, we estimate with 95-percent confidence that between 180 and 390 active-duty Coast Guard members experienced one or more sexual assaults in the past year committed against them by other members of the Coast Guard, civilians, spouses, or others. Our best estimate in this range is that approximately 270 Coast Guard members were sexually assaulted in the past year, out of 39,112 active-duty members. This represents approximately 0.3 percent of active-duty men and 3.0 percent of active-duty women.

Our estimates suggest high rates of sex-based MEO violations against active-duty Coast Guard women, nearly a quarter of whom may have experienced a sex-based MEO violation in the past year. The majority of these violations involve experiences consistent with a sexually hostile work environment or gender discrimination. Our estimate of the prevalence of sex-based MEO violations against active-duty Coast Guard men is substantially lower, though still affecting about 1 in 22 men. These violations usually involve hostile work environments.

Although direct comparisons between the 2014 RMWS estimates and estimates of unwanted sexual contact and sexual harassment from the 2010 and 2006 surveys cannot be made, we cite indirect evidence that sexual assault and sexual harassment against active-duty Coast Guard men and women have declined since 2010.

This report includes preliminary top-line Coast Guard findings from the RAND Military Workplace Study, reporting on the broadest categories of outcomes (by gender and type of offense). These *top-line* results are likely to generate many questions about the details of the sexual assaults and MEO violations we have documented here. The RAND team will continue to analyze these and other topics in the winter of 2014–2015. Reports summarizing the findings from these analyses will be released in the late spring of 2015.

Introduction

In early 2014, the Department of Defense (DoD) asked the RAND National Defense Research Institute to conduct an independent assessment of sexual assault, sexual harassment, and gender discrimination in the military—an assessment last conducted in 2012 by the department itself through the Workplace and Gender Relations Survey of Active-Duty Personnel (WGRA). At the request of the Coast Guard, RAND also included a sample of Coast Guard active-duty and reserve members in the 2014 study.

The 2014 RAND Military Workplace Study (RMWS) is based on a much larger sample of the military community than previous surveys—men and women, active-duty and reserve component, and including the four DoD military services plus the Coast Guard—and it is designed to more precisely estimate the total number of service members experiencing sexual assaults, sexual harassment, and gender discrimination.

The objectives of the 2014 survey were to

- establish precise and objective estimates of the percentage of service members who experience sexual assault, sexual harassment, and gender discrimination
- describe the characteristics of these incidents, such as where and when they occurred, who harassed or assaulted the member, whether the event was reported, and what services the member sought.
- identify barriers to reporting these incidents, and barriers to the receipt of support and legal services.

To meet its December 1, 2014, deadline for providing the White House a report documenting the Coast Guard's progress in its efforts to prevent and respond to sexual assaults and harassment, the Coast Guard requested that RAND report top-line estimates on the Coast Guard active-duty sample shortly after the survey field period closed. These *top-line* numbers refer to the broadest categories of outcomes and include only estimated numbers and percentages of Coast Guard members who experienced sexual assault, sexual harassment, or gender discrimination in the past year, by gender and type of offense.

In addition to the preliminary top-line numbers presented here, the RAND research team will conduct additional analyses on the survey data and will include those findings in reports that are planned for release in the late spring of 2015. These

reports will examine the experiences of victims with the response systems available to them, their rationale for either reporting or not reporting sexual assaults and harassment to their command or to victim service professionals, and the circumstances of their experiences (such as who harassed or assaulted them, where and when it happened, and whether they suffered retaliation). In addition, these reports will provide findings for the Coast Guard reserves and more detailed documentation on our methodology and study approach.

A New Approach to Counting Sexual Assault, Sexual Harassment, and Gender Discrimination

DoD has assessed service members' experiences with sexual assault and harassment since at least 1996, when Public Law 104-201 first required a survey of the "gender relations climate" experienced by active-duty forces. Since 2002, four "Workplace and Gender Relations Surveys," as they are known in 10 USC §481, have been conducted with active-duty forces (in 2002, 2006, 2010, and 2012).

The Coast Guard was included in these surveys through 2010 but was not assessed in 2012. In 2010, an estimated four percent of active-duty Coast Guard women had experienced an "unwanted sexual contact" in the prior year; less than one percent of men had such an experience. More than a quarter of women in the Coast Guard (26.4 percent) were thought to have experienced sexual harassment in the workplace during the same year, compared to 3.1 percent of men.

The results of the 2012 survey, which included only DoD services, suggested that more than 26,000 active-duty service members had experienced "unwanted sexual contact" in the prior year, an estimate that received widespread public attention and concern. In press reports and congressional inquiries, questions were raised about the validity of the estimate, about what "unwanted sexual contact" included, and about whether the survey had been conducted properly. Some of these concerns and criticisms were unfounded. Although there are significant differences in our approach, the earlier WGRA survey did employ many of the same best practices for survey research that we have adopted for the RMWS (Office of Management and Budget, 2006). However, these concerns led some members of Congress to urge DoD to seek a new and independent assessment of the number of service members exposed to sexual assault or sexual harassment across the military.

In selecting RAND to conduct the 2014 assessment, DoD encouraged the RAND research team to redesign the approach used previously in the WGRA surveys if changes would improve the accuracy and validity of the survey results for estimating crimes and violations. In developing the new RMWS questionnaire, RAND researchers were conscious of the challenges of measuring sexual assault, sexual harassment, and gender discrimination. For example, seemingly slight changes in the descriptions

of these events can substantially influence survey results. Therefore, the RAND questions assessing sexual assault closely track the definitions and criteria listed in the Uniform Code of Military Justice (UCMJ) for Article 120 crimes. Likewise, our approach to measuring sexual harassment and gender discrimination was designed to closely align with the definitions of those violations as described in DoD directives, which themselves are closely aligned with federal civil rights law.[1]

To better assess the prevalence of sexual assault, sexual harassment, and gender discrimination, we sought to develop simple sets of questions that could be used to correctly classify respondents' experiences according to the complex criteria set out in law. In addition to breaking down complex legal standards into a series of questions amenable to a self-administered survey format, we also sought to introduce technical changes to improve respondent comprehension of the survey questions, and in turn to enhance the validity of their answers.

The development of this new approach to measuring sexual assault and sex-based MEO violations was completed in close consultation with a scientific advisory board that included experts on civilian and military law, the assessment of sexual assault and sexual harassment, victim services, and survey methodology. In addition, RAND researchers consulted with many other experts, advocacy groups, and service members, including many who had experienced sexual assaults or sexual harassment, to ensure that each survey question assessed the legal construct it was designed to measure as accurately as possible and to ensure that respondents could reliably understand the meaning of each question.

Thus, the RMWS survey is designed provide a valid and precise estimate of the number of service men and women who have experienced sexual assault, sexual harassment, or gender discrimination in the past year. It more closely links survey definitions of sexual offenses to the law than the WGRA did. Other improvements in our survey approach include:

- **Simplifying question syntax to improve respondent understanding.** Earlier WGRA surveys used complex questions for the sexual harassment and unwanted sexual contact measures, questions that placed heavy demands on respondents' reading skills and comprehension. RAND's approach presented a series of questions asking about behaviorally specific experiences.
- **Clarifying question terminology.** The prior WGRA approach to measuring sexual assault relied on respondent's understanding of the complex concept of *consent* and did so without defining the term. The RAND questionnaire avoids use of the term consent for most definitions of sexual assault. Instead, we substituted the behaviorally specific forms of coercion described in Article 120 of the UCMJ that operationalize the concept of consent. Similarly, we limited use of the term *sexual* in defining the events that might qualify as sexual assault because sexual assaults that would qualify as crimes under Article 120 need not be asso-

ciated with sexual gratification if they are designed to humiliate or debase the person who is assaulted. Instead, the new RMWS survey inquires about sexual assaults using simple behavioral and anatomical descriptions that make no reference to whether or not the behaviors were "sexual." Use of such behaviorally and anatomically specific language not only better matches the similarly specific language of Article 120, it has also been the standard approach for accurately assessing sexual assault in survey research conducted with civilian populations for decades (National Research Council, 2014). We believe these changes (and many others like them) clarify the meaning and intent of our survey questions and will have improved the reliability and validity of the respondents' answers. Pretesting of the survey indicated that respondents found the items to be clear and easy to understand.

- **Reducing overcounting of offenses due to telescoping.** People often report crimes as occurring more recently than they really did—a tendency that is referred to as *response telescoping*. To guard against this phenomenon, RAND implemented several strategies in the RMWS survey that are designed to better orient respondents to the specific timeframe under consideration in each section of the survey.

All of the improvements in the RMWS survey are designed to provide reliable estimates of the numbers of service members who experienced sexual assault crimes and sex-based MEO violations, and to minimize errors due to overreporting (such as due to response telescoping) and underreporting (such as due to confusion over what counts as a crime). Nevertheless, as with all crime-victim surveys, we classify service members as experiencing these violations based on their memories of the event as expressed in their survey responses. Thus, despite our efforts to reduce many sources of error in our estimates, such errors cannot be completely eliminated in a self-report survey.

Fielding the RAND Military Workplace Study Survey

DoD, in consultation with the White House National Security Staff, stipulated that the sample size for the RMWS was to include a census of all active-duty women and 25 percent of active-duty men in the Army, Navy, Air Force, and Marine Corps. In addition, we were asked to include a smaller sample of National Guard and reserve members sufficient to support comparisons of sexual assault and harassment between the active-duty and reserve forces. Active-duty Coast Guard members were sampled using the same proportions of men and women as the DoD services. Separate reports will describe results for Coast Guard reserve forces, all of whom were sampled in this study. In total, therefore, RAND invited close to 560,000 service members to participate in the study, making it the largest study of sexual assault and harassment ever conducted in the military.

The large sample for this study is particularly valuable for understanding the experiences of relatively small subgroups in the population. For instance, in the smaller 2012 WGRA, 117 DoD service men indicated that they experienced what the WGRA defined as "unwanted sexual contact." This low number limits generalizations that can be made about the experiences of men in the military.

The large sample associated with the RMWS also gave RAND the opportunity to test how changing the questionnaire itself might have affected survey results. Specifically, we were able to use a segment of our overall DoD sample to compare rates of exposure to sexual assault and sexual harassment as measured using the 2014 RMWS questionnaire and the 2012 WGRA questionnaire. We achieved this by randomly assigning this portion of the sample to receive questions from the prior WGRA form, while the balance received a version of the new RMWS form.[2]

We did not conduct a comparable experiment using Coast Guard members, because the size of the Coast Guard and our sample of its members are not large enough to support precise estimates on two different versions of the questionnaire. Nevertheless, as discussed below, the results from the experiment with DoD service members can be used to draw inferences about how Coast Guard outcomes on the RMWS survey might have appeared had we instead used the older WGRA survey. Therefore, we can draw tentative conclusions about how rates of sexual assault and

sexual harassment may have changed for the Coast Guard since the 2010 and 2006 administrations of the WGRA.

A total of 14,167 members of the Coast Guard active-duty forces were randomly selected from a population of 39,112 Coast Guard members who met the study inclusion criteria requiring that they be age 18 or over, below the rank of a flag officer, and in service for at least six months. This follows the procedures used in prior WGRA surveys. Sampled service members were randomly assigned to receive either the long or short version of the new RMWS questionnaires.[3] Both versions consisted of the screening items from the sex-based MEO violation module, the full sexual assault module, and demographic questions. The long form also included a longer sex-based MEO violation and gender discrimination assessment, questions about respondent psychological state, command climate, attitudes and beliefs about sexual assault in the military and the nation, and Coast Guard-specific questions that were added at the request of the Coast Guard.

The smartphone-compatible, web-based RMWS survey was fielded from August 7, 2014, to September 24, 2014. Before being fielded, the survey instrument underwent significant scientific and ethical review and regulatory approvals by RAND and by several DoD and Coast Guard authorities.[4] Service members in the sample were recruited through a series of emails and postal letters sent to them throughout the study period, as well as through outreach activities conducted by RAND, the Office of the Secretary of Defense (OSD), and Coast Guard leadership.

The study design contains a range of changes in the survey methods relative to the prior WGRA designed to address critiques of that study. Although many of our innovations build on those developed for WGRA, the new survey collects more detailed information related to whether the event is consistent with criminal offenses under the UCMJ or violations of MEO. It also includes simpler questions, an experiment to compare the prior WGRA survey and the new RMWS, a larger sample, and an increase in the outreach and recruitment messages. We took three specific steps to increase response rates:

- **A shorter survey.** The RMWS survey that most respondents received is shorter than the prior WGRA and could be completed by most respondents in just eight minutes.
- **Maximizing responses to the key questions.** We placed the sexual assault and sexual harassment modules at the beginning of the survey to maximize the number of respondents answering these questions, since historically there has been considerable survey break-off before reaching these core questions.
- **Reaching junior enlisted members and others with limited access to computers.** We made the survey smartphone compatible and developed a communications plan that promoted the survey through many channels, including social media, public service announcements, and print news stories.

A total of 7,307 active-duty Coast Guard members completed the RMWS survey, for a response rate of 51.6 percent.[5]

Top-Line Results from the RAND Military Workplace Study

The Percentage of Active-Duty Coast Guard Men and Women Experiencing Sexual Assault and Harassment

Here we describe the top-line findings on the estimated percentage of active-duty Coast Guard men and women who experienced sexual assaults and sex-based MEO violations (including gender discrimination and sexual harassment) in the past year.[6] Because we measure these offenses differently than they have been measured in the past, the estimates generated using the new RMWS assessment methodology cannot be directly compared with past WGRA results. The results in this section represent our preliminary estimates for the percentage of Coast Guard members who experienced events in the past year that would qualify as sex crimes under UCMJ Article 120 or Article 80, or sex-based MEO violations.

Sexual Assault

The RMWS survey contains a detailed assessment of sexual assault designed to correspond to the legal criteria specified in UCMJ Article 120. To be classified as having experienced a sexual assault, respondents must first have indicated that they experienced one of six anatomically specific, unwanted behavioral events. If they indicated that one of these events occurred in the past year, they were then asked a series of additional questions designed to assess (a) if the event was intended for either a sexual purpose, to abuse, or to humiliate, and (b) if the offender used one of the coercion methods specified in the UCMJ as defining a criminal sex act.

Using results from the RMWS survey, we estimate that 0.69 percent of the active-duty Coast Guard population, or approximately 270 of its members, experienced at least one sexual assault in the past year (Table 1). Although this precise estimate includes a degree of uncertainty, we can estimate with 95 percent confidence that the total number of service members in our sample frame who experienced a sexual assault in the past year is between 180 and 390 out of a sample frame of 39,112 active-duty members.[7] The estimated rate of sexual assault varied by gender: fewer than 1 in 100 men and 3 in 100 women. Each of these rates is significantly lower than our estimates for the percentage of active-duty DoD members who experienced past-year sexual assault.[8]

Table 1
Estimated Percentage of Active-Duty Coast Guard Members Who Experienced Any Type of Sexual Assault in the Past Year, by Gender

Total (95% CI)	Male (95% CI)	Female (95% CI)
0.69% (0.46–1.00)	0.29% (0.09–0.71)	2.97% (2.25–3.83)

To gain a better understanding of the nature of these events we broke down the overall results into the type of sexual assault that the respondent was classified as experiencing (Table 2). The instrument is structured so that if a respondent is classified as experiencing a penetrative sexual assault, they skip the subsequent questions about lesser offenses. Similarly, if they qualify as experiencing a non-penetrative sexual assault, they skip the final questions for attempted penetrative sexual assault. Thus, the instrument defines three mutually exclusive categories of sexual assault: *penetrative*, *non-penetrative*, and *attempted penetrative*.[9]

Penetrative sexual assaults are events that people often refer to as rape. We describe the measure as *penetrative sexual assault* in order to include both penetrative assaults that would be charged as rape and penetrative assaults that would be charged as aggravated sexual assault. *Non-penetrative assaults* include incidents in which private areas on the service member's body are touched without penetration, or where the service member is made to have contact with the private areas of another person's body.[10] The *attempted penetrative sexual assault* category applies only to those people who could not be classified with crimes that could be charged directly via Article 120 (*penetrative* or *non-penetrative sexual assaults)*. That is, they indicated having experienced an event in which someone attempted to sexually assault them (charged via Article 80), but the person never made physical contact with a private area of their body (which would have

Table 2
Estimated Percentage of Active-Duty Coast Guard Members Who Experienced a Sexual Assault in the Past Year, by Gender and Type

	Total (95% CI)	Male (95% CI)	Female (95% CI)
Any sexual assault	0.69% (0.46–1.00)	0.29% (0.09–0.71)	2.97% (2.25–3.83)
Penetrative sexual assault	0.36% (0.18–0.65)	0.17% (0.02–0.60)	1.44% (0.93–2.12)
Non-penetrative sexual assault	0.33% (0.20–0.50)	0.12% (0.02–0.35)	1.50% (1.03–2.12)
Attempted penetrative	0.00% (0.00–0.06)	0.00% (0.00-0.20)	0.03% (0.00–0.17)

NOTE: There were no cases of attempted penetrative assault among men in the sample.

allowed categorization under the *non-penetrative sexual assault* category). This approach to classifying sexual assaults results in nearly all sexual assaults being categorized as either *penetrative* or *non-penetrative*, with very few classified as *attempted* assaults.

The distribution across type of assault was similar for men and women, with approximately half of all sexual assaults being classified as *penetrative sexual assaults*. This is a higher estimated rate of penetrative assaults than in 2010, when approximately 25 percent of all assaults against active-duty women and 21 percent of assaults against men were classified as penetrative. This difference likely results from differences in the RMWS measurement approach rather than from changes in the true prevalence of penetrative sexual assaults. Our analyses of the results of the DoD experiment in which some members received the old WGRA questions and some received the new RMWS questions suggests that the new questions identify more penetrative crimes than the old questions. However, given the results observed for the Coast Guard, women are estimated to be at eight-times the risk of past year *penetrative* sexual assault relative to men.

Sex-Based MEO Violations

As with sexual assault, our measures of sexual harassment and gender discrimination assess a number of specific types of violations. The *sexually hostile work environment* measure is designed to capture a workplace that includes sexual language, gestures, images, or behaviors that offend and anger service members or interfere with their ability to do their jobs. These events are counted only if the offensive behavior is either persistent (e.g., the respondent indicated the behavior continued even after the coworker knew that it was upsetting to others) or described by the respondent as severe (e.g., the behavior was so severe that most service members would have found it patently offensive).

Table 3 shows that this type of sexual harassment is commonly faced by active-duty service women across the Coast Guard; we estimate that one-fifth of women experienced upsetting or offensive sexual behavior in the past year that, under federal law or DoD directives, can be classified as an unfair condition of their employment in the military. While estimated total and male percentages experiencing a hostile work environment in the Coast Guard are significantly lower than found for DoD active-duty members, no significant differences are found between the experiences of women in the Coast Guard and at DoD. A more detailed breakdown of the specific behaviors that constituted a *sexually hostile work environment* will be included in the full RAND report in Spring 2015.

These behaviors that respondents indicate are persistent or severe may have several negative effects. Case law demonstrates that a hostile work environment can cause poor work performance or evaluation, separation from the employer, and mental health problems. This type of harassment may interfere with cohesion within military units, may degrade mission effectiveness, and may result in voluntary separations from service of qualified service members who find these behaviors to be an unacceptable con-

Table 3
Estimated Percentage of Active-Duty Coast Guard Members Who Experienced a Sexually Hostile Work Environment in the Past Year, by Gender

Total (95% CI)	Male (95% CI)	Female (95% CI)
6.00% (5.22–6.85)	3.74% (2.94–4.68)	19.15% (17.05–21.39)

dition of employment (Moore, 2010; Rosen, 1998; Sims, Drasgow, and Fitzgerald, 2005). Such events undermine the rights of service members, most often women, to fair treatment within the Coast Guard. Careful tracking of this measure over time would provide a valuable gauge of progress in reducing sex-based violations of equal employment opportunity.

The measure of *sexual quid pro quo* (a Latin phrase meaning "this for that") identifies incidents in which someone used his or her power or influence within the Coast Guard to attempt to coerce sexual behavior. These events are counted only if the respondent indicated that they had personal evidence that a workplace benefit or punishment was contingent on a sexual behavior. Hearsay or rumor was not considered sufficient evidence to count in this category. Unlike *sexually hostile work environment*, this type of sexual harassment is comparatively rare (Table 4). We estimate with 95 percent confidence that fewer than one percent of active-duty Coast Guard service members were harassed this way in the past year and that between 10 and 50 active-duty women had such experiences in the past year. Total, male and female percentages in the Coast Guard are significantly lower than the percent reporting *sexual quid pro quo* experiences among DoD active-duty members.

Although *quid pro quo* events are much rarer than those reflecting a *sexually hostile work environment,* they still represent a particularly serious category of offense. Because military leaders have a great deal of authority over service members' lives, more than supervisors in the civilian workplace, misuse of their authority is a significant concern. In some cases, these acts are also likely to be crimes (e.g., under UCMJ Article 133 and Article 134), not merely civil infractions. Thus, although rare, it may

Table 4
Estimated Percentage of Active-Duty Coast Guard Members Who Experienced Sexual Quid Pro Quo in the Past Year, by Gender

Total (95% CI)	Male (95% CI)	Female (95% CI)
0.07% (0.02–0.19)	0.00% (0.00–0.20)	0.50% (0.23–0.93)

NOTE: There were no cases of quid pro quo indicated by men in the sample.

be valuable to monitor these offenses over time to assess the progress of military policies in reducing their prevalence.

The two measures of MEO violations that we have discussed thus far, *sexually hostile work environment* and *sexual quid pro quo,* together constitute the legal constructs describing sexual harassment. Thus, our sexual harassment measure (Table 5) counts anyone who has experienced either subtype of harassment. The overall measure of sexual harassment may not be as descriptively useful as its components, however, because it is dominated by the more common form of harassment (*sexually hostile work environment*). A comparison of Table 5 and Table 3 shows that the aggregate rate of s*exual harassment* is almost identical to the rate of *sexually hostile work environment*; this means that those women who indicated they experienced a *sexual quid pro quo* also indicated being sexually harassed under *sexually hostile work environment*. This in turn suggests that sexually hostile work environments may pose a high risk for sexual quid pro quo overtures; that is, the vast majority of those describing quid pro quo experiences also describe having experienced a sexually hostile workplace in the past year.[11] Whereas the estimated total and male percentages experiencing sexual harassment in the Coast Guard are lower than among active-duty members in the DoD, there is no significant difference between active-duty women in the Coast Guard and those in DoD services.

The *gender discrimination* measure assesses incidents in which the respondent indicated that he or she was the recipient of derogatory comments or mistreatment on the basis of gender. To count in this measure, respondents must indicate that the mistreatment also resulted in harm to their military career (i.e., adversely affect their evaluation, promotion, oassignment). We estimate that *gender discrimination* affected approximately 1 in 8 active-duty Coast Guard women in the last year and 1 in 95 men (Table 6). While the total percentage in the Coast Guard is lower than the percent reporting *gender discrimination* among DoD active-duty service members, there is no significant difference between either men or women in the Coast Guard and their peers in DoD.

The concept of *gender discrimination* is particularly challenging to assess in a self-report survey. Unlike sexual harassment, many forms of *gender discrimination* occur without the victim's awareness. Because these estimates are based on self-reports, they cannot count incidents in which discrimination occurred without the respondent

Table 5
Estimated Percentage of Active-Duty Coast Guard Members Who Experienced Sexual Harassment in the Past Year, by Gender

Total (95% CI)	Male (95% CI)	Female (95% CI)
6.02% (5.24–6.88)	3.75% (2.94–4.69)	19.19% (17.09–21.43)

Table 6
Estimated Percentage of Active-Duty Coast Guard Members Who Experienced Gender Discrimination in the Past Year, by Gender

Total (95% CI)	Male (95% CI)	Female (95% CI)
2.62% (2.12–3.19)	1.05% (0.59–1.72)	11.75% (10.12–13.55)

knowing. We cannot estimate how common these hidden cases of discrimination may be. On the other hand, respondents may sometimes attribute mistreatment to their gender when there are other legitimate causes of their adverse work experience.

In spite of these interpretational difficulties, the fact that one out of every eight women perceived themselves to be treated unfairly by the Coast Guard because of their gender represents a significant problem. This perception may make it hard to retain women in the military (Defense Equal Opportunity Management Institute, 2008; DMDC, 2009) and may make it less likely that women aspire to senior leadership roles (Hosek et al., 2001). To the extent that the broader public hears from women who believe they were treated unfairly in the Coast Guard, it may affect the Coast Guard's ability to recruit service members who put a high value on working in an equitable environment. Thus, perceptions about *gender discrimination* are an important target for intervention, and this measure should be valuable for assessing Coast Guard policy and progress over time.

The three types of sex-based MEO violations (*sexually hostile work environment*, *sexual quid pro quo*, and *gender discrimination*) can be thought of as belonging to a broader construct: *any sex-based MEO violation* (Table 7). *Any sex-based MEO violation* totals are higher than the total for *sexually hostile work environment,* suggesting that many who indicate they experienced *gender discrimination* did not also indicate experiencing a *sexually hostile work environment*. On the other hand, because this measure combines several distinct phenomena that are likely to be affected by different types of policy or educational interventions, this overall measure may not be ideal for evaluating Coast Guard progress on achieving key MEO goals. Even relatively substantial changes in *gender discrimination* or *sexual quid pro quo* over time may be difficult to detect in this aggregate measure. For this measure, too, the total and male percentages

Table 7
Estimated Percentage of Active-Duty Coast Guard Members Who Experienced Any Sex-Based MEO Violation in the Past Year, by Gender

Total (95% CI)	Male (95% CI)	Female (95% CI)
7.28% (6.40–8.23)	4.51% (3.60–5.57)	23.32% (21.10–25.66)

in the Coast Guard are lower than the percent reporting any sex-based MEO violation in the DoD active-duty population, but there is no significant difference for active-duty women.

Time Trends on Unwanted Sexual Contact and Sexual Harassment Measures

Unwanted sexual contact and sexual harassment were last measured among Coast Guard active-duty members in 2010 and before that in 2006. At that time, the estimated rates of these offenses were as reported in Table 8. The RMWS survey adopted a different approach to counting service members who have experienced sexual assault or sex-based MEO offenses in the past year than was used in these prior administrations of the WGRA, so the numbers reported in this report are not directly comparable with the earlier WGRA results.

In the DoD sample of the RMWS, we conducted an experiment that allowed us to compare rates of unwanted sexual contact and sexual harassment as measured using the prior WGRA questionnaire with rates of sexual assault and sexual harassment as measured on the new RMWS questionnaire. These comparisons demonstrated that in the DoD sample, the RMWS led to estimates of sexual assault that were comparable to those estimated using the WGRA for men and women. It also estimated rates of sexual harassment for women that were comparable to those measured with the WGRA. The RMWS survey counted substantially larger numbers of men as having experienced sexual harassment in the past year than did the WGRA form.

Although there is no guarantee that the same relationships between WGRA and RMWS estimates would hold for the Coast Guard, it is reasonable to think they might. Under the assumption that they do, then we would conclude that the 2014 Coast Guard estimates using the RMWS questionnaire are comparable to what we

Table 8
Estimated Percentages of Unwanted Sexual Contact and Sexual Harassment from the 2006 and 2010 WGRA Surveys of Active-Duty Coast Guard Members

	Women	Men
Unwanted Sexual Contact		
2006	3.22%	0.77%
2010	3.99%	0.73%
Sexual Harassment		
2006	30.86%	4.71%
2010	26.36%	3.12%

would have found had we used the WGRA as in past years, with the exception of the substantially larger numbers of men estimated to have experienced sexual harassment under the RMWS measures. As such, our 2014 estimates of the percentages of men and women experiencing sexual assaults might indicate declining rates of sexual assault compared to the 2010 and 2006 WGRA numbers. Similarly, our estimates of the numbers of men and women who experienced sexual harassment (chiefly a hostile work environment) in 2014 would also appear to suggest a reduction in these problems since 2010.

Implications of the Top-Line Results

Our estimates suggest that between 180 and 390 active-duty Coast Guard men and women were sexually assaulted in the past year out of 39,112 active-duty members, or approximately 0.3 percent of active-duty men and 3.0 percent of active-duty women. These include assaults committed by other members of the Coast Guard, civilians, spouses, or others. Our best estimate in this range is that approximately 270 Coast Guard members were sexually assaulted. These rates are significantly below those for men and women in the overall DoD active-duty population. These are one-year rates, so over a several year career the percentage of Coast Guard members who have experienced at least one sexual assault will necessarily be higher. It is also important to note that these figures are not a count of sexual assaults, but rather of service members who indicated that they experienced one or more sexual assaults. The actual number of sexual assaults in the past year will be higher, since some people will have been assaulted more than once.

Sexual harassment (particularly a sexually hostile workplace) is more common than sexual assault in the Coast Guard, with 19.2 percent of women and 3.7 percent of men indicating experiences in the past year that would qualify. Whereas this rate of sexual harassment for men is lower than found among active-duty men at DoD, the same is not true for women. Moreover, whereas estimated rates of sexual assault and sexual harassment for the Coast Guard are the same or better than found for DoD active-duty members taken as a whole, there is one DoD service with significantly lower estimated rates of sexual harassment than found for the Coast Guard.

We estimate that nearly a quarter of active-duty women experienced a sex-based MEO violation (chiefly hostile work environment or gender discrimination) in the past year (23.3 percent). Because this is a one-year rate, the percentage of women who have such experiences over their careers in the Coast Guard will necessarily be higher. By definition, these experiences are unwanted, and they are offensive, humiliating, and interfere with women's equitable treatment in the workplace. At such high rates, sexual harassment and other MEO violations could affect unit cohesion, degrade mission effectiveness, and result in voluntary separations from service of qualified service members who find these behaviors to be an unacceptable condition of employment (Moore, 2010; Rosen, 1998; Sims, Drasgow, and Fitzgerald, 2005).

Although direct comparisons between the 2014 RMWS estimates and estimates of unwanted sexual contact and sexual harassment from the 2010 and 2006 surveys cannot be made, we can cite indirect evidence that sexual assault and sexual harassment against active-duty Coast Guard men and women has declined since 2010.

As with all survey research, the results presented here are subject to several types of measurement error. While we have taken steps to minimize the likelihood of these errors, there is no way to completely eliminate them. As noted before, a thorough forensic investigation would likely discover that some of the events identified as crimes really were not crimes, and that some events not counted as crimes were. Moreover, it is possible that the individuals who did not respond to the survey have either higher or lower rate of sexual assaults than those who did respond, even after applying analytic weights designed to minimize those differences. We are conducting ongoing research, including additional data collection among DoD service members who did not respond to this survey, to better quantify the likelihood and direction of any such errors.

Also, because we omitted Coast Guard members with less than six months of service from our sample, we have not counted some portion of service members who experienced sexual assaults or harassment in their first months in the military. On the other hand, some in our sample with between 6 and 12 months of service have been counted as experiencing one of these events even though it may have occurred a few months before they entered active-duty service. Again, in later reports, we will explore the timing of these events.

The 2014 RMWS survey was designed to address some of the criticisms made of 2012 WGRA and prior versions of that survey, and to make the focus of the survey more clearly on crimes under the UCMJ and violations of equal opportunity laws and regulations. The RMWS had many more respondents, a higher response rate, and an analytic sample that is representative of the population on a wider set of characteristics that are risk factors for sexual assault or harassment. The new RMWS survey instrument collects more-detailed information about these events, uses simpler questions, more clearly restricts the questions to events that occurred in the past year, and excludes events that do not meet the legal standards for sexual assault, sexual harassment, or gender discrimination. In spite of these improvements, the RMWS has confirmed some of the core findings of the earlier WGRA surveys. In particular, several policymakers and critics have expressed concern that the actual rate of sex offenses in the military was being overstated by imprecise estimates provided by the *unwanted sexual contact* question—suggesting that the top-line numbers included many minor, or even accidental, physical contacts. Our estimates suggest that the prior WGRA measures and methods actually *underestimate* penetrative sex offenses in the past year.

Next Steps

This report describes only preliminary top-line findings for the Coast Guard from the RMWS. These top-line results are likely to generate many questions about the details of the sexual assaults and sex-based MEO violations that we have documented here. The RAND team will analyze these and other topics in the winter of 2014–2015, and we will provide detailed analyses of them, along with public reports on the methodology and the main findings, in the late spring of 2015. These reports will include findings on:

- rates of sexual assault, sexual harassment, and gender discrimination among
  - DoD active-duty and reserve component members
  - Coast Guard active-duty and reserve component members
- service members' experiences with support and prosecution systems available to those who report sexual assaults or MEO violations
- contextual and risk factors associated with sexual assaults and MEO violations
- results from investigations designed to understand the reliability and validity of our survey estimates
- recommendations for future surveys of sexual assault and sexual harassment in the military.

Appendix: A Brief Overview of RMWS Weighting Procedures

Respondent data were weighted to ensure that our analytic sample was representative of the active-duty Coast Guard population on key characteristics. Such weights are standard with all professional survey research to reduce bias in the survey estimates (Little and Rubin, 2002; Schafer and Graham, 2002). We used weights designed to make the analytic sample representative on a broader range of factors than were used in the 2010 analyses. These additional factors take into account information about socio-demographic characteristics (e.g., age, race), occupation (e.g., respondent's occupation code, percent of respondent's occupation code that is male, deployment history, time served in the military), and survey fieldwork measures (e.g., missing email address, missing mail address, number of letters returned as undeliverable, percentage of emails that were returned as undeliverable). The distribution of the weighted respondents matches the full Coast Guard population across the key reporting categories of gender and pay grade (see Table A.1). The weights used on the new RMWS assessments further balance the sample within each reporting category on those key variables associated with sexual assault, sexual harassment, and gender discrimination. To the extent that these key variables are also associated with whether service members respond to the survey, this approach reduces nonresponse bias in the population estimates of sexual assault, sexual harassment, or gender discrimination.

Data analyses included estimation of outcomes across all respondent samples and for the different reporting categories. For categorical variables, weighted percentages and standard errors were computed with SAS PROC SURVEYFREQ. The variance of weighted estimates was calculated using the Taylor series method. These analyses were conducted in SAS version 9.3. Comparison of weighted proportions across two groups (e.g., comparing an estimate from the Coast Guard sample and the DoD sample) were done using tests that appropriately accounted for the survey weighting in computing point estimates and respective standard errors. To control the familywise error rate, some significance tests apply a Bonferroni correction for multiple testing. Specifically, we ensured that the familywise error rate for each gender by services table, containing six independent hypothesis tests, is below .05. When providing counts of individuals in

the population, this report rounds to the nearest 500 to avoid implying greater precision than actually exists for these estimates.

Table A.1
Balance of Weighted Respondents to the Full Coast Guard Active-Duty Sample

Reporting Category	Population Count	Percent of Population	RMWS Weighted Sample
Female, Coast Guard, Junior Enlisted	2,515	6.43%	6.43%
Female, Coast Guard, Junior Officer	900	2.30%	2.30%
Female, Coast Guard, Senior Enlisted	2,047	5.23%	5.23%
Female, Coast Guard, Senior Officer	390	1.00%	1.00%
Male, Coast Guard, Junior Enlisted	9,643	24.65%	24.65%
Male, Coast Guard, Junior Officer	2,959	7.57%	7.57%
Male, Coast Guard, Senior Enlisted	18,298	46.78%	46.78%
Male, Coast Guard, Senior Officer	2,360	6.03%	6.03%
TOTAL	**39,112**		

NOTE: *Junior Enlisted* includes personnel in pay grades E-1 through E-4. *Senior Enlisted* includes personnel in pay grades E-5 through E-9 and W-1 through W-5 (warrant officers). *Junior Officer* includes personnel in pay grades O-1 through O-3, and *Senior Officer* includes personnel in pay grades O-4 through O-6.

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Notes

[1] DoD Directive 1350.2 defines military equal opportunity (MEO) violations with respect to sex and other protected characteristics, and the survey questions closely align with these definitions. However, this DoD Directive is based on federal civil rights laws (e.g., Title VII of the Civil Rights Act of 1964). One difference between MEO and the federal definitions of equal employment opportunity violations is that MEO defines all persistent or severe harassment based on sex as an unfair condition of military employment.

[2] Multiple versions of the RAND form were used to minimize respondent burden and costs to the services. It is not necessary to collect general experiences and attitudes from the entire sample in order to derive precise results, and doing so would be wasteful of service members' time. Therefore, we designed the survey so that each question was posed to only as many service members as was necessary to provide the needed precision required for the question. In general, those items that are endorsed relatively rarely (such as past year sexual assault) must be asked of the largest number of people to arrive at precise estimates, whereas items endorsed by large numbers (such as attitudinal questions), need only be asked of a comparatively small sample.

Thus, all sampled members were randomly assigned to receive one of four forms:

1. A "long form" consisting of a sexual assault module; a sex-based MEO violation module, which assesses sexual harassment and gender discrimination; and questions on respondent demographics, psychological state, command climate, attitudes, and beliefs about sexual assault in the military and the nation, and other related issues.
2. A "medium form" consisting of the sexual assault module, the sex-based MEO violation module, and some demographic questions.
3. A "short form" consisting of the full sexual assault module, the screening items only from the sex-based MEO violation module, and demographic questions. Thus, these respondents did not complete the full, sex-based MEO violation assessment.
4. The "prior WGRA form," which included questions from the 2012 WGRA, including the unwanted sexual contact, sexual harassment, and gender discrimination assessments from that survey. No members of the Coast Guard received this form.

[3] Assignment to different conditions was not done with equal probability across survey types. Instead, we selected samples of approximately 6,250 for the long form, and 7,917 for the short and medium forms.

[4] RAND's Institutional Review Board reviewed and approved the study procedures and survey instrument to ensure that it met all human subjects' protection protocols. The Office of the Under Secretary of Defense for Personnel and Readiness (OUSD/P&R), and the Coast Guard's Institutional Review Board conducted second-level review of human subjects' protections. The study procedures, or portions of them, also received reviews and approvals by the OSD Office of General Counsel, the Chief Privacy Officer of OSD and the Joint Staff, the Defense Manpower Data Center (DMDC) Chief Privacy Offi-

cer, OUSD/P&R Records management, and the Joint Chiefs of Staff. The project received licensing approval from the Washington Headquarters Service after receiving approvals from the Office of the Under Secretary of Defense for Personnel and Readiness. In addition, we solicited multiple rounds of reviews and comments with our scientific review board, and from researchers and leadership from each Service's sexual assault prevention and response office.

[5] Our calculation of the 51.6 percent Coast Guard active-duty response rate uses the most conservative of the American Association of Public Opinion Research definitions of response rates (RR1). The design-weighted version of this RR1 metric for the Coast Guard is 50.9 percent. Because respondents completed different forms, the total number of responses on each of the key survey modules varied as follows:

Number of Active-Duty Coast Guard Respondents Who Completed Each Survey Module

Survey Module	Sample Size	Respondents	Response Rate
RMWS Sexual Assault Outcomes	14,167	7,307	51.6%
RMWS MEO Violation Outcomes	10,209	5,222	51.2%

[6] Respondents were asked to report events that occurred between the date they took the survey, and the same date one year earlier. We refer to this time period as the *past year*.

[7] Confidence intervals (CIs) describe how precisely one can draw inferences about the population from a statistic estimated on a sample from that population. For example, in the analytic sample of respondents 1.54 percent of active-duty service members indicated experiencing a sexual assault. We can infer from these respondents that the true percentage in the population falls between 1.38 percent and 1.70 percent with very high confidence (probability = .95). Larger samples allow for narrower confidence intervals.

[8] For these comparisons with DoD results and those that appear later in this report, we refer DoD estimates found in the companion volume: *Sexual Assault and Sexual Harassment in the Military: Top-Line Estimates for Active-Duty Service Members from the 2014 RAND Military Workplace Study*. For each of these comparisons, we use a $p<.05$, Bonferroni corrected for a two degree of freedom test.

[9] An implication of this strategy is that once a service member indicated having experienced a sexual assault during the past year, we did not continue to ask detailed questions that would have identified additional sexual assaults. A detailed analysis of the sexual assault instrument, including its correspondence with the specific wording of Article 120, is included in the RAND methodology report that will be released later.

[10] *Private areas* were defined to include the buttocks, inner thigh, breast, groin, anus, vagina, penis, and testicles.

[11] In the field of epidemiology, the association between a risk factor and an outcome is often described in terms of a relative risk ratio, or the ratio of the probability of an event occurring in an exposed group relative to that in a group not exposed. Relative risk ratios of 5 or 10 are considered large (Macmahon and Pugh, 1970). Our results suggest that the relative risk ratio of quid pro quo as a function of hostile work environment is 121 in the Coast Guard sample, which is comparable to the association found between hostile environment and quid pro quo in the much larger DoD sample.

Abbreviations

CI	confidence interval
DoD	Department of Defense
DMDC	Defense Manpower Data Center
MEO	military equal opportunity
OSD	Office of the Secretary of Defense
OUSD/P&R	Office of the Under Secretary of Defense for Personnel and Readiness
RMWS	RAND Military Workplace Study
RR1	Response Rate 1 (as defined by the American Association of Public Opinion Research)
SAPRO	Sexual Assault Prevention and Response Office
UCMJ	Uniformed Code of Military Justice
USC	United States Code
WGRA	Workplace and Gender Relations Survey of Active-Duty Personnel